

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—118th Cong., 2d Sess.

H. R. 6655

To amend and reauthorize the Workforce Innovation and Opportunity Act.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by _____

Viz:

1 Strike all after the enacting clause and insert the following:
2

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

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

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

Sec. 1. Short title; table of contents.

TITLE I—WORKFORCE DEVELOPMENT ACTIVITIES

Subtitle A—General Provisions

Sec. 101. Purposes.

Sec. 102. Definitions.

Sec. 103. Table of contents amendments.

Subtitle B—System Alignment

2

CHAPTER 1—STATE PROVISIONS

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

CHAPTER 2—LOCAL PROVISIONS

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

CHAPTER 3—PERFORMANCE ACCOUNTABILITY

- Sec. 119. Performance accountability system.

Subtitle C—Workforce Investment Activities and Providers

CHAPTER 1—WORKFORCE INVESTMENT ACTIVITIES AND PROVIDERS

- Sec. 121. Establishment of one-stop delivery systems.
- Sec. 122. Identification of eligible providers of training services.
- Sec. 123. Eligible providers of youth workforce investment activities.

CHAPTER 2—YOUTH WORKFORCE INVESTMENT ACTIVITIES

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

CHAPTER 3—ADULT AND DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES

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

CHAPTER 4—GENERAL WORKFORCE INVESTMENT PROVISIONS

- Sec. 145. Authorization of appropriations.

Subtitle D—Job Corps

- Sec. 151. Purposes.
- Sec. 152. Definitions.
- Sec. 153. Individuals eligible for the Job Corps.
- Sec. 154. Recruitment, screening, selection, and assignment of enrollees.
- Sec. 155. Job Corps Campuses.
- Sec. 156. Program activities.
- Sec. 157. Counseling and job placement.
- Sec. 158. Support.
- Sec. 159. Operations.
- Sec. 160. Standards of conduct.
- Sec. 161. Community participation.
- Sec. 162. Workforce councils.
- Sec. 163. Advisory committees.
- Sec. 164. Experimental projects and technical assistance.
- Sec. 165. Special provisions.
- Sec. 166. Management information.
- Sec. 167. Job Corps oversight and reporting.

3

- Sec. 168. Authorization of appropriations.
- Sec. 169. Conforming amendments.

Subtitle E—National Programs

- Sec. 171. Native American programs.
- Sec. 172. Migrant and seasonal farmworker programs.
- Sec. 173. Technical assistance.
- Sec. 174. Evaluations and research.
- Sec. 175. National dislocated worker grants.
- Sec. 176. YouthBuild Program.
- Sec. 177. Reentry employment opportunities.
- Sec. 178. Youth apprenticeship readiness grant program.
- Sec. 179. Strengthening community colleges grant program.
- Sec. 180. Authorization of appropriations.

Subtitle F—Administration

- Sec. 191. Requirements and restrictions.
- Sec. 192. Monitoring.
- Sec. 193. Fiscal controls; sanctions.
- Sec. 194. Administrative adjudication.
- Sec. 195. Judicial review.
- Sec. 196. General waivers of statutory or regulatory requirements.
- Sec. 197. State flexibility pilot authority.
- Sec. 198. General program requirements.

TITLE II—ADULT EDUCATION AND LITERACY

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

TITLE III—AMENDMENTS TO OTHER LAWS

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

TITLE IV—GENERAL PROVISIONS

- Sec. 401. Report on data capability and interoperability of Federal and State databases and data exchange agreements.
- Sec. 402. Effective dates: transition authority.

1 **TITLE I—WORKFORCE**
2 **DEVELOPMENT ACTIVITIES**
3 **Subtitle A—General Provisions**

4 **SEC. 101. PURPOSES.**

5 Section 2 of the Workforce Innovation and Oppor-
6 tunity Act (29 U.S.C. 3101) is amended—

7 (1) in paragraph (1), by striking “support serv-
8 ices” and inserting “supportive services”;

9 (2) in paragraph (2), by inserting “, for youth
10 and adults,” after “economic development systems”;

11 (3) in paragraph (6), by striking “of the work-
12 force, reduce welfare dependency,” and inserting “of
13 the workforce, provide economic mobility, reduce de-
14 pendency on public assistance programs,”; and

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

16 “(7) To prepare a globally competitive work-
17 force by developing robust education and skills devel-
18 opment programs for youth to access career path-
19 ways that will lead such youth into in-demand indus-
20 try sectors and occupations.”.

21 **SEC. 102. DEFINITIONS.**

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

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

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

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

14 (b) CAREER PATHWAY.—Section 3(7)(F) of the
15 Workforce Innovation and Opportunity Act (29 U.S.C.
16 3102(7)(F)) is amended by striking “secondary school di-
17 ploma” and inserting “regular high school diploma”.

18 (c) EMPLOYER-DIRECTED SKILLS DEVELOPMENT.—
19 Section 3(14) of the Workforce Innovation and Oppor-
20 tunity Act (29 U.S.C. 3102(14)) is amended to read as
21 follows:

22 “(14) EMPLOYER-DIRECTED SKILLS DEVELOP-
23 MENT.—The term ‘employer-directed skills develop-
24 ment’ means skills development provided through a
25 program—

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

4 “(B) that is conducted pursuant to the
5 terms and conditions established under an em-
6 ployer-directed skills agreement described in
7 section 134(c)(3)(I), including a commitment
8 by the employer to employ an individual upon
9 successful completion of the program; and

10 “(C) for which the employer pays a portion
11 of the cost of the program, as determined by
12 the local board involved, which shall not be less
13 than—

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

16 “(ii) 25 percent of the cost, in the
17 case of an employer with more than 50 but
18 not more than 100 employees; and

19 “(iii) 50 percent of the cost, in the
20 case of an employer with more than 100
21 employees.”.

22 (d) DISLOCATED WORKER.—Section 3(15) of the
23 Workforce Innovation and Opportunity Act (29 U.S.C.
24 3102(15)) is amended—

1 (1) in subparagraph (B)(i), by inserting “, in-
2 cluding such a closure or layoff due to advances in
3 automation technology” before the semicolon; and

4 (2) in subparagraph (E)(ii), by striking “who
5 meets the criteria described in paragraph (16)(B)”
6 and inserting “who meets the criteria described in
7 subparagraph (B) of the definition of the term ‘dis-
8 placed homemaker’ in this section”.

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

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

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

21 (1) in paragraph (21)—

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

24 (B) by striking “language”; and

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

3 (h) INDIVIDUAL WITH A BARRIER TO EMPLOY-
4 MENT.—Section 3(24) of the Workforce Innovation and
5 Opportunity Act (29 U.S.C. 3102(24)) is amended—

6 (1) by amending subparagraph (F) to read as
7 follows:

8 “(F) Justice-involved individuals.”;

9 (2) in subparagraph (G)—

10 (A) by striking “Homeless individuals (as”
11 and inserting “Individuals experiencing home-
12 lessness (meaning homeless individuals”;

13 (B) by striking “(42 U.S.C. 14043e-
14 2(6))” and inserting “(34 U.S.C. 12473(6))”;
15 and

16 (C) by striking “homeless children” and all
17 that follows through “defined” and inserting
18 “youth experiencing homelessness (meaning
19 homeless children or youths, as defined”;

20 (3) by redesignating subparagraphs (I) through
21 (N) as subparagraphs (J) through (O), respectively;
22 and

23 (4) by inserting after subparagraph (H) the fol-
24 lowing:

25 “(1) Opportunity youth.”.

1 (i) INDUSTRY OR SECTOR PARTNERSHIP.—Section
2 3(26) of the Workforce Innovation and Opportunity Act
3 (29 U.S.C. 3102(26)) is amended—

4 (1) in subparagraph (A)(ii), by striking “or an-
5 other labor representative, as appropriate;” and in-
6 serting “and, to the extent practicable, another labor
7 representative;”; and

8 (2) in subparagraph (B)—

9 (A) by redesignating clauses (vi) through
10 (xi) as clauses (viii) through (xiii), respectively;

11 (B) by striking clause (v) and inserting the
12 following:

13 “(v) State educational agencies or
14 local educational agencies;

15 “(vi) State higher education agencies,
16 as defined in section 103 of the Higher
17 Education Act of 1965 (20 U.S.C. 1003),
18 or State systems of higher education;

19 “(vii) other State or local agencies;”.

20 (j) EDUCATIONAL AGENCIES.—Section 3(34) of the
21 Workforce Innovation and Opportunity Act (29 U.S.C.
22 3102(34)) is amended to read as follows:

23 “(34) LOCAL EDUCATIONAL AGENCY; STATE
24 EDUCATIONAL AGENCY.—The terms ‘local edu-
25 cational agency’ and ‘State educational agency’ have

1 the meanings given the terms in section 8101 of the
2 Elementary and Secondary Education Act of 1965.”.

3 (k) **LOW-INCOME INDIVIDUAL**.—Section 3(36)(A)(iii)
4 of the Workforce Innovation and Opportunity Act (29
5 U.S.C. 3102(36)(A)(iii)) is amended—

6 (1) by striking “is a homeless individual (as”
7 and inserting “is an individual experiencing home-
8 lessness (meaning a homeless individual as”;

9 (2) by striking “(42 U.S.C. 14043e-2(6))” and
10 inserting “(34 U.S.C. 12473(6))”; and

11 (3) by striking “homeless child” and all that
12 follows through “defined” and inserting “youth ex-
13 perienceing homelessness (meaning a homeless child
14 or youth, as defined”;

15 (l) **JUSTICE-INVOLVED INDIVIDUAL**.—Section 3(38)
16 of the Workforce Innovation and Opportunity Act (29
17 U.S.C. 3102(38)) is amended—

18 (1) in the heading, by striking “OFFENDER”
19 and inserting “JUSTICE-INVOLVED INDIVIDUAL”;
20 and

21 (2) in the matter preceding subparagraph (A),
22 by striking “offender” and inserting “justice-in-
23 volved individual”.

1 (m) OPPORTUNITY YOUTH.—Section 3(46) of the
2 Workforce Innovation and Opportunity Act (29 U.S.C.
3 3102(46)) is amended—

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

6 (2) by striking “out-of-school” and inserting
7 “opportunity”.

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

12 “(47) PAY-FOR-PERFORMANCE CONTRACT
13 STRATEGY.—The term ‘pay-for-performance contract
14 strategy’ means a performance-based contract strat-
15 egy that uses pay-for-performance contracts in the
16 provision of services described in paragraph (2) or
17 (3) of section 134(c) or activities described in sec-
18 tion 129(c)(2), and includes—

19 “(A) contracts, each of which—

20 “(i) shall specify a fixed amount that
21 will be paid to an eligible service provider
22 (which may include a local or national
23 community-based organization or inter-
24 mediary, community college, or other pro-
25 vider) based on the achievement of speci-

1 fied levels of performance on the primary
2 indicators of performance described in sec-
3 tion 116(b)(2)(A) for target populations as
4 identified by the local board and which
5 shall identify a specific target for the num-
6 ber or percentage of individuals to be
7 served that will be individuals with barriers
8 to employment, within a defined timetable;
9 and

10 “(ii) may provide for bonus payments
11 to such service provider to expand capacity
12 to provide effective training and other serv-
13 ices, including bonus payments for exceed-
14 ing the identified target for serving individ-
15 uals with barriers to employment;

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

19 “(C) a description of how the State or
20 local area will reallocate funds not paid to a
21 provider because the achievement of the per-
22 formance described in subparagraph (A) did not
23 occur, for further activities related to such a
24 contract strategy, subject to section
25 189(g)(2)(D).”.

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

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

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

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

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

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

19 “(E) assistance in identifying workers eli-
20 gible for assistance, including workers who work
21 a majority of their time offsite or remotely;”;

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

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

1 “(G) the provision of business engagement
2 or layoff aversion strategies and other activities
3 designed to prevent or minimize the duration of
4 unemployment, such as—

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

8 “(ii) conducting worker skill assess-
9 ment, and programs to match workers to
10 different occupations;

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

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

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

1 (p) SCHOOL DROPOUT.—Section 3(54) of the Work-
2 force Innovation and Opportunity Act (20 U.S.C.
3 3102(54)) is amended by striking “secondary school di-
4 ploma” and inserting “regular high school diploma”.

5 (q) SUPPORTIVE SERVICES.—Section 3(59) of the
6 Workforce Innovation and Opportunity Act (20 U.S.C.
7 3102(59)) is amended by striking “housing,” and insert-
8 ing “assistive technology, housing, food assistance,”.

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

16 (s) NEW DEFINITIONS.—Section 3 of the Workforce
17 Innovation and Opportunity Act (29 U.S.C. 3102) is fur-
18 ther amended—

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

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

1 “(73) DIGITAL LITERACY SKILLS.—The term
2 ‘digital literacy skills’ has the meaning given the
3 term in section 203.

4 “(74) EVIDENCE-BASED.—The term ‘evidence-
5 based’, when used with respect to an activity, serv-
6 ice, strategy, or intervention, or content of materials,
7 means an activity, service, strategy, or intervention,
8 or content of materials that—

9 “(A) demonstrates a statistically signifi-
10 cant effect on improving participant outcomes
11 or other relevant outcomes based on—

12 “(i) strong evidence from at least 1
13 well-designed and well-implemented experi-
14 mental study;

15 “(ii) moderate evidence from at least
16 1 well-designed and well-implemented
17 quasi-experimental study; or

18 “(iii) promising evidence from at least
19 1 well-designed and well-implemented cor-
20 relational study with statistical controls for
21 selection bias; or

22 “(B)(i) demonstrates a rationale based on
23 high-quality research findings or positive eval-
24 uation that such activity, service, strategy, or

1 intervention is likely to improve student out-
2 comes or other relevant outcomes; and

3 “(ii) includes ongoing efforts to examine
4 the effects of such activity, service, strategy, or
5 intervention.

6 “(75) LABOR ORGANIZATION.—The term ‘labor
7 organization’ means a labor organization, as defined
8 in section 2(5) of the National Labor Relations Act
9 (29 U.S.C. 152(5)), and an organization rep-
10 resenting public sector employees.

11 “(76) REGULAR HIGH SCHOOL DIPLOMA.—The
12 term ‘regular high school diploma’ has the meaning
13 given the term in section 8101 of the Elementary
14 and Secondary Education Act of 1965 (20 U.S.C.
15 7801).

16 “(77) UNIVERSAL DESIGN FOR LEARNING.—
17 The term ‘universal design for learning’ has the
18 meaning given the term in section 103 of the Higher
19 Education Act of 1965 (20 U.S.C. 1003).

20 “(78) WORK-BASED LEARNING.—The term
21 ‘work-based learning’ has the meaning given the
22 term in section 3 of the Carl D. Perkins Career and
23 Technical Education Act of 2006 (20 U.S.C.
24 2302).”; and

1 (2) by reordering paragraphs (1) through (78),
 2 as amended by this paragraph (1) of this section, in-
 3 cluding the paragraphs added by paragraph (1), in
 4 alphabetical order by paragraph heading, and re-
 5 numbering such paragraphs as so reordered.

6 **SEC. 103. TABLE OF CONTENTS AMENDMENTS.**

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

9 (1) by redesignating the item relating to section
 10 172 as section 175;

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

“Sec. 172. Reentry employment opportunities.

“Sec. 173. Youth apprenticeship readiness grant program.

“Sec. 174. Strengthening community colleges workforce development grants
 program.”; and

13 (3) by striking the item relating to section 190
 14 and inserting the following:

“Sec. 190. State flexibility pilot authority.”.

15 **Subtitle B—System Alignment**

16 **CHAPTER 1—STATE PROVISIONS**

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

18 Section 101 of the Workforce Innovation and Oppor-
 19 tunity Act (29 U.S.C. 3112) is amended—

20 (1) in subsection (b)(1)(C)(ii)(IV), by striking
 21 “out-of-school youth” and inserting “opportunity
 22 youth”

1 (2) in subsection (d)—

2 (A) in paragraph (3)(B), by striking “low-
3 skilled adults” and inserting “adults with
4 foundational skill needs”; and

5 (B) in paragraph (5)(A), by inserting after
6 “including strategies” the following: “(such as
7 the principles of universal design for learning)”.

8 **SEC. 112. UNIFIED STATE PLAN.**

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

11 (1) in subsection (b)—

12 (A) in paragraph (1)—

13 (i) by redesignating subparagraphs
14 (C) through (E) as subparagraphs (D)
15 through (F), respectively;

16 (ii) by inserting the following after
17 subparagraph (B):

18 “(C) a description of—

19 “(i) how the State will use real-time
20 labor market information to continually as-
21 sess the economic conditions and workforce
22 trends described in subparagraphs (A) and
23 (B); and

1 “(ii) how the State will communicate
2 changes in such conditions or trends to the
3 workforce system in the State;”;

4 (iii) in subparagraph (D), as so reded-
5 igned, by inserting “the extent to which
6 such activities are evidence-based,” after
7 “of such activities,”;

8 (iv) in subparagraph (E), as so reded-
9 igned—

10 (I) by striking “and for meeting
11 the skilled workforce needs of employ-
12 ers” and inserting “and for preparing
13 workers to meet the skilled workforce
14 needs of employers and to enter and
15 remain in unsubsidized employment”;
16 and

17 (II) by striking “and” at the end;

18 (v) in subparagraph (F), as so reded-
19 igned, by striking the period at the end
20 and inserting a semicolon; and

21 (vi) by adding at the end the fol-
22 lowing:

23 “(G) a description of any activities the
24 State is conducting to expand economic oppor-

1 tunity for individuals and reduce barriers to
2 labor market entry by—

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

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

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

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

21 “(H) an analysis of the opportunity youth
22 population in the State, including the estimated
23 number of opportunity youth and any gaps in
24 services provided to such population by other

1 existing workforce development activities, as
2 identified under subparagraph (D);

3 “(I) a description of the availability of ap-
4 prenticeship and pre-apprenticeship programs
5 in the State and the providers of such pro-
6 grams, including any that serve youth; and

7 “(J) a description of any strategies the
8 State will use to prioritize the funding of evi-
9 dence-based programs through the funds avail-
10 able for statewide workforce development activi-
11 ties described in section 128(a).”; and

12 (B) in paragraph (2)—

13 (i) in subparagraph (B), by striking
14 “including a description” and inserting
15 “which may include a description”;

16 (ii) in subparagraph (C)—

17 (I) in clause (ii)(I), by inserting
18 “utilizing a continuous quality im-
19 provement approach,” after “year,”;
20 and

21 (II) in clause (viii), by striking
22 “necessary for effective State oper-
23 ating systems and policies” and in-
24 serting “useful to States to be in-

1 cluded in the State plan, on an op-
2 tional basis”;

3 (iii) in subparagraph (D)(i)—

4 (I) in subclause (II), by striking
5 “any”; and

6 (II) in subclause (IV), by striking
7 “section 121(h)(2)(E)” and inserting
8 “section 121(h)(1)(E)”; and

9 (iv) in subparagraph (E)—

10 (I) in clause (iv), by striking
11 “116(i)” and inserting “116(j)”; and

12 (II) in clause (x), by striking
13 “necessary for the administration of
14 the core programs” and inserting
15 “useful to States to be included in the
16 State plan, on an optional basis”; and

17 (2) in subsection (c)(3)—

18 (A) in subparagraph (A), by striking
19 “shall” the second place it appears and insert-
20 ing “may”; and

21 (B) in subparagraph (B)—

22 (i) by striking “required”; and

23 (ii) by inserting “, except that com-
24 municating changes in economic conditions
25 and workforce trends to the workforce sys-

1 tem in the State as described in subsection
2 (b)(1)(C) shall not be considered modifica-
3 tions subject to approval under this para-
4 graph” before the period at the end.

5 **CHAPTER 2—LOCAL PROVISIONS**

6 **SEC. 115. WORKFORCE DEVELOPMENT AREAS.**

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

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

16 “(A) review each region in the State iden-
17 tified under this subsection (as such subsection
18 was in effect on the day before the date of en-
19 actment of the A Stronger Workforce for Amer-
20 ica Act); and

21 “(B) after consultation with the local
22 boards and chief elected officials in the local
23 areas and consistent with the considerations de-
24 scribed in subsection (b)(1)(B)—

1 “(i) revise such region and any other
2 region impacted by such revision; or

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

5 (b) LOCAL AREAS.—Section 106(b) of the Workforce
6 Innovation and Opportunity Act (29 U.S.C. 3121(b)) is
7 amended—

8 (1) in paragraph (1)—

9 (A) in subparagraph (A), by striking “sub-
10 section (d), and consistent with paragraphs (2)
11 and (3),” and inserting “subsection (d)”; and

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

15 (2) by striking paragraphs (2) through (7), and
16 inserting the following:

17 “(2) CONTINUATION PERIOD.—Except as pro-
18 vided in paragraph (5) of this subsection and sub-
19 section (d), in order to receive an allotment under
20 section 127(b) or 132(b), the Governor shall main-
21 tain the designations of local areas in the State
22 under this subsection (as in effect on the day before
23 the date of enactment of the A Stronger Workforce
24 for America Act) until the end of the third full pro-

1 gram year after the date of enactment of the A
2 Stronger Workforce for America Act.

3 “(3) INITIAL ALIGNMENT REVIEW.—

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

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

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

17 “(aa) include an explanation
18 of the strategic goals and objec-
19 tives that the State intends to
20 achieve through such redesigna-
21 tions; and

22 “(bb) be subject to the ap-
23 proval of the chief elected offi-
24 cials of the local areas in the
25 State in accordance with the

1 process described in subpara-
2 graph (C); or

3 “(II) with respect to a State de-
4 scribed in subsection (d)(2)(B), if the
5 Governor determines that such State
6 should be designated as a single State
7 local area, conduct a process in ac-
8 cordance with the requirements of
9 subsection (d)(2).

10 “(B) DESIGNATION OF LOCAL AREAS.—A
11 redesignation of local areas in a State that is
12 approved by a majority of the chief elected offi-
13 cials of the local areas in the State through the
14 process described in subparagraph (C) shall
15 take effect on the first day of the 4th full pro-
16 gram year after the date of enactment of the A
17 Stronger Workforce for America Act.

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

23 “(i) INITIAL VOTE.—Not later than
24 60 days after the Governor issues proposed
25 redesignations under subparagraph (A),

1 the chief elected official of each local area
2 shall review the proposed redesignations
3 and submit a vote to the Governor either
4 approving or rejecting the proposed redesi-
5 gnations.

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

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

14 “(II) to disapprove such proposed
15 redesignations, the chief elected offi-
16 cials of the local areas in the State
17 shall comply with the requirements of
18 clause (iii).

19 “(iii) ALTERNATE REDESIGNA-
20 TIONS.—In the case of the disapproval de-
21 scribed in clause (ii)(II), not later than
22 120 days after the Governor issues pro-
23 posed redesignations under subparagraph
24 (A), the chief elected officials of the local
25 areas in the State shall—

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

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

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

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

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

19 “(4) SUBSEQUENT ALIGNMENT REVIEWS.—On
20 the date that is the first day of the 12th full pro-
21 gram year after the date of enactment of the A
22 Stronger Workforce for America Act, and every 8
23 years thereafter, the Governor shall—

24 “(A) review the designation of local areas;
25 and

1 “(B) carry out the requirements of para-
2 graph (3)(A)(ii), except that any redesignation
3 of local areas in a State that is approved by a
4 majority of the chief elected officials of the local
5 areas in the State through the process de-
6 scribed in paragraph (3)(C) shall take effect on
7 the first day of the next full program year after
8 the Governor’s review pursuant to this para-
9 graph.

10 “(5) INTERIM REVISIONS.—

11 “(A) APPROVAL OF CERTAIN REDESIGNA-
12 TION REQUESTS.—

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

19 “(ii) REQUESTS.—The following re-
20 quests may be approved pursuant to clause
21 (i) upon request:

22 “(I) A request from multiple
23 local areas to be redesignated as a
24 single local area.

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

7 “(III) A request for designation
8 as a local area from an area described
9 in section 107(c)(1)(C).

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

16 “(i) performed successfully;

17 “(ii) sustained fiscal integrity; or

18 “(iii) in the case of a local area in any
19 planning region described in subparagraph
20 (B) or (C) of subsection (a)(2), met the re-
21 quirements described in subsection (c)(1).

22 “(C) EFFECTIVE DATE.—Any redesigna-
23 tion of a local area approved by the Governor
24 under subparagraph (A) or (B) shall take effect

1 on the first date of the first full program year
2 after such date of approval.

3 “(6) APPEALS.—

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

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

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

1 peals process referred to in subparagraph (A),
2 shall—

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

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

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

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

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

20 “(C) effective provision of services to indi-
21 viduals served by a local area, including individ-
22 uals with barriers to employment, during the
23 first program year that begins after the redesi-
24 nation of a local area.”.

1 (c) REGIONAL COORDINATION.—Section 106(c) of
2 the Workforce Innovation and Opportunity Act (29 U.S.C.
3 3121(c)) is amended—

4 (1) in paragraph (1)—

5 (A) by redesignating subparagraphs (F)
6 through (H) as subparagraphs (G) through (I),
7 respectively; and

8 (B) by inserting the following after sub-
9 paragraph (E):

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

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

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

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

24 “(3) REGIONAL CONSORTIUMS.—

1 “(A) IN GENERAL.—The local boards and
2 chief elected officials of any local area in any
3 planning region described in subparagraph (B)
4 or (C) of subsection (a)(2) may develop an
5 agreement to receive funding under section
6 128(b) and section 133(b) as a single consor-
7 tium for the planning region.

8 “(B) FISCAL AGENT.—If the local boards
9 and chief elected officials develop such an
10 agreement—

11 “(i) one of the chief elected officials in
12 the planning region shall designate the fis-
13 cal agent for the consortium;

14 “(ii) the local boards shall develop a
15 memorandum of understanding to jointly
16 administer the activities for the consor-
17 tium; and

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

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

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

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

8 “(2) NEW DESIGNATION.—

9 “(A) PROCESS.—If, upon a review de-
10 scribed in paragraph (3)(A) or (4)(B) of sub-
11 section (b) of a State described in subparagraph
12 (B) of this paragraph, the Governor of such
13 State determines, after consultation with the
14 State board, that such State should be des-
15 ignated as a single State local area—

16 “(i) the Governor shall propose to the
17 legislature of the State to designate such
18 State as a single State local area;

19 “(ii) in a case in which the majority
20 of the legislature of the State consents to
21 the Governor’s proposed designation—

22 “(I) such designation shall take
23 effect in accordance with subpara-
24 graph (C); and

1 “(II) the Governor shall identify
2 the State as a local area in the State
3 plan; and

4 “(iii) in a case in which in which the
5 majority of the legislature of the State
6 does not so consent to the Governor’s pro-
7 posed designation, the designations of the
8 local areas in the State shall be maintained
9 and shall be subject to the requirements of
10 subsection (b)(4).

11 “(B) STATE DESCRIBED.—A State de-
12 scribed in this subparagraph is a State that—

13 “(i) has not been designated as a sin-
14 gle State local area under paragraph (1);
15 and

16 “(ii)(I) has a population of less than
17 5,100,000, as determined by the last de-
18 cennial census preceding such designation;
19 or

20 “(II) contains 5 or fewer local areas.

21 “(C) EFFECTIVE DATE.—Notwithstanding
22 subsection (b)(2), a designation described in
23 paragraph (A) shall take effect on the later
24 of—

1 “(i) the first day of the third full pro-
2 gram year after the date of enactment of
3 the A Stronger Workforce for America Act;
4 or

5 “(ii) the first day of the first full pro-
6 gram year following the date on which the
7 Governor so designates the State as a sin-
8 gle State local area.

9 “(D) REESTABLISHMENT OF LOCAL
10 AREAS.—

11 “(i) IN GENERAL.—At the end of the
12 5-year period beginning on the date on
13 which a State is designated as a single
14 State local area under subparagraph (A),
15 the Secretary shall notify the Governor of
16 such State if, during such 5-year period,
17 the average of the overall State program
18 scores (as referred to in section 116(f)(2))
19 across the adult and dislocated worker pro-
20 grams and youth programs authorized
21 under chapters 2 and 3 of subtitle B are
22 lower than the average of the State overall
23 program scores across such programs dur-
24 ing the 5-year period ending on the date

1 prior the date on which such State was so
2 designated.

3 “(ii) DETERMINATION AFTER NO-
4 TICE.—

5 “(I) IN GENERAL.—If, after re-
6 ceiving the notice described in clause
7 (i) with respect to a State, the Gov-
8 ernor determines—

9 “(aa) that the designation of
10 the State as a single State local
11 area should be maintained, the
12 Governor shall comply with sub-
13 clause (II) or (III), as appro-
14 priate; or

15 “(bb) that such designation
16 should not be so maintained, the
17 Governor shall reestablish the
18 local areas that comprised the
19 State prior to the designation of
20 the State as a single State local
21 area under subparagraph (A),
22 and such reestablishment shall
23 take effect on the first day of the
24 first full program year after the
25 Governor receives such notice.

1 ments of subclause (II) with respect
2 to a State—

3 “(aa) a designation de-
4 scribed in subclause (I)(aa) for
5 such State may not be so main-
6 tained; and

7 “(bb) the Governor shall re-
8 establish the local areas that
9 comprised the State prior to the
10 designation of the State as a sin-
11 gle State local area under sub-
12 paragraph (A), and such reestab-
13 lishment shall take effect on the
14 first full program year after the
15 date that is 1 year after the date
16 on which the Governor issues the
17 public notice described in sub-
18 clause (II)(aa) with respect to
19 the State.”.

20 (e) DEFINITION OF “PERFORMED SUCCESS-
21 FULLY”.—Section 106(e)(1) of the Workforce Innovation
22 and Opportunity Act (29 U.S.C. 3121(e)) is amended to
23 read as follows:

24 “(1) PERFORMED SUCCESSFULLY.—The term
25 ‘performed successfully’, used with respect to a local

1 area, means the local area is not subject to correc-
2 tive action for a failure described in section
3 116(g)(2) on the local performance accountability
4 measures for the most recent year for which data
5 are available preceding the determination of per-
6 formance under this paragraph.”.

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

8 (a) MEMBERSHIP.—Section 107(b) of the Workforce
9 Innovation and Opportunity Act (29 U.S.C. 3122(b)) is
10 amended—

11 (1) in paragraph (2)—

12 (A) in subparagraph (B)—

13 (i) by striking “20” and inserting
14 “30”; and

15 (ii) in clause (iv), by striking “out-of-
16 school youth” and inserting “opportunity
17 youth”; and

18 (B) in subparagraph (C)—

19 (i) in clause (i), by inserting after
20 “title II” the following: “(including activi-
21 ties through corrections education pro-
22 grams under such title)”;

23 (ii) in clause (ii), by inserting after
24 “community colleges” the following: “and,
25 as applicable, historically Black colleges

1 and universities (meaning part B institu-
2 tions as defined in section 322 of the
3 Higher Education Act of 1965 (20 U.S.C.
4 1061)), minority-serving institutions
5 (meaning institutions defined in any of
6 paragraphs (1) through (7) of section
7 371(a) of such Act (20 U.S.C.1067q(a)),
8 and Tribal colleges or universities (as such
9 term is defined in section 316(b) of such
10 Act (20 U.S.C. 1059c(b))) and comprehen-
11 sive transition and postsecondary programs
12 for students with intellectual disabilities
13 (as such term is defined in section 760 of
14 the Higher Education Act of 1965 (20
15 U.S.C. 1140)));”; and

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

18 “(iv) may include faculty and staff
19 members working directly with students in
20 providing workforce investment activities
21 through education or training programs
22 that support an industry cluster.”; and

23 (2) in paragraph (4)(A)—

1 (A) in clause (ii), by striking “include”
2 and all that follows through the period at the
3 end and inserting the following: “include—

4 “(I) representatives from commu-
5 nity-based organizations and other
6 representatives with professional ex-
7 pertise in youth workforce develop-
8 ment programs and with a dem-
9 onstrated record of success in serving
10 eligible youth;

11 “(II) opportunity youth, includ-
12 ing youth who are individuals with
13 disabilities;

14 “(III) at least one representative
15 of a public or nonprofit agency that
16 serves youth, including juvenile justice
17 and child welfare agencies, and at
18 least one representative of a local pub-
19 lic housing authority;

20 “(IV) for a local area in which a
21 Job Corps campus (as such term is
22 defined in section 142) is located, at
23 least one representative of that cam-
24 pus; and

1 “(V) for a local area in which a
2 center for a YouthBuild program (as
3 such term is defined in section
4 171(b))is located, at least one rep-
5 resentative of that center.”; and

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

7 “(iv) A standing committee to provide
8 information and to assist with planning,
9 operational, and other issues relating to
10 the engagement of representatives of the
11 workforce in the local area, which—

12 “(I) shall include at least one
13 representative of local labor organiza-
14 tions or joint labor-management orga-
15 nizations, including at least one rep-
16 resentative of either of such organiza-
17 tions with special interest or expertise
18 in youth workforce readiness or ap-
19 prenticeship and pre-apprenticeship
20 programs that serve youth; and

21 “(II) may include, in a local area
22 with a significant number of dis-
23 located workers (as determined by the
24 local board), at least one representa-
25 tive with special interest or expertise

1 in providing supports for finding edu-
2 cation, training, and employment op-
3 portunities for dislocated workers.

4 “(v) A standing committee to provide
5 information and to assist with planning,
6 operational, and other issues relating to
7 the engagement of educational entities in
8 the local area, which shall include, at a
9 minimum—

10 “(I) at least one representative of
11 a local educational agency that serves
12 students residing in such local area;

13 “(II) at least one representative
14 of institutions of higher education in
15 the local area, including community
16 colleges; and

17 “(III) at least one representative
18 of entities administering education
19 and training activities, including ca-
20 reer and technical education programs
21 or after- school and summer learning
22 programs, in the local area.

23 “(vi) A standing committee to provide
24 information and to assist with planning,
25 operational, and other issues relating to

1 the provision of services to justice- involved
2 individuals, including pre-release edu-
3 cation, training, and career services for
4 such individuals, which shall include—

5 “(I) at least one justice-involved
6 individual; and

7 “(II) representatives from com-
8 munity-based organizations with spe-
9 cial interest or expertise in reentry
10 services for incarcerated and justice-
11 involved individuals, including at least
12 one representative of an organization
13 that is a recipient of a grant under
14 section 172.”.

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

18 (1) in paragraph (3), by inserting “, including,
19 to the extent practicable, local representatives of the
20 core programs and the programs described in section
21 121(b)(1)(B),” after “system stakeholders”;

22 (2) in paragraph (4)—

23 (A) in subparagraph (B), by inserting
24 “and industry and sector partnerships” after
25 “intermediaries”;

1 (B) in subparagraph (C), by inserting “,
2 local educational agencies, community colleges
3 and other institutions of higher education”
4 after “economic development entities”; and

5 (C) in subparagraph (D)—

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

8 (ii) by inserting “individual” after
9 “needs of”; and

10 (iii) by inserting “from a variety of in-
11 dustries and occupations” after “and em-
12 ployers”;

13 (3) in paragraph (5), by inserting “and which,
14 to the extent practicable, shall be aligned with career
15 and technical education programs of study (as de-
16 fined in section 3 of the Carl D. Perkins Career and
17 Technical Education Act of 2006 (20 U.S.C.
18 2302(3)) offered within the local area” before the
19 period at the end;

20 (4) in paragraph (6)—

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

23 (B) in subparagraph (A)—

24 (i) by striking “proven” and inserting
25 “evidence-based”;

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

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

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

11 (5) in paragraph (10)(C)—

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

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

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

24 (c) LIMITATIONS.—Section 107(g)(1)(D) of the
25 Workforce Innovation and Opportunity Act (29 U.S.C.

1 3122(g)(1)(D)) is amended by striking “needed or” and
2 inserting the following: “, that the local board is failing
3 to meet the requirements for eligible providers of training
4 services under section 122, or”.

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

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

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

10 (2) in subsection (b)—

11 (A) in paragraph (1)—

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

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

17 “(D) a description of—

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

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

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

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

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

7 “(G) an analysis, which may be conducted
8 in coordination with the State, of the oppor-
9 tunity youth population in the local area includ-
10 ing the estimated number of such youth and
11 any gaps in services for such population from
12 other existing workforce development activities,
13 as identified under paragraph (9), and a de-
14 scription of how the local board will address any
15 such gaps in services identified in such analysis;
16 and”;

17 (B) in paragraph (4)—

18 (i) in subparagraph (A)—

19 (I) by striking “and” at the end
20 of clause (iii); and

21 (II) by adding at the end the fol-
22 lowing:

23 “(v) carry out any statewide skills-
24 based initiatives identified in the State
25 plan that promote the use of demonstrated

1 skills and competencies as an alternative to
2 the exclusive use of degree attainment as a
3 requirement for employment or advance-
4 ment in a career; and”;

5 (ii) in subparagraph (B), by striking
6 “customized training” and inserting “em-
7 ployer-directed skills development”;

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

11 (D) in paragraph (9)—

12 (i) by striking “including activities”
13 and inserting the following: “including—

14 “(A) the availability of community based
15 organizations that serve youth primarily during
16 nonschool time hours to carry out activities
17 under section 129;

18 “(B) activities”;

19 (ii) in subparagraph (B), as so redес-
20 igned—

21 (I) by inserting “or evidence-
22 based” after “successful”; and

23 (II) by adding “and” at the end;

24 and

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

3 “(C) the availability of preapprenticeship
4 and apprenticeship programs serving youth;”;

5 (E) in paragraph (12), by inserting “in-
6 cluding as described in section 134(c)(2),” after
7 “system,”; and

8 (F) in paragraph (13), by inserting before
9 the semicolon at the end the following: “, and
10 encourage eligible youth who are enrolled in
11 adult education and literacy activities under
12 title II to co-enroll in youth workforce invest-
13 ment activities carried out by the local board,
14 as appropriate”.

15 **CHAPTER 3—PERFORMANCE**

16 **ACCOUNTABILITY**

17 **SEC. 119. PERFORMANCE ACCOUNTABILITY SYSTEM.**

18 (a) STATE PERFORMANCE ACCOUNTABILITY MEAS-
19 URES.—

20 (1) PRIMARY INDICATORS OF PERFORMANCE.—

21 Section 116(b)(2)(A) of the Workforce Innovation
22 and Opportunity Act (29 U.S.C. 3141(b)(2)(A)) is
23 amended—

24 (A) in clause (i)—

25 (i) in subclause (II)—

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

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

7 (ii) in subclause (IV), by striking
8 “secondary school diploma” and inserting
9 “regular high school diploma”;

10 (iii) in subclause (V)—

11 (I) by striking “, during a pro-
12 gram year,”;

13 (II) by striking “are in” and in-
14 serting “enter into”; and

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

21 (iv) by amending subclause (VI) to
22 read as follows:

23 “(VI) of the program partici-
24 pants who received training services
25 during a program year, the percentage

1 of such program participants who par-
2 ticipated in on-the-job training, em-
3 ployer-directed skills development, in-
4 cumbent worker training, or an ap-
5 prenticeship.”;

6 (B) in clause (ii)—

7 (i) in subclause (II)—

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

10 (II) by inserting “, and who re-
11 main either in such activities or un-
12 subsidized employment during the
13 fourth quarter after exit from the pro-
14 gram” after “the program”; and

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

17 (ii) in subclause (III)—

18 (I) by striking “(VI)” and insert-
19 ing “(V)”; and

20 (II) by striking the period at the
21 end and inserting “; and”; and

22 (iii) by adding at the end the fol-
23 lowing:

24 “(IV) of the program partici-
25 pants who exited the program during

1 a program year, the percentage of
2 such program participants who com-
3 pleted, prior to such exit, a work ex-
4 perience as described in section
5 129(c)(2)(C).”; and

6 (C) in clause (iii), by striking “secondary
7 school diploma” and inserting “regular high
8 school diploma”; and

9 (D) by striking clause (iv).

10 (2) LEVELS OF PERFORMANCE.—Section
11 116(b)(3)(A) of the Workforce Innovation and Op-
12 portunity Act (29 U.S.C. 3141(b)(3)(A)) is amend-
13 ed—

14 (A) by amending clause (iii) to read as fol-
15 lows:

16 “(iii) IDENTIFICATION IN STATE
17 PLAN.—

18 “(I) SECRETARIES.—For each
19 State submitting a State plan, the
20 Secretary of Labor and the Secretary
21 of Education shall, not later than
22 January 15 of the year in which such
23 State plan is submitted, for the first
24 2 program years covered by the State
25 plan, and not later than January 15

1 of the second program year covered by
2 the State plan, for the third and
3 fourth program years covered by the
4 State plan—

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

12 “(AA) be consistent
13 with the factors listed in
14 clause (v); and

15 “(BB) be proposed in a
16 manner that ensures suffi-
17 cient time is provided for
18 the State to evaluate and re-
19 spond to such proposals; and

20 “(bb) publish, on a public
21 website of the Department of
22 Labor, the statistical model de-
23 veloped under clause (viii) and
24 the methodology used to develop

1 each such expected level of per-
2 formance.

3 “(II) STATES.—Each State
4 shall—

5 “(aa) evaluate each of the
6 expected levels of performance
7 proposed under subclause (I)
8 with respect to such State;

9 “(bb) based on such evalua-
10 tion of each such expected level
11 of performance—

12 “(AA) accept the ex-
13 pected level of performance
14 as so proposed; or

15 “(BB) provide a coun-
16 terproposal for such ex-
17 pected level of performance,
18 including an analysis of how
19 the counterproposal address-
20 es factors or circumstances
21 unique to the State that
22 may not have been ac-
23 counted for in the expected
24 level of performance; and

1 “(cc) include in the State
2 plan, with respect to each of the
3 corresponding primary indicators
4 of performance for each of the
5 programs described in clause (ii)
6 for such State—

7 “(AA) the expected
8 level of performance pro-
9 posed under subclause (I);

10 “(BB) the counter-
11 proposal for such proposed
12 level, if any; and

13 “(CC) the expected
14 level of performance that is
15 agreed to under clause
16 (iv).”;

17 (B) in clause (iv)—

18 (i) in subclause (I)—

19 (I) in the second sentence, by
20 striking “the levels identified in the
21 State plan under clause (iii) and the
22 factors described in clause (v)” and
23 inserting “the factors described in
24 clause (v) and any counterproposal,
25 and the analysis provided by the State

1 with such counterproposal, described
2 in clause (iii)(II)(bb)(BB)”; and

3 (II) in the third sentence, by
4 striking “incorporated into the State
5 plan” and inserting “included in the
6 State plan, as described in clause
7 (iii)(II)(cc),”; and

8 (ii) in subclause (II)—

9 (I) in the second sentence, by
10 striking “the factors described in
11 clause (v)” and inserting “the factors
12 described in clause (v) and any coun-
13 terproposal, and the analysis provided
14 by the State with such counter-
15 proposal, described in clause
16 (iii)(II)(bb)(BB)”; and

17 (II) in the third sentence, by
18 striking “incorporated into the State
19 plan” and inserting “included in the
20 State plan, as described in clause
21 (iii)(II)(cc),”; and

22 (C) in clause (v)(II)—

23 (i) in the matter preceding item (aa),
24 by striking “based on” and inserting
25 “based on each consideration that is found

1 to be predictive of performance on an indi-
2 cator for a program and consists of”; and
3 (ii) in item (bb), by striking “ex-of-
4 fender status, and welfare dependency”
5 and inserting “justice-involved individual
6 status, foster care status, school status,
7 education level, highest grade level com-
8 pleted, low-income status, and receipt of
9 public assistance”.

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

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

15 “(1) IN GENERAL.—

16 “(A) TEMPLATES FOR PERFORMANCE RE-
17 PORTS.—Not later than 12 months after the
18 date of enactment of the A Stronger Workforce
19 for America Act, the Secretary of Labor, in
20 conjunction with the Secretary of Education,
21 shall develop, or review and modify, as appro-
22 priate, to comply with the requirements of this
23 subsection, the templates for performance re-
24 ports that shall be used by States (including by
25 States on behalf of eligible providers of training

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

11 “(B) STANDARDIZED REPORTING.—In de-
12 veloping, or reviewing and modifying, the tem-
13 plates under subparagraph (A), the Secretary of
14 Labor, in conjunction with the Secretary of
15 Education, shall ensure that States and local
16 areas, in producing performance reports for
17 core programs and eligible providers of training
18 services, collect and report information on com-
19 mon data elements—

20 “(i) in a comparable and uniform for-
21 mat; and

22 “(ii) using terms that are assigned
23 identical meanings across all such reports.

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

4 “(i) in addition to the information on
5 the common data elements, may require
6 additional information with respect to any
7 core program as necessary for effective re-
8 porting; and

9 “(ii) shall periodically review any such
10 requirement for additional information to
11 ensure the requirement is necessary and
12 does not impose an undue reporting bur-
13 den.

14 “(D) PRIVACY.—The Secretary of Labor,
15 in conjunction with the Secretary of Education,
16 shall ensure subparagraph (B) is carried out in
17 a manner that protects and promotes individual
18 privacy and data security, in accordance with
19 applicable Federal privacy laws.

20 “(E) ACCESS TO WAGE RECORDS.—

21 “(i) ACCESS.—A State may facilitate
22 for a local area that meets the require-
23 ments of clause (ii), for the sole purpose of
24 fulfilling the reporting requirements under
25 this subsection, access to the quarterly

1 wage records (excluding such records made
2 available by any other State) of program
3 participants in the local area.

4 “(ii) PRIVACY PROTECTIONS.—To re-
5 ceive access to such quarterly wage
6 records, the local area shall have dem-
7 onstrated to the State the ability to com-
8 ply, and agree to comply, with all applica-
9 ble Federal and State requirements relat-
10 ing to the access and use of such quarterly
11 wage records, including requirements relat-
12 ing to data privacy and cybersecurity.”;

13 (2) in paragraph (2)—

14 (A) in subparagraph (B), by inserting “,
15 and aggregated to compare those levels of per-
16 formance for all individuals with barriers to em-
17 ployment with those levels of performance for
18 all other individuals” before the semicolon at
19 the end;

20 (B) in subparagraphs (D) and (F), by
21 striking “career and training services, respec-
22 tively” and inserting “career services, training
23 services, and supportive services, respectively”;

24 (C) by redesignating subparagraphs (J)
25 through (L) as subparagraphs (K) through (M),

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

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

6 “(i) participant earnings in unsub-
7 sidized employment during the 4 quarters
8 after program exit; and

9 “(ii) participant earnings in the 4
10 quarters prior to entering the program;”;
11 and

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

14 (i) by striking clause (ii); and

15 (ii) by striking “strategies for pro-
16 grams” and all that follows through “the
17 performance”, and inserting “strategies for
18 programs, the performance”;

19 (3) in paragraph (3)—

20 (A) in subparagraph (A), by striking “(L)”
21 and inserting “(M)”;

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

24 (C) by redesignating subparagraph (C) as
25 subparagraph (F); and

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

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

9 “(D) the percentage of the local area’s al-
10 location under section 133(b) that the local
11 area spent on supportive services;

12 “(E) the percentage of the local area’s al-
13 location under section 133(b), if any, that is
14 spent on incumbent worker training,
15 disaggregated by whether the amount so spent
16 was spent on the provision of incumbent worker
17 training through contracts or through incum-
18 bent worker upskilling accounts described in
19 section 134(d)(4)(E); and”;

20 (4) by amending paragraph (4) to read as fol-
21 lows:

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

24 “(A) IN GENERAL.—The State shall use
25 the information submitted by the eligible pro-

1 viders of training services under section 122
2 and administrative records, including quarterly
3 wage records, of the participants of the pro-
4 grams offered by the providers to produce a
5 performance report on the eligible providers of
6 training services in the State, which shall in-
7 clude, subject to paragraph (6)(C)—

8 “(i) with respect to each program of
9 study (or the equivalent) of such a pro-
10 vider—

11 “(I) information specifying the
12 levels of performance achieved with
13 respect to the primary indicators of
14 performance described in subclauses
15 (I) through (IV) of subsection
16 (b)(2)(A)(i) with respect to all individ-
17 uals engaging in the program of study
18 (or the equivalent); and

19 “(II) the total number of individ-
20 uals exiting from the program of
21 study (or the equivalent),
22 disaggregated by whether such indi-
23 viduals completed the program of
24 study (or equivalent); and

1 “(ii) with respect to all such pro-
2 viders—

3 “(I) the total number of partici-
4 pants who received training services
5 through each adult and dislocated
6 worker program authorized under
7 chapter 3 of subtitle B, disaggregated
8 by the type of entity that provided the
9 training services, during the most re-
10 cent program year and the 3 pre-
11 ceding program years;

12 “(II) the total number of partici-
13 pants who exited from training serv-
14 ices, disaggregated by the type of en-
15 tity that provided the training serv-
16 ices, and by whether such participants
17 completed the training services, dur-
18 ing the most recent program year and
19 the 3 preceding program years;

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

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

3 “(IV) the average of the ratios of
4 median earnings increase per provider
5 to the total cost of the provider’s pro-
6 gram, as described in section
7 122(b)(5)(B)(i)(III); and

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

15 “(iii) to the extent practicable, with
16 respect to each recognized postsecondary
17 credential on the list of credentials award-
18 ed by eligible providers in the State de-
19 scribed in section 122(d)(2)—

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

1 (b)(2)(A)(i) for all participants in the
2 State receiving such credential; and

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

14 (5) in paragraph (6)—

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

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

23 “(i) digitally using transparent,
24 linked, open, and interoperable data for-
25 mats that are human readable and ma-

1 chine actionable such that the data from
2 these reports—

3 “(I) are easily understandable;
4 and

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

9 “(ii) in a printable format; and

10 “(iii) in multiple languages, to the ex-
11 tent practicable.”;

12 (B) in subparagraph (B)—

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

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

1 available in each of the formats described
2 in subparagraph (A).”; and

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

4 “(E) RULE OF CONSTRUCTION.—Nothing
5 in this subsection shall be construed to require
6 the retroactive collection of information, from
7 program years prior to the date of enactment of
8 A Stronger Workforce for America Act, that
9 was not required under this subsection prior to
10 that date of enactment.”.

11 (e) EVALUATION OF STATE PROGRAMS.—Section
12 116(e) of the Workforce Innovation and Opportunity Act
13 (29 U.S.C. 3141(e)) is amended—

14 (1) in paragraph (1)—

15 (A) in the first sentence, by striking “shall
16 conduct ongoing” and inserting “shall use data
17 to conduct analyses and ongoing”; and

18 (B) in the second sentence, by striking
19 “conduct the” and inserting “conduct such
20 analyses and”; and

21 (2) in paragraph (2), by adding “A State may
22 use various forms of analysis, such as machine
23 learning or other advanced analytics, to improve pro-
24 gram operations and outcomes and to identify areas
25 for further evaluation.” at the end.

1 (d) SANCTIONS FOR STATE FAILURE TO MEET
2 STATE PERFORMANCE ACCOUNTABILITY MEASURES.—
3 Section 116(f) of the Workforce Innovation and Oppor-
4 tunity Act (29 U.S.C. 3141(f)) is amended to read as fol-
5 lows:

6 “(f) SANCTIONS FOR STATE FAILURE TO MEET
7 STATE PERFORMANCE ACCOUNTABILITY MEASURES.—

8 “(1) TARGETED SUPPORT AND ASSISTANCE.—

9 “(A) IN GENERAL.—If a State fails to
10 meet 80 percent of the State adjusted level of
11 performance for an indicator described in sub-
12 section (b)(2)(A) (referred to in the regulations
13 carrying out this section as an ‘individual indi-
14 cator score’) for a core program for any pro-
15 gram year, the Secretary of Labor and the Sec-
16 retary of Education shall provide technical as-
17 sistance.

18 “(B) SANCTIONS.—

19 “(i) IN GENERAL.—If the State fails
20 in the manner described in subclause (I) or
21 (II) of clause (ii) with respect to the pro-
22 gram year specified in that subclause, the
23 percentage of each amount that could (in
24 the absence of this subsection) be reserved
25 by the Governor under section 128(a)(1)

1 for the immediately succeeding program
2 year shall be reduced by 5 percent and an
3 amount equivalent to the amount reduced
4 shall be returned to the Secretary of Labor
5 until such date as the Secretary of Labor
6 or the Secretary of Education, as appro-
7 priate, determines that the State meets the
8 State adjusted level of performance, in the
9 case of a failure described in clause (ii)(II),
10 or has submitted the reports for the appro-
11 priate program years, in the case of a fail-
12 ure described in clause (ii)(I).

13 “(ii) FAILURES.—A State shall be
14 subject to clause (i)—

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

22 “(II) for a failure under subpara-
23 graph (A) that has continued for a
24 second consecutive program year.

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

3 “(A) IN GENERAL.—If a State fails to
4 meet an average of 90 percent of the State ad-
5 justed levels of performance for a single core
6 program across all indicators of performance
7 (referred to in the regulations carrying out this
8 section as an ‘overall State program score’) for
9 any program year, or if a State fails to meet an
10 average of 90 percent of the State adjusted lev-
11 els of performance for a single indicator of per-
12 formance across all core programs (referred to
13 in the regulations carrying out this section as
14 an ‘overall State indicator score’) for any pro-
15 gram year, the Secretary of Labor and the Sec-
16 retary of Education shall provide technical as-
17 sistance, as described and authorized under sec-
18 tion 168(b), including assistance in the develop-
19 ment of a comprehensive performance improve-
20 ment plan.

21 “(B) SECOND CONSECUTIVE YEAR FAIL-
22 URE.—If such failure under subparagraph (A)
23 continues for a second consecutive program
24 year, the percentage of each amount that could
25 (in the absence of this subsection) be reserved

1 by the Governor under section 128(a)(1) for the
2 immediately succeeding program year shall be
3 reduced by 8 percent and an amount equivalent
4 to the amount reduced shall be returned to the
5 Secretary of Labor until such date as the Sec-
6 retary of Labor or the Secretary of Education,
7 as appropriate, determines that the State meets
8 such State adjusted levels of performance.

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

14 “(4) REALLOTMENT OF REDUCTIONS.—

15 “(A) IN GENERAL.—The amounts available
16 for reallocation for a program year shall be re-
17 allotted to a State (in this paragraph referred
18 to as an ‘eligible State’) that—

19 “(i) was not subject to a reduction of
20 funds under paragraph (1)(B) or para-
21 graph (2)(B) of this subsection for such
22 program year;

23 “(ii) in the case of amounts available
24 under section 127(b)(1)(C), was 1 of the 5
25 States that achieved, in the most recent

1 program year, the greatest increase from
2 the prior year to the average of the State's
3 adjusted levels of performance across all
4 indicators of performance for the youth
5 program under chapter 2 of subtitle B;

6 “(iii) in the case of amounts available
7 under section 132(b)(1)(B), was 1 of the 5
8 States that achieved, in the most recent
9 program year, the greatest increase from
10 the prior year to the average of the State's
11 adjusted levels of performance across all
12 indicators of performance for the adult
13 program under chapter 3 of subtitle B;
14 and

15 “(iv) in the case of amounts available
16 under section 132(b)(2)(B), was 1 of the 5
17 States that achieved, in the most recent
18 program year, the greatest increase from
19 the prior year to the average of the State's
20 adjusted levels of performance across all
21 indicators of performance for the dis-
22 located worker program under chapter 3 of
23 subtitle B.

24 “(B) AMOUNTS AVAILABLE FOR REALLOT-
25 MENT.—In this paragraph, the term ‘amounts

1 available for reallocation for a program year’
2 means the amounts available under section
3 127(b)(1)(C) and paragraphs (1)(B) and (2)(B)
4 of section 132(b) for such program year which
5 could (in the absence of the requirements to re-
6 turn funds of paragraph (1)(B) or paragraph
7 (2)(B) of this subsection) have otherwise been
8 reserved under section 128(a)(1) by a Governor
9 of a State for such program year.

10 “(C) REALLOTMENT AMOUNTS.—In mak-
11 ing reallocations under subparagraph (A) for a
12 program year to eligible States, the Secretary
13 shall allot to each eligible State—

14 “(i) in the case of amounts available
15 under section 127(b)(1)(C), an amount
16 based on the relative amount of the allot-
17 ment made (before the reallocations under
18 this paragraph are made) to such eligible
19 State under section 127(b)(1)(C) for such
20 program year, compared to the total allot-
21 ments made (before the reallocations under
22 this paragraph are made) to all eligible
23 States under section 127(b)(1)(C) for such
24 program year;

1 “(ii) in the case of amounts available
2 under paragraph (1)(B) of section 132(b),
3 an amount based on the relative amount of
4 the allotment made (before the realloc-
5 ments under this paragraph are made) to
6 such eligible State under paragraph (1)(B)
7 of section 132(b) for such program year,
8 compared to the total allotments made (be-
9 fore the reallocations under this paragraph
10 are made) to all eligible States under para-
11 graph (1)(B) of section 132(b) for such
12 program year; and

13 “(iii) in the case of amounts available
14 under paragraph (2)(B) of section 132(b),
15 an amount based on the relative amount of
16 the allotment made (before the realloc-
17 ments under this paragraph are made) to
18 such eligible State under paragraph (2)(B)
19 of section 132(b) for such program year,
20 compared to the total allotments made (be-
21 fore the reallocations under this paragraph
22 are made) to all eligible States under para-
23 graph (2)(B) of section 132(b) for such
24 program year.”.

1 (e) SANCTIONS FOR LOCAL AREA FAILURE TO MEET
2 LOCAL PERFORMANCE ACCOUNTABILITY MEASURES.—

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

5 (1) in paragraph (1)—

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

8 (B) by striking “local performance ac-
9 countability measures established under sub-
10 section (c)” and inserting “local level of per-
11 formance established under subsection (c) for
12 an indicator of performance described in sub-
13 section (b)(2)(A) for a single program, an aver-
14 age of 90 percent of the local levels of perform-
15 ance across all such indicators for a single pro-
16 gram, or an average of 90 percent of the local
17 levels of performance for a single such indicator
18 across all programs,”; and

19 (2) in paragraph (2)—

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

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

1 “(i) in the case of such failure, as de-
2 scribed in paragraph (1), for a second con-
3 secutive year, on any single indicator,
4 across indicators for a single program, or
5 on a single indicator across programs, a 5-
6 percent reduction in the amount that
7 would (in the absence of this clause) be al-
8 located to the local area for the imme-
9 diately succeeding program year under
10 chapter 2 or 3 of subtitle B for the pro-
11 gram subject to the performance failure;

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

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

21 “(II) prohibit the use of one-stop
22 delivery system contractors or service
23 providers identified as achieving a
24 poor level of performance; and

1 “(III) redesignate a local area
2 (which may include merging a local
3 area with another local area), if the
4 Governor determines that the likely
5 cause of such continued performance
6 failure of a local area is due to such
7 local area’s designation being granted
8 without the appropriate consideration
9 of parameters described under section
10 106(b)(1)(B); or

11 “(iii) taking another significant action
12 determined appropriate by the Governor.”;

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

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

16 “(D) REALLOCATION OF REDUCTIONS.—

17 With respect to any amounts available to carry
18 out section 128(b), paragraph (2)(A) or (3) of
19 section 133(b), and section 133(b)(2)(B) to a
20 Governor for a program year which would (in
21 the absence of subparagraph (A)(i)) have other-
22 wise been allocated by such Governor to a local
23 area (referred to individually in this subpara-
24 graph as an ‘unallocated amount’) for such pro-
25 gram year—

1 “(i) 10 percent of those 3 unallocated
2 amounts shall be reserved by the Governor
3 to provide technical assistance to local
4 areas within the State that were subject to
5 a reduction of allocation amounts pursuant
6 to subparagraph (A)(i) for such program
7 year; and

8 “(ii) the amounts remaining after the
9 reservations under clause (i) shall be re-
10 allocated by the Governor, to the local
11 areas within the State that were not sub-
12 ject to a reduction of allocation amounts
13 pursuant to subparagraph (A)(i) for such
14 program year, in a manner determined by
15 the Governor, which may take into consid-
16 eration the extent to which local areas
17 serve a significant number, as determined
18 by the Governor, of individuals with bar-
19 riers to employment.”.

20 (f) ESTABLISHING PAY-FOR-PERFORMANCE CON-
21 TRACT STRATEGY INCENTIVES.—Section 116(h) of the
22 Workforce Innovation and Opportunity Act (29 U.S.C.
23 3141(h)) is amended by striking “non-Federal funds” and
24 inserting “not more than 5 percent of the funds reserved
25 under section 128(a)(1)”.

1 (g) INFORMATION AND TECHNICAL ASSISTANCE.—
2 Section 116 of the Workforce Innovation and Opportunity
3 Act (29 U.S.C. 3141) is amended—

4 (1) by redesignating subsection (i) as subsection
5 (j); and

6 (2) by inserting after subsection (h) the fol-
7 lowing:

8 “(i) INFORMATION AND TECHNICAL ASSISTANCE.—
9 Beginning not later than 12 months after the date of en-
10 actment of the A Stronger Workforce for America Act,
11 the Secretary of Labor shall hold meetings with each State
12 board and State agency that administers a core program,
13 and that requests such a meeting, to provide information
14 and technical assistance concerning the performance ac-
15 countability measures established in accordance with sub-
16 section (b), and related requirements for States under this
17 section.”.

18 (h) FISCAL AND MANAGEMENT ACCOUNTABILITY IN-
19 FORMATION SYSTEMS.—Section 116(j) of the Workforce
20 Innovation and Opportunity Act (29 U.S.C. 3141(j)), as
21 so redesignated, is amended—

22 (1) in the first sentence of paragraph (2), by
23 inserting “, and may use information provided from
24 the National Directory of New Hires in accordance

1 with section 453(j)(8) of the Social Security Act (42
2 U.S.C. 653(j)(8))” after “State law”;

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

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

7 “(3) DESIGNATED ENTITY.—The Governor
8 shall designate a State agency (or appropriate State
9 entity) to assist in carrying out the performance re-
10 porting requirements of this section for core pro-
11 grams and eligible providers of training services.
12 The designated State agency (or appropriate State
13 entity) shall be responsible for—

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

19 “(B) notifying State agencies that admin-
20 ister core programs and eligible providers of
21 training services of the State’s procedures for
22 data validation and reliability, as described in
23 subsection (d)(5); and

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

4 (i) IMPLEMENTATION OF PERFORMANCE ACCOUNT-
5 ABILITY MEASURES.—Section 116 of the Workforce Inno-
6 vation and Opportunity Act (29 U.S.C. 3141) is amended
7 by adding at the end the following:

8 “(k) IMPLEMENTATION OF PERFORMANCE ACCOUNT-
9 ABILITY MEASURES.—Not later than 12 months after the
10 date of enactment of the A Stronger Workforce for Amer-
11 ica Act, the Secretary of Labor and the Secretary of Edu-
12 cation shall fully implement the requirements of this sec-
13 tion for programs described in subsection (b)(3)(A)(iv), in-
14 cluding—

15 “(1) developing and disseminating the objective
16 statistical adjustment model described in subsection
17 (b)(3)(A)(viii) and using the model as described in
18 subsection (b)(3)(A)(viii) for each program; and

19 “(2) notifying the State agencies carrying out
20 such programs of the performance accountability
21 measures established under this section, of the re-
22 porting and evaluation requirements for such pro-
23 grams, and of the sanctions requirements for pro-
24 grams that fail to meet State adjusted levels of per-
25 formance under subsection (b)(3)(A)(iv).”.

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

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

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

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

10 (1) in paragraph (1)—

11 (A) in subparagraph (B)—

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

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

15 (iii) by redesignating clause (xiii) as
16 clause (xii); and

17 (B) in subparagraph (C), by striking “sub-
18 paragraph (B)(xiii)” and inserting “subpara-
19 graph (B)(xii)”; and

20 (2) in paragraph (2)—

21 (A) in subparagraph (A), by striking
22 “With” and inserting “At the direction of the
23 Governor or with”; and

24 (B) in subparagraph (B)—

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

3 (ii) by inserting after clause (vi) the
4 following:

5 “(vii) any applicable economic devel-
6 opment and workforce development pro-
7 grams carried out in the State—

8 (I) by the Economic Develop-
9 ment Administration;

10 (II) under Public Law 117–167
11 (commonly known as the ‘CHIPS and
12 Science Act of 2022’);

13 (III) under the Infrastructure
14 Investment and Jobs Act (Public Law
15 117–58); or

16 (IV) under Public Law 117–168
17 (commonly known as the ‘Inflation
18 Reduction Act of 2022’); and”;

19 (iii) in clause (vii)—

20 (I) by inserting “opportunity
21 youth services,” after “education,”;
22 and

23 (II) by inserting “, by commu-
24 nity-based organizations,” after “li-
25 braries”.

1 (b) MEMORANDUM OF UNDERSTANDING.—Section
2 121(e)(2)(A)(iv) of the Workforce Innovation and Oppor-
3 tunity Act (29 U.S.C. 3151(e)(2)(A)(iv)) is amended by
4 striking “access to services, including access to technology
5 and materials, made” and inserting “access or referral to
6 services, including access or referral to technology, mate-
7 rials, and other supportive services, made”.

8 (c) ONE-STOP OPERATORS.—Section 121(d) of the
9 Workforce Innovation and Opportunity Act (29 U.S.C.
10 3151(d)) is amended—

11 (1) in paragraph (1), by striking “paragraphs
12 (2) and (3)” and inserting “paragraphs (2) and
13 (5)”;

14 (2) in paragraph (2)(B)—

15 (A) in the matter preceding clause (i), by
16 inserting “(including effectiveness in serving in-
17 dividuals with barriers to employment)” after
18 “demonstrated effectiveness”;

19 (B) in clause (i), by inserting after “edu-
20 cation” the following: “or an area career and
21 technical education school”;

22 (C) in clause (v), by striking “and”;

23 (D) by redesignating clause (vi) as clause
24 (viii);

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

3 “(vi) a public library;

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

6 (F) in clause (viii), as so redesignated, by
7 inserting after “labor organization” the fol-
8 lowing: “or joint labor-management organiza-
9 tion”;

10 (3) by redesignating paragraphs (3) and (4) as
11 paragraphs (5) and (6), respectively; and

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

14 “(3) RESPONSIBILITIES.—

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

18 “(i) shall—

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

23 “(II) facilitate coordination
24 among the one-stop partners in such
25 one-stop delivery system; and

1 “(III) take the necessary steps to
2 ensure efficient and effective service
3 delivery for individuals served by the
4 one-stop delivery system, including in-
5 dividuals with barriers to employment;
6 and

7 “(ii) may, subject to the requirements
8 under subparagraph (B), directly provide
9 services to job seekers and employers.

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

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

22 “(ii) which—

23 “(I) require compliance with—

24 “(aa) relevant Office of
25 Management and Budget circu-

1 “(i) comply with the relevant Office of
2 Management and Budget circulars relating
3 to conflicts of interest; and

4 “(ii) any applicable State conflict of
5 interest policy; and

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

8 (d) ONE-STOP DELIVERY.—Section 121(e) of the
9 Workforce Innovation and Opportunity Act (29 U.S.C.
10 3151(e)) is amended—

11 (1) in paragraph (1)—

12 (A) by redesignating subparagraphs (D)
13 and (E) as subparagraphs (E) and (F), respec-
14 tively; and

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

17 “(D) provide referrals to supportive serv-
18 ices, to the extent practicable;”;

19 (2) in paragraph (2)—

20 (A) in subparagraph (A), to read as fol-
21 lows:

22 “(A) shall make each of the programs,
23 services (meaning a referral in the case of sup-
24 portive services, for the purposes of this para-

1 graph), and activities described in paragraph
2 (1) available—

3 “(i) at not less than 1 physical or vir-
4 tual center for each local area of the State,
5 except that, in the case of 1 or more local
6 areas that share at least 1 common border,
7 each such local area may share—

8 “(I) a virtual center if the local
9 area complies with subparagraph (E);
10 or

11 “(II) a physical center, if such
12 center is located in a location that
13 promotes accessibility to services for
14 individuals residing in all such local
15 areas served by the center; and

16 “(ii) in a manner that is designed to
17 promote efficiency, coordination, quality,
18 and accessibility for individuals with bar-
19 riers to employment, as determined by the
20 local board, in the delivery of such pro-
21 grams, services, and activities;”;

22 (B) in subparagraph (B)(i), by inserting
23 after “affiliated sites” the following: “(such as
24 a site of any of the entities described in sub-
25 section (d)(2)(B))”;

1 (C) in subparagraph (C)—

2 (i) by inserting after “centers” the
3 following: “(which may be virtual or phys-
4 ical centers)”; and

5 (ii) by striking “and” at the end;

6 (D) in subparagraph (D)—

7 (i) by striking “as applicable and
8 practicable, shall” and inserting “in the
9 case of a one-stop delivery system that is
10 making each of the programs, services, and
11 activities described in paragraph (1) acces-
12 sible at not less than 1 physical center, as
13 described in subparagraph (A)(i)(II), shall,
14 as applicable and practicable,”; and

15 (ii) by striking the period at the end
16 and inserting “, and local areas that share
17 at least 1 common border may coordinate
18 in making such programs, services, and ac-
19 tivities accessible through electronic means
20 through such a one-stop delivery system;
21 and”; and

22 (E) by inserting after subparagraph (D)
23 the following:

24 “(E) in the case of a one-stop delivery sys-
25 tem that is making each of the programs, serv-

1 ices, and activities accessible through electronic
2 means, as described in subparagraph (A)(i)(I),
3 shall have not fewer than 2 affiliated sites (not
4 fewer than 1 of which will have not fewer than
5 1 professional staff member) with a physical lo-
6 cation where individuals can access, virtually,
7 each of the programs, services, and activities
8 described in paragraph (1) that are virtually ac-
9 cessible.”; and

10 (3) in paragraph (4), by inserting after the first
11 sentence the following: “The system identifier shall
12 be prominently and visibly displayed at each com-
13 prehensive and specialized one-stop center operated
14 by the one-stop delivery system, including physical
15 and virtual centers identified in paragraph (2)(A),
16 and the sites and centers described in subparagraphs
17 (B) through (E) of paragraph (2).”.

18 (e) CERTIFICATION AND IMPROVEMENT CRITERIA.—
19 Section 121(g)(2)(A) of the Workforce Innovation and
20 Opportunity Act (29 U.S.C. 3151(g)(2)(A)) is amended
21 by striking “under subsections (h)(1)” and inserting
22 “under subsections (h)(1)(C)”.

23 (f) FUNDING OF ONE-STOP INFRASTRUCTURE.—Sec-
24 tion 121(h) of the Workforce Innovation and Opportunity
25 Act (29 U.S.C. 3151(h)) is amended—

1 (1) by striking paragraph (1);

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

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

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

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

14 (B) in subparagraph (C)—

15 (i) in clause (i)—

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

19 (II) by striking the third sen-
20 tence; and

21 (ii) in clause (ii), by striking “under a
22 provision covered by section 3(13)(D)” and
23 inserting “under a provision covered by
24 subparagraph (D) of the definition of the

1 term ‘core program provision’ in section
2 3”; and

3 (C) in subparagraph (D)—

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

8 (ii) in clause (ii)—

9 (I) in subclause (I)—

10 (aa) by striking “WIA” in
11 the header and inserting
12 “WIOA”; and

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

15 (II) by striking subclause (III)
16 and inserting the following:

17 “(III) VOCATIONAL REHABILITA-
18 TION.—Notwithstanding subclauses
19 (I) and (II), an entity administering a
20 program described in subsection
21 (b)(1)(B)(iii) shall not be required to
22 provide from that program, under this
23 paragraph, a portion that exceeds 1.5
24 percent of the amount of Federal
25 funds provided to carry out such pro-

1 gram in the State for a program
2 year.”; and

3 (iii) in clause (iii), by striking “For
4 local areas in a State that are not covered
5 by paragraph (1)(A)(i)(I), an” and insert-
6 ing “An”;

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

8 (A) in subparagraph (A), by striking “pur-
9 poses of assisting in” and inserting “purpose
10 of”; and

11 (B) in subparagraph (B)—

12 (i) in the first sentence, by striking
13 “not funding costs of infrastructure under
14 the option described in paragraph
15 (1)(A)(i)(I)”;

16 (ii) in the second sentence, by insert-
17 ing after “local area,” the following: “the
18 intensity of services provided by such cen-
19 ters, the number and types of one-stop
20 partners engaged by or providing services
21 through such centers”;

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

24 “(3) SUPPLEMENTAL INFRASTRUCTURE FUND-
25 ING.—For any fiscal year in which the allocation re-

1 received by a local area under paragraph (2) is insuffi-
2 cient to cover the total costs of infrastructure of
3 one-stop centers in such local area, the local board,
4 the chief elected official, and the one-stop partners
5 that have entered into the local memorandum of un-
6 derstanding with the local board under subsection
7 (c) may agree to fund the remainder of any such
8 costs using a method described in such memo-
9 randum.”; and

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

13 (g) OTHER FUNDS.—Section 121(i)(2) of the Work-
14 force Innovation and Opportunity Act (29 U.S.C.
15 3151(i)(2)) is amended by striking “intake,” and all that
16 follows through “skills,” and inserting “intake, case man-
17 agement, assessment of needs, appraisal of foundational
18 skill needs,”.

19 **SEC. 122. IDENTIFICATION OF ELIGIBLE PROVIDERS OF**
20 **TRAINING SERVICES.**

21 (a) IN GENERAL.—Section 122 of the Workforce In-
22 novation and Opportunity Act (29 U.S.C. 3152) is amend-
23 ed—

24 (1) by redesignating subsections (f) through (i)
25 as subsections (g) through (j), respectively;

1 (2) by striking the section heading and all that
2 follows through subsection (e) and inserting the fol-
3 lowing:

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

6 “(a) ELIGIBILITY.—

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

12 “(A) procedures regarding the eligibility of
13 providers of training services to receive funds
14 provided under section 133(b) for the provision
15 of training services through programs with eli-
16 gibility under this section (in this section re-
17 ferred to as ‘eligible programs’) in local areas in
18 the State; and

19 “(B) the minimum levels of performance
20 on the criteria for a program to receive such eli-
21 gibility.

22 “(2) PROVIDERS.—Subject to the provisions of
23 this section, to be eligible to receive those funds for
24 the provision of training services, the provider shall
25 be—

1 “(A) an institution of higher education
2 that provides a program that leads to a recog-
3 nized postsecondary credential;

4 “(B) an entity that carries out programs
5 registered under the Act of August 16, 1937
6 (commonly known as the ‘National Apprentice-
7 ship Act’; 50 Stat. 664, chapter 663; 29 U.S.C.
8 50 et seq.); or

9 “(C) another public or private provider of
10 a program of training services, which may in-
11 clude joint labor-management organizations,
12 providers of entrepreneurial skills development
13 programs, industry or sector partnerships,
14 groups of employers, trade or professional asso-
15 ciations, and eligible providers of adult edu-
16 cation and literacy activities under title II (if
17 such activities are provided in combination with
18 occupational skills training or integrated edu-
19 cation and training programs).

20 “(3) INCLUSION IN LIST OF ELIGIBLE PRO-
21 VIDERS.—A provider described in subparagraph (A)
22 or (C) of paragraph (2) shall comply with the cri-
23 teria, information requirements, and procedures es-
24 tablished under this section to be included on the list
25 of eligible providers of training services described in

1 subsection (d). A provider described in paragraph
2 (2)(B) shall be included and maintained on the list
3 of eligible providers of training services described in
4 subsection (d) for so long as the corresponding pro-
5 gram of the provider remains registered as described
6 in paragraph (2)(B).

7 “(b) CRITERIA AND INFORMATION REQUIRE-
8 MENTS.—

9 “(1) GENERAL CRITERIA FOR PROGRAMS.—
10 Each provider shall demonstrate to the Governor
11 that the program for which the provider is seeking
12 eligibility under this section—

13 “(A) prepares participants to meet the hir-
14 ing requirements of potential employers in the
15 State, or a local area within the State, for em-
16 ployment that—

17 “(i) is high-skill and high-wage; or

18 “(ii) is in an in-demand industry sec-
19 tor or occupation;

20 “(B) leads to a recognized postsecondary
21 credential;

22 “(C) has been offered by the provider for
23 not less than 1 year; and

24 “(D) meets the performance requirements
25 for eligibility described in paragraph (2).

1 “(2) PERFORMANCE CRITERIA FOR ELIGI-
2 BILITY.—

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

4 “(i) establish and publicize minimum
5 levels of performance for each of the cri-
6 teria listed in subparagraph (B) that a
7 program offered by a provider of training
8 services shall achieve, for all participants
9 in the program (including participants for
10 whom the provider receives payments
11 under this title) for the program to receive
12 and maintain eligibility under this section;

13 “(ii) verify the performance achieved
14 by such a program with respect to each
15 such criterion to determine whether the
16 program meets the corresponding min-
17 imum level of performance established
18 under clause (i)—

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

24 “(II) in the case of the criteria
25 described in subparagraph (B)(i),

1 using any applicable method for such
2 verification; and

3 “(iii) in verifying the performance
4 achievement of a program to make such
5 determination, verify that such program
6 included a sufficient number of program
7 participants to protect participants’ per-
8 sonally identifiable information, and to
9 provide information that is a reliable indi-
10 cator of performance achievement.

11 “(B) PERFORMANCE CRITERIA.—The per-
12 formance criteria to receive and maintain eligi-
13 bility for a program under this section are each
14 of the following:

15 “(i) The credential attainment rate of
16 program participants (calculated as the
17 percentage of program participants who
18 obtain the recognized postsecondary cre-
19 dential that the program prepares partici-
20 pants to earn within 6 months after exit
21 from the program).

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

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

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

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

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

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

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

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

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

1 the minimum levels of performance established
2 by the Governor under this paragraph for the
3 program to be an eligible program in the cor-
4 responding local area, but may not—

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

8 “(ii) establish a performance require-
9 ment with respect to any criterion not list-
10 ed in subparagraph (B).

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

13 “(A) IN GENERAL.—The Governor shall
14 establish procedures and criteria for a provider
15 to demonstrate a program meets, in applying
16 for an employer-sponsored designation for a
17 program that has received eligibility under
18 paragraph (2), which shall include dem-
19 onstrating a commitment from an employer or
20 an industry or sectoral partnership to—

21 “(i) pay to the provider, on behalf of
22 each participant enrolled in such program
23 under this Act, not less than 25 percent of
24 the total cost of the program (as described
25 in paragraph (5)(B)(i)(III)), which shall be

1 provided in lieu of 25 percent of the
2 amount that the provider would have oth-
3 erwise received under section 133(b) for
4 the provision of training services by such
5 program to such participant; and

6 “(ii) guarantee an interview and
7 meaningful consideration for a job with the
8 employer, or in the case of an industry or
9 sector partnership, an employer within
10 such partnership, for each such participant
11 that successfully completes the program.

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

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

20 “(ii) enter into an arrangement to re-
21 imburse an employer or partnership for the
22 costs of a participant paid by such em-
23 ployer or partnership under this para-
24 graph.

1 “(4) WORKFORCE INNOVATION LEADER DES-
2 IGNATION.—

3 “(A) IN GENERAL.—If the Governor deter-
4 mines that a program offered by an eligible pro-
5 vider meets the minimum levels of performance
6 described in subparagraph (B) to receive a
7 Workforce Innovation Leader (or WIL) des-
8 ignation, which designates the program as a
9 WIL program, the Governor shall grant the
10 program designation as a WIL program and in-
11 form the provider of such program of their abil-
12 ity to display the WIL seal, as described in sub-
13 paragraph (C), in marketing materials.

14 “(B) LEVELS.—A eligible program shall
15 meet the levels of performance to receive a WIL
16 designation if such program has achieved—

17 “(i) a credential attainment rate of
18 program participants (calculated as the
19 percentage of program participants who
20 obtain the recognized postsecondary cre-
21 dential that the program prepares partici-
22 pants to earn within 6 months after exit
23 from the program) of not less than 80 per-
24 cent;

1 “(ii) a job placement rate of program
2 participants (calculated as the percentage
3 of program participants in unsubsidized
4 employment during the second quarter
5 after exit from the program) of not less
6 than 70 percent;

7 “(iii) median earnings of program
8 participants who are in unsubsidized em-
9 ployment during the second quarter after
10 exit from the program that are not less
11 than 25 percent greater than the State-
12 level median earnings of individuals ages
13 25 through 34 in the labor force who have
14 only a regular high school diploma or its
15 recognized equivalent; and

16 “(iv) a ratio of greater than 1.5 of
17 median earnings increase to the total cost
18 of program, calculated as the ratio of—

19 “(I) the median value of the dif-
20 ference between—

21 “(aa) participant wages
22 from unsubsidized employment
23 during the second quarter after
24 program exit; and

1 “(bb) participant wages dur-
2 ing the quarter prior to entering
3 the program; to

4 “(II) the total cost of the pro-
5 gram (as described in paragraph
6 (5)(B)(i)(III)).

7 “(C) WIL SEAL.—Not later than 2 years
8 after the date of enactment of the A Stronger
9 Workforce for America Act, the Secretary shall
10 design a seal signifying that a program has
11 achieved a WIL designation, for the Governor
12 of each State to provide to any programs in
13 their State that achieve the performance nec-
14 essary to receive a WIL designation.

15 “(D) LOSS OF WIL DESIGNATION.—If, dur-
16 ing the annual review of eligibility described in
17 subsection (c)(3), the Governor determines that
18 a WIL program no longer meets the levels de-
19 scribed in subparagraph (B) or otherwise has
20 eligibility under this section revoked or termi-
21 nated, or the provider of the program has eligi-
22 bility terminated under subsection (g)(1)(A),
23 the Governor shall revoke the program’s WIL
24 designation and inform the provider of such
25 program that such provider may no longer dis-

1 play the WIL seal in marketing materials or
2 otherwise.

3 “(5) INFORMATION REQUIREMENTS.—A pro-
4 vider that seeks to establish eligibility under this
5 section, and an eligible provider, shall submit appro-
6 priate, accurate, and timely information to the Gov-
7 ernor, to enable the Governor to carry out sub-
8 section (d), with respect to all participants in each
9 eligible program (including participants for whom
10 the provider receives payments under this title) of-
11 fered by the provider, which information shall—

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

15 “(B) consist of—

16 “(i) information on—

17 “(I) in the case of an eligible pro-
18 vider offering a program who is seek-
19 ing to maintain eligibility, the per-
20 formance of the program with respect
21 to the indicators described in section
22 116(b)(2) for participants in the pro-
23 gram;

24 “(II) the recognized postsec-
25 ondary credentials received by such

1 participants, including, in relation to
2 each such credential, the issuing enti-
3 ty, any third-party endorsements, the
4 occupations for which the credential
5 prepares individuals, the competencies
6 achieved by the individuals, the level
7 of mastery of such competencies (in-
8 cluding how mastery is assessed)
9 achieved by the individuals, and any
10 transfer value or stackability;

11 “(III) the total cost of the pro-
12 gram, including the costs of the pub-
13 lished tuition and fees, supplies, and
14 books, and any other costs required
15 by the provider, for a participant in
16 the program;

17 “(IV) the percentage of such par-
18 ticipants that complete the program
19 within the expected time to comple-
20 tion; and

21 “(V) the program’s level of per-
22 formance on the criteria described in
23 paragraph (2) and not otherwise in-
24 cluded in clause (I) of this clause; and

1 “(ii) with respect to employment and
2 earnings measures described in subclauses
3 (I) through (III) of section 116(b)(2)(A)(i)
4 and the performance criteria described in
5 subsection (b)(2) for such participants—

6 “(I) the necessary information
7 for the State to develop program per-
8 formance data using State adminis-
9 trative data (such as quarterly wage
10 records); and

11 “(II) the necessary information
12 to determine the percentage of such
13 participants who entered unsubsidized
14 employment in an occupation related
15 to the program, to the extent prac-
16 ticable.

17 “(6) ELIGIBLE PROVIDER.—In this section,
18 other than subsection (i), a provider of an eligible
19 program under this section shall be considered to be
20 identified as an eligible provider of training services.

21 “(c) PROCEDURES.—

22 “(1) APPLICATION PROCEDURES.—The proce-
23 dures established under subsection (a) shall identify
24 the application process for a provider of training
25 services (for a program offered by the provider) to

1 become eligible to receive funds provided under sec-
2 tion 133(b) for the provision of training services.
3 That process shall be implemented in a manner that
4 minimizes the financial and administrative burden
5 on the provider and shall not require the submission
6 of information in excess of the information required
7 to determine a program's eligibility under para-
8 graphs (1), (2), and (5) of subsection (b). The pro-
9 cedures shall identify the respective roles of the
10 State and local areas in receiving and reviewing the
11 applications and in making determinations of such
12 eligibility based on the criteria, information require-
13 ments, and procedures established under this sec-
14 tion. The procedures shall also establish a process,
15 for a provider of training services to appeal a denial
16 or revocation or termination of eligibility under this
17 section, that includes an opportunity for a hearing
18 and prescribes appropriate time limits to ensure
19 prompt resolution of the appeal.

20 “(2) APPROVAL.—A Governor shall make a de-
21 termination of such eligibility with respect to a pro-
22 gram for which the provider is seeking eligibility
23 under this section not later than 30 days after re-
24 ceipt of an application submitted by such provider
25 consistent with the procedures in paragraph (1).

1 “(3) RENEWAL PROCEDURES.—The procedures
2 established by the Governor shall also provide for
3 annual review and renewal of eligibility under this
4 section for a program of training services that con-
5 tinues to meet the requirements under paragraphs
6 (1), (2), and (5) of subsection (b).

7 “(4) REVOCATION OF ELIGIBILITY.—The proce-
8 dures established under subsection (a) shall adhere
9 to the following requirements for revocation of eligi-
10 bility by the Governor:

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

1 “(B) FAILURE TO MEET PERFORMANCE
2 CRITERIA.—

3 “(i) FIRST YEAR.—The provider of an
4 eligible program that has received eligi-
5 bility under subsection (c)(2) for a pro-
6 gram year but fails to meet the minimum
7 levels of performance on the performance
8 criteria described in subsection (b)(2) for
9 the most recent program year for which
10 performance data on such criteria are
11 available shall be notified of such failure by
12 the Governor.

13 “(ii) SECOND CONSECUTIVE YEAR.—A
14 program that fails to meet the minimum
15 levels of performance for a second consecu-
16 tive program year shall be ineligible under
17 this section with respect to such program
18 for the program year following such second
19 consecutive program year and until the
20 program meets the minimum levels of per-
21 formance.

22 “(iii) REAPPLICATION.—A provider
23 that loses eligibility under this subpara-
24 graph with respect to a program may re-
25 apply to receive eligibility for the program

1 according to the procedures described in
2 this subparagraph if the program meets
3 the minimum levels of performance de-
4 scribed in clause (i), for the most recent
5 program year for which performance data
6 on the performance criteria are available.

7 “(C) REPEATED FAILURE.—A program for
8 which the Governor revokes eligibility under
9 subparagraph (A) or (B)—

10 “(i) 2 times shall be determined ineli-
11 gible under this section by the Governor
12 for a period of at least 2 years;

13 “(ii) 3 times shall be determined ineli-
14 gible under the section by the Governor for
15 a period of at least 5 years; and

16 “(iii) more than 3 times shall be de-
17 termined ineligible under this section by
18 the Governor for a period of at least 10
19 years.

20 “(5) CONTINUITY OF TRAINING SERVICES.—A
21 provider of a program for which the Governor re-
22 vokes eligibility under paragraph (4) or a provider
23 for which eligibility is terminated under subsection
24 (g)(1)(A) shall—

1 “(A) be prohibited from enrolling any new
2 participants whose participation would be fund-
3 ed under section 133(b) in the program and
4 from receiving any payments from funds pro-
5 vided under section 133(b) for any participants
6 not already enrolled in the program on the date
7 of revocation or termination until and unless
8 the Governor determines that the provider has
9 demonstrated that the program offered by the
10 provider has met the requirements for the pro-
11 vider to gain the opportunity to reapply for eli-
12 gibility under the procedure described in para-
13 graph (4)(B)(iii); and

14 “(B) enable each participant currently en-
15 rolled in the program, on the date of the rev-
16 ocation or termination, to complete such pro-
17 gram.

18 “(6) NOTIFICATION OF PROGRAM LOSS OF ELI-
19 GIBILITY.—The local board serving participants
20 whose participation is funded under section 133(b)
21 in a program for which eligibility is revoked by the
22 Governor under this subsection shall notify such par-
23 ticipants that such program no longer meets the
24 State’s requirements for eligible training providers
25 under this Act and that the participant has the op-

1 portunity to continue receiving training services
2 from such program, in order to complete the pro-
3 gram.

4 “(7) MULTISTATE PROVIDERS.—The proce-
5 dures established under subsection (a) shall specify
6 the process for any provider of training services of-
7 fering a program that is eligible under this section
8 in a first State to establish eligibility under this sec-
9 tion in an additional State, which shall, to the extent
10 practicable, minimize financial and administrative
11 burdens on any such provider by authorizing the
12 provider to submit the same application materials
13 and information to the Governor of the additional
14 State that was accepted by the Governor granting
15 the provider’s eligibility in the first State, as long as
16 the program meets the applicable State requirements
17 for such eligibility established under subsection (b).

18 “(8) ONLINE PROVIDERS.—The procedures es-
19 tablished under subsection (a) shall apply to a pro-
20 vider that delivers training services exclusively on-
21 line. If a participant chooses a provider that delivers
22 training services exclusively online and is not located
23 in the State of the local area that approved such
24 training services for the participant in accordance
25 with section 133(c)(3)(A)(i), such provider shall be

1 ineligible to receive payment for such participant
2 from funds allotted to such State under section 132
3 unless such provider is on the list of eligible pro-
4 viders of training services described in subsection (d)
5 for such State with respect to the program involved.

6 “(d) LIST AND INFORMATION TO ASSIST PARTICI-
7 PANTS IN CHOOSING PROVIDERS.—

8 “(1) IN GENERAL.—In order to facilitate and
9 assist participants in choosing employment and
10 training activities and in choosing providers of train-
11 ing services, the Governor shall ensure that an ap-
12 propriate list of providers determined to be eligible
13 under this section to offer a program in the State
14 (and, as appropriate, in a local area), accompanied
15 by information identifying the recognized postsec-
16 ondary credential offered by the provider and other
17 appropriate information, is prepared. The list shall
18 be provided to the local boards in the State, and
19 made available to such participants and to members
20 of the public through the one-stop delivery system in
21 the State.

22 “(2) CREDENTIAL NAVIGATION FEATURE.—

23 “(A) IN GENERAL.—In order to enhance
24 the ability of participants and employers to un-
25 derstand and compare the value of the recog-

1 nized postsecondary credentials awarded by eli-
2 gible programs offered by providers of training
3 services in a State, the Governor shall establish
4 (or develop in partnership with other States), a
5 credential navigation feature that allows partici-
6 pants and the public to search a list of such
7 recognized postsecondary credentials, and the
8 providers awarding and programs leading to
9 such a credential, which shall include, with re-
10 spect to each such credential (aggregated for all
11 participants in the State that have received
12 such credential through an eligible program
13 under this section or through, as applicable, an-
14 other program carried out under this title)—

15 “(i) the information required under
16 subsection (b)(5)(B)(i)(II); and

17 “(ii) the performance of participants
18 with respect to the indicators (relating to
19 employment and earnings outcomes) de-
20 scribed in subclauses (I) through (III) of
21 section 116(b)(2)(i).

22 “(B) RULE OF CONSTRUCTION.—Nothing
23 in this paragraph shall be construed to require
24 a State that has a credential navigation feature
25 that permits a search of a list containing the

1 information described in this paragraph to re-
2 place such credential navigation feature with
3 the feature described in subparagraph (A).

4 “(3) ACCOMPANYING INFORMATION.—The ac-
5 companying information shall consist of—

6 “(A) with respect to providers described in
7 subparagraphs (A) and (C) of subsection (a)(2),
8 information provided by such providers
9 (disaggregated by local areas served, as applica-
10 ble) in accordance with subsection (b);

11 “(B) with respect to a program described
12 in subsection (b)(3) that is offered by a pro-
13 vider, information promoting the program as
14 having an employer-sponsored designation and
15 identifying the employer or partnership spon-
16 soring the program; and

17 “(C) with respect to a program described
18 in subsection (b)(4) that is offered by a pro-
19 vider, information promoting the program as
20 being a WIL program and displaying the seal
21 described in subsection (b)(4)(C).

22 “(4) AVAILABILITY.—The list (including the
23 credential navigation feature described in paragraph
24 (2)), and the accompanying information shall be
25 made available to participants and to members of

1 the public through the one-stop delivery system in
2 the State—

3 “(A) on a publicly accessible website
4 that—

5 “(i) is consumer-tested; and

6 “(ii) is searchable, easily understand-
7 able, and navigable, and allows for the
8 comparison of eligible programs through
9 the use of language in a common, linked,
10 open, and interoperable data format; and

11 “(B) in a manner that does not reveal per-
12 sonally identifiable information about an indi-
13 vidual participant.

14 “(5) WEBSITE TECHNICAL ASSISTANCE.—The
15 Secretary shall—

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

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

1 “(6) LIMITATION.—In carrying out the require-
2 ments of this subsection, no personally identifiable
3 information regarding a student, including a Social
4 Security number, student identification number, or
5 other identifier, may be disclosed without the prior
6 written consent of the student or student’s parent in
7 compliance with section 444 of the General Edu-
8 cation Provisions Act (20 U.S.C. 1232g).

9 “(e) OPPORTUNITY TO SUBMIT COMMENTS.—In es-
10 tablishing, under this section, criteria, procedures, and the
11 list of eligible providers described in subsection (d), the
12 Governor shall provide an opportunity for interested mem-
13 bers of the public to make recommendations and submit
14 comments regarding such criteria, procedures, and list.

15 “(f) PROVIDER PERFORMANCE INCENTIVES.—

16 “(1) IN GENERAL.—The Governor shall estab-
17 lish a system of performance incentive payments to
18 be awarded to eligible providers in addition to the
19 amount paid under section 133(b) to such providers
20 for the provision of training services to participants
21 of eligible programs. Such system of performance in-
22 centive payments may be established to award the
23 payments to providers of eligible programs that—

1 “(A) achieve levels of performance above
2 the minimum levels established by the Governor
3 under subsection (b)(2);

4 “(B) serve a significantly higher number of
5 individuals with barriers to employment com-
6 pared to training providers offering similar
7 training services; or

8 “(C) achieve other performance successes,
9 including those related to jobs that provide eco-
10 nomic stability and upward mobility (such as
11 jobs with high wages and family sustainable
12 benefits) as determined by the State or the
13 local board.

14 “(2) INCENTIVE PAYMENTS.—Incentive pay-
15 ments to providers established under paragraph (1)
16 shall be awarded to eligible providers from funds re-
17 served by the Governor under section 128(a)(1), ex-
18 cept that not more than 5 percent of the funds re-
19 served by the Governor under section 128(a)(1) may
20 be used for such payments.”;

21 (3) by striking subsections (i) and (j) and in-
22 serting the following:

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

1 “(1) IN GENERAL.—Providers of on-the-job
2 training, employer-directed skills development, in-
3 cumbent worker training, internships, paid or un-
4 paid work experience opportunities, or transitional
5 employment shall not be subject to the requirements
6 of subsections (a) through (f).

7 “(2) COLLECTION AND DISSEMINATION OF IN-
8 FORMATION.—A one-stop operator in a local area
9 shall collect the minimum amount of information
10 from providers of on-the-job training, employer-di-
11 rected skills development, incumbent worker train-
12 ing, internships, paid or unpaid work experience op-
13 portunities, and transitional employment as nec-
14 essary to enable the use of State administrative data
15 to generate such performance information as the
16 Governor may require, and use the information to
17 determine whether the providers meet such perform-
18 ance criteria as the Governor may require. The one-
19 stop operator shall disseminate information identi-
20 fying such providers that meet the criteria as eligible
21 providers, and the performance information, through
22 the one-stop delivery system. Providers determined
23 to meet the criteria shall be considered to be identi-
24 fied as eligible providers of training services.

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

8 (b) REPORT TO CONGRESS ON STATE PERFORMANCE
9 CRITERIA.—Not later than 4 years after the date of enact-
10 ment of the A Stronger Workforce for America Act, the
11 Secretary shall submit a report to the Committee on Edu-
12 cation and the Workforce of the House of Representatives
13 and the Committee on Health, Education, Labor, and
14 Pensions of the Senate on eligible providers of training
15 services under section 122 of the Workforce Innovation
16 and Opportunity Act (29 U.S.C. 3152), as amended by
17 this Act, in each State that shall include—

18 (1) the minimum levels of performance estab-
19 lished by the Governor of each State with respect to
20 the performance criteria under subsection (b)(2) of
21 that section 122 for such eligible providers of train-
22 ing services in the State;

23 (2) the number of such eligible providers of
24 training services in the State each program year
25 after the date of enactment of this Act, compared

1 with the number of such providers in the State in
2 the program year immediately preceding that date of
3 enactment; and

4 (3) the average length of time that such eligible
5 providers of training services in the State maintain
6 eligibility, disaggregated by the type of entity that
7 provided the training services.

8 **SEC. 123. ELIGIBLE PROVIDERS OF YOUTH WORKFORCE IN-**
9 **VESTMENT ACTIVITIES.**

10 Section 123(a) of the Workforce Innovation and Op-
11 portunity Act (29 U.S.C. 3153(a)) is amended by insert-
12 ing “, which may include providers of pre-apprenticeship
13 programs, and apprenticeship programs, that serve
14 youth,” before “identified based”.

15 **CHAPTER 2—YOUTH WORKFORCE**
16 **INVESTMENT ACTIVITIES**

17 **SEC. 131. RESERVATIONS; REALLOCATION.**

18 (a) RESERVATIONS FOR STATEWIDE ACTIVITIES.—
19 Section 128(a) of the Workforce Innovation and Oppor-
20 tunity Act (29 U.S.C. 3163(a)) is amended—

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

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

1 “(3) CRITICAL INDUSTRY SKILLS FUND, AND
2 INDUSTRY SECTOR PARTNERSHIP AND CAREER
3 PATHWAYS DEVELOPMENT FUND.—

4 “(A) AUTHORIZED RESERVATION.—In ad-
5 dition to the reservations required under para-
6 graph (1) and section 133(a)(2), and subject to
7 subparagraph (B), the Governor may reserve
8 not more than 10 percent of each of the
9 amounts allotted to the State under section
10 127(b)(1)(C) and paragraphs (1)(B) and (2)(B)
11 of section 132(b) for a fiscal year to establish
12 and administer any one, or both, of the fol-
13 lowing:

14 “(i) A critical industry skills fund de-
15 scribed in section 134(a)(4).

16 “(ii) An industry or sector partner-
17 ship and career pathways development
18 fund described in section 134(a)(5).

19 “(B) MATCHING FUNDS.—

20 “(i) REQUIREMENT.—The amount of
21 funds reserved by a Governor under sub-
22 paragraph (A) for a fiscal year may not ex-
23 ceed the amount of funds that such Gov-
24 ernor commits to using from any of the
25 funds listed in clause (ii) for such fiscal

1 year for the purposes of establishing and
2 administering the funds described in
3 clauses (i) and (ii) of subparagraph (A).

4 “(ii) SOURCES OF MATCHING
5 FUNDS.—The funds listed in this clause
6 are as follows:

7 “(I) Funds reserved by the Gov-
8 ernor under paragraph (1) of this
9 subsection.

10 “(II) Other Federal funds not
11 described in subclause (I).

12 “(III) State funds.”.

13 (b) REALLOCATION AMONG LOCAL AREAS.—Section
14 128(c) of the Workforce Innovation and Opportunity Act
15 (29 U.S.C. 3173(c)) is amended—

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

19 (2) in paragraph (4)—

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

22 “(A) does not”;

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

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

1 “(B) has met or exceeded an average of
2 100 percent of the local level of performance
3 described in section 116(c)(1)(B) for the local
4 area across all indicators for the youth program
5 authorized under this chapter for the most re-
6 cent program year for which performance data
7 is available; and

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

15 **SEC. 132. USE OF FUNDS FOR YOUTH WORKFORCE INVEST-**
16 **MENT ACTIVITIES.**

17 (a) **OPPORTUNITY YOUTH.**—Section 129 of the
18 Workforce Innovation and Opportunity Act (29 U.S.C.
19 3164) is amended by striking “out-of-school” each place
20 it appears and inserting “opportunity”.

21 (b) **YOUTH PARTICIPANT ELIGIBILITY.**—

22 (1) **ELIGIBILITY DETERMINATION.**—

23 (A) **ELIGIBILITY.**—Subparagraph (A) of
24 section 129(a)(1) of the Workforce Innovation

1 and Opportunity Act (29 U.S.C. 3164(a)(1)) is
2 amended to read as follows:

3 “(A) ELIGIBILITY DETERMINATION.—

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

10 “(ii) ENROLLMENT.—If a one-stop
11 operator or eligible provider of youth work-
12 force activities carrying out activities under
13 this chapter reasonably believes that an in-
14 dividual is eligible to participate in such
15 activities, the operator or provider may
16 allow such individual to participate in such
17 activities for not more than a 40-day pe-
18 riod during which the operator or provider
19 shall obtain the necessary information to
20 make an eligibility determination with re-
21 spect to such individual (which may involve
22 working with such individual, and other
23 entities in the local area, and using avail-
24 able sources of administrative data to ob-
25 tain the necessary information).

1 involved using funds allocated to such
2 area under section 128(b).

3 “(iv) DETERMINATION PROCESS FOR
4 YOUTH EXPERIENCING HOMELESSNESS
5 AND FOSTER YOUTH.—In determining
6 whether an individual is eligible to partici-
7 pate in activities carried out under this
8 chapter on the basis of being an individual
9 who is a youth experiencing homelessness,
10 or a youth in foster care, as described in
11 subparagraph (B)(iii)(V), the one-stop op-
12 erator or service provider involved shall—

13 “(I) if determining whether the
14 individual is a youth experiencing
15 homelessness, use a process that is in
16 compliance with the requirements of
17 subsection (a) of section 479D of the
18 Higher Education Act of 1965 (20
19 U.S.C. 1087uu-2) for financial aid
20 administrators; and

21 “(II) if determining whether the
22 individual is a youth in foster care,
23 use a process that is in compliance
24 with the requirements of subsection
25 (b) of section 479D of the Higher

1 Education Act of 1965 (20 U.S.C.
2 1087uu-2) for financial aid adminis-
3 trators.”.

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

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

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

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

23 (iv) in clause (iii)—

24 (I) in subclause (III)—

1 (aa) in the matter preceding
2 item (aa)—
3 (AA) by striking “sec-
4 ondary school diploma or its
5 recognized equivalent” and
6 inserting “regular high
7 school diploma or its recog-
8 nized equivalent”; and
9 (BB) by striking “and
10 is” and inserting “and”;
11 (bb) in item (aa), by striking
12 “basic skills deficient;” and in-
13 serting “has foundational skills
14 needs;”; and
15 (cc) in item (bb), by striking
16 “an English language learner”
17 and inserting “is an English
18 learner”; and
19 (II) in subclause (V)—
20 (aa) by striking “A homeless
21 individual (” and inserting “An
22 individual experiencing homeless-
23 ness (meaning a homeless indi-
24 vidual,”;

1 (bb) by striking “(42 U.S.C.
2 14043e-2(6))” and inserting “(34
3 U.S.C. 12473(6))”; and

4 (cc) by striking “a homeless
5 child or youth (” and inserting
6 “a youth experiencing homeless-
7 ness (meaning a homeless child
8 or youth,”.

9 (C) DEFINITION OF IN-SCHOOL YOUTH.—
10 Clause (iv) of section 129(a)(1)(C) of the Work-
11 force Innovation and Opportunity Act (29
12 U.S.C. 3164(a)(1)(C)) is amended—

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

16 (ii) in subclause (II), by striking “lan-
17 guage”;

18 (iii) by striking subclauses (III) and
19 (IV); and

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

23 (D) RULE FOR CERTAIN OPPORTUNITY
24 YOUTH.—Section 129(a)(1) of the Workforce
25 Innovation and Opportunity Act (29 U.S.C.

1 3164(a)(1)) is amended by adding at the end
2 the following:

3 “(D) RULE FOR CERTAIN OPPORTUNITY
4 YOUTH.—An opportunity youth described in
5 subclause (IV) or (V) of subparagraph (B)(iii)
6 who is attending any school shall be eligible to
7 participate in any activity for in-school youth
8 carried out under this chapter.”.

9 (2) EXCEPTION AND LIMITATION.—Section
10 129(a)(3) of the Workforce Innovation and Oppor-
11 tunity Act (29 U.S.C. 3164(a)(3)) is amended—

12 (A) in subparagraph (A)(ii), by striking
13 “5” and inserting “10”; and

14 (B) in subparagraph (B)—

15 (i) by striking “5” inserting “10”;

16 and

17 (ii) by striking “paragraph
18 (1)(C)(iv)(VII)” and inserting “paragraph
19 (1)(C)(iv)(V)”.

20 (3) OPPORTUNITY YOUTH PRIORITY.—Section
21 129(a)(4) of the Workforce Innovation and Oppor-
22 tunity Act (29 U.S.C. 3164(a)(4)) is amended—

23 (A) in the paragraph heading, by striking
24 “OUT-OF-SCHOOL” and inserting “OPPOR-
25 TUNITY”;

1 (B) in subparagraph (A)—

2 (i) by striking “75” each place it ap-
3 pears and inserting “70”;

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

6 (iii) by inserting “in the State” after
7 “subsection (c)”;

8 (C) in subparagraph (B)(i), by striking
9 “75” and inserting “70”;

10 (D) by redesignating subparagraph (B), as
11 so amended, as subparagraph (C); and

12 (E) by inserting after subparagraph (A)
13 the following:

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

22 “(i) may not be an amount that is less
23 than 45 percent of the funds provided to
24 such local area under subsection (c); and

1 “(ii) shall be the amount that is nec-
2 essary for the State to meet the require-
3 ments of subparagraph (A) with respect to
4 the total amount of funds available for
5 local areas under subsection (c).”.

6 (c) REQUIRED STATEWIDE YOUTH ACTIVITIES.—

7 Section 129(b)(1) of the Workforce Innovation and Oppor-
8 tunity Act (29 U.S.C. 3164(b)(1)) is amended—

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

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

21 (3) in subparagraph (D), by striking “section
22 116(i)” and inserting “section 116(j)”.

23 (d) ALLOWABLE STATEWIDE YOUTH ACTIVITIES.—

24 Section 129(b)(2) of the Workforce Innovation and Oppor-
25 tunity Act (29 U.S.C. 3164(b)(2)) is amended—

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

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

8 (3) in subparagraph (D)—

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

11 (B) by inserting after clause (v) the fol-
12 lowing:

13 “(vi) supporting the ability to under-
14 stand relevant tax information and obliga-
15 tions;”;

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

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

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

23 “(G) raising public awareness (including
24 through public service announcements, such as
25 social media campaigns and elementary and

1 secondary school showcases and school visits)
2 about career and technical education programs
3 and community-based and youth services orga-
4 nizations, and other endeavors focused on pro-
5 grams that prepare students for in-demand in-
6 dustry sectors or occupations;

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

18 “(I) coordinating activities with providers
19 of a pre-apprenticeship program or apprentice-
20 ship program for youth in the State to estab-
21 lish, support, or expand the program described
22 in this subparagraph, including any such pro-
23 gram in the State receiving assistance under
24 section 173;

1 “(J) coordinating activities with entities
2 implementing reentry projects in the State fo-
3 cused on establishing or improving workforce
4 development programs for justice- involved
5 youth, including any such reentry projects in
6 the State receiving assistance under section
7 172; and

8 “(K) coordinating activities with agencies
9 implementing corrections education and other
10 education programs in the State focused on
11 providing incarcerated youth with education
12 and skills development programs, including any
13 such programs in the State receiving assistance
14 under section 225.”.

15 (e) LOCAL ELEMENTS AND REQUIREMENTS.—

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

19 (A) in subparagraph (B), by inserting
20 “(which, in the case of a participant 18 years
21 or older, may include co-enrollment in any em-
22 ployment or training activity provided under
23 section 134 for adults)” after “services for the
24 participant”;

25 (B) in subparagraph (C)—

1 (i) in clause (i), by striking “sec-
2 ondary school diploma or its recognized
3 equivalent” and inserting “regular high
4 school diploma or its recognized equiva-
5 lent”; and

6 (ii) in clause (v), by inserting “high-
7 skill, high-wage, or” after “small employ-
8 ers, in”; and

9 (C) in subparagraph (D), by striking “10”
10 and inserting “30”.

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

14 (A) in the matter preceding subparagraph
15 (A), by striking “secondary school diploma or
16 its recognized equivalent” and inserting “reg-
17 ular high school diploma or its recognized
18 equivalent”;

19 (B) in subparagraph (A), by striking “sec-
20 ondary school diploma or its recognized equiva-
21 lent” and inserting “regular high school di-
22 ploma or its recognized equivalent”;

23 (C) in subparagraph (C)—

24 (i) in clause (i)—

1 (I) by striking “other” and in-
2 sserting “year-round”; and

3 (II) by inserting “that meet the
4 requirements of paragraph (10)” after
5 “school year”;

6 (ii) in clause (ii), by inserting “and
7 apprenticeship programs that serve youth”
8 after “programs”;

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

11 “(iii) internships that—

12 “(I) are paid internships or are
13 unpaid internships for which academic
14 credit may be awarded;

15 “(II) are, to the extent prac-
16 ticable, aligned with in-demand indus-
17 try sectors or occupations in the State
18 or local area; and

19 “(III) for which participants
20 shall be paid (by the entity providing
21 the internship, through funds allo-
22 cated to the local area pursuant to
23 paragraph (1) for the program, or by
24 another entity) if such internships are
25 longer than—

1 “(aa) 4 weeks in the sum-
2 mer or 8 weeks during the school
3 year for in-school youth and op-
4 portunity youth who are enrolled
5 in school; or

6 “(bb) 8 weeks for oppor-
7 tunity youth who are not enrolled
8 in school;”;

9 (iv) by redesignating clause (iv) as
10 clause (v);

11 (v) by inserting after clause (iii), as so
12 amended, the following:

13 “(iv) job shadowing;”;

14 (vi) in clause (v), as so redesignated,
15 by inserting “and” at the end; and

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

18 “(vi) work-based learning;”;

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

22 (E) in subparagraph (I), by inserting “(in-
23 cluding case management)” after “services”;

24 (F) in subparagraph (M)—

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

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

4 (G) in subparagraph (N), by striking the
5 period at the end and inserting “; and”; and

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

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

11 (3) PRIORITY.—Section 129(c)(4) of the Work-
12 force Innovation and Opportunity Act (29 U.S.C.
13 3164(c)(4)) is amended to read as follows:

14 “(4) PRIORITY.—

15 “(A) WORK EXPERIENCES.—Not less than
16 40 percent of the funds allocated to the local
17 area as described in paragraph (1) shall be
18 used to provide in-school youth and opportunity
19 youth with activities under paragraph (2)(C).

20 “(B) APPRENTICESHIPS AND PRE-APPREN-
21 TICESHIPS FOR YOUTH.—Not less than 12 and
22 ½ percent of the funds used for the purposes
23 described in subparagraph (A) shall be used to
24 provide in-school youth and opportunity youth
25 with activities under paragraph (2)(C)(ii).”.

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

5 (5) LINKAGES.—Section 129(c)(7) of the Work-
6 force Innovation and Opportunity Act (29 U.S.C.
7 3164(c)(7)) is amended by inserting “, secondary
8 schools, and area career and technical schools” after
9 “agencies”.

10 (6) INDIVIDUAL TRAINING ACCOUNTS.—Section
11 129(c) of the Workforce Innovation and Opportunity
12 Act (29 U.S.C. 3164(c)) is amended by adding at
13 the end the following:

14 “(9) INDIVIDUAL TRAINING ACCOUNTS.—

15 “(A) IN GENERAL.—Subject to subpara-
16 graph (B), funds allocated pursuant to para-
17 graph (1) to a local area may be used to pay,
18 through an individual training account, an eligi-
19 ble provider of training services described in
20 section 122(d) for training services described in
21 section 134(c)(3) provided to in-school youth
22 who are not younger than age 16 and not older
23 than age 21 and opportunity youth, in the same
24 manner that an individual training account is
25 used to pay an eligible provider of training serv-

1 ices under section 134(c)(3)(F)(iii) for training
2 services provided to an adult or dislocated
3 worker.

4 “(B) SPECIAL RULE FOR IN-SCHOOL
5 YOUTH YOUNGER THAN AGE 18.—To use an in-
6 dividual training account to pay for a program
7 of training services that will take place during
8 regular school hours for an in-school youth who
9 is younger than the age 18, the local area shall
10 receive written approval from the secondary
11 school at which the in-school youth is enrolled
12 prior to the start of the program of training
13 services.”.

14 (7) SUMMER AND YEAR-ROUND EMPLOYMENT
15 OPPORTUNITIES REQUIREMENTS.—Section 129(c) of
16 the Workforce Innovation and Opportunity Act (29
17 U.S.C. 3164(c)) is further amended by adding at the
18 end the following:

19 “(10) SUMMER AND YEAR-ROUND EMPLOYMENT
20 OPPORTUNITIES REQUIREMENTS.—

21 “(A) IN GENERAL.—A summer employ-
22 ment opportunity or a year-round employment
23 opportunity referred to in paragraph (2)(C)(i)
24 shall be a program that matches eligible youth
25 participating in such program with an appro-

1 priate employer (based on factors including the
2 needs of the employer and the age, skill, and in-
3 formed aspirations of the eligible youth) that—

4 “(i) shall include—

5 “(I) a component of occupational
6 skills education; and

7 “(II) not less than 2 of the ac-
8 tivities described in subparagraphs
9 (G), (H), (I), (K), (M), and (O) of
10 paragraph (2);

11 “(ii) may not use funds allocated
12 under this chapter to subsidize more than
13 50 percent of the wages of each eligible
14 youth participant in such program;

15 “(iii) in the case of a summer employ-
16 ment opportunity, complies with the re-
17 quirements of subparagraph (B); and

18 “(iv) in the case of a year-round em-
19 ployment opportunity, complies with the
20 requirements of subparagraph (C).

21 “(B) SUMMER EMPLOYMENT OPPOR-
22 TUNITY.—In addition to the applicable require-
23 ments described in subparagraph (A), a sum-
24 mer employment opportunity—

1 “(i) may not be less than 4 weeks;

2 and

3 “(ii) may not pay less than the high-
4 est applicable wage required by the appli-
5 cable Federal, State, or local minimum
6 wage law.

7 “(C) YEAR-ROUND EMPLOYMENT OPPOR-
8 TUNITY.—In addition to the applicable require-
9 ments described in subparagraph (A), a year-
10 round employment opportunity—

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

13 “(ii) may not pay less than the high-
14 est applicable wage required by the appli-
15 cable Federal, State, or local minimum
16 wage law; and

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

22 “(D) PRIORITY.—In selecting summer em-
23 ployment opportunities or year-round employ-
24 ment opportunities for purposes of paragraph
25 (2)(C)(i), a local area shall give priority to such

1 opportunities that meet the requirements of this
2 paragraph and that are in existing or emerging
3 high-skill, high-wage, or in-demand industry
4 sectors or occupations.”.

5 **CHAPTER 3—ADULT AND DISLOCATED**
6 **WORKER EMPLOYMENT AND TRAIN-**
7 **ING ACTIVITIES**

8 **SEC. 141. STATE ALLOTMENTS.**

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

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

14 (2) by inserting “, and under subsections (c)
15 (related to dislocated worker projects) and (d) (re-
16 lated to workforce data quality initiatives) of section
17 169” before “; and”

18 **SEC. 142. RESERVATIONS FOR STATE ACTIVITIES; WITHIN**
19 **STATE ALLOCATIONS; REALLOCATION.**

20 (a) RESERVATIONS FOR STATE ACTIVITIES.—Section
21 133(a) of the Workforce Innovation and Opportunity Act
22 (29 U.S.C. 3173(a)) is amended—

23 (1) in paragraph (1), by striking “section
24 128(a)” and inserting “section 128(a)(1)”; and

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

1 “(3) CRITICAL INDUSTRY SKILLS FUND, AND
2 INDUSTRY OR SECTOR PARTNERSHIP AND CAREER
3 PATHWAYS FUND.—In addition to the reservations
4 required under paragraphs (1) and (2), the Gov-
5 ernor may make the reservation authorized under
6 section 128(a)(3).”.

7 (b) WITHIN STATE ALLOCATIONS.—Section
8 133(b)(1) of the Workforce Innovation and Opportunity
9 Act (29 U.S.C. 3173(b)) is amended—

10 (1) in subparagraph (A), by striking “sub-
11 section (a)(1)” and inserting “paragraph (1) or (3)
12 of subsection (a)”; and

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

16 (c) REALLOCATION AMONG LOCAL AREAS.—Section
17 133(c) of the Workforce Innovation and Opportunity Act
18 (29 U.S.C. 3173(c)) is amended—

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

22 (2) in paragraph (4)—

23 (A) in subparagraph (A)—

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

1 “(i) does not”;

2 (ii) by striking “; and” and inserting
3 a semicolon; and

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

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

14 “(iii) was not subject to corrective ac-
15 tion by the Governor under section
16 184(a)(5)(A) for a determination of non-
17 compliance with the uniform administrative
18 requirements described in section
19 184(a)(3) for the program year for which
20 the determination under paragraph (2) is
21 made; and”;

22 (B) in subparagraph (B)—

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

25 “(i) does not”;

1 (ii) by striking the period at the end
2 and inserting a semicolon; and

3 (iii) by adding at the end the fol-
4 lowing:

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

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

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

22 “(5) USE OF INCENTIVE FUNDS.—Any amounts
23 provided to a local area as a performance incentive
24 payment under this subsection shall not be subject

1 to the requirements described in section
2 134(c)(1)(B).”.

3 **SEC. 143. USE OF FUNDS FOR EMPLOYMENT AND TRAINING**
4 **ACTIVITIES.**

5 (a) STATEWIDE EMPLOYMENT AND TRAINING AC-
6 TIVITIES.—

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

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

12 (B) in subparagraph (B)—

13 (i) in the matter preceding clause (i),
14 by striking “128(a)” and inserting
15 “128(a)(1)”; and

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

18 “(ii) may be used to carry out any of
19 the statewide employment and training ac-
20 tivities described in paragraph (3) (includ-
21 ing establishing and administering any
22 one, or both, of the funds referred to in
23 subparagraph (C));”; and

24 (C) by inserting before the flush left text
25 at the end the following:

1 “(C) as described in section 128(a)(3),
2 shall be used to establish and administer any
3 one, or both, of the following:

4 “(i) a critical industry skills fund de-
5 scribed in paragraph (4); or

6 “(ii) an industry or sector partnership
7 and career pathways development fund de-
8 scribed in paragraph (5).”.

9 (2) REQUIRED STATEWIDE EMPLOYMENT AND
10 TRAINING ACTIVITIES.—

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

15 (i) in clause (i)—

16 (I) in subclause (I)—

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

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

22 (II) in subclause (II), by striking
23 the period at the end and inserting “;
24 and”; and

1 (III) by adding at the end the
2 following:

3 “(III) provision of additional as-
4 sistance to a local area that has ex-
5 cess demand for individual training
6 accounts for dislocated workers in
7 such local area and requests such as-
8 sistance under paragraph (4) of sec-
9 tion 414(c) of the American Competi-
10 tiveness and Workforce Improvement
11 Act of 1998 (29 U.S.C. 3224a(5)),
12 upon a determination by the State
13 that, in using funds allocated to such
14 local area pursuant to paragraph (1)
15 of such section 414(c) and subsection
16 (c)(1)(B) of this section for the pur-
17 pose described in paragraph (2)(A) of
18 such section 414(c), the local area
19 was in compliance with the require-
20 ments of such section 414(c).”; and

21 (ii) by adding at the end the fol-
22 lowing:

23 “(iii) INSUFFICIENT FUNDS TO MEET
24 EXCESS DEMAND.—If a State determines
25 that a local area with excess demand as

1 described in clause (i)(III) has met the
2 compliance requirements described in such
3 clause, but the State does not have suffi-
4 cient funds reserved under section
5 133(a)(2) to meet such excess demand, the
6 State—

7 “(I) shall notify the Secretary of
8 such excess demand; and

9 “(II) if eligible, may apply for a
10 national dislocated worker grant
11 under section 170 of this Act.”.

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

16 (i) in clause (i)—

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

19 (II) by amending subclause (IV)
20 to read as follows:

21 “(IV) local areas, one-stop opera-
22 tors, one-stop partners, and eligible
23 providers, including the development
24 and training of staff, which may in-
25 clude—

1 “(aa) the development and
2 training of staff to provide infor-
3 mation about wage levels and
4 available benefits across in-de-
5 mand industry sectors or occupa-
6 tions, and about opportunities for
7 individuals with barriers to em-
8 ployment to enter in-demand in-
9 dustry sectors or occupations and
10 nontraditional occupations;

11 “(bb) providing capacity
12 building and technical assistance
13 to State board and local board
14 members on the development of
15 exemplary program activities;

16 “(cc) the development and
17 education of staff to increase ex-
18 pertise in providing opportunities
19 for covered veterans (as defined
20 in section 4212(a)(3)(A) of title
21 38, United States Code) to enter
22 in-demand industry sectors or oc-
23 cupations and nontraditional oc-
24 cupations: and

1 “(dd) the provision of tech-
2 nical assistance to local areas
3 that fail to meet local perform-
4 ance accountability measures de-
5 scribed in section 116(c); and”;
6 and

7 (III) by adding at the end the
8 following:

9 “(V) local boards and eligible
10 training providers in carrying out the
11 performance reporting required under
12 section 116(d), including facilitating
13 data matches for program partici-
14 pants—

15 “(aa) using quarterly wage
16 record information (including the
17 wage records made available by
18 any other State and information
19 provided from the National Di-
20 rectory of New Hires in accord-
21 ance with section 453(j)(8) of the
22 Social Security Act (42 U.S.C.
23 653(j)(8))); and

24 “(bb) other sources of infor-
25 mation, as necessary to measure

1 the performance of programs and
2 activities conducted under this
3 chapter or chapter 2 of this sub-
4 title;”;

5 (ii) in clause (ii), by striking “section
6 106(b)(7)” and inserting “section
7 106(b)(6)”;

8 (iii) in clause (iii), by striking “section
9 116(i)” and inserting “section 116(j)”;
10 and

11 (iv) in clause (v)—

12 (I) in subclause (II)—

13 (aa) by striking “customized
14 training” and inserting “em-
15 ployer-directed skills develop-
16 ment”; and

17 (bb) by striking “transi-
18 tional jobs” and inserting “tran-
19 sitional jobs, or sponsors of ap-
20 prenticeships and pre-apprentice-
21 ships”;

22 (II) in subclause (III), by insert-
23 ing “, including business engaged in
24 joint labor-management partnerships”
25 before the semicolon;

1 (III) in subclause (IV), by insert-
2 ing “, including on the principles of
3 universal design for learning” before
4 the semicolon;

5 (IV) by redesignating subclauses
6 (V) and (VI) as subclauses (VI) and
7 (VII);

8 (V) by inserting after subclause
9 (IV) the following:

10 “(V) information on effective co-
11 ordination of supportive services for
12 workers and jobseekers;”;

13 (VI) in subclause (VI), as so re-
14 designated—

15 (aa) by striking “subsections
16 (d) and (h) of section 122” and
17 inserting “subsections (d) and (i)
18 of section 122”; and

19 (bb) by striking “and” at
20 the end; and

21 (VII) by adding at the end the
22 following:

23 “(VIII) information to partici-
24 pants on understanding and accessing

1 State-administered programs and
2 services available to jobseekers;”;

3 (v) by redesignating clause (vi) as
4 clause (vii);

5 (vi) by inserting after clause (v) the
6 following:

7 “(vi) notifying participants of an eligi-
8 ble program of training services whose par-
9 ticipation is funded under this Act, if such
10 program’s status as an eligible program of
11 training services is revoked under section
12 122(e)(4);”;

13 (vii) in clause (vii), as so redesign-
14 ated, by striking the period at the end
15 and inserting a semicolon; and

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

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

1 valid and reliable method of collecting in-
2 formation with respect to, and measuring,
3 the prior knowledge, skills, and abilities of
4 individuals who are adults or dislocated
5 workers for the purpose of—

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

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

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

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

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

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

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

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

19 “(ix) disseminating to local areas and
20 employers information relating to the com-
21 petency-based assessments identified or de-
22 veloped pursuant to clause (viii), includ-
23 ing—

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

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

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

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

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

23 (A) in clause (i)—

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

1 (ii) by inserting “local communities
2 and” after “needs of”;

3 (iii) by striking “customized training”
4 and inserting “employer-directed skills de-
5 velopment”;

6 (iv) by inserting “and partnerships
7 with” after “utilization of”;

8 (v) by inserting “and labor manage-
9 ment partnerships” after “business inter-
10 mediaries”; and

11 (vi) by inserting “and medium-sized”
12 before “employers) in the State, and”;

13 (B) in clause (ii)—

14 (i) by inserting “, or bringing evi-
15 dence-based strategies to scale,” after
16 “strategies”; and

17 (ii) by inserting “supporting such in-
18 dividuals in achieving economic self-suffi-
19 ciency and mobility, and” after “employ-
20 ment and”;

21 (C) in clause (iii)—

22 (i) by striking “ and prior learning as-
23 sessment to” and inserting “, prior learn-
24 ing assessment, or a competency-based as-
25 sessment identified or developed by the

1 State under paragraph (2)(B)(vii), to”;

2 and

3 (ii) by striking “stackable” and insert-
4 ing “permit articulation into higher level
5 degree or other credential programs”;

6 (D) in clause (iv), by inserting “, which
7 may include on-the job training, employer-di-
8 rected skills development, transitional jobs, in-
9 dustry or sector partnerships, apprenticeships,
10 and other programs” after “employment”;

11 (E) in clause (v), by inserting “which ac-
12 tivities may incorporate the principles of uni-
13 versal design for learning and be” after “sub-
14 section (c)(3),”;

15 (F) in clause (viii)—

16 (i) in subclause (I), by inserting “, in-
17 cluding such activities funded through
18 other Federal and State laws” after “de-
19 velopment activities”; and

20 (ii) in subclause (II)—

21 (I) in item (cc), by inserting “ac-
22 tivities carried out by comprehensive
23 transition and postsecondary pro-
24 grams for students with intellectual
25 disabilities established under section

1 767 of the Higher Education Act of
2 1965 (20 U.S.C. 1140g),” after “de-
3 velopmental disabilities,”;

4 (II) in item (dd), by striking “ac-
5 tivities, including those” and inserting
6 “activities and services to promote
7 digital literacy skills, including activi-
8 ties and services”;

9 (III) in item (ee), by striking
10 “ex-offenders in reentering the work-
11 force; and” and inserting “ justice-in-
12 volved individuals in reentering the
13 workforce;”; and

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

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

21 (G) in clause (xi), by inserting “that ex-
22 ceed the expected local levels of performance”
23 after “local areas”;

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

1 (I) in clause (xiv)—

2 (i) by inserting “conducting feasibility
3 studies for the effectiveness of such strate-
4 gies in meeting the employment and skills
5 development needs of target populations in
6 the local areas that are using such feasi-
7 bility studies,” after “data collection,”; and

8 (ii) by striking the period at the end
9 and inserting a semicolon; and

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

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

20 “(xvi) developing partnerships be-
21 tween educational institutions (including
22 area career and technical education
23 schools, local educational agencies, and in-
24 stitutions of higher education) and employ-
25 ers to create or improve workforce develop-

1 ment programs to address the identified
2 education and skill needs of the workforce
3 and the employment needs of employers in
4 regions of the State, as determined by the
5 most recent analysis conducted under sub-
6 paragraphs (A), (B), and (C) of section
7 102(b)(1);

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

17 “(xviii) establishing and administering
18 a critical industry skills fund described in
19 paragraph (4); and

20 “(xix) establishing and administering
21 an industry or sector partnership and ca-
22 reer pathways development fund described
23 in paragraph (5).”.

24 (4) CRITICAL INDUSTRY SKILLS FUND.—Sec-
25 tion 134(a) of the Workforce Innovation and Oppor-

1 tunity Act (29 U.S.C. 3174(a)), as amended, is fur-
2 ther amended by adding at the end the following:

3 “(4) CRITICAL INDUSTRY SKILLS FUND.—

4 “(A) PERFORMANCE-BASED PAYMENTS.—

5 In addition to the funds described in paragraph
6 (3)(A), a State may use any funds reserved
7 under paragraph (3)(A) of section 128(a) to es-
8 tablish and administer a critical industry skills
9 fund to award performance-based payments on
10 a per-worker basis to eligible entities that pro-
11 vide, to prospective workers or incumbent work-
12 ers (which may include youth age 18 through
13 age 24), eligible skills development programs
14 that are in any of the industries and occupa-
15 tions identified by the Governor (in consultation
16 with the State board) for purposes of this para-
17 graph, and that will result in employment or re-
18 tention with an employer in such an industry or
19 occupation (in this paragraph referred to as a
20 ‘participating employer’).

21 “(B) OPTIONAL PRIORITY.—The Governor
22 (in consultation with the State board) may se-
23 lect the industries and occupations identified
24 under subparagraph (A)(i) that should be
25 prioritized under this paragraph.

1 “(C) SUBMISSION OF PROPOSALS.—To be
2 eligible to receive a payment under the critical
3 industry skills fund established under this para-
4 graph by a State, an eligible entity shall submit
5 a proposal describing the eligible skills develop-
6 ment program to be provided by the eligible en-
7 tity under this paragraph to the Governor in
8 such form, at such time, and containing such
9 information as the Governor may reasonably re-
10 quire.

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

13 “(i) STATE REQUIREMENTS.—

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

1 entity for each participant of the eligi-
2 ble skills development program de-
3 scribed in such proposal and with re-
4 spect to whom the eligible entity
5 meets the requirements of clause (ii).

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

10 “(aa) a portion of the total
11 payment shall be made after the
12 participant successfully completes
13 the eligible skills development
14 program offered by the eligible
15 entity; and

16 “(bb) the remainder of such
17 total payment shall be made after
18 the participant has been em-
19 ployed by the participating em-
20 ployer of the eligible entity for
21 the 6-month period after success-
22 ful completion of the program.

23 “(ii) ELIGIBLE ENTITY REQUIRE-
24 MENTS.—To be eligible to receive the pay-
25 ments described in clause (i) with respect

1 to a participant, an eligible entity shall
2 submit such documentation as the Gov-
3 ernor determines necessary to verify
4 whether the participant meets the require-
5 ments of items (aa) and (bb) of clause
6 (i)(II), or to comply with the performance
7 reporting described in subparagraph (F).

8 “(E) NON-FEDERAL COST SHARING.—

9 “(i) LIMITS ON FEDERAL SHARE.—An
10 eligible entity may not receive funds under
11 subparagraph (D) with respect to a partici-
12 pant of the eligible skills development pro-
13 gram offered by the eligible entity in ex-
14 cess of the following costs of such program
15 with respect to such participant:

16 “(I) In the case of a partici-
17 pating employer of such eligible entity
18 with 25 or fewer employees, 90 per-
19 cent of the costs.

20 “(II) In the case of a partici-
21 pating employer of such eligible entity
22 with more than 25 employees, but
23 fewer than 100 employees, 75 percent
24 of the costs.

1 “(III) In the case of a partici-
2 pating employer of such eligible entity
3 with 100 or more employees, 50 per-
4 cent of the costs.

5 “(ii) NON-FEDERAL SHARE.—

6 “(I) IN GENERAL.—Any costs of
7 the eligible skills development pro-
8 gram offered to a participant by such
9 eligible entity that are not covered by
10 the funds received under subpara-
11 graph (D) shall be the non-Federal
12 share provided by the eligible entity
13 (in cash or in-kind).

14 “(II) EMPLOYER COST SHAR-
15 ING.—If the eligible skills develop-
16 ment program is being provided on-
17 the-job, the non-Federal share pro-
18 vided by an eligible entity may include
19 the amount of the wages paid by the
20 participating employer of the eligible
21 entity to a participant while such par-
22 ticipant is receiving the training.

23 “(F) PERFORMANCE REPORTING.—Using
24 the participant information provided by eligible
25 entities under subparagraph (D)(ii), the State

1 shall submit to the Secretary a report, on an
2 annual basis, with respect to all participants for
3 which the eligible entities received funds under
4 this paragraph for the most recent program
5 year, which shall include—

6 “(i) the number of individuals who
7 participated in eligible skills development
8 programs provided by such eligible entities
9 through the critical industry skills fund;
10 and

11 “(ii) the performance of such partici-
12 pants on the primary indicators of per-
13 formance described in subclauses (I)
14 through (III) of section 116(b)(2)(A)(i).

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

16 “(i) ELIGIBLE ENTITY.—The term ‘el-
17 igible entity’ means—

18 “(I) a participating employer or
19 a group of participating employers;

20 “(II) an industry or sector part-
21 nership that includes a participating
22 employer; or

23 “(III) another entity serving as
24 an intermediary (such as a local

1 board) that is in partnership with a
2 participating employer.

3 “(ii) ELIGIBLE SKILLS DEVELOPMENT
4 PROGRAM.—The term ‘eligible skills devel-
5 opment program’, when used with respect
6 to an eligible entity—

7 “(I) means a program with re-
8 spect to which a State may set a max-
9 imum and minimum length (in
10 weeks);

11 “(II) includes work-based edu-
12 cation or related occupational skills
13 instruction that—

14 “(aa) develops the specific
15 technical skills necessary for suc-
16 cessful performance of the occu-
17 pations in which participants are
18 to be employed upon completion;
19 and

20 “(bb) may be provided—

21 “(AA) by the eligible
22 entity; or

23 “(BB) by any training
24 provider that is selected by
25 the eligible entity and with-

1 out regard to whether such
2 provider is on a list of eligi-
3 ble providers described in
4 section 122(d); and

5 “(III) does not include employee
6 onboarding, orientation, or profes-
7 sional development generally provided
8 to employees.”.

9 (5) INDUSTRY OR SECTOR PARTNERSHIP AND
10 CAREER PATHWAYS DEVELOPMENT FUND.—Section
11 134(a) of the Workforce Innovation and Opportunity
12 Act (29 U.S.C. 3174(a)), as amended, is further
13 amended by adding at the end the following:

14 “(5) INDUSTRY OR SECTOR PARTNERSHIP AND
15 CAREER PATHWAYS DEVELOPMENT FUND.—

16 “(A) PURPOSE.—The purpose of this para-
17 graph is to establish new or expand existing in-
18 dustry or sector partnerships and career path-
19 way programs to encourage regional economic
20 growth and competitiveness, and improve work-
21 er training, retention, and advancement.

22 “(B) DESCRIPTION OF FUND.—In addition
23 to the funds described in paragraph (3)(A), a
24 State may use any funds reserved under para-
25 graph (3)(A) of section 128(a) to establish and

1 administer an industry or sector partnership
2 and career pathways development fund to
3 award grants to eligible partnerships to estab-
4 lish or expand industry or sector partnerships
5 that include employers in a high-growth or
6 high-wage industry of the State in order to
7 meet the following objectives:

8 “(i) Build capacity among such part-
9 nerships to prepare jobseekers and incum-
10 bent workers participating in such partner-
11 ships for careers employers in such a high-
12 growth or high-wage industry.

13 “(ii) Leverage the capacity of such
14 partnerships to develop, improve, expand,
15 or implement education, employment, and
16 training opportunities for individuals with
17 barriers to employment.

18 “(iii) Strengthen coordination between
19 such industry or sector partnerships and
20 one-stop partners for the local areas in-
21 volved that are described in paragraphs (1)
22 and (2) of section 121(b).

23 “(iv) Develop or expand a career
24 pathway program that utilizes integrated
25 education and training strategies and sup-

1 ports multiple points of entry and exit for
2 working learners.

3 “(C) DURATION.—Each grant awarded
4 under this paragraph shall be for a period of
5 not more than 2 years.

6 “(D) AWARD BASIS.—

7 “(i) GEOGRAPHIC DIVERSITY.—The
8 Governor shall award grants under this
9 paragraph in a manner that ensures geo-
10 graphic diversity in the areas in the State
11 in which activities will be carried out under
12 the grants.

13 “(ii) PRIORITY.—In awarding grants
14 under this paragraph, the Governor shall
15 give priority consideration to eligible part-
16 nerships that—

17 “(I) include as a partner in the
18 industry or sector partnership to be
19 established or expanded under this
20 paragraph, a 2-year public institution
21 of higher education;

22 “(II) demonstrate long-term sus-
23 tainability of such industry or sector
24 partnership; and

1 “(III) demonstrate the ability of
2 such industry or sector partnership to
3 serve individuals who—

4 “(aa) are individuals with a
5 barrier to employment, including
6 individuals with disabilities;

7 “(bb) are facing significant
8 worker dislocation due to a dis-
9 ruption or change in the regional
10 or State economy or labor mar-
11 ket;

12 “(cc) have traditionally been
13 underserved by regional economic
14 development and sector partner-
15 ship activities (including rural
16 areas in the State); or

17 “(dd) are—

18 “(AA) opportunity
19 youth, disadvantaged youth,
20 or disadvantaged adults; or

21 “(BB) unemployed in-
22 dividuals, within the mean-
23 ing of section 6(b)(1)(B) of
24 the Wagner-Peyser Act (29
25 U.S.C. 49e(b)(1)(B)).

1 “(iii) ADDITIONAL OPTIONAL PRI-
2 ORITY.—In awarding grants under this
3 paragraph, in addition to the priority con-
4 sideration required under clause (ii), the
5 Governor may give priority consideration
6 to eligible partnerships that include, or will
7 include, as a partner in the industry or
8 sector partnership to be established or ex-
9 panded under this section—

10 “(I) a 4-year public institution of
11 higher education at which the highest
12 degree that is predominantly awarded
13 to students is an associate degree; or

14 “(II) a 2-year Tribal College or
15 University (as defined in section
16 316(b) of the Higher Education Act
17 of 1965 (20 U.S.C. 1059c(b)).

18 “(E) APPLICATION.—

19 “(i) IN GENERAL.—An eligible part-
20 nership seeking a grant under this para-
21 graph shall submit an application to the
22 Governor at such time, in such manner,
23 and containing such information as the
24 Governor may reasonably require, includ-
25 ing the contents described in clause (ii).

1 “(ii) CONTENTS.—An eligible partner-
2 ship seeking a grant under this paragraph
3 shall submit an application to the Governor
4 under clause (i) containing, at minimum—

5 “ (I) a description of the eligible
6 partnership, and the industry or sec-
7 tor partnership that will be estab-
8 lished or expanded with such grant;

9 “ (II) the expected participation
10 and responsibilities of each of the
11 partners that will be included in such
12 industry or sector partnership;

13 “ (III) a description of the high-
14 growth or high-wage industry sector
15 to be served by such industry or sec-
16 tor partnership, and a description of
17 how such industry sector was identi-
18 fied;

19 “ (IV) a description of the work-
20 ers and other individuals who will be
21 targeted or recruited by such industry
22 or sector partnership, including the
23 number of workers and other individ-
24 uals who will be served by the part-
25 nership;

1 “(V) an analysis of the existing
2 labor market to be served by such in-
3 dustry or sector partnership, which in-
4 cludes—

5 “(aa) a description of poten-
6 tial barriers to employment for
7 the targeted workers and other
8 individuals;

9 “(bb) the estimated share of
10 such workers and other individ-
11 uals who are individuals with a
12 barrier to employment; and

13 “(cc) a description of strate-
14 gies that will be developed to help
15 such workers and other individ-
16 uals overcome such barriers;

17 “(VI) a description of the Fed-
18 eral and non-Federal resources, avail-
19 able under provisions of law other
20 than this paragraph, that will be le-
21 veraged in support of the industry or
22 sector partnership and the activities
23 carried out by the partnership under
24 this paragraph;

1 “(VII) a description, using com-
2 mon, linked, open-data descriptive
3 language, of the recognized postsec-
4 ondary credential that will be provided
5 to individuals who successfully com-
6 plete the education and training pro-
7 gram provided through an education
8 provider in such industry or sector
9 partnership;

10 “(VIII) an assurance that any el-
11 igible provider of training services in
12 such industry or sector partnership is
13 on a list of eligible providers described
14 in section 122(d); and

15 “(IX) a commitment from a par-
16 ticipating employer in such industry
17 or sector partnership to employ each
18 participant of such education and
19 training program (which may be a ca-
20 reer pathway program) for not less
21 than a 1-year period, in accordance
22 with the employment policies of such
23 employer, after successful completion
24 of the training portion of the edu-

1 cation and training program operated
2 by such participating employer.

3 “(F) USES OF FUNDS.—

4 “(i) IN GENERAL.—An eligible part-
5 nership awarded a grant under this para-
6 graph shall use such grant funds to estab-
7 lish a new industry or sector partnership
8 or expand the industry or sector partner-
9 ship of the eligible partnership to meet the
10 objectives listed in subparagraph (B)—

11 “(I) by engaging businesses in
12 accordance with clause (iii); and

13 “(II) by carrying out an edu-
14 cation and training program that—

15 “(aa) leads to the recognized
16 postsecondary credential de-
17 scribed in the eligible partner-
18 ship’s application in subpara-
19 graph (E)(ii)(VII);

20 “(bb) includes an appren-
21 ticeship, work-based learning, or
22 on-the-job training program that
23 leads to an employment commit-
24 ment described in subparagraph
25 (E)(ii)(IX) with a participating

1 employer of the industry or sec-
2 tor partnership;

3 “(cc) may include the devel-
4 opment or expansion of a new or
5 existing career pathway program
6 as described in clause (iv); and

7 “(dd) may include the provi-
8 sion of supportive services as de-
9 scribed in clause (v).

10 “(ii) PLANNING ACTIVITIES.—An eli-
11 gible partnership receiving an grant under
12 this paragraph may use not more than 20
13 percent of the grant funds to carry out
14 planning activities during the first year of
15 the grant period that are necessary to es-
16 tablish a new industry or sector partner-
17 ship or expand the industry or sector part-
18 nership of the eligible partnership, which
19 may include—

20 “(I) recruiting key stakeholders
21 in the high-growth or high-wage in-
22 dustry to be served by such industry
23 or sector partnership;

24 “(II) conducting outreach to local
25 businesses, employers, labor organiza-

1 tions, local boards, education and
2 training providers, and business and
3 employer associations;

4 “(III) identifying, through an
5 evaluation, the training needs of mul-
6 tiple businesses in the high-growth or
7 high-wage industry, including identi-
8 fying any needs for—

9 “(aa) skills critical to com-
10 petitiveness and innovation in the
11 high-growth or high-wage indus-
12 try;

13 “(bb) an education and
14 training program, including any
15 apprenticeship program or other
16 work-based learning program
17 supported by the grant; and

18 “(cc) the usage of career
19 pathways to align education and
20 training with job openings in the
21 high-growth or high-wage indus-
22 try; and

23 “(IV) recruiting individuals with
24 barriers to employment to participate

1 lished or expanded with a grant under this
2 paragraph may use such grant funds for—

3 “(I) the development or expan-
4 sion of a new or existing career path-
5 way program that utilizes integrated
6 education and training strategies and
7 supports multiple entry and exit
8 points for working students and other
9 working participants, which may in-
10 clude—

11 “(aa) dual-enrollment ap-
12 proaches for participants, includ-
13 ing youth, seeking to participate
14 in a career pathway program;

15 “(bb) strategies that help
16 working students and other non-
17 traditional and adult student
18 populations access skills and the
19 recognized postsecondary creden-
20 tials described in the eligible
21 partnership’s application under
22 subparagraph (E)(ii)(VII); and

23 “(cc) strategies that incor-
24 porate the principles of universal
25 design for learning; and

1 “(II) as part of the development
2 or expansion—

3 “(aa) the provision of evi-
4 dence-based professional develop-
5 ment for faculty and other staff
6 of an education provider in the
7 industry or sector partnership,
8 which may incorporate the prin-
9 ciples of universal design for
10 learning, as appropriate;

11 “(bb) the acquisition of
12 equipment necessary to support
13 the delivery of career pathway
14 programs; and

15 “(cc) any other evidence-
16 based activities to support the
17 development or implementation
18 of career pathway programs.

19 “(v) SUPPORTIVE SERVICES.—In ac-
20 cordance with section 181(h), an industry
21 or sector partnership established or ex-
22 panded with a grant under this paragraph
23 may use such grant funds to provide sup-
24 portive services to support the success of
25 individuals, including individuals with bar-

1 riers to employment, who are participating
2 in training services, as described in sub-
3 section (c)(3)(D), which are offered
4 through such partnership.

5 “(G) DESIGNATION OF A FISCAL AGENT.—
6 An eligible partnership receiving a grant under
7 this paragraph shall designate an entity of the
8 eligible partnership as the fiscal agent for the
9 receipt, management, and expenditure of the
10 grant funds.

11 “(H) NON-FEDERAL COST SHARING.—

12 “(i) LIMITS ON FEDERAL SHARE.—An
13 industry or sector partnership established
14 or expanded with a grant under this para-
15 graph may not receive such grant funds
16 for purposes of funding the education and
17 training program offered through such
18 partnership in excess of the following costs
19 of establishing, operating, and sustaining
20 such program:

21 “(I) In the case in which the par-
22 ticipating employers in such eligible
23 partnership employ 25 or fewer em-
24 ployees, 70 percent of the costs.

1 “(II) In the case in which the
2 participating employers in such eligi-
3 ble partnership employ more than 25
4 employees, but fewer than 100 em-
5 ployees, 55 percent of the costs.

6 “(III) In the case in which the
7 participating employers in such eligi-
8 ble partnership employ 100 or more
9 employees, 40 percent of the costs.

10 “(ii) NON-FEDERAL SHARE.—Any
11 costs of establishing, operating, and sus-
12 taining such program that are not covered
13 by the grant received under this paragraph
14 shall be the non-Federal share provided by
15 the industry or sector partnership.

16 “(I) PERFORMANCE REPORTING.—Not
17 later than 2 years after the first award of funds
18 under this paragraph is made by the Governor
19 and on an annual basis thereafter, the Governor
20 shall prepare and submit to the Secretary a re-
21 port with respect to the participants served by
22 each eligible partnership receiving funds under
23 this paragraph in the most recent program
24 year, which report shall include—

1 “(i) levels of performance achieved by
2 the eligible partnership, with respect to the
3 primary indicators of performance under
4 clause (i) or (ii) of section 116(b)(2)(A), as
5 applicable, for all individuals served by the
6 eligible partnership, disaggregated by race,
7 ethnicity, sex, disability status, and age;
8 and

9 “(ii) levels of performance achieved by
10 the eligible partnership with respect to the
11 primary indicators of performance under
12 clause (i) or (ii) of section 116(b)(2)(A), as
13 applicable, for individuals with barriers to
14 employment served by the eligible partner-
15 ship, disaggregated by race, ethnicity, sex,
16 disability status, and age.

17 “(J) AVAILABILITY OF REPORT.—The re-
18 port described in subparagraph (I) shall—

19 “(i) be made digitally available by the
20 Secretary using linked, open, and inter-
21 operable data; and

22 “(ii) include the number of individuals
23 who were served by each such eligible part-
24 nership.

1 demand for skilled workers, as deter-
2 mined by the Governor of the State in
3 which the eligible partnership is lo-
4 cated;

5 “(II) has been designated by the
6 Governor as an in-demand industry
7 experiencing high growth in such
8 State; and

9 “(III) includes occupations deter-
10 mined by the Governor—

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

15 “(bb) that are aligned with
16 career pathways into higher wage
17 occupations.

18 “(iii) PARTICIPATING EMPLOYER.—
19 The term ‘participating employer’, when
20 used with respect to an eligible partner-
21 ship, means an employer in a high-growth
22 or high-wage industry that is (or will be)
23 part of the industry or sector partnership
24 that will be expanded (or established) by

1 the eligible partnership under this para-
2 graph.”.

3 (b) REQUIRED LOCAL EMPLOYMENT AND TRAINING
4 ACTIVITIES.—

5 (1) MINIMUM AMOUNT FOR SKILLS DEVELOP-
6 MENT.—Section 134(c)(1) of the Workforce Innova-
7 tion and Opportunity Act (29 U.S.C. 3174(c)(1)) is
8 amended—

9 (A) in subparagraph (A)(iv), by striking
10 “to” and inserting “to provide business services
11 described in paragraph (4) and”;

12 (B) by redesignating subparagraph (B) as
13 subparagraph (C); and

14 (C) by inserting after subparagraph (A),
15 as so amended, the following:

16 “(B) MINIMUM AMOUNT FOR SKILLS DE-
17 VELOPMENT.—

18 “(i) IN GENERAL.—Subject to clause
19 (ii), not less than 50 percent of the funds
20 described in subparagraph (A) shall be
21 used by the local area—

22 “(I) for the payment of training
23 services—

24 “(aa) provided to adults
25 under paragraph (3)(F)(iii); and

1 to local, regional, and national labor
2 market areas, including—
3 “(aa) job vacancy listings in
4 such labor market areas;
5 “(bb) information on job
6 skills necessary to obtain the jobs
7 included on such listings; and
8 “(cc) information relating to
9 local occupations in demand
10 (which may include entrepreneur-
11 ship opportunities), and the earn-
12 ings, skill requirements, and op-
13 portunities for advancement for
14 such occupations;
15 “(II) labor exchange services, in-
16 cluding job search and placement as-
17 sistance and, in appropriate cases, ca-
18 reer counseling, including—
19 “(aa) provision of informa-
20 tion on in-demand industry sec-
21 tors and occupations;
22 “(bb) provision of informa-
23 tion on nontraditional employ-
24 ment; and

1 “(cc) provision of informa-
2 tion on entrepreneurship, as ap-
3 propriate;

4 “(III)(aa) provision of informa-
5 tion, in formats that are usable by
6 and understandable to one-stop center
7 customers, relating to the availability
8 of supportive services or assistance,
9 including child care, child support,
10 medical or child health assistance
11 under title XIX or XXI of the Social
12 Security Act (42 U.S.C. 1396 et seq.
13 and 1397aa et seq.), benefits under
14 the supplemental nutrition assistance
15 program established under the Food
16 and Nutrition Act of 2008 (7 U.S.C.
17 2011 et seq.), assistance through the
18 earned income tax credit under sec-
19 tion 32 of the Internal Revenue Code
20 of 1986, and assistance under a State
21 program for temporary assistance for
22 needy families funded under part A of
23 title IV of the Social Security Act (42
24 U.S.C. 601 et seq.) and other sup-
25 portive services and transportation

1 provided through funds made avail-
2 able under such part, available in the
3 local area; and

4 “(bb) referral to the services or
5 assistance described in item (aa), as
6 appropriate;

7 “(IV) provision of information
8 and assistance regarding filing claims
9 for unemployment compensation; and

10 “(V) assistance in establishing
11 eligibility for programs of financial aid
12 assistance for training and education
13 programs that are not funded under
14 this Act.”;

15 (C) in subparagraph (B), as so redesign-
16 nated—

17 (i) in the heading, by striking the
18 heading and inserting “INDIVIDUALIZED
19 CAREER”;

20 (ii) by inserting “individualized” be-
21 fore “career services”;

22 (iii) by inserting “shall, to the extent
23 practicable, be evidence-based,” before
24 “and shall”;

1 (iv) in clause (iii), by inserting “, and
2 a determination (considering factors in-
3 cluding prior work experience, military
4 service, education, and the in-demand in-
5 dustry sectors and occupations in the local
6 area) of whether such an individual would
7 benefit from a competency-based assess-
8 ment developed or identified by the State
9 pursuant to subsection (a)(2)(B)(vii) to ac-
10 celerate the time to obtaining employment
11 that leads to economic self-sufficiency or
12 career advancement” before the semi-colon
13 at the end;

14 (v) by striking clauses (iv), (vi), (ix),
15 (x), and (xi);

16 (vi) by redesignating clauses (v), (vii),
17 (viii), (xii), and (xiii) as clauses (iv), (v),
18 (vi), (vii), and (viii), respectively;

19 (vii) in clause (v), as so redesignated,
20 by inserting “and credential” after “by
21 program”;

22 (viii) in clause (vi), as so redesign-
23 ated, by inserting “and in multiple lan-
24 guages, to the extent practicable,” after
25 “customers,”; and

1 (ix) in clause (vii), as so redesignated—
2 nated—

3 (I) in subclause (I)(aa), as so redesignated, by inserting “, including a
4 competency-based assessment developed or identified by the State pursuant to subsection (a)(2)(B)(vii)” after
5 “tools”;
6
7

8
9 (II) in subclause (VI), by inserting “digital literacy skills,” after
10 “learning skills”;
11

12 (III) in subclause (X), by striking
13 “or” at the end;

14 (IV) in subclause (XI)—
15 (aa) by striking “language”;

16 and

17 (bb) by striking “and” at
18 the end and inserting “or”;

19 (V) by adding at the end the following:
20

21 “(XII) review or creation of a resume or similar document showcasing
22 the skills, experience, relevant credentials, and education of the individual;
23
24 and”.

25

1 (D) by amending subparagraph (C), as so
2 redesignated, to read as follows:

3 “(C) USE OF PREVIOUS ASSESSMENTS.—A
4 one-stop operator or one-stop partner shall not
5 be required to conduct a new interview, evalua-
6 tion, or assessment of a participant under sub-
7 paragraph (B)(vii) if the one-stop operator or
8 one-stop partner determines that—

9 “(i) it is appropriate to use a recent
10 interview, evaluation, or assessment of the
11 participant conducted pursuant to another
12 education or training program; and

13 “(ii) using such recent interview, eval-
14 uation, or assessment will accelerate an eli-
15 gibility determination.”; and

16 (E) in subparagraph (D), as so redesign-
17 nated—

18 (i) in the matter preceding clause

19 (i)—

20 (I) by inserting “individualized”
21 before “career”; and

22 (II) by striking “subparagraph
23 (A)” and inserting “subparagraph
24 (B)”;

1 (ii) in clause (ii), by inserting “, li-
2 braries, and community-based organiza-
3 tions” after “nonprofit service providers”.

4 (3) TRAINING SERVICES.—Section 134(c)(3) of
5 the Workforce Innovation and Opportunity Act (29
6 U.S.C. 3174(c)(3)) is amended—

7 (A) in subparagraph (A)—

8 (i) in clause (i), in the matter pre-
9 ceding subclause (I), by striking “clause
10 (ii)” and inserting “clause (ii) or (iii)”;

11 (ii) by amending clause (i)(II) to read
12 as follows:

13 “(II) who select programs of
14 training services that are directly
15 linked to the employment opportuni-
16 ties—

17 “(aa) in the local area or the
18 planning region;

19 “(bb) in another area to
20 which the adults or dislocated
21 workers are willing to commute
22 or relocate; or

23 “(cc) that may be performed
24 remotely;”.

1 (iii) by redesignating clause (iii) as
2 clause (iv);

3 (iv) by inserting after clause (ii) the
4 following:

5 “(iii) EMPLOYER REFERRAL.—

6 “(I) IN GENERAL.—A one-stop
7 operator or one-stop partner shall not
8 be required to conduct an interview,
9 evaluation, or assessment of an indi-
10 vidual under clause (i)(I) if such indi-
11 vidual—

12 “(aa) is referred by an em-
13 ployer to receive on-the-job train-
14 ing or employer-directed skills de-
15 velopment in connection with
16 that employer; and

17 “(bb) has been certified by
18 the employer as being in need of
19 training services to obtain unsub-
20 sidized employment with such
21 employer and having the skills
22 and qualifications to successfully
23 participate in the selected pro-
24 gram of training services.

1 “(II) PRIORITY.—A one-stop op-
2 erator or one-stop partner shall follow
3 the priority system in effect under
4 subparagraph (E) to determine wheth-
5 er an individual who meets the re-
6 quirements of subclause (I) of this
7 clause is eligible to receive training
8 services.”; and

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

10 “(v) ADULT EDUCATION AND FAMILY
11 LITERACY ACTIVITIES.—In the case of an
12 individual who is determined to not have
13 the skills and qualifications to successfully
14 participate in the selected program of
15 training services under clause (i)(I)(cc),
16 the one-stop operator or one-stop partner
17 shall refer such individual to adult edu-
18 cation and literacy activities under title II,
19 including for co-enrollment in such activi-
20 ties, as appropriate.”;

21 (B) in subparagraph (B)—

22 (i) in clause (i)—

23 (I) in subclause (I), by striking

24 “other grant assistance for such serv-

1 ices, including” and inserting “assist-
2 ance for such services under”; and

3 (II) by striking “under other
4 grant assistance programs, including”
5 and inserting “under”; and

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

8 “(iv) PARTICIPATION DURING ELIGI-
9 BILITY DETERMINATION.—An individual
10 may participate in a program of training
11 services during the period during which
12 such individual’s eligibility for training
13 services under subparagraph (A)(i) is being
14 determined, except that the provider of
15 such a program shall receive reimburse-
16 ment under this Act for the individual’s
17 participation during such period only if
18 such individual is determined to be eligible
19 under subparagraph (A)(i).”;

20 (C) in subparagraph (D)(xi), by striking
21 “customized training” and inserting “employer-
22 directed skills development”;

23 (D) in subparagraph (E)—

1 (i) by striking “are basic skills defi-
2 cient” and inserting “have foundational
3 skill needs”; and

4 (ii) by striking “paragraph
5 (2)(A)(xii)” and inserting “paragraph
6 (2)(B)(vii)”;

7 (E) in subparagraph (F)(ii), by inserting
8 “and the levels of performance for such pro-
9 viders on the performance criteria described in
10 section 122(b) for the 2 most recent program
11 years” after “in section 122(d)”;

12 (F) in subparagraph (G)(ii)—

13 (i) in subclause (II), by striking “cus-
14 tomized training” and inserting “employer-
15 directed skills development”; and

16 (ii) in subclause (IV)—

17 (I) by striking “is a” and insert-
18 ing “is an evidence-based”; and

19 (II) by inserting “and to support
20 such individuals in gaining requisite
21 skills for in-demand industry sectors
22 or occupations in the local area, ob-
23 taining recognized postsecondary cre-
24 dentials, and entering unsubsidized
25 employment” after “employment”;

1 (G) in subparagraph (H)—

2 (i) in clause (i), by striking “reim-
3 bursement described in section 3(44)” and
4 inserting “reimbursement described in the
5 definition of the term “on-the-job training”
6 in section 3”; and

7 (ii) in clause (ii)—

8 (I) in subclause (I), by inserting
9 “, such as the extent to which partici-
10 pants are individuals with barriers to
11 employment” after “participants”;
12 and

13 (II) in subclause (III), by insert-
14 ing “in an occupation or industry sec-
15 tor, including whether the skills a par-
16 ticipant will obtain are transferable to
17 other employers, occupations, or in-
18 dustries in the local area or the
19 State” after “opportunities”; and

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

21 “(I) EMPLOYER-DIRECTED SKILLS DEVEL-
22 OPMENT.—An employer may receive a contract
23 from a local board to provide employer-directed
24 skills development to a participant or group of

1 participants if the employer submits to the local
2 board an agreement that establishes—

3 “(i) the provider of the skills develop-
4 ment program, which may be the employer;

5 “(ii) the length of the skills develop-
6 ment program;

7 “(iii) the recognized postsecondary
8 credentials that will be awarded to, or the
9 occupational skills that will be gained by,
10 program participants;

11 “(iv) the cost of the skills development
12 program;

13 “(v) the estimated earnings of pro-
14 gram participants upon successful comple-
15 tion of the program;

16 “(vi) the amount of such cost that will
17 be paid by the employer, which shall not be
18 less than the amount specified in subpara-
19 graph (C) of the definition of the term
20 ‘employer-directed skills development’ in
21 section 3; and

22 “(vii) a commitment by the employer
23 to employ the participating individual or
24 individuals upon successful completion of
25 the program.”.

1 (c) BUSINESS SERVICES.—Section 134(c) of the
2 Workforce Innovation and Opportunity Act (29 U.S.C.
3 3174(c)) is further amended by adding at the end the fol-
4 lowing:

5 “(4) BUSINESS SERVICES.—Funds described in
6 paragraph (1) shall be used to provide appropriate
7 recruitment and other business services and strate-
8 gies on behalf of employers, including small employ-
9 ers and mid-sized employers, that meet the work-
10 force investment needs of area employers, as deter-
11 mined by the local board and consistent with the
12 local plan under section 108, which services—

13 “(A) may be provided—

14 “(i) through effective business inter-
15 mediaries working in conjunction with the
16 local board;

17 “(ii) on a fee-for-service basis; or

18 “(iii) through the leveraging of eco-
19 nomic development, philanthropic, and
20 other public and private resources in a
21 manner determined appropriate by the
22 local board; and

23 “(B) may include one or more of the fol-
24 lowing:

1 “(i) Developing and implementing in-
2 dustry sector strategies (including strate-
3 gies involving industry partnerships, re-
4 gional skills alliances, industry skill panels,
5 and sectoral skills partnerships).

6 “(ii) Developing and delivering inno-
7 vative workforce investment services and
8 strategies for area employers, which may
9 include career pathways, skills upgrading,
10 skill standard development and certifi-
11 cation for recognized postsecondary creden-
12 tial or other employer use, apprenticeship,
13 developing and offering industry-recognized
14 credential (including short-term industry-
15 recognized credential) programs, including
16 those that support individuals with
17 foundational skill needs, and other effective
18 initiatives for meeting the workforce in-
19 vestment needs of area employers and
20 workers.

21 “(iii) Assistance to area employers in
22 managing reductions in force in coordina-
23 tion with rapid response activities provided
24 under subsection (a)(2)(A) and developing
25 strategies for the aversion of layoffs, which

1 strategies may include early identification
2 of firms at risk of layoffs, use of feasibility
3 studies to assess the needs of and options
4 for at-risk firms, and the delivery of em-
5 ployment and training activities to address
6 risk factors.

7 “(iv) The marketing of business serv-
8 ices offered under this title to appropriate
9 area employers, including small and mid-
10 sized employers.

11 “(v) Technical assistance or other
12 support to employers seeking to implement
13 skills-based hiring practices, which may in-
14 clude technical assistance on the use and
15 validation of employment assessments, in-
16 cluding competency-based assessments de-
17 veloped or identified by the State pursuant
18 to paragraph (2)(B)(vii), and support in
19 the creation of skills-based job descrip-
20 tions.

21 “(vi) Other services described in this
22 subsection, including providing information
23 and referral to microenterprise services, as
24 appropriate, and specialized business serv-

1 3001 et seq.) that support employ-
2 ment and economic security; and”;

3 (D) in clause (vii)—

4 (i) in subclause (II)—

5 (I) by inserting “and providers of
6 supportive services,” after “small em-
7 ployers,”; and

8 (II) by striking “and” at the end;

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

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

13 “(IV) to strengthen, through pro-
14 fessional development activities, the
15 knowledge and capacity of one-stop
16 staff to use the latest digital tech-
17 nologies, tools, and strategies to de-
18 liver high quality services and out-
19 comes for jobseekers, workers, and
20 employers, which may incorporate uni-
21 versal design for learning;”;

22 (E) by striking clause (ix);

23 (F) by redesignating clauses (x) through
24 (xii) as clauses (ix) through (xi), respectively;

1 (G) in clause (x), as so redesignated, by
2 striking “and” at the end;

3 (H) in clause (xi), as so redesignated, by
4 striking the period at the end and inserting a
5 semicolon; and

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

7 “(xiii) training programs for individ-
8 uals who are dislocated workers as a result
9 of advances in automation technology;

10 “(xiv) the use of competency-based as-
11 sessments for individuals upon initial as-
12 sessment of skills (pursuant to subsection
13 (c)(2)(A)(iii)) or completion of training
14 services or other learning experiences;

15 “(xv) the development of partnerships
16 between educational institutions (including
17 area career and technical education
18 schools, local educational agencies, and in-
19 stitutions of higher education) and employ-
20 ers to create or improve workforce develop-
21 ment programs to address the identified
22 education and skill needs of the workforce
23 and the employment needs of employers in
24 a region, as determined based on the most

1 recent analysis conducted by the local
2 board under section 107(d)(2); and

3 “(xvi) assistance to one or more pub-
4 lic libraries located in the local area that
5 has demonstrated success in leveraging ad-
6 ditional resources (such as staff, facilities,
7 computers, and learning materials) to pro-
8 vide free and open access to individualized
9 career services, in order to promote and
10 expand access to such services.”.

11 (2) SUPPORTIVE SERVICES.—Section
12 134(d)(2)(B) of the Workforce Innovation and Op-
13 portunity Act (29 U.S.C. 3174(d)(2)(B)) is amend-
14 ed, by inserting “, including through programs of
15 one-stop partners, who are” after “programs”.

16 (3) NEEDS-RELATED PAYMENTS.—Section
17 134(d)(3) of the Workforce Innovation and Oppor-
18 tunity Act (29 U.S.C. 3174(d)(3)) is amended—

19 (A) in subparagraph (A), by inserting “or
20 for financial assistance through a program car-
21 ried out by a one-stop partner” after “com-
22 pensation”; and

23 (B) in subparagraph (B), by inserting “or
24 financial assistance through a program carried

1 out by a one-stop partner” after “compensa-
2 tion”

3 (4) INCUMBENT WORKER TRAINING PRO-
4 GRAMS.—

5 (A) IN GENERAL.—Section 134(d)(4)(A) of
6 the Workforce Innovation and Opportunity Act
7 (29 U.S.C. 3174(d)(4)(A)) is amended—

8 (i) in clause (i), by striking “20” and
9 inserting “30”;

10 (ii) by redesignating clauses (ii) and
11 (iii) as clauses (iii) and (iv), respectively;
12 and

13 (iii) by inserting after clause (i) the
14 following:

15 “(ii) INCREASE IN RESERVATION OF
16 FUNDS.—Notwithstanding clause (i)—

17 “(I) with respect to a local area
18 that had a rate of unemployment of
19 not more than 3 percent for not less
20 than 6 months during the preceding
21 program year, clause (i) shall be ap-
22 plied by substituting ‘40 percent’ for
23 ‘30 percent’; or

24 “(II) with respect to a local area
25 that meets the requirement in sub-

1 clause (I) and is located in a State
2 that had a labor force participation
3 rate of not less than 69 percent for
4 not less than 6 months during the
5 preceding program year, clause (i)
6 shall be applied by substituting ‘45
7 percent’ for ‘30 percent’.”.

8 (B) TRAINING ACTIVITIES.—Section
9 134(d)(4)(B) of the Workforce Innovation and
10 Opportunity Act (29 U.S.C. 3174(d)(4)(B)) is
11 amended—

12 (i) by striking “The training”, and in-
13 serting the following:

14 “(i) IN GENERAL.—The training”;
15 and

16 (ii) by striking “delivering training”
17 and inserting “delivering training, such as
18 industry or sector partnerships”.

19 (C) NON-FEDERAL SHARE.—Section
20 134(d)(4)(D)(ii)(III) of the Workforce Innova-
21 tion and Opportunity Act (29 U.S.C.
22 3174(d)(4)(D)(ii)(III)) is amended by striking
23 “50” and inserting “55”.

24 (D) INCUMBENT WORKER UPSKILLING AC-
25 COUNTS.—Section 134(d)(4) of the Workforce

1 Innovation and Opportunity Act (29 U.S.C.
2 3174(d)(4)) is further amended by adding at
3 the end the following:

4 “(E) INCUMBENT WORKER UPSKILLING
5 ACCOUNTS.—

6 “(i) IN GENERAL.—To establish in-
7 cumbent worker upskilling accounts
8 through which an eligible provider of train-
9 ing services under section 122 may be paid
10 for the program of training services pro-
11 vided to an incumbent worker, a local
12 board—

13 “(I)(aa) may use, from the funds
14 reserved by the local area under sub-
15 paragraph (A)(i), an amount that
16 does not exceed 5 percent of the funds
17 allocated to such local area under sec-
18 tion 133(b); or

19 “(bb) if the local area reserved
20 funds under subparagraph (A)(ii),
21 may use, from the funds reserved by
22 the local area under subparagraph
23 (A)(ii), an amount that does not ex-
24 ceed 10 percent of the funds allocated

1 to such local area under section
2 133(b); and

3 “(II) may use funds reserved
4 under section 134(a)(2)(A) for state-
5 wide rapid response activities and pro-
6 vided by the State to local area to es-
7 tablish such accounts.

8 “(ii) ELIGIBILITY.—

9 “(I) IN GENERAL.—Subject to
10 subclause (II), a local board that
11 seeks to establish incumbent worker
12 upskilling accounts under clause (i)
13 shall establish criteria for determining
14 the eligibility of an incumbent worker
15 to receive such an account, which
16 shall take into account factors of—

17 “(aa) the wages of the in-
18 cumbent worker as of the date of
19 determining such worker’s eligi-
20 bility under this clause;

21 “(bb) the career advance-
22 ment opportunities for the in-
23 cumbent worker in the occupa-
24 tion of such worker as of such
25 date; and

1 “(cc) the ability of the in-
2 cumbent worker to, upon comple-
3 tion of the program of training
4 services selected by such worker,
5 secure employment in an in-de-
6 mand industry or occupation in
7 the local area that will lead to
8 economic self-sufficiency and
9 wages higher than the current
10 wages of the incumbent worker.

11 “(II) LIMITATION.—

12 “(aa) IN GENERAL.—An in-
13 cumbent worker described in item
14 (bb) shall be ineligible to receive
15 an incumbent worker upskilling
16 account under this subparagraph.

17 “(bb) INELIGIBILITY.—Item
18 (aa) shall apply to an incumbent
19 worker—

20 “(AA) whose total an-
21 nual wages for the most re-
22 cent year are greater than
23 the median household in-
24 come of the State; or

1 “(BB) who has earned
2 a baccalaureate or profes-
3 sional degree.

4 “(iii) COST SHARING FOR CERTAIN IN-
5 CUMBENT WORKERS.—With respect to an
6 incumbent worker who is determined to be
7 eligible to receive an incumbent worker
8 upskilling account and who is not a low-in-
9 come individual—

10 “(I) such incumbent worker shall
11 pay not less than 25 percent of the
12 cost of the program of training serv-
13 ices selected by such worker; and

14 “(II) funds provided through the
15 incumbent worker upskilling account
16 established for such worker shall cover
17 the remaining 75 percent of the cost
18 of the program.”.

19 (E) TRANSITIONAL JOBS.—Section
20 134(d)(5) of the Workforce Innovation and Op-
21 portunity Act (29 U.S.C. 3174(d)(5)) is amend-
22 ed by striking “10” and inserting “15”.

23 (e) RULE OF CONSTRUCTION.—Section 134 of the
24 Workforce Innovation and Opportunity Act (29 U.S.C.

1 3174) is further amended by adding at the end the fol-
2 lowing:

3 “(e) **RULE OF CONSTRUCTION.**—Nothing in this sec-
4 tion shall be construed to abrogate a collective bargaining
5 agreement that covers employees of an entity providing the
6 program of training services, including an incumbent
7 worker training program.”.

8 **CHAPTER 4—GENERAL WORKFORCE**
9 **INVESTMENT PROVISIONS**

10 **SEC. 145. AUTHORIZATION OF APPROPRIATIONS.**

11 Section 136 of the Workforce Innovation and Oppor-
12 tunity Act (29 U.S.C. 3181) is amended to read as follows:

13 **“SEC. 136. AUTHORIZATION OF APPROPRIATIONS.**

14 “(a) **YOUTH WORKFORCE INVESTMENT ACTIVI-**
15 **TIES.**—There are authorized to be appropriated to carry
16 out the activities described in section 127(a)
17 \$976,573,900 for each of the fiscal years 2026 through
18 2030.

19 “(b) **ADULT EMPLOYMENT AND TRAINING ACTIVI-**
20 **TIES.**—There are authorized to be appropriated to carry
21 out the activities described in section 132(a)(1)
22 \$912,218,500 for each of the fiscal years 2026 through
23 2030.

24 “(c) **DISLOCATED WORKER EMPLOYMENT AND**
25 **TRAINING ACTIVITIES.**—There are authorized to be ap-

1 appropriated to carry out the activities described in section
2 132(a)(2) \$1,451,859,000 for each of the fiscal years
3 2026 through 2030.”.

4 **Subtitle D—Job Corps**

5 **SEC. 151. PURPOSES.**

6 Section 141 of the Workforce Innovation and Oppor-
7 tunity Act (29 U.S.C. 3191) is amended—

8 (1) by striking “centers” each place it appears
9 and inserting “campuses”; and

10 (2) in paragraph (1)(A)—

11 (A) by striking “secondary school diplo-
12 mas” and inserting “regular high school diplo-
13 mas or their recognized equivalents”;

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

16 (C) in clause (ii), by striking “, including
17 an apprenticeship program; and” and inserting
18 “; or”; and

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

20 “(iii) enrollment in an apprenticeship
21 program; and”.

22 **SEC. 152. DEFINITIONS.**

23 Section 142 of the Workforce Innovation and Oppor-
24 tunity Act (29 U.S.C. 3192) is amended—

1 (1) in paragraphs (1), (7), (8), and (10), by
2 striking “center” each place it appears and inserting
3 “campus”;

4 (2) in paragraph (1)(B), by inserting “the com-
5 munity in which the Job Corps campus is located or
6 the” after “serves”;

7 (3) in paragraph (5)—

8 (A) by striking “secondary school” and in-
9 serting “regular high school”;

10 (B) by striking “that prepares” and insert-
11 ing “that—
12 “(A) prepares”;

13 (C) in subparagraph (A), as so redesign-
14 nated, by striking the period at the end and in-
15 serting “; and”;

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

17 “(B) may lead to the attainment of a rec-
18 ognized postsecondary credential.”; and

19 (4) in paragraph (7), by striking “CENTER” in
20 the heading and inserting “CAMPUS”.

21 **SEC. 153. INDIVIDUALS ELIGIBLE FOR THE JOB CORPS.**

22 Section 144 of the Workforce Innovation and Oppor-
23 tunity Act (29 U.S.C. 3194) is amended—

24 (1) in subsection (a)—

25 (A) in paragraph (1)—

1 (i) by striking “21” and inserting
2 “24”;

3 (ii) by inserting “, or, if the date of
4 enrollment is not greater than 60 days
5 after the date of application, the date of
6 application,” after “enrollment”;

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

9 “(A) an individual who is age 16 or 17
10 shall be eligible only upon an individual deter-
11 mination by the director of a Job Corps campus
12 that such individual meets the criteria described
13 in subparagraph (A) or (B) of section
14 145(b)(1); and”;

15 (iv) in subparagraph (B), by striking
16 “either”;

17 (B) in paragraph (2), by inserting after
18 “individual” the following: “or a resident of a
19 qualified opportunity zone as defined in section
20 1400Z–1(a) of the Internal Revenue Code of
21 1986”;

22 (C) in paragraph (3)—

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

25 “(A) Has foundational skill needs.”;

1 (ii) in subparagraph (C)—

2 (I) by striking “A homeless indi-
3 vidual (as” and inserting “An indi-
4 vidual experiencing homelessness
5 (meaning a homeless individual as”;
6 and

7 (II) by striking “homeless child
8 or youth (as” and inserting “youth
9 experiencing homelessness (meaning a
10 homeless child or youth as”;

11 (2) in subsection (b)—

12 (A) in the heading, by inserting “AND
13 CERTAIN OTHER ARMED FORCES MEMBERS”
14 after “VETERANS”; and

15 (B) by inserting “or a member of the
16 Armed Forces eligible for preseparation coun-
17 seling of the Transition Assistance Program
18 under section 1142 of title 10, United States
19 Code” after “a veteran”; and

20 (3) by inserting at the end the following:

21 “(c) SPECIAL RULE FOR YOUTH EXPERIENCING
22 HOMELESSNESS AND FOSTER YOUTH.—In determining
23 whether an individual is eligible to enroll for services
24 under this subtitle on the basis of being a youth experi-

1 encing homelessness, or a youth in foster care, as de-
2 scribed in subsection (a)(3)(C), staff shall—

3 “(1) if determining whether the individual is a
4 youth experiencing homelessness, use a process that
5 is in compliance with the requirements of subsection
6 (a) of section 479D of the Higher Education Act of
7 1965 (20 U.S.C. 1087uu–2) for financial aid admin-
8 istrators; and

9 “(2) if determining whether the individual is a
10 youth in foster care, use a process that is in compli-
11 ance with the requirements of subsection (b) of such
12 section 479D of the Higher Education Act of 1965
13 (20 U.S.C. 1087uu–2) for financial aid administra-
14 tors.”.

15 **SEC. 154. RECRUITMENT, SCREENING, SELECTION, AND AS-**
16 **SIGNMENT OF ENROLLEES.**

17 Section 145 of the Workforce Innovation and Oppor-
18 tunity Act (29 U.S.C. 3195) is amended—

19 (1) in subsection (a)—

20 (A) in paragraph (2)—

21 (i) in subparagraph (A), by striking
22 “45” and inserting “55”;

23 (ii) in subparagraph (D), by striking
24 “and”;

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

3 (iv) by adding at the end the fol-
4 lowing:

5 “(F) assist applicable one-stop centers and
6 other entities identified in paragraph (3) in de-
7 veloping joint applications for Job Corps,
8 YouthBuild, and the youth activities described
9 in section 129.”; and

10 (2) in subsections (b), (c), and (d)—

11 (A) by striking “center” each place it ap-
12 pears and inserting “campus”; and

13 (B) by striking “centers” each place it ap-
14 pears and inserting “campus”.

15 **SEC. 155. JOB CORPS CAMPUSES.**

16 Section 147 of the Workforce Innovation and Oppor-
17 tunity Act (29 U.S.C. 3197) is amended—

18 (1) in the heading, by striking “**CENTERS**”
19 and inserting “**CAMPUSES**”;

20 (2) in subsection (a)—

21 (A) in paragraph (1)—

22 (i) by striking “center” each place it
23 appears and inserting “campus”; and

24 (ii) in subparagraph (A), by inserting
25 after “area career and technical education

1 school,” the following: “an institution of
2 higher education,”;

3 (B) in paragraph (2)—

4 (i) in subparagraph (A)—

5 (I) by striking “center” each
6 place it appears and inserting “cam-
7 pus”; and

8 (II) by inserting after “United
9 States Code,” the following: “and sec-
10 tion 159(f)(2)(B)(iii),”; and

11 (ii) in subparagraph (B)—

12 (I) in clause (i)—

13 (aa) by striking “operate a
14 Job Corps center” and inserting
15 “operate a Job Corps campus”;

16 (bb) by striking subclause
17 (IV);

18 (cc) by redesignating sub-
19 clauses (I), (II), (III), and (V),
20 as subclauses (III), (IV), (V),
21 and (VI), respectively;

22 (dd) by inserting before sub-
23 clause (III), as so redesignated,
24 the following:

240

1 ter” each place it appears and in-
2 serting “campus”;

3 (ff) by amending subclause
4 (IV), as so redesignated, to read
5 as follows:

6 “(IV) the ability of the entity to
7 offer career and technical education
8 and training that has been proposed
9 by the workforce council under section
10 154(c), including—

11 “(aa) the degree to which
12 such education and training re-
13 flects employment opportunities
14 in the local areas in which enroll-
15 ees at the campus intend to seek
16 employment; and

17 “(bb) the degree to which
18 such education and training leads
19 to a recognized postsecondary
20 credential, or postsecondary cred-
21 it, that permits articulation into
22 a higher level or other degree or
23 credential program;”;

24 (gg) in subclause (V), as so
25 redesignated, by striking “center

1 is located” and inserting “cam-
2 pus is located, including agree-
3 ments to provide off-campus
4 work-based learning opportunities
5 aligned with the career and tech-
6 nical education provided to en-
7 rollees”; and

8 (hh) by amending subclause
9 (VI), as so redesignated, to read
10 as follows:

11 “(VI) the ability of the entity to
12 implement an effective behavior man-
13 agement plan, as described in section
14 152(a), and maintain a safe and se-
15 cure learning environment for enroll-
16 ees.”; and

17 (II) in clause (ii), by striking
18 “center” and inserting “campus”; and
19 (C) in paragraph (3)—

20 (i) by striking “center” each place it
21 appears and inserting “campus”;

22 (ii) in subparagraph (B), by inserting
23 “or postsecondary credit, which credit shall
24 permit articulation into a credential pro-
25 gram” after “program”;

1 (iii) in subparagraph (D), by inserting
2 after “is located” the following: “, includ-
3 ing agreements to provide off-campus
4 work-based learning opportunities aligned
5 with the career and technical education
6 provided to enrollees”;

7 (iv) by redesignating subparagraphs
8 (E), (F), (G), (H), (I), (J), and (K) as
9 subparagraphs (F), (G), (H), (I), (J), (K),
10 and (L), respectively; and

11 (v) by inserting after subparagraph
12 (D) the following:

13 “(E) A description of the policies that will
14 be implemented at the campus regarding secu-
15 rity and access to campus facilities, including
16 procedures to report on and respond to viola-
17 tions of the disciplinary policy described in sec-
18 tion 152(b) and other emergencies occurring on
19 campus.”;

20 (3) in subsection (b)—

21 (A) in the heading, by striking “CENTERS”
22 and inserting “CAMPUSES”;

23 (B) by striking “center” each place it ap-
24 pears and inserting “campus”;

1 (C) by striking “centers” each place it ap-
2 pears and inserting “campuses”;

3 (D) in paragraph (2)(A), by striking “20
4 percent” and inserting “25 percent”; and

5 (E) in paragraph (3)(A)(iv), by striking
6 “secondary school diplomas” and inserting
7 “regular high school diplomas”;

8 (4) in subsection (c)—

9 (A) by striking “centers” and inserting
10 “campuses”; and

11 (B) by striking “20 percent” and inserting
12 “30 percent”;

13 (5) in subsection (d),

14 (A) in the first sentence, by striking “cen-
15 ters” and inserting “campuses”; and

16 (B) in the second sentence, by striking
17 “centers” and inserting “Centers”;

18 (6) in subsection (e)—

19 (A) in paragraph (1), by striking “centers”
20 and inserting “campuses”; and

21 (B) in paragraph (2), by striking “450b)”
22 and inserting “5304)”;

23 (7) in subsection (f), by striking “2-year pe-
24 riod” and inserting “3-year period”; and

25 (8) in subsection (g)—

1 (A) by striking “center” each place it ap-
2 pears and inserting “campus”;

3 (B) in paragraph (1)—

4 (i) by striking subparagraphs (A) and
5 (B) and inserting the following:

6 “(A) failed to achieve an average of 80
7 percent or higher of the expected level of per-
8 formance under section 159(c)(1) across all of
9 the primary indicators of performance for eligi-
10 ble youth described in section 116(b)(2)(A)(ii);
11 or

12 “(B) failed to—

13 “(i) take reasonable measures to
14 achieve an average of 80 percent of the
15 planned average onboard strength that was
16 agreed to in the agreement described in
17 subsection (a)(1)(A); or

18 “(ii) achieve an average of 60 percent
19 of the planned average onboard strength
20 that was agreed to in the agreement de-
21 scribed in subsection (a)(1)(A).”;

22 (C) in paragraph (2)(B), by inserting “or
23 onboard strength or enrollment” after “per-
24 formance”;

1 (D) in paragraph (3), by striking “shall
2 provide” and inserting “shall provide, at least
3 30 days prior to renewing the agreement”; and
4 (E) in paragraph (4)—
5 (i) in subparagraph (C), by striking
6 “and” after the semicolon;
7 (ii) by redesignating subparagraph
8 (D) as subparagraph (E); and
9 (iii) by inserting after subparagraph
10 (C) the following:
11 “(D) has maintained a safe and secure
12 campus environment; and”.

13 **SEC. 156. PROGRAM ACTIVITIES.**

14 Section 148 of the Workforce Innovation and Oppor-
15 tunity Act (29 U.S.C. 3198) is amended—

16 (1) by striking “center” each place it appears
17 and inserting “campus”;

18 (2) in subsection (a)—

19 (A) in the subsection heading, by striking
20 “CENTERS” and inserting “CAMPUSES”;
21 and

22 (B) in paragraph (1)—

23 (i) by inserting “incorporate the prin-
24 ciples of universal design for learning and
25 may” after “may”; and

1 (ii) by inserting before the period at
2 the end the following: “, and productive ac-
3 tivities, such as tutoring or other skills de-
4 velopment opportunities, for enrollees to
5 participate in outside of regular class time
6 and work hours”;

7 (3) in subsection (b), by striking “career and
8 technical educational institutions” and inserting
9 “area career and technical education schools”;

10 (4) in subsection (c)(1)—

11 (A) by striking “the eligible providers” and
12 inserting “any eligible provider”; and

13 (B) by inserting after “under section 122”
14 the following: “that is aligned with the career
15 and technical education an enrollee has com-
16 pleted”; and

17 (5) in subsection (d), by inserting “, in coordi-
18 nation with the operator of the Job Corps program
19 in which a graduate was enrolled,” after “Sec-
20 retary”.

21 **SEC. 157. COUNSELING AND JOB PLACEMENT.**

22 Section 149(b) of the Workforce Innovation and Op-
23 portunity Act (29 U.S.C. 3199(b)) is amended—

1 (1) by inserting “, in coordination with the op-
2 erator of a Job Corps campus,” after “The Sec-
3 retary”;

4 (2) by inserting “assigned to such campus”
5 after “for enrollees”; and

6 (3) by inserting “, in coordination with the op-
7 erator,” after “, the Secretary”.

8 **SEC. 158. SUPPORT.**

9 Section 150 of the Workforce Innovation and Oppor-
10 tunity Act (29 U.S.C. 3200) is amended—

11 (1) in subsection (a), by striking “centers” and
12 inserting “campuses”; and

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

14 “(d) PERIOD OF TRANSITION.—Notwithstanding the
15 requirements of section 146(b), a Job Corps graduate may
16 remain an enrollee and a resident of a Job Corps campus
17 for not more than one month after graduation as such
18 graduate transitions into independent living and employ-
19 ment if such graduate receives written approval from the
20 director of the Job Corps campus to remain such a resi-
21 dent.”.

22 **SEC. 159. OPERATIONS.**

23 Section 151 of the Workforce Innovation and Oppor-
24 tunity Act (29 U.S.C. 3201) is amended—

1 (1) by striking “center” each place it appears
2 and inserting “campus”; and

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

4 “(d) LOCAL AUTHORITY.—

5 “(1) IN GENERAL.—Subject to the limitations
6 of the budget approved by the Secretary for a Job
7 Corps campus, the operator of a Job Corps campus
8 shall have the authority, without prior approval from
9 the Secretary, to—

10 “(A) hire staff and provide staff profes-
11 sional development;

12 “(B) set terms and enter into agreements
13 with Federal, State, or local educational part-
14 ners, such as secondary schools, institutions of
15 higher education, child development centers,
16 units of Junior Reserve Officer Training Corps
17 programs established under section 2031 of
18 title 10, United States Code, or employers; and

19 “(C) engage with and educate stakeholders
20 (including eligible applicants for the Job Corps)
21 about Job Corps operations, selection proce-
22 dures, and activities.

23 “(2) NONAPPLICABILITY.—Notwithstanding
24 section 6702 of title 41, United States Code, or any
25 other provision of law, chapter 67 of such title shall

1 not apply to any agreement described in paragraph
2 (1)(B) for the purpose of providing child care to en-
3 rollees between an entity described in such para-
4 graph and an operator of a Job Corps campus, if
5 the operator is not using amounts made available
6 under this subtitle to pay for such child care serv-
7 ices.

8 “(e) PRIOR NOTICE.—Prior to making a change to
9 the agreement described in section 147(a) or an operating
10 plan described in this section, the Secretary shall solicit
11 from the operators of the Job Corps campuses information
12 on any operational costs the operators expect to result
13 from such change.”.

14 **SEC. 160. STANDARDS OF CONDUCT.**

15 Section 152 of the Workforce Innovation and Oppor-
16 tunity Act (29 U.S.C. 3202) is amended—

17 (1) by striking “centers” each place it appears
18 and inserting “campuses”;

19 (2) in subsection (a), by inserting “As part of
20 the operating plan required under section 151(a),
21 the director of each Job Corps campus shall develop
22 and implement a behavior management plan con-
23 sistent with the standards of conduct and subject to
24 the approval of the Secretary.” at the end;

25 (3) in subsection (b)(2)—

1 (A) in subparagraph (A), by striking “or
2 disruptive”; and

3 (B) in subparagraph (C)(ii), by inserting
4 “, subject to the appeal process described in
5 subsection (c)” after “subparagraph (A)”; and
6 (4) by amending subsection (c) to read as fol-

7 lows:

8 “(c) APPEAL PROCESS.—

9 “(1) ENROLLEE APPEALS.—A disciplinary
10 measure taken by a director under this section shall
11 be subject to expeditious appeal in accordance with
12 procedures established by the Secretary.

13 “(2) DIRECTOR APPEALS.—

14 “(A) IN GENERAL.—Not later than 1 year
15 after the date of enactment of the A Stronger
16 Workforce for America Act, the Secretary shall
17 establish an appeals process under which the di-
18 rector of a Job Corps campus may submit a re-
19 quest that an enrollee who has engaged in an
20 activity which is a violation of the guidelines es-
21 tablished pursuant to subsection (b)(2)(A) re-
22 main enrolled in the program, but be subject to
23 other disciplinary actions in lieu of automatic
24 separation from the program.

1 “(B) CONTENTS.—A request under sub-
2 paragraph (A) shall include—

3 “(i) a signed certification from the di-
4 rector attesting that, to the belief of the di-
5 rector, the continued enrollment of such
6 enrollee would not impact the safety or
7 learning environment of the campus; and

8 “(ii) the behavioral records of such
9 enrollee.

10 “(C) DEFAULT APPROVAL.—The Secretary
11 shall review such appeal within 30 days of re-
12 ceiving such appeal and either approve or deny
13 the appeal. An appeal shall be considered ap-
14 proved if the Secretary has not denied such ap-
15 peal after 30 days.”.

16 **SEC. 161. COMMUNITY PARTICIPATION.**

17 Section 153 of the Workforce Innovation and Oppor-
18 tunity Act (29 U.S.C. 3203) is amended—

19 (1) by striking “center” each place it appears
20 and inserting “campus”;

21 (2) in subsection (a), by striking “centers” and
22 inserting “campuses”;

23 (3) in subsection (b)(1)(C)—

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

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

2 “(v) industry or sector partnerships, where
3 applicable; and”; and

4 (4) in subsection (c), in the heading, by striking
5 “CENTERS” and inserting “CAMPUSES”.

6 **SEC. 162. WORKFORCE COUNCILS.**

7 Section 154 of the Workforce Innovation and Oppor-
8 tunity Act (29 U.S.C. 3204) is amended—

9 (1) by striking “center” each place it appears
10 and inserting “campus”;

11 (2) in subsection (b)(1)—

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

14 (B) by redesignating subparagraph (C) as
15 subparagraph (D); and

16 (C) by inserting the following after sub-
17 paragraph (B):

18 “(C) representatives of community-based
19 organizations; and”;

20 (3) in subsection (c)(2)(C), by inserting “, rec-
21 ognized postsecondary credentials,” after “skills”;
22 and

23 (4) in subsection (d), in the heading, by strik-
24 ing “NEW CENTERS” and inserting “NEW CAM-
25 PUSES”.

1 **SEC. 163. ADVISORY COMMITTEES.**

2 Section 155 of the Workforce Innovation and Oppor-
3 tunity Act (29 U.S.C. 3205) is amended—

4 (1) by striking “The Secretary” and inserting
5 “(a) IN GENERAL.—The Secretary”;

6 (2) by striking “centers” and inserting “cam-
7 puses”;

8 (3) by striking “center” and inserting “cam-
9 pus”; and

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

11 “(b) ADVISORY COMMITTEE TO IMPROVE JOB CORPS
12 SAFETY AND PERFORMANCE.—Not later than one year
13 after the date of enactment of the A Stronger Workforce
14 for America Act, the Secretary shall establish an advisory
15 committee to provide recommendations on effective or evi-
16 dence-based strategies to improve—

17 “(1) safety, security, and learning conditions on
18 Job Corps campuses;

19 “(2) the standards for campus safety estab-
20 lished under section 159(c)(4);

21 “(3) the levels of performance established under
22 section 159(c)(1), including recommendations to im-
23 prove the effectiveness and rigor of such perform-
24 ance levels and recommendations to ensure such lev-
25 els promote continuous performance improvement;
26 and

1 “(4) the effectiveness of performance improve-
2 ment plans and other measures to continuously im-
3 prove the performance of the Job Corps program.”.

4 **SEC. 164. EXPERIMENTAL PROJECTS AND TECHNICAL AS-**
5 **SISTANCE.**

6 Section 156 of the Workforce Innovation and Oppor-
7 tunity Act (29 U.S.C. 3206) is amended—

8 (1) by striking “center” and inserting “cam-
9 pus”;

10 (2) by striking “centers” and inserting “cam-
11 puses”; and

12 (3) in subsection (b)—

13 (A) by striking “ $\frac{1}{4}$ of 1 percent to pro-
14 vide” and inserting “1.25 percent to provide”;
15 and

16 (B) in paragraph (1), by striking “and” at
17 the end of subparagraph (C) and by adding at
18 the end the following:

19 “(D) in the development and implementa-
20 tion of a behavior management plan under sec-
21 tion 152(a); and

22 “(E) in complying with the campus and
23 student safety standards described in section
24 159(c)(4); and”.

1 **SEC. 165. SPECIAL PROVISIONS.**

2 Section 158 of the Workforce Innovation and Oppor-
3 tunity Act (29 U.S.C. 3208) is amended—

4 (1) by striking “center” each place it appears
5 and inserting “campus”; and

6 (2) in subsection (f)—

7 (A) by striking “may accept on behalf of
8 the Job Corps or individual Job Corps centers
9 charitable donations of cash” and inserting “(or
10 the Secretary of Agriculture, as appropriate),
11 on behalf of the Job Corps, or a Job Corps
12 campus operator, on behalf of such campus,
13 may accept grants, charitable donations of
14 cash,”; and

15 (B) by inserting at the end the following:
16 “Notwithstanding sections 501(b) and 522 of
17 title 40, United States Code, any property ac-
18 quired by a Job Corps campus shall be directly
19 transferred, on a nonreimbursable basis, to the
20 Secretary.”.

21 **SEC. 166. MANAGEMENT INFORMATION.**

22 (a) LEVELS OF PERFORMANCE.—Section 159 of the
23 Workforce Innovation and Opportunity Act (29 U.S.C.
24 3209) is amended—

25 (1) by striking “center” each place it appears
26 and inserting “campus”;

1 (2) in subsection (c)—

2 (A) in paragraph (1)—

3 (i) by striking “The Secretary” and
4 inserting the following:

5 “(A) IN GENERAL.—The Secretary”.

6 (ii) by inserting “that are ambitious
7 yet achievable and” after “program”; and

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

10 “(B) LEVELS OF PERFORMANCE.—In es-
11 tablishing the expected performance levels
12 under subparagraph (A) for a Job Corps cam-
13 pus, the Secretary may take into account fac-
14 tors including—

15 “(i) how the levels involved compare
16 with the recent performance of such cam-
17 pus and the performance of other cam-
18 puses within the same State or geographic
19 region;

20 “(ii) the levels of performance set for
21 the primary indicators of performance de-
22 scribed in section 116(b)(2)(A)(ii) for the
23 youth programs authorized under chapter
24 2 of subtitle B for the State in which the
25 campus is located;

1 “(iii) the extent to which the levels in-
2 volved promote continuous improvement in
3 performance on the primary indicators of
4 performance by such campus and ensure
5 optimal return on the use of Federal
6 funds; and

7 “(iv) any other considerations identi-
8 fied by the Secretary after reviewing the
9 recommendations of the advisory group de-
10 scribed in section 155(b).

11 “(C) PERFORMANCE PER CONTRACT.—The
12 Secretary shall ensure the expected levels of
13 performance are established in the relevant con-
14 tract or agreement.

15 “(D) REVISIONS BASED ON ECONOMIC
16 CONDITIONS AND INDIVIDUALS SERVED DURING
17 THE PROGRAM YEAR.—

18 “(i) IN GENERAL.—In the event of a
19 significant economic downturn, the Sec-
20 retary shall revise the applicable adjusted
21 levels of performance for each of the cam-
22 puses for a program year to reflect the ac-
23 tual economic conditions during such pro-
24 gram year.

1 “(ii) REPORT TO CONGRESS.—Prior
2 to implementing the revisions described in
3 clause (i), the Secretary shall submit to the
4 Committee on Education and the Work-
5 force of the House of Representatives and
6 the Committee on Health, Education,
7 Labor, and Pensions of the Senate a re-
8 port explaining the reason for such revi-
9 sions.

10 “(E) REVIEW OF PERFORMANCE LEV-
11 ELS.—The Office of Inspector General of the
12 Department of Labor shall, every 5 years, sub-
13 mit to the Committee on Education and the
14 Workforce of the House of Representatives and
15 the Committee on Health, Education, Labor,
16 and Pensions of the Senate, and publish in the
17 Federal Register and on a publicly available
18 website of the Department, a report con-
19 taining—

20 “(i) a quadrennial review of the ex-
21 pected levels of performance; and

22 “(ii) an evaluation of whether—

23 “(I) the Secretary is establishing
24 such expected levels of performance in
25 accordance with this Act; and

1 “(II) such expected levels have
2 led to continued improvement of the
3 Job Corps program.”;

4 (B) by redesignating paragraph (4) as
5 paragraph (5);

6 (C) by inserting after paragraph (3) the
7 following:

8 “(4) CAMPUS SAFETY.—

9 “(A) IN GENERAL.—The Secretary shall
10 establish campus and student safety standards.
11 The Secretary shall provide technical assistance
12 and develop a safety improvement plan for a
13 Job Corps campus that fails to achieve such
14 standards.

15 “(B) CONSIDERATIONS.—In establishing
16 the campus and student safety standards under
17 subparagraph (A), the Secretary shall take into
18 account—

19 “(i) incidents related to safety that
20 are reported to the Secretary;

21 “(ii) survey data from enrollees, fac-
22 ulty, staff, and community members; and

23 “(iii) any other considerations identi-
24 fied by the Secretary after reviewing the

1 recommendations of the advisory group de-
2 scribed in section 155(b).”;

3 (D) in paragraph (5), as so redesignated—

4 (i) in subparagraph (A), by striking
5 “and” at the end;

6 (ii) in subparagraph (B), by striking
7 the period at the end and inserting a semi-
8 colon; and

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

11 “(C) the number of contracts that were
12 awarded a renewal compared to those eligible
13 for a renewal;

14 “(D) the number of campuses where the
15 contract was awarded to a new operator; and

16 “(E) the number of campuses that were
17 required to receive performance improvement,
18 as described under subsection (f)(2).”; and

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

20 “(6) WAGE RECORDS.—The Secretary shall
21 make arrangements with a State or other appro-
22 priate entity to facilitate the use of State wage
23 records to evaluate the performance of Job Corps
24 campuses on the employment and earnings indica-
25 tors described in clause (i)(III) of subparagraph (A)

1 of section 116(b)(2)(A) and subclauses (I) and (II)
2 of clause (ii) of such subparagraph for the purposes
3 of the report required under paragraph (5).”;

4 (3) in subsection (d)(1)—

5 (A) by inserting “and make available on
6 the website of the Department pertaining to the
7 Job Corps program in a manner that is con-
8 sumer-tested to ensure it is easily understood,
9 searchable, and navigable,” after “subsection
10 (c)(4),”;

11 (B) in subparagraph (B), by striking “gen-
12 der” and inserting “sex”;

13 (C) in subparagraph (F), by striking “reg-
14 ular secondary school diploma” and inserting
15 “regular high school diploma”;

16 (D) in subparagraph (G), by striking “
17 secondary school diploma” and inserting “reg-
18 ular high school diploma”;

19 (E) by redesignating subparagraphs (J)
20 through (O) as subparagraphs (K) through (P),
21 respectively; and

22 (F) by inserting the following after sub-
23 paragraph (I):

1 “(J) the number of appeals under section
2 152(c) and a description of each appeal that
3 was approved;”;

4 (4) in subsection (e), by striking “116(i)(2)”
5 and inserting “116(j)(2)”; and

6 (5) in subsection (g)(2), by striking “comply”
7 and inserting “attest to compliance”.

8 (b) PERFORMANCE ASSESSMENTS AND IMPROVE-
9 MENTS.—Section 159(f) of the Workforce Innovation and
10 Opportunity Act (29 U.S.C. 3209) is amended to read as
11 follows:

12 “(f) PERFORMANCE ASSESSMENTS AND IMPROVE-
13 MENTS.—

14 “(1) ASSESSMENTS.—The Secretary shall con-
15 duct an annual assessment of the performance of
16 each Job Corps campus on the primary indicators of
17 performance described in section 116(b)(2)(A)(ii),
18 where each indicator shall be given equal weight in
19 determining the overall performance of the campus.
20 Based on the assessment, the Secretary shall take
21 measures to continuously improve the performance
22 of the Job Corps program.

23 “(2) PERFORMANCE IMPROVEMENT.—

24 “(A) COMPREHENSIVE IMPROVEMENT.—

1 “(i) IN GENERAL.—With respect to a
2 Job Corps campus that, for a program
3 year, performs as described in clause (ii)
4 and is not already subject to a perform-
5 ance improvement plan under this para-
6 graph for such program year or the suc-
7 ceeding program year, the Secretary shall
8 develop and implement, for a comprehen-
9 sive improvement period beginning with
10 the succeeding program year, a perform-
11 ance improvement plan that meets the re-
12 quirements of clause (iii).

13 “(ii) PERFORMANCE FAILURES.—A
14 Job Corps campus performs as described
15 in this clause if, for a program year, such
16 campus—

17 “(I) fails to meet an average of
18 90 percent on the expected levels of
19 performance across all the primary in-
20 dicators of performance specified in
21 subsection (c)(1); and

22 “(II) is ranked among the lowest
23 20 percent of all Job Corps campuses.

24 “(iii) PERFORMANCE IMPROVEMENT
25 PLAN REQUIREMENTS.—A performance im-

1 provement plan, with respect to a Job
2 Corps campus, shall require the Secretary
3 to take substantial action during a 3 con-
4 secutive program year period (in this para-
5 graph, referred to as a ‘comprehensive im-
6 provement period’) to improve the perform-
7 ance of such campus, which shall include—

8 “(I) providing technical assist-
9 ance to the campus;

10 “(II) changing the management
11 staff of the campus;

12 “(III) changing the career and
13 technical education and training of-
14 fered at the campus;

15 “(IV) replacing the operator of
16 the campus; or

17 “(V) reducing the capacity of the
18 campus.

19 “(B) CHRONIC FAILURE.—

20 “(i) IN GENERAL.—With respect to a
21 Job Corps campus that, for the two con-
22 secutive program years immediately fol-
23 lowing a comprehensive improvement pe-
24 riod and regardless of whether such cam-
25 pus is subject to a subsequent comprehen-

1 sive improvement period, fails to meet an
2 average of 85 percent on the expected lev-
3 els of performance across all the primary
4 indicators and is ranked among the lowest
5 15 percent of all Job Corps campuses, the
6 Secretary shall take further substantial ac-
7 tion to improve the performance of such
8 campus, which shall include—

9 “(I) relocating the campus;

10 “(II) closing the campus; or

11 “(III) notifying the State in
12 which the campus is located of such
13 failure and, if such State submits a
14 written plan to operate a residential
15 campus in the current location, the
16 Secretary—

17 “(aa) shall enter into a
18 memorandum of understanding
19 with the State for the purpose of
20 so operating a residential campus
21 and award funding directly to the
22 State for such purpose;

23 “(bb) may encourage inno-
24 vation in such memorandum of
25 understanding by waiving any

1 statutory or regulatory require-
2 ment of this subtitle except for
3 those related to participant eligi-
4 bility under section 144, program
5 activities under section 148,
6 counseling and job placement
7 under section 149, standards of
8 conduct under section 152, and
9 performance reporting and ac-
10 countability under this section;
11 and

12 “(cc) if a State chooses to
13 award funds received under this
14 clause to an entity that is not a
15 State agency or other State enti-
16 ty, require that such State de-
17 velop award criteria that will give
18 priority consideration for the pri-
19 mary contract or grant for oper-
20 ation of the campus to any appli-
21 cant that is a non-profit organi-
22 zation with expertise in serving
23 opportunity youth and that oth-
24 erwise meets such award criteria.

25 “(ii) INDIAN TRIBES.—

1 “(I) IN GENERAL.—In the case
2 of a Job Corps center described in
3 clause (i) that is located on an Indian
4 reservation, subclause (III) of such
5 clause shall be applied by—

6 “(aa) by substituting ‘Indian
7 Tribe’ for ‘State’ in each place it
8 appears; and

9 “(bb) in item (cc), by sub-
10 stituting ‘Tribal organization’ for
11 ‘State agency or other State enti-
12 ty’.

13 “(II) DEFINITION.—In this para-
14 graph, the terms ‘Indian Tribe’ and
15 ‘Tribal organization’ have the mean-
16 ings given such terms in subsections
17 (e) and (l), respectively, of section 4
18 of the Indian Self-Determination and
19 Education Assistance Act (25 U.S.C.
20 5304).

21 “(3) ADDITIONAL PERFORMANCE IMPROVE-
22 MENT.—In addition to the performance improvement
23 plans required under paragraph (2), the Secretary
24 may develop and implement additional performance
25 improvement plans for a Job Corps campus that

1 fails to meet criteria established by the Secretary
2 other than the expected levels of performance de-
3 scribed in subsection (c)(1).

4 “(4) CIVILIAN CONSERVATION CENTERS.—With
5 respect to a Civilian Conservation Center that, for 3
6 consecutive program years, fails to meet an average
7 of 90 percent of the expected levels of performance
8 across all the primary indicators of performance
9 specified in subsection (c)(1) and is ranked among
10 the lowest 15 percent of campuses, the Secretary of
11 Labor or, if appropriate, the Secretary of Agri-
12 culture shall select, on a competitive basis, an entity
13 to operate part or all of the Civilian Conservation
14 Center in accordance with the requirements of sec-
15 tion 147.”.

16 (c) CONFORMING AMENDMENTS.—Section 159 of the
17 Workforce Innovation and Opportunity Act (29 U.S.C.
18 3209) is further amended—

19 (1) in subsection (a)(3), by striking “centers”
20 and inserting “campuses”;

21 (2) in subsection (g)(1), in the heading, by
22 striking “CENTER” and inserting “CAMPUS”; and

23 (3) in subsection (j), in the heading, by striking
24 “CENTER” and inserting “CAMPUS”.

1 **SEC. 167. JOB CORPS OVERSIGHT AND REPORTING.**

2 Section 161 of the Workforce Innovation and Oppor-
3 tunity Act (29 U.S.C. 3211) is amended—

4 (1) by redesignating subsection (d) as sub-
5 section (e); and

6 (2) by inserting after subsection (c) the fol-
7 lowing new subsection:

8 “(d) REPORT ON IMPLEMENTATION OF REC-
9 OMMENDATIONS.—The Secretary shall, on an annual
10 basis, prepare and submit to the appropriate committees
11 a report regarding the implementation of all outstanding
12 recommendations regarding the Job Corps program from
13 the Office of Inspector General of the Department of
14 Labor or the Government Accountability Office.”.

15 **SEC. 168. AUTHORIZATION OF APPROPRIATIONS.**

16 Section 162 of the Workforce Innovation and Oppor-
17 tunity Act (29 U.S.C. 3212) is amended to read as follows:

18 **“SEC. 162. AUTHORIZATION OF APPROPRIATIONS.**

19 “There are authorized to be appropriated to carry out
20 this subtitle \$1,760,155,000 for each of the fiscal years
21 2026 through 2030.”.

22 **SEC. 169. CONFORMING AMENDMENTS.**

23 Section 146(a) of the Workforce Innovation and Op-
24 portunity Act (29 U.S.C. 3196(a)) is amended by striking
25 “App. 451” and inserting “3801”.

1 **Subtitle E—National Programs**

2 **SEC. 171. NATIVE AMERICAN PROGRAMS.**

3 Section 166 of the Workforce Innovation and Oppor-
4 tunity Act (29 U.S.C. 3221) is amended—

5 (1) in subsection (a)(2), by striking “(25
6 U.S.C. 450 et seq.)” and inserting “(25 U.S.C.
7 5301 et seq.)”;

8 (2) in subsection (b)—

9 (A) in paragraph (2), by striking “(25
10 U.S.C. 450b)” and inserting “(25 U.S.C.
11 5304)”; and

12 (B) in paragraph (3), by inserting “(20
13 U.S.C. 7517)” before the period at the end;

14 (3) in subsection (d)(1)—

15 (A) in subparagraph (A), by striking
16 “and”;

17 (B) in subparagraph (B)—

18 (i) by striking “leading” and inserting
19 “or self-employment that leads”; and

20 (ii) by striking the period at the end
21 and inserting “; and”; and

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

23 “(C) are evidence-based, to the extent
24 practicable.”;

1 (4) in subsection (d)(2), by striking subpara-
2 graph (B) and inserting the following:

3 “(B) ADMINISTRATIVE COSTS.—Not more
4 than 15 percent of the funds made available to
5 an entity under subsection (c) may be used for
6 the administrative costs of the activities and
7 services described in subparagraph (A).

8 “(C) SPECIAL RULES.—

9 “(i) ELIGIBILITY.—Notwithstanding
10 any other provision of this section, individ-
11 uals who were eligible to participate in pro-
12 grams under section 401 of the Job Train-
13 ing Partnership Act (as such section was
14 in effect on the day before the date of en-
15 actment of the Workforce Investment Act
16 of 1998) shall be eligible to participate in
17 an activity assisted under this section.

18 “(ii) TRANSFER OF UNOBLIGATED
19 FUNDS.—An entity receiving funds under
20 subsection (c) may transfer such funds
21 that are unobligated for an award year to
22 the following award year for activities de-
23 scribed in subparagraph (A)(i) in that fol-
24 lowing award year.”;

1 (5) in subsection (e)(3), by inserting “or to de-
2 velop skills necessary for successful self-employ-
3 ment” before the semicolon at the end;

4 (6) in subsection (h)—

5 (A) in paragraph (1)—

6 (i) in the heading, by striking the
7 heading and inserting “PERFORMANCE
8 STANDARDS”;

9 (ii) by striking subparagraph (A) and
10 inserting the following:

11 “(A) CONSULTATION ON PERFORMANCE
12 STANDARDS.—The Secretary, in consultation
13 with the Native American Employment and
14 Training Council, shall develop performance
15 standards on the primary indicators of perform-
16 ance described in section 116(b)(2)(A) that
17 shall be applicable to programs under this sec-
18 tion.”; and

19 (iii) in subparagraph (B), in the mat-
20 ter preceding clause (i), by striking “indi-
21 cators and”;

22 (B) in paragraph (2), by striking “section
23 116(b)(2)(A)” and all that follows through the
24 period at the end of the paragraph and insert-
25 ing the following: “section 116(b)(2)(A)—

1 “(A) taking into consideration—

2 “(i) economic conditions;

3 “(ii) characteristics and needs of the
4 individuals and groups served, including
5 the differences in needs among such
6 groups in various geographic service areas;
7 and

8 “(iii) other appropriate factors, in-
9 cluding the economic circumstances of the
10 communities served; and

11 “(B) using, to the extent practicable, the
12 statistical adjustment model under section
13 116(b)(3)(A)(viii).”; and

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

15 “(3) PROGRAM PLAN.—The levels agreed to
16 under paragraph (2) shall be the adjusted levels of
17 performance and shall be incorporated in the pro-
18 gram plan.

19 “(4) WAGE RECORDS.—

20 “(A) IN GENERAL.—The Secretary shall
21 make arrangements with any State or other ap-
22 propriate entity to facilitate the use of State
23 wage records to evaluate the performance of en-
24 tities funded under this section on the employ-
25 ment and earnings indicators described in sub-

1 clauses (I) through (III) of section
2 116(b)(2)(A)(i) for the purposes of the report
3 required under paragraph (5).

4 “(B) OTHER WAGE RECORDS.—For any
5 individual working in Indian country (as de-
6 fined in section 1151 of title 18, United States
7 Code) whose wages are not submitted to a rel-
8 evant State as an unemployment insurance
9 wage record, the Indian tribe with jurisdiction
10 over that Indian country may submit other
11 forms of documentation of the wages of such in-
12 dividual to the State for purposes of the report
13 required under paragraph (5).

14 “(5) PERFORMANCE RESULTS.—For each pro-
15 gram year, the Secretary shall make available on a
16 publicly accessible website of the Department of
17 Labor a report on the performance, during such pro-
18 gram year, of entities funded under this section
19 on—

20 “(A) the primary indicators of performance
21 described in section 116(b)(2)(A); and

22 “(B) the adjusted levels of performance for
23 such entities as described in paragraph (2).”;

24 (7) in subsection (i)—

25 (A) in paragraph (4)—

1 (i) in subparagraph (A)—

2 (I) by striking “Using” and in-
3 serring the following:

4 “(i) ESTABLISHMENT.—Using”; and

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

7 “(ii) RECOMMENDATIONS.—The Sec-
8 retary shall meet, on not less than an an-
9 nual basis, with the Council to consider
10 recommendations from the Council on the
11 operation and administration of the pro-
12 grams assisted under this section.”;

13 (ii) in subparagraph (B)—

14 (I) by striking “The Council”
15 and inserting the following:

16 “(i) IN GENERAL.—The Council”; and

17 (II) by inserting at the end the
18 following:

19 “(ii) VACANCIES.—An individual ap-
20 pointed to fill a vacancy on the Council oc-
21 ccurring before the expiration of the term
22 for which the predecessor of such indi-
23 vidual was appointed shall be appointed
24 only for the remainder of that term. Such
25 an individual may serve on the Council

1 after the expiration of such term until a
2 successor is appointed.”; and

3 (iii) in subparagraph (F), by inserting
4 “, virtually or in person” before the period
5 at the end; and

6 (B) in paragraph (6)—

7 (i) by striking “more than one State”
8 and inserting “a State”;

9 (ii) by inserting “or provided by an-
10 other grantee that receives funds awarded
11 under subtitle B from any State for adult,
12 youth, or dislocated worker programs”
13 after “this title”;

14 (iii) by striking “Governors of the af-
15 fected States” and inserting “Governor of
16 any affected State”; and

17 (iv) by striking “the States” and in-
18 serting “the State or other grantee”; and

19 (8) by amending subsection (k)(2) to read as
20 follows:

21 “(2) AUTHORIZATION OF APPROPRIATIONS.—

22 There are authorized to be appropriated to carry out
23 this subsection \$542,000 for each of the fiscal years
24 2026 through 2030.”.

1 **SEC. 172. MIGRANT AND SEASONAL FARMWORKER PRO-**
2 **GRAMS.**

3 Section 167 of the Workforce Innovation and Oppor-
4 tunity Act (29 U.S.C. 3222) is amended—

5 (1) in subsection (b)—

6 (A) by striking “To be” and inserting the
7 following:

8 “(1) IN GENERAL.—To be”; and

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

10 “(2) PROHIBITION ON GEOGRAPHIC LIMITA-
11 TIONS.—In determining eligibility under paragraph
12 (1), the Secretary may not place limitations on the
13 geographic location of the entity or on the intended
14 area to be served.”;

15 (2) in subsection (c), by adding at the end the
16 following:

17 “(5) WAGE RECORDS.—The Secretary shall
18 make arrangements with a State or other appro-
19 priate entity to facilitate the use of State wage
20 records to evaluate the performance of entities fund-
21 ed under this section on the employment and earn-
22 ings indicators described in subclauses (I) through
23 (III) of section 116(b)(2)(A)(i) for the purposes of
24 the report required under paragraph (6).

25 “(6) PERFORMANCE RESULTS.—For each pro-
26 gram year, the Secretary shall make available on a

1 publicly accessible website of the Department a re-
2 port on the performance, during such program year,
3 of entities funded under this section on—

4 “(A) the primary indicators of performance
5 described in section 116(b)(2)(A); and

6 “(B) the adjusted levels of performance for
7 such entities as described in paragraph (3).”;

8 (3) in subsection (d)(1), by inserting “develop-
9 ment of digital literacy skills,” after “literacy in-
10 struction,”; and

11 (4) by redesignating subsections (e) through (i)
12 as subsections (f) through (j), respectively;

13 (5) by inserting after subsection (d) the fol-
14 lowing:

15 “(e) ADMINISTRATIVE COSTS.—Not more than 10
16 percent of the funds provided to an entity under this sec-
17 tion may be used for the administrative costs of the activi-
18 ties and services carried out under subsection (d).”; and

19 (6) in subsection (i), as so redesignated—

20 (A) in the heading, by striking “ALLOCA-
21 TION” and inserting “ALLOCATION; FUNDING
22 OBLIGATION”;

23 (B) by striking “From” and inserting the
24 following:

25 “(1) FUNDING ALLOCATION.—From”; and

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

2 “(2) FUNDING OBLIGATION.—

3 “(A) IN GENERAL.—Funds appropriated
4 and made available to carry out this section for
5 any fiscal year may be obligated by the Sec-
6 retary during the period beginning on April 1
7 of the calendar year that begins during such
8 fiscal year and ending on June 30 of the fol-
9 lowing calendar year to be made available to an
10 entity described in subsection (b) for the period
11 described in subparagraph (B).

12 “(B) OBLIGATED AMOUNT.—Funds made
13 available under this section for a fiscal year to
14 any entity described in subsection (b) may be
15 spent or reserved for spending by such entity
16 during the period beginning on July 1 of the
17 calendar year that begins during such fiscal
18 year and ending on June 30 of the following
19 calendar year.”.

20 **SEC. 173. TECHNICAL ASSISTANCE.**

21 (a) GENERAL TECHNICAL ASSISTANCE.—Section
22 168(a)(1) of the Workforce Innovation and Opportunity
23 Act (29 U.S.C. 3223(a)(1)) is amended—

24 (1) by striking “appropriate training, technical
25 assistance, staff development” and inserting “appro-

1 ppropriate education, technical assistance, professional
2 development for staff”;

3 (2) in subparagraphs (B), (C), and (D), by
4 striking “training” each place it appears and insert-
5 ing “professional development”;

6 (3) by redesignating subparagraphs (G) and
7 (H) as subparagraphs (J) and (K), respectively; and

8 (4) by inserting after subparagraph (F) the fol-
9 lowing:

10 “(G) assistance to the one-stop delivery
11 system and the Employment Service established
12 under the Wagner-Peyser Act for the integra-
13 tion of basic career service activities pursuant
14 to section 134(c)(2)(A);

15 “(H) assistance to States with maintain-
16 ing, and making accessible to jobseekers and
17 employers, the lists of eligible providers of
18 training services required under section 122;

19 “(I) assistance to States that apply for
20 such assistance under section 122(k) for the
21 purposes described in such subsection;”.

22 (b) PERFORMANCE ACCOUNTABILITY TECHNICAL
23 ASSISTANCE.—Section 168(b) of the Workforce Innova-
24 tion and Opportunity Act (29 U.S.C. 3223(b)) is amend-
25 ed—

1 (1) in the header, by striking “DISLOCATED
2 WORKER” and inserting “PERFORMANCE ACCOUNT-
3 ABILITY”; and

4 (2) in paragraph (1)—

5 (A) in the first sentence—

6 (i) by inserting “, pursuant to para-
7 graphs (1) and (2) of section 116(f),” after
8 “technical assistance”; and

9 (ii) by striking “with respect to em-
10 ployment and training activities for dis-
11 located workers” and inserting “with re-
12 spect to the core programs”; and

13 (B) in the second sentence—

14 (i) by striking “assistance to dis-
15 located workers” and inserting “assistance
16 to individuals served by a core program”;
17 and

18 (ii) by striking “provided to dislocated
19 workers” and inserting “provided to such
20 individuals”.

21 (c) COMMUNITIES IMPACTED BY SUBSTANCE USE
22 DISORDERS.—Section 168 of the Workforce Innovation
23 and Opportunity Act (29 U.S.C. 3223) is further amended
24 by adding at the end the following:

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

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

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

8 “(G) the extent to which such programs or
9 activities are using emerging technology to—

10 “(i) collect, analyze, use, and dissemi-
11 nate accurate and transparent local and
12 State level labor market information;

13 “(ii) integrate administrative data, in
14 accordance with Federal and State privacy
15 laws, to more comprehensively understand
16 and improve education and workforce out-
17 comes; and

18 “(iii) identify and address deficiencies
19 in existing Federal, State, and local work-
20 force data infrastructure and related
21 source systems; and”.

22 (B) in paragraph (3)—

23 (i) by striking “The Secretary” and
24 inserting the following:

25 “(A) IN GENERAL.—The Secretary”; and

1 (ii) by adding at the end the following
2 new subparagraph:

3 “(B) LIMITATION.—The Secretary may
4 not use the authority described in subparagraph
5 (A) if the evaluations required under paragraph
6 (1) have not been initiated or completed in the
7 time period required.”; and

8 (C) in paragraph (4), in the second sen-
9 tence—

10 (i) by striking “The Secretary” and
11 inserting “Beginning after the date of en-
12 actment of the A Stronger Workforce for
13 America Act, the Secretary”; and

14 (ii) by striking “2019” and inserting
15 “2028”; and
16 (2) in subsection (b)—

17 (A) by amending paragraph (4) to read as
18 follows:

19 “(4) STUDIES AND REPORTS.—

20 “(A) STUDY ON EMPLOYMENT CONDI-
21 TIONS.—The Secretary, in coordination with
22 other heads of Federal agencies, as appropriate,
23 may conduct a study examining the nature of
24 participants’ unsubsidized employment after

1 exit from programs carried out under this
2 Act—

3 “(i) including with respect to factors
4 such as the availability of paid time off in
5 the employment, health and retirement
6 benefits provided through the employment,
7 workplace safety standards at the place of
8 employment, the predictability and stability
9 of the work schedule for the employment,
10 the ability to obtain through the employ-
11 ment credentials that may permit articula-
12 tion into a higher level or other degree or
13 credential program, and advancement op-
14 portunities in the employment; and

15 “(ii) that includes a description of the
16 feasibility of Congress establishing,
17 through future legislation, an indicator of
18 performance under section 116 related to
19 such factors.

20 “(B) STUDY ON IMPROVING WORKFORCE
21 SERVICES FOR INDIVIDUALS WITH DISABIL-
22 ITIES.—The Secretary of Labor, in coordination
23 with the Secretary of Education and the Sec-
24 retary of Health and Human Services, may con-
25 duct studies that analyze the access to services

1 by individuals with disabilities, including wheth-
2 er an individual who is unable to receive serv-
3 ices under title IV due to a wait list for such
4 services is able to receive services under titles I
5 through III.

6 “(C) STUDY ON THE EFFECTIVENESS OF
7 PAY FOR PERFORMANCE.—The Secretary shall,
8 not more than 4 years after the date of enact-
9 ment of the A Stronger Workforce for America
10 Act, conduct a study that—

11 “(i) compares the effectiveness of the
12 pay-for-performance strategies used under
13 sections 129, 134, and 172 after such date
14 of enactment to the awarding of grants
15 and contracts under such sections as in ef-
16 fect on the day before the date of enact-
17 ment of such Act; and

18 “(ii) examines, with respect to grants
19 under sections 129, 134, and 172 after
20 such date of enactment—

21 “(I) the competition structure of
22 pay-for-performance grants and con-
23 tracts under such sections;

1 “(II) the quality of applications
2 received for grants and contracts
3 under such sections; and

4 “(III) whether individuals with
5 barriers to employment were effec-
6 tively served under the pay-for-per-
7 formance strategies for grants and
8 contracts under such sections.

9 “(D) STUDY ON INDIVIDUAL TRAINING AC-
10 COUNTS FOR DISLOCATED WORKERS.—The Sec-
11 retary shall, not more than 4 years after the
12 date of enactment of the A Stronger Workforce
13 for America Act, conduct a study that compares
14 the usage of Individual Training Accounts for
15 dislocated workers after such date of enactment
16 to the usage of such accounts prior to such date
17 of enactment, including a comparison of—

18 “(i) the types of training services and
19 occupations targeted by dislocated workers
20 when using their Individual Training Ac-
21 counts; and

22 “(ii) the effectiveness of the skills de-
23 velopment funded through Individual
24 Training Accounts in helping such individ-

1 uals attain credentials and secure unsub-
2 sidized employment.

3 “(E) STUDY ON STATEWIDE CRITICAL IN-
4 DUSTRY SKILLS FUNDS.—The Secretary shall,
5 not more than 4 years after the date of enact-
6 ment of the A Stronger Workforce for America
7 Act, conduct a study that will review the usage
8 of statewide critical industry skills funds estab-
9 lished by States under section 134(a)(4) and
10 identify, for purposes of measuring the overall
11 effectiveness of the program—

12 “(i) the industries targeted by the
13 funds under section 134(a)(4);

14 “(ii) the occupations for which work-
15 ers are being upskilled;

16 “(iii) how frequently skills develop-
17 ment is provided to prospective workers
18 and incumbent workers, and

19 “(iv) the reported performance out-
20 comes.

21 “(F) STUDY ON INDUSTRY OR SECTOR
22 PARTNERSHIP AND CAREER PATHWAYS DEVEL-
23 OPMENT FUNDS.—The Secretary shall, not
24 more than 4 years after the date of enactment
25 of the A Stronger Workforce for America Act,

1 conduct a study that will review the usage of in-
2 dustry or sector partnership and career path-
3 ways development funds established by States
4 under section 134(a)(5) and identify, for pur-
5 poses of measuring the overall effectiveness of
6 the program—

7 “(i) the industries targeted by the
8 funds under section 134(a)(5) and the
9 growth in employment opportunities in
10 such industries over the period of the
11 study;

12 “(ii) the occupations workers are re-
13 ceiving skills development for and how fre-
14 quently such skills development is occur-
15 ring through the funds under section
16 134(a)(5);

17 “(iii) the States where such funds
18 were used to establish new industry or sec-
19 tor partnerships, the States where such
20 funds were used to expand existing indus-
21 try or sector partnerships, and an overview
22 of the types of partners participating in
23 such partnerships; and

24 “(iv) the reported performance out-
25 comes.

1 “(G) STUDY ON THE EFFECTIVENESS OF
2 EMPLOYER-BASED TRAINING.—The Secretary
3 shall, not more than 4 years after the date of
4 enactment of the A Stronger Workforce for
5 America Act, conduct a study that measures
6 the effectiveness of on-the-job training, em-
7 ployer-directed skills training, apprenticeship,
8 and incumbent worker training under this title
9 in preparing jobseekers and workers, including
10 those with barriers to employment, for unsub-
11 sidized employment. Such study shall include
12 the cost per participant and wage and employ-
13 ment outcomes, as compared to other methods
14 of training.

15 “(H) STUDY ON THE EFFECTIVENESS AND
16 USE OF EMERGING TECHNOLOGY IN THE WORK-
17 FORCE DEVELOPMENT SYSTEM.—The Secretary
18 shall, not later than 4 years after the date of
19 enactment of the A Stronger Workforce for
20 America Act, conduct a study that—

21 “(i) measures the effectiveness of
22 emerging technology (including artificial
23 intelligence and machine learning) and
24 other advanced computational methods, in
25 improving State workforce development

1 system service delivery, labor market data
2 system performance, data collection and in-
3 tegration to understand participant and
4 program outcomes, and end-user tools for
5 facilitating career exploration or related
6 data insights;

7 “(ii) measures the extent to which
8 States have adopted and implemented such
9 technology and methods in their workforce
10 development systems, including by describ-
11 ing how the technology or method is being
12 used, analyzing the accuracy of such tech-
13 nology or method, and identifying any ex-
14 hibited bias by any such technology or
15 method; and

16 “(iii) includes an analysis of the con-
17 sequences of advances in automation tech-
18 nology on employment opportunities, skills
19 development, including digital literacy
20 skills development, and worker dislocation.

21 “(I) STUDY ON THE ALIGNMENT BETWEEN
22 EDUCATION AND WORKFORCE DEVELOPMENT
23 SYSTEMS.—The Secretary of Labor, in coordi-
24 nation with the Secretary of Education, shall,
25 not later than 4 years after the date of enact-

1 ment of the A Stronger Workforce for America
2 Act, conduct a study on the alignment of work-
3 force development programs under this Act with
4 elementary and secondary education and post-
5 secondary education. The study shall examine—

6 “(i) State efforts to integrate data re-
7 lated to career and technical education
8 programs, dual enrollment programs, pre-
9 apprenticeships and apprenticeships, and
10 other work-based learning programs to in-
11 form decisionmaking and improve edu-
12 cational opportunities and outcomes;

13 “(ii) challenges related to and strate-
14 gies that promote such alignment to facili-
15 tate student participation in high-quality
16 college and career pathways; and

17 “(iii) governance structures and fund-
18 ing sources to promote such alignment.

19 “(J) STUDY ON JOB CORPS.—The Sec-
20 retary of Labor shall, not later than 4 years
21 after the date of enactment of the A Stronger
22 Workforce for America Act, conduct an evalua-
23 tion that—

1 “(i) uses the most rigorous available
2 methods that are appropriate and feasible
3 to evaluate program effectiveness;

4 “(ii) measures the effect of the Job
5 Corps program on participating individuals
6 on outcomes related to the purposes de-
7 scribed in section 141(1), including edu-
8 cational attainment, employment, earnings,
9 and other related outcomes, compared with
10 the non-participant peers of those individ-
11 uals, to determine if the program has a
12 statistically significant effect (including
13 long-term effects) on such outcomes; and

14 “(iii) evaluates the cost-effectiveness
15 of the program.

16 “(K) REPORTS.—The Secretary shall pre-
17 pare and disseminate to the Committee on
18 Health, Education, Labor, and Pensions of the
19 Senate and the Committee on Education and
20 the Workforce of the House of Representatives,
21 and on the publicly available website of the De-
22 partment, reports containing the results of the
23 studies conducted under this paragraph.”; and

24 (B) in paragraph (5), by adding at the end
25 the following:

1 “(C) EVALUATION OF GRANTS.—

2 “(i) IN GENERAL.—For each grant or
3 contract awarded under this paragraph,
4 the Secretary shall conduct a rigorous eval-
5 uation of the multistate project to deter-
6 mine the impact of the activities supported
7 by the project, including the impact on the
8 employment and earnings of program par-
9 ticipants.

10 “(ii) REPORT.—The Secretary shall
11 prepare and disseminate to the Committee
12 on Health, Education, Labor, and Pen-
13 sions of the Senate and the Committee on
14 Education and the Workforce of the House
15 of Representatives, and to the public, in-
16 cluding through electronic means, reports
17 containing the results of evaluations con-
18 ducted under this subparagraph.”.

19 (b) WORKFORCE DATA QUALITY INITIATIVE.—Sec-
20 tion 169 of the Workforce Innovation and Opportunity Act
21 (29 U.S.C. 3224) is further amended by adding at the
22 end the following:

23 “(d) WORKFORCE DATA QUALITY INITIATIVE.—

24 “(1) GRANT PROGRAM.—Of amounts made
25 available pursuant to section 132(a)(2)(A) for any

1 program year, the Secretary shall use not less than
2 5 percent and not more than 10 percent of such
3 amounts, and may also use funds authorized for
4 purposes of carrying out this section, to award
5 grants to eligible entities to create workforce longitu-
6 dinal data systems and associated resources for the
7 purposes of strengthening program quality, building
8 State capacity to produce evidence for decision-
9 making, meeting performance reporting require-
10 ments, protecting privacy, and improving trans-
11 parency.

12 “(2) APPLICATION.—To be eligible to receive a
13 grant under this subsection, an eligible entity shall
14 submit an application to the Secretary at such time
15 and in such manner as the Secretary may require,
16 which shall include—

17 “(A) a description of the proposed activi-
18 ties that will be conducted by the eligible entity,
19 including a description of the need for such ac-
20 tivities and a detailed budget for such activities;

21 “(B) a description of the expected out-
22 comes and outputs (such as systems or prod-
23 ucts) that will result from the proposed activi-
24 ties and the proposed uses of such outputs;

1 “(C) a description of how the proposed ac-
2 tivities will—

3 “(i) support the reporting of perform-
4 ance data, including employment and earn-
5 ings outcomes, for the performance ac-
6 countability requirements under section
7 116, including outcomes for eligible train-
8 ing providers;

9 “(ii) improve workforce data stand-
10 ardization across programs in the State;
11 and

12 “(iii) improve the collection, accuracy,
13 timeliness, and usability of real-time, econ-
14 omy-wide data on new and emerging skills
15 and in-demand occupational roles;

16 “(D) a description of the methods and pro-
17 cedures the eligible entity will use to ensure the
18 security and privacy of the collection, storage,
19 and use of all data involved in the systems and
20 resources supported through the grant, includ-
21 ing compliance with State and Federal privacy
22 and confidentiality statutes and regulations;
23 and

24 “(E) a plan for how the eligible entity will
25 continue the activities or sustain the use of the

1 the credential navigation feature described
2 in section 122(d)(2);

3 “(ii) participate in and contribute
4 data to a multistate data collaborative, in-
5 cluding data that provide participating
6 States the ability to better understand—

7 “(I) earnings and employment
8 outcomes of individuals who work out-
9 of-State; and

10 “(II) cross-State earnings and
11 employment trends;

12 “(iii) enhance collaboration with pri-
13 vate sector workforce and labor market
14 data entities and the end-users of work-
15 force and labor market data, including in-
16 dividuals, employers, economic development
17 agencies, and workforce development pro-
18 viders;

19 “(iv) leverage the use of non-Federal
20 contributions to improve workforce data in-
21 frastructure, including staff capacity build-
22 ing; or

23 “(v) expand existing statewide inte-
24 grated longitudinal data systems, including
25 such systems receiving assistance under

1 section 208 of the Educational Technical
2 Assistance Act of 2002 (20 U.S.C. 9607).

3 “(4) USE OF FUNDS.—In addition to the activi-
4 ties described in paragraph (3)(B), an eligible entity
5 awarded a grant under this subsection may use
6 funds to carry out any of the following activities:

7 “(A) Developing or enhancing a State’s
8 workforce longitudinal data system, including
9 by participating and contributing data to the
10 State’s data system, if applicable, that links
11 with elementary and secondary school and post-
12 secondary data.

13 “(B) Accelerating the replication and
14 adoption of data systems, projects, products, or
15 practices already in use in one or more States
16 to other States.

17 “(C) Research and labor market data im-
18 provement activities to improve the timeliness,
19 relevance, and accessibility of such data
20 through pilot projects that are developed locally
21 but designed to scale to other regions or States.

22 “(D) Establishing, enhancing, or con-
23 necting to a system of interoperable learning
24 and employment records that provides individ-
25 uals who choose to participate in such system

1 ownership of a verified and secure record of
2 their skills and achievements and the ability to
3 share such record with employers and education
4 providers.

5 “(E) Developing policies, guidelines, and
6 security measures for data collection, storing,
7 and sharing to ensure compliance with relevant
8 Federal and State privacy laws and regulations.

9 “(F) Increasing local board access to and
10 integration with the State’s workforce longitu-
11 dinal data system in a secure manner.

12 “(G) Creating or participating in a data
13 exchange for collecting and using standards-
14 based jobs and employment data including, at a
15 minimum, job titles or occupation codes.

16 “(H) Improving State and local staff ca-
17 pacity to understand, use, and analyze data to
18 improve decisionmaking and improve partici-
19 pant outcomes.

20 “(5) ADMINISTRATION.—

21 “(A) DURATION.—A grant awarded under
22 this subsection may be for a period of up to 3
23 years.

24 “(B) SUPPLEMENT, NOT SUPPLANT.—
25 Funds made available under this subsection

1 shall be used to supplement, and not supplant,
2 other Federal, State, or local funds used for de-
3 velopment of State data systems.

4 “(C) REPORT.—Each eligible entity that
5 receives a grant under this subsection shall sub-
6 mit a report to the Secretary not later than 180
7 days after the conclusion of the grant period on
8 the activities supported through the grant and
9 improvements in the use of workforce and labor
10 market information that have resulted from
11 such activities.

12 “(6) DEFINITIONS.—In this subsection, the
13 term ‘eligible entity’ means a State agency or con-
14 sortium of State agencies, including a multistate
15 data collaborative, that is or includes the State agen-
16 cies responsible for—

17 “(A) State employer wage records used by
18 the State’s unemployment insurance programs
19 in labor market information reporting and anal-
20 ysis and for fulfilling the reporting require-
21 ments of this Act;

22 “(B) the production of labor market infor-
23 mation; and

24 “(C) the direct administration of one or
25 more of the core programs.”.

1 **SEC. 175. NATIONAL DISLOCATED WORKER GRANTS.**

2 Section 170 of the Workforce Innovation and Oppor-
3 tunity Act (29 U.S.C. 3225) is amended—

4 (1) in subsection (b)—

5 (A) in paragraph (1)—

6 (i) in subparagraph (C), by striking
7 “and” at the end;

8 (ii) in subparagraph (D)—

9 (I) in clause (i), by striking
10 “spouses described in section
11 3(15)(E)” and inserting “spouses de-
12 scribed in subparagraph (E) of the
13 definition of the term ‘dislocated
14 worker’ in section 3”; and

15 (II) in clause (ii), by striking the
16 period at the end and inserting “;
17 and”; and

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

20 “(E) to an entity described in subsection
21 (c)(1)(B) to provide employment and training
22 activities related to the prevention and treat-
23 ment of substance use disorders, including ad-
24 diction treatment, mental health treatment, and
25 pain management, in an area that, as a result
26 of widespread substance use, addiction, and

1 overdoses, has higher-than-average demand for
2 such activities that exceeds the availability of
3 State and local resources to provide such activi-
4 ties.”; and

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

6 “(3) PERFORMANCE RESULTS.—The Secretary
7 shall collect the necessary information from each en-
8 tity receiving a grant under this section to determine
9 the performance of such entity on the primary indi-
10 cators of performance described in section
11 116(b)(2)(A)(i) and make such information available
12 on the publicly accessible website of the Department
13 in a format that does not reveal personally identifi-
14 able information.”; and

15 (2) in subsection (c)—

16 (A) in paragraph (1)(A)—

17 (i) by striking “subsection (b)(1)(A)”
18 and inserting “subparagraph (A) or (E) of
19 subsection (b)(1)”; and

20 (ii) by striking “, in such manner, and
21 containing such information” and inserting
22 “and in such manner”; and

23 (B) in paragraph (2)—

24 (i) in subparagraph (B)—

1 (I) in the heading, by striking
2 “RETRAINING” and inserting
3 “RESKILLING”; and

4 (II) by striking “retraining” and
5 inserting “reskilling”;

6 (ii) by redesignating subparagraphs
7 (C) and (D) as subparagraphs (D) and
8 (E), respectively; and

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

11 “(C) SUBSTANCE USE RELATED
12 GRANTS.—In order to be eligible to receive em-
13 ployment and training assistance under a na-
14 tional dislocated worker grant awarded pursu-
15 ant to subsection (b)(1)(E), an individual shall
16 be—

17 “(i) a dislocated worker;

18 “(ii) a long-term unemployed indi-
19 vidual;

20 “(iii) an individual who is unemployed
21 or significantly underemployed as a result
22 of widespread substance use in the area; or

23 “(iv) an individual who is employed or
24 seeking employment in a health care pro-
25 fession involved in the prevention and

1 treatment of substance use disorders, in-
2 cluding such professions that provide ad-
3 diction treatment, mental health treat-
4 ment, or pain management.”.

5 **SEC. 176. YOUTHBUILD PROGRAM.**

6 Section 171 of the Workforce Innovation and Oppor-
7 tunity Act (29 U.S.C. 3226) is amended—

8 (1) in subsection (a)—

9 (A) in paragraph (4), by striking “home-
10 less individuals” and inserting “individuals ex-
11 perienceing homelessness”;

12 (B) in paragraph (5), by striking “home-
13 less and low-income families” and inserting
14 “low-income families and families of individuals
15 experienceing homelessness”; and

16 (C) in paragraph (7), by striking “(25
17 U.S.C. 450b)” and inserting “(25 U.S.C.
18 5304)”;

19 (2) in subsection (b)—

20 (A) by amending paragraph (4) to read as
21 follows:

22 “(4) INDIVIDUAL EXPERIENCEING HOMELESS-
23 NESS.—The term ‘individual experienceing homeless-
24 ness’ means an individual who is a homeless indi-
25 vidual (as defined in section 41403(6) of the Vio-

1 lence Against Women Act of 1994 (34 U.S.C.
2 12473(6)) or a homeless child or youth (as defined
3 in section 725(2) of the McKinney-Vento Homeless
4 Assistance Act (42 U.S.C. 11434a(2))).”;

5 (B) in paragraph (5), by striking “home-
6 less individuals” and inserting “individuals ex-
7 perienceing homelessness”; and

8 (C) in paragraph (12), by striking “home-
9 less individuals” and inserting “individuals ex-
10 perienceing homelessness”;

11 (3) in subsection (c)—

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

14 “(1) AMOUNT OF GRANTS; RESERVATION.—

15 “(A) AMOUNT OF GRANTS.—Subject to
16 subparagraph (B), the Secretary is authorized
17 to make grants to applicants for the purpose of
18 carrying out YouthBuild programs approved
19 under this section.

20 “(B) RESERVATION FOR RURAL AREAS
21 AND INDIAN TRIBES.—

22 “(i) TRIBAL RESERVATION.—Subject
23 to clause (iii), in carrying out subpara-
24 graph (A), the Secretary shall reserve not
25 less than 5 percent of the total amount ap-

1 as the case may be, in an amount not
2 to exceed \$1,500,000 per grant; and

3 “(II) use any remaining amount
4 reserved under the applicable clause
5 to, notwithstanding the requirements
6 of that clause, award grants under
7 subparagraph (A) to other applica-
8 tions that are not described in such
9 clause.”;

10 (B) in paragraph (2)—

11 (i) in subparagraph (A)—

12 (I) in clause (iv)—

13 (aa) in subclause (II), by
14 striking “language learners” and
15 inserting “learners”;

16 (bb) in subclause (III), by
17 striking “a secondary” and in-
18 serting “a regular high”; and

19 (cc) in subclause (IV), by
20 striking “required” and inserting
21 “available Federal, State, or in-
22 stitutional”;

23 (II) in clause (v), by striking
24 “drug and alcohol abuse” and insert-
25 ing “substance use disorder”;

1 (III) in clause (vii)—

2 (aa) by inserting “to ensure
3 full participation in a YouthBuild
4 program, including such services
5 for individuals with disabilities,”
6 after “services”; and

7 (bb) by inserting “unsub-
8 sidized” after “retaining”; and

9 (IV) in clause (viii), by inserting
10 “, including career services” after
11 “assistance”;

12 (ii) in subparagraph (B), by striking
13 “homeless individuals” and inserting “indi-
14 viduals experiencing homelessness” each
15 place the term appears; and

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

18 “(I) Provision of meals and other food as-
19 sistance to participants in conjunction with an-
20 other activity described in this paragraph.

21 “(J) Provision of information on and refer-
22 ral to Federal and State means tested pro-
23 grams.”;

24 (C) in paragraph (3)—

1 (i) in subparagraph (A), by striking
2 “such time, in such manner, and con-
3 taining such information” and inserting
4 “such time and in such manner”; and

5 (ii) in subparagraph (B)—

6 (I) in the header, by striking
7 “MINIMUM REQUIREMENTS” and in-
8 serting “REQUIREMENTS”;

9 (II) by striking “, at a min-
10 imum”;

11 (III) in clause (iii), by striking
12 “unions” and inserting “labor organi-
13 zations”;

14 (IV) by amending clause (v) to
15 read as follows:

16 “(v) a description of the educational
17 and job training activities, work opportuni-
18 ties, postsecondary education and training
19 opportunities, and other services that will
20 be provided to participants, and how those
21 activities, opportunities, and services will—

22 “(I) prepare youth for employ-
23 ment in in-demand industry sectors or
24 occupations in the labor market area
25 described in clause (i); and

1 “(II) support youth in attaining
2 a regular high school diploma or its
3 recognized equivalent;”;

4 (V) in clause (vii)—

5 (aa) by striking “(including
6 agencies of Indian tribes)” and
7 inserting “, Indian tribes, tribal
8 organizations, and tribal edu-
9 cational agencies (as such term is
10 defined in section 6132(b) of the
11 Elementary and Secondary Edu-
12 cation Act of 1965 (20 U.S.C.
13 7452(b)))”; and

14 (bb) by striking “homeless
15 individuals,” and inserting “indi-
16 viduals experiencing homeless-
17 ness, other agencies that serve
18 youth who are experiencing
19 homelessness,”;

20 (VI) in clause (x), by inserting
21 “located in the region proposed to be
22 served by such applicant, as applica-
23 ble” after “tribes”;

24 (VII) by amending clause (xii) to
25 read as follows:

1 “(xii) a description of the levels of
2 performance the applicant expects to
3 achieve on the primary indicators of per-
4 formance described in section
5 116(b)(2)(A)(ii);”;

6 (VIII) in clause (xiii), by striking
7 “unions” and inserting “labor organi-
8 zations”;

9 (IX) by redesignating clauses
10 (xv) through (xxi) as clauses (xvi)
11 through (xxii), respectively; and

12 (X) by inserting after clause (xiv)
13 the following:

14 “(xv) a description of any strategies
15 the applicant will use to engage program
16 participants in providing feedback and in-
17 forming decision-making related to the
18 program;” and

19 (D) in paragraph (4)—

20 (i) by striking “such selection criteria
21 as the Secretary shall establish under this
22 section, which shall include criteria” and
23 inserting “selection criteria”;

1 (ii) in subparagraph (I), by striking
2 “homeless individuals” and inserting “indi-
3 viduals experiencing homelessness”;

4 (iii) in subparagraph (J)(iii), by add-
5 ing “and” after the semicolon;

6 (iv) in subparagraph (K), by striking
7 “; and” and inserting a period; and

8 (v) by striking subparagraph (L);

9 (4) in subsection (d)—

10 (A) in paragraph (1), by striking “home-
11 less individuals” and inserting “individuals ex-
12 perienceing homelessness”; and

13 (B) in paragraph (2), by striking “home-
14 less individuals” and inserting “individuals ex-
15 perienceing homelessness”;

16 (5) in subsection (e)(1)—

17 (A) in subparagraph (A)(ii), by striking
18 “offender” and inserting “who is a justice-in-
19 volved individual”; and

20 (B) in subparagraph (B)—

21 (i) in clause (i)—

22 (I) by striking “are basic skills
23 deficient” and inserting “have
24 foundational skill needs”; and

1 (II) by striking “secondary” and
2 inserting “regular high”; and
3 (ii) in clause (ii), by striking “sec-
4 ondary” and inserting “regular high”;
5 (6) in subsection (f), by striking paragraph (2)
6 and inserting the following:

7 “(2) USE OF WAGE RECORDS.—The Secretary
8 shall make arrangements with a State or other ap-
9 propriate entity to facilitate the use of State wage
10 records to evaluate the performance of YouthBuild
11 programs funded under this section on the employ-
12 ment and earnings indicators described in section
13 116(b)(2)(A)(ii) for the purposes of the report re-
14 quired under paragraph (3).

15 “(3) PERFORMANCE RESULTS.—For each pro-
16 gram year, the Secretary shall make available, on a
17 publicly accessible website of the Department, a re-
18 port on the performance of YouthBuild programs,
19 during such program year, funded under this section
20 on—

21 “(A) the primary indicators of performance
22 described in section 116(b)(2)(A)(ii); and

23 “(B) the expected levels of performance for
24 such programs as described in paragraph (1).

1 “(4) CONSULTATION.—In establishing expected
2 levels of performance under paragraph (1), the Sec-
3 retary shall consult, on not less than an annual
4 basis, with entities carrying out YouthBuild pro-
5 grams to ensure such levels of performance account
6 for the workforce development and postsecondary
7 education experiences of youth served by such pro-
8 grams.”;

9 (7) in subsection (g), by inserting at the end
10 the following:

11 “(4) ANNUAL RELEASE OF FUNDING OPPOR-
12 TUNITY ANNOUNCEMENT.—The Secretary shall, to
13 the greatest extent practicable, announce new fund-
14 ing opportunities for grants under this section dur-
15 ing the same time period each year for which such
16 grants are available.”; and

17 (8) by amending subsection (i) to read as fol-
18 lows:

19 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated to carry out this section
21 \$108,150,000 for each of the fiscal years 2026 through
22 2030.”.

23 **SEC. 177. REENTRY EMPLOYMENT OPPORTUNITIES.**

24 Subtitle D of title I of the Workforce Innovation and
25 Opportunity Act (29 U.S.C. 3221 et seq.) is amended—

1 (1) by redesignating section 172 as section 175;

2 and

3 (2) by inserting after section 171 the following:

4 **“SEC. 172. REENTRY EMPLOYMENT OPPORTUNITIES.**

5 “(a) PURPOSES.—The purposes of this section are—

6 “(1) to improve the employment, earnings, and
7 skill attainment, and reduce recidivism, of adults
8 and youth who have been involved with the justice
9 system;

10 “(2) to prompt innovation and improvement in
11 the reentry of justice-involved individuals into the
12 workforce so that successful initiatives can be estab-
13 lished or continued, and replicated; and

14 “(3) to further develop the evidence on how to
15 improve employment, earnings, and skill attainment,
16 and reduce recidivism, of justice-involved individuals,
17 through rigorous evaluations of specific services pro-
18 vided, including how they affect different popu-
19 lations and how they are best combined and
20 sequenced, and disseminate such evidence to entities
21 supporting the reentry of justice-involved individuals
22 into the workforce.

23 “(b) REENTRY EMPLOYMENT OPPORTUNITIES PRO-
24 GRAM.—

1 “(1) IN GENERAL.—From the amounts appro-
2 priated under section 175(e) and not reserved under
3 subsection (h), the Secretary shall carry out a Re-
4 entry Employment Opportunities Program, through
5 which the Secretary—

6 “(A) except as provided in subparagraph
7 (B), in order to implement reentry projects that
8 serve eligible adults or eligible youth shall, on
9 a competitive basis—

10 “(i) make direct awards (through
11 grants, contracts, or cooperative agree-
12 ments) to eligible entities to implement
13 such reentry projects; and

14 “(ii) in any year for which the Sec-
15 retary makes awards under clause (i),
16 make intermediary awards to eligible enti-
17 ties who are national or regional inter-
18 mediaries, who shall use the award
19 funds—

20 “(I) to make direct awards to eli-
21 gible entities to implement such re-
22 entry projects; or

23 “(II) to implement such reentry
24 projects; and

1 “(B) in order to implement youth reentry
2 employment opportunities projects, through
3 that program, that serve eligible youth shall, on
4 a competitive basis—

5 “(i) make direct awards to youth
6 project eligible entities to implement such
7 youth reentry projects; and

8 “(ii) in any year for which the Sec-
9 retary makes awards under clause (i),
10 make intermediary awards on a competi-
11 tive basis to youth project eligible entities
12 who are national or regional inter-
13 mediaries, who shall use the award
14 funds—

15 “(I) to make direct awards to
16 youth project eligible entities to imple-
17 ment such youth reentry projects; or

18 “(II) to implement such youth re-
19 entry projects.

20 “(2) ALLOCATION TO ACTIVITIES.—From the
21 amounts appropriated under section 175(e) and not
22 reserved under subsection (h), the Secretary—

23 “(A) shall use not less than 20 percent of
24 such amounts for awards under paragraph
25 (1)(A) to eligible entities to serve as national or

1 regional intermediaries to provide the award
2 funds to other eligible entities—

3 “(i) to implement reentry projects de-
4 scribed in paragraph (1)(A); and

5 “(ii) to monitor and support such en-
6 tities;

7 “(B) shall use not less than 20 percent of
8 such amounts for direct or intermediary awards
9 under paragraph (1)(B) to—

10 “(i) implement youth reentry projects
11 described in paragraph (1)(B); and

12 “(ii) in cases in which the award re-
13 cipients make direct awards to other youth
14 reentry project eligible entities, monitor
15 and support such entities;

16 “(C) shall use 20 percent of such amounts,
17 from the portion reserved to carry out para-
18 graph (1)(A), to award funds to eligible entities
19 using pay-for-performance contracts—

20 “(i) that specify a fixed amount that
21 will be paid to such an entity based on the
22 achievement, within a defined timeframe,
23 of expected levels of performance described
24 under subsection (e)(2)(A) on the indica-

1 tors of performance described in subsection
2 (e)(1)(A)(i); and

3 “(ii) which may provide for bonus
4 payments to such entity to expand capacity
5 to provide effective services; and

6 “(D) shall ensure awards made under this
7 section are made to eligible entities from geo-
8 graphically diverse areas, in addition to giving
9 the priorities described in paragraph (5).

10 “(3) INITIAL AWARD PERIODS.—The Secretary
11 shall make an award under this section for an initial
12 period of not more than 4 years.

13 “(4) ADDITIONAL AWARDS.—The Secretary
14 may make, for a period of not more than 4 years,
15 1 or more additional awards to an eligible entity
16 that received an award under this section if the eligi-
17 ble entity achieved the levels of performance agreed
18 upon with the Secretary (as described in subsection
19 (e)(2)) for the most recent award period.

20 “(5) PRIORITY.—In awarding funds under this
21 section, the Secretary shall give priority to eligible
22 entities whose applications submitted under sub-
23 section (c) demonstrate a commitment to use such
24 funds to implement a reentry project—

25 “(A) that will serve a high-poverty area;

1 “(B) that will enroll eligible youth or eligi-
2 ble adults—

3 “(i) prior to the release of such indi-
4 viduals from incarceration in a correctional
5 institution; or

6 “(ii) not later than 90 days after such
7 release;

8 “(C) whose strategy and design are evi-
9 dence-based;

10 “(D) for which the eligible entity will es-
11 tablish a partnership with—

12 “(i) a business;

13 “(ii) an institution of higher education
14 or provider under section 122 (as deter-
15 mined by the State where services are
16 being provided) to provide project partici-
17 pants with a program leading to a recog-
18 nized postsecondary credential in an in-de-
19 mand industry sector or occupation;

20 “(iii) a local educational agency; or

21 “(iv) an agency that receives assist-
22 ance for a program under section 225;

23 “(E) that provide training services, includ-
24 ing employment-directed skills development and
25 on-the-job training, that are designed to meet

1 the specific requirements of an employer (in-
2 cluding a group of employers), industry, or sec-
3 tor, and are conducted with a commitment by
4 the employer to employ individuals upon suc-
5 cessful completion of the preparation; and

6 “(F) that will serve a rural area.

7 “(6) CONSTRUCTION.—

8 “(A) PROJECTS WITH INTERMEDIARIES.—

9 An intermediary who receives funds under para-
10 graph (1), to the extent that the intermediary
11 uses the funds to make direct awards to eligible
12 entities, shall carry out the functions of the
13 Secretary described in paragraphs (3), (4), and
14 (5) of this subsection, and paragraphs (1), (2)
15 (other than paragraph (2)(J)), and (4) of sub-
16 section (c).

17 “(B) REENTRY EMPLOYMENT OPPORTUNI-
18 TIES PROGRAM PROJECTS.—For purposes of
19 this section, a reference to an eligible entity,
20 used with respect to a youth reentry project
21 carried out under paragraph (1)(B), shall be
22 considered to be a reference to a youth project
23 eligible entity.

24 “(c) APPLICATION.—

1 “(1) FORM AND PROCEDURE.—To be qualified
2 to receive funds under this section, an eligible entity
3 shall submit an application to the Secretary at such
4 time, and in such manner, as is determined by the
5 Secretary, and containing the information described
6 in paragraph (2) and, as applicable, paragraph (3)
7 or (4).

8 “(2) CONTENTS.—An application submitted by
9 an eligible entity under paragraph (1) shall contain
10 the following:

11 “(A) A description of the eligible entity, in-
12 cluding the experience of the eligible entity in
13 providing education, employment, and training
14 services for justice-involved individuals.

15 “(B) A description of the needs that will
16 be addressed by the reentry project supported
17 by the funds received under this section and the
18 target participant population and the geo-
19 graphic area to be served.

20 “(C) A description of the proposed edu-
21 cation, employment, and training services and
22 supportive services, if applicable, to be provided
23 under such reentry project, and how such ac-
24 tivities will prepare participants for employment
25 in an in-demand industry sector or occupation

1 within the geographic area to be served by such
2 reentry project.

3 “(D) The anticipated schedule for carrying
4 out the activities proposed for the reentry
5 project.

6 “(E) A description of—

7 “(i) the partnerships the eligible enti-
8 ty will establish with agencies and entities
9 within the criminal justice system, agencies
10 and entities within the juvenile justice sys-
11 tem, local boards, one-stop operators, one-
12 stop partners, community-based organiza-
13 tions, and employers (including local busi-
14 nesses) to provide participants in the re-
15 entry project with work-based learning, job
16 placement, and recruitment (if applicable);
17 and

18 “(ii) how the eligible entity will co-
19 ordinate its activities with other services
20 and benefits available to justice-involved
21 individuals in the geographic area to be
22 served by the reentry project.

23 “(F) A description of the manner in which
24 individuals will be recruited and selected for
25 participation for the reentry project.

1 “(G) A detailed budget and a description
2 of the system of fiscal controls, and auditing
3 and accountability procedures, that will be used
4 to ensure fiscal soundness for the reentry
5 project.

6 “(H) A description of the proposed levels
7 of performance to be achieved with respect to
8 the indicators of performance described in sub-
9 section (e).

10 “(I) A description of the evidence-based
11 practices the eligible entity will use in adminis-
12 tration of the reentry project.

13 “(J) An assurance that the eligible entity
14 will collect, disaggregate by each subpopulation
15 of individuals with barriers to employment, and
16 by race, ethnicity, sex, and age, and report to
17 the Secretary the data required with respect to
18 the reentry project carried out by the eligible
19 entity for purposes of determining levels of per-
20 formance achieved and conducting the evalua-
21 tion under this section.

22 “(K) An assurance that the eligible entity
23 will provide a match as described in subsection
24 (d)(4).

1 “(L) A description of how the eligible enti-
2 ty plans to continue the reentry project after
3 the award period.

4 “(M) For any project offering a recognized
5 postsecondary credential, a description of how
6 the project leads to the credential.

7 “(N) For a project that also serves as a
8 program carried out under section 225, a de-
9 scription of how the award funds will be used
10 to carry out the education described in section
11 225, in conjunction with the activities described
12 in subsection (d).

13 “(3) ADDITIONAL CONTENT FOR INTER-
14 MEDIARY APPLICANTS.—An application submitted by
15 an eligible entity seeking to serve as a national or
16 regional intermediary as described in subparagraph
17 (A) or (B) of subsection (b)(1) shall also contain
18 each of the following:

19 “(A) An identification and description of
20 the eligible entities that will be subawardees of
21 such intermediary and implement the reentry
22 projects, which shall include subawardees in—

23 “(i) 3 or more noncontiguous metro-
24 politan areas or rural areas; and

25 “(ii) not fewer than 2 States.

1 “(B) A description of the services and sup-
2 ports the intermediary will provide to the sub-
3 awardees, including administrative and fiscal
4 support to ensure the subawardees comply with
5 all subaward requirements.

6 “(C) A description of how the intermediary
7 will facilitate the replication of evidence-based
8 practices or other best practices identified by
9 the intermediary across all subawardees.

10 “(D) If such intermediary is currently re-
11 ceiving, or has previously received, funds under
12 this section as an intermediary to implement a
13 reentry project, an assurance that none of the
14 subawardees identified under subparagraph (A)
15 are current or were previous subawardees of the
16 intermediary for such reentry project and failed
17 to meet the levels of performance established
18 for such reentry project.

19 “(4) ADDITIONAL CONTENT FOR YOUTH REO
20 APPLICATIONS.—An application submitted under
21 paragraph (1) by a youth project eligible entity seek-
22 ing to serve youth applicants through an award de-
23 scribed in subsection (b)(1)(B) shall also contain the
24 following:

25 “(A) A description of—

1 “(i) how the youth reentry project will
2 facilitate the enrollment of eligible youth in
3 a program of a local educational agency, a
4 program of adult education and literacy
5 activities, a YouthBuild program, the Job
6 Corps, or a program of an institution of
7 higher education;

8 “(ii) how the youth reentry project
9 will connect eligible youth with mentors or
10 peer support groups to provide guidance,
11 encouragement, and positive role modeling
12 during the reentry process;

13 “(iii) how the youth reentry project
14 will involve family members, guardians,
15 and other supportive people in an eligible
16 youth’s life in the reentry process;

17 “(iv) how the youth reentry project
18 will provide or support access to counseling
19 and substance use disorder programs for
20 an eligible youth;

21 “(v) how the youth reentry project
22 will assist eligible youth to find safe and
23 stable housing;

24 “(vi) how the youth reentry project
25 will ensure activities carried out under an

1 award described in subsection (b)(1)(B)
2 are designed to meet the needs of the pop-
3 ulation served; and

4 “(vii) the experience of the eligible en-
5 tity in providing services to youth, includ-
6 ing eligible youth, and the strategies the el-
7 ible entity will use to ensure that services
8 provided are age-appropriate for eligible
9 youth.

10 “(B) A description of how a youth project
11 eligible entity plans to provide skills develop-
12 ment, for stakeholders involved in an eligible
13 youth’s reentry, on best practices pertaining to
14 eligible youth and reentry.

15 “(d) USES OF FUNDS.—

16 “(1) REQUIRED ACTIVITIES.—An eligible entity
17 that receives funds under this section shall use such
18 funds to implement a reentry project for eligible
19 adults, eligible youth, or both, that provides each of
20 the following:

21 “(A) One or more of the individualized ca-
22 reer services listed in subclauses (I) through
23 (IX) of section 134(c)(2)(B)(vii).

24 “(B) One or more of the training services
25 listed in clauses (i) through (xi) in section

1 134(c)(3)(D), including subsidized employment
2 opportunities through transitional jobs.

3 “(C) For participants who are eligible
4 youth, 1 or more of the program elements listed
5 in subparagraphs (A) through (O) of section
6 129(c)(2).

7 “(2) ALLOWABLE ACTIVITIES.—An eligible enti-
8 ty that receives funds under this section may use
9 such funds to provide to eligible adults, eligible
10 youth, or both, each of the following:

11 “(A) Followup services after placement in
12 unsubsidized employment as described in sec-
13 tion 134(c)(2)(B)(viii).

14 “(B) Apprenticeship programs.

15 “(C) Education in digital literacy skills.

16 “(D) Mentoring.

17 “(E) Assistance in obtaining employment,
18 including as a result of the eligible entity—

19 “(i) establishing and developing rela-
20 tionships and networks with large and
21 small employers; and

22 “(ii) coordinating with employers to
23 develop employer-directed skills develop-
24 ment programs and on-the-job training.

1 “(F) Assistance with driver’s license rein-
2 statement (including assistance with removing
3 or expunging records as permitted under the
4 applicable Federal or State law to facilitate that
5 reinstatement) and fees for driver’s licenses and
6 other necessary documents for employment and
7 removing barriers to employment.

8 “(G) Provision of or referral to evidence-
9 based mental health treatment by licensed prac-
10 titioners.

11 “(H) Provision of or referral to substance
12 use disorder treatment services, provided that
13 funds awarded under this section are only used
14 to provide such services to participants who are
15 unable to obtain such services through other
16 programs providing such services.

17 “(I) Provision of or referral to supportive
18 services, provided that, notwithstanding section
19 181(h)(2), no more than 10 percent of funds
20 awarded to an eligible entity under this section
21 may be used to provide such services to partici-
22 pants who may be able to obtain such services
23 through other programs providing such services.

24 “(3) ADMINISTRATIVE COST LIMIT.—An eligible
25 entity may not use more than 7 percent of the funds

1 received under this section for administrative costs,
2 including for costs related to collecting information,
3 analysis, and coordination for purposes of subsection
4 (e) or (f).

5 “(4) MATCHING.—An eligible entity shall pro-
6 vide a match, which may be provided in cash or in-
7 kind, for the costs of the project in an amount that
8 is not less than 25 percent of the total amount of
9 funds awarded to the entity under this section for
10 the period involved, except that the Secretary may
11 waive the matching requirement, on a case-by-case
12 basis and for not more than 20 percent of all awards
13 made under this section, if the eligible entity in-
14 volved demonstrates significant financial hardship.

15 “(e) LEVELS OF PERFORMANCE.—

16 “(1) ESTABLISHMENT OF LEVELS.—

17 “(A) IN GENERAL.—The Secretary shall
18 establish expected levels of performance for re-
19 entry projects funded under this section for—

20 “(i) each of the primary indicators of
21 performance—

22 “(I) for adults, as described in
23 section 116(b)(2)(A)(i), for eligible
24 adults in reentry projects for eligible

1 adults or reentry projects for both eli-
2 gible adults and eligible youth; and

3 “(II) for youth, as described in
4 section 116(b)(2)(A)(ii), for eligible
5 youth in reentry projects for eligible
6 youth or reentry projects for both eli-
7 gible adults and eligible youth; and

8 “(ii) an indicator of performance es-
9 tablished by the Secretary with respect to
10 participant recidivism.

11 “(B) UPDATES.—The levels established
12 under subparagraph (A) shall be updated for
13 each 4-year-award period.

14 “(2) AGREEMENT ON LEVELS OF PERFORM-
15 ANCE.—In establishing and updating levels of per-
16 formance under paragraph (1), the Secretary shall
17 reach agreement on such levels with the eligible enti-
18 ties receiving awards under this section that will be
19 subject to such levels, based on, as the Secretary de-
20 termines relevant for each indicator of performance
21 applicable under paragraph (1), each of the fol-
22 lowing factors:

23 “(A) The proposed levels of performance of
24 each such eligible entity described in the appli-
25 cation submitted under subsection (c)(2)(H).

1 “(B) The local economic conditions of the
2 geographic area to be served by each such eligi-
3 ble entity, including differences in unemploy-
4 ment rates and job losses or gains in particular
5 industries.

6 “(C) The characteristics of project partici-
7 pants when entering the project involved, in-
8 cluding—

9 “(i) criminal records;

10 “(ii) indicators of work history;

11 “(iii) work experience;

12 “(iv) educational or occupational skills
13 attainment;

14 “(v) levels of literacy or English pro-
15 ficiency;

16 “(vi) disability status;

17 “(vii) homelessness; and

18 “(viii) receipt of public assistance.

19 “(3) FAILURE TO MEET LEVELS OF PERFORM-
20 ANCE.—In the case of an eligible entity that fails to
21 meet the levels of performance established under
22 paragraph (1) and updated to reflect the actual local
23 economic conditions and characteristics of partici-
24 pants (as described in subparagraphs (B) and (C) of
25 paragraph (2)) served by the reentry project involved

1 for any award year, the Secretary shall provide tech-
2 nical assistance to the eligible entity, including the
3 development of a performance improvement plan.

4 “(f) EVALUATION OF REENTRY PROJECTS.—

5 “(1) IN GENERAL.—Not later than 5 years
6 after the first award of funds under this section is
7 made, the Secretary (acting through the Chief Eval-
8 uation Officer) shall meet each of the following re-
9 quirements:

10 “(A) DESIGN AND CONDUCT OF EVALUA-
11 TION.—Design and conduct an evaluation to
12 evaluate the effectiveness of the reentry projects
13 funded under this section, which meets the re-
14 quirements of paragraph (2), and includes an
15 evaluation of each of the following:

16 “(i) The effectiveness of such projects
17 in assisting individuals with finding unsub-
18 subsidized employment, and maintaining un-
19 subsidized employment during the second
20 quarter and fourth quarter after exit from
21 the project.

22 “(ii) The effectiveness of such projects
23 in assisting individuals with earning recog-
24 nized postsecondary credentials.

1 “(iii) The effectiveness of such
2 projects in relation to their cost, including
3 the extent to which the projects improve
4 reentry outcomes, including in employ-
5 ment, compensation (which may include
6 wages earned and benefits), career ad-
7 vancement, measurable skills gains, and
8 recognized postsecondary credentials
9 earned, and including the extent to which
10 the projects reduce recidivism of partici-
11 pants in comparison to comparably situ-
12 ated individuals who did not participate in
13 such projects.

14 “(iv) The effectiveness of specific
15 services and interventions provided and of
16 the overall project design.

17 “(v) If applicable, the extent to which
18 such projects effectively serve various de-
19 mographic groups, including people of dif-
20 ferent geographic locations, ages, races,
21 national origins, and criminal records, and
22 individuals with disabilities.

23 “(vi) If applicable, the appropriate-
24 ness of the sequencing, combination, or
25 concurrent structure, of services for each

1 subpopulation of individuals who are par-
2 ticipants in such projects, such as the
3 order, combination, or concurrent structure
4 of services in which transitional jobs and
5 occupational skills development are pro-
6 vided, to ensure that such participants are
7 prepared to fully benefit from education,
8 employment, and training services provided
9 under the project.

10 “(vii) Limitations or barriers to edu-
11 cation and employment encountered by
12 participants served by the projects as a re-
13 sult of occupational or educational licens-
14 ing restrictions.

15 “(B) DATA ACCESSIBILITY.—Make avail-
16 able, on the publicly accessible website managed
17 by the Department of Labor, data collected
18 during the course of evaluation under this sub-
19 section, in an aggregated format that does not
20 disclose personally identifiable information.

21 “(2) DESIGN REQUIREMENTS.—An evaluation
22 under this subsection—

23 “(A) shall—

24 “(i) be designed by the Secretary (act-
25 ing through the Chief Evaluation Officer)

1 in conjunction with the eligible entities car-
2 rying out the reentry projects being evalu-
3 ated;

4 “(ii) include analysis of participant
5 feedback and outcome and process meas-
6 ures; and

7 “(iii) use designs that employ the
8 most rigorous analytical and statistical
9 methods that are reasonably feasible, such
10 as the use of control groups; and

11 “(B) may not—

12 “(i) collect personally identifiable in-
13 formation, except to the extent such infor-
14 mation is necessary to conduct the evalua-
15 tion; or

16 “(ii) reveal or share personally identi-
17 fiable information.

18 “(3) PUBLICATION AND REPORTING OF EVAL-
19 UATION FINDINGS.—The Secretary (acting through
20 the Chief Evaluation Officer) shall—

21 “(A) in accordance with the timeline deter-
22 mined to be appropriate by the Chief Evalua-
23 tion Officer, publish an interim report on such
24 evaluation;

1 “(B) not later than 90 days after the date
2 on which any evaluation is completed under this
3 subsection, publish and make publicly available
4 the results of such evaluation; and

5 “(C) not later than 60 days after the com-
6 pletion date described in subparagraph (B),
7 submit to the Committee on Education and the
8 Workforce of the House of Representatives and
9 the Committee on Health, Education, Labor,
10 and Pensions of the Senate a report on such
11 evaluation.

12 “(g) ANNUAL REPORT.—

13 “(1) CONTENTS.—Subject to paragraph (2),
14 the Secretary shall post, using transparent, linked,
15 open, and interoperable data formats, on the publicly
16 accessible website described in subsection (f)(1)(B),
17 an annual report, covering the most recent program
18 preceding the report, on—

19 “(A) the number of individuals who par-
20 ticipated in projects assisted under this section
21 during the program year;

22 “(B) the percentage of such individuals
23 who successfully completed the requirements of
24 such projects;

1 “(C) the performance of eligible entities on
2 such projects as measured by the indicators of
3 performance set forth in subsection (e); and

4 “(D) an explanation of any waivers grant-
5 ed by the Secretary of the matching require-
6 ment under subsection (d)(4).

7 “(2) DISAGGREGATION.—The information pro-
8 vided under subparagraphs (A) through (C) of para-
9 graph (1) with respect to a program year shall be
10 disaggregated by each project assisted under this
11 section for such program year.

12 “(h) RESERVATION OF FUNDS.—Of the funds appro-
13 priated under section 175(e) for a fiscal year, the Sec-
14 retary—

15 “(1) may reserve not more than 5 percent for
16 the administration of awards made under this sec-
17 tion, of which not more than 2 percent of the appro-
18 priated funds may be reserved for the provision of—

19 “(A) technical assistance to eligible entities
20 that receive funds under this section; and

21 “(B) outreach and technical assistance to
22 eligible entities desiring to receive such funds,
23 including assistance with application develop-
24 ment and submission; and

1 “(2) shall reserve not less than 1 percent and
2 not more than 2.5 percent for the evaluation activi-
3 ties under subsection (f) or to support eligible enti-
4 ties with any required data collection, analysis, and
5 coordination related to such evaluation activities.

6 “(i) DEFINITIONS.—In this section:

7 “(1) AWARD.—The term ‘award’ means an
8 award of funds through a grant, contract, or cooper-
9 ative agreement.

10 “(2) CHIEF EVALUATION OFFICER.—The term
11 ‘Chief Evaluation Officer’ means the head of the
12 independent evaluation office located in the Office of
13 the Assistant Secretary for Policy of the Department
14 of Labor.

15 “(3) CORRECTIONAL INSTITUTION.—The term
16 ‘correctional institution’ has the meaning given the
17 term in section 225(e).

18 “(4) ELIGIBLE ENTITY.—The term ‘eligible en-
19 tity’ means—

20 “(A) a private nonprofit organization
21 under section 501(c)(3) of the Internal Revenue
22 Code of 1986 that is exempt from taxation
23 under section 501(a) of such Code, including a
24 community-based or faith-based organization;

25 “(B) a local board;

1 “(C) a State or local government;

2 “(D) an Indian or Native American entity
3 eligible for grants under section 166;

4 “(E) a labor organization or joint labor-
5 management organization;

6 “(F) an industry or sector partnership;

7 “(G) an institution of higher education; or

8 “(H) a consortium of the entities described
9 in subparagraphs (A) through (G).

10 “(5) ELIGIBLE ADULT.—The term ‘eligible
11 adult’ means a justice-involved individual who is age
12 25 or older.

13 “(6) ELIGIBLE YOUTH.—The term ‘eligible
14 youth’ means a justice-involved individual who is not
15 younger than age 14 or older than age 24.

16 “(7) HIGH-POVERTY.—The term ‘high-poverty’,
17 when used with respect to a geographic area, means
18 an area with a poverty rate of at least 20 percent
19 as determined based on the most recently available
20 data from the American Community Survey con-
21 ducted by the Bureau of the Census.

22 “(8) JUSTICE-INVOLVED INDIVIDUAL.—Not-
23 withstanding section 3, the term ‘justice-involved in-
24 dividual’ means—

25 “(A) an individual of any age who—

1 “(i) not more than 5 years before en-
2 rollment in a project funded under sub-
3 section (b)(1)—

4 “(I) was released from incarceration
5 in a correctional institution (in-
6 cluding being enrolled in a work re-
7 lease center at the institution); or

8 “(II) finished serving an alter-
9 native sentence, or a sentence to a di-
10 version program, ordered through the
11 adult criminal justice system; or

12 “(ii) on such date of enrollment, is
13 subject to the adult criminal justice sys-
14 tem, including an individual who—

15 “(I) is incarcerated in a correc-
16 tional institution (including being en-
17 rolled in a work release center at the
18 institution), but is scheduled to be re-
19 leased not more than 180 days after
20 such date of enrollment;

21 “(II) is residing in a residential
22 reentry center;

23 “(III) is subject to electronic or
24 home-based monitoring;

1 “(IV) is in the community on
2 probation or parole; or

3 “(V) is serving an alternative
4 sentence, or a sentence to a diversion
5 program, ordered through that sys-
6 tem; or

7 “(B) an individual who—

8 “(i) is not younger than age 14 or
9 older than age 24; and

10 “(ii) has been—

11 “(I) charged with, or convicted
12 of, any criminal offense; or

13 “(II) charged with, detained for,
14 or adjudicated of, a delinquent act or
15 status offense in a juvenile court.

16 “(9) YOUTH PROJECT ELIGIBLE ENTITY.—The
17 term ‘youth project eligible entity’ means—

18 “(A) an organization described in section
19 501(c)(3) of the Internal Revenue Code of 1986
20 that is exempt from taxation under section
21 501(a) of such Code; or

22 “(B) a State or local juvenile justice agen-
23 cy, or a State or local adult correctional agency
24 with a focus on eligible youth.”.

1 **SEC. 178. YOUTH APPRENTICESHIP READINESS GRANT**
2 **PROGRAM.**

3 Subtitle D of title I of the Workforce Innovation and
4 Opportunity Act (29 U.S.C. 3221 et seq.) is further
5 amended by inserting after section 172, as added by the
6 preceding section, the following:

7 **“SEC. 173. YOUTH APPRENTICESHIP READINESS GRANT**
8 **PROGRAM.**

9 “(a) PURPOSES.—The purposes of this section are—

10 “(1) to increase earnings and employment for
11 in-school youth and opportunity youth, ages 16
12 through 24, through enrollment in and completion of
13 evidence-based pre-apprenticeship programs and ap-
14 prenticeship programs that serve youth;

15 “(2) to engage educational entities, organiza-
16 tions carrying out programs that serve opportunity
17 youth, local educational agencies, State boards, local
18 boards, employers, workforce partners (including
19 one-stop partners), and other apprenticeship inter-
20 mediaries, to establish innovative models for pre-ap-
21 prenticeship programs and apprenticeship programs
22 that serve youth, including coordinating with pro-
23 grams that offer supportive services that can enable
24 participation in and completion of the program; and

25 “(3) to promote alignment between education
26 and workforce development systems (such as

1 through public-private partnerships) to enable in-
2 school youth and opportunity youth to participate in
3 postsecondary education and career pathways, in-
4 cluding apprenticeships, that result in careers.

5 “(b) YOUTH APPRENTICESHIP READINESS GRANT
6 PROGRAM.—

7 “(1) IN GENERAL.—From the amounts made
8 available to carry out this section under section
9 414(c) of the American Competitiveness and Work-
10 force Improvement Act (29 U.S.C. 3224a) and not
11 reserved under paragraph (2), the Secretary shall,
12 on a competitive basis, make grants to eligible enti-
13 ties for projects to develop new or expand existing
14 pre-apprenticeship programs and apprenticeships
15 that serve youth.

16 “(2) ADMINISTRATIVE RESERVATION.—Of the
17 amounts made available to carry out this section, the
18 Secretary may reserve not more than 5 percent for
19 the administration of grants made under this sec-
20 tion, including—

21 “(A) not more than 3 percent for the pro-
22 vision of technical assistance to eligible entities
23 during the application period or the implemen-
24 tation phase of such grant; and

1 “(B) not more than 2 percent for evalua-
2 tions of employment and earnings outcomes de-
3 scribed in clauses (vi), (vii), and (viii) of sub-
4 section (e)(2)(B), identifying best practices, and
5 facilitating the sharing of best practices among
6 eligible entities by carrying out the identifica-
7 tion and dissemination described in subsection
8 (f)(2).

9 “(3) GRANT PERIOD.—The Secretary shall
10 make such a grant for a period of not more than 4
11 years and may extend the grant for a period of not
12 more than 2 additional years if the grant recipient
13 is making progress in achieving the objectives of the
14 project’s identified programs.

15 “(4) PRIORITY.—In making grants under this
16 section, the Secretary shall give priority to eligible
17 entities that—

18 “(A) serve an area with significant work-
19 force shortages in the industry sector or occu-
20 pation for which the eligible entity proposes to
21 establish an identified program;

22 “(B) propose to expand or have a dem-
23 onstrated track record of expanding employ-
24 ment opportunities and career pathways for in-
25 dividuals with a barrier to employment;

1 “(C) propose to primarily serve a popu-
2 lation that is located in a rural or urban com-
3 munity and has an area median household in-
4 come of not more than 150 percent of the pov-
5 erty line; or

6 “(D) include within the eligible entity a
7 high-need local educational agency or a high-
8 need educational service agency.

9 “(5) MATCHING REQUIREMENT FOR GRANTS.—
10 In order to receive a grant from the Secretary under
11 this section, an eligible entity shall provide a non-
12 Federal contribution, which may be provided in cash
13 or in-kind, for the costs of the project in an amount
14 that is not less than 25 percent of the total amount
15 of funds awarded to the entity for such period.

16 “(c) APPLICATION.—An eligible entity that desires to
17 receive a grant under this section shall submit an applica-
18 tion to the Secretary at such time and in such manner
19 as the Secretary may require and shall include the fol-
20 lowing:

21 “(1)(A) A description of the eligible entity’s
22 proposed project, to be supported by such grant, in-
23 cluding a provision identifying whether such project
24 will develop or expand 1 or more pre-apprenticeship

1 programs or 1 or more apprenticeship programs that
2 serve youth.

3 “(B) An assurance that each identified program
4 will be designed to enable—

5 “(i) in-school youth to receive a regular
6 high school diploma (in partnership with the
7 local educational agency that serves such youth)
8 and receive a recognized postsecondary creden-
9 tial (other than such a credential that is a bac-
10 calaureate degree) upon completion of the pro-
11 gram; or

12 “(ii) opportunity youth to receive a high
13 school diploma or recognized equivalent and re-
14 ceive a recognized postsecondary credential
15 (other than such a credential that is a bacca-
16 laureate degree) upon completion of the pro-
17 gram.

18 “(2) A description of the partnership between
19 the lead applicant and partners comprising the eligi-
20 ble entity to meet the requirements of this section,
21 including how the lead applicant will collaborate with
22 the other partners to—

23 “(A) engage with employers to develop or
24 expand, and sustain, each identified program;
25 and

1 “(B) combine academic and career and
2 technical education classroom instruction with
3 on-the-job training, allowing youth to develop
4 industry-specific workplace competencies and
5 skills.

6 “(3) A description of the need for and design
7 of the project, including—

8 “(A) a description of the specific youth
9 population to be served by the project, includ-
10 ing—

11 “(i) the subgroups of participants in
12 the population and skill levels of such par-
13 ticipants, and whether such participants
14 are in-school youth or opportunity youth;

15 “(ii) how the project will increase em-
16 ployment opportunities for youth who are
17 individuals with a barrier to employment
18 and youth from different subgroups of par-
19 ticipants; and

20 “(iii) how the eligible entity will en-
21 sure that a wide range of youth, including
22 youth who are individuals with a barrier to
23 employment and youth from different sub-
24 groups of participants, are able to partici-
25 pate in each identified program; and

1 “(B) a description of the industry sector or
2 occupation targeted through the eligible entity’s
3 proposed project, the projected demand for the
4 project in the area served by the eligible entity,
5 and a citation of the data source for the pro-
6 jected demand;

7 “(C) a description of the on-the-job train-
8 ing portion of the project, including a list of the
9 partners responsible for providing the on-the-
10 job training, and how such training will be de-
11 signed flexibly to meet the needs and schedule
12 of in-school youth and opportunity youth;

13 “(D) a description of the related classroom
14 instruction portion of the project, including—

15 “(i) how coursework for that instruc-
16 tion will be integrated into each identified
17 program and developed in conjunction with
18 and provided by education and training
19 providers within the eligible entity, the spe-
20 cific partners that will provide the related
21 classroom instruction, and how the pro-
22 gram may be aligned with the programs of
23 early college high schools or dual or con-
24 current enrollment programs to support

1 youth pre-apprentices or apprentices in-
2 volved in earning postsecondary credit;

3 “(ii) if the identified project is de-
4 signed to serve in-school youth, a descrip-
5 tion of how the eligible entity, through the
6 project, will partner with the local edu-
7 cational agency that serves such youth to
8 align challenging State academic standards
9 and occupational skill standards to enable
10 such youth to obtain a regular high school
11 diploma while served by the program; and

12 “(iii) an explanation of how the
13 project will combine academic and career
14 and technical education classroom instruc-
15 tion with on-the-job training;

16 “(E) a description of the proposed sup-
17 portive services strategy for the youth pre-ap-
18 prentices or apprentices involved, how the
19 project will partner with or refer youth pre-ap-
20 prentices or apprentices to entities in the area
21 served by the eligible entity that provide sup-
22 portive services, how such supportive services
23 will promote retention in and completion of the
24 identified program involved, and the projected

1 Federal, State, and local costs of such sup-
2 portive services;

3 “(F) if the eligible entity proposes to oper-
4 ate an apprenticeship program that serves
5 youth—

6 “(i) the youth apprenticeship agree-
7 ment the eligible entity intends to use;

8 “(ii) a description of how such eligible
9 entity will incorporate into the apprentice-
10 ship program recognized postsecondary
11 credentials that enable youth apprentices
12 to articulate to higher level degree or other
13 credential programs for multiple pathways,
14 including enrollment in postsecondary edu-
15 cation and employment; and

16 “(iii) if the eligible entity proposes to
17 develop a new apprenticeship program that
18 serves youth, a description of how the lead
19 applicant and partners will register such
20 new program with the Office of Appren-
21 ticeship or State apprenticeship agency to
22 ensure the employer or sponsor is in com-
23 pliance with the agreements and standards
24 characteristic of an apprenticeship, and

1 that youth apprentices will earn a recog-
2 nized postsecondary credential; and

3 “(G) if the eligible entity proposes to oper-
4 ate a pre-apprenticeship program—

5 “(i) a description of how the eligible
6 entity, through the program, will connect
7 participants to and prepare participants
8 for an apprenticeship program that serves
9 youth; and

10 “(ii) an explanation of how the eligible
11 entity, in carrying out the project involved,
12 will work with alternative and non-tradi-
13 tional schools, institutions of higher edu-
14 cation, and opportunity youth programs.

15 “(4) A description of how the eligible entity will
16 promote alignment between local or State education
17 and workforce development systems by supporting
18 policies or practices that facilitate transitions from
19 secondary school (including alternative and nontradi-
20 tional schools) and pre-apprenticeship programs to
21 apprenticeship programs and postsecondary edu-
22 cation.

23 “(5) A description of expected outcomes and
24 outputs from the project that includes—

1 “(A) an attestation that the eligible entity
2 will report to the Secretary, in a timely and
3 complete manner, the information required
4 under subsection (e); and

5 “(B) estimated levels of performance over
6 each year of the grant period for each of the in-
7 dicators described in subparagraphs (B) and
8 (C) of subsection (e)(2).

9 “(6) A description of the roles and responsibil-
10 ities of each entity involved in the project, including
11 any such entity that is a State or local government
12 entity, qualified intermediary, service provider, inde-
13 pendent evaluator, or other stakeholder.

14 “(7) An attestation that the eligible entity has,
15 or will develop, a memorandum of understanding
16 with any relevant State workforce agency to facili-
17 tate matches to wage record data for youth pre-ap-
18 prentices or apprentices to obtain the necessary in-
19 formation to fulfill the requirements of subsection
20 (e)(2).

21 “(8) The total intended budget for the project,
22 including a description of any additional resources
23 that may supplement the amount awarded under
24 this section, including any funds the eligible entity
25 intends to use to fulfill the matching funds require-

1 ment described under subsection (b)(5), and a de-
2 scription of the eligible entity’s plan to sustain the
3 project funded through the grant beyond the conclu-
4 sion of the grant period.

5 “(9) For any program offering a recognized
6 postsecondary credential, a description of how the
7 program leads to the credential.

8 “(d) USES OF FUNDS.—

9 “(1) IN GENERAL.—An eligible entity receiving
10 a grant under this section shall use the grant funds
11 to carry out the project proposed under subsection
12 (c) for purposes of carrying out 1 or more of the fol-
13 lowing activities:

14 “(A) Develop or expand a pre-apprentice-
15 ship program.

16 “(B) Develop or expand an apprenticeship
17 program that serves youth, including registering
18 such a program and its youth apprentices
19 through the Office of Apprenticeship or an ap-
20 plicable State apprenticeship agency.

21 “(2) ADDITIONAL USES.—An eligible entity re-
22 ceiving a grant under this section may use the grant
23 funds, for each identified program, to—

24 “(A) recruit youth to and enroll youth in
25 an identified program, including conducting

1 outreach to individuals with a barrier to em-
2 ployment and individuals preparing for non-
3 traditional employment (when the identified
4 programs is in such field);

5 “(B) conduct participant assessments to
6 determine skill levels;

7 “(C) support the provision of on-the-job
8 training for participants in accordance with
9 subsection (c)(3)(C), including by developing or
10 modifying training activities to meet the needs
11 of participants, as applicable;

12 “(D) support the provision of related class-
13 room instruction by education and training pro-
14 viders for participants in accordance with sub-
15 section (c)(3)(D), including—

16 “(i) the development of courses at the
17 secondary level—

18 “(I) that are aligned with re-
19 quirements to obtain a regular high
20 school diploma and integrated into the
21 identified program; and

22 “(II) that may be aligned with
23 the requirements of early college high
24 schools or dual or concurrent enroll-
25 ment programs to support youth pre-

1 apprentices or youth apprentices in-
2 volved in earning postsecondary cred-
3 it;

4 “(ii) if the identified program is de-
5 signed to serve in-school youth, the align-
6 ment of challenging State academic stand-
7 ards and occupational skill standards in
8 secondary education;

9 “(iii) payment of participant tuition
10 or other educational fees for projects; and

11 “(iv) the provision of instructional
12 materials, equipment, and educational
13 technology for such instruction;

14 “(E) provide supportive services such as
15 transportation, child care, dependent care,
16 housing, and needs-related payments to enable
17 youth to participate in and complete the edu-
18 cation and training activities of the identified
19 program;

20 “(F) provide professional development op-
21 portunities for secondary and postsecondary
22 educators, and employers and mentors in the
23 project, to prepare the educators, employers,
24 and mentors to effectively support youth par-
25 ticipating in the identified program;

1 “(G) increase awareness among parents,
2 educators, students (especially individuals with
3 a barrier to employment, individuals from un-
4 derserved populations, and individuals from
5 nontraditional apprenticeship populations), and
6 employers or apprenticeship sponsors in the tar-
7 geted service area about the benefits of youth
8 participating in a pre-apprenticeship program
9 or an apprenticeship program that serves youth;

10 “(H) promote innovation, inclusion in the
11 identified program, and alignment of the pro-
12 gram with programs authorized under the Carl
13 D. Perkins Career and Technical Education Act
14 of 2006 (20 U.S.C. 2301 et seq.); and

15 “(I) develop and integrate data collection
16 systems, including within a statewide longitu-
17 dinal data system, to track educational and em-
18 ployment outcomes of participants in the identi-
19 fied program.

20 “(3) SUPPORTIVE SERVICES.—An eligible entity
21 receiving a grant under this section may use, as pro-
22 vided in paragraph (2)(E), not more than 15 percent
23 of grant funds awarded under this section to provide
24 supportive services in accordance with that para-
25 graph.

1 “(e) PERFORMANCE LEVELS.—

2 “(1) TARGETED LEVELS OF PERFORMANCE.—

3 “(A) IN GENERAL.—An eligible entity re-
4 ceiving a grant under this section shall, in ac-
5 cordance with the indicators for participant out-
6 comes described in paragraph (2)(B) and for
7 program outputs described in paragraph (2)(C),
8 identify targeted levels of performance for such
9 indicators, which shall, at minimum, be equal to
10 or greater than the estimated levels of perform-
11 ance identified by the eligible entity in the enti-
12 ty’s application under subsection (c)(5).

13 “(B) AGREEMENT ON TARGETED LEVELS
14 OF PERFORMANCE.—Not later than 2 months
15 after the identification described in subpara-
16 graph (A), the eligible entity shall reach an
17 agreement with the Secretary on levels of per-
18 formance for each indicator described in sub-
19 paragraphs (B) and (C) of paragraph (2).

20 “(2) ANNUAL RECIPIENT REPORT.—

21 “(A) IN GENERAL.—Not later than 2 years
22 after receipt of a grant under this section and
23 annually thereafter, the eligible entity shall pre-
24 pare and submit to the Secretary a report eval-
25 uating the performance and impact of the

1 project funded through the grant with respect
2 to participant outcome and program output in-
3 dicators described in subparagraphs (B) and
4 (C), disaggregated by the subgroups of partici-
5 pants subject to paragraph (3).

6 “(B) PARTICIPANT OUTCOMES.—Con-
7 sistent with subparagraph (A), an eligible entity
8 receiving a grant under this section shall report
9 to the Secretary data, for each identified pro-
10 gram carried out by the eligible entity, on par-
11 ticipant outcome indicators for each such pro-
12 gram consisting of the—

13 “(i) total participants served and en-
14 rolled in any identified program,
15 disaggregated by youth pre-apprentices
16 and apprentices;

17 “(ii) retention rate during each fiscal
18 year of participants enrolled in any identi-
19 fied program in the project that have not
20 completed such program, compared to that
21 retention rate for the previous fiscal year,
22 disaggregated by youth pre-apprentices
23 and apprentices;

24 “(iii) total participants who attain a
25 regular high school diploma or recognized

1 equivalent, disaggregated by youth pre-ap-
2 prentices and apprentices;

3 “(iv) total participants who complete
4 such an identified program;

5 “(v) total participants who receive an
6 associate or baccalaureate degree or other
7 type of recognized postsecondary credential
8 during or upon completion of the identified
9 program;

10 “(vi) median hourly wage of youth
11 pre-apprentices or apprentices on the date
12 of exit from the identified program and
13 during the second and fourth quarters
14 after exit from the program, and a com-
15 parison of such wage to the local median
16 hourly wage for the industry sector or oc-
17 cupation for which the identified program
18 is targeted;

19 “(vii) total participants in employ-
20 ment during the second and fourth quarter
21 after exit from the program; and

22 “(viii) total participants who complete
23 a pre-apprenticeship program,
24 disaggregated by the type of education,
25 skills development, and employment pur-

1 sued by such youth pre-apprentices after
2 such completion.

3 “(C) PROGRAM OUTPUTS.—Consistent
4 with subparagraph (A), an eligible entity receiv-
5 ing a grant under this section shall report to
6 the Secretary data on program output indica-
7 tors consisting of the—

8 “(i) total number of all identified pro-
9 grams developed or expanded during the
10 period covered by the report, disaggregated
11 by pre-apprenticeship programs and ap-
12 prenticeship programs that serve youth;

13 “(ii) total number of apprenticeships
14 that serve youth, if applicable, that were
15 developed or expanded during that period,
16 including an apprenticeship program ex-
17 panded as described in subsection (d)(1) to
18 new industry sectors, occupations, or serv-
19 ice areas;

20 “(iii) total number of employers who
21 became engaged in an identified program
22 during that period, as a direct result of a
23 grant under this section; and

24 “(iv) for each year of the period cov-
25 ered by the report, the total share of the

1 grant received under this section spent by
2 the eligible entity on the uses of funds de-
3 scribed under subparagraphs (C) and (D)
4 of subsection (d)(2).

5 “(3) DISAGGREGATION.—The disaggregation of
6 data under paragraph (2) shall not be required in a
7 case where the number of participants in the sub-
8 group of participants is insufficient to yield statis-
9 tically reliable information or the results would re-
10 veal personally identifiable information about an in-
11 dividual participant.

12 “(4) USE OF RESULTS.—

13 “(A) EVALUATION.—

14 “(i) ANNUAL EVALUATION.—Not later
15 than 2 years after the date of enactment
16 of the A Stronger Workforce for America
17 Act and annually thereafter, the Secretary
18 shall evaluate whether each eligible entity
19 involved met the agreed levels of perform-
20 ance described in paragraph (1)(B) for
21 each of the eligible entity’s identified pro-
22 grams.

23 “(ii) END OF PROGRAM EVALUA-
24 TION.—Not later than 30 days after each
25 cohort of participants completes an eligible

1 entity’s identified program, the Secretary
2 shall evaluate whether the eligible entity
3 met the agreed levels of performance for
4 that identified program.

5 “(B) TECHNICAL ASSISTANCE.—If the
6 Secretary determines under subparagraph (A)
7 that an eligible entity fails to meet 1 or more
8 of the agreed levels of performance for an iden-
9 tified program, the Secretary shall provide tech-
10 nical assistance, including assistance in the de-
11 velopment of a performance improvement plan.

12 “(C) NONRENEWAL OF GRANT.—If the
13 Secretary determines, 1 year after the eligible
14 entity receives that technical assistance and im-
15 plements that plan, that the eligible entity fails
16 to meet the agreed levels of performance de-
17 scribed in paragraph (1)(B) for an identified
18 program, the Secretary shall not extend a grant
19 for that eligible entity for that program under
20 subsection (b).

21 “(f) EVALUATIONS AND REPORTS.—

22 “(1) REPORT TO CONGRESS.—Not later than
23 24 months after the date of enactment of the A
24 Stronger Workforce for America Act and annually
25 thereafter, the Secretary, in coordination with the

1 Secretary of Education, using data reported by eligi-
2 ble entities pursuant to the requirements under sub-
3 section (e)—

4 “(A) shall publish the data;

5 “(B) shall prepare and make publicly avail-
6 able a report containing the data on the indica-
7 tors described in subparagraphs (B) and (C) of
8 subsection (e)(2); and

9 “(C) shall submit the report to the Com-
10 mittee on Health, Education, Labor, and Pen-
11 sions of the Senate and the Committee on Edu-
12 cation and the Workforce of the House of Rep-
13 resentatives.

14 “(2) SHARING OF BEST PRACTICES.—Not later
15 than 2 years after the date of enactment of A
16 Stronger Workforce for America Act, the Secretary
17 shall use funds reserved under subsection (b)(2)(C)
18 to identify and disseminate, through a website devel-
19 oped by the Department of Labor, best practices in
20 developing and expanding pre-apprenticeship oppor-
21 tunities or apprenticeship opportunities for youth
22 used by—

23 “(A) eligible entities receiving a grant
24 under this section; and

1 “(B) States and local areas adopting inno-
2 vative and effective practices to develop and ex-
3 pand such opportunities.

4 “(g) COMPLIANCE WITH OTHER LAWS AND AGREE-
5 MENTS.—

6 “(1) COLLECTIVE BARGAINING.—Nothing in a
7 youth apprenticeship agreement under this section
8 shall be construed to invalidate an applicable provi-
9 sion in a collective bargaining agreement, between
10 employers and employees, that establishes higher
11 standards for programs in the national apprentice-
12 ship system.

13 “(2) CHILD LABOR.—

14 “(A) IN GENERAL.—An eligible entity car-
15 rying out a project under this section shall en-
16 sure compliance with the provisions on child
17 labor under the Fair Labor Standards Act of
18 1938 (29 U.S.C. 201 et seq.) and State law (in-
19 cluding Federal and State regulations under
20 those laws), and with State workers’ compensa-
21 tion laws.

22 “(B) MINIMUM LEGAL AGE.—The eligible
23 entity shall only serve in-school youth, and op-
24 portunity youth, who are not younger than the
25 minimum legal age to be employed as appren-

1 tices under the Fair Labor Standards Act of
2 1938 (29 U.S.C. 201 et seq.) and any applica-
3 ble State laws.

4 “(C) PRE-APPRENTICESHIP EXCEPTION.—
5 An eligible entity that prepares or intends to
6 prepare individuals for a covered occupation
7 may submit an application under subsection (c)
8 to develop or expand a pre-apprenticeship pro-
9 gram that serves a youth who is younger than
10 the age of 18 only if the program is limited to
11 classroom instruction in the covered occupation.

12 “(h) SPECIAL RULES REGARDING PROTECTIONS FOR
13 YOUTH IN PROGRAMS THAT PREPARE YOUTH FOR COV-
14 ERED OCCUPATIONS.—

15 “(1) PRE-APPRENTICESHIPS IN COVERED OCCU-
16 PATIONS FOR YOUTH UNDER THE AGE OF 18.—A
17 pre-apprenticeship program supported using funds
18 awarded under this section that serves or intends to
19 serve a youth who is younger than the age of 18 and
20 prepares such youth for a covered occupation may
21 only provide classroom instruction to such youth in
22 such program and may not provide on-the-job train-
23 ing in a covered occupation to such youth in such
24 program.

1 “(2) PROHIBITION ON YOUTH APPRENTICE-
2 SHIPS IN COVERED OCCUPATIONS FOR YOUTH
3 UNDER THE AGE OF 18.—An apprenticeship pro-
4 gram that serves youth that is supported using
5 funds awarded under this section and that prepares
6 a youth apprentice for a covered occupation may not
7 enroll in such program a youth who is younger than
8 the age of 18.

9 “(3) APPRENTICESHIPS FOR YOUTH UNDER
10 THE AGE OF 18.—An apprenticeship program sup-
11 ported using funds awarded under this section may
12 serve youth who are not younger than age 16 or
13 older than age 17, provided that such program is
14 not preparing such youth for a covered occupation.

15 “(i) DEFINITIONS.—In this section:

16 “(1) APPRENTICESHIP PROGRAM THAT SERVES
17 YOUTH.—The term ‘apprenticeship program that
18 serves youth’ means an apprenticeship program reg-
19 istered by the Office of Apprenticeship or a State
20 apprenticeship agency under the Act of August 16,
21 1937 (commonly known as the ‘National Apprentice-
22 ship Act’; 50 Stat. 664, chapter 663; 29 U.S.C. 50
23 et seq.), that is designed for youth not younger than
24 age 16 or older than age 24.

1 “(2) COVERED OCCUPATION.—The term ‘cov-
2 ered occupation’ means an occupation in—
3 “(A) manufacturing;
4 “(B) construction;
5 “(C) mining;
6 “(D) trenching or excavation;
7 “(E) logging or an occupation related to
8 timber;
9 “(F) work involving a saw mill;
10 “(G) work involving the operation of heavy
11 machinery;
12 “(H) work involving exposure to radio-
13 active substances or to ionizing radiations;
14 “(I) meat processing;
15 “(J) demolition;
16 “(K) explosives; or
17 “(L) work in any industry sector or occu-
18 pation that is prohibited to a youth who is
19 younger than the age of 18 under the laws or
20 policies of the State where the work occurs.
21 “(3) CTE TERMS.—The terms ‘Tribally con-
22 trolled college or university’ and ‘Tribally controlled
23 postsecondary career and technical institution’ have
24 the meanings given the terms ‘tribally controlled col-
25 lege or university’ and ‘tribally controlled postsec-

1 ondary career and technical institution’, respectively,
2 in section 3 of the Carl D. Perkins Career and Tech-
3 nical Education Act of 2006 (20 U.S.C. 2302).

4 “(4) EDUCATION AND TRAINING PROVIDER.—
5 The term ‘education and training provider’ means—

6 “(A) an area career and technical edu-
7 cation school;

8 “(B) an early college high school;

9 “(C) a provider of a dual or concurrent en-
10 rollment program;

11 “(D) a community-based organization that
12 offers job training;

13 “(E) a high school operated by a local edu-
14 cational agency;

15 “(F) a local educational agency, edu-
16 cational service agency, or State educational
17 agency;

18 “(G) a Tribal education agency (meaning
19 such an agency within the meaning of section
20 3(20)(E) of such Act (20 U.S.C.
21 2302(20)(E))), Tribally controlled college or
22 university, or Tribally controlled postsecondary
23 career and technical institution;

24 “(H) the Bureau of Indian Education;

25 “(I) an institution of higher education;

1 “(J) a State entity that coordinates higher
2 education, such as a community college system
3 office, a single State educational board, or
4 State higher education agency (as defined in
5 section 103 of the Higher Education Act of
6 1965 (20 U.S.C. 1003));

7 “(K) a historically Black college or univer-
8 sity, meaning a part B institution as defined in
9 section 322 of the Higher Education Act of
10 1965 (20 U.S.C. 1061);

11 “(L) a minority-serving institution;

12 “(M) a local agency administering plans
13 under title I of the Rehabilitation Act of 1973
14 (29 U.S.C. 720 et seq.), other than section 112
15 or part C of that title (29 U.S.C. 732, 741);

16 “(N) a related integrated instruction pro-
17 vider, including a qualified intermediary acting
18 as a related integrated instruction provider as
19 approved by the Office of Apprenticeship or a
20 State apprenticeship agency recognized by the
21 Secretary; or

22 “(O) a consortium of entities described in
23 any of subparagraphs (A) through (N).

24 “(5) ELIGIBLE ENTITY.—The term ‘eligible en-
25 tity’ means a partnership that—

1 “(A) shall include as the lead applicant 1
2 entity that is—

3 “(i) an education and training pro-
4 vider;

5 “(ii) a workforce development system
6 entity;

7 “(iii) a qualified intermediary;

8 “(iv) a State agency of the State in
9 which the partnership is located; or

10 “(v) a joint labor-management organi-
11 zation;

12 “(B) shall include as a partner—

13 “(i) at least 1 employer or an industry
14 or trade association that represents at
15 least 2 employers;

16 “(ii) an education and training pro-
17 vider;

18 “(iii) the State apprenticeship agency;

19 “(iv) a local board or the State board;

20 “(v) a local educational agency, if the
21 partnership is serving in-school youth; or

22 “(vi) a qualified intermediary; and

23 “(C) may include as an additional part-
24 ner—

25 “(i) the State educational agency;

1 “(ii) an institution of higher edu-
2 cation;

3 “(iii) an Indian Tribe;

4 “(iv) the State entity that coordinates
5 higher education, such as a community col-
6 lege system office, a single State edu-
7 cational board, or State higher education
8 agency (as defined in section 103 of the
9 Higher Education Act of 1965 (20 U.S.C.
10 1003));

11 “(v) a community-based organization
12 that offers job training; or

13 “(vi) a joint labor-management orga-
14 nization.

15 “(6) ESEA TERMS.—The terms ‘dual or con-
16 current enrollment program’, ‘early college high
17 school’, ‘educational service agency’, and ‘high
18 school’ have the meanings given the terms in section
19 8101 of the Elementary and Secondary Education
20 Act of 1965 (20 U.S.C. 7801).

21 “(7) GRANT.—The term ‘grant’ means a con-
22 tract, cooperative agreement, or award.

23 “(8) HIGH-NEED EDUCATIONAL SERVICE AGEN-
24 CY.—The term ‘high-need educational service agen-
25 cy’ means an educational service agency that serves

1 a significant number or percentage of high-need
2 local educational agencies.

3 “(9) HIGH-NEED LOCAL EDUCATIONAL AGEN-
4 CY.—The term ‘high-need local educational agency’
5 has the meaning given the term in section 200 of the
6 Higher Education Act of 1965 (20 U.S.C. 1021).

7 “(10) IDENTIFIED PROGRAM.—The term ‘iden-
8 tified program’ means a pre-apprenticeship program,
9 or youth program that serves youth, that is proposed
10 to be carried out by an eligible entity in an applica-
11 tion approved under subsection (c) for a project.

12 “(11) MINORITY-SERVING INSTITUTION.—The
13 term ‘minority-serving institution’ means an institu-
14 tion defined in any of paragraphs (1) through (7) of
15 section 371(a) of the Higher Education Act of 1965
16 (20 U.S.C. 1067q(a)).

17 “(12) NATIONAL APPRENTICESHIP SYSTEM.—
18 The term ‘national apprenticeship system’ means the
19 apprenticeship programs, apprenticeship programs
20 that serve youth, and pre-apprenticeship programs
21 that are approved by the Office of Apprenticeship or
22 State apprenticeship agencies.

23 “(13) PRE-APPRENTICESHIP PROGRAM.—The
24 term ‘pre-apprenticeship program’ means a program
25 that—

1 “(A) prepares youth to enroll in and com-
2 plete an apprenticeship program;

3 “(B) articulates to, and maintains a part-
4 nership with, an apprenticeship program; and

5 “(C) in the case of a program with respect
6 to a covered occupation, is provided only
7 through classroom instruction for any youth
8 pre-apprentice who is younger than the age of
9 18.

10 “(14) QUALIFIED INTERMEDIARY.—The term
11 ‘qualified intermediary’—

12 “(A) means a nonprofit entity operating in
13 a State or local area that demonstrates exper-
14 tise and experience in serving participants, em-
15 ployers, and schools by—

16 “(i) building, sustaining, measuring,
17 and improving the quality and performance
18 of apprenticeship programs that serve
19 youth;

20 “(ii) assisting in the design, approval,
21 registration, and implementation of ap-
22 prenticeship programs that serve youth, in-
23 cluding program development and meeting
24 program requirements, including registra-
25 tion and reporting requirements;

1 “(iii) in collaboration with 1 or more
2 State educational agencies, local edu-
3 cational agencies, or institutions of higher
4 education included in the eligible entity in-
5 volved, providing collaborative professional
6 development activities such as training for
7 workplace supervisors, mentors, counselors,
8 and teachers, instructors, and other edu-
9 cators;

10 “(iv) supporting the recruitment for,
11 retention in, and completion of apprentice-
12 ship programs that serve youth with re-
13 spect to potential or enrolled youth appren-
14 tices, including youth apprentices who are
15 from low-income backgrounds or members
16 of nontraditional apprenticeship popu-
17 lations;

18 “(v) developing and providing sup-
19 portive services including by partnering
20 with organizations to provide access to or
21 referrals for supportive services, financial
22 literacy services, and other support based
23 upon needs of potential or enrolled youth
24 apprentices; or

1 “(vi) serving as a program sponsor;

2 and

3 “(B) may consist of—

4 “(i) a joint labor-management organi-
5 zation;

6 “(ii) a community-based organization;

7 or

8 “(iii) an industry association.

9 “(15) STATE.—The term ‘State’ means each of
10 the several States of the United States, the District
11 of Columbia, the Commonwealth of Puerto Rico, and
12 an outlying area.

13 “(16) STATE AGENCY.—The term ‘State agen-
14 cy’ means a State educational agency, State work-
15 force agency, or State apprenticeship agency.

16 “(17) STATE APPRENTICESHIP AGENCY.—The
17 term ‘State apprenticeship agency’ means an agency
18 of a State government that has responsibility and
19 accountability for apprenticeship programs within
20 the State.

21 “(18) SUBGROUP OF PARTICIPANTS.—The term
22 ‘subgroup of participants’ means—

23 “(A) in-school youth;

24 “(B) opportunity youth; and

1 “(C) each of the special populations, as de-
2 fined in section 3 of the Carl D. Perkins Career
3 and Technical Education Act of 2006 (20
4 U.S.C. 2302).

5 “(19) WORKFORCE DEVELOPMENT SYSTEM EN-
6 TITY.—The term ‘workforce development system en-
7 tity’ means an entity that is involved in admin-
8 istering a workforce development system established
9 under this Act, which shall be a State board, a local
10 board, or an Indian Tribe, Tribal organization, or
11 Native Hawaiian organization, as defined in section
12 166(b).

13 “(20) YOUTH.—The term ‘youth’ means an in-
14 dividual who is not younger than age 16 or older
15 than age 24.

16 “(21) YOUTH APPRENTICE.—The term ‘youth’,
17 used with respect to an apprentice, means a youth
18 who is participating in an apprenticeship program
19 that serves youth.

20 “(22) YOUTH APPRENTICESHIP AGREEMENT.—
21 The term ‘youth apprenticeship agreement’ means a
22 written agreement under subsection (c)(3)(F) that is
23 agreed to by each of the following:

24 “(A) A youth.

1 “(B) The youth’s parent or legal guardian,
2 as applicable.

3 “(C) One or more local educational agen-
4 cies, if the eligible entity involved is serving in-
5 school youth.

6 “(D) The youth apprenticeship sponsor,
7 which may be an employer.

8 “(E) As applicable, a qualified inter-
9 mediary for an apprenticeship program that
10 serves youth.

11 “(F) As applicable, one or more institu-
12 tions of higher education.

13 “(G) As applicable, one or more employers.

14 “(23) YOUTH PRE-APPRENTICE.—The term
15 ‘youth’, used with respect to a pre-apprentice, means
16 a youth who is participating in a pre-apprenticeship
17 program.”.

18 **SEC. 179. STRENGTHENING COMMUNITY COLLEGES GRANT**

19 **PROGRAM.**

20 Subtitle D of title I of the Workforce Innovation and
21 Opportunity Act (29 U.S.C. 3221 et seq.) is further
22 amended by inserting after section 173, as added by the
23 preceding section, the following:

1 **“SEC. 174. STRENGTHENING COMMUNITY COLLEGES WORK-**
2 **FORCE DEVELOPMENT GRANTS PROGRAM.**

3 “(a) PURPOSES.—The purposes of this section are—

4 “(1) to establish, improve, or expand high-qual-
5 ity workforce development programs at community
6 colleges; and

7 “(2) to expand opportunities for individuals to
8 obtain recognized postsecondary credentials that are
9 nationally or regionally portable and stackable for
10 high-skill, high-wage, or in-demand industry sectors
11 or occupations.

12 “(b) STRENGTHENING COMMUNITY COLLEGES
13 WORKFORCE DEVELOPMENT GRANTS PROGRAM.—

14 “(1) IN GENERAL.—From the amounts appro-
15 priated to carry out this section under section 175(f)
16 and not reserved under paragraph (2), the Secretary
17 shall, on a competitive basis, make grants to eligible
18 institutions to carry out the activities described in
19 subsection (e).

20 “(2) RESERVATION.—Of the amounts appro-
21 priated to carry out this section under section
22 175(f), the Secretary may reserve not more than 2
23 percent for the administration of grants awarded
24 under this section, including—

25 “(A) providing technical assistance and
26 targeted outreach to support eligible institu-

1 tions serving a high number or high percentage
2 of low-income individuals or individuals with
3 barriers to employment, and rural-serving eligi-
4 ble institutions, to provide guidance and assist-
5 ance in the process of applying for grants under
6 this section; and

7 “(B) evaluating and reporting on the per-
8 formance and impact of programs funded under
9 this section in accordance with subsections (f)
10 through (h).

11 “(c) AWARD PERIOD.—

12 “(1) INITIAL GRANT PERIOD.—Each grant
13 under this section shall be awarded for an initial pe-
14 riod of not more than 4 years.

15 “(2) SUBSEQUENT GRANTS.—An eligible insti-
16 tution that receives an initial grant under this sec-
17 tion may receive one or more additional grants
18 under this section for additional periods of not more
19 than 4 years each if the eligible institution dem-
20 onstrates that, during the most recently completed
21 grant period for a grant received under this section,
22 such eligible institution achieved the levels of per-
23 formance agreed to by the eligible institution with
24 respect to the performance indicators specified in
25 subsection (f).

1 “(d) APPLICATION.—

2 “(1) IN GENERAL.—To be eligible to receive a
3 grant under this section, an eligible institution shall
4 submit an application to the Secretary at such time
5 and in such manner as the Secretary may require.

6 “(2) CONTENTS.—An application submitted by
7 an eligible institution under paragraph (1) shall in-
8 clude a description of each the following:

9 “(A) The extent to which the eligible insti-
10 tution has demonstrated success building part-
11 nerships with employers in in-demand industry
12 sectors or occupations to provide students with
13 the skills needed for occupations in such indus-
14 tries and an explanation of the results of any
15 such partnerships.

16 “(B) The methods and strategies the eligi-
17 ble institution will use to engage with employers
18 in in-demand industry sectors or occupations,
19 including any arrangements to place individuals
20 who complete the workforce development pro-
21 grams supported by the grant into employment
22 with such employers.

23 “(C) The proposed eligible institution and
24 industry partnership that the eligible institution

1 will establish or maintain to comply with sub-
2 section (e)(1), including—

3 “(i) the roles and responsibilities of
4 each employer, organization, agency, or in-
5 stitution of higher education that the eligi-
6 ble institution will partner with to carry
7 out the activities under this section; and

8 “(ii) the needs that will be addressed
9 by such eligible institution and industry
10 partnership.

11 “(D) One or more industries that such
12 partnership will target and real-time labor mar-
13 ket data demonstrating that those industries
14 are aligned with employer demand in the geo-
15 graphic area to be served by the eligible institu-
16 tion.

17 “(E) The extent to which the eligible insti-
18 tution can—

19 “(i) leverage additional resources to
20 support the programs to be funded with
21 the grant, which shall include written com-
22 mitments of any leveraged or matching
23 funds for the proposed programs; and

24 “(ii) demonstrate the future sustain-
25 ability of each such program.

1 “(F) The steps the institution will take to
2 ensure the high quality of each program to be
3 funded with the grant, including the career
4 pathways within such programs.

5 “(G) The population and geographic area
6 to be served by the eligible institution, including
7 the number of individuals the eligible institution
8 intends to serve during the grant period.

9 “(H) The workforce development programs
10 to be supported by the grant.

11 “(I) The recognized postsecondary creden-
12 tials that are expected to be earned by partici-
13 pants in such workforce development programs
14 and the related high-skill, high-wage, or in-de-
15 mand industry sectors or occupations for which
16 such programs will prepare participants.

17 “(J) The evidence upon which the edu-
18 cation and skills development strategies to be
19 used in such workforce development programs
20 are based and an explanation of how such evi-
21 dence influenced the design of the programs to
22 improve education and employment outcomes.

23 “(K) How activities of the eligible institu-
24 tion are expected to align with the workforce
25 strategies identified in—

1 “(i) any State plan or local plan sub-
2 mitted under this Act by the State, out-
3 lying area, or locality in which the eligible
4 institution is expected to operate;

5 “(ii) any State plan submitted under
6 section 122 of the Carl D. Perkins Career
7 and Technical Education Act of 2006 (20
8 U.S.C. 2342) by such State or outlying
9 area; and

10 “(iii) any economic development plan
11 of the chief executive of such State or out-
12 lying area.

13 “(L) The goals of the eligible institution
14 with respect to—

15 “(i) capacity building (as described in
16 subsection (f)(1)(B)); and

17 “(ii) the expected performance of indi-
18 viduals participating in the programs to be
19 offered by the eligible institution, including
20 with respect to any performance indicators
21 applicable under section 116 or subsection
22 (f) of this section.

23 “(3) CONSIDERATION OF PREVIOUS EXPERI-
24 ENCE.—The Secretary may not disqualify an eligible
25 institution from receiving a grant under this section

1 solely because such institution lacks previous experi-
2 ence in building partnerships, as described in para-
3 graph (2)(A).

4 “(4) PRIORITY.—In awarding grants under this
5 section, the Secretary shall give priority to eligible
6 institutions that—

7 “(A) will use the grant to serve—

8 “(i) individuals with barriers to em-
9 ployment; or

10 “(ii) incumbent workers who need to
11 gain or improve foundational skills to en-
12 hance their employability;

13 “(B) use competency-based assessments,
14 such as the competency-based assessment iden-
15 tified by the State in which the eligible institu-
16 tion is located under section 134(a)(2)(B)(vii),
17 to award academic credit for prior learning for
18 programs supported by the grant; or

19 “(C) have, or will seek to have, the career
20 education programs supported by the grant in-
21 cluded on the list of eligible providers of train-
22 ing services under section 122 for the State in
23 which the eligible institution is located.

24 “(e) USES OF FUNDS.—

1 “(1) ELIGIBLE INSTITUTION AND INDUSTRY
2 PARTNERSHIP.—For the purpose of carrying out the
3 activities specified in paragraphs (2) and (3), an eli-
4 gible institution that receives a grant under this sec-
5 tion shall establish a partnership (or continue an ex-
6 isting partnership) with one or more employers in an
7 in-demand industry sector or occupation (in this sec-
8 tion referred to as an ‘eligible institution and indus-
9 try partnership’) and shall maintain such partner-
10 ship for the duration of the grant period. The eligi-
11 ble institution shall ensure that the partnership—

12 “(A) targets one or more specific high-
13 skill, high-wage, or in-demand industries;

14 “(B) includes collaboration with the work-
15 force development system;

16 “(C) serves adult and dislocated workers,
17 incumbent workers, and new entrants to the
18 workforce;

19 “(D) uses an evidence-based program de-
20 sign that is appropriate for the activities carried
21 out by the partnership;

22 “(E) incorporates work-based learning op-
23 portunities; and

1 “(F) incorporates, to the extent appro-
2 priate, virtual service delivery to facilitate tech-
3 nology-enabled learning.

4 “(2) REQUIRED ACTIVITIES.—An eligible insti-
5 tution that receives a grant under this section shall,
6 in consultation with the employers in the eligible in-
7 stitution and industry partnership described in para-
8 graph (1)—

9 “(A) establish, improve, or expand high-
10 quality, evidence-based workforce development
11 programs, career pathway programs, or work-
12 based learning programs (including apprentice-
13 ship programs or preapprenticeships);

14 “(B) provide career services to individuals
15 participating in the programs funded with the
16 grant to facilitate retention and program com-
17 pletion, which may include—

18 “(i) career navigation, coaching,
19 mentorship, and case management serv-
20 ices, including providing information and
21 outreach to individuals with barriers to
22 employment to encourage such individuals
23 to participate in programs funded with the
24 grant; and

1 “(ii) providing access to course mate-
2 rials, technological devices, required equip-
3 ment, and other supports necessary for
4 participation in and successful completion
5 of such programs; and

6 “(C) 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, which for
14 each recognized postsecondary credential,
15 shall include—

16 “(I) the issuing entity of such
17 credential;

18 “(II) any third-party endorse-
19 ments of such credential;

20 “(III) the occupations for which
21 the credential prepares individuals;

22 “(IV) the skills and competencies
23 necessary to achieve to earn such cre-
24 dential;

1 Education Act of 1965 (20 U.S.C.
2 1093a(a));

3 “(ii) credit transfer agreements;

4 “(iii) corequisite remediation pro-
5 grams that enable a student to receive re-
6 medial education services while enrolled in
7 a postsecondary course rather than requir-
8 ing the student to receive remedial edu-
9 cation before enrolling in such a course;

10 “(iv) dual or concurrent enrollment
11 programs;

12 “(v) competency-based education and
13 assessment; or

14 “(vi) policies and processes to award
15 academic credit for prior learning or for
16 the programs described in paragraph
17 (2)(A).

18 “(B) Establish or implement plans for pro-
19 viders of the programs described in paragraph
20 (2)(A) to meet the criteria and carry out the
21 procedures necessary to be included on the eli-
22 gible training services provider list described in
23 section 122(d).

24 “(C) Purchase, lease, or refurbish special-
25 ized equipment as necessary to carry out such

1 programs, provided that not more than 15 per-
2 cent of the funds awarded to the eligible insti-
3 tution under this section may be used for activi-
4 ties described in this subparagraph.

5 “(D) Reduce or eliminate unmet financial
6 need relating to the cost of attendance (as de-
7 fined under section 472 of the Higher Edu-
8 cation Act of 1965 (20 U.S.C. 1087ll)) of par-
9 ticipants in such programs.

10 “(4) ADMINISTRATIVE COST LIMIT.—An eligible
11 institution may use not more than 7 percent of the
12 funds awarded under this section for administrative
13 costs, including costs related to collecting informa-
14 tion, analysis, and coordination for purposes of sub-
15 section (f).

16 “(f) PERFORMANCE LEVELS AND PERFORMANCE
17 REVIEWS.—

18 “(1) IN GENERAL.—The Secretary shall develop
19 and implement guidance that establishes the levels
20 of performance that are expected to be achieved by
21 each eligible institution receiving a grant under this
22 section. Such performance levels shall be established
23 on the following indicators:

24 “(A) Each of the primary indicators of
25 performance for adults described in section

1 116(b), which shall be applied for all individuals
2 who participated in a program that received
3 funding from a grant under this section.

4 “(B) The extent to which the eligible insti-
5 tution built capacity by—

6 “(i) increasing the breadth and depth
7 of employer engagement and investment in
8 workforce development programs in the in-
9 demand industry sectors and occupations
10 targeted by the eligible institution and in-
11 dustry partnership established or main-
12 tained by the eligible institution under sub-
13 section (e)(1);

14 “(ii) designing or implementing new
15 and accelerated instructional techniques or
16 technologies, including the use of advanced
17 online and technology-enabled learning
18 (such as immersive technology); and

19 “(iii) increasing program and policy
20 alignment across systems and decreasing
21 duplicative services or service gaps.

22 “(C) With respect to individuals who par-
23 ticipated in a workforce development program
24 funded with the grant—

1 “(ii) local economic conditions in the
2 geographic area to be served by the eligible
3 institution, including differences in unem-
4 ployment rates and job losses or gains in
5 particular industries.

6 “(C) NOTICE AND ACKNOWLEDGMENT.—

7 “(i) NOTICE.—The Secretary shall
8 provide each eligible institution with a
9 written notification that sets forth the per-
10 formance levels that will apply to the eligi-
11 ble institution, as determined under sub-
12 paragraph (B).

13 “(ii) ACKNOWLEDGMENT.—After re-
14 ceiving the notification described in clause
15 (i), each eligible institution shall submit to
16 the Secretary written confirmation that the
17 eligible institution—

18 “(I) received the notification; and

19 “(II) agrees to be evaluated in
20 accordance with the performance lev-
21 els determined by the Secretary.

22 “(3) PERFORMANCE REVIEWS.—On an annual
23 basis during each year of the grant period, the Sec-
24 retary shall evaluate the performance during such
25 year of each eligible institution receiving a grant

1 under this section in a manner consistent with the
2 performance levels determined for such institution
3 pursuant to 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 an eligi-
7 ble institution did not achieve the performance levels
8 applicable to the eligible institution under paragraph
9 (2), the Secretary shall—

10 “(A) provide technical assistance to the eli-
11 gible institution; and

12 “(B) develop a performance improvement
13 plan for the eligible institution.

14 “(g) EVALUATIONS AND REPORTS.—

15 “(1) IN GENERAL.—Not later than 4 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 eligible institutions receiving a grant
20 under this section.

21 “(2) ELEMENTS.—The evaluation of the effec-
22 tiveness of eligible institutions conducted under
23 paragraph (1) shall include an assessment of the
24 general effectiveness of programs and activities sup-
25 ported by the grants awarded to such eligible insti-

1 tutions under this section, including the extent to
2 which the programs and activities—

3 “(A) developed new, or expanded existing,
4 successful industry sector strategies, including
5 the extent to which such eligible institutions
6 deepened employer engagement and developed
7 workforce development programs that met in-
8 dustry skill needs;

9 “(B) created, expanded, or enhanced ca-
10 reer pathways, including the extent to which the
11 eligible institutions developed or improved com-
12 petency-based education and assessment, credit
13 for prior learning, modularized and self-paced
14 curricula, integrated education and workforce
15 development, dual enrollment in secondary and
16 postsecondary career pathways, stacked and
17 latticed credentials, and online and distance
18 learning;

19 “(C) created alignment between eligible in-
20 stitutions and the workforce development sys-
21 tem;

22 “(D) assisted individuals with finding, re-
23 taining, or advancing in employment;

24 “(E) assisted individuals with earning rec-
25 ognized postsecondary credentials; and

1 “(F) provided equal access to various de-
2 mographic groups, including people of different
3 geographic locations, ages, races, national ori-
4 gins, and sexes.

5 “(3) DESIGN REQUIREMENTS.—The evaluation
6 under this subsection shall—

7 “(A) be designed by the Secretary (acting
8 through the Chief Evaluation Officer) in con-
9 junction with the eligible institutions being eval-
10 uated;

11 “(B) include analysis of program partici-
12 pant feedback and outcome and process meas-
13 ures; and

14 “(C) use designs that employ the most rig-
15 orous analytical and statistical methods that
16 are reasonably feasible, such as the use of con-
17 trol groups.

18 “(4) DATA ACCESSIBILITY.—The Secretary
19 shall make available on a publicly accessible website
20 of the Department of Labor any data collected as
21 part of the evaluation under this subsection. Such
22 data shall be made available in an aggregated for-
23 mat that does not reveal personally identifiable in-
24 formation and that ensures compliance with relevant
25 Federal laws, including section 444 of the General

1 Education Provisions Act (commonly known as the
2 ‘Family Educational Rights and Privacy Act of
3 1974’) (20 U.S.C. 1232g).

4 “(5) PUBLICATION AND REPORTING OF EVAL-
5 UATION FINDINGS.—The Secretary (acting through
6 the Chief Evaluation Officer) shall—

7 “(A) in accordance with the timeline deter-
8 mined to be appropriate by the Chief Evalua-
9 tion Officer, publish an interim report on the
10 preliminary results of the evaluation conducted
11 under this subsection;

12 “(B) not later than 60 days after the date
13 on which the evaluation is completed under this
14 subsection, submit to the Committee on Edu-
15 cation and the Workforce of the House of Rep-
16 resentatives and the Committee on Health,
17 Education, Labor, and Pensions of the Senate
18 a report on such evaluation; and

19 “(C) not later than 90 days after such
20 completion date, publish and make the results
21 of such evaluation available on a publicly acces-
22 sible website of the Department of Labor.

23 “(h) ANNUAL REPORTS.—The Secretary shall make
24 available on a publicly accessible website of the Depart-

1 ment of Labor, in transparent, linked, open, and inter-
2 operable data formats, the following information:

3 “(1) The performance of eligible institutions on
4 the capacity-building performance indicator set forth
5 under subsection (f)(1)(B).

6 “(2) The performance of eligible institutions on
7 the workforce development participant outcome per-
8 formance indicators set forth under subsection
9 (f)(1)(C).

10 “(3) The number of individuals enrolled in
11 workforce development programs funded with a
12 grant under this section.

13 “(i) DEFINITIONS.—In this section:

14 “(1) CHIEF EVALUATION OFFICER.—The term
15 ‘Chief Evaluation Officer’ means the head of the
16 independent evaluation office located in the Office of
17 the Assistant Secretary for Policy of the Department
18 of Labor.

19 “(2) COMMUNITY COLLEGE.—The term ‘com-
20 munity college’ means—

21 “(A) a public institution of higher edu-
22 cation (as defined in section 101(a) of the
23 Higher Education Act (20 U.S.C. 1001(a)), at
24 which—

402

1 “(i) the highest degree awarded is an
2 associate degree; or

3 “(ii) an associate degree is the most
4 frequently awarded degree;

5 “(B) a branch campus of a 4-year public
6 institution of higher education (as defined in
7 section 101 of the Higher Education Act of
8 1965 (20 U.S.C. 1001)), if, at such branch
9 campus—

10 “(i) the highest degree awarded is an
11 associate degree; or

12 “(ii) an associate degree is the most
13 frequently awarded degree;

14 “(C) a 2-year Tribal College or University
15 (as defined in section 316(b)(3) of the Higher
16 Education Act of 1965 (20 U.S.C.
17 1059c(b)(3))); or

18 “(D) a degree-granting Tribal College or
19 University (as defined in section 316(b)(3) of
20 the Higher Education Act of 1965 (20 U.S.C.
21 1059c(b)(3))) at which—

22 “(i) the highest degree awarded is an
23 associate degree; or

24 “(ii) an associate degree is the most
25 frequently awarded degree.

1 “(3) ELIGIBLE INSTITUTION.—The term ‘eligi-
2 ble institution’ means—

3 “(A) a community college;

4 “(B) a postsecondary vocational institution
5 (as defined in section 102(c) of the Higher
6 Education Act of 1965 (20 U.S.C. 1002(c))); or

7 “(C) a consortium of such colleges or insti-
8 tutions.

9 “(j) SUPPLEMENT NOT SUPPLANT.—Funds made
10 available under this section shall be used to supplement,
11 and not supplant, other Federal, State, and local public
12 funds made available for carrying out the activities de-
13 scribed in this section.”.

14 **SEC. 180. AUTHORIZATION OF APPROPRIATIONS.**

15 Section 175 of the Workforce Innovation and Oppor-
16 tunity Act, as so redesignated, is amended—

17 (1) by redesignating subsections (e) and (f) as
18 subsections (g) and (h), respectively; and

19 (2) by striking subsections (a) through (d) and
20 inserting the following:

21 “(a) NATIVE AMERICAN PROGRAMS.—There are au-
22 thorized to be appropriated to carry out section 166 (not
23 including subsection (k) of such section) \$61,800,000 for
24 each of the fiscal years 2026 through 2030.

1 “(b) MIGRANT AND SEASONAL FARMWORKER PRO-
2 GRAMS.—There are authorized to be appropriated to carry
3 out section 167 \$100,317,900 for each of the fiscal years
4 2026 through 2030.

5 “(c) TECHNICAL ASSISTANCE.—There are authorized
6 to be appropriated to carry out section 168 \$5,000,000
7 for each of the fiscal years 2026 through 2030.

8 “(d) EVALUATIONS AND RESEARCH.—There are au-
9 thorized to be appropriated to carry out section 169
10 \$12,720,000 for each of the fiscal years 2026 through
11 2030.

12 “(e) REENTRY PROGRAM.—There are authorized to
13 be appropriated to carry out section 172 \$115,000,000 for
14 each of the fiscal years 2026 through 2030.

15 “(f) STRENGTHENING COMMUNITY COLLEGES PRO-
16 GRAM.—There are authorized to be appropriated to carry
17 out section 173 \$65,000,000 for each of the fiscal years
18 2026 through 2030.”.

19 **Subtitle F—Administration**

20 **SEC. 191. REQUIREMENTS AND RESTRICTIONS.**

21 (a) LABOR STANDARDS.—Section 181(b) of the
22 Workforce Innovation and Opportunity Act (29 U.S.C.
23 3241(b)) is amended by adding at the end the following:

24 “(8) CHILD LABOR.—Individuals in on-the-job
25 training or individuals employed in programs and

1 activities under this title shall be employed in ac-
2 cordance with the provisions on child labor under
3 the Fair Labor Standards Act of 1938 (29 U.S.C.
4 201 et seq.) and applicable State law.

5 “(9) CONSULTATION.—If an employer provides
6 on-the-job training, incumbent worker training, or
7 employer-directed skills development with funds
8 made available under this title directly to employees
9 of such employer that are subject to a collective bar-
10 gaining agreement with the employer, the employer
11 shall consult with the labor organization that rep-
12 resents such employees on the planning and design
13 of such training or development.”.

14 (b) REMEDIES.—Section 181(c)(3)(B) of the Work-
15 force Innovation and Opportunity Act (29 U.S.C.
16 3241(c)(3)(B)) is amended by inserting “for a period of
17 not less than 2 years” before the semicolon at the end.

18 (c) RELOCATION.—Section 181(d) of the Workforce
19 Innovation and Opportunity Act (29 U.S.C. 3241(d)) is
20 amended by striking “incumbent worker training,” and in-
21 serting “incumbent worker training, employer-directed
22 skills development,”.

23 (d) SUPPORTIVE SERVICES.—Section 181 of the
24 Workforce Innovation and Opportunity Act (29 U.S.C.
25 3241) is amended by adding at the end the following:

1 “(h) SUPPORTIVE SERVICES.—Except as provided in
2 section 134(d)(2), funds provided under this title may only
3 be used to provide supportive services to individuals who—

4 “(1) are participating in activities under pro-
5 grams authorized under this title;

6 “(2) are unable to obtain the supportive serv-
7 ices through programs listed in section 121(b)(2);
8 and

9 “(3) require supportive services to enable par-
10 ticipation in activities under programs authorized
11 under this title.”.

12 **SEC. 192. MONITORING.**

13 Section 183 of the Workforce Innovation and Oppor-
14 tunity Act (29 U.S.C. 3243) is amended by striking “re-
15 cipients” each place it appears and inserting “recipients
16 and subrecipients”.

17 **SEC. 193. FISCAL CONTROLS; SANCTIONS.**

18 Section 184(b) of the Workforce Innovation and Op-
19 portunity Act (29 U.S.C. 3244(b)) is amended—

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

22 (2) by inserting before paragraph (3), as so re-
23 designated, the following:

24 “(1) IN GENERAL.—For the purposes of this
25 title, a substantial violation shall—

1 “(A) be determined in accordance with the
2 procedures established by the Governor as de-
3 scribed in paragraph (2); and

4 “(B) include any willful violation of the re-
5 quirements under subsections (a) or (b) of sec-
6 tion 181 for which there has been a final deter-
7 mination of the violation without any remaining
8 right to appeal.

9 “(2) PROCEDURES.—The Governor shall estab-
10 lish procedures to be used by local areas and, in the
11 case of funds described in section 128(a) or per-
12 taining to the enforcement provisions under section
13 122(g), by any other individual or entity specified by
14 the Governor to determine if a substantial violation
15 of this title has occurred.”.

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

17 (A) in subparagraph (A), by striking “;
18 or” and inserting a semicolon;

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

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

22 “(C) reduce any local allotment under sec-
23 tion 128(b) or 133(b) to the local area involved
24 by not more than 5 percent for the fiscal year
25 after the fiscal year in which the substantial

1 violation, for which corrective action was not
2 taken, occurred.”;

3 (4) by inserting after paragraph (3), as so re-
4 designated, the following:

5 “(4) REALLOCATION OF REDUCTIONS.—Any
6 amount that was reduced from an allotment to a
7 local area in accordance with paragraph (3)(C) shall
8 be reallocated by the Governor to the other local
9 areas within the State that are not subject to an ac-
10 tion described in paragraph (3) in a manner deter-
11 mined by the Governor, which may take into consid-
12 eration whether such other local area is serving a
13 significant number of individuals with barriers to
14 employment.”;

15 (5) in paragraph (5), as so redesignated, by
16 striking “(A) and (B)” and inserting “(A), (B), and
17 (C)”;

18 (6) in paragraph (6), as so redesignated, by
19 striking “paragraph (1)” and inserting “paragraph
20 (2)”

21 **SEC. 194. ADMINISTRATIVE ADJUDICATION.**

22 Section 186(a) of the Workforce Innovation and Op-
23 portunity Act (29 U.S.C. 3246(a)) is amended by striking
24 “184” and inserting “181 or 184”.

1 **SEC. 195. JUDICIAL REVIEW.**

2 Section 187(a)(1) of the Workforce Innovation and
3 Opportunity Act (29 U.S.C. 3247(a)(1)) is amended by
4 striking “184” and inserting “181 or 184”.

5 **SEC. 196. GENERAL WAIVERS OF STATUTORY OR REGU-**
6 **LATORY REQUIREMENTS.**

7 Section 189(i)(3)(A)(i) of the Workforce Innovation
8 and Opportunity Act (29 U.S.C. 3249(i)(3)(A)(i)) is
9 amended by striking “procedures for review and approval
10 of plans” and inserting “the procedures for review and
11 approval of plans, the performance reports described in
12 section 116(d), and the requirement described in section
13 134(e)(1)(B)”.

14 **SEC. 197. STATE FLEXIBILITY PILOT AUTHORITY.**

15 Section 190 of the Workforce Innovation and Oppor-
16 tunity Act (29 U.S.C. 3250) is amended to read as follows:

17 **“SEC. 190. STATE FLEXIBILITY PILOT AUTHORITY.**

18 “(a) PURPOSE.—The purpose of this section is to—

19 “(1) authorize States to apply under this sec-
20 tion, in the case of an eligible State, on behalf of the
21 State as a whole, or for any State, on behalf of a
22 local area or a consortium of local areas in the
23 State, to receive the allotments or allocations of the
24 State or the local areas, respectively, for youth work-
25 force investment activities under chapter 2 of sub-
26 title B and adult and dislocated worker employment

1 and training activities under chapter 3 of subtitle B
2 as a consolidated grant for 5 years for the purpose
3 of carrying out a pilot project to pursue innovative
4 reforms to achieve better outcomes for jobseekers,
5 workers, employers, and taxpayers; and

6 “(2) require that rigorous evaluations be con-
7 ducted to demonstrate if better outcomes and oppor-
8 tunities to achieve economic self-sufficiency for par-
9 ticipants, including participants receiving a priority
10 for services under this section, and associated inno-
11 vative reforms to improve service delivery were
12 achieved as a result of such pilot projects.

13 “(b) GENERAL AUTHORITY.—

14 “(1) WAIVERS, PILOT PROJECT GRANT
15 AMOUNTS, AND RESERVATIONS.—Notwithstanding
16 any other provision of subtitle A or B, except as oth-
17 erwise provided in this section, during the pilot
18 project period applicable to a pilot project approved
19 for a State pursuant to subsection (d)(3), the Sec-
20 retary, the Governor of a State participating in such
21 pilot project on behalf of the State as a whole, local
22 area, or consortium of local areas, and a local area
23 or consortium of local areas on whose behalf a Gov-
24 ernor is participating in such a pilot project, shall,
25 as applicable, comply with each of the following:

1 “(A) WAIVERS.—Subject to paragraph (2),
2 the Secretary shall waive for the State as a
3 whole, or for the local area or the consortium
4 of local areas selected by the State to carry out
5 such pilot project, all the statutory and regu-
6 latory requirements of subtitles A and B.

7 “(B) PILOT PROJECT GRANT AMOUNTS.—
8 For each fiscal year applicable to a pilot period,
9 the Secretary shall carry out the following:

10 “(i) STATE AS A WHOLE.—In a case
11 of a State approved to carry out a pilot
12 project under this section on behalf of the
13 State as a whole, distribute as a consoli-
14 dated sum to the State, for purposes of
15 carrying out the project, the State’s total
16 allotment for such fiscal year under—

17 “(I) subsections (b)(1)(C) and
18 (c) of section 127;

19 “(II) paragraphs (1)(B) and
20 (2)(B) of section 132(b); and

21 “(III) section 132(c).

22 “(ii) LOCAL AREA.—In a case of a
23 local area selected by a State and approved
24 to carry out a pilot project under this sec-
25 tion, require the State to—

1 amount of the allocations for the local
2 areas in such consortium for such fis-
3 cal year under—

4 “(aa) subsections (b) and (c)
5 of section 128; and

6 “(bb) subsections (b) and
7 (c) of section 133; or

8 “(II) if the consortium enters
9 into a written agreement with the
10 State for the State to serve as the fis-
11 cal agent for the consortium during
12 the pilot project, use the funds de-
13 scribed in subclause (I) for purposes
14 of carrying out the project on behalf
15 of such consortium.

16 “(C) STATE RESERVATION.—The Governor
17 of a State participating in a pilot project on be-
18 half of the State as a whole shall reserve not
19 less than 25 percent of the consolidated sum al-
20 lotted to the State, as described in subpara-
21 graph (B)(i), for the purpose of developing and
22 implementing evidence-based workforce develop-
23 ment activities in the State. Such activities—

1 “(i) shall comply with the priority of
2 service requirement described in subsection
3 (e)(3); and

4 “(ii) may include strategies such as—

5 “(I) innovative skills development
6 programs to improve employment out-
7 comes for jobseekers, incumbent work-
8 ers, and dislocated workers;

9 “(II) job training programs and
10 assistance with removing barriers to
11 employment for justice-involved indi-
12 viduals;

13 “(III) pre-apprenticeships, ap-
14 prenticeships, and evidence-based
15 workforce development and employ-
16 ment opportunities, including for
17 youth (particularly opportunity
18 youth);

19 “(IV) the development and
20 strengthening of industry or sector
21 partnerships and training programs
22 offered under such partnerships;

23 “(V) the optimization of sup-
24 portive service delivery and the inte-
25 gration of such services within the

1 workforce system to promote retention
2 in and completion of training pro-
3 grams for participants served under
4 the pilot project; and

5 “(VI) other strategies as may be
6 appropriate and necessary to achieve
7 better outcomes for jobseekers, work-
8 ers, employers, and taxpayers, as de-
9 termined by the Governor.

10 “(D) LOCAL AREA AND CONSORTIUM RES-
11 ERVATION.—A local area or a consortium of
12 local areas for which a pilot project is author-
13 ized under this section shall reserve not less
14 than 25 percent of the consolidated sum allot-
15 ted, as described in clause (ii) or (iii), respec-
16 tively, of subparagraph (B), to the local area or
17 consortium of local areas, respectively, for the
18 purpose of developing and implementing evi-
19 dence-based workforce development activities
20 described in subparagraph (C) in the local area
21 or local areas served by the consortium, respec-
22 tively.

23 “(2) EXCEPTIONS.—

24 “(A) IN GENERAL.—A State, local area, or
25 consortium of local areas carrying out a pilot

1 project under this section shall comply with
2 statutory or regulatory requirements of this Act
3 relating to—

4 “(i) performance accountability and
5 reporting, except as otherwise provided in
6 this section;

7 “(ii) the membership of local boards
8 or State boards in instances where a State
9 carrying out a pilot project will maintain
10 the use of such local boards or State
11 boards, respectively, during the pilot
12 project period;

13 “(iii) the requirement to set minimum
14 levels of performance on the criteria de-
15 scribed in section 122(b)(2)(B) for any
16 providers of training services that will re-
17 ceive funding under the pilot project;

18 “(iv) the establishment of the one-stop
19 delivery system to make the services and
20 activities carried out under the pilot
21 project available to individuals in the
22 State, local area, or consortium of local
23 areas carrying out the pilot project, except
24 that, of the requirements in section 121(e),
25 such one-stop delivery system shall only be

1 required to meet the requirements of para-
2 graph (2) of that section and only with re-
3 spect to the services and activities of the
4 pilot project;

5 “(v) the fiscal and management ac-
6 countability information systems described
7 in section 116(j) and, in the case of a pilot
8 project carried out by a local area or con-
9 sortium of local areas, the provisions on
10 fiscal integrity described in section 106;
11 and

12 “(vi) the priority of service described
13 in section 134(c)(3)(E).

14 “(B) APPLICABILITY OF DEFINED
15 TERMS.—In carrying out a pilot project under
16 this section, a State, local area, or consortium
17 of local areas may only use a term defined in
18 section 3 to describe an activity carried out
19 under such pilot project if the State, local area,
20 or consortium of local areas gives such term the
21 same meaning as such term is given under such
22 section.

23 “(C) RULE OF CONSTRUCTION.—Nothing
24 in subparagraph (A)(iv) shall be construed to
25 prevent a State, local area, or consortium of

1 local areas carrying out a pilot project under
2 this section from deciding to maintain the one-
3 stop delivery system in effect for the State,
4 local area, or consortium, respectively, prior to
5 the start of the pilot project.

6 “(3) AUTHORITY FOR THIRD-PARTY EVALUA-
7 TION.—

8 “(A) IN GENERAL.—Not later than 180
9 days after the first pilot project is approved
10 under this section, the Secretary shall contract
11 with a third-party evaluator to conduct a rig-
12 orous evaluation of each pilot project approved
13 under this section. The evaluation shall—

14 “(i) cover the entire period of each
15 pilot project;

16 “(ii) include a description of—

17 “(I) the populations served under
18 the pilot project, including with re-
19 spect to individuals with barriers to
20 employment served under the pilot
21 project, disaggregated by each sub-
22 population of such individuals, and by
23 race, ethnicity, sex, and age;

24 “(II) the services provided
25 through the pilot project, the pro-

1 viders of such services, and the cost of
2 such services, disaggregated by the
3 type of service provided;

4 “(III) if the pilot project is car-
5 ried out by a State, the geographic
6 distribution within the State of the
7 services provided under the pilot
8 project; and

9 “(IV) the workforce development
10 systems in the State, local area, or
11 consortium of local areas that were af-
12 fected, and the nature of such effects,
13 as a result of the pilot project;

14 “(iii) compare the employment and
15 earnings outcomes of participants in activi-
16 ties carried out under the pilot project
17 to—

18 “(I) the outcomes of similarly situ-
19 uated individuals who do not partici-
20 pate in such activities and who are lo-
21 cated in such State, such local area,
22 or a local area in such consortium, as
23 applicable;

24 “(II) the outcomes of similarly
25 situated participants in similarly situ-

1 ated States or local areas within such
2 States, as applicable, that do not re-
3 ceive authority to carry out a pilot
4 project under this section; and

5 “(III) the outcomes of partici-
6 pants in activities under chapter 2 or
7 3 of subtitle B in the State, local
8 area, or a local area in the consortium
9 that was awarded a waiver prior to
10 the award of such waiver;

11 “(iv) conduct a qualitative analysis
12 that identifies any practices or strategies
13 (including promising, evidence-based, or in-
14 novative practices and strategies) that—

15 “(I) would not have been con-
16 ducted without the waiving of statu-
17 tory or regulatory provisions through
18 the pilot project; and

19 “(II) led to changes in employ-
20 ment and earnings outcomes for the
21 participants, including employment
22 and earnings outcomes for partici-
23 pants who are opportunity youth and
24 individuals with barriers to employ-
25 ment; and

1 “(v) compare the outcomes for sub-
2 clauses (I), (II), and (III) of clause (iii)
3 with respect to the subpopulations de-
4 scribed in section 116(d)(2)(B).

5 “(B) REPORT.—Not later than 2 years
6 after the final year of a pilot project approved
7 under this section, the Secretary shall submit to
8 the Committee on Education and the Workforce
9 of the House of Representatives and the Com-
10 mittee on Health, Education, Labor, and Pen-
11 sions of the Senate the results of the evaluation
12 conducted under this paragraph.

13 “(c) PILOT PERIOD; LIMITATIONS.—

14 “(1) IN GENERAL.—A pilot project approved
15 under this section for a State, local area, or consor-
16 tium—

17 “(A) shall be carried out for a 5-year pilot
18 project period; and

19 “(B) may be renewed for an additional 4-
20 year pilot project period, if the State, local
21 area, or consortium—

22 “(i) for each of the final 3 years of
23 the preceding 5-year pilot project period,
24 meets its expected levels of performance
25 established under subsection (f)(1)(C); and

1 “(i) more than 5 pilot projects for eli-
2 gible States described in paragraph (3) to
3 carry out a pilot project described in sub-
4 section (b)(1)(B)(i), except as provided in
5 subparagraph (C); and

6 “(ii) more than 4 pilot projects for
7 local areas (or consortia of local areas) to
8 carry out a pilot project described in clause
9 (ii) or (iii) of subsection (b)(1)(B).

10 “(B) STATE LIMITATIONS.—Not more
11 than 1 pilot project may be approved under this
12 section per State. For purposes of this subpara-
13 graph, a pilot project described in clause (ii) or
14 (iii) of subsection (b)(1)(B) approved for a local
15 area or a consortium of local areas, respectively,
16 in a State shall be considered a pilot project ap-
17 proved under this section for the State.

18 “(C) SUBSEQUENT APPROVAL.—Notwith-
19 standing subparagraph (A)(i), the Secretary
20 may award authority to carry out a pilot project
21 for a State as a whole under this section to 2
22 additional eligible States described in paragraph
23 (3), if, at the beginning of the third year of the
24 pilot projects awarded to the 5 eligible States

1 under subparagraph (A)(i), each of such
2 States—

3 “(i) has met or exceeded expected lev-
4 els of performance under the primary indi-
5 cators of performance described in section
6 116(b)(2)(A); and

7 “(ii) meets the requirement described
8 in subsection (e)(4).

9 “(3) ELIGIBLE STATES.—The Secretary may
10 not approve a pilot project for a State as a whole
11 described in subsection (b)(1)(B)(i) unless, at the
12 time of submission of the application, such State is
13 an eligible State, meaning—

14 “(A) a State designated as a single State
15 local area under section 106(d), including a
16 State that has received consent to be so des-
17 ignated under section 106(d)(2); or

18 “(B) a State with—

19 “(i) a labor force participation rate
20 that is less than 60 percent for the most
21 recent program year; and

22 “(ii) a population of less than
23 5,100,000, as determined by the most re-
24 cent decennial census released by the Bu-
25 reau of the Census.

1 “(4) **EQUITABLE FLEXIBILITY PILOT AUTHOR-**
2 **ITY.**—Not less than 2 and no more than 3 of the eli-
3 gible States for which the Secretary awards author-
4 ity to carry out a pilot project for the eligible State
5 as a whole under this section shall be States eligible
6 under paragraph (3)(B), at the time of submission
7 of the application, except that in the case of subse-
8 quent approval described in paragraph (2)(C), ex-
9 actly 50 percent of the eligible States for which the
10 Secretary awards authority under such paragraph to
11 carry out a pilot project for the eligible State as a
12 whole shall be States eligible under paragraph
13 (3)(B).

14 “(d) **APPLICATION.**—

15 “(1) **IN GENERAL.**—To be eligible to carry out
16 a pilot project under this section, a State shall sub-
17 mit to the Secretary an application at such time and
18 in such manner as the Secretary may reasonably re-
19 quire, and containing the information described in
20 paragraph (2).

21 “(2) **CONTENT.**—Each application submitted by
22 a State under this subsection shall include the fol-
23 lowing:

24 “(A) A description of the pilot project to
25 be carried out under this section, including—

1 “(i) whether the project will be car-
2 ried out—
3 “(I) by the State as a whole;
4 “(II) by a local area, and if so—
5 “(aa) an identification of—
6 “(AA) such local area;
7 and
8 “(BB) whether the
9 local area will be the fiscal
10 agent for the project, or
11 whether the local board has
12 entered into a written agree-
13 ment with the State for the
14 State to serve as the fiscal
15 agent during the project;
16 and
17 “(bb) written verification
18 from the local board for such
19 local area that such local board
20 agrees—
21 “(AA) to carry out such
22 project; and
23 “(BB) to the fiscal
24 agent identified in item
25 (aa)(BB); or

1 “(III) by a consortium of local
2 areas in the State, and if so—
3 “(aa) an identification of—
4 “(AA) each local area
5 that comprises the consor-
6 tium; and
7 “(BB) the local area
8 that will serve as the fiscal
9 agent for the consortium
10 during the project, or wheth-
11 er the consortium has en-
12 tered into a written agree-
13 ment with the State for the
14 State to serve as the fiscal
15 agent; and
16 “(bb) written verification
17 from each local board of each
18 local area identified in item
19 (aa)(AA) that such local board
20 agrees—
21 “(AA) to carry out such
22 project as a consortium; and
23 “(BB) to the fiscal
24 agent for the consortium
25 identified in item (aa)(BB);

1 “(ii) a description of the activities to
2 be carried out under the project, includ-
3 ing—

4 “(I) the activities to be carried
5 out under the reservation required
6 under subparagraph (C) or (D) of
7 subsection (b)(1), as applicable;

8 “(II) how the activities will com-
9 ply with the priority of service de-
10 scribed in subsection (e)(3); and

11 “(III) how the activities will be
12 made available through the one-stop
13 delivery system described in sub-
14 section (b)(2)(A)(iv);

15 “(iii) the goals the State, local area,
16 or consortium intends to achieve through
17 such activities, which shall be aligned with
18 the purpose described in subsection (a);
19 and

20 “(iv) a description of any reforms or
21 improvements, including any reforms or
22 improvements that may be evidence-based,
23 to service delivery to be carried out under
24 the project.

1 “(B) A description of the performance out-
2 comes the State, the local area, or consortium
3 expects to achieve for such activities for each
4 year of the pilot project period as described in
5 subsection (f)(1).

6 “(C) A description of how the State, local
7 area, or consortium consulted with employers,
8 the State board, and the local boards in the
9 State in determining the activities to carry out
10 under the pilot project.

11 “(D) A description of how the State will
12 make such activities available to jobseekers and
13 employers in each of the local areas in the State
14 or, in a case of a project that will be carried out
15 by a local area or a consortium, a description
16 of how such services will be made available to
17 jobseekers and employers in such local area or
18 each of the local areas in the consortium.

19 “(E) A description, if appropriate, of how
20 the State, local area, or consortium will inte-
21 grate the funds received, and the activities car-
22 ried out, under the pilot project under this sec-
23 tion with funds and activities for State work-
24 force development programs and other Federal,
25 State, or local workforce, education, or social

1 service programs (including the programs and
2 activities listed in section 103(a)(2), the pro-
3 gram of adult education and literacy activities
4 authorized under title II, and the program au-
5 thorized under title I of the Rehabilitation Act
6 of 1973 (29 U.S.C. 720 et seq.)).

7 “(F) An assurance that the State, local
8 area, or consortium will meet the requirements
9 of this section.

10 “(3) SECRETARIAL APPROVAL.—

11 “(A) IN GENERAL.—The Secretary shall—

12 “(i) approve an application submitted
13 under this subsection, and the pilot project
14 described in such application, not later
15 than 90 days after the date on which such
16 application is submitted, unless the Sec-
17 retary meets the requirements of clause
18 (ii); and

19 “(ii) have the authority to disapprove
20 such application only if, by not later than
21 90 days after the date on which such appli-
22 cation is submitted, the Secretary—

23 “(I) determines—

1 “(aa) that such application
2 is subject to the limitations de-
3 scribed in subsection (c)(2); or

4 “(bb) that such application
5 fails to meet the requirements of
6 this section; and

7 “(II) in a case which the Sec-
8 retary makes the determination de-
9 scribed in subclause (I)(bb), provides
10 to the State a written explanation of
11 initial disapproval that meets the re-
12 quirements of subparagraph (B).

13 “(B) INITIAL DISAPPROVAL.—An expla-
14 nation of initial disapproval provided by the
15 Secretary to a State under subparagraph
16 (A)(ii)(II) shall provide the State with—

17 “(i) a detailed explanation of why the
18 application does not meet the requirements
19 of this section; and

20 “(ii) if the State is not subject to the
21 limitations described in subsection (c), an
22 opportunity to revise and resubmit the
23 State’s application under this section.

24 “(C) RULE OF CONSTRUCTION.—Nothing
25 in this paragraph shall be construed to require

1 the Secretary to approve more pilot projects
2 than allowed under the limitations described in
3 subsection (c)(2).

4 “(4) PRIORITY.—In approving pilot projects
5 under this section in the case that more eligible
6 States, for the State as a whole, or more States, on
7 behalf of local areas and consortia of local areas,
8 have submitted applications that meet the require-
9 ments of this section than the Secretary is allowed
10 to approve pursuant to the limitations described in
11 subsection (c)(2), the Secretary shall give priority
12 consideration as follows:

13 “(A) For applications seeking a pilot
14 project for the eligible State as a whole—

15 “(i) first, to applications submitted by
16 eligible States with a population of not
17 more than 5,000,000 and not less than 15
18 workforce boards, as of the date of enact-
19 ment of the A Stronger Workforce for
20 America Act; and

21 “(ii) second, to applications submitted
22 by eligible States that have achieved the
23 State adjusted levels of performance for
24 the youth program authorized under chap-
25 ter 2 of subtitle B and the adult and dis-

1 located worker programs authorized under
2 chapter 3 of subtitle B in the most recent
3 program year for which performance infor-
4 mation is available.

5 “(B) For applications seeking a pilot
6 project for a local area or consortium of local
7 areas, to applications submitted by local areas
8 or consortia of local areas that have achieved
9 the negotiated local levels of performance for
10 such youth program and such adult and dis-
11 located worker programs in the most recent
12 program year for which performance informa-
13 tion is available.

14 “(e) STATE PILOT PROJECT REQUIREMENTS.—A
15 State, local area, or consortium that has been approved
16 to carry out a pilot project under this section shall meet
17 each of the following requirements:

18 “(1) USE OF FUNDS.—Use the funds received
19 pursuant to subsection (b)(1)(B) solely to carry out
20 the activities of the pilot project to achieve the goals
21 of the pilot project, as described in subsection
22 (d)(2)(A).

23 “(2) ADMINISTRATIVE COSTS LIMITATION.—
24 Use not more than 10 percent of the funds received
25 pursuant to subsection (b)(1)(B) for a fiscal year for

1 the administrative costs of carrying out the pilot
2 project.

3 “(3) PRIORITY FOR SERVICES.—Give priority
4 for services under the project to veterans and their
5 eligible spouses in accordance with the requirements
6 of section 4215 of title 38, United States Code, re-
7 cipients of public assistance, low-income individuals,
8 individuals who have foundational skills needs, op-
9 portunity youth, and dislocated workers.

10 “(4) NUMBER OF PARTICIPANTS.—Serve a
11 number of participants under the activities of the
12 pilot project for each year of the pilot project period
13 that—

14 “(A) is greater than the number of partici-
15 pants served by such State, local area, or con-
16 sortium, as applicable, under the programs de-
17 scribed in subparagraph (A) of the definition of
18 the term ‘core program provision’ under section
19 3 for the most recent program year that ended
20 prior to the beginning of the first year of the
21 pilot project period; or

22 “(B) is not less than the number of par-
23 ticipants to be served under the activities of the
24 pilot project that is agreed upon between the

1 State, local area, or consortium, as applicable,
2 and the Secretary—

3 “(i) prior to the Secretary’s approval
4 of the application submitted under sub-
5 section (d); and

6 “(ii) after the Secretary takes into ac-
7 count—

8 “(I) the goals the State, local
9 area, or consortium intends to achieve
10 through the pilot project; and

11 “(II) the participants the State,
12 local area, or consortium intends to
13 serve under such project.

14 “(5) REPORTING OUTCOMES.—Submit, on an
15 annual basis, to the Secretary a report, with respect
16 to such State, local area, or consortium—

17 “(A) on participant outcomes for each in-
18 dicator of performance described in subsection
19 (f)(1)(A) for the activities carried out under the
20 project;

21 “(B) on the applicable requirements of sec-
22 tion 116(d)(2), including—

23 “(i) subparagraph (B) of such section;
24 and

1 “(ii) subparagraphs (C), (D), (E),
2 (F), (G), and (J) of such section, as such
3 subparagraphs are applicable to activities
4 under the pilot project; and

5 “(C) containing a description of how the
6 State spent the amounts reserved under sub-
7 section (b)(1)(C) or the local area or consor-
8 tium spent the amounts reserved under sub-
9 section (b)(1)(D), as applicable, and any evi-
10 dence-based practices developed with such
11 amounts.

12 “(6) COMPLIANCE WITH CERTAIN EXISTING RE-
13 QUIREMENTS.—Comply with the statutory or regu-
14 latory requirements listed in subparagraphs (A) and
15 (B) of subsection (b)(2).

16 “(f) PERFORMANCE ACCOUNTABILITY.—

17 “(1) ESTABLISHMENT OF BASELINE LEVELS
18 FOR PERFORMANCE.—

19 “(A) IN GENERAL.—Each State shall de-
20 scribe in the application submitted under sub-
21 section (d), for each year of the pilot project pe-
22 riod—

23 “(i) with respect to participants who
24 are at least 25 years old, the expected
25 State levels of performance or expected

1 local levels of performance, as the case
2 may be, for each of the indicators of per-
3 formance under section 116(b)(2)(A)(i) for
4 the activities carried out under the project
5 under this section, which shall meet the re-
6 quirements of subparagraph (B); and

7 “(ii) with respect to participants who
8 are at least 16 years old and not older
9 than 24 years old, the expected State levels
10 of performance or expected local levels of
11 performance, as the case may be, for each
12 of the indicators of performance under sec-
13 tion 116(b)(2)(A)(ii) for the activities car-
14 ried out under the project under this sec-
15 tion, which shall meet the requirements of
16 subparagraph (B).

17 “(B) FIFTH YEAR.—Each of the expected
18 levels of performance established pursuant to
19 subparagraph (A) for each of the indicators of
20 performance for the fifth year of the pilot
21 project period shall be higher than—

22 “(i) the highest State adjusted or ne-
23 gotiated local level of performance, as ap-
24 plicable, for the corresponding indicator of
25 performance for the programs described in

1 subparagraph (A) of the definition of the
2 term ‘core program provisions’ under sec-
3 tion 3, for the most recent program year
4 for such State that ended prior to the be-
5 ginning of the first year of the pilot project
6 period; or

7 “(ii) an alternate baseline level of per-
8 formance that—

9 “(I) shall not be lower than the
10 most recent State adjusted or nego-
11 tiated local level of performance (in-
12 cluding any revisions) for the cor-
13 responding indicator of performance
14 for the youth program under chapter
15 2 of subtitle B or the adult or dis-
16 located worker program under chapter
17 3 of such subtitle (using the program
18 determined most applicable by the
19 Governor of the State submitting the
20 application), taking into account the
21 goals the State intends to achieve
22 through the pilot project and the par-
23 ticipants the State intends to serve
24 through such project; and

1 “(II) is agreed upon between the
2 State and the Secretary—

3 “(aa) prior to the Sec-
4 retary’s approval of the applica-
5 tion submitted under subsection
6 (d); and

7 “(bb) after the Secretary
8 takes into account—

9 “(AA) the goals the
10 State intends to achieve
11 through the pilot project;
12 and

13 “(BB) the participants
14 the State intends to serve
15 under such project.

16 “(C) AGREED LEVEL FOR PERFORMANCE
17 ON EXPECTED LEVELS OF PERFORMANCE.—

18 Prior to approving an application for a pilot
19 project submitted by a State, and using the ex-
20 pected levels of performance described in such
21 application, the Secretary shall reach an agree-
22 ment with such State on the expected levels of
23 performance for each of the indicators of per-
24 formance. In reaching an agreement on such
25 expected levels of performance, the Secretary

1 and the State may consider the factors de-
2 scribed in section 116(b)(3)(A)(v).

3 “(2) SANCTIONS.—

4 “(A) IN GENERAL.—The sanctions de-
5 scribed in section 116(f)(1)(B) shall apply to a
6 State, local area, or consortium of local areas
7 beginning on the third year of the pilot project
8 period for such State, local area, or consortium,
9 except that the expected levels of performance
10 established under paragraph (1) shall be—

11 “(i) deemed to be the State negotiated
12 levels of performance for purposes of this
13 paragraph; and

14 “(ii) adjusted at the end of each pro-
15 gram year to reflect the actual characteris-
16 tics of participants served and the actual
17 economic conditions experienced using a
18 statistical adjustment model similar to the
19 model described in section
20 116(b)(3)(A)(viii).

21 “(B) INELIGIBILITY FOR RENEWAL.—A
22 State, local area, or consortium that is subject
23 to such sanctions shall be ineligible to renew its
24 pilot project period under subsection (c).

1 “(3) IMPACT OF LOCAL OR CONSORTIUM PILOT
2 PROJECTS ON STATEWIDE ACCOUNTABILITY.—With
3 respect to a State with an approved pilot project for
4 a local area or consortium of local areas in the
5 State—

6 “(A) the performance of such local area or
7 consortium for the programs described in sub-
8 paragraph (A) of the definition of the term
9 ‘core program provision’ under section 3 shall
10 not be included in the levels of performance for
11 such State for any of such programs for pur-
12 poses of section 116 for any program year that
13 is applicable to any year of the pilot project pe-
14 riod; and

15 “(B) with respect to any local areas of the
16 State that are not part of the pilot project, the
17 State shall reach a new agreement with the
18 Secretary, for purposes of section 116(b)(3)(A),
19 on levels of performance for such programs for
20 such program years.

21 “(g) TERMINATION.—Except as provided under sub-
22 section (c)(1)(B), the Secretary may not approve a pilot
23 project after December 31, 2030.”.

1 **SEC. 198. GENERAL PROGRAM REQUIREMENTS.**

2 Section 194 of the Workforce Innovation and Oppor-
3 tunity Act (29 U.S.C. 3254)) is amended by adding at
4 the end the following:

5 “(16)(A) IN GENERAL.—Each recipient of
6 funds described in section 128(a), section 128(b), or
7 section 133(b) or under subtitle C or D (including
8 a provider described in section 122(i) that is award-
9 ed such funds by a State or local area) shall provide
10 to the appropriate entity an assurance that the re-
11 cipient will adhere to the requirements under sub-
12 sections (a) and (b) of section 181.

13 “(B) APPROPRIATE ENTITY.—For the purposes
14 of this paragraph, the term ‘appropriate entity’
15 means—

16 “(i) in the case of any funds described in
17 section 128(a), the Governor of the State pro-
18 viding such funds;

19 “(ii) in the case of any funds described in
20 section 128(b) or section 133(b), the local
21 board providing such funds; and

22 “(iii) in the case of any funds under sub-
23 title C or D, the Secretary.”

1 **TITLE II—ADULT EDUCATION**
2 **AND LITERACY**

3 **SEC. 201. PURPOSE.**

4 Section 202 of the Workforce Innovation and Oppor-
5 tunity Act (29 U.S.C. 3271) is amended—

6 (1) in paragraph (1), by inserting “(including
7 digital literacy skills)” before “necessary”;

8 (2) in paragraph (3), by striking “secondary
9 school diploma” and inserting “regular high school
10 diploma or its recognized equivalent”; and

11 (3) in paragraph (4), by striking “English lan-
12 guage learners” and inserting “English learners”.

13 **SEC. 202. DEFINITIONS.**

14 Section 203 of the Workforce Innovation and Oppor-
15 tunity Act (29 U.S.C. 3272) is amended—

16 (1) in paragraph (1)—

17 (A) in subparagraph (A)—

18 (i) by striking “and speak” and in-
19 serting “listen, speak, and comprehend”;

20 and

21 (ii) by striking “secondary” and in-
22 serting “regular high”;

23 (B) in subparagraph (B), by striking

24 “and” at the end;

1 (C) by redesignating subparagraph (C) as
2 subparagraph (D); and

3 (D) by inserting after subparagraph (B)
4 the following:

5 “(C) develop and use digital literacy skills;
6 and”;

7 (2) by redesignating paragraphs (3) through
8 (14), (15), (16), and (17), as paragraphs (4)
9 through (15), (17), (18), and (19), respectively;

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

12 “(3) DIGITAL LITERACY SKILLS.—The term
13 ‘digital literacy skills’ has the meaning given the
14 term in section 202 of the Museum and Library
15 Services Act (20 U.S.C. 9101).”;

16 (4) in paragraph (5)(C) (as so redesignated)—

17 (A) by striking clause (i) and inserting the
18 following:

19 “(i) has foundational skill needs;”;

20 (B) in clause (ii), by striking “secondary”
21 and inserting “regular high”; and

22 (C) in clause (iii), by striking “English
23 language learner” and inserting “English learn-
24 er”;

25 (5) in paragraph (7) (as so redesignated)—

1 (A) in subparagraph (A), by striking
2 “English language learners” and inserting
3 “English learners”; and

4 (B) in subparagraph (B)(i)(I), by striking
5 “secondary” and inserting “regular high”;
6 (6) in paragraph (8) (as so redesignated)—

7 (A) in the paragraph heading, by striking
8 “LANGUAGE”; and

9 (B) in the matter preceding subparagraph
10 (A), by striking “English language learner” and
11 inserting “English learner”;

12 (7) in the matter preceding subparagraph (A)
13 in paragraph (10) (as so redesignated), by inserting
14 “and educational” after “the economic”;

15 (8) in paragraph (13) (as so redesignated)—

16 (A) by striking “English language learn-
17 ers” and inserting “English learners”; and

18 (B) by striking “and may include work-
19 force training.” and inserting the following:
20 “and may—

21 “(A) include skills development, postsec-
22 ondary preparation activities, digital literacy
23 skills instruction, financial literacy instruction,
24 and workforce training; and

1 “(B) be provided concurrently with other
2 activities and services, such as adult edu-
3 cation.”;

4 (9) in paragraph (14) (as so redesignated), by
5 striking “and speak in English, compute, and solve
6 problems,” and inserting “speak, and comprehend in
7 English, compute, solve problems, and have digital
8 literacy skills,”; and

9 (10) by inserting after paragraph (15) (as so
10 redesignated) the following:

11 “(16) POSTSECONDARY PREPARATION ACTIVI-
12 TIES.—The term ‘postsecondary preparation activi-
13 ties’ means academic counseling (which may be pro-
14 vided by a college and career navigator) and services
15 designed to support enrollment and success in post-
16 secondary education that include assisting individ-
17 uals to—

18 “(A) identify postsecondary educational op-
19 tions that prepare individuals for unsubsidized
20 employment;

21 “(B) navigate the transition from adult
22 education to postsecondary education;

23 “(C) navigate the transition from adult
24 education to workforce development programs
25 and services;

1 “(D) coenroll in adult education and work-
2 force development programs, if applicable;

3 “(E) improve academic skills so that indi-
4 viduals are prepared to participate in postsec-
5 ondary education without need for remediation;
6 or

7 “(F) learn notetaking, study skills, and
8 other skills that promote student success in
9 postsecondary education.”.

10 **SEC. 203. AUTHORIZATION OF APPROPRIATIONS.**

11 Section 206 of the Workforce Innovation and Oppor-
12 tunity Act (29 U.S.C. 3275) is amended to read as follows:

13 **“SEC. 206. AUTHORIZATION OF APPROPRIATIONS.**

14 “‘There are authorized to be appropriated to carry out
15 this title \$751,042,100 for each of the fiscal years 2026
16 through 2030.’”.

17 **SEC. 204. SPECIAL RULE.**

18 Section 211 of the Workforce Innovation and Oppor-
19 tunity Act (29 U.S.C. 3291) is amended—

20 (1) in subsection (d)(3), by striking “sec-
21 ondary” and inserting “regular high”; and

22 (2) in subsection (e)(3), by striking “period de-
23 scribed in section 3(45)” and inserting “period de-
24 scribed in subparagraph (B) of the definition of the
25 term ‘outlying area’ in section 3”.

1 **SEC. 205. PERFORMANCE ACCOUNTABILITY SYSTEM.**

2 Section 212 of the Workforce Innovation and Oppor-
3 tunity Act (29 U.S.C. 3292) is amended to read as follows:

4 **“SEC. 212. PERFORMANCE ACCOUNTABILITY SYSTEM.**

5 “(a) IN GENERAL.—Programs and activities author-
6 ized in this title are subject to the performance account-
7 ability provisions described in section 116, except that the
8 indicator described in subsection (b)(2)(A)(i)(VI) of such
9 section shall be applied as if it were the percentage of pro-
10 gram participants who exited the program during the pro-
11 gram year and completed an integrated education and
12 training program.

13 “(b) DATA COLLECTION.—Notwithstanding section
14 134(a) of the Higher Education Act of 1965 (20 U.S.C.
15 1015c(a)), the Secretary is authorized to collect
16 deidentified participant-level data for participants in pro-
17 grams and activities funded under this title on the infor-
18 mation required for State performance reports as de-
19 scribed in section 116(d) for the sole purpose of admin-
20 istering the performance accountability system under sec-
21 tion 116.”.

22 **SEC. 206. MATCHING REQUIREMENT.**

23 Section 222(b) of the Workforce Innovation and Op-
24 portunity Act (29 U.S.C. 3302(b)) is amended by adding
25 at the end the following:

1 “(3) PUBLIC AVAILABILITY OF INFORMATION
2 ON MATCHING FUNDS.—Each eligible agency shall
3 maintain, on a publicly accessible website of such
4 agency and in an easily accessible format, informa-
5 tion documenting the non-Federal contributions
6 made available to programs that offer adult edu-
7 cation and literacy activities or family literacy activi-
8 ties pursuant to this subsection, including—

9 “(A) the sources of such contributions, ex-
10 cept that in the case of private contributions,
11 names of the individuals or entities providing
12 such contributions may not be disclosed; and

13 “(B) in the case of funds made available
14 by a State or outlying area, an explanation of
15 how such funds are distributed to eligible pro-
16 viders.”.

17 **SEC. 207. STATE LEADERSHIP ACTIVITIES.**

18 Section 223(a) of the Workforce Innovation and Op-
19 portunity Act (29 U.S.C. 3303(a)) is amended—

20 (1) in paragraph (1)—

21 (A) in subparagraph (A), by striking “ac-
22 tivities.” and inserting “activities and the iden-
23 tification of opportunities to coordinate with ac-
24 tivities supported under the Carl D. Perkins
25 Career and Technical Education Act of 2006

1 (20 U.S.C. 2301 et seq.) to expand integrated
2 education and training programs.”;

3 (B) in subparagraph (C)—

4 (i) in clause (i), by striking “based on
5 the most rigorous or scientifically valid re-
6 search available and appropriate, in read-
7 ing, writing, speaking, mathematics,” and
8 inserting “based on evidence-based prac-
9 tices, in reading, writing, speaking,
10 English comprehension, mathematics,”;

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

13 (iii) in clause (iii), by striking the pe-
14 riod at the end and inserting “; and”;

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

17 “(iv) assistance in reporting partici-
18 pant outcomes for the performance ac-
19 countability system described in section
20 212, including facilitating partnerships
21 with the appropriate State entities to con-
22 duct matches with State administrative
23 data (such as wage records) to determine
24 program performance on the indicators of
25 performance described in subclauses (I)

1 through (III) of section 116(b)(2)(A)(i)
2 and which may include assistance in inte-
3 grating with statewide longitudinal data
4 systems.”;

5 (C) by redesignating subparagraph (D) as
6 subparagraph (E); and

7 (D) by inserting after subparagraph (C)
8 the following:

9 “(D) The development, identification, ac-
10 quisition, and dissemination (which may be
11 done in coordination with other States) of evi-
12 dence-based instructional materials (to the ex-
13 tent available) that lead to literacy, English lan-
14 guage acquisition, a recognized postsecondary
15 credential, or any combination of such results;
16 and—

17 “(i) are designed to meet the needs of
18 adult learners, including English learners,
19 and may be developed for integrated edu-
20 cation and training in an in-demand indus-
21 try sector or occupation within the State;
22 and

23 “(ii) will improve the instruction pro-
24 vided pursuant to the local activities re-
25 quired under section 231(b).”; and

1 (2) in paragraph (2)—

2 (A) by redesignating subparagraphs (E),
3 (F), (G), (H), (I), (J), (K), (L), and (M), as
4 subparagraphs (F), (G), (H), (I), (J), (K), (L),
5 (M), and (R), respectively;

6 (B) by inserting after subparagraph (D)
7 the following:

8 “(E) Developing content and models for
9 programs that support family literacy activi-
10 ties.”;

11 (C) in subparagraph (J)(i) (as so redesign-
12 nated)—

13 (i) by striking “mathematics, and
14 English” and inserting “mathematics,
15 English”; and

16 (ii) by striking “acquisition;” and in-
17 serting “acquisition, and digital literacy
18 skills;”;

19 (D) by striking subparagraph (K) (as so
20 redesignated) and inserting the following:

21 “(K) Developing and piloting of strategies
22 for improving adult educator recruitment, qual-
23 ity, and retention, such as—

24 “(i) the provision of professional de-
25 velopment; and

1 “(ii) the development and mainte-
2 nance of policies for awarding recognized
3 postsecondary credentials to adult edu-
4 cators who demonstrate effectiveness at
5 improving the achievement of adult stu-
6 dents.”;

7 (E) in subparagraph (L) (as so redesign-
8 ated), by striking “English language learners”
9 and inserting “English learners”;

10 (F) in subparagraph (M) (as so redesign-
11 ated), by inserting “, which may include
12 through partnerships with local educational
13 agencies or public agencies to recruit eligible in-
14 dividuals” after “employers”; and

15 (G) by inserting after subparagraph (M)
16 (as so redesignated) the following:

17 “(N) Performance incentive payments to
18 eligible providers, including incentive payments
19 linked to increased use of integrated education
20 and training or other forms of instruction link-
21 ing adult education with the development of oc-
22 cupational skills for an in-demand industry sec-
23 tor or occupation in the State.

24 “(O) Strengthening the quality and effec-
25 tiveness of adult education and programs that

1 support family literacy activities in the State
2 through support for program quality standards
3 and accreditation requirements.

4 “(P) Raising public awareness (including
5 through public service announcements, such as
6 social media campaigns) about career and tech-
7 nical education programs and community-based
8 organizations, and other endeavors focused on
9 programs that prepare individuals for in-de-
10 mand industry sectors or occupations.

11 “(Q) Postsecondary preparation activi-
12 ties.”.

13 **SEC. 208. PROGRAMS FOR CORRECTIONS EDUCATION AND**
14 **OTHER INSTITUTIONALIZED INDIVIDUALS.**

15 Section 225 of the Workforce Innovation and Oppor-
16 tunity Act (29 U.S.C. 3305) is amended—

17 (1) by striking subsection (a) and inserting the
18 following:

19 “(a) PROGRAM AUTHORIZED.—

20 “(1) IN GENERAL.—From funds made available
21 under section 222(a)(1) for a fiscal year, each eligi-
22 ble agency shall carry out corrections education and
23 education for justice-involved individuals and other
24 institutionalized individuals.

1 “(2) PRIORITY.—An eligible agency granting
2 awards from funds authorized under paragraph (1)
3 shall give priority to an eligible entity that proposes
4 to operate an educational program in a correctional
5 institution that is also served by a program author-
6 ized under section 172.”;

7 (2) in subsection (b)—

8 (A) in the matter preceding paragraph (1),
9 by striking “for criminal offenders in correc-
10 tional institutions and for other institutional-
11 ized individuals” and inserting “for justice-in-
12 volved individuals in correctional institutions
13 and for other institutionalized individuals”; and

14 (B) in paragraph (3), by striking “sec-
15 ondary school credit” and inserting “attainment
16 of a regular high school diploma or its recog-
17 nized equivalent”;

18 (3) in subsection (c), by striking “criminal of-
19 fenders” and inserting “justice-involved individuals”;

20 (4) by redesignating subsections (d) and (e) as
21 subsections (e) and (f), respectively;

22 (5) by inserting after subsection (c) the fol-
23 lowing:

24 “(d) COORDINATION.—Each eligible agency that is
25 using assistance provided under this section to carry out

1 a program for justice-involved individuals within a correc-
2 tional institution shall—

3 “(1) coordinate such educational programs with
4 career and technical education activities provided to
5 individuals in State institutions from funds reserved
6 under section 112(a)(2)(A) of the Carl D. Perkins
7 Career and Technical Education Act of 2006 (20
8 U.S.C. 2322(a)(2)(A));

9 “(2) identify opportunities to develop integrated
10 education and training opportunities for such indi-
11 viduals;

12 “(3) coordinate with institutions of higher edu-
13 cation operating a prison education program in the
14 State; and

15 “(4) if the correctional institution is also served
16 by a program authorized under section 172, provide
17 a description of how the award funds under this sec-
18 tion will be used to carry out the activities described
19 in section 172, in conjunction with the activities de-
20 scribed in subsection (b).”;

21 (6) in subsection (e) (as so redesignated), by
22 striking “criminal offenders” and inserting “justice-
23 involved individuals”; and

24 (7) in subsection (f) (as so redesignated)—

1 (A) in paragraph (1)(F), by striking
2 “criminal offenders” and inserting “justice-in-
3 volved individuals”; and

4 (B) by striking paragraph (2) and insert-
5 ing the following:

6 “(2) JUSTICE-INVOLVED INDIVIDUAL.—The
7 term ‘justice-involved individual’ means any indi-
8 vidual who has been adjudicated delinquent or con-
9 victed of a crime and imprisoned under Federal or
10 State law.

11 “(3) PRISON EDUCATION PROGRAM.—The term
12 ‘prison education program’ has the meaning given
13 the term in section 484 of the Higher Education Act
14 of 1965 (20 U.S.C. 1091).”.

15 **SEC. 209. GRANTS AND CONTRACTS FOR ELIGIBLE PRO-**
16 **VIDERS.**

17 Section 231 of the Workforce Innovation and Oppor-
18 tunity Act (29 U.S.C. 3321) is amended—

19 (1) in subsection (a)—

20 (A) by striking “From grant funds” and
21 inserting the following:

22 “(1) IN GENERAL.—From grant funds”; and

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

24 “(2) PROMPT AVAILABILITY OF FUNDS.—Each
25 eligible agency shall ensure that funds are available

1 for reimbursement to an eligible provider that is
2 awarded a multiyear grant or contract under para-
3 graph (1) not later than 45 days after the date on
4 which the multiyear grant or contract is awarded.”;

5 (2) in subsection (d), by striking “section
6 203(4)” and inserting “section 203(5)”;

7 (3) in subsection (e)—

8 (A) in paragraph (1)(B)(ii), by striking
9 “English language learners” and inserting
10 “English learners”;

11 (B) in paragraph (5)—

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

14 (ii) in subparagraph (B), by adding
15 “and” at the end; and

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

18 “(C) uses instructional materials that are
19 designed to meet the needs of adult learners
20 and English learners and are evidence-based (to
21 the extent practicable), which may include, but
22 shall not be required to include, the instruc-
23 tional materials disseminated by the State
24 under section 223(a)(1)(D);”;

25 (C) in paragraph (6)—

1 (i) by striking “speaking, mathe-
2 matics, and English” and inserting
3 “speaking and listening, mathematics,
4 comprehension, and English”; and

5 (ii) by inserting before the semicolon
6 at the end the following: “, which may in-
7 clude the application of the principles of
8 universal design for learning”; and

9 (D) in paragraph (10), by inserting “local
10 educational agencies,” after “strong links
11 with”; and

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

13 “(f) COST ANALYSIS.—In determining the amount of
14 funds to be awarded in grants or contracts under this sec-
15 tion, the eligible agency may consider the costs of pro-
16 viding learning in context, including integrated education
17 and training and workplace adult education and literacy
18 activities, and the extent to which the eligible provider in-
19 tends to serve individuals using such activities, in order
20 to align the amount of funds awarded with such costs.”.

21 **SEC. 210. LOCAL APPLICATION.**

22 Section 232 of the Workforce Innovation and Oppor-
23 tunity Act (29 U.S.C. 3322) is amended—

24 (1) in paragraph (4), by inserting “and coordi-
25 nate with the appropriate State entity” after “data”;

1 (2) in paragraph (6), by striking “; and” and
2 inserting “, such as how the eligible provider may
3 provide adult education and literacy activities in a
4 manner that is integrated with postsecondary prepa-
5 ration activities to enable students to prepare for op-
6 portunities to attain a recognized postsecondary cre-
7 dential;”;

8 (3) by redesignating paragraph (7) as para-
9 graph (8); and

10 (4) by inserting after paragraph (6) the fol-
11 lowing:

12 “(7) a description of how the eligible provider
13 will provide learning in context, including through
14 partnerships with employers to offer workplace adult
15 education and literacy activities and integrated edu-
16 cation and training; and”.

17 **SEC. 211. LOCAL ADMINISTRATIVE COST LIMITS.**

18 Section 233(a) of the Workforce Innovation and Op-
19 portunity Act (29 U.S.C. 3323(a)) is amended—

20 (1) in paragraph (1), by striking “95” and in-
21 serting “85”; and

22 (2) by striking paragraph (2) and inserting the
23 following:

24 “(2) the remaining amount—

1 “(A) not to exceed 10 percent, may be
2 used for professional development for adult edu-
3 cators; and

4 “(B) not to exceed 5 percent, shall be used
5 for planning, administration (including carrying
6 out the requirements of section 116), profes-
7 sional development of administrative staff, and
8 the activities described in paragraphs (3) and
9 (5) of section 232.”.

10 **SEC. 212. NATIONAL LEADERSHIP ACTIVITIES.**

11 Section 242 of the Workforce Innovation and Oppor-
12 tunity Act (29 U.S.C. 3332) is amended—

13 (1) in subsection (b)(1), by striking “116;” and
14 inserting “116, including the dissemination of effec-
15 tive practices used by States to use statewide longi-
16 tudinal data systems or other sources of administra-
17 tive data to determine program performance and re-
18 duce the data collection and reporting burden on eli-
19 gible providers;”; and

20 (2) in subsection (c)—

21 (A) in paragraph (1)—

22 (i) in subparagraph (A), by inserting
23 “including, where appropriate, the applica-
24 tion of the principles of universal design

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1 for learning and” after “literacy activi-
2 ties,”;

3 (ii) in subparagraph (B), by striking
4 “English language learners” and inserting
5 “English learners”; and

6 (iii) in subparagraph (C), by inserting
7 “skills” after “digital literacy”; and

8 (B) in paragraph (2)—

9 (i) in subparagraph (C)—

10 (I) in clause (i), by striking “rig-
11 orous research” and inserting “evi-
12 dence-based practices”; and

13 (II) in clause (vii)—

14 (aa) in subclause (I), by
15 striking “adults with” and all
16 that follows through the semi-
17 colon and inserting “adults with
18 disabilities, including adults with
19 learning disabilities, and with
20 adults who are English learn-
21 ers;”;

22 (bb) in subclause (III), by
23 striking “and” after the semi-
24 colon;

1 (cc) in subclause (IV), by in-
2 serting “and” after the semi-
3 colon; and

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

6 “(V) programs that offer family
7 literacy activities;”;

8 (ii) in subparagraph (F), by striking
9 “and” after the semicolon;

10 (iii) by redesignating subparagraph
11 (G) as subparagraph (J); and

12 (iv) by inserting after subparagraph
13 (F) the following:

14 “(G) developing and rigorously evaluating
15 programs for the preparation of effective adult
16 educators and disseminating the results of such
17 evaluations;

18 “(H) carrying out initiatives to support the
19 effectiveness and impact of adult education,
20 that States may adopt on a voluntary basis,
21 through—

22 “(i) the development and dissemina-
23 tion of staffing models, which may include
24 full-time staffing models, that prioritize
25 demonstrated effectiveness and continuous

1 improvement in supporting the learning of
2 adult students; and

3 “(ii) the evaluation and improvement
4 of program quality standards and accredi-
5 tation requirements;

6 “(I) providing technical assistance to eligi-
7 ble agencies regarding effective professional de-
8 velopment for programs that offer adult edu-
9 cation and literacy activities or family literacy
10 activities; and”.

11 **SEC. 213. INTEGRATED ENGLISH LITERACY AND CIVICS**
12 **EDUCATION.**

13 Section 243(c)(1) of the Workforce Innovation and
14 Opportunity Act (29 U.S.C. 3333(c)(1)) is amended by
15 striking “English language learners” and inserting
16 “English learners”.

17 **TITLE III—AMENDMENTS TO**
18 **OTHER LAWS**

19 **SEC. 301. AMENDMENTS TO THE WAGNER-PEYSER ACT.**

20 (a) DEFINITIONS.—Section 2(5) of the Wagner-
21 Peyser Act (29 U.S.C. 49a(5)) is amended by inserting
22 “the Commonwealth of the Northern Mariana Islands,
23 American Samoa,” after “Guam,”.

24 (b) UNEMPLOYMENT COMPENSATION LAW REQUIRE-
25 MENT.—Section 5(b)(1) of the Wagner-Peyser Act (29

1 U.S.C. 49d(b)(1)) is amended by inserting “the Common-
2 wealth of the Northern Mariana Islands, or American
3 Samoa,” after “Guam,”.

4 (c) ALLOTMENTS.—Section 6 of the Wagner-Peyser
5 Act (29 U.S.C. 49e) is amended—

6 (1) in subsection (a)—

7 (A) by striking “except for Guam” and in-
8 serting “except for Guam, the Commonwealth
9 of the Northern Mariana Islands, and American
10 Samoa”;

11 (B) by striking “first allot to Guam and
12 the Virgin Islands” and inserting the following:
13 “first allot—

14 “(1) to Guam and the Virgin Islands”;

15 (C) by striking the period at the end and
16 inserting “; and”; and

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

18 “(2) beginning with the first fiscal year for
19 which the total amount available for allotments
20 under this section is greater than the total amount
21 available for allotments under this section for fiscal
22 year 2024, and for each succeeding fiscal year, to
23 each of the Commonwealth of the Northern Mariana
24 Islands and American Samoa, an amount which is

1 equal to one-half of the amount allotted to Guam
2 under paragraph (1) for such fiscal year.”; and

3 (2) in subsection (b)(1), in the matter following
4 subparagraph (B), by inserting “, the Common-
5 wealth of the Northern Mariana Islands, American
6 Samoa,” after “Guam”.

7 (d) USE OF FUNDS.—Section 7 of the Wagner-
8 Peyser Act (29 U.S.C. 49f) is amended—

9 (1) in subsection (a)(1), by striking “and refer-
10 ral to employers” and inserting “referral to employ-
11 ers, and the services described in section
12 134(c)(2)(A)(ii) of the Workforce Innovation and
13 Opportunity Act (29 U.S.C. 3174(c)(2)(A)(ii)) when
14 provided by the employment service office colocated
15 with the one-stop delivery system”; and

16 (2) in subsection (e), by inserting before the pe-
17 riod at the end the following: “and in accordance
18 with the requirements of section 134(c)(2)(A)(i)(I)
19 of the Workforce Innovation and Opportunity Act
20 (29 U.S.C. 3174(c)(2)(A)(i)(I))”.

21 (e) WORKFORCE AND LABOR MARKET INFORMATION
22 SYSTEM.—Section 15 of the Wagner-Peyser Act (29
23 U.S.C. 49l–2) is amended—

24 (1) in subsection (a)(1)—

25 (A) in subparagraph (A)—

1 (i) in the matter preceding clause (i),
2 by striking “timely manner” and inserting
3 “manner that is as close to real-time as
4 practicable”;

5 (ii) in clause (i), by striking “part-
6 time, and seasonal workers” and inserting
7 “part-time, contingent, and seasonal work-
8 ers, and workers engaged in alternative
9 employment arrangements”;

10 (iii) by redesignating clauses (iii) and
11 (iv) as clauses (iv) and (v), respectively;
12 and

13 (iv) by inserting after clause (ii), the
14 following:

15 “(iii) real-time trends in new and
16 emerging occupational roles, and in new
17 and emerging skills by occupation and in-
18 dustry, with particular attention paid to
19 State and local conditions;”;

20 (B) in subparagraph (B)(i), by inserting
21 “(including, to the extent practicable, real-
22 time)” after “current”; and

23 (C) in subparagraph (G), by striking
24 “user-friendly manner and” and inserting

1 “manner that is available on-demand and is
2 user-friendly,”;

3 (2) in subsection (b)(2)(F)—

4 (A) in clause (i), by striking “; and” and
5 inserting “(including, to the extent practicable,
6 provided in real time);”;

7 (B) by redesignating clause (ii) as clause
8 (iii); and

9 (C) by inserting after clause (i), as so
10 amended, the following:

11 “(ii) the capabilities of digital tech-
12 nology and modern data collection ap-
13 proaches are effectively utilized; and”;

14 (3) in subsection (e)(2)(H), by striking “section
15 116(i)(2) of the Workforce Innovation and Oppor-
16 tunity Act” and inserting “section 116(j)(2) of the
17 Workforce Innovation and Opportunity Act”; and

18 (4) by amending subsection (g) to read as fol-
19 lows:

20 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to carry out this section
22 \$64,532,600 for each of the fiscal years 2026 through
23 2030.”.

1 **SEC. 302. JOB TRAINING GRANTS.**

2 Section 414(c) of the American Competitiveness and
3 Workforce Improvement Act of 1998 (29 U.S.C. 3224a)
4 is amended to read as follows:

5 “(c) **JOB TRAINING GRANTS.**—

6 “(1) **ALLOTMENT.**—

7 “(A) **IN GENERAL.**—Of the funds available
8 under section 286(s)(2) of the Immigration and
9 Nationality Act (8 U.S.C. 1356(s)(2)), the Sec-
10 retary of Labor shall, for each fiscal year—

11 “(i) return permanently 12 percent of
12 such amounts in each fiscal year to the
13 general fund of the Treasury;

14 “(ii) use \$65,000,000 of such funds to
15 carry out the program established under
16 section 173 of the Workforce Innovation
17 and Opportunity Act; and

18 “(iii) using the funds remaining after
19 carrying out clauses (i) and (ii), make al-
20 lotments to each State that receives an al-
21 lotment under section 132(b) of the Work-
22 force Innovation and Opportunity Act (29
23 U.S.C. 3172) for the purpose of providing
24 training services through individual train-
25 ing accounts for eligible dislocated workers
26 as described in paragraph (2)(A).

1 “(B) RESERVATION; ALLOTMENT AMONG
2 STATES.—

3 “(i) RESERVATION.—From the
4 amount made available under subpara-
5 graph (A)(iii) for a fiscal year, the Sec-
6 retary shall reserve not more than $\frac{1}{4}$ of 1
7 percent of such amount to provide assist-
8 ance to the outlying areas for the purpose
9 described in paragraph (2)(A).

10 “(ii) ALLOTMENT AMONG STATES.—
11 Subject to clause (iii) of this subpara-
12 graph, the Secretary shall use the remain-
13 der of the amount made available under
14 subparagraph (A)(iii) (in this subpara-
15 graph referred to as the ‘remainder
16 amount’) for a fiscal year to make allot-
17 ments to States described in such subpara-
18 graph on the following basis:

19 “(I) $\frac{33}{100}$ and $\frac{1}{3}$ percent shall be
20 allotted on the basis of the relative
21 number of unemployed individuals in
22 each such State, compared to the total
23 number of unemployed individuals in
24 all such States.

1 ceeds \$180,000,000, $\frac{2}{5}$ of 1 percent
2 of such excess amount.

3 “(iv) DISADVANTAGED ADULT DE-
4 FINED.—For purposes of this subpara-
5 graph and subparagraph (C), the term
6 ‘disadvantaged adult’ has the meaning
7 given such term in section
8 132(b)(1)(B)(v)(IV) of the Workforce In-
9 novation and Opportunity Act (29 U.S.C.
10 3172(b)(1)(B)(v)(IV)).

11 “(v) REALLOTMENT.—

12 “(I) IN GENERAL.—The Sec-
13 retary of Labor shall, in accordance
14 with this clause, reallocate to eligible
15 States amounts that are made avail-
16 able to States from allotments made
17 under this subparagraph (referred to
18 individually in this subsection as a
19 ‘State allotment’) and that are avail-
20 able for reallocation.

21 “(II) AMOUNT.—The amount
22 available for reallocation for a pro-
23 gram year is equal to the amount by
24 which the unobligated balance of the
25 State allotment, at the end of the pro-

1 gram year prior to the program year
2 for which the determination under
3 this subclause is made, exceeds 20
4 percent of such allotment for the prior
5 program year.

6 “(III) REALLOTMENT.—In mak-
7 ing reallocations to eligible States of
8 amounts available pursuant to sub-
9 clause (II) for a program year, the
10 Secretary shall allot to each eligible
11 State an amount based on the relative
12 amount of the State allotment for the
13 program year for which the deter-
14 mination is made, as compared to the
15 total amount of the State allotments
16 for all eligible States for such pro-
17 gram year.

18 “(IV) ELIGIBILITY.—For pur-
19 poses of this subsection, an ‘eligible
20 State’ means a State that does not
21 have an amount available for reallocot-
22 ment under subclause (II) for the pro-
23 gram year for which the determina-
24 tion under subclause (II) is made.

25 “(C) WITHIN STATE ALLOCATIONS.—

1 “(i) IN GENERAL.—The Governor
2 shall allocate the funds allotted to the
3 State under subparagraph (B)(ii) for a fis-
4 cal year to the local areas in the State on
5 the following basis:

6 “(I) 33 and $\frac{1}{3}$ percent of the
7 funds on the basis described in sub-
8 paragraph (B)(ii)(I).

9 “(II) 33 and $\frac{1}{3}$ percent of the
10 funds on the basis described in sub-
11 paragraph (B)(ii)(II).

12 “(III) 33 and $\frac{1}{3}$ percent of the
13 funds on the basis described in sub-
14 paragraph (B)(ii)(III).

15 “(ii) APPLICATION.—For purposes of
16 carrying out clause (i)—

17 “(I) references in subparagraph
18 (B)(ii) to a State shall be deemed to
19 be references to a local area; and

20 “(II) references in subparagraph
21 (B)(ii) to all States shall be deemed to
22 be references to all local areas in the
23 State involved.

24 “(iii) REALLOCATION AMONG LOCAL
25 AREAS.—

1 local area within the State an amount
2 based on the relative amount of the
3 local allocation for the program year
4 for which the determination is made,
5 as compared to the total amount of
6 the local allocations for all eligible
7 local areas in the State for such pro-
8 gram year.

9 “(IV) ELIGIBILITY.—For pur-
10 poses of this subsection, an eligible
11 local area means a local area that
12 does not have an amount available for
13 reallocation under subclause (II) for
14 the program year for which the deter-
15 mination under subclause (II) is
16 made.

17 “(2) USE OF FUNDS.—

18 “(A) IN GENERAL.—Funds allocated pur-
19 suant to paragraph (1) to a local area shall be
20 used to pay, through the use of an individual
21 training account in the accordance with section
22 134(c)(3)(F)(iii) of the Workforce Innovation
23 and Opportunity Act (29 U.S.C.
24 3174(c)(3)(F)(iii)), an eligible provider of train-
25 ing services from the list of eligible providers of

1 training services described in section 122(d) of
2 such Act (29 U.S.C. 3152(d)) for training serv-
3 ices provided to eligible dislocated workers in
4 the local area.

5 “(B) REQUIREMENTS FOR LOCAL
6 AREAS.—As a condition of receipt of funds
7 under paragraph (1), a local area shall agree to
8 each of the following:

9 “(i) REQUIRED NOTICE TO WORK-
10 ERS.—Prior to an eligible dislocated work-
11 er selecting a program of training services
12 from the list of eligible providers of train-
13 ing services under section 122(d) of the
14 Workforce Innovation and Opportunity Act
15 (29 U.S.C. 3152(d)), the local area shall
16 inform such dislocated worker of any op-
17 portunities the dislocated worker may have
18 to participate in on-the-job training or em-
19 ployer-directed skills development funded
20 through such local area.

21 “(ii) AMOUNTS AVAILABLE.—Except
22 as provided in clause (iv)(II), a local
23 area—

24 “(I) may not limit the maximum
25 amount available for an individual

1 training account for an eligible dis-
2 located worker under subparagraph
3 (A) to an amount that is less than
4 \$5,000; and

5 “(II) may not pay an amount,
6 through the use of an individual train-
7 ing account under subparagraph (A),
8 for training services provided to an el-
9 igible dislocated worker that exceeds
10 the costs of such services.

11 “(iii) WIOA FUNDS.—A local area
12 may not use funds made available to the
13 local area for a fiscal year pursuant to sec-
14 tion 134(c)(1)(B) of the Workforce Innova-
15 tion and Opportunity Act (29 U.S.C.
16 3174(c)(1)(B)) to make payments under
17 subparagraph (A) until the funds allocated
18 to the local area pursuant to paragraph (1)
19 of this subsection for such fiscal year have
20 been exhausted.

21 “(iv) EXHAUSTION OF ALLOCA-
22 TIONS.—Upon the exhaustion of the funds
23 allocated to the local area pursuant to
24 paragraph (1) of this subsection, for the
25 purpose of paying, through the use of indi-

1 vidual training accounts under subpara-
2 graph (A), the costs of training services for
3 eligible dislocated workers in the local area
4 seeking such services, the local area—

5 “(I) shall use any funds made
6 available to the local area pursuant to
7 section 134(c)(1)(B) of the Workforce
8 Innovation and Opportunity Act (29
9 U.S.C. 3174(c)(1)(B)) to pay for such
10 costs under subparagraph (A) (other
11 than any costs that exceed the limit
12 set by the local area pursuant to sub-
13 clause (II)); and

14 “(II) for any eligible dislocated
15 worker who is not a low-income indi-
16 vidual, may limit the maximum
17 amount available for the individual
18 training account under subparagraph
19 (A) for such worker to an amount
20 that is less than \$5,000.

21 “(3) ELIGIBLE DISLOCATED WORKER.—A dis-
22 located worker shall be an eligible dislocated worker
23 for purposes of this subsection if the dislocated
24 worker—

1 “(A) meets the requirements under section
2 134(c)(3)(A)(i) of the Workforce Innovation
3 and Opportunity Act (29 U.S.C.
4 3174(c)(3)(A)(i)) to be eligible for training
5 services; and

6 “(B) has not received training services
7 through an individual training account under
8 this subsection or under section
9 134(c)(3)(F)(iii) of the Workforce Innovation
10 and Opportunity Act (29 U.S.C.
11 3174(c)(3)(F)(iii)) during the preceding 5-year
12 period or, if such a worker has received such
13 training services during such period, the worker
14 has been granted an exception by the local area
15 due to an exceptional circumstance, as deter-
16 mined by the local area.

17 “(4) EXCESS DEMAND.—Upon the exhaustion
18 of the funds allocated to a local area pursuant to
19 paragraph (1) of this subsection and any funds that
20 may be available to such local area pursuant to sec-
21 tion 134(c)(1)(B) of the Workforce Innovation and
22 Opportunity Act (29 U.S.C. 3174(c)(1)(B)) for the
23 purpose described in paragraph (2)(A) of this sub-
24 section, the local area—

1 “(A) may request additional funds for such
2 purpose from the Governor under section
3 134(a)(2)(A)(i)(III) of the Workforce Innova-
4 tion and Opportunity Act (29 U.S.C.
5 3174(a)(2)(A)(i)(III)); and

6 “(B) shall not be required to pay for train-
7 ing services or establish an individual training
8 account for an eligible dislocated worker.

9 “(5) DEFINITIONS.—Except as otherwise speci-
10 fied, a term used in this subsection shall have the
11 meaning given such term in section 3 of the Work-
12 force Innovation and Opportunity Act (29 U.S.C.
13 3102).

14 “(6) RULE OF CONSTRUCTION.—Nothing in
15 this subsection shall be construed to provide an indi-
16 vidual with an entitlement to a service under this
17 subsection or under title I of the Workforce Innova-
18 tion and Opportunity Act (29 U.S.C. 3111 et seq.)
19 or to mandate a State or local area to provide a
20 service if Federal funds are not available for such
21 service.”.

22 **SEC. 303. ACCESS TO NATIONAL DIRECTORY OF NEW**
23 **HIRES.**

24 Section 453(j)(8) of the Social Security Act (42
25 U.S.C. 653(j)(8)) is amended—

1 (1) in subparagraph (A)—

2 (A) by inserting “or conducting the report-
3 ing and evaluation activities required under sec-
4 tion 116 of the Workforce Innovation and Op-
5 portunity Act (29 U.S.C. 3141)” after “State
6 law”; and

7 (B) by striking “such program” and in-
8 serting “such programs”; and

9 (2) in subparagraph (C)(i), by striking “pur-
10 poses of administering a program referred to” and
11 inserting “the purposes specified”.

12 **TITLE IV—GENERAL** 13 **PROVISIONS**

14 **SEC. 401. REPORT ON DATA CAPABILITY AND INTEROPER-** 15 **ABILITY OF FEDERAL AND STATE DATABASES** 16 **AND DATA EXCHANGE AGREEMENTS.**

17 The Workforce Innovation and Opportunity Act (29
18 U.S.C. 3101 et seq.) is amended by striking section 505
19 and inserting the following:

20 **“SEC. 505. REPORT ON DATA CAPABILITY AND INTEROPER-** 21 **ABILITY OF FEDERAL AND STATE DATABASES** 22 **AND DATA EXCHANGE AGREEMENTS.**

23 “(a) IN GENERAL.—The Comptroller General of the
24 United States shall prepare and submit an interim report
25 and a final report to Congress regarding existing Federal

1 and State databases and data exchange agreements, as of
2 the date of the report, and the interoperability of data in
3 such databases and agreements, that contain job training
4 information relevant to the administration of programs
5 authorized under this Act (as amended by the A Stronger
6 Workforce for America Act) and the amendments made
7 by this Act (as so amended).

8 “(b) REQUIREMENTS.—The report required under
9 subsection (a) shall—

10 “(1) list existing Federal and State databases
11 and data exchange agreements described in sub-
12 section (a) and, for each, describe—

13 “(A) the purposes of the database or
14 agreement;

15 “(B) the data elements, such as wage and
16 employment outcomes, contained in the data-
17 base or accessible under the agreement;

18 “(C) the data elements described in sub-
19 paragraph (B) that are shared between States;

20 “(D) the Federal and State workforce
21 training programs from which each Federal and
22 State database derives the data elements de-
23 scribed in subparagraph (B);

1 “(E) the number and type of common data
2 elements across such databases and data ex-
3 change agreements;

4 “(F) the number and type of Federal and
5 State agencies having access to such data;

6 “(G) the number and type of private re-
7 search organizations having access to, through
8 grants, contracts, or other agreements, such
9 data;

10 “(H) whether the database or data ex-
11 change agreement provides for opt-out proce-
12 dures for individuals whose data is shared
13 through the database or data exchange agree-
14 ment; and

15 “(I) the volume of data being shared and
16 applied to improve performance accountability
17 and effectiveness of programs under this Act;

18 “(2) study the effects that access by State
19 workforce agencies and the Secretary of Labor to
20 the databases and data exchange agreements de-
21 scribed in subsection (a) would have on efforts to
22 carry out this Act and the amendments made by this
23 Act, and on individual privacy;

24 “(3) explore opportunities to enhance—

1 “(A) the quality, reliability, timeliness, and
2 reporting frequency of the data included in such
3 databases and data exchange agreements; and

4 “(B) the commonality and interoperability
5 of data elements included in such databases and
6 data exchange agreements;

7 “(4) describe, for each database or data ex-
8 change agreement considered by the study described
9 in subsection (a), the number of individuals whose
10 data is contained in each database or accessible
11 through the data agreement, and the specific data
12 elements contained in each that could be used to
13 personally identify an individual;

14 “(5) include the number of data breaches hav-
15 ing occurred since 2014 to data systems adminis-
16 tered by Federal and State agencies;

17 “(6) include the number of data breaches re-
18 garding any type of personal data having occurred
19 since 2014 to private research organizations with
20 whom Federal and State agencies contract for stud-
21 ies;

22 “(7) include a survey of the security protocols
23 used for protecting personal data, including best
24 practices shared amongst States for access to, and
25 administration of, data elements stored and rec-

1 ommendations for improving security protocols for
2 the safe warehousing of data elements;

3 “(8) include an evaluation of the State wage
4 interchange system developed by the Department of
5 Labor and report on the effectiveness of the system
6 in facilitating data exchange between State agencies
7 for the purpose of assessing and reporting on State
8 and local performance for the programs authorized
9 under this Act;

10 “(9) include an assessment of the feasibility,
11 costs, and potential impacts of establishing Feder-
12 ally-designated, transparent, interoperable, and non-
13 proprietary data exchange standards using human
14 readable and machine actionable data formats for
15 necessary categories of information that a State
16 agency operating a program under this Act may re-
17 ceive through each database or data exchange agree-
18 ment described in subsection (a);

19 “(10) include a survey of—

20 “(A) customer service and outcome man-
21 agement systems utilized by States for pro-
22 grams under each title of this Act;

23 “(B) the level of interoperability (if any) of
24 such systems;

1 “(C) whether any State has successfully
2 connected such a system serving a program
3 under a title of this Act with such a system
4 serving a program under another title of this
5 Act; and

6 “(D) the benefits achieved through any
7 such connection; and

8 “(11) describe the most significant develop-
9 ments and advancements pertaining to Federal and
10 State databases and data exchange agreements de-
11 scribed in subsection (a) since the final report was
12 submitted by the Comptroller General to Congress
13 under this section, as in effect on the day before the
14 date of enactment of the A Stronger Workforce for
15 America Act.

16 “(c) TIMING OF REPORTS.—

17 “(1) INTERIM REPORT.—Not later than 18
18 months after the date of enactment of the A Strong-
19 er Workforce for America Act, the Comptroller Gen-
20 eral shall prepare and submit to Congress an interim
21 report regarding the initial findings of the report re-
22 quired under this section.

23 “(2) FINAL REPORT.—Not later than 2 years
24 after the date of enactment of the A Stronger Work-
25 force for America Act, the Comptroller General shall

1 prepare and submit to Congress the final report re-
2 quired under this section.”.

3 **SEC. 402. EFFECTIVE DATES: TRANSITION AUTHORITY.**

4 (a) **EFFECTIVE DATES.**—

5 (1) **IN GENERAL.**—This Act, and the amend-
6 ments made by this Act, shall take effect on the first
7 day of the first program year that begins after the
8 date of enactment of this Act, except as otherwise
9 provided in this Act.

10 (2) **PERFORMANCE ACCOUNTABILITY SYS-**
11 **TEM.**—The amendments made to section 116 of the
12 Workforce Innovation and Opportunity Act (29
13 U.S.C. 3141) by this Act shall take effect on the
14 first day of the second full program year after the
15 date of enactment of this Act.

16 (3) **ONE-STOP DELIVERY SYSTEM.**—The amend-
17 ments made to section 121 of the Workforce Innova-
18 tion and Opportunity Act (29 U.S.C. 3151) by this
19 Act shall take effect on the first day of the second
20 full program year after the date of enactment of this
21 Act.

22 (4) **JOB CORPS MANAGEMENT INFORMATION**
23 **REQUIREMENTS.**—The amendments made to section
24 159 of the Workforce Innovation and Opportunity
25 Act (29 U.S.C. 3209) shall take effect on the first

1 day of the second full program year after the date
2 of enactment of this Act.

3 (b) TRANSITION AUTHORITY.—

4 (1) IN GENERAL.—Pursuant to section 503(a)
5 of the Workforce Innovation and Opportunity Act
6 (29 U.S.C. 3343(a)), the Secretary of Labor and the
7 Secretary of Education shall have the authority to
8 take such steps as are necessary to provide for the
9 orderly implementation on the date of enactment of
10 this Act of the amendments to the Workforce Inno-
11 vation and Opportunity Act (29 U.S.C. 3101 et seq.)
12 by this Act.

13 (2) TERMINATION.—The authority described in
14 paragraph (1) shall terminate on the first day of the
15 second full program year after the date of enactment
16 of this Act.

17 (c) TRANSITION PERIOD FOR IMPLEMENTATION.—

18 (1) ELIGIBLE PROVIDERS OF TRAINING SERV-
19 ICES.—Each Governor and local board shall imple-
20 ment the requirements of section 122 of the Work-
21 force Innovation and Opportunity Act (29 U.S.C.
22 3152), as amended by this Act, not later than the
23 first day of the second full program year after the
24 date of enactment of this Act. In order to facilitate
25 early implementation of that section 122, the Gov-

1 ernor may establish transition procedures under
2 which providers eligible to provide training services
3 under chapter 1 of subtitle B of title I of the Work-
4 force Innovation and Opportunity Act (29 U.S.C.
5 3151 et seq.), as such chapter was in effect on the
6 day before the date of enactment of this Act, may
7 continue to be eligible to provide such services until
8 December 31, 2026, or until such earlier date as the
9 Governor determines to be appropriate.

10 (2) STATE PLANS AND LOCAL PLANS.—

11 (A) MODIFICATION OF PLANS.—Not later
12 than the first day of the second full program
13 year after the date of enactment of this Act,
14 each Governor and each local board shall sub-
15 mit to the Secretary of Labor such modifica-
16 tions to the State plan under section 102 of the
17 Workforce Innovation and Opportunity Act (29
18 U.S.C. 3112) or local plan under section 108 of
19 such Act (29 U.S.C. 3123), respectively, in ef-
20 fect for the State or local area as of the day be-
21 fore the effective date as are necessary for such
22 State plan or local plan to comply with the
23 amendments made by this Act to such sections.

24 (B) NEW PLANS.—Not later than the first
25 day of the fourth full program year after the

1 date of enactment of this Act, each State and
2 each local board shall submit to the Secretary
3 a new State or local plan, respectively, that
4 complies with the requirements of section 102
5 or 108, respectively, of the Workforce Innova-
6 tion and Opportunity Act (29 U.S.C. 3112 and
7 3123), as amended by this Act.

8 (3) DEFINITIONS.—In this subsection, the
9 terms “local board” and “training services” have the
10 meanings given the terms in section 3 of the Work-
11 force Innovation and Opportunity Act (29 U.S.C.
12 3102).

13 (d) CONFORMING AMENDMENTS.—

14 (1) REPEAL.—Subsections (a) through (e) of
15 section 503 of the Workforce Innovation and Oppor-
16 tunity Act (29 U.S.C. 3343) are repealed.

17 (2) REGULATIONS.—Section 503 of such Act is
18 amended—

19 (A) by redesignating subsections (f) and
20 (g) as subsections (a) and (b), respectively;

21 (B) by amending subsection (a) to read as
22 follows:

23 “(a) REGULATIONS.—

24 “(1) PROPOSED REGULATIONS.—Not later than
25 180 days after the date of enactment of the A

1 Stronger Workforce for America Act, the Secretary
2 of Labor, and the Secretary of Education, as appro-
3 priate, shall develop and publish in the Federal Reg-
4 ister proposed regulations relating to the transition
5 to, and implementation of, the A Stronger Work-
6 force for America Act, including the amendments to
7 this Act made by the A Stronger Workforce for
8 America Act.

9 “(2) FINAL REGULATIONS.—Not later than 12
10 months after the date of enactment of the A Strong-
11 er Workforce for America Act, the Secretaries de-
12 scribed in paragraph (1), as appropriate, shall de-
13 velop and publish in the Federal Register final regu-
14 lations relating to the transition to, and implementa-
15 tion of, the A Stronger Workforce for America Act,
16 including the amendments to this Act made by the
17 A Stronger Workforce for America Act.”; and

18 (C) in subsection (b), as so redesignated,
19 by striking “subsection (f)” and inserting “sub-
20 section (a)”.

21 (3) EFFECTIVE DATE.—The amendments made
22 by this subsection shall take effect on the date of en-
23 actment of this Act.