

MAY 9, 2022

RULES COMMITTEE PRINT 117-43
TEXT OF H.R. 7309, THE WORKFORCE
INNOVATION AND OPPORTUNITY ACT OF 2022

[Showing the text of H.R. 7309, as ordered reported by the
Committee on Education and Labor.]

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. REFERENCES.**

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

11 **SEC. 3. TRANSITION PROVISIONS.**

12 (a) **WORKFORCE DEVELOPMENT SYSTEMS AND IN-**
13 **VESTMENT ACTIVITIES.**—The Secretary of Labor and the
14 Secretary of Education shall take such actions as the Sec-
15 retaries determine to be appropriate to provide for the or-
16 derly transition from any authority under subtitle A of
17 title I of the Workforce Innovation and Opportunity Act
18 (29 U.S.C. 3111 et seq.), as in effect on the day before

1 the date of enactment of this Act, to any authority under
2 subtitle A of title I of such Act (29 U.S.C. 3111 et seq.),
3 as amended by this Act. Such actions shall include the
4 provision of guidance related to unified State planning,
5 combined State planning, and the performance account-
6 ability system described in such subtitle.

7 (b) WORKFORCE INVESTMENT ACTIVITIES.—The
8 Secretary of Labor shall take such actions as the Sec-
9 retary determines to be appropriate to provide for the or-
10 derly transition from any authority under the subtitles B
11 through E of title I of the Workforce Innovation and Op-
12 portunity Act (29 U.S.C. 3151 et seq.), as in effect on
13 the day before the date of enactment of this Act, to any
14 authority under subtitles B through E of title I of such
15 Act, as amended by this Act.

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

24 (d) EMPLOYMENT SERVICES ACTIVITIES.—The Sec-
25 retary of Labor shall take such actions as the Secretary

1 determines to be appropriate to provide for the orderly
2 transition from any authority under the Wagner-Peyser
3 Act (29 U.S.C. 49 et seq.), as in effect on the day before
4 the date of enactment of this Act, to any authority under
5 the Wagner-Peyser Act, as amended by this Act.

6 (e) REGULATIONS.—

7 (1) PROPOSED REGULATIONS.—Not later than
8 180 days after the date of enactment of this Act, the
9 Secretary of Labor and the Secretary of Education,
10 as appropriate, shall develop and publish in the Fed-
11 eral Register proposed regulations relating to the
12 transition to, and implementation of, the Workforce
13 Innovation and Opportunity Act, as amended by this
14 Act, and the Wagner-Peyser Act, as amended by this
15 Act.

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

24 (f) EXPENDITURE OF FUNDS DURING TRANSI-
25 TION.—

1 (1) IN GENERAL.—Subject to paragraph (2)
2 and in accordance with regulations developed under
3 subsection (f), States, grant recipients, administra-
4 tive entities, and other recipients of financial assist-
5 ance under the Workforce Innovation and Oppor-
6 tunity Act (29 U.S.C. 3101 et seq.), as in effect be-
7 fore the date of enactment of this Act, may expend
8 funds received under such Act in order to plan and
9 implement programs and activities under the Work-
10 force Innovation and Opportunity Act, as amended
11 by this Act.

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

1 **SEC. 4. EFFECTIVE DATE.**

2 (a) IN GENERAL.—Except as otherwise provided in
3 this Act, this Act, including the amendments made by this
4 Act, shall take effect on the first day of the first full pro-
5 gram year after the date of enactment of this Act.

6 (b) EXCEPTIONS.—Sections 102, 103, and 108 of the
7 Workforce Innovation and Opportunity Act, as amended
8 by this Act, shall apply to plans for the second full pro-
9 gram year after the date of enactment of this Act, includ-
10 ing the development, submission, and approval of such
11 plans during the first full program year after such date.

12 **SEC. 5. TABLE OF CONTENTS.**

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

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

TITLE I—DEFINITIONS AND OTHER GENERAL MATTERS

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

TITLE II—WORKFORCE DEVELOPMENT ACTIVITIES

Subtitle A—System Alignment

CHAPTER 1—STATE PROVISIONS

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

CHAPTER 2—LOCAL PROVISIONS

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

CHAPTER 3—PERFORMANCE ACCOUNTABILITY

Sec. 211. Performance accountability system.

Subtitle B—Workforce Investment Activities and Providers

CHAPTER 1—WORKFORCE INVESTMENT ACTIVITIES AND PROVIDERS

Sec. 221. Establishment of one-stop delivery systems.

Sec. 222. Identification of eligible providers of training services.

CHAPTER 2—YOUTH WORKFORCE INVESTMENT ACTIVITIES

Sec. 231. State allotments.

Sec. 232. Within State allocations.

Sec. 233. Use of funds for youth workforce investment activities.

Sec. 234. Summer and year-round employment for youth.

CHAPTER 3—ADULT AND DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES

Sec. 241. Within State allocations.

Sec. 242. Use of funds for employment and training activities.

CHAPTER 4—GENERAL WORKFORCE INVESTMENT PROVISIONS

Sec. 251. Authorization of appropriations.

Subtitle C—Job Corps

Sec. 261. Amendments relating to Job Corps.

Subtitle D—National Programs

Sec. 271. Native American Programs.

Sec. 272. Migrant and seasonal farmworker programs.

Sec. 273. Technical assistance.

Sec. 274. Evaluations and research.

Sec. 275. National dislocated worker grants.

Sec. 276. YouthBuild program.

Sec. 277. Strengthening community colleges training grants program.

Sec. 278. Reentry employment opportunities.

Sec. 279. Sectoral employment through career training for occupational readiness (sector) program.

Sec. 280. Workforce Data Quality Initiative Grants.

Sec. 281. Authorization of appropriations.

Subtitle E—Administration

Sec. 291. Nondiscrimination.

Sec. 292. Secretarial administrative authorities and responsibilities.

Sec. 293. Guard rails for program integrity.

TITLE III—ADULT EDUCATION AND FAMILY LITERACY

Sec. 301. Family literacy.

Sec. 302. Purpose.

Sec. 303. Definitions.

Sec. 304. Authorization of appropriations.

Sec. 305. Performance accountability system.

Sec. 306. State distribution of funds; matching requirement.

- Sec. 307. State leadership activities.
- Sec. 308. Grants and contracts for eligible providers.
- Sec. 309. Local administrative cost limits.
- Sec. 310. National leadership activities.
- Sec. 311. Integrated English literacy and civics education.
- Sec. 312. Technical corrections to other laws.

TITLE IV—GENERAL PROVISIONS

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

TITLE V—AMENDMENTS TO THE WAGNER-PEYSER ACT

- Sec. 501. Inclusion of Commonwealth of the Northern Mariana Islands and American Samoa.
- Sec. 502. Workforce and labor market information system.

TITLE VI—AMENDMENTS TO THE REHABILITATION ACT OF 1973

- Sec. 601. Authorization of appropriations.

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

3 **SEC. 101. DEFINITIONS.**

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

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

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

14 “(B) who is a youth or adult, that the in-
15 dividual is unable to compute or solve problems,
16 or read, write, or speak English, or does not

1 possess digital literacy, interpersonal commu-
2 nication, time management, critical thinking, or
3 financial literacy skills at a level necessary to
4 function on the job, in the individual’s family,
5 or in society.”.

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

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

11 “(A) are designed to support progression
12 towards attainment of a recognized postsec-
13 ondary credential;

14 “(B) align with the skill needs of indus-
15 tries in the economy of the State or regional
16 economy involved;

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

18 “(D) prepare an individual to be successful
19 in any of a full range of secondary or postsec-
20 ondary education options, including apprentice-
21 ship programs;

22 “(E) provide career services, including
23 counseling to support an individual in achieving
24 the individual’s education and career goals, and
25 helping the individual to identify and access a

1 path to skills and credentials that are needed
2 for the educational and career advancement of
3 the individual;

4 “(F) include supportive services or pro-
5 vides assistance in applying for and accessing
6 direct support services, means-tested Federal
7 benefit programs, or similar State, tribal, or
8 local benefit programs;

9 “(G) include, as appropriate, education of-
10 fered concurrently with and in the same context
11 as workforce preparation activities and training
12 for a specific occupation or occupational cluster
13 (such as through work-based learning opportu-
14 nities);

15 “(H) organize education, training, and
16 other services to meet the particular needs of
17 an individual in a manner that accelerates the
18 educational and career advancement of the indi-
19 vidual to the extent practicable;

20 “(I) enable an individual to attain a sec-
21 ondary school diploma or its recognized equiva-
22 lent as applicable, and at least 1 recognized
23 postsecondary credential; and

1 “(J) help an individual enter or advance
2 within a specific occupation or occupational
3 cluster.”;

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

6 (1) in subparagraph (A)—

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

9 (B) in clause (ii)—

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

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

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

16 “(III) has been an unemployed individual
17 for 27 weeks or more;”;

18 (C) by striking clause (iii);

19 (2) by redesignating subparagraphs (D) and
20 (E) as subparagraphs (E) and (F), respectively; and

21 (3) by adding after subparagraph (C) the fol-
22 lowing:

23 “(D)(i) is currently underemployed and en-
24 gaged in the occasional performance of services
25 for remuneration; and

1 “(ii) is self-employed, is seeking part-time
2 employment, and does not have sufficient work
3 history to qualify, or otherwise would not qual-
4 ify for regular unemployment or extended bene-
5 fits under State or Federal law;” and

6 (4) in subparagraph (E), as so redesignated, by
7 striking “homemaker” and inserting “caregiver”.

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

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

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

13 (A) by striking “homemaker” and insert-
14 ing “caregiver”;

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

17 (3) in subparagraph (A)—

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

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

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

23 “(iii) has involuntarily left the labor mar-
24 ket to provide care for a relative or dependent,
25 which may be validated through self-attestation

1 in a manner consistent with section 402A(e) of
2 the Higher Education Act of 1965 (20 U.S.C.
3 1070a–11(e)); and”.

4 (e) ELIGIBLE YOUTH.—Paragraph (18) of section 3
5 (29 U.S.C. 3102) is amended to read as follows:

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

9 “(A) an opportunity youth; or

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

16 “(i) is attending school (as defined by
17 State law);

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

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

20 “(I) An English learner.

21 “(II) An individual impacted by
22 the juvenile or adult justice system.

23 “(III) A homeless individual (as
24 defined in section 41403(6) of the Vi-
25 olence Against Women Act of 1994

1 (42 U.S.C. 14043e–2(6))), a homeless
2 child or youth (as defined in section
3 725(2) of the McKinney-Vento Home-
4 less Assistance Act (42 U.S.C.
5 11434a(2))), a runaway, a child or
6 youth in foster care or who has aged
7 out of the foster care system, a child
8 or youth eligible for assistance under
9 section 477 of the Social Security Act
10 (42 U.S.C. 677), or a child or youth
11 in an out-of-home placement.

12 “(IV) An individual who is preg-
13 nant or parenting.

14 “(V) An individual with a dis-
15 ability.”.

16 (f) ENGLISH LEARNER.—Paragraph (21) of section
17 3 (29 U.S.C. 3102) is amended—

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

19 and

20 (2) by striking “language”.

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

24 “(24) INDIVIDUAL WITH A BARRIER TO EM-
25 PLOYMENT.—The term ‘individual with a barrier to

1 employment' means a member of 1 or more of the
2 following populations:

3 "(A) Displaced caregivers.

4 "(B) Low-income individuals.

5 "(C) Indians, Alaska Natives, and Native
6 Hawaiians, as such terms are defined in section
7 166.

8 "(D) Individuals with disabilities, including
9 youth who are individuals with disabilities.

10 "(E) Older individuals.

11 "(F) Justice-involved individuals.

12 "(G) Homeless individuals (as defined in
13 section 41403(6) of the Violence Against
14 Women Act of 1994 (42 U.S.C. 14043e-2(6))),
15 or homeless children and youths (as defined in
16 section 725(2) of the McKinney-Vento Home-
17 less Assistance Act (42 U.S.C. 11434a(2))).

18 "(H) Youth who are in or have aged out
19 of the foster care system.

20 "(I) Individuals who are English learners,
21 individuals who have low levels of literacy in-
22 cluding digital literacy, or individuals facing
23 substantial cultural barriers.

24 "(J) Eligible migrant and seasonal farm-
25 workers, as defined in section 167(i).

1 “(K) Individuals who exhausted lifetime
2 eligibility under part A of title IV of the Social
3 Security Act (42 U.S.C. 601 et seq.).

4 “(L) Single parents (including single preg-
5 nant women).

6 “(M) Long-term unemployed individuals.

7 “(N) The spouse of, or youth with a par-
8 ent who is—

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

12 “(ii) on active duty (as such term is
13 defined in section 101(d)(1) of such title);
14 and

15 “(iii) deployed or recently transferred.

16 “(O) Individuals who have been historically
17 underserved and marginalized as a result of
18 race, color, national origin, sexual orientation,
19 or gender identity.

20 “(P) Such other groups as the Governor
21 involved determines to have barriers to employ-
22 ment.”.

23 (h) LABOR MARKET AREA.—Paragraph (30) of sec-
24 tion 3 (29 U.S.C. 3102) is amended by inserting “and

1 the economic development agency” after “Department of
2 Labor”.

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

5 (1) in subparagraph (A)—

6 (A) by amending subclause (I) of clause

7 (ii) to read as follows:

8 “(I) 150 percent of the poverty
9 line (exclusive of unemployment com-
10 pensation, child support payments,
11 payments described in this subpara-
12 graph, and old-age and survivors in-
13 surance benefits received under sec-
14 tion 202 of the Social Security Act
15 (42 U.S.C. 402)); or”;

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

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

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

21 “(vii) is an individual who is—

22 “(I) an eligible migrant or sea-
23 sonal farmworker, as defined in sec-
24 tion 167(i); and

1 “(II) in a family with total family
2 income that does not exceed 150 per-
3 cent of the poverty line.”; and

4 (2) in subparagraph (B), by striking “based on
5 the most recent lower living family budget issued by
6 the Secretary”.

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

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

15 “(A) comprise less than 25 percent of the
16 individuals employed in each such occupation or
17 field of work; or

18 “(B) comprise a percentage of individuals
19 employed in such occupation that is lower than
20 the percentage of the total population com-
21 prised by such members, based on the most re-
22 cent data from the Bureau of the Census.”.

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

1 (1) in the heading, by striking “OFFENDER”
2 and inserting “JUSTICE-INVOLVED INDIVIDUAL”;
3 and

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

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

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

10 “(A) means an individual—

11 “(i) who is not younger than 16 years
12 of age and not older than 24 years of age;
13 and

14 “(ii) who can self-attest to a one-stop
15 operator or one-stop center, in a manner
16 consistent with section 402A(e) of the
17 Higher Education Act of 1965 (20 U.S.C.
18 1070a–11(e)) that the individual is—

19 “(I) not attending any school (as
20 defined under State law); and

21 “(II) not employed; and

22 “(B) except in the case of an individual
23 who is a low-income individual and has
24 foundational skill needs, does not include any

1 individual who is a recipient of a secondary
2 school diploma or its recognized equivalent.”.

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

8 (n) **STATE.**—Paragraph (56) of section 3 (29 U.S.C.
9 3102) is amended by striking “the Commonwealth of”.

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

12 “(59) **SUPPORTIVE SERVICES.**—The term ‘sup-
13 portive services’ means services such as transpor-
14 tation, child care, dependent care, housing, food and
15 nutrition services, mental health care supports, sub-
16 stance use disorder treatment, access to broadband,
17 affordable internet connection, or digital devices with
18 connection to the internet, assistive technology, and
19 needs-related payments, that are necessary to enable
20 an individual to participate in workforce develop-
21 ment activities.”.

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

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

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

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

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

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

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

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

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

7 “(ii) moderate evidence from at least
8 1 well-designed and well-implemented
9 quasi-experimental study; or

10 “(iii) promising evidence from at least
11 1 well-designed and well-implemented cor-
12 relational study with statistical controls for
13 selection bias; or

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

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

22 “(77) LABOR ORGANIZATION.—The term ‘labor
23 organization’ has the meaning given the term in sec-
24 tion 2(5) of the National Labor Relations Act (29

1 U.S.C. 152(5)), except that such term shall also in-
2 clude—

3 “(A) any organization composed of labor
4 organizations, such as a labor union federation
5 or a State or municipal labor body; and

6 “(B) any organization which would be in-
7 cluded in the definition for such term under
8 such section 2(5) but for the fact that the orga-
9 nization represents—

10 “(i) individuals employed by the
11 United States, any wholly owned Govern-
12 ment corporation, any Federal Reserve
13 Bank, or any State or political subdivision
14 thereof;

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

18 “(iii) individuals employed as agricul-
19 tural laborers.

20 “(78) PERKINS-ELIGIBLE AGENCY.—The term
21 ‘Perkins-eligible agency’ has the meaning given the
22 term ‘eligible agency’ in section 3 of the Carl D.
23 Perkins Career and Technical Education Act of
24 2006 (20 U.S.C. 2302).

1 “(79) PRE-APPRENTICESHIP PROGRAM.—The
2 term ‘pre-apprenticeship program’ means a training
3 model or program that—

4 “(A) is designed to prepare participants to
5 enter an apprenticeship program;

6 “(B) has a written agreement with 1 or
7 more sponsors of apprenticeship programs that
8 would enable participants who successfully com-
9 plete the pre-apprenticeship program—

10 “(i) to enter into the apprenticeship
11 program if a place in the program is avail-
12 able and if the participant meets the quali-
13 fications of the apprenticeship program;
14 and

15 “(ii) to earn credits towards the ap-
16 prenticeship program;

17 “(C) includes skills development (including
18 a curriculum for the skills development) aligned
19 with industry standards related to an appren-
20 ticeship program created in consultation with
21 sponsors of the apprenticeship program that are
22 parties to the written agreement under subpara-
23 graph (B), and that will prepare participants by
24 teaching the skills and competencies needed to
25 enter 1 or more apprenticeship programs; and

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

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

6 “(81) WORKFORCE AGENCY.—The term ‘work-
7 force agency’ means the State agency or local agency
8 responsible for administering workforce development
9 activities or the workforce development system.”;

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

11 (3) by reordering paragraphs (1) through (71),
12 as amended by this section, and the paragraphs
13 added by paragraph (1) of this subsection in alpha-
14 betical order, and renumbering such paragraphs as
15 so reordered.

16 **SEC. 102. WIOA TABLE OF CONTENTS.**

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

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

“Sec. 130. Summer and year-round employment for youth.”;

21 (2) by striking the item relating to section 172
22 and inserting the following:

“Sec. 172. Strengthening Community Colleges Training Grants Program.

“Sec. 173. Reentry employment opportunities

“Sec. 174. Sectoral employment through career training for occupational readi-
ness (sector) program.

“Sec. 175. Workforce data quality initiative grants.

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

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

“Sec. 507. Accessibility.”.

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

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

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

11 (1) in clause (ii)—

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

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

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

19 (2) in clause (iii)—

20 (A) in subclause (I)—

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

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

3 “(cc) State agency officials
4 responsible for the daily adminis-
5 tration of education programs in
6 the State, including secondary
7 education and adult education
8 programs, and chief executive of-
9 ficers (or their representatives) of
10 community colleges and other in-
11 stitutions of higher education;
12 and”; and

13 (B) in subclause (II)—

14 (i) by amending item (bb) to read as
15 follows:

16 “(bb) State agency officials
17 responsible for adult or juvenile
18 justice programs in the State;”;

19 (ii) by striking “and” at the end of
20 item (cc); and

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

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

1 “(dd) State agency officials
2 responsible for vocational reha-
3 bilitation; and

4 “(ee) State agency officials
5 responsible for economic develop-
6 ment.”.

7 (b) DIVERSE AND DISTINCT REPRESENTATION.—
8 Section 101(b)(2) (29 U.S.C. 3111(b)(2)) is amended by
9 inserting before the period at the end the following: “, and
10 diverse demographic populations of the State”.

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

13 (1) in paragraph (3)—

14 (A) in subparagraph (A), strike “and avoid
15 duplication” and insert “avoid duplication, and
16 leverage resources and expertise”;

17 (B) in subparagraph (B)—

18 (i) by inserting “and expand” after
19 “support”; and

20 (ii) by striking “enter or retain em-
21 ployment” and inserting “enter in, retain,
22 or progress in employment”;

23 (C) in subparagraph (C)—

24 (i) by inserting “and equitable” after
25 “effective”; and

1 (ii) by inserting “, including individ-
2 uals with barriers to employment” after
3 “system”;

4 (D) in subparagraph (E), by striking
5 “identification of” and inserting “continued
6 identification of and support for”;

7 (E) in subparagraph (F)—

8 (i) by inserting “affiliated sites,” after
9 “partners,”; and

10 (ii) by striking “services and sup-
11 portive” and inserting “services, career
12 services, and supportive”; and

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

15 (2) in paragraph (5)—

16 (A) in subparagraph (A), by striking “cen-
17 ters, relating to the use of business outreach,
18 partnerships, and service delivery strategies, in-
19 cluding” and inserting “centers, including the
20 use of evidence-based strategies for such oper-
21 ations, the latest in digital technology and tools,
22 and the use of partnerships to expand and im-
23 prove services to jobseekers and workers, in-
24 cluding”;

1 (B) by redesignating subparagraphs (B)
2 and (C) as subparagraphs (C) and (D), respec-
3 tively;

4 (C) by inserting after subparagraph (A)
5 the following:

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

15 (D) in subparagraph (D), as so redesign-
16 ated, by striking “adaptability, to” and insert-
17 ing “adaptability to reduce the time required for
18 attainment of a recognized postsecondary cre-
19 dential or reskilling, and”; and

20 (3) in paragraph (7)—

21 (A) in the matter preceding subparagraph
22 (A), by striking “technological improvements to
23 facilitate access” and inserting “improvements
24 in the use of digital technology to facilitate and
25 expand access”;

1 (B) by amending subparagraphs (B) and
2 (C) to read as follows:

3 “(B) accelerate—

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

9 “(ii) the matching of participants to
10 career pathways and employment opportu-
11 nities based on the skills, competencies,
12 and recognized postsecondary credentials
13 attained by such participants;

14 “(C) strengthen the professional develop-
15 ment of providers and workforce professionals,
16 ensuring professional development activities in-
17 clude—

18 “(i) trauma-informed practices and
19 human-centered design that serve individ-
20 uals with barriers to employment;

21 “(ii) preparing providers and work-
22 force professionals to use the latest tech-
23 nology;

24 “(iii) accessing and understanding
25 labor market data; and

1 “(iv) ensuring equitable access and
2 service delivery for individuals who have
3 been historically underserved,
4 marginalized, and adversely affected as a
5 result of race, ethnicity, or gender, includ-
6 ing training on customer-centered service
7 delivery, racial bias, cultural competence,
8 occupational stereotyping, and strategies
9 for increasing participant and worker
10 voices; and”;

11 (C) in subparagraph (D), by striking “with
12 disabilities and individuals” and inserting “with
13 barriers to employment, including individuals
14 with disabilities, and to individuals”.

15 **SEC. 202. UNIFIED STATE PLAN.**

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

17 (1) in subsection (b)—

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

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

1 “(A) a summary and conclusions of anal-
2 ysis conducted of the economic conditions in the
3 State using labor market information, includ-
4 ing—

5 “(i) existing and emerging in-demand
6 industry sectors and occupations;

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

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

15 “(iv) the employment needs of em-
16 ployers, including a description of the
17 knowledge, skills, competencies, and abili-
18 ties currently needed and projected to be
19 needed, in those industries and occupa-
20 tions;

21 “(B) a summary and conclusions of anal-
22 ysis conducted of the current workforce using
23 labor market information, employment and un-
24 employment data, labor market trends, and the
25 educational and skill levels of the workforce, in-

1 including individuals with barriers to employment,
2 in the State;

3 “(C) an analysis of the workforce develop-
4 ment activities (including supportive services,
5 career services, education, and training) in the
6 State, in coordination with the Perkins-eligible
7 agency in the State, in order to address the
8 identified education and skill needs of the work-
9 force and the employment needs of employers in
10 the State, including—

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

13 “(ii) the capacity of State entities to
14 provide such activities that meet the spe-
15 cific needs of youth, including opportunity
16 youth, and individuals with barriers to em-
17 ployment;

18 “(iii) an analysis of educational, skill,
19 and competency levels of individuals served
20 by the workforce system as compared to
21 such levels required to address the employ-
22 ment needs in the State; and

23 “(iv) an analysis of the career path-
24 ways offered within the State, including an
25 analysis of how such pathways are aligned

1 to the education and training needs of the
2 current and future workforce within the
3 State, and the development and expansion
4 of career pathways to meet current and fu-
5 ture workforce needs;

6 “(D) a description of—

7 “(i) the State’s strategic vision and
8 goals for preparing an educated and skilled
9 workforce, including preparing youth (in-
10 cluding opportunity youth), and individuals
11 with barriers to employment and for meet-
12 ing the skilled workforce needs of employ-
13 ers (including in existing and emerging in-
14 demand industry sectors and occupations
15 as identified by the State), and goals of
16 the State relating to performance account-
17 ability measures based on primary indica-
18 tors of performance described in section
19 116(b)(2)(A), in order to support economic
20 growth and economic self-sufficiency;

21 “(ii) how the State will assess the
22 overall effectiveness of the workforce in-
23 vestment system in the State;

24 “(iii) the career pathways offered
25 within the State, including an analysis of

1 how such pathways are aligned to the edu-
2 cation and training needs of the current
3 and future workforce within the State, and
4 the development and expansion of career
5 pathways to meet current and future work-
6 force needs; and

7 “(iv) how the State will work with
8 local areas to achieve equitable service de-
9 livery and outcomes for individuals with
10 barriers to employment, including employ-
11 ment and earnings outcomes by applying
12 the information provided in the State eq-
13 uity report, for such State under section
14 116(f);

15 “(E) a description of strategies the State
16 intends to adopt to achieve the vision and each
17 goal described in subparagraph (D) through—

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

20 “(I) core programs under this
21 Act; and

22 “(II) other Federal programs, as
23 determined appropriate by the State,
24 such as—

1 “(aa) programs and activi-
2 ties under the Carl D. Perkins
3 Career and Technical Education
4 Act of 2006 (20 U.S.C. 2301 et
5 seq.);

6 “(bb) programs under the
7 Elementary and Secondary Edu-
8 cation Act of 1965 (20 U.S.C.
9 6301 et seq.);

10 “(cc) programs under the
11 Individuals with Disabilities Edu-
12 cation Act (20 U.S.C. 1400 et
13 seq.);

14 “(dd) programs under the
15 Higher Education Act of 1965
16 (20 U.S.C. 1001 et seq.);

17 “(ee) apprenticeship pro-
18 grams; and

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

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

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

3 “(I) section 6(d) of the Food and
4 Nutrition Act of 2008 (7 U.S.C.
5 2015(d));

6 “(II) section 3672(c)(1) of title
7 38, United States Code;

8 “(III) section 231 of the Second
9 Chance Act of 2007 (34 U.S.C.
10 60541); and

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

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

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

19 “(2) PLAN DEVELOPMENT.—

20 “(A) IN GENERAL.—The Governor and
21 State board shall—

22 “(i) develop the unified State plan in
23 consultation with—

24 “(I) representatives of local
25 boards and chief elected officials;

1 “(II) the community colleges in
2 the State;
3 “(III) eligible providers of train-
4 ing services, including eligible pro-
5 viders of nontraditional training serv-
6 ices and eligible providers of appren-
7 ticeship programs and pre-apprentice-
8 ship programs, and eligible providers
9 of on-the-job training, customized
10 training, incumbent worker training,
11 internships, paid or unpaid work expe-
12 rience opportunities, or transitional
13 jobs, secondary schools and institu-
14 tions of higher education (including
15 institutions offering career and tech-
16 nical education programs, minority-
17 serving institutions, and historically
18 Black colleges and universities), and
19 providers of supported employment
20 services;
21 “(IV) interested community rep-
22 resentatives, including community-
23 based organizations;

1 “(V) individuals with barriers to
2 employment or organizations rep-
3 resenting such individuals;

4 “(VI) representatives of business
5 and industry, including representa-
6 tives of small business and representa-
7 tives of industry and sector partner-
8 ships in the State;

9 “(VII) representatives of labor
10 organizations and joint labor-manage-
11 ment organizations in the State;

12 “(VIII) representatives of agen-
13 cies serving opportunity youth, and
14 homeless children and youth, includ-
15 ing the State Coordinator for Edu-
16 cation of Homeless Children and
17 Youths established or designated
18 under section 722(d)(3) of the McKin-
19 ney-Vento Homeless Assistance Act
20 (42 U.S.C. 11432(d)(3));

21 “(IX) representatives of Indian
22 tribes and tribal organizations located
23 in, or providing services in, the State;

24 “(X) representatives of the Per-
25 kins-eligible agency;

1 “(XI) representatives of the adult
2 education and literacy community;
3 and

4 “(XII) other primary stake-
5 holders; and

6 “(ii) consult the heads of other State
7 agencies with respect to the development of
8 the unified State plan, including the State
9 designated unit under subparagraph (A) of
10 section 101(a)(11) of the Rehabilitation
11 Act of 1973.

12 “(B) PUBLIC COMMENT.—

13 “(i) WRITTEN COMMENTS.—Not less
14 than 60 days prior to submission of the
15 unified State plan, the Governor shall pro-
16 vide stakeholders described in subpara-
17 graph (A)(i) with the opportunity to pro-
18 vide written comments on the unified State
19 plan that shall—

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

22 “(II) include comments on
23 whether and how the unified State
24 plan—

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“(aa) meets the requirements of this Act;

“(bb) supports the improvement of performance of individuals with barriers to employment;

“(cc) supports the employment needs of the State (including the business community, labor organizations, education and training providers, and other relevant parties), including in the design and content of the training, work experience, career exploration, on-the-job training, and other career and training activities (including information related to employment opportunities, wage rates, benefits, career pathways, and in-demand industry sectors and occupations); and

“(dd) takes into account collective bargaining agreements that include training or subsidized employment, including how the elements of such training

1 or employment may affect the
2 bargaining agreement (such as
3 wages, benefits, and other fac-
4 tors).

5 “(ii) STATE WORKFORCE AGENCY RE-
6 SPONSE.—Each unified State plan shall in-
7 clude a written response to the comments
8 provided by stakeholders under clause
9 (i).”;

10 (D) in paragraph (3), as so redesignated—

11 (i) in subparagraph (B)—

12 (I) in clause (iv), by striking
13 “colleges and area career and tech-
14 nical education schools” and inserting
15 “colleges, secondary schools and area
16 career and technical education
17 schools, and adult education providers
18 under title II”;

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

21 (III) by amending clause (vi) to
22 read as follows:

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

24 “(I) improve access to activities
25 leading to a recognized postsecondary

1 credential (including credentials that
2 are portable, stackable, and aligned to
3 high-skill, high-wage, or in-demand in-
4 dustry sectors and occupations); and

5 “(II) assess and validate the
6 skills and competencies of such cre-
7 dentials and alignment to new or ex-
8 isting career pathways; and”;

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

11 “(vii) how the State will work with
12 local areas to achieve equitable service de-
13 livery and outcomes for individuals with
14 barriers to employment by applying the in-
15 formation provided in the State equity re-
16 port for such State under section 116(f).”;

17 (ii) in subparagraph (D)—

18 (I) in clause (i)(II), by striking
19 “local boards and chief elected offi-
20 cials in determining the planning re-
21 gions” and inserting “State economic
22 development agency to support align-
23 ment to the extent practicable, local
24 boards and chief elected officials in

1 determining the planning regions and
2 work of such regions”; and
3 (II) in clause (ii)—
4 (aa) in subclause (V), by in-
5 serting “and” at the end; and
6 (bb) by adding at the end
7 the following:
8 “(VI) how the eligible agency will
9 promote the professionalization of
10 adult education through the adoption
11 of full-time staffing models, including,
12 at the eligible agency’s discretion, how
13 the eligible agency will give funding
14 priority to local providers that have
15 adopted such models;”; and
16 (iii) in subparagraph (E)—
17 (I) in clause (iii)—
18 (aa) in subclause (I), by in-
19 serting “, ensuring that services
20 and resources are accessible
21 throughout the State and local
22 areas, including in urban, rural
23 and suburban areas” after “such
24 programs”; and

1 (bb) by amending subclause
2 (II) to read as follows:

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

10 (II) by striking “and” at the end
11 of clause (ix);

12 (III) in clause (x), by striking the
13 period at the end and inserting a
14 semicolon; and

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

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

22 “(xii) that the State will not prohibit
23 self-attestation in a manner consistent with
24 section 402A(e) of the Higher Education
25 Act of 1965 (20 U.S.C. 1070a–11(e)) as a

1 means for determining eligibility for a pro-
2 gram or service under this Act of any indi-
3 vidual who is so self-attesting.”; and

4 (2) in subsection (c)—

5 (A) in paragraph (1)(A), by striking “the
6 Workforce Innovation and Opportunity Act”
7 and inserting “the Workforce Innovation and
8 Opportunity Act of 2022”; and

9 (B) by striking paragraph (4)

10 **SEC. 203. COMBINED STATE PLAN.**

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

13 “(L) State Apprenticeship Agencies, as ap-
14 plicable.”.

15 **CHAPTER 2—LOCAL PROVISIONS**

16 **SEC. 206. WORKFORCE DEVELOPMENT AREAS.**

17 (a) REGIONS.—Section 106(a)(1) (29 U.S.C.
18 3121(a)(1)) is amended—

19 (1) by striking “this Act” and inserting “the
20 Workforce Innovation and Opportunity Act of 2022”
21 ; and

22 (2) by inserting “, the State economic develop-
23 ment agency, the State apprenticeship agency, as
24 applicable,” after “local boards”.

1 (b) LOCAL AREAS.—Section 106(b) (29 U.S.C.
2 3121(b)) is amended—

3 (1) in paragraph (1)—

4 (A) by amending subparagraph (A)(ii) to
5 read as follows:

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

12 (B) in subparagraph (B)—

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

15 (ii) in clause (iii)—

16 (I) by striking “higher education
17 and” and inserting “higher edu-
18 cation,”; and

19 (II) by striking the period at the
20 end and inserting “, and apprentice-
21 ship and pre-apprenticeship programs;
22 and”;

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

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

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

7 “(C) CONSULTATIONS.—The State eco-
8 nomic development agency, chief elected offi-
9 cials, and local boards shall provide such con-
10 sultations as requested by the Governor in a
11 timely manner.”;

12 (2) by amending paragraph (2) to read as fol-
13 lows:

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

19 “(A) was designated as a local area for
20 purposes of this Act for the 2-year period pre-
21 ceding the date of enactment of the Workforce
22 Innovation and Opportunity Act of 2022;

23 “(B) performed successfully; and

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

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

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

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

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

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

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

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

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

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

6 (2) in paragraph (2), by striking “(or, if appli-
7 cable, title I of the Workforce Investment Act of
8 1998 as in effect prior to the effective date of such
9 subtitle B)”.

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

11 (a) MEMBERSHIP.—Section 107(b) (29 U.S.C.
12 3122(b)) is amended—

13 (1) in paragraph (2)—

14 (A) in subparagraph (B)—

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

17 (ii) in clause (iv)—

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

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

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

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

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

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

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

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

16 (3) in paragraph (4)(A)—

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

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

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

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

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

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

19 “(I) mass layoffs;

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

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

1 (b) APPOINTMENT AND CERTIFICATION OF
2 BOARD.—Section 107(c) (29 U.S.C. 3122(c)) is amend-
3 ed—

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

6 “(D) PUBLICATION.—The chief elected of-
7 ficial or officials appointing the board for a
8 local area shall make publicly available the
9 membership of the board (including information
10 identifying how the membership composition re-
11 quirements of subsection (b) have been met
12 (other than the requirements of paragraph
13 (2)(F) of such subsection)), including by post-
14 ing that information on the website of the ap-
15 propriate unit of local government included in
16 the local area.”; and

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

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

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

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

1 (3) in paragraph (4)—

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

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

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

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

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

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

3 (C) by striking subparagraph (D);

4 (4) in paragraph (5)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 (7) in paragraph (10)—

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

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

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

1 publicly available, including to community-based
2 organizations” after “contracts”;

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

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

16 (d) SUNSHINE PROVISION.—Section 107(e) (29
17 U.S.C. 3122(e)) is amended by inserting “that conforms
18 at a minimum, to Level AA of the Web Content Accessi-
19 bility Guidelines 2.0 of the Web Accessibility Initiative (or
20 any successor guidelines)” after “means”.

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

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

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

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

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

11 “(A) the expanded use of digital tech-
12 nology and tools for augmenting and improving
13 the delivery of services to participants and em-
14 ployers;

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

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

1 and racial bias, cultural competence, occupa-
2 tional stereotyping, and strategies for increas-
3 ing participant and worker voice.”.

4 **SEC. 208. LOCAL PLAN.**

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

6 (1) in paragraph (1)—

7 (A) in subparagraph (A)—

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

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

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

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

18 (B) in subparagraph (B), by striking “and
19 skills” and inserting “, skills, and com-
20 petencies”; and

21 (C) in subparagraph (C), by striking “(and
22 unemployment)” and inserting “(unemploy-
23 ment, and underemployment)”;

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

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

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

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

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

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

25 “(iv) apprenticeship programs; and

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

3 (3) in paragraph (3), by inserting “and expansion”
4 after “development”;

5 (4) in paragraph (4)—

6 (A) in subparagraph (A)—

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

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

18 (iii) in clause (iv), by inserting “, and
19 benefits, such as food and housing secu-
20 rity” after “unemployment insurance pro-
21 grams”; and

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

24 “(v) improve the ability of individuals
25 to make informed decisions about career

1 pathways and training services, employ-
2 ment opportunities and job quality, and
3 workplace rights and responsibilities; and”;
4 and

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

7 (5) in paragraph (6)—

8 (A) in subparagraph (B), by inserting “,
9 including digital technology,” after “tech-
10 nology”;

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

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

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

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

1 (6) by striking paragraphs (7) and (8);

2 (7) by redesignating paragraphs (9) through

3 (12) as paragraphs (7) through (10), respectively;

4 (8) in paragraph (7), as so redesignated, by

5 striking “assessment of” and inserting “comprehen-

6 sive local needs assessment, as described in section

7 129(a)(2) of”;

8 (9) by striking paragraph (13);

9 (10) by redesignating paragraphs (14) through

10 (20) as paragraphs (11) through (17), respectively;

11 (11) by inserting after paragraph (17), as so

12 redesignated, the following:

13 “(18) that the local area will not prohibit self-

14 attestation in a manner consistent with section

15 402A(e) of the Higher Education Act of 1965 (20

16 U.S.C. 1070a–11(e)) as a means for determining eli-

17 gibility for a program or service under this Act of

18 any individual who is so self-attesting; and”;

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

20 (13) by redesignating paragraph (22) as para-

21 graph (19).

1 **CHAPTER 3—PERFORMANCE**
2 **ACCOUNTABILITY**

3 **SEC. 211. PERFORMANCE ACCOUNTABILITY SYSTEM.**

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

6 (1) in subsection (b)—

7 (A) in paragraph (2)—

8 (i) in subparagraph (A)—

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

11 “(i) IN GENERAL.—The State primary
12 indicators of performance for activities
13 provided under the adult and dislocated
14 worker programs authorized under chapter
15 3 of subtitle B, the program of adult edu-
16 cation and family literacy activities author-
17 ized under title II, the employment services
18 program authorized under sections 1
19 through 13 of the Wagner-Peyser Act (29
20 U.S.C. 49 et seq.) (except that subclauses
21 (V) and (VI) shall not apply to such pro-
22 gram), and the program authorized under
23 title I of the Rehabilitation Act of 1973
24 (29 U.S.C. 720 et seq.) (other than section

1 112 or part C of that title (29 U.S.C. 732,
2 741)), shall consist of—

3 “(I) the percentage of program
4 participants who are in unsubsidized
5 employment during the second quarter
6 after exit from the program;

7 “(II) the percentage of program
8 participants who are in unsubsidized
9 employment during the fourth quarter
10 after exit from the program;

11 “(III) the median earnings of
12 program participants who are in un-
13 subsidized employment during the sec-
14 ond quarter after exit from the pro-
15 gram;

16 “(IV) the median earnings of
17 program participants who are in un-
18 subsidized employment during the
19 fourth quarter after exit from the pro-
20 gram;

21 “(V) the percentage of program
22 participants who obtain a recognized
23 postsecondary credential, or a sec-
24 ondary school diploma or its recog-
25 nized equivalent (subject to clause

1 (iii)), during participation in or within
2 1 year after exit from the program;
3 and

4 “(VI) the percentage of program
5 participants who are in an education
6 or training program that leads to a
7 recognized postsecondary credential or
8 employment, and who are achieving
9 measurable skill gains toward such a
10 credential or employment.”;

11 (II) in clause (iii), by inserting
12 before the period at the end the fol-
13 lowing: “, unless such participants are
14 enrolled in services under title II”;
15 and

16 (III) by striking clause (iv);

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

19 “(B) ADDITIONAL INDICATORS.—

20 “(i) STATE IDENTIFIED.—A State
21 may identify in the State plan additional
22 performance accountability indicators.

23 “(ii) SECRETARY IDENTIFIED.—The
24 Secretary may identify additional indica-
25 tors related to the quality of participants’

1 unsubsidized employment after exit from a
2 program, including factors such as avail-
3 ability of paid time off, health, and retire-
4 ment benefits, workplace safety and non-
5 discrimination standards, predictable and
6 stable work schedule, stackable credentials,
7 and advancement opportunities.”; and

8 (B) in paragraph (3)(A)—

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

11 “(iii) IDENTIFICATION IN STATE
12 PLAN.—The Secretary of Labor in con-
13 junction with the Secretary of Education
14 shall—

15 “(I) propose expected levels of
16 performance for each of the cor-
17 responding primary indicators of per-
18 formance for each of the programs de-
19 scribed in clause (ii) for each State
20 for the first 2 program years covered
21 by the State plan, and for the third
22 and fourth program years covered by
23 the State plan, which shall be con-
24 sistent with the factors listed under
25 clause (v); and

1 “(II) publish on a publicly acces-
2 sible website—

3 “(aa) the statistical model
4 developed under clause (viii), and
5 the methodology used to develop
6 each such proposed expected level
7 of performance; and

8 “(bb) each such proposal.”;

9 (ii) in clause (v)—

10 (I) in subclause (II)(bb)—

11 (aa) by striking “ex-offender
12 status, and welfare dependency”
13 and inserting “justice involve-
14 ment, and receipt of public as-
15 sistance”; and

16 (bb) by inserting before the
17 semicolon at the end “, and other
18 factors the Secretary determines
19 relevant”;

20 (II) by amending subclause (III)

21 to read as follows:

22 “(III) take into account the ex-
23 tent to which the levels involved pro-
24 mote continuous improvement, which
25 may reflect an increase in the level of

1 performance accountability measures,
2 a change in service strategy and deliv-
3 ery, or a change in the participants
4 served by such State and ensure opti-
5 mal return on the investment of Fed-
6 eral funds; and”;

7 (iii) by amending clause (viii) to read
8 as follows:

9 “(viii) STATISTICAL ADJUSTMENT
10 MODEL.—The Secretary of Labor and the
11 Secretary of Education, after consultation
12 with the representatives described in para-
13 graph (4)(B), shall—

14 “(I) develop and disseminate an
15 objective statistical model that will be
16 used to make the adjustments in the
17 State adjusted levels of performance
18 for actual economic conditions and
19 characteristics of participants under
20 clauses (v) and (vii); and

21 “(II) publicly disclose the factors
22 included in the statistical adjustment
23 model in a report describing the model
24 used to determine the adjusted levels
25 of performance.”;

1 (2) in subsection (d)—

2 (A) in paragraph (2)—

3 (i) in subparagraph (F), by inserting
4 “, supportive,” after “career”;

5 (ii) in subparagraph (H), by inserting
6 “and percentage” after “number”; and

7 (iii) by redesignating subparagraph
8 (L) as subparagraph (M); and

9 (iv) by inserting after subparagraph
10 (K) the following:

11 “(L) information on earnings of partici-
12 pants 4 quarters prior to receiving career and
13 training services and, to the extent data is
14 available, in years 2 and 3 after exit from ca-
15 reer and training services;”;

16 (B) in paragraph (6)—

17 (i) by amending subparagraph (A) to
18 read as follows:

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

1 “(i) digitally using transparent,
2 linked, open, and interoperable data for-
3 mats that are human readable and ma-
4 chine actionable such that the data from
5 these reports can be easily included in web-
6 based tools and services supporting search,
7 discovery, comparison, analysis, navigation,
8 and guidance;

9 “(ii) electronically in easily under-
10 standable formats; and

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

13 (ii) by amending subparagraph (B) to
14 read as follows:

15 “(B) LOCAL AREA AND ELIGIBLE TRAIN-
16 ING PROVIDER PERFORMANCE REPORTS.—The
17 State shall, on an annual basis, make available
18 the performance reports for the local areas con-
19 taining the information described in paragraph
20 (3) and the performance reports for eligible
21 providers of training services containing the in-
22 formation described in paragraph (4), which
23 shall include making such reports available in
24 each of the formats described in clauses (i)
25 through (iii) of subparagraph (A).”; and

1 (iii) in subparagraph (D), by striking
2 “the Workforce” and inserting “Labor”;

3 (3) by redesignating subsections (f), (g), (h),
4 and (i) as subsections (g), (h), (i), and (j), respec-
5 tively;

6 (4) by inserting the following after subsection
7 (e):

8 “(f) STATE EQUITY REPORTS.—

9 “(1) IN GENERAL.—Using funds authorized
10 under a core program and made available to carry
11 out this section, the State, in coordination with local
12 boards in the State and the State agencies respon-
13 sible for the administration of the core programs,
14 shall annually prepare and submit to the Secretary
15 a report on the progress of the State in achieving
16 equitable outcomes in the State levels of perform-
17 ance relating to indicators described in subsection
18 (b)(2)(A) for a program for any program year,
19 which shall—

20 “(A) identify and quantify any disparities
21 or gaps in performance on such levels of per-
22 formance for each such indicator between—

23 “(i) individuals with barriers to em-
24 ployment; and

1 “(ii) individuals without such barriers
2 to employment; and

3 “(B) include a quantifiable description of
4 the progress that individuals with barriers to
5 employment have made in meeting such levels
6 of performance.

7 “(2) INFORMATION DISAGGREGATION.—The in-
8 formation provided in subparagraphs (A) and (B) of
9 paragraph (1) shall be disaggregated—

10 “(A) by industry sector; and

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

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

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

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

5 **SEC. 221. 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 (A)(ii), by striking “,
12 including payment of the infrastructure costs of
13 one-stop centers in accordance with subsection
14 (h)” and inserting “(other than payment of the
15 physical and virtual infrastructure costs of one-
16 stop centers in accordance with subsection (h),
17 except as provided under subsection
18 (c)(2)(A)(ii)(II) in the memorandum of under-
19 standing)”;

20 (B) in subparagraph (B)—

21 (i) by inserting “and” at the end of
22 clause (xi);

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

24 (iii) by redesignating clause (xiii) as
25 clause (xii); and

1 (C) in subparagraph (C)(ii)(II), by striking
2 “and the Secretary of Health and Human Serv-
3 ices” and inserting “, the Secretary of Edu-
4 cation, and the Secretary of Health and Human
5 Services”; and

6 (2) in paragraph (2)(B)—

7 (A) by redesignating clause (vii) as clause
8 (viii);

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

11 (C) by inserting after clause (vi) the fol-
12 lowing:

13 “(vii) employment and training pro-
14 grams carried out by the Economic Devel-
15 opment Administration; and”.

16 (b) MEMORANDUM OF UNDERSTANDING.—Section
17 121(c)(2)(A) of the Workforce Innovation and Oppor-
18 tunity Act (29 U.S.C. 3151(c)(2)(A)) is amended—

19 (1) in clause (ii)—

20 (A) in subclause (I) by striking “and”
21 after the semicolon;

22 (B) by amending subclause (II) to read as
23 follows:

24 “(II) funding of physical and vir-
25 tual infrastructure costs of one-stop

1 centers in accordance with subsection
2 (h)(3), if funding received by the local
3 area under subsection (h)(2) is insuf-
4 ficient to cover such costs;” and

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

6 “(iv) methods to provide appropriate
7 access of services (including access to tech-
8 nology and materials) to workers, youth,
9 and individuals with barriers to employ-
10 ment through the one-stop delivery system
11 to address the needs of such workers and
12 youth, and to increase access, particularly
13 in underserved and rural communities;
14 and”.

15 (c) ONE-STOP OPERATORS.—Section 121(d) of the
16 Workforce Innovation and Opportunity Act (29 U.S.C.
17 3151(d)) is amended—

18 (1) in paragraph (2)—

19 (A) in subparagraph (A), by striking
20 “process; and” and inserting “process, except
21 as authorized by paragraph (4); and”; and

22 (B) in subparagraph (B)—

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

1 “(i) a secondary school, an area ca-
2 reer and technical education school, or an
3 institution of higher education;”;

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

6 (iii) by redesignating clause (vi) as
7 clause (vii);

8 (iv) by inserting after clause (v) the
9 following:

10 “(vi) a public library; and”; and

11 (v) in clause (vii), as so redesignated,
12 by inserting “or joint labor-management”
13 after “a labor”;

14 (2) by redesignating paragraphs (3) and (4) as
15 paragraphs (5) and (6);

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

18 “(3) RESPONSIBILITIES.—The responsibilities
19 of the one-stop operator—

20 “(A) shall include managing the physical
21 and virtual infrastructure and operations of the
22 one-stop system in the local area, and facili-
23 tating coordination among the partners in the
24 one-stop system; and

1 “(B) may include the provision of direct
2 services to job seekers and employers.

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

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

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

14 (1) in subparagraph (A)—

15 (A) by inserting “in person or virtually”
16 after “accessible”; and

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

21 (2) in subparagraph (B)—

22 (A) in clause (i), by inserting “(such as a
23 community college campus, a secondary school,
24 an area career and technical education school,
25 or a public library) and through community-

1 based organizations” after “affiliated sites”;
2 and

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

5 (3) in subparagraph (C)—

6 (A) by inserting “virtual or physical” after
7 “may have”; and

8 (B) by striking “; and” and inserting a pe-
9 riod; and

10 (4) by striking subparagraph (D).

11 (e) CERTIFICATION AND CONTINUOUS IMPROVEMENT
12 OF ONE-STOP CENTERS.—Section 121(g)(2)(A) of the
13 Workforce Innovation and Opportunity Act (29 U.S.C.
14 3151(g)(2)(A)) is amended by striking “subsections
15 (h)(1)” and inserting “subsections (h)(3)”.

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

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

20 “(1) IN GENERAL.—For any program year, not
21 more than 10 percent of the funds allotted under
22 sections 127, 132, and 211, and section 6 of the
23 Wagner-Peyser Act (29 U.S.C. 49e) shall be used to
24 fund the costs of infrastructure of one-stop centers
25 in local areas.

1 “(2) ALLOCATION BY GOVERNOR.—

2 “(A) IN GENERAL.—From the funds pro-
3 vided under paragraph (1), the Governor shall
4 allocate the funds to local areas in accordance
5 with the formula established under subpara-
6 graph (B) for the purposes of paying the costs
7 of infrastructure of one-stop centers.

8 “(B) ALLOCATION FORMULA.—The State
9 board shall develop a formula to be used by the
10 Governor to allocate the funds provided under
11 paragraph (1) to local areas. The formula shall
12 be based on factors including the number of
13 one-stop centers in a local area, the intensity of
14 services provided by such centers, the popu-
15 lation served by such centers, the services pro-
16 vided by such centers, and other factors relat-
17 ing to the performance of such centers that the
18 State board determines are appropriate.

19 “(C) COSTS OF INFRASTRUCTURE.—In
20 this subsection, the term “costs of infrastruc-
21 ture”, used with respect to a one-stop center,
22 means the nonpersonnel costs that are nec-
23 essary for the general operation of the one-stop
24 center (whether for in-person or virtual service
25 delivery), including the rental costs of the facili-

1 ties, the costs of utilities and maintenance,
2 equipment (including assessment-related prod-
3 ucts and assistive technology for individuals
4 with disabilities), and technology to facilitate
5 access to the one-stop center, including the cen-
6 ter’s planning and outreach activities.

7 “(3) ADDITIONAL FUNDING.—

8 “(A) IN GENERAL.—In the case of a local
9 area for which funds allocated under paragraph
10 (2) are insufficient to cover the total costs of
11 infrastructure of one-stop centers in such local
12 area, the local board, chief elected officials, and
13 one-stop partners described in subsection (b)(1)
14 in such local area may fund such costs through
15 methods agreed on by the local board, chief
16 elected officials, and one-stop partners (and de-
17 scribed in the memorandum of understanding
18 described in subsection (c)).

19 “(B) GUIDANCE FOR INFRASTRUCTURE
20 FUNDING.—The Governor, after consultation
21 with chief elected officials, local boards, and the
22 State board, and consistent with the guidance
23 and policies provided by the State board under
24 subparagraphs (B) and (C)(i) of section

1 101(d)(7), shall provide, for the use of local
2 areas under subparagraph (A)—

3 “(i) guidelines for State-administered
4 one-stop partner programs, for deter-
5 mining such programs’ contributions to a
6 one-stop delivery system, based on such
7 programs’ proportionate use of such sys-
8 tem consistent with chapter II of title 2,
9 Code of Federal Regulations (or any cor-
10 responding similar regulation or ruling),
11 including determining funding for the costs
12 of infrastructure, which contributions shall
13 be negotiated pursuant to the memo-
14 randum of understanding under subsection
15 (c); and

16 “(ii) guidance to assist local boards,
17 chief elected officials, and one-stop part-
18 ners in local areas in determining equitable
19 and stable methods of funding the costs of
20 infrastructure of one-stop centers in such
21 areas.”.

22 (g) OTHER FUNDS.—Section 121(i)(2) (29 U.S.C.
23 3151(i)(2)) is amended by striking “basic skills” and in-
24 serting “foundational skill needs”.

1 **SEC. 222. IDENTIFICATION OF ELIGIBLE PROVIDERS OF**
2 **TRAINING SERVICES.**

3 (a) **ELIGIBILITY.**—Section 122(a) (29 U.S.C.
4 3152(a)) is amended by adding at the end the following:

5 “(4) **CONSUMER CHOICE.**—In establishing cri-
6 teria, information requirements, and procedures
7 under this subsection, the Governor shall not limit
8 the provision of consumer choice under section
9 134(c)(3)(F).”.

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

12 (1) in paragraph (1)—

13 (A) by amending the matter preceding sub-
14 paragraph (A) to read as follows: “The criteria
15 established pursuant to subsection (a) shall in-
16 clude criteria on each of the following:”; and

17 (B) in subparagraph (A)(i), striking “per-
18 formance accountability measures” and insert-
19 ing “levels of performance achieved on the indi-
20 cators described in section 116”;

21 (C) in subparagraph (B)—

22 (i) by striking “The need to ensure”
23 and inserting “Ensuring”; and

24 (ii) by inserting “and online learning
25 platforms” after “technology”;

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

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

5 “(I) the degree to which the training
6 program—

7 “(aa) relates to in-demand indus-
8 try sectors and occupations in the
9 State or local areas within the State,
10 based on analysis of labor market
11 data and direct engagement with local
12 employers; and

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

21 “(II) the expected—

22 “(aa) recognized postsecondary
23 credentials earned as part of such
24 program;

1 “(bb) employment opportunities
2 upon program completion;

3 “(cc) median earnings of individ-
4 uals during the fourth quarter after
5 exit from the program, as compared
6 to median earnings of occupations for
7 which the program prepares the indi-
8 vidual in the State and local area;

9 “(dd) program cost of such pro-
10 gram;

11 “(ee) competencies taught as
12 part of such program that align to ex-
13 pected job opportunities;

14 “(ff) time to completion of such
15 program; and

16 “(gg) alignment of such program
17 to career pathways; and

18 “(ii)(I) Subject to subclauses (II) and
19 (III), the information described in clause (i)
20 shall be validated in accordance with guidance
21 issued by the Secretary with respect to each
22 training program of each such provider, which
23 may include validation, by at least one of the
24 following entities:

25 “(aa) 3 or more employers.

1 “(bb) An industry association.

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

5 “(II) The requirements of subclause (I)
6 shall not apply to any program that is—

7 “(aa) offered by a public institution of
8 higher education; or

9 “(bb) accredited by a programmatic
10 accrediting agency (as defined in section
11 602.3 of title 34, Code of Federal Regula-
12 tions (or successor regulations)).

13 “(III) An entity listed in item (aa), (bb),
14 or (cc) of subclause (I) that is providing valida-
15 tion under this clause with respect to a training
16 program may not be the provider of such train-
17 ing program.”;

18 (E) by striking subparagraphs (E), (F),
19 (G), and (H);

20 (F) by redesignating subparagraphs (I)
21 and (J) as subparagraphs (E) and (F), respec-
22 tively; and

23 (G) in subparagraph (F), as so redesign-
24 nated—

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

3 “(i) the accountability of the pro-
4 viders, including in the case of a training
5 program that is offered by an institution of
6 higher education, that such institution has
7 not been subject, during the 5 years pre-
8 ceding the date of the determination of
9 whether such a provider meets such cri-
10 teria, to—

11 “(I) any suspension, emergency
12 action, or termination of programs
13 under title IV of the Higher Edu-
14 cation Act of 1965;

15 “(II) any adverse action by the
16 accrediting agency or association of
17 the institution of higher education; or

18 “(III) any action by the State to
19 revoke a license or other authority to
20 operate;” and

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

23 (2) in paragraph (2)—

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

1 “(A) PROVIDERS OF TRAINING SERV-
2 ICES.—The information”

3 (B) by redesignating subparagraphs (A)
4 through (E) as clauses (i) through (v), respec-
5 tively: and

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

7 “(B) STATES.—The State shall make
8 available on a publicly accessible website and in
9 a manner that does not reveal personally identi-
10 fiable information—

11 “(i) the criteria, information require-
12 ments, and procedures regarding the eligi-
13 bility of providers of training services es-
14 tablished pursuant to subsection (a); and

15 “(ii) the appropriate, accurate, and
16 timely information each provider of train-
17 ing services submits to the State in accord-
18 ance with subparagraph (A) of this para-
19 graph.”;

20 (3) in paragraph (4)—

21 (A) in subparagraph (B)—

22 (i) by striking “section 122 of the
23 Workforce Investment Act of 1998, as in
24 effect on the day before the date of enact-
25 ment of this Act” and inserting “section

1 122, as in effect on the date before the
2 date of enactment of the Workforce Inno-
3 vation and Opportunity Act of 2022”; and

4 (ii) by inserting at the end the fol-
5 lowing: “A Governor shall make an eligi-
6 bility determination under this paragraph
7 with respect to a provider not later than
8 60 days after receipt of an application for
9 such a determination from such provider.”;

10 (B) in subparagraph (C) by inserting “, in-
11 cluding to the extent practicable for the 2-year
12 period preceding the date of the provider’s ap-
13 plication under this paragraph” after “sub-
14 title”; and

15 (C) in subparagraph (D)—

16 (i) in clause (i), by striking “a factor”
17 and inserting “the levels of performance
18 achieved”;

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

21 (iii) in clause (iv), by striking the pe-
22 riod at the end and inserting “; and”;

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

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

3 (c) PROCEDURES.—Section 122(c)(2) (29 U.S.C.
4 3152(c)(2)), by striking “biennial” and inserting “an-
5 nual”.

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

12 (e) ENFORCEMENT.—Section 122(f)(1) (29 U.S.C.
13 3152(f)(1)) is amended to read as follows:

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

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

21 “(i) shall have such eligibility termi-
22 nated for a period of 1 year upon a deter-
23 mination by an individual or entity speci-
24 fied in the procedures, that such pro-
25 vider—

1 “(I) in a case in which the pro-
2 vider receives initial eligibility under
3 subsection (b)(4), failed to report in-
4 formation as required under sub-
5 section (b)(4)(C);

6 “(II) failed to inform the State
7 board or local board that the training
8 program of such provider has
9 changed, and as a result of such
10 change the information with respect
11 to such training program under sub-
12 section (b)(1) used by the Governor to
13 determine the provider’s eligibility to
14 receive such funds no longer accu-
15 rately describes such training pro-
16 gram; or

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

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

23 “(I) that is no longer aligned to
24 in-demand industry sectors or occupa-
25 tions; or

1 “(II) that results in employment
2 with wages below the median earnings
3 for the occupation in the State or
4 local area due to the insufficient qual-
5 ity of training provided under the pro-
6 gram.

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

18 “(C) REPAYMENT.—A provider of training
19 services whose eligibility is terminated under
20 subparagraph (A) or (B) of this paragraph
21 shall be liable for the repayment of funds re-
22 ceived under chapter 3 during a period of viola-
23 tion described in such subparagraph.”.

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

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

9 **CHAPTER 2—YOUTH WORKFORCE**

10 **INVESTMENT ACTIVITIES**

11 **SEC. 231. STATE ALLOTMENTS.**

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

14 (1) by amending subsection (a)(1) to read as
15 follows:

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

22 (2) in subsection (b)(1)—

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

1 (B) in subparagraph (B)(i), by striking
2 “ $\frac{1}{4}$ of”.

3 **SEC. 232. WITHIN STATE ALLOCATIONS.**

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

7 “(5) TRANSFER AUTHORITY.—A local board
8 may transfer, if such a transfer is approved by the
9 Governor, up to and including 100 percent of the
10 funds allocated to the local area under section
11 130(a)(2), and up to and including 100 percent of
12 the funds allocated to the local area under this sub-
13 section for a fiscal year between—

14 “(A) activities under section 129(e); and

15 “(B) activities under section 130.”.

16 **SEC. 233. USE OF FUNDS FOR YOUTH WORKFORCE INVEST-**
17 **MENT ACTIVITIES.**

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

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

24 “(1) IN GENERAL.—In order to determine
25 which subpopulation of eligible youth a local area

1 can best serve, a local board shall ensure that the
2 comprehensive needs assessment related to youth
3 workforce investment activities under section
4 108(b)(9) of the local plan shall meet the require-
5 ments of this subsection, and shall be updated at
6 least once every 4 years.

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

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

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

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

22 “(ii) aligned to State, regional, Tribal,
23 or local in-demand industry sectors or oc-
24 cupations (including career pathways),

1 identified by the State board or local
2 board; and

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

7 “(C) An identification of successful models
8 of youth workforce investment activities.

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

14 “(i) strategies to provide eligible
15 youth access to paid work experience op-
16 portunities and career pathways;

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

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

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

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

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

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

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

21 “(C) representatives of business and indus-
22 try (including representatives of small busi-
23 ness), which shall include representatives of in-
24 dustry and sector partnerships in the State;

1 “(D) interested community representatives,
2 including community-based organizations;

3 “(E) representatives of eligible youth, in-
4 cluding representatives of regional or local
5 agencies serving eligible youth;

6 “(F) representatives of Indian Tribes and
7 Tribal organizations in the State, where appli-
8 cable; and

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

11 “(4) CONTINUED CONSULTATION.—Each local
12 area receiving financial assistance under this chapter
13 shall consult with stakeholders described in para-
14 graph (3) on an ongoing basis, as determined by the
15 Governor. This may include consultation in order
16 to—

17 “(A) provide input on quadrennial updates
18 to the comprehensive needs assessment required
19 under paragraph (1)(A);

20 “(B) ensure youth workforce investment
21 activities—

22 “(i) are responsive to local area em-
23 ployment needs;

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

1 “(iii) are aligned with employment
2 priorities in the State, regional, tribal, or
3 local economy identified by employers and
4 the entities described in paragraph (3),
5 which may include high-skill, high-wage, or
6 in-demand industry sectors or occupations
7 identified by the local board;

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

12 “(v) are designed to meet current, in-
13 termediate, or long-term labor market pro-
14 jections; and

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

1 tials, and current technology and equip-
2 ment;

3 “(C) identify and encourage opportunities
4 for work-based learning; and

5 “(D) ensure funding under this part is
6 used in a coordinated manner with other local
7 resources.”.

8 (b) STATEWIDE ACTIVITIES.—Section 129(b) of the
9 Workforce Innovation and Opportunity Act (29 U.S.C.
10 3164(b)) is amended—

11 (1) by amending paragraph (1)(B) to read as
12 follows:

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

18 (2) in paragraph (2)—

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

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

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

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

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

6 (c) LOCAL ELEMENTS AND REQUIREMENTS.—

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

10 (A) in subparagraph (C)—

11 (i) in clause (iv), by striking “in ap-
12 propriate cases” and inserting “including
13 paid work-based learning opportunities”;
14 and

15 (ii) in clause (v), by inserting “high-
16 skill, high-wage, or” before “in-demand”;
17 and

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

20 (2) PROGRAM ELEMENTS.—Section 129(c)(2)
21 of the Workforce Innovation and Opportunity Act
22 (29 U.S.C. 3164(c)(2)) is amended to read as fol-
23 lows:

24 “(2) PROGRAM ELEMENTS.—In order to sup-
25 port the attainment of a secondary school diploma or

1 its recognized equivalent, entry into postsecondary
2 education, and career readiness for participants,
3 local areas shall ensure that each of following ele-
4 ments are provided under the programs described in
5 paragraph (1), as appropriate, to meet the needs of
6 eligible youth in the local area:

7 “(A) Tutoring, study skills training, in-
8 struction, and dropout prevention and recovery
9 strategies that lead to completion of the re-
10 quirements for a secondary school diploma or
11 its recognized equivalent (including a recognized
12 certificate of attendance or similar document
13 for individuals with disabilities) or for a recog-
14 nized postsecondary credential.

15 “(B) Alternative secondary school services,
16 or dropout recovery services, as appropriate.

17 “(C) Work-based learning experiences,
18 which—

19 “(i) may include summer and year-
20 round employment opportunities that meet
21 the requirements of section 130; and

22 “(ii) may include, to the extent prac-
23 ticable—

24 “(I) pre-apprenticeship or ap-
25 prenticeship programs;

1 “(II) internships and job shad-
2 owing; and

3 “(III) on-the-job training oppor-
4 tunities.

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

13 “(E) Education offered concurrently with
14 and in the same context as workforce prepara-
15 tion activities and training for a specific occu-
16 pation or occupational cluster.

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

22 “(G) Supportive services.

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

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

5 “(J) Comprehensive guidance and coun-
6 seling, including trauma-informed approaches.

7 “(K) Financial literacy education.

8 “(L) Entrepreneurial skills training.

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

19 “(N) Activities that help youth prepare for
20 and transition to postsecondary education and
21 training.

22 “(O) Digital skills training, including ac-
23 cess to training that supports basic digital lit-
24 eracy.”.

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

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

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

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

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

19 “(a) FUNDING.—

20 “(1) STATE ALLOTMENT.—From the amount
21 appropriated under section 136(b) for a fiscal year,
22 the Secretary shall allot funds to each State on the
23 basis of the relative allotment the State received
24 under section 127(b) for such fiscal year, compared

1 to the total amount allotted to all States under sec-
2 tion 127(b) for such fiscal year.

3 “(2) LOCAL AREA ALLOCATION.—A State shall
4 use the funds allotted under paragraph (1) for a fis-
5 cal year to allocate funds to each local area of the
6 State on the basis of the relative allocation the local
7 area received under section 128(b) for such fiscal
8 year, compared to the total amount allocated to all
9 local areas in the State under section 128(b) for
10 such fiscal year.

11 “(b) ACTIVITIES.—The local board of a local area
12 covered by the local plan submitted under section 108—

13 “(1) shall use the funds received under this sec-
14 tion to—

15 “(A) plan, develop, and carry out a sum-
16 mer employment program or a year-round em-
17 ployment program described in subsection (c);

18 “(B) increase the number of summer or
19 year-round employment opportunities offered
20 through such program, including unsubsidized
21 or partly subsidized opportunities, and opportu-
22 nities in the private sector;

23 “(C) engage or establish industry or sector
24 partnerships to determine local employment

1 needs to inform the establishment of such a
2 program; and

3 “(D) conduct outreach to eligible youth
4 and employers; and

5 “(2) may—

6 “(A) use the funds received under this sec-
7 tion to develop technology infrastructure, in-
8 cluding data and management systems, to sup-
9 port such a program;

10 “(B) use such funds to enhance the pro-
11 gram elements required under subsection (c)(1);
12 and

13 “(C) use not more than 25 percent of such
14 funds to subsidize not more than 65 percent of
15 the wages of each eligible youth participating in
16 such a program.

17 “(c) SUMMER AND YEAR-ROUND EMPLOYMENT PRO-
18 GRAM REQUIREMENTS.—

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

23 “(A) Work-readiness training (including
24 soft skills) and educational programs aligned to
25 career pathways for eligible youth to enhance

1 their year-round employment opportunities, in-
2 cluding digital literacy and online work-readi-
3 ness opportunities, as appropriate, and support
4 obtaining documentation needed for employ-
5 ment, such as identification or licenses.

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

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

19 “(D) Career exploration, career counseling,
20 career planning, and college planning services
21 for eligible youth participating in the program.

22 “(E) High-quality financial literacy edu-
23 cation as described in section 129(b)(2)(D), for
24 eligible youth participating in the program, in-
25 cluding education on the use of credit and fi-

1 financing higher education, and access to safe
2 and affordable banking.

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

9 “(G) Follow-up services for not less than
10 12 months after the completion of participation,
11 as appropriate.

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

19 “(I) Connecting youth participating in the
20 program to providers of youth services, adult
21 employment and training services, vocational re-
22 habilitation services, adult education and family
23 literacy services under title II, career pathways,
24 postsecondary education, or skills training pro-

1 grams funded by the State or Federal Govern-
2 ment, as applicable.

3 “(J) Commitment and support from may-
4 ors or county executives to support the execu-
5 tion of the program.

6 “(2) PROGRAM DESIGN.—

7 “(A) SUMMER EMPLOYMENT PROGRAM.—

8 In addition to the program elements described
9 in paragraph (1), a summer employment pro-
10 gram described in this subsection shall be a
11 program that matches eligible youth partici-
12 pating in such program with an appropriate
13 employer (based on factors including the needs
14 of the employer and the age, skill, and aspira-
15 tions of the eligible youth) for high-quality sum-
16 mer employment, which—

17 “(i) may not be less than 4 weeks;

18 and

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

22 “(B) YEAR-ROUND EMPLOYMENT PRO-

23 GRAM.—In addition to the program elements
24 described in paragraph (1), a year-round em-
25 ployment program described in this subsection

1 shall be a program that matches each eligible
2 youth participating in the program with an ap-
3 propriate employer, based on factors (including
4 the needs of the employer and the age, skill,
5 and informed aspirations of the participant) for
6 high-quality, year-round employment, which—

7 “(i) may not be less than 180 days
8 and more than 1 year;

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

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

14 “(3) PRIORITY.—In carrying out a summer em-
15 ployment program or a year-round employment pro-
16 gram receiving assistance under this section, a local
17 area shall give priority to year-round employment
18 opportunities offered under such program—

19 “(A) in existing or emerging high-skill,
20 high-wage, or in-demand industry sectors or oc-
21 cupations; or

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

24 “(d) PERFORMANCE ACCOUNTABILITY.—For each
25 local board carrying out a summer or year-round employ-

1 ment program receiving assistance under this section, the
2 primary indicators of performance, with respect to each
3 such program, shall include—

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

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

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

12 “(e) REPORTS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 “(2) DISAGGREGATION.—The information re-
8 quired to be reported under subparagraphs (A), (B),
9 and (G) of paragraphs (1) shall be disaggregated by
10 race, ethnicity, sex, age, and the subpopulations of
11 eligible youth (as defined in section 3).”.

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

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

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

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

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

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

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

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

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

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

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

7 “(IV) local areas for carrying out
8 career pathway development efforts,
9 which may include alignment and co-
10 ordination efforts with career and
11 technical education programs of
12 study; and

13 “(V) local areas, one-stop opera-
14 tors, one-stop partners, and eligible
15 providers, including for—

16 “(aa) the continuous devel-
17 opment and training of staff on
18 strategies for preparing individ-
19 uals with barriers to employment
20 to enter in-demand industry sec-
21 tors or occupations and nontradi-
22 tional occupations;

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

1 “(cc) 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);”.

6 (b) ALLOWABLE STATEWIDE EMPLOYMENT AND
7 TRAINING ACTIVITIES.—Section 134(a)(3)(A) (29 U.S.C.
8 3174(a)(3)(A)) is amended—

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

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

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

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

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

24 “(III) evaluate such skills and
25 competencies for adaptability, ensure

1 credits are portable and stackable for
2 more skilled employment; and

3 “(IV) accelerate course or cre-
4 dential completion, and facilitate the
5 sharing of information about such
6 programs in transparent, linked, open,
7 and interoperable data formats;”;

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

9 “(v) supporting the development of al-
10 ternative programs and other activities
11 that enhance the choices available to older
12 individuals (including options for self-em-
13 ployment and other wage-earning activities
14 that lead to economic self-sufficiency), and
15 enhance skills (such as digital literacy) in
16 older individuals;”;

17 (4) in clause (viii)(II)—

18 (A) by amending item (dd) to read as fol-
19 lows:

20 “(dd) adult education, lit-
21 eracy, and digital literacy activi-
22 ties, including those provided by
23 public libraries;”;

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

1 (C) by striking “and” at the end of item
2 (ff); and

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

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

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

18 (c) REQUIRED LOCAL EMPLOYMENT AND TRAINING
19 ACTIVITIES.—

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

23 “(iv) to provide supportive services de-
24 scribed in paragraph (4) to adults and dis-
25 located workers, respectively, through the

1 one-stop delivery system in accordance
2 with such paragraph;

3 “(v) to establish and develop relation-
4 ships and networks with large and small
5 employers and their intermediaries; and

6 “(vi) to develop, convene, or imple-
7 ment industry or sector partnerships de-
8 scribed in paragraph (5).”.

9 (2) CAREER SERVICES.—

10 (A) SERVICES PROVIDED.—Section
11 134(c)(2)(A) (29 U.S.C. 3174(c)(2)(A)) is
12 amended—

13 (i) by amending clause (iii) to read as
14 follows:

15 “(iii) initial assessment of skill levels
16 (including literacy, digital literacy,
17 numeracy, and English language pro-
18 ficiency), competencies, abilities, current
19 applicable foreign academic and profes-
20 sional credentials, guidance and services on
21 transferring high-skilled foreign certifi-
22 cations, and supportive service needs,
23 which may include diagnostic testing and
24 use of other assessment tools;”;

1 (ii) by amending clause (vi) to read as
2 follows:

3 “(vi) provision of workforce and labor
4 market employment statistics information
5 and related skills development information,
6 including the provision of accurate infor-
7 mation relating to local, regional, and na-
8 tional labor market areas, including—

9 “(I) job vacancy listings in such
10 labor market areas;

11 “(II) information on job skills
12 and credentials necessary to obtain
13 the jobs described in subclause (I);
14 and

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

21 “(aa) on the pathways to
22 such skills and credentials (in-
23 cluding information on career
24 pathway programs in the local
25 area);

1 “(bb) on the quality of such
2 education and training programs,
3 consistent with the performance
4 information provided under
5 clause (vii); and

6 “(cc) on the comparability of
7 current foreign academic and
8 professional certifications to
9 needed skills and credentials; and

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

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

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

1 (iv) in clause (xii), by striking sub-
2 clauses (IV) through (XI) and inserting
3 the following:

4 “(IV) individual counseling, in-
5 cluding career counseling;

6 “(V) career planning;

7 “(VI) assessment and develop-
8 ment of employability skills, including
9 development of learning skills, com-
10 munication skills, interviewing skills,
11 punctuality, and professional conduct,
12 to prepare individuals for unsub-
13 sidized employment or training;

14 “(VII) financial literacy services,
15 such as the activities described in sec-
16 tion 129(b)(2)(D);

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

19 “(IX) English language acquisi-
20 tion and integrated education and
21 training programs; and”;

22 (v) in clause (xiii), by inserting “and
23 options for further skill upgrading and ca-
24 reer advancement” after “the workplace”.

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

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

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

15 “(ii) using such recent interview, eval-
16 uation, or assessment may accelerate eligi-
17 bility determination or facilitate enrollment
18 in a training program for which such par-
19 ticipant has been selected.”.

20 (C) DELIVERY OF SERVICES.—Subpara-
21 graph (C) of section 134(c)(2) (29 U.S.C.
22 3174(c)(2)) is amended by inserting “or com-
23 munity-based organizations to serve individuals
24 with barriers to employment,” after “nonprofit
25 service providers,”.

1 (3) TRAINING SERVICES.—

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

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

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

10 “(iv) 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 make available, or refer such indi-
18 vidual to, adult education and family lit-
19 eracy activities under title II.”

20 (B) QUALIFICATION.—Section
21 134(c)(3)(B) (29 U.S.C. 3174(c)(3)(B)) is
22 amended by adding at the end the following:

23 “(iv) PARTICIPATION DURING PEND-
24 ING APPLICATION.—An individual who
25 meets the eligibility requirements under

1 subparagraph (A)(i) to participate in a
2 program of training services may partici-
3 pate in such a program during the period
4 in which such individual’s enrollment in
5 such program is being reviewed under this
6 section, except that the provider of such
7 program shall only receive reimbursement
8 under this Act for the individual’s partici-
9 pation during such period if such individ-
10 ual’s enrollment is approved under this
11 section.”.

12 (C) TRAINING SERVICES.—Section
13 134(c)(3)(D) is amended, in the matter pre-
14 ceding clause (i), by striking “Training services
15 may include” and inserting “Training services
16 may be delivered in-person or virtually, and
17 may include”.

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

21 “(E) PRIORITY.—

22 “(i) IN GENERAL.—With respect to
23 funds allocated to a local area for adult
24 employment and training activities under
25 paragraph (2)(A) or (3) of section 133(b),

1 not less than 75 percent of such funds,
2 used to provide career services described in
3 paragraph (2)(A)(xii), training services,
4 and supportive services, shall be used to
5 provide such services to—

6 “(I) recipients of public assist-
7 ance;

8 “(II) other low-income individ-
9 uals;

10 “(III) individuals who have
11 foundational skill needs; and

12 “(IV) individuals with barriers to
13 employment who are not described in
14 subclauses (I) through (III).

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

23 (E) USE OF INDIVIDUAL TRAINING AC-
24 COUNTS.—Section 134(c)(3)(G) (29 U.S.C.
25 3174(c)(3)(G)) is amended—

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

3 “(i) IN GENERAL.—

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

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

17 “(aa) the costs of course
18 materials, supplies, uniforms,
19 technology, and other required
20 fees for graduation, licensure, or
21 certification; and

22 “(bb) in the case of a pro-
23 vider that charges tuition and
24 fees for a training program, the
25 cost of such tuition and fees.”;

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

3 “(IV) the local board determines
4 that there is a training program dem-
5 onstrating effectiveness (including
6 cost effectiveness), and that can be of-
7 fered in the local area by a commu-
8 nity-based organization or another
9 private, nonprofit organization to
10 serve individuals with barriers to em-
11 ployment;”;

12 (iii) by striking clauses (iii) and (iv)
13 and inserting the following:

14 “(iii) LINKAGE TO OCCUPATIONS IN
15 DEMAND.—

16 “(I) IN GENERAL.—Subject to
17 subclause (II), training services pro-
18 vided under this paragraph shall be
19 directly linked to an in-demand indus-
20 try sector or occupation in the local
21 area or the planning region, or in an-
22 other area to which an adult or dis-
23 located worker receiving such services
24 is willing to relocate or that may be
25 performed remotely.

1 “(II) EXCEPTION.— A local
2 board may approve training services
3 for occupations determined by the
4 local board to be in sectors of the
5 economy that have a high potential
6 for sustained demand or growth in the
7 local area.

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

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

22 (F) REIMBURSEMENT FOR ON-THE-JOB
23 TRAINING.—Section 134(c)(3)(H) (29 U.S.C.
24 3174(c)(3)(H)) is amended to read as follows:

1 “(H) REIMBURSEMENT FOR ON-THE-JOB
2 TRAINING.—

3 “(i) REIMBURSEMENT LEVELS.—For
4 purposes of the provision of on-the-job
5 training under this paragraph, the Gov-
6 ernor or local board involved may increase
7 the amount of the reimbursement to an
8 amount of up to 90 percent of the wage
9 rate of a participant for a program carried
10 out under chapter 2 or this chapter, if—

11 “(I) the Governor approves the
12 increase with respect to a program
13 carried out with funds reserved by the
14 State under such chapter, taking into
15 account the factors described in clause
16 (iii); or

17 “(II) the local board approves the
18 increase with respect to a program
19 carried out with funds allocated to a
20 local area under such chapter, taking
21 into account the factors described in
22 clause (iii).

23 “(ii) VERIFICATION BY ONE-STOP OP-
24 ERATOR.—The one-stop operator within a
25 local area shall—

1 “(I) at least once during the on-
2 the-job training program, verify that
3 the employer meets the conditions
4 that—

5 “(aa) were certified by the
6 employer in the contract for such
7 program; and

8 “(bb) are consistent with the
9 factors described in clause (iii),
10 according to a methodology de-
11 termined by the local board with
12 consent from the Governor; and

13 “(II) terminate the employer’s
14 contract for such program if the em-
15 ployer is not meeting such conditions.

16 “(iii) FACTORS.—For purposes of this
17 subparagraph, the Governor or local board,
18 respectively, may take into account factors
19 consisting of—

20 “(I) basic indicators of job qual-
21 ity, including—

22 “(aa) wage level upon com-
23 pletion of a training program;

24 “(bb) availability of benefits,
25 such as paid time off, health in-

1 surance, and retirement savings
2 plan; and
3 “*(cc)* a safe workplace, such
4 as a record of compliance with
5 safety regulations consistent with
6 or better than the industry aver-
7 age and adoption of an independ-
8 ently certified injury and illness
9 prevention program;
10 “*(II)* the characteristics of the
11 participants;
12 “*(III)* the size of the employer;
13 “*(IV)* the quality of employer-
14 provided training and advancement
15 opportunities; and
16 “*(V)* such other factors as the
17 Governor or local board, respectively,
18 may determine to be appropriate,
19 which may include the number of em-
20 ployees participating in the training,
21 opportunities for promotions, predict-
22 able and stable work schedule, and re-
23 lation of the training to the competi-
24 tiveness of a participant.”.

1 (4) SUPPORTIVE SERVICES.—Section 134(c)
2 (29 U.S.C. 3174) is further amended by adding at
3 the end the following:

4 “(4) SUPPORTIVE SERVICES.—

5 “(A) IN GENERAL.—A portion of the funds
6 allocated to a local area for adults under para-
7 graph (2)(A) or (3), as appropriate, of section
8 133(b), and a portion of the funds allocated to
9 the local area for dislocated workers under sec-
10 tion 133(b)(2)(B)—

11 “(i) shall be used to provide sup-
12 portive services (that are not needs-related
13 payments) to adults and dislocated work-
14 ers, respectively—

15 “(I) who are participating in pro-
16 grams with activities authorized in
17 paragraph (2) or (3) of subsection (c),
18 or who entered unsubsidized employ-
19 ment after participating in such pro-
20 grams, for up to 12 months following
21 the date of first employment; and

22 “(II) who are unable to obtain
23 such supportive services through other
24 programs providing such services; and

1 “(ii) may be used to provide needs-re-
2 lated payments to adults and dislocated
3 workers, respectively, who are unemployed
4 and do not qualify for (or have ceased to
5 qualify for) unemployment compensation
6 for the purpose of enabling such individ-
7 uals to participate in programs of training
8 services under subsection (c)(3).

9 “(B) ADDITIONAL ELIGIBILITY REQUIRE-
10 MENTS FOR NEEDS-RELATED PAYMENTS.—In
11 addition to the requirements contained in sub-
12 paragraph (A)(ii), a dislocated worker who has
13 ceased to qualify for unemployment compensa-
14 tion may be eligible to receive needs-related
15 payments under this paragraph only if such
16 worker is enrolled in training services.

17 “(C) LEVEL OF PAYMENTS.—The level of
18 a needs-related payment made to a dislocated
19 worker under this paragraph shall not exceed
20 the greater of—

21 “(i) the applicable level of unemploy-
22 ment compensation; or

23 “(ii) if such worker did not qualify for
24 unemployment compensation, an amount
25 equal to 150 percent of the poverty line,

1 for an equivalent period, which amount
2 shall be adjusted to reflect changes in total
3 family income.”.

4 (d) PERMISSIBLE LOCAL EMPLOYMENT AND TRAIN-
5 ING ACTIVITIES.—

6 (1) IN GENERAL.—Section 134(d)(1)(A) (29
7 U.S.C. 3174(d)(1)(A)) is amended—

8 (A) in clause (vii)—

9 (i) by inserting “and” at the end of
10 subclause (III); and

11 (ii) 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 staff to use
16 the latest digital technologies, tools
17 and strategies to equitably deliver
18 high quality services and outcomes for
19 jobseekers, workers, and employers;”;

20 (B) in clause (viii), strike “displaced home-
21 makers” and insert “displaced caregivers”; and

22 (C) in clause (ix)(II)(bb), by inserting “,
23 technical assistance in support of job quality,
24 adoption of skills-based and equitable hiring
25 practices” after “apprenticeship”.

1 (2) INCUMBENT WORKER TRAINING PROGRAMS;
2 TRANSITIONAL JOBS.—Section 134(d) (29 U.S.C.
3 3174(d)), as amended by this section, is further
4 amended by striking paragraphs (2) through (5),
5 and inserting the following:

6 “(2) INCUMBENT WORKER TRAINING PRO-
7 GRAMS.—

8 “(A) IN GENERAL.—

9 “(i) STANDARD RESERVATION OF
10 FUNDS.—The local board may reserve and
11 use not more than 25 percent of the funds
12 allocated to the local area involved under
13 section 133(b) to pay for the Federal share
14 of the cost of providing training through a
15 training program for incumbent workers,
16 carried out in accordance with this para-
17 graph.

18 “(ii) INCREASE IN RESERVATION OF
19 FUNDS.—The local board may increase
20 such reservation of funds for a program
21 year if the Governor determines that the
22 training from such funds from the prior
23 program year resulted in career pro-
24 motions for workers receiving such training
25 and created new job vacancies. For a pro-

1 gram year for which the reservation of
2 funds is so increased, clause (i) shall be
3 applied by substituting ‘30 percent’ for ‘25
4 percent’.

5 “(iii) DETERMINATION OF ELIGI-
6 BILITY.—In order for a local board to de-
7 termine that an employer is eligible to re-
8 ceive funding under clause (i), the local
9 board shall take into account factors con-
10 sisting of—

11 “(I) the basic indicators of job
12 quality described in subsection
13 (c)(3)(H)(iii)(I);

14 “(II) the characteristics of the
15 participants in the program;

16 “(III) the relationship of the
17 training to the competitiveness of a
18 participant and the employer; and

19 “(IV) such other factors as the
20 local board may determine to be ap-
21 propriate, which may include the
22 number of employees participating in
23 the training, and the existence of
24 other training and advancement op-
25 portunities provided by the employer.

1 “(iv) STATEWIDE IMPACT.—The Gov-
2 ernor or State board involved may make
3 recommendations to the local board for
4 providing incumbent worker training that
5 has statewide impact.

6 “(B) TRAINING ACTIVITIES.—The training
7 program for incumbent workers carried out
8 under this paragraph shall be carried out by the
9 local board in conjunction with the employers or
10 groups of employers of such workers (which
11 may include employers in partnership with
12 other entities for the purposes of delivering
13 training) for the purpose of assisting such
14 workers in obtaining the skills necessary to re-
15 tain employment or avert layoffs.

16 “(C) EMPLOYER PAYMENT OF NON-FED-
17 ERAL SHARE.—Employers participating in the
18 program carried out under this paragraph shall
19 be required to pay for the non-Federal share of
20 the cost of providing the training to incumbent
21 workers of the employers.

22 “(D) NON-FEDERAL SHARE.—

23 “(i) FACTORS.—Subject to clauses (ii)
24 and (iii), the local board shall establish the
25 non-Federal share of the cost of providing

1 training through a training program for in-
2 cumbent workers, by considering the indi-
3 cators described in subsection
4 (c)(3)(H)(iii) and how many of such indi-
5 cators the employer certifies will be met
6 with respect to the employment of incum-
7 bent workers upon completion of training
8 funded under this section.

9 “(ii) LIMITS.—The non-Federal share
10 shall not be less than—

11 “(I) 10 percent of the cost, for
12 employers with not more than 50 em-
13 ployees;

14 “(II) 25 percent of the cost, for
15 employers with more than 50 employ-
16 ees but not more than 100 employees;
17 and

18 “(III) 50 percent of the cost, for
19 employers with more than 100 em-
20 ployees.

21 “(iii) CALCULATION OF EMPLOYER
22 SHARE.—The non-Federal share provided
23 by an employer participating in the pro-
24 gram may include the amount of the wages
25 paid by the employer to a worker while the

1 worker is attending a training program
2 under this paragraph. The employer may
3 provide the share in cash or in kind, fairly
4 evaluated.

5 “(E) VERIFICATION BY ONE-STOP OPER-
6 ATOR.—Upon completion of the incumbent
7 worker training program funded under this sec-
8 tion, the one-stop operator within a local area
9 shall verify that the employer met the condi-
10 tions that were certified to prior to receiving
11 the Federal share of the training program’s
12 costs, consistent with this paragraph, according
13 to a methodology determined by the Governor
14 or local board. If such conditions were not met,
15 the one-stop operator shall prohibit the em-
16 ployer from receiving funds for incumbent
17 worker training under this section for a period
18 of 5 years.

19 “(3) TRANSITIONAL JOBS.—The local board
20 may use not more than 40 percent of the funds allo-
21 cated to the local area involved under section 133(b)
22 to provide transitional jobs under subsection (c)(3)
23 that—

24 “(A) are time-limited work experiences
25 that are subsidized and are in the public, pri-

1 vate, employment social enterprise, or nonprofit
2 sectors for individuals with barriers to employ-
3 ment who are chronically unemployed or have
4 an inconsistent work history;

5 “(B) are combined with comprehensive em-
6 ployment and supportive services; and

7 “(C) are designed to assist the individuals
8 described in subparagraph (A) to establish a
9 work history, demonstrate success in the work-
10 place, and develop skills that lead to entry into
11 and retention in unsubsidized employment.”.

12 **CHAPTER 4—GENERAL WORKFORCE**

13 **INVESTMENT PROVISIONS**

14 **SEC. 251. AUTHORIZATION OF APPROPRIATIONS.**

15 Section 136 (29 U.S.C. 3181) is amended to read as
16 follows:

17 **“SEC. 136. AUTHORIZATION OF APPROPRIATIONS.**

18 “(a) YOUTH WORKFORCE INVESTMENT ACTIVI-
19 TIES.—There are authorized to be appropriated to carry
20 out the activities described in section 127(a),
21 \$1,026,450,000 for fiscal year 2023, \$1,129,100,000 for
22 fiscal year 2024, \$1,242,000,000 for fiscal year 2025,
23 \$1,366,200,000 for fiscal year 2026, \$1,502,800,000 for
24 fiscal year 2027, and \$1,653,100,000 for fiscal year 2028

1 “(b) SUMMER AND YEAR-ROUND EMPLOYMENT AC-
2 TIVITIES.—There are authorized to be appropriated to
3 section 130, \$926,650,000 for fiscal year 2023,
4 \$1,019,300,000 for fiscal year 2024, \$1,121,250,000 for
5 fiscal year 2025, \$1,233,400,000 for fiscal year 2026,
6 \$1,356,750,000 for fiscal year 2027, and \$1,492,450,000
7 for fiscal year 2028.

8 “(c) ADULT EMPLOYMENT AND TRAINING ACTIVI-
9 TIES.—There are authorized to be appropriated to carry
10 out the activities described in section 132(a)(1),
11 \$1,555,600,000 for fiscal year 2023, \$1,711,200,000 for
12 fiscal year 2024, \$1,882,300,000 for fiscal year 2025,
13 \$2,070,500,000 for fiscal year 2026, \$2,277,600,000 for
14 fiscal year 2027, and \$2,505,400,000 for fiscal year 2028.

15 “(d) DISLOCATED WORKER EMPLOYMENT AND
16 TRAINING ACTIVITIES.—There are authorized to be ap-
17 propriated to carry out the activities described in section
18 132(a)(2), \$2,486,300,000 for fiscal year 2023,
19 \$2,734,900,000 for fiscal year 2024, \$3,008,400,000 for
20 fiscal year 2025, \$3,309,200,000 for fiscal year 2026,
21 \$3,640,100,000 for fiscal year 2027, and \$4,004,100,000
22 for fiscal year 2028.”.

23 **Subtitle C—Job Corps**

24 **SEC. 261. AMENDMENTS RELATING TO JOB CORPS.**

25 (a) DEFINITIONS.—

1 (1) IN GENERAL.—Section 142 (29 U.S.C.
2 3192) is amended—

3 (A) by amending paragraph (7) to read as
4 follows:

5 “(7) JOB CORPS CAMPUS.—The term ‘Job
6 Corps campus’ means a campus run by an operator
7 selected by the Secretary pursuant to section 147,
8 carrying out Job Corps activities.”; and

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

10 “(11) STATE.—The term ‘State’ has the mean-
11 ing given the term in section 3, except that such
12 term also includes outlying areas (as defined in sec-
13 tion 3).”.

14 (2) CONFORMING AMENDMENTS.—Subtitle C of
15 title I (29 U.S.C. 3191 et seq.) is amended—

16 (A) by striking “Job Corps center” each
17 place such term appears (including in any head-
18 ings) and inserting “Job Corps campus”; and

19 (B) by striking “Job Corps centers” each
20 place such term appears (including in any head-
21 ings) and inserting “Job Corps campuses”.

22 (b) INDIVIDUALS ELIGIBLE FOR THE JOB CORPS.—
23 Section 144 (29 U.S.C. 3194) is amended—

24 (1) in subsection (a)—

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

3 “(1) not less than age 16 and not more than
4 age 24 on the date of enrollment;”;

5 (B) by amending paragraph (2) to read as
6 follows:

7 “(2) an individual who is—

8 “(A) a low-income individual as defined in
9 subsection (h)(4) of section 402A of the Higher
10 Education Act of 1965 (20 U.S.C. 1070a-11)
11 as determined using procedures similar to those
12 in subsection (e) of such section; or

13 “(B) a resident of a qualified opportunity
14 zone as defined in section 1400Z-1(a) of the
15 Internal Revenue Code of 1986; and”;

16 (C) in paragraph (3)—

17 (i) in subparagraph (A), by striking
18 “Basic skills deficient” and inserting “An
19 individual with foundational skill needs”;

20 (ii) in subparagraph (B), by striking
21 “A school dropout” and inserting “An op-
22 portunity youth”; and

23 (iii) in subparagraph (D), by inserting
24 “or an individual who is pregnant” before
25 the period; and

1 (2) by amending subsection (b) to read as fol-
2 lows:

3 “(b) SPECIAL RULE FOR VETERANS.—A veteran
4 shall be eligible to become an enrollee if the veteran meets
5 the requirements of subsection (a)(1).”.

6 (c) RECRUITMENT, SCREENING, SELECTION, AND
7 ASSIGNMENT OF ENROLLEES.—Section 145(a) (29
8 U.S.C. 3195(a)) is amended—

9 (1) in paragraph (2)—

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

12 (B) in subparagraph (E), by striking the
13 period at the end and inserting “; and”; and

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

15 “(F) assist one-stop centers and other en-
16 tities identified in paragraph (3) in developing
17 joint applications for Job Corps, YouthBuild,
18 and youth workforce investment activities under
19 which an applicant may submit a single applica-
20 tion for all such programs.”; and

21 (2) in paragraph (5), by striking the last sen-
22 tence.

23 (d) JOB CORPS CAMPUSES.—Section 147 (29 U.S.C.
24 3197) is amended—

25 (1) in subsection (a)—

1 (A) in paragraph (2)—

2 (i) in subparagraph (A), by inserting
3 at the end the following: “Such award shall
4 be based upon best value and fair and rea-
5 sonable pricing.”; and

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

8 “(B) CONSIDERATIONS.—

9 “(i) STUDENT OUTCOMES.—In select-
10 ing an entity to operate a Job Corps cam-
11 pus, the Secretary shall consider a numeric
12 metric of recent past effectiveness of the
13 entity in assisting opportunity youth to
14 connect to the workforce, to be calculated
15 based on data regarding—

16 “(I) the percentage of students
17 served by the entity who were in edu-
18 cation or training activities, or in un-
19 subsidized employment, during the
20 second quarter after exit from the rel-
21 evant program;

22 “(II) the percentage of students
23 served by the entity who were in edu-
24 cation or training activities, or in un-
25 subsidized employment, during the

1 fourth quarter after exit from the rel-
2 evant program;

3 “(III) the median earnings of
4 students served by the entity who
5 were in unsubsidized employment dur-
6 ing the second quarter after exit from
7 the relevant program;

8 “(IV) the percentage of students
9 served by the entity who obtained a
10 recognized postsecondary credential,
11 or a secondary school diploma or its
12 recognized equivalent, during partici-
13 pation in or within 1 year after exit
14 from the relevant program; and

15 “(V) expected levels of perform-
16 ance established under section
17 159(c)(2) or similar metrics for re-
18 cruitment of eligible youth for rel-
19 evant contracts or grants.

20 “(ii) MARKET DEVELOPMENT.—

21 “(I) MENTOR-PROTÉGÉ PRO-
22 GRAM.—The Secretary shall carry out
23 a mentor-protégé program in accord-
24 ance with section 45 of the Small
25 Business Act (15 U.S.C. 657r) with

1 respect to Job Corps campus oper-
2 ations.

3 “(II) PAST-PERFORMANCE.—The
4 Secretary shall publish comparable al-
5 ternative metrics for entities without
6 previous experience in Job Corps cam-
7 pus operations to demonstrate their
8 past effectiveness in accordance with
9 the requirements of clause (i).”; and

10 (B) in paragraph (3)—

11 (i) in subparagraph (A), by inserting
12 “high-skill, high-wage, or” before “in-de-
13 mand”;

14 (ii) in subparagraph (C), by striking
15 “Workforce Investment Act of 1998” and
16 inserting “Workforce Innovation and Op-
17 portunity Act”;

18 (iii) by redesignating subparagraph
19 (K) as subparagraph (L); and

20 (iv) by inserting after subparagraph
21 (J) the following:

22 “(K) A description of the entity’s ability to
23 demonstrate a record of successfully operating
24 a safe learning and residential environment for
25 opportunity youth.”;

1 (2) in subsection (b), by striking paragraphs
2 (2) and (3) and inserting the following:

3 “(2) HIGH PERFORMANCE.—An entity shall be
4 considered to be an operator of a high-performing
5 campus if the Job Corps campus operated by the en-
6 tity was ranked among the top 25 percent of Job
7 Corps campuses, excluding Civilian Conservation
8 Centers described in subsection (d), for the two most
9 recent preceding program years.”;

10 (3) in subsection (d), by adding at the end the
11 following:

12 “(4) DIRECT HIRE AUTHORITY.—The Secretary
13 of Agriculture may appoint, without regard to the
14 provisions of subchapter I of chapter 33 of title 5,
15 United States Code (other than sections 3303 and
16 3328 of such title), a graduate of a Civilian Con-
17 servation Center who successfully completed a train-
18 ing program focused on forestry, wildland fire-
19 fighting, or another topic relating to the mission of
20 the Forest Service directly to a position with the De-
21 partment of Agriculture, Forest Service, for which
22 the candidate meets Office of Personnel Manage-
23 ment qualification standards.”;

24 (4) in subsection (f), by striking “2-year” and
25 inserting “4-year”; and

1 (5) in subsection (g)(1), by striking “, for both
2 of the 2 most recent preceding program years” and
3 all that follows through the end and inserting “the
4 agreement has been in place for at least 3 years and
5 for both of the 2 most recent preceding program
6 years for which information is available at the time
7 the determination is made, such campus has been
8 ranked in the lowest 10 percent of Job Corps cam-
9 puses.”.

10 (e) PROGRAM ACTIVITIES.—Section 148(a) (29
11 U.S.C. 3198(a)) is amended, in the subsection heading,
12 by inserting “ACADEMIC” before “ACTIVITIES”.

13 (f) SUPPORT.—Section 150 (29 U.S.C. 3200) is
14 amended—

15 (1) in subsection (c), by striking “3 months”
16 and inserting “12 months”; and

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

18 “(d) PERIOD OF TRANSITION.—Notwithstanding the
19 requirements of section 146(b), Job Corps graduates may
20 remain enrolled and a resident of a Job Corps campus
21 for not more than 1 month after graduation, subject to
22 approval by the director of the Job Corps Campus, in
23 order to facilitate their transition into independent living
24 and employment.”.

1 (g) OPERATIONS.—Section 151 (29 U.S.C. 3201) is
2 amended to read as follows:

3 **“SEC. 151. OPERATIONS.**

4 “(a) OPERATING PLAN.—

5 “(1) IN GENERAL.—The provisions of the con-
6 tract between the Secretary and an entity selected to
7 operate a Job Corps campus shall, including any
8 subsequent modifications to such contract, serve as
9 an operating plan for the Job Corps campus.

10 “(2) FEDERAL CHANGES TO OPERATING
11 PLAN.—The Secretary may require the operator to
12 submit additional information, as the Secretary
13 deems necessary for compliance with any relevant
14 regulations, which shall be considered part of the op-
15 erating plan.

16 “(3) AVAILABILITY.—The Secretary shall make
17 the operating plan described in paragraphs (1) and
18 (2), excluding any proprietary information, available
19 on a publicly accessible website.

20 “(b) LOCAL AUTHORITIES.—Subject to the limita-
21 tions of their approved budgets, the operators of Job
22 Corps campuses shall have the authority, without prior ap-
23 proval from the Secretary, to—

24 “(1) hire staff and invest in staff professional
25 development;

1 “(2) enter into agreements with local partners,
2 such as secondary and postsecondary schools or em-
3 ployers; and

4 “(3) engage with and educate stakeholders
5 about Job Corps operations and activities.”.

6 (h) STANDARDS OF CONDUCT.—Section 152 (29
7 U.S.C. 3202) is amended—

8 (1) in subsection (a), by striking the second
9 sentence;

10 (2) by amending subsection (b) to read as fol-
11 lows:

12 “(b) BEHAVIORAL MANAGEMENT PLAN.—

13 “(1) IN GENERAL.—As part of the operating
14 plan defined in section 151(a), the director of each
15 Job Corps campus shall develop and implement a be-
16 havioral management plan, subject to the approval
17 of the Secretary. Such plan shall include student
18 standards of conduct, positive behavioral interven-
19 tions and supports, and multi-tier systems of sup-
20 ports.

21 “(2) DISCIPLINARY MEASURES AND DRUG
22 TESTING.—

23 “(A) DISCIPLINARY MEASURES.—To pro-
24 mote the proper behavioral standards in the
25 Job Corps, the director of each Job Corps cam-

1 pus shall, consistent with the applicable behav-
2 ioral management plan described in paragraph
3 (1), have the authority to take appropriate dis-
4 ciplinary measures against enrollees if such di-
5 rector determines that an enrollee has com-
6 mitted a violation of the standards of conduct.
7 The director shall adopt a zero tolerance policy
8 for an act of violence or a credible threat of vio-
9 lence that seriously endangers the safety of stu-
10 dents, staff, or the local community and for ille-
11 gal activity on the campus.

12 “(B) DRUG TESTING.—The Secretary shall
13 require drug testing of all enrollees for con-
14 trolled substances, as set forth in section 102 of
15 the Controlled Substances Act (21 U.S.C. 802),
16 in accordance with procedures prescribed by the
17 Secretary under section 145(a).

18 “(C) DEFINITIONS.—In this paragraph:

19 “(i) CONTROLLED SUBSTANCE.—The
20 term ‘controlled substance’ has the mean-
21 ing given the term in section 102 of the
22 Controlled Substances Act (21 U.S.C.
23 802).

24 “(ii) ZERO TOLERANCE POLICY.—The
25 term ‘zero tolerance policy’ means a policy

1 under which an enrollee shall be automati-
2 cally dismissed from the Job Corps after a
3 determination by the director that the en-
4 rollee has carried out an act of violence
5 that seriously endangers the safety of stu-
6 dents, staff, or the local community or en-
7 gaged in an illegal activity on the campus.

8 “(3) ADVISORY GROUP.—The Secretary shall
9 periodically convene an advisory group of Job Corps
10 operators and service providers and subject matter
11 experts to review the reporting data collected under
12 paragraph (5) and provide recommendations for Job
13 Corps behavioral management plans based on evi-
14 dence-based research regarding effective and equi-
15 table behavioral policies.

16 “(4) LAW ENFORCEMENT AGREEMENTS.—The
17 directors of each Job Corps campus shall enter into
18 an agreement with the relevant local law enforce-
19 ment agency of jurisdiction regarding the procedures
20 for reporting and investigating potentially illegal ac-
21 tivity on Job Corps campuses.

22 “(5) INCIDENT REPORTING.—The Secretary
23 shall establish procedures for—

1 “(A) reporting significant health incidents,
2 including substance abuse, self-harm, and acci-
3 dents resulting in bodily harm; and

4 “(B) reporting significant behavioral inci-
5 dents, defined as acts of violence or illegal ac-
6 tivity.

7 “(6) ACCOUNTABILITY.—The Secretary shall
8 establish standards under which a Job Corps cam-
9 pus shall be required to take performance improve-
10 ment actions described in section 159(f), based on
11 an evaluation of such Job Corps campus, which shall
12 take into account reporting data collected under
13 paragraph (5) and recommendations of the advisory
14 group pursuant to paragraph (3).”.

15 (i) EXPERIMENTAL PROJECTS AND TECHNICAL AS-
16 SISTANCE.—Section 156(a) (29 U.S.C. 3206(a)) is
17 amended to read as follows:

18 “(a) PROJECTS.—The Secretary may carry out ex-
19 perimental, research, or demonstration projects relating to
20 evidence-based strategies for improving the operations of
21 a Job Corps campus that was ranked among the bottom
22 10 percent of Job Corps campuses. The Secretary may
23 waive any provisions of this subtitle that the Secretary
24 finds would prevent the Secretary from carrying out the

1 projects (other than sections 145, 147, and 159(c)) pro-
2 vided that—

3 “(1) the project will not result in a reduction in
4 the number of students served; and

5 “(2) if the Secretary informs the Committee on
6 Education and Labor of the House of Representa-
7 tives and the Committee on Health, Education,
8 Labor, and Pensions of the Senate, in writing, not
9 less than 90 days in advance of issuing such waiv-
10 er.”.

11 (j) APPLICATION OF PROVISIONS OF FEDERAL
12 LAW.—

13 (1) IN GENERAL.—Section 157 (29 U.S.C.
14 3207) is amended by adding at the end the fol-
15 lowing:

16 “(d) SERVICE CONTRACT ACT.—

17 “(1) IN GENERAL.—Operators and service pro-
18 viders, including subcontractors thereto, are subject
19 to and shall be required to abide by chapter 67 of
20 title 41, United States Code (commonly known as
21 the ‘McNamara-O’Hara Service Contract Act of
22 1965’).

23 “(2) ACADEMIC AND CAREER TECHNICAL IN-
24 STRUCTIONAL EMPLOYEES.—Notwithstanding sec-
25 tion 6701(3)(C) of such chapter, an academic or ca-

1 reer technical instructional employee at a Job Corps
2 campus shall be considered a ‘service employee’ for
3 purposes of applying such chapter under paragraph
4 (1).

5 “(3) RULE OF CONSTRUCTION.—To the extent
6 compensation levels being paid or scheduled to be
7 paid by an employer are, in the aggregate, greater
8 than those determined by the Secretary of Labor to
9 be required under this subsection, or as set forth in
10 a collective bargaining agreement, nothing herein
11 shall be construed to require a reduction of such
12 compensation.”.

13 (2) EFFECTIVE DATE.—

14 (A) AGREEMENTS IN EFFECT ON DATE OF
15 ENACTMENT.—Not later than 60 days after the
16 date of enactment of this Act, the Secretary
17 shall, subject to appropriations, modify all
18 agreements with operators and service providers
19 in effect as of such date of enactment to include
20 the requirements imposed by the amendment
21 made by paragraph (1).

22 (B) PENDING SOLICITATIONS.—Upon the
23 date of enactment of this Act, the Secretary
24 shall include the requirements imposed by the
25 amendment made by paragraph (1) in any

1 pending solicitation for an operator or service
2 provider.

3 (k) STAFFING.—

4 (1) IN GENERAL.—To ensure compliance with
5 chapter 67 of title 41, United States Code (com-
6 monly known as the ‘McNamara-O’Hara Service
7 Contract Act of 1965’), as such chapter is applied
8 by section 157(d) of the Workforce Innovation and
9 Opportunity Act, the staffing plan and the associ-
10 ated budget of an entity proposing to be an operator
11 or service provider for a Job Corps campus shall in-
12 corporate hourly wages (or salaries as appropriate)
13 and fringe benefit costs for occupational classifica-
14 tions at least equal to the wage determination deter-
15 mined by the Secretary of Labor for the locality of
16 the Job Corps campus. In preparing such wage de-
17 termination, the Secretary shall compare the specific
18 job classifications at the Job Corps campus with
19 those occupations most closely correlated with those
20 employed by public education providers in the local-
21 ity with the goal of ensuring equivalency to the max-
22 imum extent feasible.

23 (2) ADJUSTMENTS PERMITTED.—The Secretary
24 may further adjust compensation levels in a contract
25 with an operator or service provider to ensure suffi-

1 cient availability and retention of qualified personnel
2 in the locality.

3 (3) ANNUAL UPDATES.—The Secretary shall
4 update hourly wages (or salaries as appropriate) and
5 fringe benefit levels for such occupations covered in
6 this paragraph on an annual basis.

7 (1) SPECIAL PROVISIONS.—Section 158(f) (29 U.S.C.
8 3208(f)) is amended—

9 (1) by striking “Secretary” and inserting “di-
10 rectors of Job Corps campuses”;

11 (2) by striking “the Job Corps or individual”
12 and inserting “such”; and

13 (3) by adding at the end the following: “Any
14 real property acquired shall be directly transferred
15 to the Secretary in accordance with chapter 5 of title
16 40 and on a nonreimbursable basis.”

17 (m) MANAGEMENT INFORMATION.—Section 159 (29
18 U.S.C. 3209) is amended—

19 (1) in subsection (a), by adding at the end the
20 following:

21 “(4) ANNUAL RECONCILIATION.—Prior to the
22 expiration of any appropriated Job Corps operations
23 funds for any fiscal year, any anticipated unobli-
24 gated funds may, subject to appropriations, be obli-

1 gated to projects identified under subsection
2 (h)(1).”;

3 (2) in subsection (c)—

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

6 “(1) LEVELS OF PERFORMANCE AND INDICA-
7 TORS.—

8 “(A) IN GENERAL.—At the start of each
9 contract period, and at least every two program
10 years in the case of Civilian Conservation Cen-
11 ters, the Secretary shall establish expected lev-
12 els of performance for each Job Corps campus
13 relating to each of the primary indicators of
14 performance for eligible youth described in sec-
15 tion 116(b)(2)(A)(ii) using the model described
16 in subparagraph (B).

17 “(B) PERFORMANCE MODEL.—At least
18 every four years and no more than every two
19 years, the Secretary shall develop a model for
20 establishing the expected levels of performance
21 for each Job Corps campus, in accordance with
22 the following:

23 “(i) EQUITY.—The model shall ac-
24 count for significant correlations between

1 various factors and student outcomes, in-
2 cluding:

3 “(I) Student demographics, in-
4 cluding age, gender, race, ethnicity,
5 documented disabilities, and education
6 level on entry.

7 “(II) Employment conditions in
8 students’ home communities.

9 “(ii) DEVELOPMENT.—The model
10 shall be developed by subject matter ex-
11 perts in the fields of Job Corps operations,
12 program evaluation, statistical analysis,
13 and related fields using available Job
14 Corps data as well as regional economic
15 data.

16 “(iii) TRANSPARENCY.—The perform-
17 ance model and the past effectiveness met-
18 ric identified in section 147(a)(2)(B)(i), in-
19 cluding the procedures outlined in section
20 147(a)(2)(B)(iv), shall be published for
21 comment in the Federal Register.”;

22 (B) in paragraph (2)—

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

1 (ii) by striking subparagraph (B) and
2 inserting the following:

3 “(B) the number of enrollees recruited that
4 meet the requirements of section 144(a); and

5 “(C) the measurement described in sub-
6 paragraph (K) of subsection (d)(1).”; and

7 (C) in paragraph (4)—

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

10 (ii) in subparagraph (B), by striking
11 the period at the end and inserting “;
12 and”; and

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

15 “(C) information on the performance of
16 the Job Corps selection process in section
17 147(a)(2) with respect to increasing perform-
18 ance as measured pursuant to subparagraph
19 (A), specifically including information on the
20 performance of each Job Corps campus as com-
21 pared to its annual performance immediately
22 prior to its current operating agreement.”;

23 (3) in subsection (d)(1)—

24 (A) by striking subparagraph (I); and

1 (B) by redesignating subparagraphs (J)
2 through (O) as subparagraphs (I) through (N),
3 respectively;

4 (4) in subsection (f)—

5 (A) in paragraph (2)—

6 (i) in subparagraph (E), by adding
7 “or” at the end;

8 (ii) in subparagraph (F), by striking
9 “; or” and inserting a period; and

10 (iii) by striking subparagraph (G);

11 and

12 (B) by amending paragraph (4) to read as
13 follows:

14 “(4) CIVILIAN CONSERVATION CENTERS.—In
15 addition to the primary indicators of performance
16 specified in subsection (c)(1), Civilian Conservation
17 Centers shall be evaluated on their contribution to
18 the nation’s conservation goals by the Secretaries of
19 Agriculture and Labor. If the Secretaries jointly
20 conclude that a Civilian Conservation Center is not
21 meeting these dual performance goals, they may
22 take performance improvement actions described in
23 subparagraph (A), (B), or (C) of paragraph (2) of
24 this subsection.”; and

25 (5) in subsection (g)(2)—

1 (A) by striking “has entered” and insert-
2 ing “enters”; and

3 (B) by striking “comply” and inserting
4 “attest to compliance”.

5 (n) TECHNICAL AMENDMENT.—Subtitle C of title I
6 (29 U.S.C. 3191 et seq.) is amended by striking “Com-
7 mittee on Education and the Workforce” each place it ap-
8 pears and inserting “Committee on Education and
9 Labor”.

10 (o) AUTHORIZATION OF APPROPRIATIONS.—Section
11 162 (29 U.S.C. 3212) is amended to read as follows:

12 **“SEC. 162. AUTHORIZATION OF APPROPRIATIONS.**

13 “(a) IN GENERAL.—There are authorized to be ap-
14 propriated to carry out this subtitle—

15 “(1) \$1,809,857,925 for fiscal year 2023;

16 “(2) \$1,873,202,952 for fiscal year 2024;

17 “(3) \$1,938,765,056 for fiscal year 2025;

18 “(4) \$2,006,621,833 for fiscal year 2026;

19 “(5) \$2,076,853,597 for fiscal year 2027; and

20 “(6) \$2,149,543,473 for fiscal year 2028.

21 “(b) CONSTRUCTION COSTS.—Of the amount author-
22 ized in subsection (a) for each of fiscal years 2023 through
23 2028, \$107,800,000 shall be for construction, rehabilita-
24 tion, and acquisition of Job Corps Campuses.”.

1 **Subtitle D—National Programs**

2 **SEC. 271. NATIVE AMERICAN PROGRAMS.**

3 Section 166 (29 U.S.C. 3221) is amended—

4 (1) in subsection (c), by striking “, on a com-
5 petitive basis,”;

6 (2) in subsection (d)—

7 (A) in paragraph (1)—

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

10 (ii) in subparagraph (B), by striking
11 the period at the end and inserting “;
12 and”;

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

15 “(C) are evidence-based, to the extent
16 practicable.”; and

17 (B) by amending paragraph (2) to read as
18 follows:

19 “(2) **WORKFORCE DEVELOPMENT ACTIVITIES**
20 **AND SUPPLEMENTAL SERVICES.**—Funds made avail-
21 able under subsection (c) shall be used for—

22 “(A) comprehensive workforce development
23 activities for Indians, Alaska Natives, or Native
24 Hawaiians, including training on entrepre-
25 neurial skills; or

1 “(B) supplemental services for Indian,
2 Alaska Native, or Native Hawaiian youth on or
3 near Indian reservations and in Oklahoma,
4 Alaska, or Hawaii.”; and

5 (3) in subsection (i)—

6 (A) in paragraph (1)—

7 (i) in the heading, by striking “UNIT”
8 and inserting “DIVISION”; and

9 (ii) by striking “unit” and inserting
10 “division”;

11 (B) in paragraph (4)—

12 (i) by amending subparagraph (B) to
13 read as follows:

14 “(B) COMPOSITION.—

15 “(i) IN GENERAL.—The Council shall
16 be composed of individuals, appointed by
17 the Secretary, who are representatives of
18 the entities described in subsection (c).

19 “(ii) VACANCIES.—Any member ap-
20 pointed to fill a vacancy occurring before
21 the expiration of the term for which the
22 member’s predecessor was appointed shall
23 be appointed only for the remainder of that
24 term. A member may serve after the expi-

1 ration of that member’s term until a suc-
2 cessor has taken office.”; and

3 (ii) in subparagraph (C), by striking
4 “unit” and inserting “division”; and
5 (C) in paragraph (5), by striking “unit”
6 and inserting “division”.

7 **SEC. 272. MIGRANT AND SEASONAL FARMWORKER PRO-**
8 **GRAMS.**

9 Section 167 (29 U.S.C. 3222) is amended—

10 (1) in subsection (d), by inserting “be used for
11 the 4-year period for which funds are provided under
12 this section, and which may” after “which may”;

13 (2) in subsection (h)—

14 (A) in the heading, by inserting “; FUND-
15 ING OBLIGATION” after “FUNDING ALLOCA-
16 TION”;

17 (B) by striking “From the” and inserting
18 the following:

19 “(1) FUNDING ALLOCATION.—From the”; and

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

21 “(2) FUNDING OBLIGATION.—

22 “(A) IN GENERAL.—Funds appropriated
23 and made available to carry out this section for
24 any fiscal year may be obligated to any entity
25 described in subsection (b) during the period

1 beginning on April 1 of the calendar year that
2 begins during such fiscal year, and ending on
3 June 30 of the following calendar year.

4 “(B) OBLIGATED AMOUNT.—Funds made
5 available under this section for a fiscal year to
6 any entity described in subsection (b) shall be
7 obligated and available for expenditure by such
8 entity for the period beginning on July 1 of the
9 calendar year that begins during such fiscal
10 year, and ending on June 30 of the following
11 calendar year, except that the Secretary may
12 extend such period if the Secretary determines
13 that such extension is necessary to ensure the
14 effective use of such funds by such entity.”; and

15 (3) in subsection (i)(3)(A)(i), by striking “12”
16 and inserting “8”.

17 **SEC. 273. TECHNICAL ASSISTANCE.**

18 Section 168(a)(1) (29 U.S.C. 3223(a)(1)) is amend-
19 ed—

20 (1) in the matter preceding subparagraph (A),
21 by striking “staff development” and inserting “pro-
22 fessional development for staff”;

23 (2) in subparagraph (C), by inserting “profes-
24 sional development and” after “the” the first place
25 it appears;

1 (3) in subparagraph (D), by inserting “profes-
2 sional development and” after “the”;

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

5 (5) in subparagraph (H), by striking the period
6 at the end and inserting “; and” ; and

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

8 “(I) the training of staff at one-stop cen-
9 ters on trauma-informed approaches, gender
10 and racial biases, and the unique safety chal-
11 lenges faced by survivors of gender-based vio-
12 lence.”.

13 **SEC. 274. EVALUATIONS AND RESEARCH.**

14 Section 169 (29 U.S.C. 3224) is amended—

15 (1) in subsection (a)—

16 (A) in paragraph (4), by striking “2019”
17 and inserting “2027”; and

18 (B) in paragraph (6), by striking “the
19 Workforce” and inserting “Labor”;

20 (2) in subsection (b)—

21 (A) in paragraph (1), by striking “the
22 Workforce” and inserting “Labor”; and

23 (B) in paragraph (4)—

24 (i) by striking subparagraphs (B)
25 through (J);

1 (ii) by redesignating subparagraph
2 (K) as subparagraph (C);

3 (iii) by inserting after subparagraph
4 (A) the following:

5 “(B) STUDY ON CORRECTIONAL EDU-
6 CATION AND TRAINING.—The Secretary of
7 Labor, in coordination with the Secretary of
8 Education, may conduct a study to determine
9 the feasibility of, and potential means to rep-
10 licate the measurement of recidivism for former
11 criminal offenders who participated in adult
12 employment and training activities under this
13 title or correctional institution education pro-
14 grams under title II to improve the quality and
15 performance of such services or activities.”; and

16 (iv) in subparagraph (C), as so reded-
17 icated, by striking “the Workforce” and
18 inserting “Labor”;

19 (3) by redesignating subsection (c) as sub-
20 section (d); and

21 (4) by inserting after subsection (b) the fol-
22 lowing:

23 “(c) WORKFORCE DEVELOPMENT INNOVATION
24 FUND.—

25 “(1) PROGRAM AUTHORIZED.—

1 “(A) IN GENERAL.—The Secretary may
2 award workforce development innovation
3 grants, on a competitive basis, to eligible enti-
4 ties to enable such entities to—

5 “(i) create, implement, replicate, or
6 take to scale entrepreneurial, evidence-
7 based, field-initiated innovation programs
8 and services for improving the design and
9 delivery of employment and training serv-
10 ices that generate long-term improvements
11 in the performance of the workforce devel-
12 opment system, in outcomes for job-seekers
13 (including individuals with barriers to em-
14 ployment), and in the cost-effectiveness of
15 programs and services; and

16 “(ii) rigorously evaluate such pro-
17 grams and services in accordance with this
18 subsection.

19 “(B) DESCRIPTION OF GRANTS.—The
20 grants described in subparagraph (A) shall in-
21 clude—

22 “(i) early-phase grants to fund the de-
23 velopment, implementation, and feasibility
24 testing of an innovation program or serv-
25 ices, which prior research suggests has

1 promise, for the purpose of determining
2 whether such program or service can suc-
3 cessfully improve the design and delivery of
4 employment and training services that gen-
5 erate long-term improvements in the per-
6 formance of the workforce development
7 system, in outcomes for job-seekers (in-
8 cluding individuals with barriers to employ-
9 ment), and in the cost-effectiveness of such
10 programs and services;

11 “(ii) mid-phase grants to fund imple-
12 mentation and a well-designed and well-im-
13 plemented evaluation of such a program or
14 service that has been successfully imple-
15 mented under an early-phase grant de-
16 scribed in clause (i) or other effort meeting
17 similar criteria, for the purpose of meas-
18 uring the impact and cost effectiveness of
19 such programs or services, using data col-
20 lected pursuant to the implementation of
21 such program or service, if possible; and

22 “(iii) expansion grants to fund imple-
23 mentation and a well-designed and well-im-
24 plemented replication evaluation of such a
25 program or service that has been found to

1 produce sizable, important impacts under a
2 mid-phase grant described in clause (ii) or
3 other effort meeting similar criteria, for
4 the purposes of—

5 “(I) determining whether such
6 impacts may be successfully repro-
7 duced and sustained over time; and

8 “(II) identifying the conditions in
9 which such a program or service is
10 most effective.

11 “(2) TECHNICAL ASSISTANCE.—Of the funds
12 made available to carry out this subsection for a fis-
13 cal year, the Secretary shall reserve not more than
14 5 percent of the funds to—

15 “(A) provide technical assistance to eligible
16 entities, which may include preapplication work-
17 shops, web-based seminars, and evaluation sup-
18 port; and

19 “(B) disseminate evidence-based best prac-
20 tices.

21 “(3) DEFINITIONS.—In this subsection:

22 “(A) ELIGIBLE ENTITY.—The term ‘eligi-
23 ble entity’ means any of the following:

24 “(i) A State board.

25 “(ii) A local board.

1 “(iii) An Indian tribe, tribal organiza-
2 tion, Alaska Native entity, Indian-con-
3 trolled organization serving Indians, or Na-
4 tive Hawaiian organization that is eligible
5 to receive an award under section 166.

6 “(iv) A community-based, nonprofit,
7 or nongovernmental organization serving
8 an underserved population.

9 “(v) An institution of higher edu-
10 cation (as defined in section 101 of the
11 Higher Education Act of 1965 (20 U.S.C.
12 1001)).

13 “(vi) A consortium of such entities de-
14 scribed under clause (i) through clause (v).

15 “(B) WELL-DESIGNED AND WELL-IMPLE-
16 MENTED.—The term ‘well-designed and well-
17 implemented’, as applied to an evaluation study,
18 means a study that is replicable, uses pro-
19 grammatic and control groups that are rep-
20 resentative of the type of population served by
21 the program, uses controls for aggregate shifts
22 that might affect baseline numbers, does not
23 have problems with attrition from the program,
24 and takes measures to avoid creaming.

1 “(4) AUTHORIZATION OF APPROPRIATIONS.—
2 There are authorized to be appropriated to carry out
3 this subsection, such sums as may be necessary for
4 each of the fiscal years 2023 through 2028.”.

5 **SEC. 275. NATIONAL DISLOCATED WORKER GRANTS.**

6 Section 170(c)(1)(B) (29 U.S.C. 3225(c)(1)(B)) is
7 amended by striking “and any other” and all that follows
8 through “dislocations.” and inserting “which may include
9 a national or regional intermediary that provides employ-
10 ment and training activities to dislocated workers.”.

11 **SEC. 276. YOUTHBUILD PROGRAM.**

12 Section 171 (29 U.S.C. 3226) is amended—

13 (1) in subsection (c)—

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

16 “(1) RESERVATION, AMOUNT OF GRANTS.—

17 “(A) RESERVATION.—In any fiscal year in
18 which the amount appropriated to carry out
19 this section is greater than \$125,000,000, the
20 Secretary shall reserve 20 percent of such
21 amount that is greater than \$125,000,000
22 for—

23 “(i) grants to applicants that are lo-
24 cated in rural areas (as defined by the Sec-
25 retary); and

1 “(ii) programs operated by an Indian
2 tribe or for the benefit of the members of
3 an Indian Tribe for the purpose of car-
4 rying out YouthBuild programs approved
5 under this section.

6 “(B) AMOUNT OF GRANTS.—After making
7 the reservation described under subparagraph
8 (A), the Secretary may use the remaining
9 amount appropriated to carry out this section
10 to make grants to applicants for the purpose of
11 carrying out YouthBuild programs approved
12 under this section.”;

13 (B) in paragraph (2)—

14 (i) in subparagraph (A)—

15 (I) in clause (iv)(II), by striking
16 “English language learners” and in-
17 serting “English learners”;

18 (II) in clause (vii), by striking
19 “12” and inserting “24”; and

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

22 “(I) Provision of meals and other food as-
23 sistance that is offered to participants in con-
24 junction with another activity described in this
25 paragraph.

1 “(J) Informing participants of their eligi-
2 bility, and assisting participants in applying, for
3 Federal and State means tested benefit pro-
4 grams, such as the supplemental nutrition as-
5 sistance program, and assistance provided by
6 the State through the Child Care Development
7 Block Grant Act.

8 “(K) Supportive services for individuals
9 with disabilities to ensure such individuals may
10 fully participate in a YouthBuild program.”;
11 and

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

13 “(6) USE OF FUNDS FOR MATCH.—Consistent
14 with the requirements described under subsection
15 (e)(3), an entity which receives a grant under this
16 section may use a portion of such grant to meet all
17 or a portion of the requirement to provide matching
18 funds under section 121(e) of the National and
19 Community Service Act of 1990 (42 U.S.C.
20 12571(e)) or any other such requirements under
21 such Act.”;

22 (2) in subsection (e)(1)—

23 (A) in subparagraph (A)(ii), by striking
24 “youth offender” and inserting “youth justice-
25 involved individual”; and

1 (B) in subparagraph (B)(i), by striking
2 “basic skills deficient” and inserting
3 “foundational skill needs”;

4 (3) in subsection (f), by adding at the end the
5 following:

6 “(3) CONSULTATION.—In establishing expected
7 levels of performance under paragraph (1), the Sec-
8 retary shall consult, on not less than an annual
9 basis, with YouthBuild programs to ensure such lev-
10 els of performance account for the workforce and
11 postsecondary experiences of youth served by such
12 programs.”;

13 (4) in subsection (g), by adding at the end the
14 following:

15 “(4) ANNUAL RELEASE OF FUNDING OPPOR-
16 TUNITY ANNOUNCEMENT.—The Secretary shall, to
17 the greatest extent practicable, announce new fund-
18 ing opportunities for grants under this section dur-
19 ing the same time period each year that such grants
20 are announced.

21 “(5) STATE WAGE DATA.—States receiving
22 grants under this Act shall facilitate access to wage
23 data of participants in YouthBuild programs for the
24 purpose of meeting the requirements of this section.
25 Such facilitation shall not reduce any protections af-

1 forded by the State that protect the privacy of par-
2 ticipant information.”; and

3 (5) by amending subsection (i) to read as fol-
4 lows:

5 “(i) **AUTHORIZATION OF APPROPRIATIONS.**—There
6 are authorized to be appropriated to carry out this sec-
7 tion—

8 “(1) \$159,500,000 for fiscal year 2023;

9 “(2) \$167,500,000 for fiscal year 2024;

10 “(3) \$175,900,000 for fiscal year 2025;

11 “(4) \$184,700,000 for fiscal year 2026;

12 “(5) \$193,000,000 for fiscal year 2027; and

13 “(6) \$203,600,000 for fiscal year 2028.”.

14 **SEC. 277. STRENGTHENING COMMUNITY COLLEGES TRAIN-**
15 **ING GRANTS PROGRAM.**

16 Subtitle D of title I (29 U.S.C. 3221 et seq.), as
17 amended by this Act is further amended—

18 (1) by redesignating section 172 as section 176;

19 and

20 (2) by inserting after section 171 the following:

21 **“SEC. 172. STRENGTHENING COMMUNITY COLLEGES**
22 **TRAINING GRANTS PROGRAM.**

23 “(a) **PURPOSES.**—The purposes of this section are—

1 “(1) to establish, improve, or expand high-quality
2 educational or career training programs at community
3 colleges; and

4 “(2) to expand opportunities for individuals to
5 obtain recognized postsecondary credentials that are
6 nationally or regionally portable and stackable for
7 high-skill, high-wage, or in-demand industry sectors
8 or occupations.

9 “(b) STRENGTHENING COMMUNITY COLLEGES
10 TRAINING GRANTS PROGRAM.—

11 “(1) IN GENERAL.—From the amounts appropriated
12 to carry out this section under subsection (k)
13 and not reserved under paragraph (2), the Secretary
14 shall, on a competitive basis, make grants to eligible
15 institutions to carry out the activities described in
16 subsection (e).

17 “(2) RESERVATION.—Of the amounts appropriated
18 to carry out this section under subsection
19 (k), the Secretary may reserve not more than two
20 percent for the administration of grants awarded
21 under this section, including—

22 “(A) providing technical assistance and
23 targeted outreach to support eligible institutions
24 serving a high number or high percentage
25 of low-income individuals or individuals with

1 barriers to employment, and rural-serving eligi-
2 ble institutions, to provide guidance and assist-
3 ance in the process of applying for grants under
4 this section; and

5 “(B) evaluating and reporting on the per-
6 formance and impact of programs funded under
7 this section in accordance with subsections (f)
8 through (h).

9 “(c) AWARD PERIOD.—

10 “(1) INITIAL GRANT PERIOD.—Each grant
11 under this section shall be awarded for an initial pe-
12 riod of not more than 4 years.

13 “(2) SUBSEQUENT GRANTS.—An eligible insti-
14 tution that receives an initial grant under this sec-
15 tion may receive one or more additional grants
16 under this section for additional periods of not more
17 than 4 years each if the eligible institution dem-
18 onstrates that the community college and industry
19 partnership supported with the initial grant was suc-
20 cessful (as determined by the Secretary on the basis
21 of the levels of performance achieved with respect to
22 the performance indicators specified in subsection
23 (f)).

24 “(d) APPLICATION.—

1 “(1) IN GENERAL.—To be eligible to receive a
2 grant under this section, an eligible institution shall
3 submit an application to the Secretary at such time,
4 in such manner, and containing such information as
5 the Secretary may require.

6 “(2) CONTENTS.—At a minimum, an applica-
7 tion submitted by an eligible institution under para-
8 graph (1) shall include a description of each the fol-
9 lowing:

10 “(A) The extent to which the eligible insti-
11 tution included in the partnership has prior ex-
12 perience in leading similar capacity building
13 projects that demonstrates the institution’s abil-
14 ity to accomplish multi-pronged, complex
15 projects and an explanation of the results of
16 any such projects.

17 “(B) The extent to which the eligible insti-
18 tution can—

19 “(i) leverage additional resources to
20 support the programs funded with the
21 grant; and

22 “(ii) demonstrate the future sustain-
23 ability of each such program.

24 “(C) The steps the institution will take to
25 ensure the quality of each program supported

1 by the grant, including the career pathways
2 within such programs.

3 “(D) The needs that will be addressed by
4 the community college and industry partnership
5 supported by the grant.

6 “(E) The population and geographic area
7 to be served by the partnership.

8 “(F) One or more industries that the part-
9 nership will target and data demonstrating that
10 those industries are aligned with employer de-
11 mand in the geographic area to be served by
12 the partnership.

13 “(G) The educational or career training
14 programs to be supported by the grant.

15 “(H) The recognized postsecondary creden-
16 tials that are expected to be earned by partici-
17 pants in such programs and the related in-de-
18 mand industry sectors or occupations for which
19 such programs will prepare participants.

20 “(I) The evidence upon which the edu-
21 cation and training strategies to be used in the
22 programs are based and an explanation of how
23 such evidence influenced the design of the pro-
24 grams to improve education and employment
25 outcomes.

1 “(J) The methods and strategies the part-
2 nership will use to engage with employers in in-
3 demand industry sectors or occupations.

4 “(K) The roles and responsibilities of each
5 employer, organization, agency, or institution of
6 higher education with which the eligible institu-
7 tion will partner to carry out activities under
8 this section.

9 “(L) Whether, and to what extent, the ac-
10 tivities of the partnership are expected to align
11 with the workforce strategies identified in—

12 “(i) any State plan or local plan sub-
13 mitted under this Act by the State, out-
14 lying area, or locality in which the partner-
15 ship is expected to operate;

16 “(ii) any State plan submitted under
17 section 122 of the Carl D. Perkins Career
18 and Technical Education Act of 2006 (20
19 U.S.C. 2342) by such State or outlying
20 area; and

21 “(iii) any economic development plan
22 of the chief executive of such State or out-
23 lying area.

24 “(M) The goals of the partnership with re-
25 spect to—

1 “(i) capacity building (as described in
2 subsection (f)(1)(B)); and

3 “(ii) the expected performance of indi-
4 viduals participating in the programs to be
5 offered by the partnership, including with
6 respect to any performance indicators ap-
7 plicable under section 116 or subsection (f)
8 of this section.

9 “(3) CONSIDERATION OF PREVIOUS EXPERI-
10 ENCE.—The Secretary may not disqualify an other-
11 wise eligible institution from receiving a grant under
12 this section solely because such institution lacks pre-
13 vious experience in capacity building projects, as de-
14 scribed in subparagraph (2)(A).

15 “(4) PRIORITY.—In awarding grants under this
16 section, the Secretary shall give priority to eligible
17 entities that will use the grant to serve—

18 “(A) individuals with barriers to employ-
19 ment; or

20 “(B) incumbent workers who need to gain
21 or improve foundational skills to enhance their
22 employability.

23 “(e) USES OF FUNDS.—

24 “(1) COMMUNITY COLLEGE AND INDUSTRY
25 PARTNERSHIP.—For the purpose of carrying out the

1 activities specified in paragraphs (2) and (3), an eli-
2 gible institution that receives a grant under this sec-
3 tion shall establish a partnership or continue an ex-
4 isting partnership with one or more employers in an
5 in-demand industry sector or occupation and shall
6 maintain such partnership for the duration of the
7 grant period. The eligible institution shall ensure
8 that the partnership—

9 “(A) targets one or more specific high-
10 skill, high-wage, or in-demand industries;

11 “(B) includes collaboration with the work-
12 force development system;

13 “(C) serves adult and dislocated workers,
14 incumbent workers, and new entrants to the
15 workforce;

16 “(D) uses an evidence-based program de-
17 sign that is appropriate for the activities carried
18 out by the partnership; and

19 “(E) incorporates, to the extent appro-
20 priate, virtual service delivery to facilitate tech-
21 nology-enabled learning.

22 “(2) REQUIRED ACTIVITIES.—An eligible insti-
23 tution that receives a grant under this section, in
24 consultation with the partnership established under
25 paragraph (1), shall—

1 “(A) establish, improve, or expand high
2 quality, evidence-based education or career
3 training programs, career pathway programs, or
4 work-based learning programs (including ap-
5 prenticeship programs or pre-apprenticeships
6 that qualify an individual for participation in an
7 apprenticeship program); and

8 “(B) use not less than 15 percent of the
9 grant to provide supportive services to individ-
10 uals participating in the programs funded with
11 the grant to facilitate retention and program
12 completion, which may include—

13 “(i) childcare, transportation, mental
14 health services, and assistance in obtaining
15 health insurance coverage and housing;

16 “(ii) assistance in accessing State and
17 Federal means-tested benefits programs;

18 “(iii) career navigation, coaching,
19 mentorship, and case management 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 “(iv) 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.

6 “(3) ADDITIONAL ACTIVITIES.—In addition to
7 the activities required under paragraph (2), an eligi-
8 ble institution that receives a grant under this sec-
9 tion, in consultation with the partnership established
10 under paragraph (1), shall carry out one or more of
11 the following activities:

12 “(A) Establish, improve, or expand—

13 “(i) articulation agreements (as de-
14 fined in section 486A(a) of the Higher
15 Education Act of 1965 (20 U.S.C.
16 1093a(a)));

17 “(ii) credit transfer agreements;

18 “(iii) corequisite remediation pro-
19 grams that enable a student to receive re-
20 medial education services while enrolled in
21 a postsecondary course rather than requir-
22 ing the student to receive remedial edu-
23 cation before enrolling in a such a course;

24 “(iv) dual or concurrent enrollment
25 programs;

1 “(v) competency-based education and
2 assessment; or

3 “(vi) policies and processes to award
4 academic credit for prior learning or for
5 the programs described in paragraph (2).

6 “(B) Make available, in a format that is
7 open, searchable, and easily comparable, infor-
8 mation on—

9 “(i) curricula and recognized postsec-
10 ondary credentials offered through pro-
11 grams funded with the grant, including
12 any curricula or credentials created or fur-
13 ther developed using such grant;

14 “(ii) the skills or competencies devel-
15 oped by individuals who participate in such
16 programs; and

17 “(iii) related employment and earn-
18 ings outcomes.

19 “(C) Establish or implement plans for pro-
20 viders of the programs described in paragraph
21 (2) to meet the criteria and carry out the proce-
22 dures necessary to be included on the eligible
23 training services provider list described in sec-
24 tion 122(d).

1 “(D) Purchase, lease, or refurbish special-
2 ized equipment as necessary to carry out such
3 programs.

4 “(E) Reduce or eliminate unmet financial
5 need relating to participants’ cost of attendance
6 (as defined under section 472 of the Higher
7 Education Act of 1965 (20 U.S.C. 1087ll)) in
8 such programs.

9 “(4) ADMINISTRATIVE COST LIMIT.—An eligible
10 institution may use not more than 10 percent of the
11 funds received under this section for administrative
12 costs, including costs related to collecting informa-
13 tion, analysis, and coordination for purposes of sub-
14 section (f).

15 “(f) PERFORMANCE LEVELS AND PERFORMANCE
16 REVIEWS.—

17 “(1) IN GENERAL.—The Secretary shall develop
18 and implement guidance that establishes the levels
19 of performance that are expected to be achieved by
20 each community college and industry partnership
21 funded with a grant under this section. Such per-
22 formance levels shall be based on the following indi-
23 cators:

1 “(A) Each of the primary indicators of
2 performance for adults described in section
3 116(b).

4 “(B) The extent to which the partnership
5 built capacity by—

6 “(i) increasing the breadth and depth
7 of employer engagement and investment in
8 educational and training programs in the
9 in-demand industry sectors and occupa-
10 tions targeted by the partnership;

11 “(ii) designing or implementing new
12 and accelerated instructional techniques or
13 technologies, including the use of advanced
14 online and technology-enabled learning;
15 and

16 “(iii) increasing program and policy
17 alignment across systems and decreasing
18 duplicative services or service gaps.

19 “(C) With respect to individuals who par-
20 ticipated in an education or training program
21 funded with the grant—

22 “(i) the percentage of participants
23 who successfully completed a program; and

24 “(ii) of the participants who were in-
25 cumbent workers at the time of enrollment

1 in the program, the percentage who ad-
2 vanced into higher-level positions during or
3 after completing the program.

4 “(D) Such other indicators of performance
5 as the Secretary determines appropriate.

6 “(2) CONSULTATION AND DETERMINATION OF
7 PERFORMANCE LEVELS.—

8 “(A) CONSULTATION.—In developing the
9 performance levels under paragraph (1), the
10 Secretary shall consult with each partnership
11 funded with a grant under this section.

12 “(B) DETERMINATION.—After completing
13 the consultation required under subparagraph
14 (A), the Secretary shall separately determine
15 the performance levels that will apply to each
16 partnership taking into account—

17 “(i) the expected performance levels of
18 each eligible entity with respect to the
19 goals described in subsection (d)(2)(M);
20 and

21 “(ii) local economic conditions in the
22 geographic area to be served by the part-
23 nership, including differences in unemploy-
24 ment rates and job losses or gains in par-
25 ticular industries.

1 “(C) NOTICE AND ACKNOWLEDGMENT.—

2 “(i) NOTICE.—The Secretary shall
3 provide each partnership with a written no-
4 tification that sets forth the performance
5 levels that will apply to the partnership, as
6 determined under subparagraph (B).

7 “(ii) ACKNOWLEDGMENT.—After re-
8 ceiving the notification described in clause
9 (i), each partnership shall submit to the
10 Secretary written confirmation that the
11 partnership—

12 “(I) received the notification; and

13 “(II) agrees to be evaluated in
14 accordance with the performance lev-
15 els set by the Secretary.

16 “(3) PERFORMANCE REVIEWS.—On an annual
17 basis during each year of the grant period, the Sec-
18 retary shall evaluate the performance of each part-
19 nership funded with a grant under this section in a
20 manner consistent with paragraph (2).

21 “(4) FAILURE TO MEET PERFORMANCE LEV-
22 ELS.—After conducting an evaluation under para-
23 graph (3), if the Secretary determines that a part-
24 nership did not achieve the performance levels appli-

1 cable to the partnership under paragraph (2) the
2 Secretary shall—

3 “(A) provide technical assistance to the
4 partnership and

5 “(B) develop a performance improvement
6 plan for the partnership.

7 “(g) EVALUATIONS AND REPORTS.—

8 “(1) IN GENERAL.—Not later than 5 years
9 after the date on which the first grant is made
10 under this section, the Secretary shall design and
11 conduct an evaluation to determine the overall effec-
12 tiveness of the community college and industry part-
13 nerships funded under this section.

14 “(2) ELEMENTS.—The evaluation conducted
15 under paragraph (1) shall include an assessment of
16 the general effectiveness of programs and activities
17 supported by grants awarded under this section, in-
18 cluding the extent to which the programs and activi-
19 ties—

20 “(A) developed new or expanded existing
21 successful industry sector strategies, including
22 the extent to which such partnerships deepened
23 employer engagement and developed education
24 and training programs that met industry skill
25 needs;

1 “(B) created, expanded, or enhanced ca-
2 reer pathways, including the extent to which the
3 partnerships developed or improved com-
4 petency-based education and assessment, credit
5 for prior learning, modularized and self-paced
6 curricula, integrated education and career
7 training, dual enrollment in secondary and post-
8 secondary career pathways, stacked and latticed
9 credentials, and online and distance learning;

10 “(C) created alignment between commu-
11 nity colleges and the workforce development
12 system;

13 “(D) assisted individuals with finding, re-
14 taining, or advancing in employment;

15 “(E) assisted individuals with earning rec-
16 ognized postsecondary credentials; and

17 “(F) served various demographic groups,
18 including people of different geographic loca-
19 tions, ages, races, national origins, and sex.

20 “(3) DESIGN REQUIREMENTS.—The evaluation
21 under this subsection shall—

22 “(A) be designed by the Secretary (acting
23 through the Chief Evaluation Officer) in con-
24 junction with the partnerships being evaluated;

1 “(B) include analysis of participant feed-
2 back and outcome and process measures; and

3 “(C) use designs that employ the most rig-
4 orous analytical and statistical methods that
5 are reasonably feasible, such as the use of con-
6 trol groups.

7 “(4) DATA ACCESSIBILITY.—The Secretary
8 shall make available on a publicly accessible website
9 of the Department of Labor any data collected as
10 part of the evaluation under this subsection. Such
11 data shall be made available in an aggregated for-
12 mat that does not reveal personally identifiable in-
13 formation.

14 “(5) PUBLICATION AND REPORTING OF EVAL-
15 UATION FINDINGS.—The Secretary (acting through
16 the Chief Evaluation Officer) shall—

17 “(A) in accordance with the timeline deter-
18 mined to be appropriate by the Chief Evalua-
19 tion Officer, publish an interim report on the
20 preliminary results of the evaluation conducted
21 under this subsection;

22 “(B) not later than 60 days after the date
23 on which the evaluation is completed under this
24 subsection, submit to the Committee on Edu-
25 cation and Labor of the House of Representa-

1 tives and the Committee on Health, Education,
2 Labor, and Pensions of the Senate a report on
3 such evaluation; and

4 “(C) not later than 90 days after such
5 completion date, publish and make the results
6 of the evaluation available on a publicly acces-
7 sible website of the Department of Labor.

8 “(h) ANNUAL REPORTS.—The Secretary shall make
9 available on a publicly accessible website of the Depart-
10 ment of Labor, in transparent, linked, open, and inter-
11 operable data formats, the following information:

12 “(1) The performance of partnerships on the
13 capacity-building performance indicator set forth
14 under subsection (f)(1)(B).

15 “(2) The performance of partnerships on the
16 participant outcome performance indicators set forth
17 under subsection (f)(1)(C)).

18 “(3) The number of individuals enrolled in em-
19 ployment and training activities funded with a grant
20 under this section.

21 “(i) DEFINITIONS.—In this section:

22 “(1) COMMUNITY COLLEGE.—The term ‘com-
23 munity college’ means—

24 “(A) a public institution of higher edu-
25 cation (as defined in section 101(a) of the

1 Higher Education Act (20 U.S.C. 1001(a)), at
2 which—

3 “(i) the highest degree awarded is an
4 associate degree; or

5 “(ii) an associate degree is the most
6 frequently awarded degree;

7 “(B) a branch campus of a 4-year public
8 institution of higher education (as defined in
9 section 101 of the Higher Education Act of
10 1965 (20 U.S.C. 1001)), if, at such branch
11 campus—

12 “(i) the highest degree awarded is an
13 associate degree; or

14 “(ii) an associate degree is the most
15 frequently awarded degree;

16 “(C) a 2-year Tribal College or University
17 (as defined in section 316(b)(3) of the Higher
18 Education Act of 1965 (20 U.S.C.
19 1059c(b)(3))); or

20 “(D) a degree-granting Tribal College or
21 University (as defined in section 316(b)(3) of
22 the Higher Education Act of 1965 (20 U.S.C.
23 1059c(b)(3))) at which—

24 “(i) the highest degree awarded is an
25 associate degree; or

1 “(ii) an associate degree is the most
2 frequently awarded degree.

3 “(2) ELIGIBLE INSTITUTION.—The term ‘eligi-
4 ble institution’ means—

5 “(A) a community college;

6 “(B) a postsecondary vocational institution
7 (as defined in section 102(c) of the Higher
8 Education Act of 1965 (20 U.S.C. 1002(c)); or

9 “(C) a consortium of such colleges or insti-
10 tutions.

11 “(j) SUPPLEMENT NOT SUPPLANT.—Funds made
12 available under this section shall be used to supplement,
13 and not supplant other Federal, State, and local public
14 funds made available for carrying out the activities de-
15 scribed in this section.

16 “(k) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated to carry out this sec-
18 tion—

19 “(1) \$100,000,000 for fiscal year 2023;

20 “(2) \$110,000,000 for fiscal year 2024;

21 “(3) \$121,000,000 for fiscal year 2025;

22 “(4) \$133,000,000 for fiscal year 2026;

23 “(5) \$146,000,000 for fiscal year 2027; and

24 “(6) \$161,000,000 for fiscal year 2028.”.

1 **SEC. 278. REENTRY EMPLOYMENT OPPORTUNITIES.**

2 Subtitle D of title I (29 U.S.C. 3221 et seq.), as
3 amended by this Act, is further amended by inserting after
4 section 172, as added by the preceding section, the fol-
5 lowing:

6 **“SEC. 173. REENTRY EMPLOYMENT OPPORTUNITIES.**

7 “(a) PURPOSES.—The purposes of this section are—

8 “(1) to improve the employment, earnings, and
9 skill attainment, and reduce recidivism, of adults
10 and youth who have been involved with the justice
11 system;

12 “(2) to prompt innovation and improvement in
13 the reentry of justice-involved individuals into the
14 workforce so that successful initiatives can be estab-
15 lished or continued and replicated; and

16 “(3) to further develop the evidence on how to
17 improve employment, earnings, and skill attainment,
18 and reduce recidivism of justice-involved individuals,
19 through rigorous evaluations of specific services pro-
20 vided, including how they affect different popu-
21 lations and how they are best combined and
22 sequenced.

23 “(b) REENTRY EMPLOYMENT COMPETITIVE GRANTS,
24 CONTRACTS, AND COOPERATIVE AGREEMENTS AUTHOR-
25 IZED.—

1 “(1) IN GENERAL.—From the amounts appro-
2 priated under subsection (h)(1) and not reserved
3 under subsection (h)(2), the Secretary—

4 “(A) shall, on a competitive basis, make
5 grants to, or enter into contracts or cooperative
6 agreements with, eligible entities to implement
7 reentry projects that serve eligible adults or eli-
8 gible youth; and

9 “(B) may use not more than 30 percent of
10 such amounts to award funds under subpara-
11 graph (A) to eligible entities that are national
12 or regional intermediaries to—

13 “(i) implement the reentry projects
14 described in subparagraph (A); or

15 “(ii) provide such funds to other eligi-
16 ble entities—

17 “(I) to implement such reentry
18 projects; and

19 “(II) to monitor and support
20 such entities.

21 “(2) AWARD PERIODS.—The Secretary shall
22 award funds under this section for an initial period
23 of not more than 4 years, and may renew such
24 awards for additional 4-year periods.

1 “(3) PRIORITY.—In awarding funds under this
2 section, the Secretary shall give priority to eligible
3 entities whose applications submitted under sub-
4 section (c) demonstrate a commitment to use such
5 funds to implement reentry projects—

6 “(A) that will serve high-crime or high-
7 poverty areas;

8 “(B) that will enroll in such reentry
9 projects eligible youth or eligible adults—

10 “(i) prior to the release of such indi-
11 viduals from incarceration in a correctional
12 institution; or

13 “(ii) not later than 90 days after such
14 release;

15 “(C) whose strategy and design are evi-
16 dence-based;

17 “(D) that establish partnerships with—

18 “(i) businesses; or

19 “(ii) institutions of higher education
20 to provide project participants with pro-
21 grams of study leading to recognized post-
22 secondary credentials in in-demand occupa-
23 tions;

24 “(E) that provide training services that are
25 designed to meet the basic requirements of an

1 employer (including a group of employers) and
2 are conducted with a commitment by the em-
3 ployer to employ individuals upon successful
4 completion of the training; or

5 “(F) that demonstrate a track record and
6 ongoing commitment of developing, imple-
7 menting, and refining reentry programs that in-
8 clude employment, education, training, and sup-
9 port services for adults and youth with current
10 or prior justice system involvement.

11 “(c) APPLICATION.—

12 “(1) FORM AND PROCEDURE.—To be qualified
13 to receive funds under this section, an eligible entity
14 shall submit an application at such time, and in
15 such manner, as determined by the Secretary, and
16 containing the information described in paragraph
17 (2).

18 “(2) CONTENTS.—An application submitted by
19 an eligible entity under paragraph (1) shall contain
20 the following:

21 “(A) A description of the eligible entity, in-
22 cluding the experience of the eligible entity in
23 providing employment and training services for
24 justice-involved individuals.

1 “(B) A description of the needs that will
2 be addressed by the reentry project supported
3 by the funds received under this section, and
4 the target participant population and the geo-
5 graphic area to be served.

6 “(C) A description of the proposed employ-
7 ment and training activities and supportive
8 services, if applicable, to be provided under
9 such reentry project, and how such activities
10 and services will prepare participants for em-
11 ployment in in-demand industry sectors and oc-
12 cupations within the geographic area to be
13 served by such reentry project.

14 “(D) The anticipated schedule for carrying
15 out the activities proposed under the reentry
16 project.

17 “(E) A description of—

18 “(i) the partnerships the eligible enti-
19 ty will establish with agencies and entities
20 within the criminal justice system, local
21 boards and one-stops, community-based or-
22 ganizations, and employers (including local
23 businesses) to provide participants of the
24 reentry project with work-based learning,

1 job placement, and recruitment (if applica-
2 ble); and

3 “(ii) how the eligible entity will co-
4 ordinate its activities with other services
5 and benefits available to justice-involved
6 individuals in the geographic area to be
7 served by the reentry project.

8 “(F) A description of the manner in which
9 individuals will be recruited and selected for
10 participation for the reentry project.

11 “(G) A detailed budget and a description
12 of the system of fiscal controls, and auditing
13 and accountability procedures, that will be used
14 to ensure fiscal soundness for the reentry
15 project.

16 “(H) A description of the expected levels of
17 performance to be achieved with respect to the
18 performance measures described in subsection
19 (e).

20 “(I) A description of the evidence-based
21 practices the eligible entity will use in adminis-
22 tration of the reentry project.

23 “(J) An assurance that the eligible entity
24 will collect, disaggregate by race, ethnicity, gen-
25 der, and other participant characteristics, and

1 report to the Secretary the data required with
2 respect to the reentry project carried out by the
3 eligible entity for purposes of the evaluation
4 under this section.

5 “(K) Any other information required by
6 the Secretary.

7 “(d) USES OF FUNDS.—

8 “(1) IN GENERAL.—An eligible entity that re-
9 ceives funds under this section shall use such funds
10 to implement a reentry project for eligible adults, eli-
11 gible youth, or both that provides one or more of the
12 following services:

13 “(A) Supportive services.

14 “(B) For participants who are eligible
15 youth, one or more of the program elements
16 listed in subparagraphs (A) through (N) of sec-
17 tion 129(c)(2).

18 “(C) One or more of the individualized ca-
19 reer services listed in subclause (I) through
20 (IX) of section 134(c)(2)(A)(xii).

21 “(D) Follow-up services after placement in
22 unsubsidized employment as described in sec-
23 tion 134(c)(2)(A)(xiii).

24 “(E) One or more of the training services
25 listed in clauses (i) through (x)(i) in section

1 134(c)(3)(D), including subsidized employment
2 opportunities through transitional jobs.

3 “(F) Apprenticeship programs.

4 “(G) Education in digital literacy skills.

5 “(H) Mentoring.

6 “(I) Provision of or referral to evidence-
7 based mental health treatment by licensed prac-
8 titioners.

9 “(J) Assistance in obtaining employment
10 as a result of the establishment and develop-
11 ment by the eligible entity of relationships and
12 networks with large and small employers.

13 “(K) Assistance with driver’s license rein-
14 statement and fees for driver’s licenses and
15 other necessary documents for employment.

16 “(L) Provision of or referral to substance
17 abuse treatment services, provided that funds
18 awarded under this section are only used to
19 provide such services to participants who are
20 unable to obtain such services through other
21 programs providing such services.

22 “(M) Assistance in obtaining employment
23 as a result of the coordination by the eligible
24 entity with employers to develop customized
25 training programs and on-the-job training.

1 “(2) ADMINISTRATIVE COST LIMIT.—An eligible
2 entity may not use more than 10 percent of the
3 funds received under this section for administrative
4 costs, including for costs related to collecting infor-
5 mation, analysis, and coordination for purposes of
6 subsection (e) or (f).

7 “(e) LEVELS OF PERFORMANCE.—

8 “(1) ESTABLISHMENT OF LEVELS.—

9 “(A) IN GENERAL.—The Secretary shall
10 establish expected levels of performance for re-
11 entry projects funded this section for—

12 “(i) each of the primary indicators of
13 performance for adults and youth de-
14 scribed in section 116(b); and

15 “(ii) the additional performance indi-
16 cators described in paragraph (2).

17 “(B) UPDATES.—The levels established
18 under subparagraph (A) shall be updated for
19 each 4-year award period.

20 “(2) ADDITIONAL INDICATORS OF PERFORM-
21 ANCE.—In addition to the indicators described in
22 paragraph (1)(A)(i), the Secretary—

23 “(A) shall establish an indicator of per-
24 formance for projects funded under this section
25 with respect participant recidivism; and

1 “(B) may establish other performance indi-
2 cators for such projects as the Secretary deter-
3 mines appropriate.

4 “(3) AGREEMENT ON PERFORMANCE LEVELS.—
5 In establishing and updating performance levels
6 under paragraph (1), the Secretary shall reach
7 agreement on such levels with the eligible entities re-
8 ceiving awards under this section that will be subject
9 to such levels, based on factors including—

10 “(A) the expected performance levels of
11 each such eligible entity described in the appli-
12 cation submitted under subsection (c)(2)(H);

13 “(B) local economic conditions of the geo-
14 graphic area to be served by each such eligible
15 entity, including differences in unemployment
16 rates and job losses or gains in particular in-
17 dustries; and

18 “(C) the characteristics of the participants
19 of the projects when the participants enter the
20 project involved, including—

21 “(i) criminal records and indicators of
22 poor work history;

23 “(ii) lack of work experience;

24 “(iii) lack of educational or occupa-
25 tional skills attainment;

- 1 “(iv) low levels of literacy or English
- 2 proficiency;
- 3 “(v) disability status;
- 4 “(vi) homelessness; and
- 5 “(vii) receipt of public assistance.

6 “(4) FAILURE TO MEET PERFORMANCE LEV-

7 ELS.—In the case of an eligible entity that fails to

8 meet the performance levels established under para-

9 graph (1) for the reentry project involved for any

10 award year, the Secretary shall provide technical as-

11 sistance to the eligible entity, including the develop-

12 ment of a performance improvement plan.

13 “(f) EVALUATION OF REENTRY PROJECTS.—

14 “(1) IN GENERAL.—Not later than 5 years

15 after the first award of funds under this section is

16 made, the Secretary (acting through the Chief Eval-

17 uation Officer) shall meet the following require-

18 ments:

19 “(A) DESIGN AND CONDUCT OF EVALUA-

20 TION.—Design and conduct an evaluation to

21 evaluate the effectiveness of the reentry projects

22 funded under this section, which meets the re-

23 quirements of paragraph (2), and includes an

24 evaluation of each of the following:

1 “(i) The effectiveness of such projects
2 in assisting individuals with finding em-
3 ployment and maintaining employment at
4 the second quarter and fourth quarter
5 after unsubsidized employment is obtained.

6 “(ii) The effectiveness of such projects
7 in assisting individuals with earning recog-
8 nized postsecondary credentials.

9 “(iii) The effectiveness of such
10 projects in relation to their cost, including
11 the extent to which the projects improve
12 reentry outcomes, including in wages
13 earned, benefits provided by employers, ca-
14 reer advancement, measurable skills gains,
15 credentials earned, housing, health, and re-
16 cidivism of participants in comparison to
17 comparably situated individuals who did
18 not participate in such projects.

19 “(iv) The effectiveness of specific
20 services and interventions provided and of
21 the overall project design.

22 “(v) If applicable, the extent to which
23 such projects meet the needs of various de-
24 mographic groups, including people of dif-
25 ferent geographic locations, ages, races,

1 national origins, sex, and criminal records,
2 and individuals with disabilities.

3 “(vi) If applicable, the appropriate se-
4 quencing, combination, or concurrent
5 structure, of services for each subpopula-
6 tion of individuals who are participants of
7 such projects, such as the order, combina-
8 tion, or concurrent structure and services
9 in which transitional jobs and occupational
10 skills training are provided, to ensure that
11 such participants are prepared to fully
12 benefit from employment and training
13 services provided under the project.

14 “(vii) Limitations or barriers to edu-
15 cation and employment as a result of occu-
16 pational or educational licensing restric-
17 tions, access to financial aid, and access to
18 housing.

19 “(viii) The quality and effectiveness of
20 technical assistance provided by the Sec-
21 retary for implementing such projects.

22 “(ix) Other elements that the Chief
23 Evaluation Officer may determine to be
24 appropriate.

1 “(B) DATA ACCESSIBILITY.—Make avail-
2 able, on the publicly accessible website of the
3 Department of Labor, data collected during the
4 course of evaluation under this subsection, in
5 an aggregated format that does not provide per-
6 sonally identifiable information.

7 “(2) DESIGN REQUIREMENTS.—An evaluation
8 under this subsection—

9 “(A) shall—
10 “(i) be designed by the Secretary (act-
11 ing through the Chief Evaluation Officer)
12 in conjunction with the eligible entities car-
13 rying out the reentry projects being evalu-
14 ated;

15 “(ii) include analysis of participant
16 feedback and outcome and process meas-
17 ures; and

18 “(iii) use designs that employ the
19 most rigorous analytical and statistical
20 methods that are reasonably feasible, such
21 as the use of control groups; and

22 “(B) may not—

23 “(i) collect personally identifiable in-
24 formation, except to the extent such infor-

1 mation is necessary to conduct the evalua-
2 tion; or

3 “(ii) reveal or share personally identi-
4 fiable information.

5 “(3) PUBLICATION AND REPORTING OF EVAL-
6 UATION FINDINGS.—The Secretary (acting through
7 the Chief Evaluation Officer) shall—

8 “(A) in accordance with the timeline deter-
9 mined to be appropriate by the Chief Evalua-
10 tion Officer, publish an interim report on such
11 evaluation;

12 “(B) not later than 90 days after the date
13 on which any evaluation is completed under this
14 subsection, publish and make publicly available
15 such evaluation; and

16 “(C) not later than 60 days after the com-
17 pletion date described in subparagraph (B),
18 submit to the Committee on Education and
19 Labor of the House of Representatives and the
20 Committee on Health, Education, Labor, and
21 Pensions of the Senate a report on such evalua-
22 tion.

23 “(g) ANNUAL REPORT.—

24 “(1) CONTENTS.—Subject to paragraph (2),
25 the Secretary shall post, using transparent, linked,

1 open, and interoperable data formats, on its publicly
2 accessible website an annual report on—

3 “(A) the number of individuals who par-
4 ticipated in projects assisted under this section
5 for the preceding year;

6 “(B) the percentage of such individuals
7 who successfully completed the requirements of
8 such projects; and

9 “(C) the performance of eligible entities on
10 such projects as measured by the performance
11 indicators set forth in subsection (e).

12 “(2) DISAGGREGATION.—The information pro-
13 vided under subparagraphs (A) through (C) of para-
14 graph (1) with respect to a year shall be
15 disaggregated by each project assisted under this
16 section for such year.

17 “(h) AUTHORIZATION OF APPROPRIATIONS; RES-
18 ERVATIONS.—

19 “(1) AUTHORIZATION OF APPROPRIATIONS.—
20 There are authorized to be appropriated to carry out
21 this section—

22 “(A) \$250,000,000 for fiscal year 2023;

23 “(B) \$300,000,000 for fiscal year 2024;

24 “(C) \$350,000,000 for fiscal year 2025;

25 “(D) \$400,000,000 for fiscal year 2026;

1 “(E) \$450,000,000 for fiscal year 2027;

2 and

3 “(F) \$500,000,000 for fiscal year 2028.

4 “(2) RESERVATION OF FUNDS.—Of the funds
5 appropriated under paragraph (1) for a fiscal year,
6 the Secretary—

7 “(A) may reserve not more than 5 percent
8 for the administration of grants, contracts, and
9 cooperative agreements awarded under this sec-
10 tion, of which not more than 2 percent may be
11 reserved for the provision of—

12 “(i) technical assistance to eligible en-
13 tities that receive funds under this section;
14 and

15 “(ii) outreach and technical assistance
16 to eligible entities desiring to receive such
17 funds, including assistance with application
18 development and submission; and

19 “(B) shall reserve not less than 1 percent
20 and not more than 2.5 percent for the evalua-
21 tion activities under subsection (f) or to support
22 eligible entities with any required data collec-
23 tion, analysis, and coordination related to such
24 evaluation activities.

25 “(i) DEFINITIONS.—In this section:

1 “(1) CHIEF EVALUATION OFFICER.—The term
2 ‘Chief Evaluation Officer’ means the head of the
3 independent evaluation office located organization-
4 ally in the Office of the Assistant Secretary for Pol-
5 icy of the Department of Labor.

6 “(2) COMMUNITY SUPERVISION.—The term
7 ‘community supervision’ means mandatory oversight
8 (including probation and parole) of a formerly incar-
9 cerated person—

10 “(A) who was convicted of a crime by a
11 judge or parole board; and

12 “(B) who is living outside a secure facility.

13 “(3) CORRECTIONAL INSTITUTION.—The term
14 ‘correctional institution’ has the meaning given the
15 term in section 225(e).

16 “(4) ELIGIBLE ENTITY.—The term ‘eligible en-
17 tity’ means—

18 “(A) a private nonprofit organization
19 under section 501(c)(3) of the Internal Revenue
20 Code of 1986, including a community-based or
21 faith-based organization;

22 “(B) a local board;

23 “(C) a State or local government;

24 “(D) an Indian or Native American entity
25 eligible for grants under section 166;

1 “(E) a labor organization or joint labor-
2 management organization; or

3 “(F) a consortium of the entities described
4 in subparagraphs (A) through (E).

5 “(5) ELIGIBLE ADULT.—The term ‘eligible
6 adult’ means a justice-involved individual who—

7 “(A) is age 25 or older; and

8 “(B) in the case of an individual that was
9 previously incarcerated, was released from in-
10 carceration not more than 3 years prior to en-
11 rollment in a project funded under this section.

12 “(6) ELIGIBLE YOUTH.—The term ‘eligible
13 youth’ means a justice-involved individual who is not
14 younger than age 14 or older than age 24.

15 “(7) HIGH-CRIME.—The term ‘high-crime’,
16 when used with respect to a geographic area, means
17 an area with crime rates that are higher than the
18 rate for the overall city (for urban areas) or of non-
19 metropolitan area in the State (for rural areas), as
20 such terms are used by the Bureau of Labor Statis-
21 tics.

22 “(8) HIGH-POVERTY.—The term ‘high-poverty’,
23 when used with respect to a geographic area, means
24 an area with a poverty rate of at least 25 percent
25 as determined based on the most recently available

1 data from the American Community Survey con-
2 ducted by the Bureau of the Census.”.

3 **SEC. 279. SECTORAL EMPLOYMENT THROUGH CAREER**
4 **TRAINING FOR OCCUPATIONAL READINESS**
5 **(SECTOR) PROGRAM.**

6 Subtitle D of title I (29 U.S.C. 3221 et seq.), as
7 amended by this Act, is further amended by inserting after
8 section 173, as added by the preceding section, the fol-
9 lowing:

10 **“SEC. 174. SECTORAL EMPLOYMENT THROUGH CAREER**
11 **TRAINING FOR OCCUPATIONAL READINESS**
12 **(SECTOR) PROGRAM.**

13 “(a) IN GENERAL.—From amounts appropriated
14 under subsection (e)(1), and not reserved under subsection
15 (e)(2), the Secretary shall—

16 “(1) use not less than 80 percent of such
17 amounts to award grants under subsection (b) to
18 each State to develop, convene, or expand industry
19 or sector partnerships; and

20 “(2) use not less than 20 percent of such
21 amounts to award grants under subsection (c), on a
22 competitive basis, to eligible industry or sector part-
23 nerships for the purposes of expanding workforce de-
24 velopment and employment opportunities for high-

1 skill, high-wage, or in-demand industry sectors or
2 occupations, as determined by the Secretary.

3 “(b) FORMULA GRANTS.—

4 “(1) DISTRIBUTION OF FUNDS.—

5 “(A) STATE ALLOTMENT.—From the
6 amount determined by the Secretary under sub-
7 section (a)(1), the Secretary shall allot funds to
8 each State on the basis of the relative allotment
9 the State received under section 132(b) for such
10 fiscal year, compared to the total amount allot-
11 ted to all States under section 132(b) for such
12 fiscal year.

13 “(B) LOCAL AREA ALLOCATIONS.—The
14 Secretary shall use the amounts allotted under
15 subparagraph (A) to distribute funds in the
16 State to carry out the activities described in
17 paragraph (2) by—

18 “(i) allocating funds to each local area
19 of the State on the basis of the relative al-
20 location the local area received under sec-
21 tion 133(b) for such fiscal year, compared
22 to the total amount allocated to all local
23 areas in the State under section 133(b) for
24 such fiscal year; or

1 “(ii) allocating funds to local areas of
2 the State that have the highest rates of
3 unemployment or poverty, or the highest
4 numbers of individuals with barriers to em-
5 ployment in the State.

6 “(C) TRANSFER AUTHORITY.—A local
7 board may transfer, if such a transfer is ap-
8 proved by the Governor, up to and including
9 100 percent of the funds allocated to the local
10 area under section 133(b), and up to and in-
11 cluding 100 percent of the funds allocated to
12 the local area under this subsection for a fiscal
13 year between—

14 “(i) adult employment and training
15 activities; and

16 “(ii) activities under this section.

17 “(2) USE OF FUNDS.—The funds awarded
18 under paragraph (1) may be used to—

19 “(A) regularly convene stakeholders in a
20 collaborative structure to identify, develop, im-
21 prove, or expand training, employment, and
22 growth opportunities for high-skill, high-wage,
23 or in-demand industry sectors or occupations;

24 “(B) form, expand, and improve training
25 programs, to be managed by eligible industry

1 and sector partnerships that include attainment
2 of industry-recognized credentials, the integra-
3 tion of work-based learning activities with train-
4 ing curricula and occupational certification pro-
5 grams, and that address specific workforce
6 issues and needs of groups of workers, with a
7 priority on individuals with a barrier to employ-
8 ment, within regional labor markets in the
9 State;

10 “(C) strengthen the coordination of eligible
11 industry and sector partnerships and programs
12 with the programs administered under subtitle
13 B of this title and with the one-stop partners
14 described in section 121; and

15 “(D) to directly provide, or arrange for the
16 provision of, services to help individuals with
17 barriers to employment and other participants
18 complete and successfully transition out of
19 training described in subparagraph (B), which
20 services shall include career services, supportive
21 services, or the provision of needs-related pay-
22 ments.

23 “(c) COMPETITIVE GRANTS.—

24 “(1) GRANTS AUTHORIZED.—From the amount
25 determined by the Secretary under subsection (a)(2),

1 the Secretary shall award grants, on a competitive
2 basis, to eligible industry or sector partnerships for
3 the purposes described in subsection (a)(2).

4 “(2) APPLICATION.—

5 “(A) FORM AND PROCEDURE.—To receive
6 a grant under this subsection, the lead appli-
7 cant on behalf of an eligible industry or sector
8 partnership shall submit to the Secretary an
9 application at such time, in such manner, and
10 containing such information as specified by the
11 Secretary.

12 “(B) CONTENTS.—An application sub-
13 mitted under paragraph (1) shall contain at a
14 minimum the following:

15 “(i) Identification of the high-skill,
16 high-wage, or in-demand industry sector or
17 occupation on which such partnership is
18 focused.

19 “(ii) A description of the activities to
20 be carried out under the grant.

21 “(iii) A description of the workers
22 that will be targeted for recruitment as
23 program participants, how a priority of
24 service under the grant will be provided to
25 individuals with barriers to employment,

1 and how the activities will be designed to
2 maximize access and eliminate barriers to
3 entry to training and other activities for
4 such individuals.

5 “(iv) A description of other Federal or
6 non-Federal resources that will be lever-
7 aged in support of the eligible industry or
8 sector partnership (including cash or in-
9 kind contributions from private-sector
10 partners).

11 “(3) USES OF FUNDS.—An eligible industry or
12 sector partnership awarded a grant under this sub-
13 section shall use such grant funds—

14 “(A) to engage and regularly convene
15 stakeholders in a collaborative structure to
16 identify, develop, improve, or expand training,
17 employment, and growth opportunities for the
18 high-skill, high-wage, or in-demand industry
19 sector or occupation on which such partnership
20 is focused;

21 “(B) to directly provide, or arrange for the
22 provision of, high-quality, evidence-based train-
23 ing for high-skill, high-wage, or in-demand in-
24 dustry sectors or occupations on which such
25 partnership is focused, which shall include

1 training that leads to the attainment of nation-
2 ally or regionally portable and stackable recog-
3 nized postsecondary credentials for the industry
4 sector or occupations described in paragraph
5 (A), including—

6 “(i) training provided through appren-
7 ticeship programs, or pre-apprenticeship
8 programs that articulate to apprenticeship
9 programs, labor organizations, or joint
10 labor-management partnerships;

11 “(ii) on-the job training, customized
12 training, and paid internships and work
13 experience;

14 “(iii) incumbent worker training to
15 support lower wage workers in upgrading
16 skills and advancing along a career path-
17 way; and

18 “(iv) training services, in addition to
19 those described in clauses (i) through (iii),
20 that are authorized under section
21 134(e)(3)(D), including occupational skills
22 training; and

23 “(C) to directly provide, or arrange for the
24 provision of, services to help individuals with
25 barriers to employment and other participants

1 complete and successfully transition out of
2 training described in subparagraph (B), which
3 services shall include career services, supportive
4 services, or the provision of needs-related pay-
5 ments authorized under subsections (c)(2),
6 (c)(4), and (d)(3) of section 134.

7 “(4) PRIORITY IN SELECTION OF GRANTS.—
8 The Secretary shall give priority consideration in ap-
9 plications that demonstrate the ability to serve eligi-
10 ble individuals in targeted economic regions that are
11 experiencing high-poverty, have traditionally been
12 underserved by regional economic development and
13 sector partnership activities (including rural areas),
14 or is facing or at risk of facing significant worker
15 dislocation due to a disruption or change in the re-
16 gional or State economy or labor market.

17 “(d) PROGRAM ACCOUNTABILITY AND EVALUA-
18 TION.—

19 “(1) IN GENERAL.—The grants awarded under
20 this section are subject to—

21 “(A) the primary indicators of performance
22 under section 116(b)(2)(A) and expected levels
23 of performance relating to such indicators; and

24 “(B) such additional measures as the Sec-
25 retary deems appropriate, which may include

1 skills attainment, wage or career progression,
2 training-related employment, and additional job
3 quality measures.

4 “(2) EVALUATION.—Not later than 5 years
5 after the first award of funds under this section is
6 made the Secretary (acting through the chief evalua-
7 tion officer) shall design and conduct an evaluation
8 to evaluate the effectiveness of the program carried
9 out this section.

10 “(3) PUBLICATION.—The Secretary shall pub-
11 lish the outcomes of grantees under the indicators
12 and measures described in paragraph (1) and the
13 evaluation described in paragraph (2) on a publicly
14 accessible website, and submit the evaluation find-
15 ings to the Committee on Education and Labor of
16 the House of Representatives and the Committee on
17 Health, Education, Labor and Pensions of the Sen-
18 ate.

19 “(e) AUTHORIZATION OF APPROPRIATIONS; RES-
20 ERVATIONS.—

21 “(1) AUTHORIZATION OF APPROPRIATIONS.—
22 There are authorized to be appropriated to carry out
23 this section—

24 “(A) \$1,000,000,000 for fiscal year 2023;

25 “(B) \$1,100,000,000 for fiscal year 2024;

1 “(C) \$1,210,000,000 for fiscal year 2025;

2 “(D) \$1,331,000,000 for fiscal year 2026;

3 “(E) \$1,464,100,000 for fiscal year 2027;

4 and

5 “(F) \$1,610,510,000 for fiscal year 2028.

6 “(2) RESERVATION OF FUNDS.—Of the funds
7 appropriated under paragraph (1) for a fiscal year,
8 the Secretary may reserve not more than 5 percent
9 which—

10 “(A) may be used for administration of the
11 program described in this section, in addition to
12 any other funds available for these activities, in-
13 cluding providing comprehensive technical as-
14 sistance, targeted outreach to eligible partner-
15 ships serving local areas with high unemploy-
16 ment rates or high percentages of low-income
17 individuals or individuals with barriers to em-
18 ployment; and oversight to support eligible part-
19 nerships; and

20 “(B) shall be used to conduct an evalua-
21 tion of the activities carried out under this sec-
22 tion and for reporting on the performance and
23 impact of programs funded under this section.

24 “(f) DEFINITIONS.—In this section:

1 “(1) ELIGIBLE INDUSTRY OR SECTOR PART-
2 NERSHIP.—The term ‘eligible industry or sector
3 partnership’ means—

4 “(A) an industry or sector partnership,
5 which shall include multiple representatives de-
6 scribed in each of clauses (i) through (iii) of
7 paragraph (26)(A) of section 3; or

8 “(B) a partnership of multiple entities de-
9 scribed in section 3(26) and a State board or
10 local board, that is in the process of estab-
11 lishing an industry or sector partnership.

12 “(2) LEAD APPLICANT.—The term ‘lead appli-
13 cant’ means an applicant for a grant under this sec-
14 tion that is a State board, local board, institution of
15 higher education, labor-management partnership,
16 labor organization, industry association, or other
17 State and regional nonprofit organizations with ex-
18 perience in designing, convening, and expanding in-
19 dustry or sector partnerships.”.

20 **SEC. 280. WORKFORCE DATA QUALITY INITIATIVE GRANTS.**

21 Subtitle D of title I (29 U.S.C. 3221 et seq.), as
22 amended by this Act, is further amended by inserting after
23 section 174, as added by the preceding section, the fol-
24 lowing:

1 **“SEC. 175. WORKFORCE DATA QUALITY INITIATIVE**
2 **GRANTS.**

3 “(a) **AUTHORITY.**—The Secretary is authorized to
4 award grants, on a competitive basis, to States to create
5 workforce longitudinal administrative databases and asso-
6 ciated resources for the purpose of strengthening work-
7 force development program quality, protecting privacy,
8 and improving transparency.

9 “(b) **PRIORITY.**—In awarding grants under this sec-
10 tion, the Secretary shall give priority to States that—

11 “(1) have not previously received such a grant;

12 “(2) have the greatest need to improve their
13 data infrastructure;

14 “(3) will use non-Federal contributions to im-
15 prove State data infrastructure and related re-
16 sources;

17 “(4) support co-enrollment in workforce related
18 programs;

19 “(5) participate and contribute data to the
20 State’s linked longitudinal data system, including
21 submitting data that when linked with elementary
22 and secondary school and postsecondary data, pro-
23 vides the State the ability to create more data tools
24 and analytics; and

25 “(6) enable research and program improvement
26 activities.

1 “(c) SUPPLEMENT, NOT SUPPLANT.—Funds made
2 available under this section shall be used to supplement,
3 and not supplant, other Federal, State, or local funds used
4 for developing State data systems.

5 “(d) ADMINISTRATIVE COSTS.—The Secretary shall
6 reserve not more than 10 percent of funds made available
7 to carry out this section for each fiscal year for the provi-
8 sion of technical assistance to support the implementation
9 of grants awarded under this section.

10 “(e) PRIVACY.—Nothing in this section shall require
11 the disaggregation of data when the number of individuals
12 in a category is insufficient to yield statistically reliable
13 information or when the results would reveal personally
14 identifiable information about an individual, or would re-
15 veal such information when combined with other released
16 information.

17 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to carry out this sec-
19 tion—

20 “(1) \$40,000,000 for fiscal year 2023;

21 “(2) \$35,000,000 for fiscal year 2024;

22 “(3) \$30,000,000 for fiscal year 2025;

23 “(4) \$25,000,000 for fiscal year 2026;

24 “(5) \$20,000,000 for fiscal year 2027; and

25 “(6) \$15,000,000 for fiscal year 2028.

1 “(g) DEFINITION.—In this section, the term ‘State’
2 has the meaning given the term in section 3, except such
3 term also includes each of the outlying areas (as defined
4 in section 3).”.

5 **SEC. 281. AUTHORIZATION OF APPROPRIATIONS.**

6 Section 176 (as redesignated by section 277), is
7 amended to read as follows:

8 **“SEC. 176. AUTHORIZATION OF APPROPRIATIONS.**

9 “(a) NATIVE AMERICAN PROGRAMS.—There are au-
10 thorized to be appropriated to carry out section 166 (not
11 including subsection (k) of such section)—

12 “(1) \$66,400,000 for fiscal year 2023;

13 “(2) \$73,000,000 for fiscal year 2024;

14 “(3) \$80,300,000 for fiscal year 2025;

15 “(4) \$88,300,000 for fiscal year 2026;

16 “(5) \$97,100,000 for fiscal year 2027; and

17 “(6) \$106,800,000 for fiscal year 2028.

18 “(b) MIGRANT AND SEASONAL FARMWORKER PRO-
19 GRAMS.—There are authorized to be appropriated to carry
20 out section 167—

21 “(1) \$109,100,000 for fiscal year 2023;

22 “(2) \$114,600,000 for fiscal year 2024;

23 “(3) \$120,300,000 for fiscal year 2025;

24 “(4) \$126,300,000 for fiscal year 2026;

25 “(5) \$132,600,000 for fiscal year 2027; and

1 “(6) \$139,200,000 for fiscal year 2028.

2 “(c) TECHNICAL ASSISTANCE.—There are authorized
3 to be appropriated to carry out section 168—

4 “(1) \$3,600,000 for fiscal year 2023;

5 “(2) \$3,800,000 for fiscal year 2024;

6 “(3) \$4,000,000 for fiscal year 2025;

7 “(4) \$4,200,000 for fiscal year 2026;

8 “(5) \$4,400,000 for fiscal year 2027; and

9 “(6) \$4,600,000 for fiscal year 2028.

10 “(d) EVALUATIONS AND RESEARCH.—There are au-
11 thorized to be appropriated to carry out section 169—

12 “(1) \$116,700,000 for fiscal year 2023;

13 “(2) \$122,500,000 for fiscal year 2024;

14 “(3) \$128,600,000 for fiscal year 2025;

15 “(4) \$135,000,000 for fiscal year 2026;

16 “(5) \$141,800,000 for fiscal year 2027; and

17 “(6) \$148,900,000 for fiscal year 2028.”.

18 **Subtitle E—Administration**

19 **SEC. 291. NONDISCRIMINATION.**

20 Section 188 (29 U.S.C. 3248) is amended—

21 (1) in subsection (a)(5), by adding at the end
22 the following: “Provided that it shall not be a viola-
23 tion of this paragraph to exclude any individual from
24 participation or employment in programs or activi-
25 ties receiving Federal financial assistance where

1 such participation or employment, or access to the
2 premises upon which any part of such program, ac-
3 tivity, or employment is performed, is subject to any
4 requirements imposed in the interest of the national
5 security of the United States under any security pro-
6 gram in effect pursuant to or administered under
7 any statute or regulation of the United States, Exec-
8 utive Order of the President, or other Federal con-
9 tractual requirement, and such individual does not
10 meet such requirements.”; and

11 (4) in subsection (e) is amended by striking
12 “Workforce Innovation and Opportunity Act” and
13 inserting “Workforce Innovation and Opportunity
14 Act of 2022”.

15 **SEC. 292. SECRETARIAL ADMINISTRATIVE AUTHORITIES**
16 **AND RESPONSIBILITIES.**

17 Section 189 (29 U.S.C. 3249) is amended—

18 (1) in subsection (d), by striking “the Work-
19 force” and inserting “Labor”;

20 (2) in subsection (g)(2)(B)(ii), by striking “sub-
21 section (a) or (b) of section 169 (relating to evalua-
22 tions, research projects, studies and reports, and
23 multistate projects)” and inserting “subsection (a),
24 (b), or (c) of section 169 relating to evaluations, re-
25 search projects, studies and reports, multistate

1 projects, and the workforce development innovation
2 fund”;

3 (3) by striking subsection (h);

4 (4) by redesignating subsection (i) as subsection
5 (h); and

6 (5) by amending paragraph (3)(A)(ii) of sub-
7 section (h) (as so redesignated) to read as follows:

8 “(ii) any of the statutory or regu-
9 latory requirements of the Wagner-Peyser
10 Act (29 U.S.C. 49 et seq.) (excluding re-
11 quirements relating to the provision of
12 services to unemployment insurance claim-
13 ants and veterans, the colocation of em-
14 ployment service offices with one-stop cen-
15 ters, the designation of a cooperating State
16 agency, and requirements relating to uni-
17 versal access to basic labor exchange serv-
18 ices without cost to jobseekers).”.

19 **SEC. 293. GUARD RAILS FOR PROGRAM INTEGRITY.**

20 Section 194 (29 U.S.C. 3254) is amended by adding
21 at the end the following:

22 “(16) An institution of higher education that is
23 a proprietary institution of higher education (as de-
24 fined in section 102(a)(1)(A) of the Higher Edu-

1 cation Act of 1965 (20 U.S.C. 1002(a)(1)(A)) may
2 not be—

3 “(A) designated or certified as a one-stop
4 operator under section 121(d), or awarded
5 funds under this title to operate a one-stop cen-
6 ter; or

7 “(B) appointed to a State board or local
8 board under section 101 or 107, respectively.”.

9 **TITLE III—ADULT EDUCATION** 10 **AND FAMILY LITERACY**

11 **SEC. 301. FAMILY LITERACY.**

12 The heading of title II of the Workforce Innovation
13 and Opportunity Act (29 U.S.C. 3271 et seq.) is amended
14 by inserting “**FAMILY**” before “**LITERACY**”.

15 **SEC. 302. PURPOSE.**

16 Section 202 (29 U.S.C. 3271) is amended—

17 (1) in the matter preceding paragraph (1), by
18 inserting “family” before “literacy activities”;

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

21 “(1) assist adults to become literate and obtain
22 the knowledge and skills (including digital skills)
23 necessary for employment, economic self-sufficiency,
24 and full participation in all aspects of adult life;”;

25 (3) in paragraph (4)(A)—

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

3 (B) by inserting after clause (ii) the fol-
4 lowing:

5 “(iii) digital skills; and”;

6 **SEC. 303. DEFINITIONS.**

7 Section 203 (29 U.S.C. 3272) is amended—

8 (1) in paragraph (1)—

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

11 (B) by redesignating subparagraph (C) as
12 subparagraph (D); and

13 (C) by inserting after subparagraph (B)
14 the following:

15 “(C) develop and use digital technology
16 skills; and”;

17 (2) in paragraph (2), by inserting “, digital
18 skills activities offered in conjunction with other
19 adult education and literacy activities” after “family
20 literacy activities”;

21 (3) in paragraph (3), by inserting “family” be-
22 fore “literacy activities”;

23 (4) in paragraph (4)(C)(i), by striking “is basic
24 skills deficient” and inserting “has foundational
25 skills needs”;

1 (5) in paragraph (9)—

2 (A) in the matter preceding subparagraph
3 (A), by striking “economic prospects” and in-
4 serting “economic and educational prospects”;
5 and

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

7 “(E) Digital literacy activities to enable
8 parents or family members to develop and use
9 digital literacy skills to support their children’s
10 learning.”;

11 (6) by amending paragraph (11) to read as fol-
12 lows:

13 “(11) INTEGRATED EDUCATION AND TRAIN-
14 ING.—The term ‘integrated education and training’
15 means a service approach that provides adult edu-
16 cation and family literacy activities concurrently and
17 contextually with workforce preparation activities
18 and workforce training (and which may be provided
19 concurrently with other adult education activities
20 and services, such as adult basic education) for a
21 specific high-wage, high demand occupation or occu-
22 pational cluster (including, as appropriate, for ap-
23 prenticeship and pre-apprenticeship programs) for
24 the purpose of educational and career advance-
25 ment.”;

1 (7) by amending paragraph (12) to read as fol-
2 lows:

3 “(12) INTEGRATED ENGLISH LITERACY AND
4 CIVICS EDUCATION.—The term ‘integrated English
5 literacy and civics education’ means instruction in
6 literacy and English and other education services
7 provided to English language learners who are
8 adults, including professionals with degrees and cre-
9 dentials in their native countries—

10 “(A) that enables such adults—

11 “(i) to achieve competency in the
12 English language;

13 “(ii) to build knowledge of United
14 States history and civics;

15 “(iii) to prepare for United States
16 citizenship and the naturalization process;

17 “(iv) to use digital technology at levels
18 of proficiency necessary to function effec-
19 tively as a worker, a parent or a family
20 member, and a member of society;

21 “(v) to apply for Federal and other
22 student financial aid and enroll in postsec-
23 ondary education or other further learning;
24 and

1 “(vi) to locate and apply for registered
2 apprenticeship or pre-apprenticeship pro-
3 grams; and

4 “(B) which may include—

5 “(i) preparation for a high school
6 equivalency diploma or postsecondary
7 training or education;

8 “(ii) preparation for employment;

9 “(iii) preparation for apprenticeship
10 or pre-apprenticeship programs, or the
11 provision of information regarding where
12 to acquire that preparation; or

13 “(iv) instruction in—

14 “(I) navigating the early child-
15 hood, elementary and secondary, and
16 postsecondary education systems;

17 “(II) financial literacy;

18 “(III) the housing market in the
19 United States; or

20 “(IV) accessing Federal, State,
21 and local health care systems.”;

22 (8) in paragraph (13) by striking “and solve
23 problems,” and all that follows through the period at
24 the end and inserting “solve problems, and use dig-
25 ital technology at levels of proficiency necessary to

1 function effectively as an employee, a parent or a
2 family member, and a member of society.”;

3 (9) by redesignating paragraphs (16) and (17)
4 as paragraphs (17) and (18), respectively;

5 (10) by inserting after paragraph (15), the fol-
6 lowing:

7 “(16) UNIVERSAL DESIGN FOR LEARNING.—
8 The term ‘universal design for learning’ has the
9 meaning given the term in section 103 of the Higher
10 Education Act of 1965 (20 U.S.C. 1003).”; and

11 (11) in paragraph (18), as redesignated by
12 paragraph (9)—

13 (A) by striking “using information” and
14 inserting “using and acquiring information”;
15 and

16 (B) by striking “education or training”
17 and inserting “education or training (including
18 registered apprenticeship and pre-apprentice-
19 ship programs)”.

20 **SEC. 304. AUTHORIZATION OF APPROPRIATIONS.**

21 Section 206 (29 U.S.C. 3275) is amended by striking
22 “\$577,667,000 for fiscal year 2015” and all that follows
23 through the period at the end and inserting
24 “\$785,100,000 for fiscal year 2023, \$824,400,000 for fis-
25 cal year 2024, \$865,600,000 for fiscal year 2025,

1 \$908,900,000 for fiscal year 2026, \$954,300,000 for fis-
2 cal year 2027, and \$1,002,000,000 for fiscal year 2028.”.

3 **SEC. 305. PERFORMANCE ACCOUNTABILITY SYSTEM.**

4 Section 212 (29 U.S.C. 3292) is amended to read as
5 follows:

6 **“SEC. 212. PERFORMANCE ACCOUNTABILITY SYSTEM.**

7 “(a) IN GENERAL.—Programs and activities author-
8 ized in this title are subject to the performance account-
9 ability provisions described in section 116.

10 “(b) INNOVATIVE PERFORMANCE ACCOUNTABILITY
11 SYSTEM DEMONSTRATION PROGRAM.—

12 “(1) IN GENERAL.—The Secretary may author-
13 ize one or more eligible entities to implement an in-
14 novative performance accountability system that
15 uses alternative primary indicators of performance
16 that reflect the objectives and activities of the enti-
17 ty’s adult education and family literacy programs
18 and measure the attainment of the education and
19 employment goals of the participants in such pro-
20 grams. The innovative performance accountability
21 system may include—

22 “(A) performance indicators attained while
23 an individual is enrolled in an adult education
24 and family literacy program; and

1 “(B) performance indicators attained after
2 an individual exits such a program.

3 “(2) DEMONSTRATION PERIOD.—

4 “(A) IN GENERAL.—Except as provided in
5 subparagraph (B), the period during which an
6 eligible entity may carry out an innovative ac-
7 countability system authorized under this sub-
8 section shall be a period determined by the Sec-
9 retary that does not exceed five years.

10 “(B) EXTENSION.—The Secretary may ex-
11 tend, by up to one year, the demonstration pe-
12 riod determined under subparagraph (A) for an
13 eligible entity if—

14 “(i) the Secretary determines that the
15 innovative accountability system imple-
16 mented by the entity is successfully meet-
17 ing the objectives of this subsection; and

18 “(ii) the total period during which the
19 entity implements such system under the
20 demonstration program, inclusive of such
21 extension, does not exceed six years.

22 “(3) APPLICATION.—

23 “(A) IN GENERAL.—Subject to subpara-
24 graph (C), an eligible entity that seeks author-
25 ization to implement an innovative performance

1 accountability system under this subsection
2 shall submit to the Secretary an application at
3 such time, in such manner, and containing such
4 information as the Secretary may require.

5 “(B) CONTENTS.—At a minimum, each
6 application under this paragraph shall in-
7 clude—

8 “(i) a description of the objectives of
9 the innovative performance accountability
10 system proposed by the eligible entity;

11 “(ii) a description of such account-
12 ability system, including a description of
13 the performance indicators to be used;

14 “(iii) the duration of the period over
15 which the entity intends to carry out the
16 proposed accountability system;

17 “(iv) an explanation of why the entity
18 believes the alternative indicators of per-
19 formance proposed by the entity would
20 more accurately measure the attainment of
21 the objectives of the entity’s adult edu-
22 cation and family literacy programs com-
23 pared to the indicators of performance de-
24 scribed in section 116(b)(2)(A)(i);

1 “(v) an explanation of how the pro-
2 posed performance indicators are expected
3 to provide a valid and reliable measure-
4 ment of the effectiveness of the entity’s
5 adult education and family literacy pro-
6 grams with respect to the individuals
7 served by such programs;

8 “(vi) a description of how the entity
9 will report to the Secretary and make pub-
10 licly available the proposed indicators of
11 performance on a timely basis;

12 “(vii) an assurance that the entity will
13 prepare and submit the final report re-
14 quired under paragraph (4); and

15 “(viii) a description of how the inno-
16 vative accountability system may be rel-
17 evant to and replicated by States and out-
18 lying areas.

19 “(C) REVIEW OF CERTAIN APPLICA-
20 TIONS.—In a case in which an eligible entity
21 that is a consortium of eligible providers seeks
22 authorization to implement an innovative per-
23 formance accountability system under this sub-
24 section—

1 “(i) the consortium shall submit the
2 application described in subparagraph (A)
3 to the eligible agency of the State or out-
4 lying area in which the consortium intends
5 to implement the system;

6 “(ii) the eligible agency shall review
7 the application; and

8 “(iii) if the eligible agency approves
9 the application, the agency shall forward
10 the application to the Secretary together
11 with any comments of the agency regard-
12 ing the content of the application.

13 “(4) PROGRESS REPORT.—

14 “(A) IN GENERAL.—Not later than 180
15 days before the end of the initial demonstration
16 period applicable to an eligible entity under
17 paragraph (2)(A), and before the Secretary au-
18 thorizes any extension of the demonstration pe-
19 riod under paragraph (2)(B) for such entity,
20 the eligible entity shall submit to the Secretary
21 a report on the initial progress (in this para-
22 graph referred to as the ‘progress report’) of
23 the innovative accountability system imple-
24 mented by the eligible entity under this section.

1 “(B) ELEMENTS.—The progress report
2 under subparagraph (A) shall be based on the
3 annual information submitted by participating
4 local providers and shall include an assessment
5 of the following:

6 “(i) The burden placed on the local
7 programs to implement and carry out the
8 innovative accountability system.

9 “(ii) Whether and to what extent—

10 “(I) the eligible entity has solie-
11 ited feedback from local program di-
12 rectors and instructors about their
13 satisfaction with the innovative ac-
14 countability system;

15 “(II) local program instructors
16 and directors have demonstrated a
17 commitment and capacity to imple-
18 ment or continue to implement the
19 system;

20 “(III) the system was used to
21 measure the performance indicators
22 for all students participating in the
23 system; and

1 “(IV) the innovative account-
2 ability system can be used across
3 States.

4 “(C) PEER REVIEW.—

5 “(i) IN GENERAL.—The eligible entity
6 shall conduct a peer review of the innova-
7 tive performance accountability system im-
8 plemented by the eligible entity under this
9 section.

10 “(ii) PEER REVIEW TEAM.—For pur-
11 poses of conducting the peer review under
12 clause (i), the eligible entity shall assemble
13 a team of subject matter experts who—

14 “(I) are knowledgeable about in-
15 novative accountability systems; and

16 “(II) have demonstrated experi-
17 ence developing and implementing
18 such systems.

19 “(iii) METHODOLOGY.—The method-
20 ology of the peer review shall meet require-
21 ments to be jointly established by the Sec-
22 retary of Labor and Secretary of Edu-
23 cation.

24 “(iv) ELEMENTS.—The peer review
25 shall determine the extent to which the in-

1 novative accountability system includes pri-
2 mary indicators that reflect the objectives
3 and activities of the State’s adult edu-
4 cation and family literacy programs.

5 “(D) COMMENTS.—The eligible entity shall
6 provide a response to the findings of the
7 progress report.

8 “(E) PUBLIC AVAILABILITY.—The
9 progress report under this paragraph, including
10 any comments provided under subparagraph
11 (D), shall be made available on a publicly acces-
12 sible website of the eligible entity.

13 “(5) FINAL REPORT.—Not later than one year
14 after the conclusion of the demonstration period ap-
15 plicable to an eligible entity under paragraph (2),
16 the entity shall submit to the Secretary a report on
17 the results of the innovative performance account-
18 ability system implemented by the entity under this
19 subsection. Each such report shall include the enti-
20 ty’s assessment of whether, and to what extent, the
21 innovative performance accountability system
22 achieved its objectives.

23 “(6) CONTINUED REPORTING.—An eligible enti-
24 ty shall continue to report to the State, or the Sec-
25 retary, as applicable, on the indicators of perform-

1 ance described in section 116(b)(2)(A)(i) during the
2 demonstration period.

3 “(7) DEVELOPMENT AND DISSEMINATION OF
4 BEST PRACTICES.—The Secretary shall—

5 “(A) based on the results of the dem-
6 onstration programs authorized under this sub-
7 section and in consultation with the Director of
8 the Institute of Education Sciences and the
9 Secretary of Labor, identify best practices for
10 the development and implementation of innova-
11 tive performance accountability systems; and

12 “(B) disseminate information on those
13 practices, including by making such information
14 available on a publicly accessible website of the
15 Department of Education.

16 “(8) RELATIONSHIP TO OTHER REQUIRE-
17 MENTS.—Nothing in this subsection shall be con-
18 strued to supersede the requirements of section 116
19 or to authorize the Secretary to modify or replace
20 the performance accountability measures required
21 under section 116. An eligible entity participating in
22 a demonstration program under this subsection shall
23 be subject to the applicable requirements of section
24 116 while participating in such program.

1 “(9) ELIGIBLE ENTITY DEFINED.—In this sub-
2 section, the term ‘eligible entity’ means—

3 “(A) an eligible agency;

4 “(B) a consortium of eligible agencies; or

5 “(C) a consortium of eligible providers
6 within a State or outlying area.”.

7 **SEC. 306. STATE DISTRIBUTION OF FUNDS; MATCHING RE-**
8 **QUIREMENT.**

9 Section 222(b) (29 U.S.C. 3302(b)) is amended by
10 adding at the end the following:

11 “(3) PUBLIC AVAILABILITY OF INFORMATION
12 ON MATCHING FUNDS.—Each eligible agency shall
13 maintain, on a publicly accessible website of such
14 agency and in an easily accessible format, informa-
15 tion documenting the non-Federal contributions
16 made available to adult education and family literacy
17 programs pursuant to this subsection, including—

18 “(A) the sources of such contributions; and

19 “(B) in the case of funds made available
20 by a State or outlying area, an explanation of
21 how such funds are distributed to eligible pro-
22 viders.”

23 **SEC. 307. STATE LEADERSHIP ACTIVITIES.**

24 Section 223(a) (29 U.S.C. 3303(a)) is amended—

25 (1) in paragraph (1)(C)—

1 (A) by amending clause (ii) to read as fol-
2 lows:

3 “(ii) the role of eligible providers as a
4 one-stop partner to provide access to em-
5 ployment, education (including apprentice-
6 ship and pre-apprenticeship programs),
7 and training services;”;

8 (B) in clause (iii), by striking the period at
9 the end and inserting “; and”; and

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

11 “(iv) assistance for students to be
12 able to locate and apply for apprenticeship
13 and pre-apprenticeship programs.”; and

14 (2) in paragraph (2)—

15 (A) in subparagraph (J), by striking the
16 period at the end and inserting “, such as the
17 development and maintenance of policies for the
18 credentialing of adult educators who dem-
19 onstrate effectiveness.”;

20 (B) by redesignating subparagraph (M) as
21 subparagraph (N); and

22 (C) by inserting after subparagraph (L)
23 the following:

24 “(M) Strengthening the quality of adult
25 education and family literacy programs in the

1 State through support for improved credentials,
2 program quality standards, and certification
3 and accreditation requirements.”.

4 **SEC. 308. GRANTS AND CONTRACTS FOR ELIGIBLE PRO-**
5 **VIDERS.**

6 Section 231(e)(6) (29 U.S.C. 3321(e)(6)) is amended
7 by striking “including scientifically valid research and ef-
8 fective educational practice” and inserting “including the
9 application of the principles of universal design for learn-
10 ing, scientifically valid research, and effective educational
11 practice”.

12 **SEC. 309. LOCAL ADMINISTRATIVE COST LIMITS.**

13 Section 233(a) (29 U.S.C. 3323(a)) is amended—

14 (1) in paragraph (1), by striking “95 percent”
15 and inserting “85 percent”; and

16 (2) by amending paragraph (2) to read as fol-
17 lows:

18 “(2) of the remaining amount—

19 “(A) not more than 10 percent may be
20 used for professional development for adult edu-
21 cators; and

22 “(B) not more than 5 percent may be used
23 for planning, administration (including carrying
24 out the requirements of section 116), and the

1 activities described in paragraphs (3) and (5) of
2 section 232.”.

3 **SEC. 310. NATIONAL LEADERSHIP ACTIVITIES.**

4 Section 242 (29 U.S.C. 3332) is amended—

5 (1) by amending paragraph (1) of subsection
6 (b) to read as follows:

7 “(1) assistance to help States meet the require-
8 ments of section 116, including assistance to ensure
9 that—

10 “(A) the outcomes and other data required
11 pursuant to that section are collected and re-
12 ported in a timely and accessible manner; and

13 “(B) such data are reported consistently
14 across States and eligible providers and are re-
15 viewed for quality and consistency by the De-
16 partment of Education;”;

17 (2) in subsection (c)—

18 (A) in paragraph (1)—

19 (i) by striking “and” at the end of
20 subparagraph (C);

21 (ii) in subparagraph (D), by striking
22 the period at the end and inserting “;
23 and”; and

24 (iii) by adding at the end the fol-
25 lowing:

1 “(E) assistance in the dissemination or
2 provision of information for apprenticeship and
3 pre-apprenticeship programs.”; and

4 (B) in paragraph (2)—

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

7 (ii) by redesignating subparagraph
8 (G) as subparagraph (L); and

9 (iii) by inserting after subparagraph
10 (F) the following:

11 “(G) developing and rigorously evaluating
12 model programs for the preparation of effective
13 adult educators;

14 “(H) carrying out initiatives to support the
15 professionalization of adult education through—

16 “(i) the creation and implementation
17 of full-time staffing models; and

18 “(ii) improved credentials, program
19 quality standards, and certification and ac-
20 creditation requirements that States may
21 adopt on a voluntary basis;

22 “(I) carrying out initiatives to support the
23 professionalization of adult education through
24 the creation and implementation of full-time
25 staffing models;

1 “(J) providing professional development
2 and technical assistance to adult educators;

3 “(K) incorporating the principles of uni-
4 versal design for learning for any activity car-
5 ried out under subsection (b); and”.

6 **SEC. 311. INTEGRATED ENGLISH LITERACY AND CIVICS**
7 **EDUCATION.**

8 Section 243 (29 U.S.C. 3333) is amended—

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

11 “(a) **IN GENERAL.**—From funds made available
12 under section 211(a)(2) for each fiscal year, the Secretary
13 shall award grants to States, from allotments under sub-
14 section (b), for English literacy and civics education, in
15 combination with workforce preparation activities, work-
16 place adult education and family literacy activities, ap-
17 prenticeship and pre-apprenticeship programs, integrated
18 education and training activities, or work-based learn-
19 ing.”;

20 (2) in subsection (c)—

21 (A) in paragraph (1), by striking “, and
22 place such adults in,”; and

23 (B) in paragraph (2), by inserting before
24 the period the following: “, including the identi-
25 fication of in-demand industries and the place-

1 ment of adult English language learners in un-
2 subsidized employment within these industries”;
3 and

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

5 “(e) STATE DEFINED.—In this section, the term
6 ‘State’ has the meaning given the term in section 3, except
7 that such term also includes each of the outlying areas
8 (as defined in section 3).”.

9 **SEC. 312. TECHNICAL CORRECTIONS TO OTHER LAWS.**

10 Section 9215(e) of the Every Student Succeeds Act
11 (Public Law 114–95) is amended—

12 (1) in the subsection heading, by striking
13 “ADULT EDUCATION AND LITERACY ACT” and in-
14 serting “ADULT EDUCATION AND FAMILY LITERACY
15 ACT”; and

16 (2) by striking “the Adult Education and Lit-
17 eracy Act” and inserting “the Adult Education and
18 Family Literacy Act”.

19 **TITLE IV—GENERAL**
20 **PROVISIONS**

21 **SEC. 401. PROHIBITION OF NATIONAL DATABASE MANAGE-**
22 **MENT.**

23 Section 501(b) (29 U.S.C. 3341) is amended to read
24 as follows:

1 “(b) PROHIBITION OF NATIONAL DATABASE MAN-
2 AGEMENT.—Nothing in this Act (or the amendments to
3 other laws made by the Workforce Innovation and Oppor-
4 tunity Act of 2022) shall be construed to permit the devel-
5 opment, management, analysis, or maintenance by a pri-
6 vate entity (whether for-profit or non-profit) of a national
7 database of personally identifiable information of individ-
8 uals receiving services under title I, or the amendments
9 to other laws made by the Workforce Innovation and Op-
10 portunity Act of 2022.”.

11 **SEC. 402. ACCESSIBILITY.**

12 Subtitle A of title V (29 U.S.C. 3341 et seq.) is fur-
13 ther amended by adding at the end the following:

14 **“SEC. 507. ACCESSIBILITY.**

15 “Any uses of digital technology for the purpose of de-
16 livery of service under this Act shall ensure that the
17 website or electronic communication conform to Level AA
18 of the Web Content Accessibility Guidelines 2.0 of the
19 Web Accessibility Initiative (or any successor guide-
20 lines).”.

1 **TITLE V—AMENDMENTS TO THE**
2 **WAGNER-PEYSER ACT**

3 **SEC. 501. INCLUSION OF COMMONWEALTH OF THE NORTH-**
4 **ERN MARIANA ISLANDS AND AMERICAN**
5 **SAMOA.**

6 The Wagner-Peyser Act (29 U.S.C. 49 et seq.) is
7 amended—

8 (1) in section 2(5) (29 U.S.C. 49a(5))—

9 (A) by striking “the Commonwealth of
10 Puerto Rico” and inserting “Puerto Rico”; and

11 (B) by inserting “the Commonwealth of
12 the Northern Mariana Islands, American
13 Samoa,” after “Guam,”;

14 (2) in section 5(b)(1) (29 U.S.C. 49d(b)(1)), by
15 inserting “the Commonwealth of the Northern Mar-
16 iana Islands, and American Samoa,” after “Guam,”;

17 (3) in section 6(a) (29 U.S.C. 49e(a))—

18 (A) by inserting “, the Commonwealth of
19 the Northern Mariana Islands, and American
20 Samoa” after “except for Guam”;

21 (B) by striking “allot to Guam” and in-
22 serting the following: “allot to—
23 “(1) Guam”;

24 (C) by striking the period at the end and
25 inserting “; and”; and

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

2 “(2) the Commonwealth of the Northern Mar-
3 iana Islands and American Samoa an amount which,
4 in relation to the total amount available for the fis-
5 cal year, is equal to the allotment percentage that
6 Guam received of amounts available under this Act
7 in fiscal year 1983.”; and

8 (4) in section 6(b)(1) (29 U.S.C. 49e(b)(1)), in
9 the matter following subparagraph (B), by inserting
10 “, the Commonwealth of the Northern Mariana Is-
11 lands, American Samoa,” after “does not include
12 Guam”.

13 **SEC. 502. WORKFORCE AND LABOR MARKET INFORMATION**
14 **SYSTEM.**

15 Section 15(g) of the Wagner-Peyser Act (29 U.S.C.
16 491–2(g)) is amended to read as follows:

17 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to carry out this section
19 \$74,400,000 for fiscal year 2023, \$78,100,000 for fiscal
20 year 2024, \$82,000,000 for fiscal year 2025, \$86,100,000
21 for fiscal year 2026, \$90,400,000 for fiscal year 2027, and
22 \$94,900,000 for fiscal year 2028.”.

1 **TITLE VI—AMENDMENTS TO THE**
2 **REHABILITATION ACT OF 1973**

3 **SEC. 601. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) STATE PLANS.—Paragraph (1) of section 100(b)
5 of the Rehabilitation Act of 1973 (29 U.S.C. 720(b)) is
6 amended to read as follows:

7 “(1) IN GENERAL.—For the purpose of making
8 grants to States under part B to assist States in
9 meeting the costs of vocational rehabilitation services
10 provided in accordance with State plans under sec-
11 tion 101, there are authorized to be appropriated
12 such sums as may be necessary for each of the fiscal
13 years 2023 through 2028, except that—

14 “(A) for fiscal year 2023 the amount to be
15 appropriated shall be not less than
16 \$4,052,400,000; and

17 “(B) for fiscal year 2024 and each of the
18 succeeding fiscal years, the amount to be appro-
19 priated for such a fiscal year shall not be less
20 than the amount of the appropriation under
21 this paragraph for the immediately preceding
22 fiscal year, increased by the percentage change
23 in the Consumer Price Index determined under
24 subsection (c) for the immediately preceding fis-
25 cal year.”.

1 (b) CLIENT ASSISTANCE PROGRAM.—Section 112(h)
2 of the Rehabilitation Act of 1973 (29 U.S.C. 732(h)) is
3 amended to read as follows:

4 “(h) There are authorized to be appropriated to carry
5 out the provisions of this section—

6 “(1) \$15,507,800 for fiscal year 2023;

7 “(2) \$16,283,190 for fiscal year 2024;

8 “(3) \$17,097,350 for fiscal year 2025;

9 “(4) \$17,952,217 for fiscal year 2026;

10 “(5) \$18,849,828 for fiscal year 2027; and

11 “(6) \$19,792,319 for fiscal year 2028.”.

12 (c) RESEARCH AND TRAINING.—Section 201 of the
13 Rehabilitation Act of 1973 (29 U.S.C. 761) is amended
14 to read as follows:

15 **“SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

16 “There are authorized to be appropriated to carry out
17 this title \$134,357,300 for fiscal year 2023, \$141,075,165
18 for fiscal year 2024, \$148,128,923 for fiscal year 2025,
19 \$155,535,369 for fiscal year 2026, \$163,312,138 for fis-
20 cal year 2027, and \$171,477,745 for fiscal year 2028.”.

21 (d) TRAINING.—Section 302(i) of the Rehabilitation
22 Act of 1973 (29 U.S.C. 772(i)) is amended to read as
23 follows:

24 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
25 are authorized to be appropriated to carry out this section

1 \$43,494,001 for fiscal year 2023, \$45,668,701 for fiscal
2 year 2024, \$47,952,136 for fiscal year 2025, \$50,349,743
3 for fiscal year 2026, \$52,867,230 for fiscal year 2027, and
4 \$55,510,592 for fiscal year 2028.”.

5 (e) DEMONSTRATION AND TRAINING PROGRAMS.—
6 Section 303(e) of the Rehabilitation Act of 1973 (29
7 U.S.C. 773(e)) is amended to read as follows:

8 “(e) AUTHORIZATION OF APPROPRIATIONS.—For the
9 purpose of carrying out this section there are authorized
10 to be appropriated \$7,489,900 for fiscal year 2023,
11 \$7,864,395 for fiscal year 2024, \$8,257,615 for fiscal year
12 2025, \$8,670,495 for fiscal year 2026, \$9,104,020 for fis-
13 cal year 2027, and \$9,559,221 for fiscal year 2028.”.

14 (f) NATIONAL COUNCIL ON DISABILITY.—Section
15 405 of the Rehabilitation Act of 1973 (29 U.S.C. 785)
16 is amended to read as follows:

17 **“SEC. 405. AUTHORIZATION OF APPROPRIATIONS.**

18 “There are authorized to be appropriated to carry out
19 this title \$4,117,300 for fiscal year 2023, \$4,323,165 for
20 fiscal year 2024, \$4,539,323 for fiscal year 2025,
21 \$4,766,289 for fiscal year 2026, \$5,004,604 for fiscal year
22 2027, and \$5,254,834 for fiscal year 2028.”.

23 (g) ARCHITECTURAL AND TRANSPORTATION BAR-
24 RIERS COMPLIANCE BOARD.—Section 502(j) of the Reha-

1 bilitation Act of 1973 (29 U.S.C. 792(j)) is amended to
2 read as follows:

3 “(j) There are authorized to be appropriated for the
4 purpose of carrying out the duties and functions of the
5 Access Board under this section \$10,835,000 for fiscal
6 year 2023, \$11,376,750 for fiscal year 2024, \$11,945,588
7 for fiscal year 2025, \$12,542,867 for fiscal year 2026,
8 \$13,170,010 for fiscal year 2027, and \$13,828,511 for fis-
9 cal year 2028.”.

10 (h) PROTECTION AND ADVOCACY OF INDIVIDUAL
11 RIGHTS.—Section 509(l) of the Rehabilitation Act of 1973
12 (29 U.S.C. 794e(l)) is amended to read as follows:

13 “(l) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated to carry out this section
15 \$22,808,500 for fiscal year 2023, \$23,948,925 for fiscal
16 year 2024, \$25,146,371 for fiscal year 2025, \$26,403,690
17 for fiscal year 2026, \$27,723,874 for fiscal year 2027, and
18 \$29,110,068 for fiscal year 2028.”.

19 (i) EMPLOYMENT OPPORTUNITIES FOR INDIVIDUALS
20 WITH DISABILITIES.—Section 610 of the Rehabilitation
21 Act of 1973 (29 U.S.C. 29 U.S.C. 795o) is amended to
22 read as follows:

23 **“SEC. 610. AUTHORIZATION OF APPROPRIATIONS.**

24 “There is authorized to be appropriated to carry out
25 this title \$35,599,300 for fiscal year 2023, \$37,379,265

1 for fiscal year 2024, \$39,248,228 for fiscal year 2025,
2 \$41,210,640 for fiscal year 2026, \$43,271,172 for fiscal
3 year 2027, and \$45,434,730 for fiscal year 2028.”.

4 (j) INDEPENDENT LIVING SERVICES.—Section 714
5 of the Rehabilitation Act of 1973 (29 U.S.C. 796e–3) is
6 amended to read as follows:

7 **“SEC. 714. AUTHORIZATION OF APPROPRIATIONS.**

8 “There are authorized to be appropriated to carry out
9 this part \$29,564,700 for fiscal year 2023, \$31,042,935
10 for fiscal year 2024, \$32,595,082 for fiscal year 2025,
11 \$34,224,836 for fiscal year 2026, \$35,936,078 for fiscal
12 year 2027, and \$37,732,882 for fiscal year 2028.”.

13 (k) CENTERS FOR INDEPENDENT LIVING.—Section
14 727 of the Rehabilitation Act of 1973 (29 U.S.C. 796f–
15 6) is amended to read as follows:

16 **“SEC. 727. AUTHORIZATION OF APPROPRIATIONS.**

17 “There are authorized to be appropriated to carry out
18 this part \$101,191,200 for fiscal year 2023, \$106,250,760
19 for fiscal year 2024, \$111,563,298 for fiscal year 2025,
20 \$117,141,463 for fiscal year 2026, \$122,998,536 for fis-
21 cal year 2027, and \$129,148,463 for fiscal year 2028.”.

22 (l) INDEPENDENT LIVING SERVICES FOR OLDER IN-
23 DIVIDUALS WHO ARE BLIND.—Section 753 of the Reha-
24 bilitation Act of 1973 (29 U.S.C. 796l) is amended to read
25 as follows:

1 **“SEC. 753. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated to carry out
3 this chapter \$43,055,100 for fiscal year 2023,
4 \$45,207,855 for fiscal year 2024, \$47,468,248 for fiscal
5 year 2025, \$49,841,660 for fiscal year 2026, \$52,333,743
6 for fiscal year 2027, and \$54,950,430 for fiscal year
7 2028.”.

