To reauthorize the Workforce Innovation and Opportunity Act.

IN THE HOUSE OF REPRESENTATIVES

Mr. Scott of Virginia introduced the following bill; which was referred to the Committee on ________

A BILL

To reauthorize the Workforce Innovation and Opportunity Act.

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

SECTION 1. SHORT TITLE.

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

SEC. 2. REFERENCES.

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

SEC. 3. TRANSITION PROVISIONS.

(a) WORKFORCE DEVELOPMENT SYSTEMS AND INVESTMENT ACTIVITIES.—The Secretary of Labor and the
Secretary of Education shall take such actions as the Sec-
etaries determine to be appropriate to provide for the or-
derly transition from any authority under subtitle A of
title I of the Workforce Innovation and Opportunity Act
(29 U.S.C. 3111 et seq.), as in effect on the day before
the date of enactment of this Act, to any authority under
subtitle A of title I of such Act (29 U.S.C. 3111 et seq.),
as amended by this Act. Such actions shall include the
provision of guidance related to unified State planning,
combined State planning, and the performance account-
ability system described in such subtitle.

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

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

(d) EMPLOYMENT SERVICES ACTIVITIES.—The Secretary of Labor shall take such actions as the Secretary determines to be appropriate to provide for the orderly transition from any authority under the Wagner-Peyser Act (29 U.S.C. 49 et seq.), as in effect on the day before the date of enactment of this Act, to any authority under the Wagner-Peyser Act, as amended by this Act.

(e) REGULATIONS.—

(1) PROPOSED REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary of Labor and the Secretary of Education, as appropriate, shall develop and publish in the Federal Register proposed regulations relating to the transition to, and implementation of, the Workforce Innovation and Opportunity Act, as amended by this
Act, and the Wagner-Peyser Act, as amended by this Act.

(2) Final Regulations.—Not later than 18 months after the date of enactment of this Act, the Secretaries described in paragraph (1), as appropriate, shall develop and publish in the Federal Register final regulations relating to the transition to, and implementation of, the Workforce Innovation and Opportunity Act, as amended by this Act, and the Wagner-Peyser Act, as amended by this Act.

(f) Expenditure of Funds During Transition.—

(1) In General.—Subject to paragraph (2) and in accordance with regulations developed under subsection (f), States, grant recipients, administrative entities, and other recipients of financial assistance under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.), as in effect before the date of enactment of this Act, may expend funds received under such Act in order to plan and implement programs and activities under the Workforce Innovation and Opportunity Act, as amended by this Act.

(2) Additional Requirements.—Not more than 2 percent of any allotment to any State from
amounts appropriated under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.), as in effect on the day before the date of enactment of this Act, for fiscal year 2022 may be made available to carry out activities authorized under paragraph (1) and not less than 50 percent of any amount used to carry out activities authorized under paragraph (1) shall be made available to local entities for the purposes of the activities described in such paragraph.

SEC. 4. EFFECTIVE DATE.

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

(b) EXCEPTIONS.—Sections 102, 103, and 108 of the Workforce Innovation and Opportunity Act, as amended by this Act, shall apply to plans for the second full program year after the date of enactment of this Act, including the development, submission, and approval of such plans during the first full program year after such date.

SEC. 5. TABLE OF CONTENTS.

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. 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. 285. Nondiscrimination.
Sec. 286. Secretarial administrative authorities and responsibilities.

Subtitle F—Privacy
Sec. 291. Prohibition of national database management.

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—AMENDMENTS TO THE WAGNER-PEYSER ACT
Sec. 401. Inclusion of Commonwealth of the Northern Mariana Islands and American Samoa.
Sec. 402. Workforce and labor market information system.

TITLE V—AMENDMENTS TO THE REHABILITATION ACT OF 1973
Sec. 501. Authorization of appropriations.

1 TITLE I—DEFINITIONS AND OTHER GENERAL MATTERS

2 SEC. 101. DEFINITIONS.

3 (a) FOUNDATIONAL SKILL NEEDS.—Paragraph (5) of section 3 (29 U.S.C. 3102) is amended to read as fol-
“(5) FOUNDATIONAL SKILL NEEDS.—The term ‘foundational skill needs’ means, with respect to an individual—

“(A) who is a youth or adult, that the individual has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or

“(B) who is a youth or adult, that the individual is unable to compute or solve problems, or read, write, or speak English, or does not possess digital literacy, interpersonal communication, time management, critical thinking, or financial literacy skills at a level necessary to function on the job, in the individual’s family, or in society.”.

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

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

“(A) are designed to support progression towards attainment of a recognized postsecondary credential;
“(B) align with the skill needs of industries in the economy of the State or regional economy involved;

“(C) include multiple entry and exit points;

“(D) prepare an individual to be successful in any of a full range of secondary or postsecondary education options, including apprenticeship programs;

“(E) provide career services, including counseling to support an individual in achieving the individual’s education and career goals, and helping the individual to identify and access the most accelerated path to skills and credentials that are needed for the educational and career advancement of the individual;

“(F) include supportive services or provides assistance in applying for and accessing direct support services, means-tested Federal benefit programs, or similar State, tribal, or local benefit programs;

“(G) include, as appropriate, education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster
(such as through work-based learning opportunities);

“(H) organize education, training, and other services to meet the particular needs of an individual in a manner that accelerates the educational and career advancement of the individual to the extent practicable;

“(I) enable an individual to attain a secondary school diploma or its recognized equivalent as applicable, and at least 1 recognized postsecondary credential; and

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

(c) DISLOCATED WORKER.—Paragraph (15) of section 3 (29 U.S.C. 3102) is amended—

(1) in subparagraph (A)—

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

(B) in clause (ii)—

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

(ii) in subclause (II), by striking “and” at the end and inserting “or”; and
(iii) by adding at the end the following:

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

(C) by striking clause (iii);

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

(3) by adding at after subparagraph (C) the following:

“(D)(i) is currently underemployed and engaged in the occasional performance of services for remuneration; and

“(ii) is self-employed, is seeking part-time employment, and does not have sufficient work history to qualify, or otherwise would not qualify for regular unemployment or extended benefits under State or Federal law;”; and

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

(d) DISPLACED CAREGIVER.—Paragraph (16) of section 3 (29 U.S.C. 3102) is amended—

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

(2) in the matter preceding subparagraph (A)—
(A) by striking “homemaker” and inserting “caregiver”;  

(B) by striking “family members” and inserting “a family member”;  

(3) in subparagraph (A)—  

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

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

(C) by adding at the end the following:  

“(iii) has involuntarily left the labor market to provide care for a relative or dependent, which may be validated through self-attestation to a one-stop operator or provider in a manner consistent with section 402A(e) of the Higher Education Act of 1965 (20 U.S.C. 1070a–11(e)); and”.

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

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

“(A) an opportunity youth; or  

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

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

“(ii) is a low-income individual; and

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

“(I) An English learner.

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

“(III) A homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6))), a homeless child or youth (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))), a runaway, a child or youth in foster care or who has aged out of the foster care system, a child or youth eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677), or a child or youth in an out-of-home placement.
“(IV) An individual who is pregnant or parenting.

“(V) An individual with a disability.”.

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

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

and

(2) by striking “language”.

(g) INDIVIDUAL WITH A BARRIER TO EMPLOYMENT.—Paragraph (24) of section 3(29 U.S.C. 3102) is amended to read as follows:

“(24) INDIVIDUAL WITH A BARRIER TO EMPLOYMENT.—The term ‘individual with a barrier to employment’ means a member of 1 or more of the following populations:

“(A) Displaced caregivers.

“(B) Low-income individuals.

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

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

“(E) Older individuals.

“(F) Justice-involved individuals.
“(G) Homeless individuals (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6))), or homeless children and youths (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))).

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

“(I) Individuals who are English learners, individuals who have low levels of literacy including digital literacy, or individuals facing substantial cultural barriers.

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

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

“(L) Single parents (including single pregnant women).

“(M) Long-term unemployed individuals.

“(N) The spouse of, or youth with a parent who is—

“(i) a member of the armed forces (as such term is defined in section 101(a)(4)

of title 10, United States Code);
“(ii) on active duty (as such term is defined in section 101(d)(1) of such title); and

“(iii) deployed or recently transferred.

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

“(P) Such other groups as the Governor involved determines to have barriers to employment.”.

(h) INSTITUTION OF HIGHER EDUCATION.—Paragraph (28) of section 3 (29 U.S.C. 3102) is amended by striking “subparagraphs (A) and (B) of section 102(a)(1)” and inserting “subparagraph (B) of section 102(a)(1)”.

(i) LABOR MARKET AREA.—Paragraph (30) of section 3 (29 U.S.C. 3102) is amended by inserting “and the economic development agency” after “Department of Labor”.

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

(1) in subparagraph (A)—

(A) by amending subclause (I) of clause (ii) to read as follows:
“(I) 150 percent of the poverty line (exclusive of unemployment compensation, child support payments, payments described in subparagraph (A), and old-age and survivors insurance benefits received under section 202 of the Social Security Act (42 U.S.C. 402)); or”;

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

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

(D) by adding at the end the following:

“(vii) is an individual who is—

“(I) an eligible migrant or seasonal farmworker, as defined in section 167(i); and

“(II) in a family with total family income that does not exceed 150 percent of the poverty line.”; and

(2) in subparagraph (B), by striking “based on the most recent lower living family budget issued by the Secretary”. 
(k) NONTRADITIONAL EMPLOYMENT.—Paragraph (37) of section 3 (29 U.S.C. 3102) is amended to read as follows:

“(37) NONTRADITIONAL EMPLOYMENT.—The term ‘nontraditional employment’ refers to occupations or fields of work, for which a group of individuals (such as individuals from the same gender, race, or ethnicity), the members of which—

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

“(B) comprise a percentage of individuals employed in such occupation that is lower than the percentage of the total population comprised by such members, based on the most recent data from the Bureau of the Census.”.

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

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

(2) by striking “offender” and inserting “justice-involved individual”.

(m) OPPORTUNITY YOUTH.—Paragraph (46) of section 3 (29 U.S.C. 3102) is amended to read as follows:
“(46) OPPORTUNITY YOUTH.—The term ‘opportunity youth’—

“(A) means an individual—

“(i) who is not younger than 16 years of age and not older than 26 years of age;
and

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

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

“(II) not employed; and

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

(n) RAPID RESPONSE ACTIVITY.—Paragraph (51) of section 3 (29 U.S.C. 3102) is amended by inserting “in a job position of similar wages and benefits, to the greatest extent possible, or on the job training for a new occupation or industry,” after “reemployment”.
(o) **STATE.**—Paragraph (56) of section 3 (29 U.S.C. 3102) is amended by striking “the Commonwealth of”.

(p) **SUPPORTIVE SERVICES.**—Paragraph (59) of section 3 (29 U.S.C. 3102) is amended to read as follows:

“(59) **SUPPORTIVE SERVICES.**—The term ‘supportive services’ means services such as transportation, child care, dependent care, housing, food and nutrition services, mental health care supports, substance use disorder treatment, access to broadband, affordable internet connection, or digital devices with connection to the internet, assistive technology, and needs-related payments, that are necessary to enable an individual to participate in workforce development activities.”.

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

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

“(72) **APPRENTICESHIP PROGRAM.**—The term ‘apprenticeship program’ means a program registered under the Act of August 16, 1937 (commonly known as the ‘National Apprenticeship Act’; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).
“(73) COENROLLMENT.—The term ‘coenrollment’ means simultaneous enrollment in more than one of the programs or activities carried out by a one-stop partner in section 121(b)(1)(B).

“(74) COMPETENCY.—The term ‘competency’ means the attainment of knowledge, skills, and abilities in a subject area, as specified by an occupational skill standard and demonstrated by an appropriate written, oral, hands-on, or other appropriate proficiency measurement.

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

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

“(A) demonstrates a statistically significant effect on improving participant outcomes or other relevant outcomes based on—

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

“(iii) promising evidence from at least 1 well-designed and well-implemented correlational study with statistical controls for selection bias; or

“(B)(i) demonstrates a rationale based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes; and

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

“(77) LABOR ORGANIZATION.—The term ‘labor organization’ has the meaning given the term in section 2(5) of the National Labor Relations Act (29 U.S.C. 152(5)), except that such term shall also include—

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

“(B) any organization which would be included in the definition for such term under
such section 2(5) but for the fact that the organization represents—

“(i) individuals employed by the United States, any wholly owned Government corporation, any Federal Reserve Bank, or any State or political subdivision thereof;

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

“(iii) individuals employed as agricultural laborers.


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

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

“(B) has a written agreement with 1 or more sponsors of apprenticeship programs that
would enable participants who successfully complete the pre-apprenticeship program—

“(i) to enter into the apprenticeship program if a place in the program is available and if the participant meets the qualifications of the apprenticeship program; and

“(ii) to earn credits towards the apprenticeship program; “

“(C) includes skills development (including a curriculum for the skills development) aligned with industry standards related to an apprenticeship program created in consultation with sponsors of the apprenticeship program that are parties to the written agreement under subparagraph (B), and that will prepare participants by teaching the skills and competencies needed to enter 1 or more apprenticeship programs; and

“(D) does not displace a paid employee.

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

“(81) WORKFORCE AGENCY.—The term ‘workforce agency’ means the State agency or local agency
responsible for administering workforce development activities or the workforce development system.”;

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

(3) by reordering paragraphs (1) through (71), as amended by this section, and the paragraphs added by paragraph (1) of this subsection in alphabetical order, and renumbering such paragraphs as so reordered.

SEC. 102. WIOA TABLE OF CONTENTS.

The table of contents in section 1(b) of the Workforce Innovation and Opportunity Act is amended by striking the item relating to section 172 and inserting the following:

"Sec. 172. Community college and industry partnership grants.
"Sec. 173. Reentry employment opportunities
"Sec. 174. Sectoral employment through career training for occupational readiness (sector) program.
"Sec. 175. Workforce data quality initiative grants.
"Sec. 176. Authorization of appropriations.”.

TITLE II—WORKFORCE DEVELOPMENT ACTIVITIES
Subtitle A—System Alignment
CHAPTER 1—STATE PROVISIONS
SEC. 201. STATE WORKFORCE DEVELOPMENT BOARDS.

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

(1) in clause (ii)—
(A) in the matter preceding subclause (I), by striking “20 percent” and inserting “30 percent”; 
(B) in subclause (III), by inserting “justice-involved individuals,” after “veterans”; and 
(C) in subclause (IV), by striking “out-of-school” and inserting “opportunity”; and 
(2) in clause (iii)— 
(A) in subclause (I)— 
   (i) by striking “and” at the end of item (aa); and 
   (ii) by adding at the end the following: “(ee) State agency officials responsible for the daily administration of education programs in the State, including secondary education and adult education programs, and chief executive officers (or their representatives) of community colleges and other institutions of higher education; and”; and 
(B) in subclause (II)—
(i) by amending item (bb) to read as follows:

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

(ii) by striking “and” at the end of item (ee); and

(iii) by striking item (dd); and

(iv) by adding at the end the following:

“(dd) State agency officials responsible for vocational rehabilitation; and

“(ee) State agency officials responsible for economic development.”.

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

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

(A) in paragraph (3)—
(i) in subparagraph (A), strike “and avoid duplication” and insert “avoid duplication, and leverage resources and expertise”;

(ii) in subparagraph (B)—

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

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

(iii) in subparagraph (C)—

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

(II) by inserting “, including individuals with barriers to employment” after “system”; 

(iv) in subparagraph (E), by striking “identification of” and inserting “continued identification of and support for”; 

(v) in subparagraph (F)—

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

(II) by striking “services and supportive” and inserting “services, career services, and supportive”; and
(vi) in subparagraph (G), by inserting “ongoing” after “support”;

(B) in paragraph (5)—

(i) in subparagraph (A), by striking “centers, relating to the use of business outreach, partnerships, and service delivery strategies, including” and inserting “centers, including the use of evidence-based strategies for such operations, the latest in digital technology and tools, and the use of partnerships to expand and improve services to jobseekers and workers, including”;

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

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

“(B) local boards and one-stop centers on effective outreach and enhanced services to businesses, joint labor-management partnerships, industry associations, and industry or sector partnerships, to provide employment and training activities reflective of regional economic priorities and the skill and competency needs of
in-demand industry sectors and occupations;”;
and
(iv) in subparagraph (D), as so redesignated, by striking “adaptability, to” and inserting “adaptability to reduce the time required for attainment of a recognized postsecondary credential or reskilling, and”;
and
(C) in paragraph (7)—
(i) in the matter preceding subparagraph (A), by striking “technological improvements to facilitate access” and inserting “improvements in the use of digital technology to facilitate and expand access”;
(ii) by amending subparagraphs (B) and (C) to read as follows:
“(B) accelerate—
“(i) the acquisition of skills, competencies, and recognized postsecondary credentials by participants with respect to an in-demand industry sector or occupation in a State or local area; and
“(ii) the matching of participants to career pathways and employment opportu-
nities based on the skills, competencies, and recognized postsecondary credentials attained by such participants;

“(C) strengthen the professional development of providers and workforce professionals, ensuring professional development activities include—

“(i) trauma-informed practices and human-centered design that serve individuals with barriers to employment;

“(ii) preparing providers and workforce professionals to use the latest technology;

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

“(iv) ensuring equitable access and service delivery for individuals who have been historically underserved, marginalized, and adversely affected as a result of race, ethnicity, or gender, including training on customer-centered service delivery, racial bias, cultural competence, occupational stereotyping, and strategies for increasing participant and worker voices; and”; and
(iii) in subparagraph (D), by striking “with disabilities and individuals” and inserting “with barriers to employment, including individuals with disabilities, and to individuals”.

SEC. 202. UNIFIED STATE PLAN.

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

(1) in subsection (b)—

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

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

“(A) a summary and conclusions of analysis conducted of the economic conditions in the State using labor market information, including—

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

“(ii) the industry or sector partnerships within the State and the opportunities for expansion of such partnerships to support sector-specific initiatives;
“(iii) projected industries or sectors within the State expected to decline or face significant changes in employment opportunities; and

“(iv) the employment needs of employers, including a description of the knowledge, skills, competencies, and abilities currently needed and projected to be needed, in those industries and occupations;

“(B) a summary and conclusions of analysis conducted of the current workforce using labor market information, employment and unemployment data, labor market trends, and the educational and skill levels of the workforce, including individuals with barriers to employment, in the State;

“(C) an analysis of the workforce development activities (including career services, education, and training) in the State, in coordination with the Perkins-eligible agency in the State, in order to address the identified education and skill needs of the workforce and the employment needs of employers in the State, including—
“(i) an analysis of the strengths and weaknesses of such activities;

“(ii) the capacity of State entities to provide such activities that meet the specific needs of youth, including opportunity youth, and individuals with barriers to employment;

“(iii) an analysis of educational, skill, and competency levels of individuals served by the workforce system as compared to such levels required to address the employment needs in the State; and

“(iv) an analysis of the career pathways offered within the State, including an analysis of how such pathways are aligned to the education and training needs of the current and future workforce within the State, and the development and expansion of career pathways to meet current and future workforce needs;

“(D) a description of—

“(i) the State’s strategic vision and goals for preparing an educated and skilled workforce, including preparing youth (including opportunity youth), and individuals
with barriers to employment and for meeting the skilled workforce needs of employers (including in existing and emerging in-demand industry sectors and occupations as identified by the State), and goals of the State relating to performance accountability measures based on primary indicators of performance described in section 116(b)(2)(A), in order to support economic growth and economic self-sufficiency;

“(ii) how the State will assess the overall effectiveness of the workforce investment system in the State;

“(iii) the career pathways offered within the State, including an analysis of how such pathways are aligned to the education and training needs of the current and future workforce within the State, and the development and expansion of career pathways to meet current and future workforce needs; and

“(iv) how the State will work with local areas to achieve equitable service delivery and outcomes for individuals with barriers to employment, including employ-
ment and earnings outcomes by applying
the information provided in the State eq-
uity report, for such State under section
116(f);
“(E) a description of strategies the State
intends to adopt to achieve the vision and each
goal described in subparagraph (D) through—
“(i) joint planning, alignment, coordi-
nation, and leveraging of funds between—
“(I) core programs under this
Act; and
“(II) other Federal programs, as
determined appropriate by the State,
such as—
“(aa) programs and activi-
ties under the Carl D. Perkins
Career and Technical Education
Act of 2006 (20 U.S.C. 2301 et
seq.);
“(bb) programs under the
Elementary and Secondary Edu-
cation Act of 1965 (20 U.S.C.
6301 et seq.);
“(cc) programs under the
Individuals with Disabilities Edu-
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cation Act (20 U.S.C. 1400 et seq.);

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

“(ee) apprenticeship programs; and

“(ff) the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.); and

“(ii) the provision of information about access to available State assistance or assistance under related Federal programs, including such assistance under—

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

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

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

“(IV) the State Temporary Assistance for Needy Families programs
under part A of title IV of the Social Security Act.”;

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

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

“(2) PLAN DEVELOPMENT.—

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

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

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

“(II) the community colleges in the State;

“(III) eligible providers of training services, including eligible providers of nontraditional training services and eligible providers of apprenticeship programs and pre-apprenticeship programs, and eligible providers of on-the-job training, customized training, incumbent worker training, internships, paid or unpaid work experience opportunities, or transitional
jobs, secondary schools and institutions of higher education (including institutions offering career and technical education programs, minority-serving institutions, and historically Black colleges and universities), and providers of supported employment services;

“(IV) interested community representatives, including community-based organizations;

“(V) individuals with barriers to employment or organizations representing such individuals;

“(VI) representatives of business and industry, including representatives of small business and representatives of industry and sector partnerships in the State;

“(VII) representatives of labor organizations and joint labor-management organizations in the State;

“(VIII) representatives of agencies serving opportunity youth, and homeless children and youth, includ-
ing the State Coordinator for Education of Homeless Children and Youths established or designated under section 722(d)(3) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(d)(3));

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

“(X) representatives of the Perkins-eligible agency;

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

“(XII) other primary stakeholders; and

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

“(B) PUBLIC COMMENT.—

“(i) WRITTEN COMMENTS.—Not less than 60 days prior to submission of the
unified State plan, the Governor shall provide stakeholders described in subparagraph (A)(i) with the opportunity to provide written comments on the unified State plan—

“(I) which shall be included in the final unified State plan; and

“(II) which shall include comments on whether and how the unified State plan—

“(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 ac-
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 or employment may affect the bargaining agreement (such as wages, benefits, and other factors).

“(ii) STATE WORKFORCE AGENCY RESPONSE.—Each State plan shall include a written response to the comments provided by stakeholders under clause (i).”;

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

(i) in subparagraph (B)—

(I) in clause (iv), by striking “colleges and area career and technical education schools” and inserting “colleges, secondary schools and area career and technical education
schools, and adult education providers under title II’’;

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

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

“(vi) how the State’s strategy will—

“(I) improve access to activities leading to a recognized postsecondary credential (including credentials that are portable, stackable, and aligned to high-skill, high-wage, or in-demand industry sectors and occupations); and

“(II) assess and validate the skills and competencies of such credentials and alignment to new or existing career pathways; and”; and

(IV) by adding at the end the following:

“(viii) how the State will work with local areas to achieve equitable service delivery and outcomes for individuals with barriers to employment by applying the information provided in the State equity report for such State under section 116(f).”;}
(ii) in subparagraph (D)—

   (I) in clause (i)(II), by striking “local boards and chief elected officials in determining the planning regions” and inserting “the State economic development agency to support alignment to the extent practicable, local boards and chief elected officials in determining the planning regions and work of such regions”; and

   (II) in clause (ii)—

      (aa) in subclause (V), by inserting “and” at the end; and

      (bb) by adding at the end the following:

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

(iii) in subparagraph (E)—

   (I) in clause (iii)—
(aa) in subclause (I), by inserting “, ensuring that services and resources are accessible throughout the State and local areas, including in urban, rural and suburban areas” after “such programs”; and

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

“(II) that the State obtained input into the development of the unified State plan and provided an opportunity for comment on the plan by the individuals listed in subsection (b)(2)(A)(i), and that the unified State plan is published on a publicly accessible website;”; and

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

(III) in clause (x), by striking the period at the end and inserting “; and”; and

(IV) by adding at the end the following:

“(ix) that the employment services authorized under sections 1 through 13 of
the Wagner-Peyser Act (29 U.S.C. 49 et seq.) are performed by public employees under a merit system; and

“(x) that the State will not prohibit self-attestation in a manner consistent with section 402A(e) of the Higher Education Act of 1965 (20 U.S.C. 1070a–11(e)) as a means for determining the eligibility of the individual who is self-attesting for a program or service under this Act.”; and

(2) in subsection (c)—

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

(B) by striking paragraph (4)

SEC. 203. COMBINED STATE PLAN.

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

“(L) State Apprenticeship Agencies, as applicable.”.

CHAPTER 2—LOCAL PROVISIONS

SEC. 206. WORKFORCE DEVELOPMENT AREAS.

(a) REGIONS.—Section 106(a)(1) (29 U.S.C. 3121(a)(1)) is amended—
(1) by striking “this Act” and inserting “the Workforce Innovation and Opportunity Act of 2022”; and

(2) by inserting “, the State economic development agency, the State apprenticeship agency, as applicable,” after “local boards”.

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

(1) in paragraph (1)—

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

“(ii) after consultation with the State economic development agency, chief elected officials, and local boards, and consideration of comments received through the public comment process as described in section 102(b)(2)(E)(iii)(II).”;

(B) in subparagraph (B)—

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

(ii) in clause (iii)—

(I) by striking “higher education and” and inserting “higher education,”; and
(II) by striking the period at the end and inserting “, and apprenticeship and pre-apprenticeship programs; and”;

(iii) by adding at the end the following:

“(iv) improve service delivery and efficiency under the workforce development system, and provide for sufficient access to comprehensive one-stop centers and affiliated sites.”; and

(C) by adding at the end the following:

“(C) CONSULTATIONS.—The State economic development agency, chief elected officials, and local boards shall provide such consultations as requested by the Governor in a timely manner.”;

(2) by amending paragraph (2) to read as follows:

“(2) INITIAL DESIGNATION.—During the first 2 full program years following the date of enactment of the Workforce Innovation and Opportunity Act of 2022, the Governor shall approve a request for initial designation as a local area from any area that—
“(A) was designated as a local area for purposes of this Act or the 2-year period preceding the date of enactment of the Workforce Innovation and Opportunity Act of 2022;

“(B) performed successfully; and

“(C) sustained fiscal integrity.”; and

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

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

(1) in subparagraph (F), by inserting “and prioritizing such services for individuals with barriers to employment,” after “services,”; 

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

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

(4) by adding at the end the following:
“(I) the analysis of in-demand skills and competencies within the region, and corresponding wages offered for jobs requiring such skills and competencies.”.

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

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

(2) in paragraph (2), by striking “(or, if applicable, title I of the Workforce Investment Act of 1998 as in effect prior to the effective date of such subtitle B)”.

SEC. 207. LOCAL WORKFORCE DEVELOPMENT BOARDS.

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

(1) in paragraph (2)—

(A) in subparagraph (B)—

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

(ii) in clause (iv)—

(I) by inserting “eligible youth and” after “include”; and
(II) by striking “out-of-school” and inserting “opportunity”; and

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

(C) by striking “and” at the end of subparagraph (D)(v);

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

(E) by adding at the end the following:

“(F) Demographic Diversity.—The members of the local board shall represent diverse demographic populations of the local area.”;

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

(3) in paragraph (4)(A)—
(A) in clause (ii), by inserting “, if applicable, YouthBuild operators, and” after “include”;

(B) in clause (iii), by inserting before the period at the end the following: “, which include individuals with disabilities or representatives of organizations serving individuals with disabilities” ; and

(C) by adding at the end the following:

“(iv) A standing committee to provide information to assist with planning, operational, and other issues relating to the provision of adult education services, which shall include providers of adult education carried out under title II of this Act.

“(v) A standing committee to provide information related to work-based learning opportunities, which shall include a representative from a provider of work-based learning, including a provider of related instruction under an apprenticeship.

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

“(I) mass layoffs;

“(II) unexpected increases in unemployment; and

“(III) introduction of new employment opportunities, including the assessment of the in-demand skills and competencies of the local area.”.

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

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

“(D) PUBLICATION.—The chief elected official or officials appointing the board for a local area shall make publicly available the membership of the board (including information identifying how the membership composition requirements of subsection (b) have been met (other than the requirements of paragraph (2)(F) of such subsection)), including by posting that information on the website of the appropriate unit of local government included in the local area.”; and
(2) in paragraph (4)(A), by striking “and (2)” and inserting “, (2), and (3)”.

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

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

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

(3) in paragraph (4)—

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

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

“(C) to ensure that workforce investment activities meet the skilled workforce needs of employers and support economic growth in the region by enhancing communication, coordination, and collaboration among employers, economic development entities, and service providers, including by developing and implementing proven or promising strategies for—

“(i) meeting the employment, skill, and competency needs of workers and employers (including the establishment of in-
dustry and sector partnerships) and sup-
porting skill and competency-based hiring;

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

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

(C) by striking subparagraph (D);

(4) in paragraph (5)—

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

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

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

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

“(A) identify and promote strategies and
initiatives to the one-stop delivery system for
meeting the needs of employers, workers, and
jobseekers (including individuals with barriers
to employment) in the local workforce development system, including—

“(i) providing physical and programmatic accessibility, in accordance with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.); and

“(ii) identifying and implementing strategies to assure service delivery is accessible to all eligible individuals, including individuals with barriers to employment; and”;

(1) by amending paragraph (7) to read as follows:

“(7) TECHNOLOGY.—The local board shall develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system, including in remote areas, for employers, workers, and jobseekers, by—

“(A) identifying and integrating new digital technologies into business services, career navigation, and employment and training activities, and working with the State to offer services virtually or through in-person service deliv-
ery strategies that are augmented through the use of technology;

“(B) facilitating connections among the intake and case management information systems of the one-stop partner programs to support a comprehensive workforce development system in the local area, including through coordination and collaboration with one-stop partner programs to support coenrollment of programs, as applicable;

“(C) identifying strategies for better meeting the needs of individuals with barriers to employment, including strategies that augment traditional service delivery, and increase access to services and programs of the one-stop delivery system, such as improving digital literacy skills, assessments of skills and competencies, and prior learning assessments assisted through the use of technology; and

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

(2) in paragraph (10)—
(A) in subparagraph (B)(ii), by inserting “as described in section 122” after “providers”;

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

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

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

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

(d) SUNSHINE PROVISION.—Section 107(e) (29 U.S.C. 3122(e)) is amended by inserting “that conforms
at a minimum, to Level AA of the Web Content Accessi-

bility Guidelines 2.0 of the Web Accessibility Initiative (or

any successor guidelines)” after “means”;

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

amended—

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

lows:

“(2) QUALIFICATIONS.—The local board shall

establish and apply a set of qualifications for the po-

sition of director that ensures that the individual se-

lected has the requisite knowledge, skills, and abili-

ties, to meet identified benchmarks and effectively

carry out the functions of the local board.”; and

(2) by adding at the end the following:

“(4) PROFESSIONAL DEVELOPMENT.—The local

board shall ensure the provision of training to local

board and one-stop delivery system staff on—

“(A) the expanded use of digital tech-

nology and tools for augmenting and improving

the delivery of services to participants and em-

ployers;

“(B) the implementation of evidence-based

strategies, such as career pathways and sector

initiatives, and trauma-informed and gender-re-
sponsive counseling for meeting the needs of individuals with barriers to employment; and

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

SEC. 208. LOCAL PLAN.

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

(1) in paragraph (1)—

(A) in subparagraph (A)—

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

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

(iii) by adding at the end the following:

“(iii) projected industries or sectors within the local area expected to decline or face significant changes in employment opportunities;”;}
(B) in subparagraph (B), by striking “and skills” and inserting “, skills, and competencies”; and

(C) in subparagraph (C), by striking “(and unemployment)” and inserting “(unemployment, and underemployment)”;

(2) by amending paragraph (2) to read as follows:

(3) in paragraph (2)—

“(2) a description and assessment of the workforce development system in the local area that identifies the programs that are included in that system and how the local board will work with the entities carrying out core programs and other workforce development programs to support alignment of services, including—

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

“(i) programs of study authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.);
“(ii) title II (relating to adult education and family literacy activities), including a description of how the local board will carry out, consistent with subparagraphs (A) and (B)(i) of section 107(d)(11) and section 232, the review of local applications submitted under title II;

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

“(iv) apprenticeship programs; and

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

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

(5) in paragraph (4)—

(A) in subparagraph (A)—

(i) in clause (i), by striking “, including small employers and employers in in-demand industry sectors and occupations, in workforce development programs” and inserting “in workforce development programs, including small employers, employers in high-skill, high-wage, or in-demand industry sectors and occupations, and employers in industry or sector partnerships”;
(ii) in clause (iii), by striking “and” at the end;

(iii) in clause (iv), by inserting “, and benefits, such as food and housing security” after “unemployment insurance programs”; and

(iv) by adding at the end the following:

“(v) improve the ability of individuals to make informed decisions about career pathways and training services, employment opportunities and job quality, and workplace rights and responsibilities; and”;

and

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

(6) in paragraph (6)—

(A) in subparagraph (B), by inserting “, including digital technology,” after “technology”; 

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

(C) by adding at the end the following:

“(E) a description of how the one-stop delivery system, including one-stop operators and
one-stop partners, will work with employers to support the hiring of individuals with barriers to employment to ensure equitable service delivery and participant outcomes; and

“(F) a description of how one-stop centers are implementing and transitioning to an integrated, technology-enabled intake and case management information system for programs carried out under this Act and programs carried out by one-stop partners’’;

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

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

(9) in paragraph (7), as so redesignated, by striking “assessment of” and inserting “comprehensive local needs assessment, as described in section 129(a)(2) of’’;

(10) by striking paragraph (13);

(11) by redesignating paragraphs (14) through (20) as paragraphs (11) through (17), respectively;

(12) by inserting after paragraph (17), as so redesignated, the following:

“(18) that the local area will not prohibit self-attestation in a manner consistent with section 402A(e) of the Higher Education Act of 1965 (20
U.S.C. 1070a–11(e)) as a means for determining the eligibility of the individual who is self-attesting for a program or service under this Act; and’’;

(13) by striking paragraph (21); and

(14) by redesignating paragraph (22) as paragraph (19).

CHAPTER 3—PERFORMANCE ACCOUNTABILITY

SEC. 211. PERFORMANCE ACCOUNTABILITY SYSTEM.

Section 116 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141) is amended—

(1) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

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

“(i) IN GENERAL.—The State primary indicators of performance for activities provided under the adult and dislocated worker programs authorized under chapter 3 of subtitle B, the program of adult education and family literacy activities authorized under title II, the employment services program authorized under sections 1 through 13 of the Wagner-Peyser Act (29
U.S.C. 49 et seq.) (except that subclauses (V) and (VI) shall not apply to such program), and the program authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.) (other than section 112 or part C of that title (29 U.S.C. 732, 741)), shall consist of—

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

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

“(III) the median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program;

“(IV) the median earnings of program participants who are in unsubsidized employment during the fourth quarter after exit from the program;
“(V) the percentage of program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent (subject to clause (iii)), during participation in or within 1 year after exit from the program; and

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

(II) in clause (iii), by inserting before the period at the end the following: “, unless such participants are enrolled in services under title II.”

(III) by striking clause (iv);

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

“(B) ADDITIONAL INDICATORS.—
“(i) **STATE IDENTIFIED.**—A State may identify in the State plan additional performance accountability indicators.

“(ii) **SECRETARY IDENTIFIED.**—The Secretary may identify additional indicators related to the quality of participants’ unsubsidized employment after exit from a program, including factors such as availability of paid time off, health, and retirement benefits, workplace safety and nondiscrimination standards, predictable and stable work schedule, stackable credentials, and advancement opportunities.”; and

(B) in paragraph (3)(A)—

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

“(iii) **IDENTIFICATION IN STATE PLAN.**—The Secretary of Labor in conjunction with the Secretary of Education shall—

“(I) propose expected levels of performance for each of the corresponding primary indicators of performance for each of the programs described in clause (ii) for each State
for the first 2 program years covered by the State plan, and for the third and fourth program years covered by the State plan, which shall be consistent with the factors listed under clause (v); and

“(II) publish on a publicly accessible website—

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

“(bb) each such proposal.”;

(ii) in clause (v)—

(I) in subclause (II)(bb)—

(aa) by striking “ex-offender status, and welfare dependency” and inserting “justice involvement, and receipt of public assistance”; and

(bb) by inserting before the semicolon at the end “; and other factors the Secretary determines relevant”;

for the first 2 program years covered by the State plan, and for the third and fourth program years covered by the State plan, which shall be consistent with the factors listed under clause (v); and

“(II) publish on a publicly accessible website—

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

“(bb) each such proposal.”;

(ii) in clause (v)—

(I) in subclause (II)(bb)—

(aa) by striking “ex-offender status, and welfare dependency” and inserting “justice involvement, and receipt of public assistance”; and

(bb) by inserting before the semicolon at the end “; and other factors the Secretary determines relevant”;

for the first 2 program years covered by the State plan, and for the third and fourth program years covered by the State plan, which shall be consistent with the factors listed under clause (v); and

“(II) publish on a publicly accessible website—

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

“(bb) each such proposal.”;

(ii) in clause (v)—

(I) in subclause (II)(bb)—

(aa) by striking “ex-offender status, and welfare dependency” and inserting “justice involvement, and receipt of public assistance”; and

(bb) by inserting before the semicolon at the end “; and other factors the Secretary determines relevant”;

for the first 2 program years covered by the State plan, and for the third and fourth program years covered by the State plan, which shall be consistent with the factors listed under clause (v); and

“(II) publish on a publicly accessible website—

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

“(bb) each such proposal.”;

(ii) in clause (v)—

(I) in subclause (II)(bb)—

(aa) by striking “ex-offender status, and welfare dependency” and inserting “justice involvement, and receipt of public assistance”; and

(bb) by inserting before the semicolon at the end “; and other factors the Secretary determines relevant”;

for the first 2 program years covered by the State plan, and for the third and fourth program years covered by the State plan, which shall be consistent with the factors listed under clause (v); and

“(II) publish on a publicly accessible website—

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

“(bb) each such proposal.”;

(ii) in clause (v)—

(I) in subclause (II)(bb)—

(aa) by striking “ex-offender status, and welfare dependency” and inserting “justice involvement, and receipt of public assistance”; and

(bb) by inserting before the semicolon at the end “; and other factors the Secretary determines relevant”;

for the first 2 program years covered by the State plan, and for the third and fourth program years covered by the State plan, which shall be consistent with the factors listed under clause (v); and

“(II) publish on a publicly accessible website—

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

“(bb) each such proposal.”;

(ii) in clause (v)—

(I) in subclause (II)(bb)—

(aa) by striking “ex-offender status, and welfare dependency” and inserting “justice involvement, and receipt of public assistance”; and

(bb) by inserting before the semicolon at the end “; and other factors the Secretary determines relevant”;
(II) by amending subclause (III) to read as follows:

“(III) take into account the extent to which the levels involved promote continuous improvement, which may reflect an increase in the level of performance accountability measures, a change in service strategy and delivery, or a change in the participants served by such State and ensure optimal return on the investment of Federal funds; and”;

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

“(viii) STATISTICAL ADJUSTMENT MODEL.—The Secretary of Labor and the Secretary of Education, after consultation with the representatives described in paragraph (4)(B), shall—

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

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

(2) in subsection (d)—

(A) in paragraph (2)—

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

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

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

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

“(L) information on earnings of participants 4 quarters prior to receiving career and training services and, to the extent data is available, in years 2 and 3 after exit from career and training services;”;

(B) in paragraph (6)—

(i) by amending subparagraph (A) to read as follows:
“(A) State Performance Reports.—The Secretary of Labor and the Secretary of Education shall annually make available the performance reports for States containing the information described in paragraph (2), which shall include making such reports available—

“(i) digitally using transparent, linked, open, and interoperable data formats that are human readable and machine actionable such that the data from these reports can be easily included in web-based tools and services supporting search, discovery, comparison, analysis, navigation, and guidance;

“(ii) electronically in easily understandable formats; and

“(iii) in paper-based formats, as necessary.”;

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

“(B) Local Area and Eligible Training Provider Performance Reports.—The State shall, on an annual basis, make available the performance reports for the local areas containing the information described in paragraph
(3) and the performance reports for eligible
providers of training services containing the in-
formation described in paragraph (4), which
shall include making such reports available in
each of the formats described in clauses (i)
through (iii) of subparagraph (A).”; and

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

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

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

“(f) STATE EQUITY REPORTS.—

“(1) IN GENERAL.—Using funds authorized
under a core program and made available to carry
out this section, the State, in coordination with local
boards in the State and the State agencies respon-
sible for the administration of the core programs,
shall annually prepare and submit to the Secretary
a report on the progress of the State in achieving
equitable outcomes in the State levels of perform-
ance relating to indicators described in subsection
(b)(2)(A) for a program for any program year,
which shall—
“(A) identify and quantify any disparities or gaps in performance on such levels of performance for each such indicator between—

“(i) individuals with barriers to employment; and

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

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

“(2) INFORMATION DISAGGREGATION.—The information provided in subparagraphs (A) and (B) of paragraph (1) shall be disaggregated—

“(A) by industry sector; and

“(B) by each subpopulation of individuals with barriers to employment (as defined in section 3).

“(3) INFORMATION DISSEMINATION.—The Secretary shall make the information contained in such reports available to the general public in a manner consistent with the requirements described in subsection (d)(6)(A).”
Subtitle B—Workforce Investment

Activities and Providers

CHAPTER 1—WORKFORCE INVESTMENT

ACTIVITIES AND PROVIDERS

SEC. 221. ESTABLISHMENT OF ONE-STOP DELIVERY SYSTEMS.

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

(1) in paragraph (1)—

(A) in subparagraph (A)(ii), by striking “, including payment of the infrastructure costs of one-stop centers in accordance with subsection (h)” and inserting “(other than payment of the physical and virtual infrastructure costs of one-stop centers in accordance with subsection (h), except as provided under subsection (c)(2)(A)(ii)(II) in the memorandum of understanding)”;

(B) in subparagraph (B)—

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

(ii) by striking clause (xii); and

(iii) by redesignating clause (xiii) as clause (xii); and
(C) in subparagraph (C)(ii)(II), by striking “and the Secretary of Health and Human Services” and inserting “, the Secretary of Education, and the Secretary of Health and Human Services”; and

(2) in paragraph (2)(B)—

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

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

(C) by inserting after clause (vii) the following:

“(vii) employment and training programs carried out by the Economic Development Administration; and”.

(b) Memorandum of Understanding.—Section 121(c)(2)(A) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3151(c)(2)(A)) is amended—

(1) in clause (ii)—

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

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

“(II) funding of physical and virtual infrastructure costs of one-stop
centers in accordance with subsection (h)(3), if funding received by the local area under subsection (h)(2) is insufficient to cover such costs;”;

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

“(iv) methods to provide appropriate access of services (including access to technology and materials) to workers, youth, and individuals with barriers to employment through the one-stop delivery system to address the needs of such workers and youth, and to increase access, particularly in underserved and rural communities.”.

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

(1) in paragraph (2)—

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

(B) in subparagraph (B)—

(i) by amending clause (i) to read as follows:
“(i) a secondary school, an area career and technical education school, or an institution of higher education;”;

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

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

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

“(vi) a public library; and”; and

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

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

(3) by inserting after paragraph (2) the following:

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

“(A) shall include managing the physical and virtual infrastructure and operations of the one-stop system in the local area, and facilitating coordination among the partners in the one-stop system; and
“(B) may include the provision of direct services to job seekers and employers.

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

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

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

(1) in subparagraph (A)—

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

(B) by inserting “and virtually in a manner that improves efficiency, coordination, and quality in the delivery of one-stop partner services” after “State”;

(2) in subparagraph (B)—

(A) in clause (i), by inserting “(such as a community college campus, a secondary school, an area career and technical education school, or a public library) and through community-
based organizations” after “affiliated sites”; 
and
(B) in clause (ii)(II) by adding “and” after the semicolon;
(3) in subparagraph (C)—
(A) by inserting “virtual or physical” after “may have”; and
(B) by striking “; and” and inserting a pe-
period; and
(4) by striking subparagraph (D).
(e) CERTIFICATION AND CONTINUOUS IMPROVEMENT OF ONE-STOP CENTERS.—Section 121(g)(2)(A) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3151(g)(2)(A)) is amended by striking “subsections (h)(1)” and inserting “subsection (h)(3)”.
(f) FUNDING OF ONE-STOP INFRASTRUCTURE.—Section 121(h) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3151(h)) is amended to read as follows:
“(h) FUNDING OF ONE-STOP INFRASTRUCTURE.—
“(1) IN GENERAL.—For any program year, not more than 10 percent of the funds allotted under sections 127, 132, and 211, and section 6 of the Wagner-Peyser Act (29 U.S.C. 49e) shall be used to fund the costs of infrastructure of one-stop centers in local areas.
‘‘(2) ALLOCATION BY GOVERNOR.—

‘‘(A) IN GENERAL.—From the funds provided under paragraph (1), the Governor shall allocate the funds to local areas in accordance with the formula established under subparagraph (B) for the purposes of paying the costs of infrastructure of one-stop centers.

‘‘(B) ALLOCATION FORMULA.—The State board shall develop a formula to be used by the Governor to allocate the funds provided under paragraph (1) to local areas. The formula shall be based on factors including the number of one-stop centers in a local area, the intensity of services provided by such centers, the population served by such centers, the services provided by such centers, and other factors relating to the performance of such centers that the State board determines are appropriate.

‘‘(C) COSTS OF INFRASTRUCTURE.—In this subsection, the term ‘‘costs of infrastructure’’, used with respect to a one-stop center, means the nonpersonnel costs that are necessary for the general operation of the one-stop center (whether for in-person or virtual service delivery), including the rental costs of the facili-
ties, the costs of utilities and maintenance, equipment (including assessment-related products and assistive technology for individuals with disabilities), and technology to facilitate access to the one-stop center, including the center’s planning and outreach activities.

“(3) ADDITIONAL FUNDING.—

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

“(B) GUIDANCE FOR INFRASTRUCTURE FUNDING.—The Governor, after consultation with chief elected officials, local boards, and the State board, and consistent with the guidance and policies provided by the State board under subparagraphs (B) and (C)(i) of section
101(d)(7), shall provide, for the use of local areas under subparagraph (A)—

“(i) guidelines for State-administered one-stop partner programs, for determining such programs’ contributions to a one-stop delivery system, based on such programs’ proportionate use of such system consistent with chapter II of title 2, Code of Federal Regulations (or any corresponding similar regulation or ruling), including determining funding for the costs of infrastructure, which contributions shall be negotiated pursuant to the memorandum of understanding under subsection (c); and

“(ii) guidance to assist local boards, chief elected officials, and one-stop partners in local areas in determining equitable and stable methods of funding the costs of infrastructure of one-stop centers in such areas.”.

(g) OTHER FUNDS.—Section 121(i) (29 U.S.C. 3151(i)) is amended by striking “basic skills” and inserting “foundational skill needs”.

SEC. 222. IDENTIFICATION OF ELIGIBLE PROVIDERS OF TRAINING SERVICES.

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

“(4) Consumer choice.—In establishing criteria, information requirements, and procedures under this subsection, the Governor shall not limit the provision of consumer choice under section 134(c)(3)(F).”.

(b) Criteria and Information Requirements.—Section 122(b) (29 U.S.C. 3152(b)) is amended—

(1) in paragraph (1)—

(A) by amending the matter preceding subparagraph (A) to read as follows: “The criteria established pursuant to subsection (a) shall include criteria on each of the following;”; and

(B) in subparagraph (A)(i), striking “performance accountability measures” and inserting “the levels of performance achieved on the indicators described in section 116”; and

(C) in subparagraph (B)—

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

(ii) by inserting “and online learning platforms” after “technology”;
(D) by amending subparagraph (D) to read as follows:

“(D)(i) With respect to each training program of each such provider—

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

“(aa) relates to in-demand industry sectors and occupations in the State or local areas within the State, based on analysis of labor market data and direct engagement with local employers; and

“(bb) satisfies any applicable educational requirements for professional licensure or certification, including licensure or certification examinations needed to practice or find employment in the sectors or occupations for which the program prepares the individual in the State; and

“(II) the expected—

“(aa) recognized postsecondary credentials earned as part of such program;
“(bb) employment opportunities upon program completion;

“(cc) median earnings of individuals within 1 year of program completion, as compared to median earnings of occupations for which the program prepares the individual in the State and local area;

“(dd) program cost of such program;

“(ee) competencies taught as part of such program that align to expected job opportunities;

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

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

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

“(aa) 3 or more employers.
“(bb) An industry association.

“(cc) A labor organization or joint labor-management organization, or an industry or sector partnership.

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

“(aa) offered by an institution of higher education; and

“(bb) accredited by a programmatic accrediting agency (as defined in section 602.3 of title 34, Code of Federal Regulations (or successor regulations)).

“(III) An entity listed in item (aa), (bb), or (cc) of subclause (I) that is providing validation under this clause with respect to a training program may not be the provider of such training program.”;

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

(F) by redesignating subparagraphs (I) and (J) as subparagraphs (E) and (F), respectively; and

(G) in subparagraph (F), as so redesignated—
(i) by amending clause (i) to read as follows:

“(i) the accountability of the providers, including in the case of a training program that is offered by an institution of higher education, that such institution has not been subject, during the 5 years preceding the date of the determination of whether such a provider meets such criteria, to—

“(I) any suspension, emergency action, or termination of programs under title IV of the Higher Education Act of 1965;

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

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

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

(2) in paragraph amending paragraph (2)—

(A) by striking “The information” and inserting the following:
“(A) PROVIDERS OF TRAINING SERVICES.—The information”

(B) by redesignating subparagraphs (A) through (E) as clauses (i) through (v), respectively; and

(C) by adding at the end the following:

“(B) STATES.—The State shall make available on a publicly accessible website and in a manner that does not reveal personally identifiable information—

“(i) the criteria, information requirements, and procedures regarding the eligibility of providers of training services established pursuant to subsection (a); and

“(ii) the appropriate, accurate, and timely information each provider of training services submits to the State in accordance with subparagraph (A) of this paragraph.”;

(3) in paragraph (4)—

(A) in subparagraph (B)—

(i) by striking “section 122 of the Workforce Investment Act of 1998, as in effect on the day before the date of enactment of this Act” and inserting “section
122, as in effect on the date before the
date of enactment of the Workforce Inno-
vation and Opportunity Act of 2022”; and

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

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

(C) in subparagraph (D)—

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

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

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

(iv) by adding at the end the fol-
lowing:
“(v) a factor related to serving individuals with barriers to employment.”.

(c) PROCEDURES.—Section 122(c)(2) (29 U.S.C. 3152(c)(2)), by striking “biennial” and inserting “annual”.

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

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

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

“(A) FAILURE TO MEET PROGRAM REQUIREMENTS.—In addition to the violations described in subparagraph (B), any provider of training services eligible to receive funds under chapter 3—

“(i) shall have such eligibility terminated for a period of 1 year upon a determination by an individual or entity specified in the procedures, that such provider—

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“(I) in a case in which the provider receives initial eligibility under subsection (b)(4), failed to report information as required under subsection (b)(4)(C); 

“(II) failed to inform the State board or local board that the training program of such provider has changed, and as a result of such change the information with respect to such training program under subsection (b)(1) used by the Governor to determine the provider’s eligibility to receive such funds no longer accurately describes such training program; or 

“(III) failed to meet the expected performance as described in subsection (b)(4)(D); or 

“(ii) may have such eligibility terminated as a result of offering a program for a period of less than 2 years—

“(I) that is no longer aligned to in-demand industry sectors or occupations; or
“(II) that results in employment with wages below the median earnings for the occupation in the State or local area due to the insufficient quality of training provided under the program.

“(B) SUBSTANTIAL VIOLATIONS.—Upon a determination, by an individual or entity specified in the procedures, that a provider of training services substantially violated any requirement under this title, or that an individual providing information on behalf of the provider intentionally supplied inaccurate information under this section, the eligibility of such provider to receive funds under chapter 3 for the program involved shall be terminated for a period of not less than 2 years.

“(C) REPAYMENT.—A provider of training services whose eligibility is terminated under subparagraph (A) or (B) of this paragraph shall be liable for the repayment of funds received under chapter 3 during a period of violation described in such subparagraph.”.

(f) TRANSITION PERIOD.—Section 122(i) (29 U.S.C. 3152(i)) is amended to read as follows:
'(i) Transition Period for Implementation.— The Governor and local boards shall implement the requirements of this section, as amended by the Workforce Innovation and Opportunity Act of 2022, not later than 12 months after the date of enactment of such Act, except that the criteria established under items (ff) and (gg) of subsection (b)(1)(D)(i)(II) may not be used until the date that is 3 years after the date of enactment of such Act.”

CHAPTER 2—YOUTH WORKFORCE INVESTMENT ACTIVITIES

SEC. 231. STATE ALLOTMENTS.

Section 127 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3162) is amended—

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

“(1) reserve 1 1/2 percent of funds appropriated under section 136(a), for each fiscal year for which funds are appropriated under such section, to provide youth workforce investment activities under section 167 (relating to migrant and seasonal farm-workers); and”; and

(2) in subsection (b)(1)—

(A) in subparagraph (A), by striking “not more than 1 1/2” and inserting “2”; and
(B) in subparagraph (B)(i), by striking “1⁄4 of”.

SEC. 232. WITHIN STATE ALLOCATIONS.

Section 128(b) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3163(b)) is amended by adding at the end the following:

“(4) TRANSFER AUTHORITY.—A local board may transfer, if such a transfer is approved by the Governor, up to and including 100 percent of the funds allocated to the local area under section 130(a)(2), and up to and including 100 percent of the funds allocated to the local area under this subsection for a fiscal year between—

“(A) activities under section 129(c); and

“(B) activities under section 130.”.

SEC. 233. USE OF FUNDS FOR YOUTH WORKFORCE INVESTMENT ACTIVITIES.

(a) COMPREHENSIVE LOCAL NEEDS ASSESSMENT.—

Section 129(a) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3164(a)) is amended to read as follows:

“(a) COMPREHENSIVE LOCAL NEEDS ASSESSMENT.—

“(1) IN GENERAL.—In order to determine which subpopulation of eligible youth a local area
can best serve, a local board shall ensure that the comprehensive needs assessment related to youth workforce investment activities under section 108(b)(9) of the local plan shall meet the requirements of this subsection, and shall be updated at least once every 4 years.

“(2) REQUIREMENTS.—A comprehensive local needs assessment described in paragraph (1) with respect to a local area shall include each of the following:

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

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

“(i) sufficient in size, scope, and quality to meet the needs of eligible youth in the local area;

“(ii) aligned to State, regional, Tribal, or local in-demand industry sectors or occupations (including career pathways),
identified by the State board or local board; and

“(iii) developed in partnership with eligible youth in the local area and aligned with their needs, including program elements and offerings.

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

“(D) A description of the progress during the most recent 2 program years covered by the local plan of the local area toward implementation of equal access to high-quality youth workforce investment activities, including—

“(i) strategies to provide eligible youth access to paid work experience opportunities and career pathways;

“(ii) strategies to overcome barriers that result in lower rates of access to, or performance gaps in, youth workforce investment activities for eligible youth;

“(iii) providing programs and activities that are designed to enable eligible youth to attain a secondary school diploma or its equivalent, or recognized postsecondary credentials;
“(iv) providing programs and activities to prepare eligible youth for high-skill, high-wage, or in-demand industry sectors or occupations that will lead to self-sufficiency; and

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

“(3) CONSULTATION.—In conducting the comprehensive needs assessment under paragraph (1)(A), the local area shall involve a diverse body of stakeholders, including, at a minimum—

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

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

“(C) representatives of business and industry (including representatives of small business), which shall include representatives of industry and sector partnerships in the State;
“(D) interested community representatives, including community-based organizations;

“(E) representatives of eligible youth, including representatives of regional or local agencies serving eligible youth;

“(F) representatives of Indian Tribes and Tribal organizations in the State, where applicable; and

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

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

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

“(B) ensure youth workforce investment activities—

“(i) are responsive to local area employment needs;

“(ii) are responsive to local area youth’s career interests and goals;
“(iii) are aligned with employment priorities in the State, regional, tribal, or local economy identified by employers and the entities described in paragraph (3), which may include high-skill, high-wage, or in-demand industry sectors or occupations identified by the local board;

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

“(v) are designed to meet current, intermediate, or long-term labor market projections; and

“(vi) allow employer input, including input from industry or sector partnerships in the local area, where applicable, into the development and implementation of youth workforce investment activities to ensure such activities align with skills and competencies required by local employment opportunities, including activities such as the identification of relevant skills, competencies, recognized postsecondary creden-
tials, and current technology and equip-
ment;
“(C) identify and encourage opportunities
for work-based learning; and
“(D) ensure funding under this part is
used in a coordinated manner with other local
resources.”.
(b) STATEWIDE ACTIVITIES.—Section 129(b) of the
Workforce Innovation and Opportunity Act (29 U.S.C.
3164(b)) is amended—
(1) by amending paragraph (1)(B) to read as
follows:
“(B) disseminating the list of eligible pro-
viders of youth workforce investment activities,
as determined under section 123, including in
transparent, linked, open, and interoperable
data formats;”; and
(2) in paragraph (2)—
(A) in subparagraph (C), by striking “de-
scribed in section 134(c)(2)” and inserting “,
including individualized career services,”;
(B) in subparagraph (D)(v), by striking
“and” at the end;
(C) in subparagraph (E), by striking the
period at the end and inserting “and”; and
(D) by adding at the end the following:

“(F) establishing, supporting, and expanding work-based learning opportunities, including transitional jobs, that are aligned with career pathways.”.

(c) LOCAL ELEMENTS AND REQUIREMENTS.—

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

(A) in subparagraph (C)—

(i) in clause (iv), by striking “in appropriate cases” and inserting “including paid work-based learning opportunities”;

and

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

and

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

(2) PROGRAM ELEMENTS.—Section 129(c)(2) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3164(c)(2) is amended to read as follows:

“(2) PROGRAM ELEMENTS.—In order to support the attainment of a secondary school diploma or
its recognized equivalent, entry into postsecondary education, and career readiness for participants, local areas shall ensure that each of following elements are provided under the programs described in paragraph (1), as appropriate, to meet the needs of eligible youth in the local area:

“(A) Tutoring, study skills training, instruction, and dropout prevention and recovery strategies that lead to completion of the requirements for a secondary school diploma or its recognized equivalent (including a recognized certificate of attendance or similar document for individuals with disabilities) or for a recognized postsecondary credential.

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

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

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

“(ii) may include, to the extent practicable—

“(I) pre-apprenticeship or apprenticeship programs;
“(II) internships and job shadowing; and

“(III) on-the-job training opportunities.

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

“(E) Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster.

“(F) Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors, as appropriate.

“(G) Supportive services.

“(H) Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;
“(I) Follow-up services for the longer of 36 months or the completion of any postsecondary education or training to which participants are referred after completion of such program.

“(J) Comprehensive guidance and counseling, including trauma-informed approaches.

“(K) Financial literacy education.

“(L) Entrepreneurial skills training.

“(M) Services that provide labor market and employment information about high-skill, high-wage, or in-demand industry sectors or occupations available in the local area, such as career awareness, career counseling, and career exploration services, which may include providing such services to elementary and secondary schools (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

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

(3) CONSISTENCY WITH COMPULSORY SCHOOL ATTENDANCE LAWS.—Section 129(e)(4) (29 U.S.C. 3164(c)(4)) is amended to read as follows:
“(4) CONSISTENCY WITH COMPULSORY SCHOOL ATTENDANCE LAWS.—In providing assistance under this section to an individual who is required to attend school under applicable State compulsory school attendance laws, the priority in providing such assistance shall be for the individual to attend school regularly.”.

SEC. 234. SUMMER AND YEAR-ROUND EMPLOYMENT FOR YOUTH.

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

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

“(a) FUNDING.—

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

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

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

“(1) shall use the funds received under this section to—

“(A) plan, develop, and carry out a summer employment program or a year-round employment program described in subsection (c);

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

“(C) engage or establish industry or sector partnerships to determine local employment needs to inform the establishment of such a program; and

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

“(2) may—
“(A) use the funds received under this section to develop technology infrastructure, including data and management systems, to support such a program;

“(B) use such funds to enhance the program elements required under subsection (c)(1); and

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

“(c) SUMMER AND YEAR-ROUND EMPLOYMENT PROGRAM REQUIREMENTS.—

“(1) PROGRAM ELEMENTS.—A summer employment program or a year-round employment program described in this subsection shall include the following program elements:

“(A) Work-readiness training (including soft skills) and educational programs aligned to career pathways for eligible youth to enhance their year-round employment opportunities, including digital literacy and online work-readiness opportunities, as appropriate, and support obtaining documentation needed for employment, such as identification or licenses.
“(B) Coaching and mentoring services for eligible youth participating in the program to enhance their summer or year-round employment opportunities and encourage completion of such opportunities through the program.

“(C) Coaching and mentoring services for employers on how to successfully employ each eligible youth participating in the program in meaningful work, including providing a safe work and training environment for all participants, regardless of race, color, disability, age, religion, national origin, sexual orientation, or gender identity.

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

“(E) High-quality financial literacy education as described in section 129(b)(2)(D), for eligible youth participating in the program, including education on the use of credit and financing higher education, and access to safe and affordable banking.

“(F) Providing supportive services to eligible youth, or connecting such youth to supportive services provided by another entity, to
enable participation in the program, which may include food and nutrition services, and health and mental health care supports.

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

“(H) Integration of services provided by the program with youth development programs, secondary school programs, career and technical education programs, youth workforce investment activities under this chapter, and skills training programs funded by the State or Federal Government, as applicable.

“(I) Connecting youth participating in the program to providers of youth services, adult employment and training services, vocational rehabilitation services, adult education and family literacy services under title II, career pathways, postsecondary education, or skills training programs funded by the State or Federal Government, as applicable.

“(J) Commitment and support from mayors or county executives to support the execution of the program.

“(2) PROGRAM DESIGN.—
“(A) Summer Employment Program.—

In addition to the program elements described in paragraph (1), a summer employment program described in this subsection shall be a program that matches eligible youth participating in such program with an appropriate employer (based on factors including the needs of the employer and the age, skill, and aspirations of the eligible youth) for high-quality summer employment, which—

“(i) may not be less than 4 weeks;

and

“(ii) may not pay less than the greater of the applicable Federal, State, or local minimum wage.

“(B) Year-Round Employment Program.—In addition to the program elements described in paragraph (1), a year-round employment program described in this subsection shall be a program that matches each eligible youth participating in the program with an appropriate employer, based on factors (including the needs of the employer and the age, skill, and informed aspirations of the participant) for high-quality, year-round employment, which—
“(i) may not be less than 180 days and more than 1 year;
“(ii) may not pay less than the greater of the applicable Federal, State, or local minimum wage; and
“(iii) may not employ the eligible youth for less than 20 hours per week.

“(3) PRIORITY.—In carrying out a summer employment program or a year-round employment program receiving assistance under this section, a local area shall give priority to year-round employment opportunities offered under such program—
“(A) in existing or emerging high-skill, high-wage, or in-demand industry sectors or occupations; or
“(B) that meet community needs in the public, private, or nonprofit sector.

“(d) PERFORMANCE ACCOUNTABILITY.—For each local board carrying out a summer or year-round employment program receiving assistance under this section, the primary indicators of performance, with respect to each such program, shall include—
“(1) the performance metrics described in clause (i)(VI), and subparagraphs (I) and (II) of clause (ii), of section 116(b)(2)(A);
“(2) the percentage of eligible youth completing
the summer or year-round program, as applicable;
and
“(3) the percentage of youth having partici-
pated in work-based learning.
“(e) REPORTS.—
“(1) IN GENERAL.—In addition to information
required as part of the State performance report de-
scribed in section 116(d)(2), each State shall include
for each summer and year round employment pro-
gram receiving assistance under this section—
“(A) the number of eligible youth partici-
pating in the program who complete a summer
employment opportunity or a year-round em-
ployment opportunity through the program;
“(B) the average cost per participant to
develop or expand such program, and the activi-
ties and services, and supportive services pro-
vided under such program;
“(C) the number of eligible youth partici-
pating in such program and accessing services
as described in subparagraph (B);
“(D) the number of youth participants re-
ceiving a subsidized wage, and the total amount
and source of each such subsidy, including the
average amount of the subsidy covered by funds received under this section;

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

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

“(i) recruitment and retention strategies; and

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

“(G) the percent of eligible youth participating in the program that are placed in—

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

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

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

“(H) any other information that the Secretary of Labor determines necessary to monitor the effectiveness of the summer or year-round employment program.
“(2) DISAGGREGATION.—The information required to be reported under subparagraphs (A), (B), and (G) of paragraphs (1) shall be disaggregated by race, ethnicity, sex, age, and the subpopulations of eligible youth (as defined in section 3).”.

CHAPTER 3—ADULT AND DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES

SEC. 241. WITHIN STATE ALLOCATIONS.

Section 133(b)(2) (29 U.S.C. 3173(b)(2)) is amended—

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

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

SEC. 242. USE OF FUNDS FOR EMPLOYMENT AND TRAINING ACTIVITIES.

(a) REQUIRED STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—

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

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

“(III) local areas by providing information on and support for the effective development, convening, and implementation of industry or sector partnerships described in subsection (c)(5);

“(IV) local areas for carrying out career pathway development efforts,
which may include alignment and coordination efforts with career and technical education programs of study; and

“(V) local areas, one-stop operators, one-stop partners, and eligible providers, including for—

“(aa) the continuous development and training of staff on strategies for preparing individuals with barriers to employment to enter in-demand industry sectors or occupations and nontraditional occupations;

“(bb) the development of exemplary program activities; and

“(cc) the provision of technical assistance to local areas that fail to meet local performance accountability measures described in section 116(e);”.

(b) ALLOWABLE STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—Section 134(a)(3)(A) (29 U.S.C. 3174(a)(3)(A)) is amended—
(1) in clause (ii), by inserting “or bringing evidenced-based programs to scale” after “strategies”; 

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

“(iii) the development or identification of, and sharing of information (in transparent, linked, open, and interoperable data formats) about, education and training programs that—

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

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

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

“(IV) accelerate course or credential completion, and facilitate the sharing of information about such programs in transparent, linked, open, and interoperable data formats;”;

(3) by amending clause (v) to read as follows:
“(v) supporting the development of alternative programs and other activities that enhance the choices available to older individuals (including options for self-employment and other wage-earning activities that lead to economic self-sufficiency), and enhance skills (such as digital literacy) in older individuals;”;

(4) in clause (viii)(II)—

(A) by amending item (dd) to read as follows:

“(dd) adult education, literacy, and digital literacy activities, including those provided by public libraries;”;

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

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

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

“(gg) programs under the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.) that support employment and economic security; and
“(hh) State domestic violence coalitions (as defined in section 302 of the Family Violence Prevention and Services Act (42 U.S.C. 10402) and tribal coalitions (as defined in section 40002(a) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(a))).”.

(c) REQUIRED LOCAL EMPLOYMENT AND TRAINING ACTIVITIES.—

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

“(iv) to provide supportive services described in paragraph (4) to adults and dislocated workers, respectively, through the one-stop delivery system in accordance with such paragraph;

“(v) to establish and develop relationships and networks with large and small employers and their intermediaries; and

“(vi) to develop, convene, or implement industry or sector partnerships described in paragraph (5).”.
(2) CAREER SERVICES.—

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

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

“(iii) initial assessment of skill levels (including literacy, digital literacy, numeracy, and English language proficiency), competencies, abilities, current applicable foreign academic and professional credentials, guidance and services on transferring high-skilled foreign certifications, and supportive service needs, which may include diagnostic testing and use of other assessment tools;”;

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

“(vi) provision of workforce and labor market employment statistics information and related skills development information, including the provision of accurate information relating to local, regional, and national labor market areas, including—
“(I) job vacancy listings in such labor market areas;
“(II) information on job skills and credentials necessary to obtain the jobs described in subclause (I); and
“(III) information on education and skills development programs that are available for attaining needed skills and credentials for the jobs described in subclause (I), including information—
“(aa) on the pathways to such skills and credentials (including information on career pathway programs in the local area);
“(bb) on the quality of such education and training programs, consistent with the performance information provided under clause (vii); and
“(cc) on the comparability of current foreign academic and
professional certifications to
needed skills and credentials; and

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

(iii) by amending clause (xi) to read
as follows:

“(xi) assistance in identifying and es-
tablishing eligibility for programs of finan-
cial aid assistance for training and edu-
cation programs that are not funded under
this Act, including Federal financial aid
under title IV of the Higher Education Act
of 1965 (20 U.S.C. 1070 et seq.) and
through State-funded education and train-
ing programs;”;

(iv) in clause (xii)—

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

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

“(V) career planning;
“(VI) assessment and development of employability skills, including development of learning skills, communication skills, interviewing skills, punctuality, and professional conduct, to prepare individuals for unsubsidized employment or training;

“(VII) financial literacy services, such as the activities described in section 129(b)(2)(D);

“(VIII) out-of-area job search assistance and relocation assistance; or

“(IX) English language acquisition and integrated education and training programs; and”; and

(v) in clause (xiii), by inserting “and options for further skill upgrading and career advancement” after “the workplace”.

(B) USE OF PREVIOUS ASSESSMENTS.—

Subparagraph (B) of section 134(c)(2) (29 U.S.C. 3174(c)(2)) is amended to read as follows:

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

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

“(ii) using such recent interview, eval-
uation, or assessment may accelerate eligi-
ibility determination or facilitate enrollment
in a training program for which such par-
ticipant has been selected.”.

(C) DELIVERY OF SERVICES.—Subpara-
graph (C) of section 134(c)(2) (29 U.S.C.
3174(c)(2)) is amended by inserting “or com-
munity-based organizations to serve individuals
with barriers to employment,” after “nonprofit
service providers,”.

(3) TRAINING SERVICES.—

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

(i) in clause (i)(II), by inserting be-
fore the semicolon at the end the following:

“, or to jobs that may be performed re-
motely”; and
by adding at the end the following:

“(iv) ADULT EDUCATION AND FAMILY LITERACY ACTIVITIES.—In the case of an individual who is determined to not have the skills and qualifications to successfully participate in the selected program of training services under clause (i)(I)(cc), the one-stop operator or one-stop partner shall make available, or refer such individual to, adult education and family literacy activities under title II.”.

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

“(iv) PARTICIPATION DURING PENDING APPLICATION.—An individual who meets the eligibility requirements under subparagraph (A)(i) to participate in a program of training services may participate in such a program during the period in which such individual’s enrollment in such program is being reviewed under this section, except that the provider of such program shall only receive reimbursement
under this Act for the individual’s participation during such period if such individual’s enrollment is approved under this section.”.

(C) Training Services.—Section 134(c)(3)(D) (29 U.S.C. 3174(c)(3)(D)) is amended by amending the matter preceding clause (i) to read as follows: “Training services may be delivered in-person or virtually, and may include—”.

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

“(E) Priority.—

“(i) In General.—With respect to funds allocated to a local area for adult employment and training activities under paragraph (2)(A) or (3) of section 133(b), not less than 75 percent of such funds, used to provide career services described in paragraph (2)(A)(xii), training services, and supportive services, shall be used to provide such services to—

“(I) recipients of public assistance;
“(II) other low-income individuals;

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

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

“(ii) Determinations of Priority.—The appropriate local board and the Governor shall direct the one-stop operators in the local area with regard to making determinations on how to prioritize the populations listed in subclauses (I) through (IV) of clause (i) for purposes of clause (i).”;

(E) Use of Individual Training Accounts.—Section 134(c)(3)(G) (29 U.S.C. 3174(c)(3)(G)) is amended—

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

“(i) In general.—

“(I) Training services.—Except as provided in clause (ii), training services provided under this paragraph shall be provided through the
use of individual training accounts in accordance with this paragraph, and shall be provided to eligible individuals through the one-stop delivery system.

“(II) AUTHORIZED COSTS.—An individual training account may provide any costs with respect to such training services, as determined by the local board, including—

“(aa) the costs of course materials, supplies, uniforms, technology, and other required fees for graduation, licensure, or certification; and

“(bb) in the case of a provider that charges tuition and fees for a training program, the cost of such tuition and fees.”;

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

“(IV) the local board determines that there is a training program demonstrating effectiveness (including cost effectiveness), and that can be offered in the local area by a commu-
nity-based organization or another
private, nonprofit organization to
serve individuals with barriers to em-
ployment;”; and
(iii) by striking clauses (iii) and (iv)
and inserting the following:
“(iii) LINKAGE TO OCCUPATIONS IN
DEMAND.—
“(I) IN GENERAL.—Subject to
subclause (II), training services pro-
vided under this paragraph shall be
directly linked to an in-demand indus-
try sector or occupation in the local
area or the planning region, or in an-
other area to which an adult or dis-
located worker receiving such services
is willing to relocate or that may be
performed remotely.
“(II) EXCEPTION.— A local
board may approve training services
for occupations determined by the
local board to be in sectors of the
economy that have a high potential
for sustained demand or growth in the
local area.
“(iv) Credential in Demand.—To the extent practicable, training services provided under this paragraph shall result in the attainment of skills and credentials that are portable and stackable.

“(v) Rule of Construction.—Nothing in this paragraph shall be construed to preclude the combined use of individual training accounts and contracts in the provision of training services, including arrangements that allow individuals receiving individual training accounts to obtain training services that are contracted for under clause (ii).”.

(F) Reimbursement for On-the-Job Training.—Section 134(c)(3)(H) (29 U.S.C. 3174(c)(3)(H)) is amended to read as follows:

“(H) Reimbursement for On-the-Job Training.—

“(i) Reimbursement Levels.—For purposes of the provision of on-the-job training under this paragraph, the Governor or local board involved may increase the amount of the reimbursement to an amount of up to 90 percent of the wage
rate of a participant for a program carried
out under chapter 2 or this chapter, if—

“(I) the Governor approves the
increase with respect to a program
carried out with funds reserved by the
State under such chapter, taking into
account the factors described in clause
(iii); or

“(II) the local board approves the
increase with respect to a program
carried out with funds allocated to a
local area under such chapter, taking
into account the factors described in
clause (iii).

“(ii) VERIFICATION BY ONE-STOP OP-
ERATOR.—The one-stop operator within a
local area shall—

“(I) at least once during the on-
the-job training program, verify that
the employer meets the conditions
that—

“(aa) were certified by the
employer in the contract for such
program; and

...
“(bb) are consistent with the factors described in clause (iii), according to a methodology determined by the local board with consent from the Governor; and

“(II) terminate the employer’s contract for such program if the employer is not meeting such conditions.

“(iii) FACTORS.—For purposes of this subparagraph, the Governor or local board, respectively, may take into account factors consisting of—

“(I) basic indicators of job quality, including—

“(aa) wage level upon completion of a training program;

“(bb) availability of benefits, such as paid time off, health insurance, and retirement savings plan; and

“(cc) a safe workplace, such as a record of compliance with safety regulations consistent with or better than the industry average and adoption of an independ-
ently certified injury and illness prevention program;
“(II) the characteristics of the participants;
“(III) the size of the employer;
“(IV) the quality of employer-provided training and advancement opportunities; and
“(V) such other factors as the Governor or local board, respectively, may determine to be appropriate, which may include the number of employees participating in the training, opportunities for promotions, predictable and stable work schedule, and relation of the training to the competitiveness of a participant.”.

(4) SUPPORTIVE SERVICES.—Section 134(c) (29 U.S.C. 3174) is further amended by adding at the end the following:
“(4) SUPPORTIVE SERVICES.—
“(A) IN GENERAL.—A portion of the funds allocated to a local area for adults under paragraph (2)(A) or (3), as appropriate, of section 133(b), and a portion of the funds allocated to
the local area for dislocated workers under section 133(b)(2)(B)—

“(i) shall be used to provide supportive services (that are not needs-related payments) to adults and dislocated workers, respectively—

“(I) who are participating in programs with activities authorized in paragraph (2) or (3) of subsection (c), or who entered unsubsidized employment after participating in such programs, for up to 12 months following the date of first employment; and

“(II) who are unable to obtain such supportive services through other programs providing such services; and

“(ii) may be used to provide needs-related payments to adults and dislocated workers, respectively, who are unemployed and do not qualify for (or have ceased to qualify for) unemployment compensation for the purpose of enabling such individuals to participate in programs of training services under subsection (c)(3).
“(B) ADDITIONAL ELIGIBILITY REQUIREMENTS FOR NEEDS-RELATED PAYMENTS.—In addition to the requirements contained in subparagraph (A)(ii), a dislocated worker who has ceased to qualify for unemployment compensation may be eligible to receive needs-related payments under this paragraph only if such worker is enrolled in training services.

“(C) LEVEL OF PAYMENTS.—The level of a needs-related payment made to a dislocated worker under this paragraph shall not exceed the greater of—

“(i) the applicable level of unemployment compensation; or

“(ii) if such worker did not qualify for unemployment compensation, an amount equal to 150 percent of the poverty line, for an equivalent period, which amount shall be adjusted to reflect changes in total family income.”.

(d) PERMISSIBLE LOCAL EMPLOYMENT AND TRAINING ACTIVITIES.—

(1) IN GENERAL.—Section 134(d)(1)(A) (29 U.S.C. 3174(d)(1)(A)) is amended—

(A) in clause (vii)—
(i) by inserting “and” at the end of subclause (III); and

(ii) by adding at the end the following:

“(IV) to strengthen, through professional development activities, the knowledge and capacity of staff to use the latest digital technologies, tools and strategies to equitably deliver high quality services and outcomes for jobseekers, workers, and employers;”;

(B) in clause (viii), strike “displaced homemakers” and insert “displaced caregivers”; and

(C) in clause (ix)(II)(bb), by inserting “, technical assistance in support of job quality, adoption of skills-based and equitable hiring practices,” after “apprenticeship”.

(2) INCUMBENT WORKER TRAINING PROGRAMS;

TRANSITIONAL JOBS.—Section 134(d) (29 U.S.C. 3174(d), as amended by this section, is further amended by striking paragraphs (2) through (5), and inserting the following:

“(2) INCUMBENT WORKER TRAINING PROGRAMS.—

“(A) IN GENERAL.—
“(i) **Standard Reservation of Funds.**—The local board may reserve and use not more than 25 percent of the funds allocated to the local area involved under section 133(b) to pay for the Federal share of the cost of providing training through a training program for incumbent workers, carried out in accordance with this paragraph.

“(ii) **Increase in Reservation of Funds.**—The local board may increase such reservation of funds for a program year if the Governor determines that the training from such funds from the prior program year resulted in career promotions for workers receiving such training and created new job vacancies. For a program year for which the reservation of funds is increased, clause (i) shall be applied by substituting ‘30 percent’ for ‘25 percent’.

“(iii) **Determination of Eligibility.**—In order for a local board to determine that an employer is eligible to receive funding under clause (i), the local
board shall take into account factors consisting of—

“(I) the basic indicators of job quality described in subsection (c)(3)(H)(iv)(I);

“(II) the characteristics of the participants in the program;

“(III) the relationship of the training to the competitiveness of a participant and the employer; and

“(IV) such other factors as the local board may determine to be appropriate, which may include the number of employees participating in the training, and the existence of other training and advancement opportunities provided by the employer.

“(iv) STATEWIDE IMPACT.—The Governor or State board involved may make recommendations to the local board for providing incumbent worker training that has statewide impact.

“(B) TRAINING ACTIVITIES.—The training program for incumbent workers carried out under this paragraph shall be carried out by the
local board in conjunction with the employers or
groups of employers of such workers (which
may include employers in partnership with
other entities for the purposes of delivering
training) for the purpose of assisting such
workers in obtaining the skills necessary to re-
tain employment or avert layoffs.

“(C) EMPLOYER PAYMENT OF NON-FED-
eral share.—Employers participating in the
program carried out under this paragraph shall
be required to pay for the non-Federal share of
the cost of providing the training to incumbent
workers of the employers.

“(D) NON-FEDERAL SHARE.—

“(i) FACTORS.—Subject to clause (ii),
the local board shall establish the non-Fed-
eral share of the cost of providing training
through a training program for incumbent
workers, by considering—

“(I) the indicators of quality jobs
described in clause (c)(3)(H)(iv); and

“(II) which indicators described
in clause (c)(3)(H)(iv) or how many
of such indicators the employer cer-
tifies will be met with respect to the
employment of incumbent workers upon completion of training funded under this section.

“(ii) LIMITS.—The non-Federal share shall not be less than—

“(I) 10 percent of the cost, for employers with not more than 50 employees;

“(II) 25 percent of the cost, for employers with more than 50 employees but not more than 100 employees; and

“(III) 50 percent of the cost, for employers with more than 100 employees.

“(iii) CALCULATION OF EMPLOYER SHARE.—The non-Federal share provided by an employer participating in the program may include the amount of the wages paid by the employer to a worker while the worker is attending a training program under this paragraph. The employer may provide the share in cash or in kind, fairly evaluated.
“(E) Verification by one-stop operator.—Upon completion of the incumbent worker training program funded under this section, the one-stop operator within a local area shall verify that the employer met the conditions that were certified to prior to receiving the Federal share of the training program’s costs, consistent with this paragraph, according to a methodology determined by the Governor or local board. If such conditions were not met, the one-stop operator shall prohibit the employer from receiving funds for incumbent worker training under this section for a period of 5 years.

“(3) Transitional jobs.—The local board may use not more than 40 percent of the funds allocated to the local area involved under section 133(b) to provide transitional jobs under subsection (c)(3) that—

“(A) are time-limited work experiences that are subsidized and are in the public, private, employment social enterprise, or nonprofit sectors for individuals with barriers to employment who are chronically unemployed or have an inconsistent work history;
“(B) are combined with comprehensive employment and supportive services; and

“(C) are designed to assist the individuals described in subparagraph (A) to establish a work history, demonstrate success in the workplace, and develop skills that lead to entry into and retention in unsubsidized employment.”.

CHAPTER 4—GENERAL WORKFORCE INVESTMENT PROVISIONS

SEC. 251. AUTHORIZATION OF APPROPRIATIONS.

Section 136 (29 U.S.C. 3181) is amended to read as follows:

“SEC. 136. AUTHORIZATION OF APPROPRIATIONS.

“(a) YOUTH WORKFORCE INVESTMENT ACTIVITIES.—There are authorized to be appropriated to carry out the activities described in section 127(a), $1,026,450,000 for fiscal year 2023, $1,129,100,000 for fiscal year 2024, $1,242,000,000 for fiscal year 2025, $1,366,200,000 for fiscal year 2026, $1,502,800,000 for fiscal year 2027, and $1,653,100,000 for fiscal year 2028

“(b) SUMMER AND YEAR-ROUND EMPLOYMENT ACTIVITIES.—There are authorized to be appropriated to section 130, $926,650,000 for fiscal year 2023, $1,019,300,000 for fiscal year 2024, $1,121,250,000 for fiscal year 2025, $1,233,400,000 for fiscal year 2026,
144

1 $1,356,750,000 for fiscal year 2027, and $1,492,450,000
2 for fiscal year 2028.
3 
4 “(c) Adult Employment and Training Activities.—There are authorized to be appropriated to carry
5 out the activities described in section 132(a)(1),
6 $1,555,600,000 for fiscal year 2023, $1,711,200,000 for
7 fiscal year 2024, $1,882,300,000 for fiscal year 2025,
8 $2,070,500,000 for fiscal year 2026, $2,277,600,000 for
9 fiscal year 2027, and $2,505,400,000 for fiscal year 2028.
10 “(d) Dislocated Worker Employment and
11 Training Activities.—There are authorized to be ap-
12 propriated to carry out the activities described in section
13 132(a)(2), $2,486,300,000 for fiscal year 2023,
14 $2,734,900,000 for fiscal year 2024, $3,008,400,000 for
15 fiscal year 2025, $3,309,200,000 for fiscal year 2026,
16 $3,640,100,000 for fiscal year 2027, and $4,004,100,000
17 for fiscal year 2028.”.
18 
19 Subtitle C—Job Corps

20 SEC. 261. Amendments Relating to Job Corps.

21 (a) Definitions.—

22 (1) In General.—Section 142 (29 U.S.C.
23 3192) is amended—

24 (A) by amending paragraph (7) to read as

25 follows:
“(7) JOB CORPS CAMPUS.—The term ‘Job Corps campus’ means a campus run by an operator selected by the Secretary pursuant to section 147, carrying out Job Corps activities.”; and

(B) by adding at the end the following:

“(11) STATE.—The term ‘State’ has the meaning given the term in section 3, except that such term also includes outlying areas (as defined in section 3).”.

(2) CONFORMING AMENDMENTS.—Subtitle C of title I (29 U.S.C. 3191 et seq.) is amended—

(A) by striking “Job Corps center” each place such term appears and inserting “Job Corps campus”; and

(B) by striking “Job Corps centers” each place such term appears and inserting “Job Corps campuses”.

(b) INDIVIDUALS ELIGIBLE FOR THE JOB CORPS.—

Section 144 (29 U.S.C. 3194) is amended—

(1) in subsection (a)—

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

“(1) not less than age 16 and not more than age 24 on the date of enrollment, except that such maximum age limitation may be waived by the Sec-
retary, in accordance with regulations of the Sec-
retary, up to age 28 in the case of an individual with
a disability or a justice-involved individual; and”;

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as
paragraph (2) and by amending such para-
graph—

(i) in subparagraph (A), by striking
“Basic skills deficient” and inserting “An
individual with foundational skill needs”;

(ii) in subparagraph (B), by striking
“A school dropout” and inserting “An op-
portunity youth”;

(iii) in subparagraph (D), by inserting
“or an individual who is pregnant” before
the period;

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

“(G)(i) A low-income individual as defined
in subsection (h)(4) of section 402A of the
Higher Education Amendments of 1992 (20
U.S.C. 1070a-11) as determined using proce-
dures similar to those in subsection 402a(e) of
such section; or
“(ii) a resident of a qualified opportunity zone as defined in section 1400Z–1(a) of the Internal Revenue Code of 1986.”; and

(2) by amending subsection (b) to read as follows:

“(b) SPECIAL RULE FOR VETERANS.—A veteran shall be eligible to become an enrollee if the veteran meets the requirements of subsection (a)(1).”.

(e) RECRUITMENT, SCREENING, SELECTION, AND ASSIGNMENT OF ENROLLEES.—Section 145(a) (29 U.S.C. 3195(a)) is amended—

(1) in paragraph (2)—

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

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

(C) by adding at the end the following:

“(F) assist one-stop centers and other entities identified in paragraph (3) in developing joint applications for Job Corps, YouthBuild, and youth workforce investment activities under which an applicant may submit a single application for all such programs.”; and

(2) in paragraph (5), by striking the last sentence.
(d) JOB CORPS CAMPUSES.—Section 147 (29 U.S.C. 3197) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (A), by inserting at the end the following: “Such award shall be based upon best value and fair and reasonable pricing.”; and

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

“(B) CONSIDERATIONS.—

“(i) STUDENT OUTCOMES.—In selecting an entity to operate a Job Corps campus, the Secretary shall consider a numeric metric of recent past effectiveness of the entity in assisting opportunity youth to connect to the workforce, to be calculated based on data regarding—

“(I) the percentage of students served by the entity who were in education or training activities, or in unsubsidized employment, during the second quarter after exit from the relevant program;
“(II) the percentage of students served by the entity who were in education or training activities, or in unsubsidized employment, during the fourth quarter after exit from the relevant program;

“(III) the median earnings of students served by the entity who were in unsubsidized employment during the second quarter after exit from the relevant program;

“(IV) the percentage of students served by the entity who obtained a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent, during participation in or within 1 year after exit from the relevant program;

“(V) expected levels of performance established under section 159(c)(2) or similar metrics for recruitment of eligible youth for relevant contracts or grants.

“(ii) MARKET DEVELOPMENT.—
“(I) Mentor-Protégé Program.—The Secretary shall carry out a mentor-protégé program in accordance with section 45 of the Small Business Act (15 U.S.C. 657r) with respect to Job Corps campus operations.

“(II) Past-Performance.—The Secretary shall publish comparable alternative metrics for entities without previous experience in Job Corps campus operations to demonstrate their past effectiveness in accordance with the requirements of clause (i).”; and

(B) in paragraph (3)—

(i) in subparagraph (A), by inserting “high-skill, high-wage, or” before “in-demand”; 

(ii) in subparagraph (C), by striking “Workforce Investment Act of 1998” and inserting “Workforce Innovation and Opportunity Act”; 

(iii) by redesignating subparagraph (K) as subparagraph (L); and
(iv) by inserting after subparagraph (J) the following:

“(K) A description of the entity’s ability to demonstrate a record of successfully operating a safe learning and residential environment for opportunity youth.”;

(2) in subsection (b), by striking paragraphs (2) and (3) and inserting the following:

“(2) HIGH PERFORMANCE.—An entity shall be considered to be an operator of a high-performing campus if the Job Corps campus operated by the entity was ranked among the top 25 percent of Job Corps campuses, excluding Civilian Conservation Centers described in subsection (d), for the two most recent preceding program years.”;

(3) in subsection (d), by adding at the end the following:

“(4) DIRECT HIRE AUTHORITY.—The Secretary of Agriculture may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code (other than sections 3303 and 3328 of such title), a graduate of a Civilian Conservation Center who successfully completed a training program focused on forestry, wildland firefighting, or another topic relating to the mission of
the Forest Service directly to a position with the Department of Agriculture, Forest Service, for which the candidate meets Office of Personnel Management qualification standards.”;

(4) in subsection (f), by striking “2-year” and inserting “4-year”;

(5) in subsection (g)(1), by striking “the preceding year for which information is available” and all that follows through the end and inserting “the preceding year for which information is available, such campus has been ranked in the lowest 10 percent of Job Corps campuses.”.

(e) Program Activities.—Section 148(a) (29 U.S.C. 3198(a)) is amended, in the subsection heading, by inserting “Academic” before “Activities”.

(f) Support.—Section 150 (29 U.S.C. 3200) is amended—

(1) in subsection (e), by striking “3 months” and inserting “12 months”; and

(2) by adding at the end the following:

“(d) Period of Transition.—Notwithstanding the requirements of section 146(b), Job Corps graduates may remain enrolled and a resident of a Job Corps campus for not more than 1 month after graduation, subject to approval by the director of the Job Corps Campus, in
order to facilitate their transition into independent living
and employment.”.

(g) OPERATIONS.—Section 151 (29 U.S.C. 3201) is
amended to read as follows:

“SEC. 151. OPERATIONS.

“(a) OPERATING PLAN.—

“(1) IN GENERAL.—The provisions of the con-
tact between the Secretary and an entity selected to
operate a Job Corps campus shall, including any
subsequent modifications to such contract, serve as
an operating plan for the Job Corps campus.

“(2) FEDERAL CHANGES TO OPERATING
PLAN.—The Secretary may require the operator to
submit additional information, as the Secretary
deems necessary for compliance with any relevant
regulations, which shall be considered part of the op-
erating plan.

“(3) AVAILABILITY.—The Secretary shall make
the operating plan described in paragraphs (1) and
(2), excluding any proprietary information, available
on a publicly accessible website.

“(b) LOCAL AUTHORITIES.—Subject to the limita-
tions of their approved budgets, the operators of Job
Corps campuses shall have the authority, without prior ap-
proval from the Secretary, to—
“(1) hire staff and invest in staff professional development;

“(2) enter into agreements with local partners, such as secondary and postsecondary schools or employers; and

“(3) engage with and educate stakeholders about Job Corps operations and activities.”.

(h) STANDARDS OF CONDUCT.—Section 152 (29 U.S.C. 3202) is amended—

(1) in subsection (a), by striking the second sentence;

(2) by amending subsection (b) to read as follows:

“(b) BEHAVIORAL MANAGEMENT PLAN.—

“(1) IN GENERAL.—As part of the operating plan defined in section 151(a), the director of each Job Corps campus shall develop and implement a behavioral management plan, subject to the approval of the Secretary. Such plan shall include student standards of conduct, positive behavioral interventions and supports, and multi-tier disciplinary systems.

“(2) DISCIPLINARY MEASURES AND DRUG TESTING.—
“(A) DISCIPLINARY MEASURES.—To promote the proper behavioral standards in the Job Corps, the director of each Job Corps campus shall, consistent with the applicable behavioral management plan described in paragraph (1), have the authority to take appropriate disciplinary measures against enrollees if such director determines that an enrollee has committed a violation of the standards of conduct. The director shall adopt a zero tolerance policy for an act of violence or a credible threat of violence that seriously endangers the safety of students, staff, or the local community and for illegal activity on the campus.

“(B) DRUG TESTING.—The Secretary shall require drug testing of all enrollees for controlled substances, as set forth in section 102 of the Controlled Substances Act (21 U.S.C. 802), in accordance with procedures prescribed by the Secretary under section 145(a).

“(C) DEFINITIONS.—In this paragraph:

“(i) CONTROLLED SUBSTANCE.—The term ‘controlled substance’ has the meaning given the term in section 102 of the

“(ii) ZERO TOLERANCE POLICY.—The term ‘zero tolerance policy’ means a policy under which an enrollee shall be automatically dismissed from the Job Corps after a determination by the director that the enrollee has carried out an act of violence that seriously endangers the safety of students, staff, or the local community or engaged in an illegal activity on the campus.

“(3) ADVISORY GROUP.—The Secretary shall periodically convene an advisory group of Job Corps operators and service providers and subject matter experts to review the reporting data collected under paragraph (5) and provide recommendations for Job Corps behavioral management plans based on evidence-based research regarding effective and equitable behavioral policies.

“(4) LAW ENFORCEMENT AGREEMENTS.—The directors of each Job Corps campus shall enter into an agreement with the relevant local law enforcement agency of jurisdiction regarding the procedures for reporting and investigating potentially illegal activity on Job Corps campuses.
“(5) INCIDENT REPORTING.—The Secretary shall establish procedures for—

“(A) reporting significant health incidents, including substance abuse, self-harm, and accidents resulting in bodily harm; and

“(B) reporting significant behavioral incidents, defined as acts of violence or illegal activity.

“(6) ACCOUNTABILITY.—The Secretary shall establish standards under which a Job Corps campus shall be required to take performance improvement actions described in section 159(f), based on an evaluation of such Job Corps campus, which shall take into account reporting data collected under paragraph (5) and recommendations of the advisory group pursuant to paragraph (3).”.

(i) EXPERIMENTAL PROJECTS AND TECHNICAL ASSISTANCE.—Section 156(a) (29 U.S.C. 3206(a)) is amended to read as follows:

“(a) PROJECTS.—The Secretary may carry out experimental, research, or demonstration projects relating to evidence-based strategies for improving the operations of a Job Corps campus that was ranked among the bottom 10 percent of Job Corps campuses. The Secretary may waive any provisions of this subtitle that the Secretary
finds would prevent the Secretary from carrying out the projects (other than sections 145, 147, and 159(c)) provided that—

“(1) the project will not result in a reduction in the number of students served; and

“(2) if the Secretary informs the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, in writing, not less than 90 days in advance of issuing such waiver.”.

(j) Application of Provisions of Federal Law.—

(1) In general.—Section 157 (29 U.S.C. 3207) is amended by adding at the end the following:

“(d) Service Contract Act.—

“(1) In general.—Operators and service providers, including subcontractors thereto, are subject to and shall be required to abide by chapter 67 of title 41, United States Code (commonly known as the ‘McNamara-O’Hara Service Contract Act of 1965’).

“(2) Academic and Career Technical Instructional Employees.—Notwithstanding sec-
tion 6701(3)(C) of such chapter, an academic or ca-
creer technical instructional employee at a Job Corps
campus shall be considered a ‘service employee’ for
purposes of applying such chapter under paragraph
(1).

“(3) RULE OF CONSTRUCTION.—To the extent compensation levels being paid or scheduled to be paid by an employer are, in the aggregate, greater than those determined by the Secretary of Labor to be required under this subsection, or as set forth in a collective bargaining agreement, nothing herein shall be construed to require a reduction of such compensation.”.

(2) EFFECTIVE DATE.—

(A) AGREEMENTS IN EFFECT ON DATE OF ENACTMENT.—Not later than 60 days after the date of enactment of this Act, the Secretary shall, subject to appropriations, modify all agreements with operators and service providers in effect as of such date of enactment to include the requirements imposed by the amendment made by paragraph (1).

(B) PENDING SOLICITATIONS.—Upon the date of enactment of this Act, the Secretary shall include the requirements imposed by the
(k) STAFFING.—

(1) IN GENERAL.—To ensure compliance with chapter 67 of title 41, United States Code (commonly known as the ‘McNamara-O’Hara Service Contract Act of 1965’), as such chapter is applied by section 157(d) of the Workforce Innovation and Opportunity Act, the staffing plan and the associated budget of an entity proposing to be an operator or service provider for a Job Corps campus shall incorporate hourly wages (or salaries as appropriate) and fringe benefit costs for occupational classifications at least equal to the wage determination determined by the Secretary of Labor for the locality of the Job Corps campus. In preparing such wage determination, the Secretary shall compare the specific job classifications at the Job Corps campus with those occupations most closely correlated with those employed by public education providers in the locality with the goal of ensuring equivalency to the maximum extent feasible.

(2) ADJUSTMENTS PERMITTED.—The Secretary may further adjust compensation levels in a contract
with an operator or service provider to ensure sufficient availability and retention of qualified personnel in the locality.

(3) **Annual Updates.**—The Secretary shall update hourly wages (or salaries as appropriate) and fringe benefit levels for such occupations covered in this paragraph on an annual basis.

(l) **Special Provisions.**—Section 158(f) (29 U.S.C. 3208(f)) is amended—

(1) by striking “Secretary” and inserting “directors of Job Corps campuses”;

(2) by striking “the Job Corps or individual” and inserting “such”; and

(3) by adding at the end the following: “Any real property acquired shall be directly transferred to the Secretary in accordance with chapter 5 of title 40 and on a nonreimbursable basis.”

(m) **Management Information.**—Section 159 (29 U.S.C. 3209) is amended—

(1) in subsection (a), by adding at the end the following:

“(4) **Annual Reconciliation.**—Prior to the expiration of any appropriated Job Corps operations funds for any fiscal year, any anticipated unobligated funds may, subject to appropriations, be obli-
gated to projects identified under subsection (h)(1).”;

(2) in subsection (c)—

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

“(1) LEVELS OF PERFORMANCE AND INDICATORS.—

“(A) IN GENERAL.—At the start of each contract period, and at least every two program years in the case of Civilian Conservation Centers, the Secretary shall establish expected levels of performance for each Job Corps campus relating to each of the primary indicators of performance for eligible youth described in section 116(b)(2)(A)(ii) using the model described in subparagraph (B).

“(B) PERFORMANCE MODEL.—At least every four years and no more than every two years, the Secretary shall develop a model for establishing the expected levels of performance for each Job Corps campus, in accordance with the following:

“(i) EQUITY.—The model shall account for significant correlations between
various factors and student outcomes, including:

“(I) Student demographics, including age, gender, race, ethnicity, documented disabilities, and education level on entry.

“(II) Employment conditions in students’ home communities.

“(ii) DEVELOPMENT.—The model shall be developed by subject matter experts in the fields of Job Corps operations, program evaluation, statistical analysis, and related fields using available Job Corps data as well as regional economic data.

“(iii) TRANSPARENCY.—The performance model and the past effectiveness metric identified in section 147(a)(2)(B)(i), including the procedures outlined in section 147(a)(2)(B)(iv), shall be published for comment in the Federal Register.”;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “and” at the end; and
(ii) by striking subparagraph (B) and inserting the following:

“(B) the number of enrollees recruited that meet the requirements of section 144(a); and

“(C) the measurement described in subparagraph (K) of subsection (d)(1).”; and

(C) in paragraph (4)—

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

(ii) in subparagraph (B), by striking the period at the end and inserting “; and”;

(iii) by adding at the end the following:

“(C) information on the performance of the Job Corps selection process in section 147(a)(2) with respect to increasing performance as measured pursuant to subparagraph (A), specifically including information on the performance of each Job Corps campus as compared to its annual performance immediately prior to its current operating agreement.’’’.

(3) in subsection (d)(1)—

(A) by striking subparagraph (I); and
(B) by redesignating subparagraphs (J) through (O) as subparagraphs (I) through (N), respectively;

(4) in subsection (f)—

(A) in paragraph (2)—

(i) in subparagraph (E), by adding “or” at the end;

(ii) in subparagraph (F), by striking “; or” and inserting a period; and

(iii) by striking subparagraph (G);

and

(B) by amending paragraph (4) to read as follows:

“(4) CIVILIAN CONSERVATION CENTERS.—In addition to the primary indicators of performance specified in subsection (c)(1), Civilian Conservation Centers shall be evaluated on their contribution to the nation’s conservation goals by the Secretaries of Agriculture and Labor. If the Secretaries jointly conclude that a Civilian Conservation Center is not meeting these dual performance goals, they may take performance improvement actions described in subparagraph (A), (B), or (C) of paragraph (2) of this subsection.”; and

(5) in subsection (g)(2)—
(A) by striking “has entered” and inserting “enters”; and

(B) by striking “comply” and inserting “attest to compliance”.

(n) TECHNICAL AMENDMENT.—Subtitle C of title I (29 U.S.C. 3191 et seq.) is amended by striking “Committee on Education and the Workforce” each place it appears and inserting “Committee on Education and Labor”.

(o) AUTHORIZATION OF APPROPRIATIONS.—Section 162 (29 U.S.C. 3212) is amended to read as follows:

“SEC. 162. AUTHORIZATION OF APPROPRIATIONS.

“(a) IN GENERAL.—There are authorized to be appropriated to carry out this subtitle—

“(1) $1,809,857,925 for fiscal year 2023;
“(2) $1,873,202,952 for fiscal year 2024;
“(3) $1,938,765,056 for fiscal year 2025;
“(4) $2,006,621,833 for fiscal year 2026;
“(5) $2,076,853,597 for fiscal year 2027; and
“(6) $2,149,543,473 for fiscal year 2028.

“(b) CONSTRUCTION COSTS.—Of the amount authorized in subsection (a) for each of fiscal years 2023 through 2028, $107,800,000 shall be for construction, rehabilitation, and acquisition of Job Corps Campuses.”.
Subtitle D—National Programs

SEC. 271. NATIVE AMERICAN PROGRAMS.

Section 166 (29 U.S.C. 3221) is amended—

(1) in subsection (c), by striking ‘‘, on a com-
petitive basis,’’;

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ‘‘and’’ at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting ‘‘; and’’; and

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

‘‘(C) are evidence-based, to the extent practicable.’’; and

(B) by amending paragraph (2) to read as

follows:

‘‘(2) WORKFORCE DEVELOPMENT ACTIVITIES
AND SUPPLEMENTAL SERVICES.—Funds made avail-
able under subsection (c) shall be used for—

‘‘(A) comprehensive workforce development
activities for Indians, Alaska Natives, or Native
Hawaiians, including training on entrepre-
neurial skills; or
“(B) supplemental services for Indian, Alaska Native, or Native Hawaiian youth on or near Indian reservations and in Oklahoma, Alaska, or Hawaii.”; and

(3) in subsection (i)—

(A) in paragraph (1)—

(i) in the heading, by striking “UNIT” and inserting “DIVISION”; and

(ii) by striking “unit” and inserting “division”;

(B) in paragraph (4)—

(i) by amending subparagraph (B) to read as follows:

“(B) COMPOSITION.—

“(i) IN GENERAL.—The Council shall be composed of individuals, appointed by the Secretary, who are representatives of the entities described in subsection (c).

“(ii) VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member’s predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expi-
ration of that member’s term until a successor has taken office.’’; and

(ii) in subparagraph (C), by striking “unit” and inserting “division”; and

(C) in paragraph (5), by striking “unit” and inserting “division”.

SEC. 272. MIGRANT AND SEASONAL FARMWORKER PROGRAMS.

Section 167 (29 U.S.C. 3222) is amended—

(1) in subsection (d), by inserting “be used for the 4-year period for which funds are provided under this section, and which may” after “which may;”;

(2) in subsection (h)—

(A) in the heading, by inserting “; FUNDING OBLIGATION” after “FUNDING ALLOCATION”;

(B) by striking “From the” and inserting the following:

“(1) FUNDING ALLOCATION.—From the”; and

(C) by adding at the end the following:

“(2) FUNDING OBLIGATION.—

“(A) IN GENERAL.—Funds appropriated and made available to carry out this section for any fiscal year may be obligated to any entity described in subsection (b) during the period
beginning on April 1 of the calendar year that
begins during such fiscal year, and ending on
June 30 of the following calendar year.

“(B) OBLIGATED AMOUNT.—Funds made
available under this section for a fiscal year to
any entity described in subsection (b) shall be
obligated and available for expenditure by such
entity for the period beginning on July 1 of the
calendar year that begins during such fiscal
year, and ending on June 30 of the following
calendar year, except that the Secretary may
extend such period if the Secretary determines
that such extension is necessary to ensure the
effective use of such funds by such entity.”; and

(3) in subsection (i)(3)(A)(i), by striking “12”
and inserting “8”.

SEC. 273. TECHNICAL ASSISTANCE.

Section 168(a)(1) (29 U.S.C. 3223(a)(1)) is amend-
ed—

(1) in the matter preceding subparagraph (A),
by striking “staff development” and inserting “pro-
fessional development for staff”;

(2) in subparagraph (C), by inserting “profes-
sional development and” after “the”;
(3) in subparagraph (D), by inserting “professional development and” after “the”;
(4) in subparagraph (G), by striking “and” at the end;
(5) in subparagraph (H), by striking the period at the end and inserting “; and” ; and
(6) by adding at the end the following:
“(I) the training of staff at one-stop centers on trauma-informed approaches, gender and racial biases, and the unique safety challenges faced by survivors of gender-based violence.”.

SEC. 274. EVALUATIONS AND RESEARCH.

Section 169 (29 U.S.C. 3224) is amended—
(1) in subsection (a)—
(A) in paragraph (4), by striking “2019” and inserting “2027”; and
(B) in paragraph (6), by striking “the Workforce” and inserting “Labor”;
(2) in subsection (b)—
(A) in paragraph (1), by striking “the Workforce” and inserting “Labor”; and
(B) in paragraph (4)—
(i) by striking subparagraphs (B) through (J);
(ii) by redesignating subparagraph (K) as subparagraph (C);

(iii) by inserting after subparagraph, the following:

“(B) Study on Correctional Education and Training.—The Secretary of Labor, in coordination with the Secretary of Education, may conduct a study to determine the feasibility of, and potential means to replicate the measurement of recidivism for former criminal offenders who participated in adult employment and training activities under this title or correctional institution education programs under title II to improve the quality and performance of such services or activities.”; and

(iv) in subparagraph (C), as so redesignated, by striking “the Workforce” and inserting “Labor”;

(3) by redesignating subsection (e) as subsection (d); and

(4) by inserting after subsection (b) the following:

“(c) Workforce Development Innovation Fund.—

“(1) Program Authorized.—
“(A) IN GENERAL.—The Secretary may award workforce development innovation grants, on a competitive basis, to eligible entities to enable such entities to—

“(i) create, implement, replicate, or take to scale entrepreneurial, evidence-based, field-initiated innovation programs and services for improving the design and delivery of employment and training services that generate long-term improvements in the performance of the workforce development system, in outcomes for job-seekers (including individuals with barriers to employment), and in the cost-effectiveness of programs and services; and

“(ii) rigorously evaluate such programs and services in accordance with this subsection.

“(B) DESCRIPTION OF GRANTS.—The grants described in subparagraph (A) shall include—

“(i) early-phase grants to fund the development, implementation, and feasibility testing of an innovation program or service, which prior research suggests has
promise, for the purpose of determining
whether such program or service can suc-
cessfully improve the design and delivery of
employment and training services that gen-
erate long-term improvements in the per-
formance of the workforce development
system, in outcomes for job-seekers (in-
cluding individuals with barriers to employ-
ment), and in the cost-effectiveness of such
programs and services;

“(ii) mid-phase grants to fund imple-
mentation and a well-designed and well-im-
plemented evaluation of such a program or
service that has been successfully imple-
mented under an early-phase grant de-
scribed in clause (i) or other effort meeting
similar criteria, for the purpose of meas-
uring the impact and cost effectiveness of
such programs or services, using data col-
lected pursuant to the implementation of
such program or service, if possible; and

“(iii) expansion grants to fund imple-
mentation and a well-designed and well-im-
plemented replication evaluation of such a
program or service that has been found to
produce sizable, important impacts under a mid-phase grant described in clause (ii) or other effort meeting similar criteria, for the purposes of—

“(I) determining whether such impacts may be successfully reproduced and sustained over time; and

“(II) identifying the conditions in which such a program or service is most effective.

“(2) TECHNICAL ASSISTANCE.—Of the funds made available to carry out this subsection for a fiscal year, the Secretary shall reserve not more than 5 percent of the funds to—

“(A) provide technical assistance to eligible entities, which may include preapplication workshops, web-based seminars, and evaluation support; and

“(B) disseminate evidence-based best practices.

“(3) DEFINITIONS.—In this subsection:

“(A) ELIGIBLE ENTITY.—The term ‘eligible entity’ means any of the following:

“(i) A State board.

“(ii) A local board.
“(iii) An Indian tribe, tribal organization, Alaska Native entity, Indian-controlled organization serving Indians, or Native Hawaiian organization that is eligible to receive an award under section 166.

“(iv) A community-based, nonprofit, or nongovernmental organization serving an underserved population.

“(v) A consortium of such entities described under clause (i) through clause (iv).

“(B) WELL-DESIGNED AND WELL-IMPLEMENTED.—The term ‘well-designed and well-implemented’, as applied to an evaluation study, means a study that is replicable, uses programmatic and control groups that are representative of the type of population served by the program, uses controls for aggregate shifts that might affect baseline numbers, does not have problems with attrition from the program, and takes measures to avoid creaming.

“(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection, such sums as may be necessary for each of the fiscal years 2023 through 2028.”.
SEC. 275. NATIONAL DISLOCATED WORKER GRANTS.

Section 170(c)(1)(B) (29 U.S.C. 3225(c)(1)(B)) is amended by striking “and any other” and all that follows through “dislocations.” and inserting “which may include a national or regional intermediary that provides employment and training activities to dislocated workers.”.

SEC. 276. YOUTHBUILD PROGRAM.

Section 171 (29 U.S.C. 3226) is amended—

(1) in subsection (c)—

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

“(1) RESERVATION, AMOUNT OF GRANTS.—

“(A) RESERVATION.—In any fiscal year in which the amount appropriated to carry out this section is greater than $125,000,000, the Secretary shall reserve 20 percent of such amount that is greater than $125,000,000 for—

“(i) grants to applicants that are located in rural areas (as defined by the Secretary); and

“(ii) programs operated by an Indian tribe or for the benefit of the members of an Indian Tribe for the purpose of carrying out YouthBuild programs approved under this section.
“(B) AMOUNT OF GRANTS.—After making the reservation described under subparagraph (A), the Secretary may use the remaining amount appropriated to carry out this section to make grants to applicants for the purpose of carrying out YouthBuild programs approved under this section.”;

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in clause (iv)(I), by striking “language”;

(II) in clause (vii), by striking “12” and inserting “24”; and

(ii) by adding at the end the following:

“(I) Provision of meals and other food assistance that is offered to participants in conjunction with another activity described in this paragraph.

“(J) Informing participants of their eligibility, and assisting participants in applying, for Federal and State means tested benefit programs, such as the supplemental nutrition assistance program, and assistance provided by
the State through the Child Care Development Block Grant Act.

“(K) Supportive services for individuals with disabilities to ensure such individuals may fully participate in a YouthBuild program.”;

and

(C) by adding at the end the following:

“(6) USE OF FUNDS FOR MATCH.—Consistent with the requirements described under subsection (e)(3), an entity which receives a grant under this section may use a portion of such grant to meet all or a portion of the requirement to provide matching funds under section 121(e) of the National and Community Service Act of 1990 (42 U.S.C. 12571(e)) or any other such requirements under such Act.”;

(2) in subsection (e)(1)—

(A) in subparagraph (A)(ii), by striking “youth offender” and inserting “youth justice-involved individual”; and

(B) in subparagraph (B)(i), by striking “basic skills deficient” and inserting “foundational skill needs”;

(3) in subsection (f), by adding at the end the following:
“(3) CONSULTATION.—In establishing expected levels of performance under paragraph (1), the Secretary shall consult, on not less than an annual basis, with YouthBuild programs to ensure such levels of performance account for the workforce and postsecondary experiences of youth served by such programs.”;

(4) in subsection (g), by adding at the end the following:

“(4) ANNUAL RELEASE OF FUNDING OPPORTUNITY ANNOUNCEMENT.—The Secretary shall, to the greatest extent practicable, announce new funding opportunities for grants under this section during the same time period each year that such grants are announced.

“(5) STATE WAGE DATA.—States receiving grants under this Act shall facilitate access to wage data of participants in YouthBuild programs for the purpose of meeting the requirements of this section. Such facilitation shall not reduce any protections afforded by the State that protect the privacy of participant information.”; and

(5) by amending subsection (i) to read as follows:
“(i) Authorization of Appropriations.—There are authorized to be appropriated to carry out this section—

“(1) $159,500,000 for fiscal year 2023;
“(2) $167,500,000 for fiscal year 2024;
“(3) $175,900,000 for fiscal year 2025;
“(4) $184,700,000 for fiscal year 2026;
“(5) $193,000,000 for fiscal year 2027; and
“(6) $203,600,000 for fiscal year 2028.”.

SEC. 277. STRENGTHENING COMMUNITY COLLEGES TRAINING GRANTS PROGRAM.

Subtitle D of title I (29 U.S.C. 3221 et seq.), as amended by this Act is further amended—

(1) by redesignating section 172 as section 176;

and

(2) by inserting after section 171 the following:

“SEC. 172. STRENGTHENING COMMUNITY COLLEGES TRAINING GRANTS PROGRAM.

“(a) Purposes.—The purposes of this section are—

“(1) to establish, improve, or expand high-quality educational or career training programs at community colleges; and

“(2) to expand opportunities for individuals to obtain recognized postsecondary credentials that are nationally or regionally portable and stackable for
high-skill, high-wage, or in-demand industry sectors
or occupations.

“(b) Strengthening Community Colleges
Training Grants Program.—

“(1) In general.—From the amounts appropriated to carry out this section under subsection (k) and not reserved under paragraph (2), the Secretary shall, on a competitive basis, make grants to eligible institutions to carry out the activities described in subsection (e).

“(2) Reservation.—Of the amounts appropriated to carry out this section under subsection (k), the Secretary may reserve not more than two percent for the administration of grants awarded under this section, including—

“(A) providing technical assistance and targeted outreach to support eligible institutions serving a high number or high percentage of low-income individuals or individuals with barriers to employment, and rural-serving eligible institutions, to provide guidance and assistance in the process of applying for grants under this section; and

“(B) evaluating and reporting on the performance and impact of programs funded under
this section in accordance with subsections (f) through (h).

“(c) AWARD PERIOD.—

“(1) INITIAL GRANT PERIOD.—Each grant under this section shall be awarded for an initial period of not more than 4 years.

“(2) SUBSEQUENT GRANTS.—An eligible institution that receives an initial grant under this section may receive one or more additional grants under this section for additional periods of not more than 4 years each if the eligible institution demonstrates that the community college and industry partnership supported with the initial grant was successful (as determined by the Secretary on the basis of the levels of performance achieved with respect to the performance indicators specified in subsection (f)).

“(d) APPLICATION.—

“(1) IN GENERAL.—To be eligible to receive a grant under this section, an eligible institution shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(2) CONTENTS.—At a minimum, an application submitted by an eligible institution under para-
graph (1) shall include a description of each the following:

“(A) The extent to which the eligible institution included in the partnership has prior experience in leading similar capacity building projects that demonstrates the institution’s ability to accomplish multi-pronged, complex projects and an explanation of the results of any such projects.

“(B) The extent to which the eligible institution can—

“(i) leverage additional resources to support the programs funded with the grant; and

“(ii) demonstrate the future sustainability of each such program.

“(C) The steps the institution will take to ensure the quality of each program supported by the grant, including the career pathways within such programs.

“(D) The needs that will be addressed by the community college and industry partnership supported by the grant.

“(E) The population and geographic area to be served by the partnership.
“(F) One or more industries that the partnership will target and data demonstrating that those industries are aligned with employer demand in the geographic area to be served by the partnership.

“(G) The educational or career training programs to be supported by the grant.

“(H) The recognized postsecondary credentials that are expected to be earned by participants in such programs and the related in-demand industry sectors or occupations for which such programs will prepare participants.

“(I) The evidence upon which the education and training strategies to be used in the programs are based and an explanation of how such evidence influenced the design of the programs to improve education and employment outcomes.

“(J) The methods and strategies the partnership will use to engage with employers in in-demand industry sectors or occupations.

“(K) The roles and responsibilities of each employer, organization, agency, or institution of higher education with which the eligible institu-
tion will partner to carry out activities under this section.

“(L) Whether, and to what extent, the activities of the partnership are expected to align with the workforce strategies identified in—

“(i) any State plan or local plan submitted under this Act by the State, outlying area, or locality in which the partnership is expected to operate;

“(ii) any State plan submitted under section 122 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2342) by such State or outlying area; and

“(iii) any economic development plan of the chief executive of such State or outlying area.

“(M) The goals of the partnership with respect to—

“(i) capacity building (as described in subsection (f)(1)(B)); and

“(ii) the expected performance of individuals participating in the programs to be offered by the partnership, including with respect to any performance indicators ap-
Applicable under section 116 or subsection (f) of this section.

“(3) Consideration of previous experience.—The Secretary may not disqualify an otherwise eligible institution from receiving a grant under this section solely because such institution lacks previous experience in capacity building projects, as described in subparagraph (2)(A).

“(4) Priority.—In awarding grants under this section, the Secretary shall give priority to eligible entities that will use the grant to serve—

“(A) individuals with barriers to employment; or

“(B) incumbent workers who need to gain or improve foundational skills to enhance their employability.

“(e) Uses of funds.—

“(1) Community college and industry partnership.—For the purpose of carrying out the activities specified in paragraphs (2) and (3), an eligible institution that receives a grant under this section shall establish a partnership or continue an existing partnership with one or more employers in an in-demand industry sector or occupation and shall maintain such partnership for the duration of the
grant period. The eligible institution shall ensure that the partnership—

“(A) targets one or more specific high-skill, high-wage, or in-demand industries;

“(B) includes collaboration with the workforce development system;

“(C) serves adult and dislocated workers, incumbent workers, and new entrants to the workforce;

“(D) uses an evidence-based program design that is appropriate for the activities carried out by the partnership; and

“(E) incorporates, to the extent appropriate, virtual service delivery to facilitate technology-enabled learning.

“(2) REQUIRED ACTIVITIES.—An eligible institution that receives a grant under this section, in consultation with the partnership established under paragraph (1), shall—

“(A) establish, improve, or expand high quality, evidence-based education or career training programs, career pathway programs, or work-based learning programs (including apprenticeship programs or pre-apprenticeships
that qualify an individual for participation in an 
apprenticeship program); and 

“(B) use not less than 15 percent of the 
grant to provide supportive services to individ-
uals participating in the programs funded with 
the grant to facilitate retention and program 
completion, which may include—

“(i) childcare, transportation, mental 
health services, and assistance in obtaining 
health insurance coverage and housing;

“(ii) assistance in accessing State and 
Federal means-tested benefits programs;

“(iii) career navigation, coaching, 
mentorship, and case management serv-
dices, including providing information and 
outreach to individuals with barriers to 
employment to encourage such individuals 
to participate in programs funded with the 
grant; and

“(iv) providing access to course mate-
rials, technological devices, required equip-
ment, and other supports necessary for 
participation in and successful completion 
of such programs.
“(3) ADDITIONAL ACTIVITIES.—In addition to
the activities required under paragraph (2), an eligi-
ble institution that receives a grant under this sec-
tion, in consultation with the partnership established
under paragraph (1), shall carry out one or more of
the following activities:

“(A) Establish, improve, or expand—

“(i) articulation agreements (as de-
defined in section 486A(a) of the Higher
Education Act of 1965 (20 U.S.C.
1093a(a)));

“(ii) credit transfer agreements;

“(iii) corequisite remediation pro-
grams that enable a student to receive re-
medial education services while enrolled in
a postsecondary course rather than requir-
ing the student to receive remedial edu-
cation before enrolling in a such a course;

“(iv) dual or concurrent enrollment
programs;

“(v) competency-based education and
assessment; or

“(vi) policies and processes to award
academic credit for prior learning or for
the programs described in paragraph (2).
“(B) Make available, in a format that is open, searchable, and easily comparable, information on—

“(i) curricula and recognized postsecondary credentials offered through programs funded with the grant, including any curricula or credentials created or further developed using such grant;

“(ii) the skills or competencies developed by individuals who participate in such programs; and

“(iii) related employment and earnings outcomes.

“(C) Establish or implement plans for providers of the programs described in paragraph (2) to meet the criteria and carry out the procedures necessary to be included on the eligible training services provider list described in section 122(d).

“(D) Purchase, lease, or refurbish specialized equipment as necessary to carry out such programs.

“(E) Reduce or eliminate unmet financial need relating to participants’ cost of attendance (as defined under section 472 of the Higher
Education Act of 1965 (20 U.S.C. 1087ll)) in such programs.

“(4) Administrative cost limit.—An eligible institution may use not more than 10 percent of the funds received under this section for administrative costs, including costs related to collecting information, analysis, and coordination for purposes of subsection (f).

“(f) Performance levels and performance reviews.—

“(1) In general.—The Secretary shall develop and implement guidance that establishes the levels of performance that are expected to be achieved by each community college and industry partnership funded with a grant under this section. Such performance levels shall be based on the following indicators:

“(A) Each of the primary indicators of performance for adults described in section 116(b).

“(B) The extent to which the partnership built capacity by—

“(i) increasing the breadth and depth of employer engagement and investment in educational and training programs in the
in-demand industry sectors and occupations targeted by the partnership;

“(ii) designing or implementing new and accelerated instructional techniques or technologies, including the use of advanced online and technology-enabled learning; and

“(iii) increasing program and policy alignment across systems and decreasing duplicative services or service gaps.

“(C) With respect to individuals who participated in an education or training program funded with the grant—

“(i) the percentage of participants who successfully completed a program;

“(ii) of the participants who were incumbent workers at the time of enrollment in the program, the percentage who advanced into higher-level positions during or after completing the program.

“(D) Such other indicators of performance as the Secretary determines appropriate.

“(2) CONSULTATION AND DETERMINATION OF PERFORMANCE LEVELS.—
“(A) CONSULTATION.—In developing the performance levels under paragraph (1), the Secretary shall consult with each partnership funded with a grant under this section.

“(B) DETERMINATION.—After completing the consultation required under subparagraph (A), the Secretary shall separately determine the performance levels that will apply to each partnership taking into account—

“(i) the expected performance levels of each eligible entity with respect to the goals described in subsection (d)(2)(M); and

“(ii) local economic conditions in the geographic area to be served by the partnership, including differences in unemployment rates and job losses or gains in particular industries.

“(C) NOTICE AND ACKNOWLEDGMENT.—

“(i) NOTICE.—The Secretary shall provide each partnership with a written notification that sets forth the performance levels that will apply to the partnership, as determined under subparagraph (B).
“(ii) ACKNOWLEDGMENT.—After receiving the notification described in clause (i), each partnership shall submit to the Secretary written confirmation that the partnership—

“(I) received the notification; and

“(II) agrees to be evaluated in accordance with the performance levels set by the Secretary.

“(3) PERFORMANCE REVIEWS.—On an annual basis during each year of the grant period, the Secretary shall evaluate the performance of each partnership funded with a grant under this section in a manner consistent with paragraph (2).

“(4) FAILURE TO MEET PERFORMANCE LEVELS.—After conducting an evaluation under paragraph (3), if the Secretary determines that a partnership did not achieve the performance levels applicable to the partnership under paragraph (2) the Secretary shall—

“(A) provide technical assistance to the partnership and

“(B) develop a performance improvement plan for the partnership.

“(g) EVALUATIONS AND REPORTS.—
“(1) IN GENERAL.—Not later than 5 years after the date on which the first grant is made under this section, the Secretary shall design and conduct an evaluation to determine the overall effectiveness of the community college and industry partnerships funded under this section.

“(2) ELEMENTS.—The evaluation conducted under paragraph (1) shall include an assessment of the general effectiveness of programs and activities supported by grants awarded under this section, including the extent to which the programs and activities—

“(A) developed new or expanded existing successful industry sector strategies, including the extent to which such partnerships deepened employer engagement and developed education and training programs that met industry skill needs;

“(B) created, expanded, or enhanced career pathways, including the extent to which the partnerships developed or improved competency-based education and assessment, credit for prior learning, modularized and self-paced curricula, integrated education and career training, dual enrollment in secondary and post-
secondary career pathways, stacked and latticed credentials, and online and distance learning;

“(C) created alignment between community colleges and the workforce development system;

“(D) assisted individuals with finding, retaining, or advancing in employment;

“(E) assisted individuals with earning recognized postsecondary credentials; and

“(F) served various demographic groups, including people of different geographic locations, ages, races, national origins, and sex.

“(3) DESIGN REQUIREMENTS.—The evaluation under this subsection shall—

“(A) be designed by the Secretary (acting through the Chief Evaluation Officer) in conjunction with the partnerships being evaluated;

“(B) include analysis of participant feedback and outcome and process measures; and

“(C) use designs that employ the most rigorous analytical and statistical methods that are reasonably feasible, such as the use of control groups.

“(4) DATA ACCESSIBILITY.—The Secretary shall make available on a publicly accessible website
of the Department of Labor any data collected as part of the evaluation under this subsection. Such data shall be made available in an aggregated format that does not reveal personally identifiable information.

“(5) Publication and reporting of evaluation findings.—The Secretary (acting through the Chief Evaluation Officer) shall—

“(A) in accordance with the timeline determined to be appropriate by the Chief Evaluation Officer, publish an interim report on the preliminary results of the evaluation conducted under this subsection;

“(B) not later than 60 days after the date on which the evaluation is completed under this subsection, submit to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on such evaluation; and

“(C) not later than 90 days after such completion date, publish and make the results of the evaluation available on a publicly accessible website of the Department of Labor.
“(h) ANNUAL REPORTS.—The Secretary shall make available on a publicly accessible website of the Department of Labor, in transparent, linked, open, and interoperable data formats, the following information:


“(2) The performance of partnerships on the participant outcome performance indicators set forth under subsection (f)(1)(C)).

“(3) The number of individuals enrolled in employment and training activities funded with a grant under this section.

“(i) DEFINITIONS.—In this section:

“(1) COMMUNITY COLLEGE.—The term ‘community college’ means—

“(A) a public institution of higher education (as defined in section 101(a) of the Higher Education Act (20 U.S.C. 1001(a)), at which—

“(i) the highest degree awarded is an associate degree; or

“(ii) an associate degree is the most frequently awarded degree;
“(B) a branch campus of a 4-year public institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), if, at such branch campus—

“(i) the highest degree awarded is an associate degree; or

“(ii) an associate degree is the most frequently awarded degree;

“(C) a 2-year Tribal College or University (as defined in section 316(b)(3) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)(3))); or

“(D) a degree-granting Tribal College or University (as defined in section 316(b)(3) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)(3))) at which—

“(i) the highest degree awarded is an associate degree; or

“(ii) an associate degree is the most frequently awarded degree.

“(2) ELIGIBLE INSTITUTION.—The term ‘eligible institution’ means—

“(A) a community college;
“(B) a postsecondary vocational institution
(as defined in section 102(e) of the Higher
Education Act of 1965 (20 U.S.C. 1002(c))); or
“(C) a consortium of such colleges or insti-
tutions.
“(j) SUPPLEMENT NOT SUPPLANT.—Funds made
available under this section shall be used to supplement,
and not supplant other Federal, State, and local public
funds made available for carrying out the activities de-
scribed in this section.
“(k) AUTHORIZATION OF APPROPRIATIONS.—There
are authorized to be appropriated to carry out this sec-
tion—
“(1) $100,000,000 for fiscal year 2023;
“(2) $110,000,000 for fiscal year 2024;
“(3) $121,000,000 for fiscal year 2025;
“(4) $133,000,000 for fiscal year 2026;
“(5) $146,000,000 for fiscal year 2027; and
“(6) $161,000,000 for fiscal year 2028.”.

SEC. 278. REENTRY EMPLOYMENT OPPORTUNITIES.

Subtitle D of title I (29 U.S.C. 3221 et seq.), as
amended by this Act, is further amended by inserting after
section 172, as added by the preceeding section, the fol-
lowing:
SEC. 173. REENTRY EMPLOYMENT OPPORTUNITIES.

“(a) PURPOSES.—The purposes of this section are—

“(1) to improve the employment, earnings, and skill attainment, and reduce recidivism, of adults and youth who have been involved with the justice system;

“(2) to prompt innovation and improvement in the reentry of justice-involved individuals into the workforce so that successful initiatives can be established or continued and replicated; and

“(3) to further develop the evidence on how to improve employment, earnings, and skill attainment, and reduce recidivism of justice-involved individuals, through rigorous evaluations of specific services provided, including how they affect different populations and how they are best combined and sequenced.

“(b) REENTRY EMPLOYMENT COMPETITIVE GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS AUTHORIZED.—

“(1) IN GENERAL.—From the amounts appropriated under subsection (h)(1) and not reserved under subsection (h)(2), the Secretary—

“(A) shall, on a competitive basis, make grants to, or enter into contracts or cooperative agreements with, eligible entities to implement
reentry projects that serve eligible adults or eligi-
gible youth; and

“(B) may use not more than 30 percent of
such amounts to award funds under subpar-
agraph (A) to eligible entities that are national
or regional intermediaries to—

“(i) implement the reentry projects
described in subparagraph (A); or

“(ii) provide such funds to other eligi-
ble entities—

“(I) to implement such reentry
projects; and

“(II) to monitor and support
such entities.

“(2) AWARD PERIODS.—The Secretary shall
award funds under this section for an initial period
of not more than 4 years, and may renew such
awards for additional 4-year periods.

“(3) PRIORITY.—In awarding funds under this
section, the Secretary shall give priority to eligible
entities whose applications submitted under sub-
section (c) demonstrate a commitment to use such
funds to implement reentry projects—

“(A) that will serve high-crime or high-
poverty areas;
“(B) that will enroll in such reentry projects eligible youth or eligible adults—

“(i) prior to the release of such individuals from incarceration in a correctional institution; or

“(ii) not later than 90 days after such release;

“(C) whose strategy and design are evidence-based;

“(D) that establish partnerships with—

“(i) businesses; or

“(ii) institutions of higher education to provide project participants with programs of study leading to recognized post-secondary credentials in in-demand occupations;

“(E) that provide training services that are designed to meet the basic requirements of an employer (including a group of employers) and are conducted with a commitment by the employer to employ individuals upon successful completion of the training; or

“(F) that demonstrate a track record and ongoing commitment of developing, implementing, and refining reentry programs that in-
clude employment, education, training, and support services for adults and youth with current or prior justice system involvement.

“(c) APPLICATION.—

“(1) FORM AND PROCEDURE.—To be qualified to receive funds under this section, an eligible entity shall submit an application at such time, and in such manner, as determined by the Secretary, and containing the information described in paragraph (2).

“(2) CONTENTS.—An application submitted by an eligible entity under paragraph (1) shall contain the following:

“(A) A description of the eligible entity, including the experience of the eligible entity in providing employment and training services for justice-involved individuals.

“(B) A description of the needs that will be addressed by the reentry project supported by the funds received under this section, and the target participant population and the geographic area to be served.

“(C) A description of the proposed employment and training activities and supportive services, if applicable, to be provided under
such reentry project, and how such activities
and services will prepare participants for em-
ployment in in-demand industry sectors and oc-
cupations within the geographic area to be
served by such reentry project.

“(D) The anticipated schedule for carrying
out the activities proposed under the reentry
project.

“(E) A description of—

“(i) the partnerships the eligible enti-
ty will establish with agencies and entities
within the criminal justice system, local
boards and one-stops, community-based or-
ganizations, and employers (including local
businesses) to provide participants of the
reentry project with work-based learning,
job placement, and recruitment (if applica-
ble); and

“(ii) how the eligible entity will co-
ordinate its activities with other services
and benefits available to justice-involved
individuals in the geographic area to be
served by the reentry project.
“(F) A description of the manner in which individuals will be recruited and selected for participation for the reentry project.

“(G) A detailed budget and a description of the system of fiscal controls, and auditing and accountability procedures, that will be used to ensure fiscal soundness for the reentry project.

“(H) A description of the expected levels of performance to be achieved with respect to the performance measures described in subsection (e).

“(I) A description of the evidence-based practices the eligible entity will use in administration of the reentry project.

“(J) An assurance that the eligible entity will collect, disaggregate by race, ethnicity, gender, and other participant characteristics, and report to the Secretary the data required with respect to the reentry project carried out by the eligible entity for purposes of the evaluation under this section.

“(K) Any other information required by the Secretary.

“(d) USES OF FUNDS.—
“(1) IN GENERAL.—An eligible entity that receives funds under this section shall use such funds to implement a reentry project for eligible adults, eligible youth, or both that provides one or more of the following services:

“(A) Supportive services.

“(B) For participants who are eligible youth, one or more of the program elements listed in subparagraphs (A) through (N) of section 129(c)(2).

“(C) One or more of the individualized career services listed in subclause (I) through (IX) of section 134(c)(2)(A)(xii).

“(D) Follow-up services after placement in unsubsidized employment as described in section 134(c)(2)(A)(xiii).

“(E) One or more of the training services listed in clauses (i) through (x)(i) in section 134(c)(3)(D), including subsidized employment opportunities through transitional jobs.

“(F) Apprenticeship programs.

“(G) Education in digital literacy skills.

“(H) Mentoring.
“(I) Provision of or referral to evidence-based mental health treatment by licensed practitioners.

“(J) Assistance in obtaining employment as a result of the establishment and development by the eligible entity of relationships and networks with large and small employers.

“(K) Assistance with driver’s license reinstatement and fees for driver’s licenses and other necessary documents for employment.

“(L) Provision of or referral to substance abuse treatment services, provided that funds awarded under this section are only used to provide such services to participants who are unable to obtain such services through other programs providing such services.

“(M) Assistance in obtaining employment as a result of the coordination by the eligible entity with employers to develop customized training programs and on-the-job training.

“(2) Administrative cost limit.—An eligible entity may not use more than 10 percent of the funds received under this section for administrative costs, including for costs related to collecting infor-
mation, analysis, and coordination for purposes of subsection (e) or (f).

“(e) LEVELS OF PERFORMANCE.—

“(1) ESTABLISHMENT OF LEVELS.—

“(A) IN GENERAL.—The Secretary shall establish expected levels of performance for re-entry projects funded this section for—

“(i) each of the primary indicators of performance for adults and youth described in section 116(b); and

“(ii) the additional performance indicators described in paragraph (2).

“(B) UPDATES.—The levels established under subparagraph (A) shall be updated for each 4-year award period.

“(2) ADDITIONAL INDICATORS OF PERFORMANCE.—In addition to the indicators described in paragraph (1)(A)(i), the Secretary—

“(A) shall establish an indicator of performance for projects funded under this section with respect participant recidivism; and

“(B) may establish other performance indicators for such projects as the Secretary determines appropriate.
“(3) AGREEMENT ON PERFORMANCE LEVELS.—

In establishing and updating performance levels under paragraph (1), the Secretary shall reach agreement on such levels with the eligible entities receiving awards under this section that will be subject to such levels, based on factors including—

“(A) the expected performance levels of each such eligible entity described in the application submitted under subsection (e)(2)(H);

“(B) local economic conditions of the geographic area to be served by each such eligible entity, including differences in unemployment rates and job losses or gains in particular industries; and

“(C) the characteristics of the participants of the projects when the participants enter the project involved, including—

“(i) criminal records and indicators of poor work history;

“(ii) lack of work experience;

“(iii) lack of educational or occupational skills attainment;

“(iv) low levels of literacy or English proficiency;

“(v) disability status;
“(vi) homelessness; and

“(vii) receipt of public assistance.

“(4) Failure to meet performance levels.—In the case of an eligible entity that fails to meet the performance levels established under paragraph (1) for the reentry project involved for any award year, the Secretary shall provide technical assistance to the eligible entity, including the development of a performance improvement plan.

“(f) Evaluation of Reentry Projects.—

“(1) In general.—Not later than 5 years after the first award of funds under this section is made, the Secretary (acting through the Chief Evaluation Officer) shall meet the following requirements:

“(A) Design and conduct of evaluation.—Design and conduct an evaluation to evaluate the effectiveness of the reentry projects funded under this section, which meets the requirements of paragraph (2), and includes an evaluation of each of the following:

“(i) The effectiveness of such projects in assisting individuals with finding employment and maintaining employment at
the second quarter and fourth quarter
after unsubsidized employment is obtained.

“(ii) The effectiveness of such projects
in assisting individuals with earning recog-
nized postsecondary credentials.

“(iii) The effectiveness of such
projects in relation to their cost, including
the extent to which the projects improve
reentry outcomes, including in wages
earned, benefits provided by employers, ca-
reer advancement, measurable skills gains,
credentials earned, housing, health, and re-
cidivism of participants in comparison to
comparably situated individuals who did
not participate in such projects.

“(iv) The effectiveness of specific
services and interventions provided and of
the overall project design.

“(v) If applicable, the extent to which
such projects meet the needs of various de-
ographic groups, including people of dif-
ferent geographic locations, ages, races,
national origins, sex, and criminal records,
and individuals with disabilities.
“(vi) If applicable, the appropriate sequencing, combination, or concurrent structure, of services for each subpopulation of individuals who are participants of such projects, such as the order, combination, or concurrent structure and services in which transitional jobs and occupational skills training are provided, to ensure that such participants are prepared to fully benefit from employment and training services provided under the project.

“(vii) Limitations or barriers to education and employment as a result of occupational or educational licensing restrictions, access to financial aid, and access to housing.

“(viii) The quality and effectiveness of technical assistance provided by the Secretary for implementing such projects.

“(ix) Other elements that the Chief Evaluation Officer may determine to be appropriate.

“(B) DATA ACCESSIBILITY.—Make available, on the publicly accessible website of the Department of Labor, data collected during the
course of evaluation under this subsection, in
an aggregated format that does not provide per-
sonally identifiable information.

“(2) DESIGN REQUIREMENTS.—An evaluation
under this subsection—

“(A) shall—

“(i) be designed by the Secretary (act-
ing through the Chief Evaluation Officer)
in conjunction with the eligible entities car-
rying out the reentry projects being evalu-
ated;

“(ii) include analysis of participant
feedback and outcome and process meas-
ures;

“(iii) use designs that employ the
most rigorous analytical and statistical
methods that are reasonably feasible, such
as the use of control groups; and

“(B) may not—

“(i) collect personally identifiable in-
formation, except to the extent such infor-
mation is necessary to conduct the evalua-
tion; or

“(ii) reveal or share personally identi-
fiable information.
“(3) Publication and reporting of evaluation findings.—The Secretary (acting through the Chief Evaluation Officer) shall—

“(A) in accordance with the timeline determined to be appropriate by the Chief Evaluation Officer, publish an interim report on such evaluation;

“(B) not later than 90 days after the date on which any evaluation is completed under this subsection, publish and make publicly available such evaluation; and

“(C) not later than 60 days after the completion date described in subparagraph (B), submit to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on such evaluation.

“(g) Annual report.—

“(1) Contents.—Subject to paragraph (2), the Secretary shall post, using transparent, linked, open, and interoperable data formats, on its publicly accessible website an annual report on—
“(A) the number of individuals who participated in projects assisted under this section for the preceding year;

“(B) the percentage of such individuals who successfully completed the requirements of such projects; and

“(C) the performance of eligible entities on such projects as measured by the performance indicators set forth in subsection (e).

“(2) DISAGGREGATION.—The information provided under subparagraphs (A) through (C) of paragraph (1) with respect to a year shall be disaggregated by each project assisted under this section for such year.

“(h) AUTHORIZATION OF APPROPRIATIONS; RESERVATIONS.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(A) $250,000,000 for fiscal year 2023;

“(B) $300,000,000 for fiscal year 2024;

“(C) $350,000,000 for fiscal year 2025;

“(D) $400,000,000 for fiscal year 2026;

“(E) $450,000,000 for fiscal year 2027; and
“(F) $500,000,000 for fiscal year 2028.

“(2) RESERVATION OF FUNDS.—Of the funds appropriated under paragraph (1) for a fiscal year, the Secretary—

“(A) may reserve not more than 5 percent for the administration of grants, contracts, and cooperative agreements awarded under this section, of which not more than 2 percent may be reserved for the provision of—

“(i) technical assistance to eligible entities that receive funds under this section; and

“(ii) outreach and technical assistance to eligible entities desiring to receive such funds, including assistance with application development and submission; and

“(B) shall reserve not less than 1 percent and not more than 2.5 percent for the evaluation activities under subsection (f) or to support eligible entities with any required data collection, analysis, and coordination related to such evaluation activities.

“(i) DEFINITIONS.—In this section:

“(1) CHIEF EVALUATION OFFICER.—The term ‘Chief Evaluation Officer’ means the head of the
independent evaluation office located organization-
ally in the Office of the Assistant Secretary for Pol-
icy of the Department of Labor.

“(2) COMMUNITY SUPERVISION.—The term
‘community supervision’ means mandatory oversight
(including probation and parole) of a formerly incar-
cerated person—

“(A) who was convicted of a crime by a
judge or parole board; and

“(B) who is living outside a secure facility.

“(3) CORRECTIONAL INSTITUTION.—The term
‘correctional institution’ has the meaning given the
term in section 225(e).

“(4) ELIGIBLE ENTITY.—The term ‘eligible en-
tity’ means—

“(A) a private nonprofit organization
under section 501(c)(3) of the Internal Revenue
Code of 1986, including a community-based or
faith-based organization;

“(B) a local board;

“(C) a State or local government;

“(D) an Indian or Native American entity
eligible for grants under section 166;

“(E) a labor organization or joint labor-
management organization; or
“(F) a consortium of the entities described in subparagraphs (A) through (E).

“(5) ELIGIBLE ADULT.—The term ‘eligible adult’ means a justice-involved individual who—

“(A) is age 25 or older; and

“(B) in the case of an individual that was previously incarcerated, was released from incarceration not more than 3 years prior to enrollment in a project funded under this section.

“(6) ELIGIBLE YOUTH.—The term ‘eligible youth’ means a justice-involved individual who is not younger than age 14 or older than age 24.

“(7) HIGH-CRIME.—The term ‘high-crime’, when used with respect to a geographic area, means an area with crime rates that are higher than the rate for the overall city (for urban areas) or of non-metropolitan area in the State (for rural areas), as such terms are used by the Bureau of Labor Statistics.

“(8) HIGH-POVERTY.—The term ‘high-poverty’, when used with respect to a geographic area, means an area with a poverty rate of at least 25 percent as determined based on the most recently available data from the American Community Survey conducted by the Bureau of the Census.”.
SEC. 279. SECTORAL EMPLOYMENT THROUGH CAREER TRAINING FOR OCCUPATIONAL READINESS (SECTOR) PROGRAM.

Subtitle D of title I (29 U.S.C. 3221 et seq.), as amended by this Act, is further amended by inserting after section 173, as added by the preceding section, the following:

“SEC. 174. SECTORAL EMPLOYMENT THROUGH CAREER TRAINING FOR OCCUPATIONAL READINESS (SECTOR) PROGRAM.

“(a) IN GENERAL.—From amounts appropriated under subsection (e)(1), and not reserved under subsection (e)(2), the Secretary shall—

“(1) use not less than 80 percent of such amounts to award grants under subsection (b) to each State to develop, convene, or expand industry or sector partnerships; and

“(2) use not less than 20 percent of such amounts to award grants under subsection (c), on a competitive basis, to eligible industry or sector partnerships for the purposes of expanding workforce development and employment opportunities for high-skill, high-wage, or in-demand industry sectors or occupations, as determined by the Secretary.

“(b) FORMULA GRANTS.—

“(1) DISTRIBUTION OF FUNDS.—
“(A) STATE ALLOTMENT.—From the amount determined by the Secretary under subsection (a)(1), the Secretary shall allot funds to each State on the basis of the relative allotment the State received under section 132(b) for such fiscal year, compared to the total amount allotted to all States under section 132(b) for such fiscal year.

“(B) LOCAL AREA ALLOCATIONS.—The Secretary shall use the amounts allotted under subparagraph (A) to distribute funds in the State to carry out the activities described in paragraph (2) by—

“(i) allocating funds to each local area of the State on the basis of the relative allocation the local area received under section 133(b) for such fiscal year, compared to the total amount allocated to all local areas in the State under section 133(b) for such fiscal year; or

“(ii) allocating funds to local areas of the State that have the highest rates of unemployment or poverty, or the highest numbers of individuals with barriers to employment in the State.
“(C) **Transfer Authority**.—A local board may transfer, if such a transfer is approved by the Governor, up to and including 100 percent of the funds allocated to the local area under section 133(b), and up to and including 100 percent of the funds allocated to the local area under this subsection for a fiscal year between—

“(i) adult employment and training activities; and

“(ii) activities under this section.

“(2) **Use of Funds**.—The funds awarded under paragraph (1) may be used to—

“(A) regularly convene stakeholders in a collaborative structure to identify, develop, improve, or expand training, employment, and growth opportunities for high-skill, high-wage, or in-demand industry sectors or occupations;

“(B) form, expand, and improve training programs, to be managed by eligible industry and sector partnerships that include attainment of industry-recognized credentials, the integration of work-based learning activities with training curricula and occupational certification programs, and that address specific workforce
issues and needs of groups of workers, with a priority on individuals with a barrier to employment, within regional labor markets in the State;

“(C) strengthen the coordination of eligible industry and sector partnerships and programs with the programs administered under subtitle B of this title and with the one-stop partners described in section 121; and

“(D) to directly provide, or arrange for the provision of, services to help individuals with barriers to employment and other participants complete and successfully transition out of training described in subparagraph (B), which services shall include career services, supportive services, or the provision of needs-related payments.

“(c) COMPETITIVE GRANTS.—

“(1) GRANTS AUTHORIZED.—From the amount determined by the Secretary under subsection (a)(2), the Secretary shall award grants, on a competitive basis, to eligible industry or sector partnerships for the purposes described in subsection (a)(2).

“(2) APPLICATION.—
“(A) FORM AND PROCEDURE.—To receive a grant under this subsection, the lead applicant on behalf of an eligible industry or sector partnership shall submit to the Secretary an application at such time, in such manner, and containing such information as specified by the Secretary.

“(B) CONTENTS.—An application submitted under paragraph (1) shall contain at a minimum the following:

“(i) Identification of the high-skill, high-wage, or in-demand industry sector or occupation on which such partnership is focused.

“(ii) A description of the activities to be carried out under the grant.

“(iii) A description of the workers that will be targeted for recruitment as program participants, how a priority of service under the grant will be provided to individuals with barriers to employment, and how the activities will be designed to maximize access and eliminate barriers to entry to training and other activities for such individuals.
“(iv) A description of other Federal or non-Federal resources that will be lever-aged in support of the eligible industry or sector partnership (including cash or in-kind contributions from private-sector partners).

“(3) USES OF FUNDS.—An eligible industry or sector partnership awarded a grant under this subsection shall use such grant funds—

“(A) to engage and regularly convene stakeholders in a collaborative structure to identify, develop, improve, or expand training, employment, and growth opportunities for the high-skill, high-wage, or in-demand industry sector or occupation on which such partnership is focused;

“(B) to directly provide, or arrange for the provision of, high-quality, evidence-based training for high-skill, high-wage, or in-demand industry sectors or occupations on which such partnership is focused, which shall include training that leads to the attainment of nationally or regionally portable and stackable recognized postsecondary credentials for the industry
sector or occupations described in paragraph (A), including—

“(i) training provided through apprenticeship programs, or pre-apprenticeship programs that articulate to apprenticeship programs, labor organizations, or joint labor-management partnerships;

“(ii) on-the-job training, customized training, and paid internships and work experience;

“(iii) incumbent worker training to support lower wage workers in upgrading skills and advancing along a career pathway; and

“(iv) training services, in addition to those described in clauses (i) through (iii), that are authorized under section 134(e)(3)(D), including occupational skills training; and

“(C) to directly provide, or arrange for the provision of, services to help individuals with barriers to employment and other participants complete and successfully transition out of training described in subparagraph (B), which services shall include career services, supportive
services, or the provision of needs-related pay-
ments authorized under subsections (c)(2),
(c)(4), and (d)(3) of section 134.

“(4) PRIORITY IN SELECTION OF GRANTS.—
The Secretary shall give priority consideration in ap-
plications that demonstrate the ability to serve eligi-
ble individuals in targeted economic regions that are
experiencing high-poverty, have traditionally been
underserved by regional economic development and
sector partnership activities (including rural areas),
or is facing or at risk of facing significant worker
dislocation due to a disruption or change in the re-
gional or State economy or labor market.

“(d) PROGRAM ACCOUNTABILITY AND EVALUA-
TION.—

“(1) IN GENERAL.—The grants awarded under
this section are subject to—

“(A) the primary indicators of performance
under section 116(b)(2)(A) and expected levels
of performance relating to such indicators; and

“(B) such additional measures as the Sec-
retary deems appropriate, which may include
skills attainment, wage or career progression,
training-related employment, and additional job
quality measures.
“(2) EVALUATION.—Not later than 5 years after the first award of funds under this section is made the Secretary (acting through the chief evaluation officer) shall design and conduct an evaluation to evaluate the effectiveness of the program carried out this section.

“(3) PUBLICATION.—The Secretary shall publish the outcomes of grantees under the indicators and measures described in paragraph (1) and the evaluation described in paragraph (2) on a publicly accessible website, and submit the evaluation findings to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate.

“(e) AUTHORIZATION OF APPROPRIATIONS; RESERVATIONS.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(A) $1,000,000,000 for fiscal year 2023;
“(B) $1,100,000,000 for fiscal year 2024;
“(C) $1,210,000,000 for fiscal year 2025;
“(D) $1,331,000,000 for fiscal year 2026;
“(E) $1,464,100,000 for fiscal year 2027;

and

“(F) $1,610,510,000 for fiscal year 2028.

“(2) RESERVATION OF FUNDS.—Of the funds appropriated under paragraph (1) for a fiscal year, the Secretary may reserve not more than 5 percent which—

“(A) may be used for administration of the program described in this section, in addition to any other funds available for these activities, including providing comprehensive technical assistance, targeted outreach to eligible partnerships serving local areas with high unemployment rates or high percentages of low-income individuals or individuals with barriers to employment; and oversight to support eligible partnerships; and

“(B) shall be used to conduct an evaluation of the activities carried out under this section and for reporting on the performance and impact of programs funded under this section.

“(f) DEFINITIONS.—In this section:

“(1) ELIGIBLE INDUSTRY OR SECTOR PARTNERSHIP.—The term ‘eligible industry or sector partnership’ means—
“(A) an industry or sector partnership, which shall include multiple representatives described in each of clauses (i) through (iii) of paragraph (26)(A) of section 3; or

“(B) a partnership of multiple entities described in section 3(26) and a State board or local board, that is in the process of establishing an industry or sector partnership.

“(2) LEAD APPLICANT.—The term ‘lead applicant’ means an applicant for a grant under this section that is a State board, local board, institution of higher education, labor-management partnership, labor organization, industry association, or other State and regional nonprofit organizations with experience in designing, convening, and expanding industry or sector partnerships.”.

SEC. 280. WORKFORCE DATA QUALITY INITIATIVE GRANTS.

Subtitle D of title I (29 U.S.C. 3221 et seq.), as amended by this Act, is further amended by inserting after section 174, as added by the preceding section, the following:

“SEC. 175. WORKFORCE DATA QUALITY INITIATIVE GRANTS.

“(a) AUTHORITY.—The Secretary is authorized to award grants, on a competitive basis, to States to create
workforce longitudinal administrative databases and associated resources for the purpose of strengthening workforce development program quality, protecting privacy, and improving transparency.

“(b) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to States that—

“(1) have not previously received such a grant;

“(2) have the greatest need to improve their data infrastructure;

“(3) will use non-Federal contributions to improve State data infrastructure and related resources;

“(4) support co-enrollment in workforce related programs;

“(5) participate and contribute data to the State’s linked longitudinal data system, including submitting data that when linked with elementary and secondary school and postsecondary data, provides the State the ability to create more data tools and analytics; and

“(6) enable research and program improvement activities.

“(c) SUPPLEMENT, NOT SUPPLANT.— Funds made available under this section shall be used to supplement,
and not supplant, other Federal, State, or local funds used for developing State data systems.

“(d) ADMINISTRATIVE COSTS.—The Secretary shall reserve not more than 10 percent of funds made available to carry out this section for each fiscal year for the provision of technical assistance to support the implementation of grants awarded under this section.

“(e) PRIVACY.—Nothing in this section shall require the disaggregation of data when the number of individuals in a category is insufficient to yield statistically reliable information or when the results would reveal personally identifiable information about an individual, or would reveal such information when combined with other released information.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) $40,000,000 for fiscal year 2023;
“(2) $35,000,000 for fiscal year 2024;
“(3) $30,000,000 for fiscal year 2025;
“(4) $25,000,000 for fiscal year 2026;
“(5) $20,000,000 for fiscal year 2027; and
“(6) $15,000,000 for fiscal year 2028.

“(g) DEFINITION.—In this section, the term ‘State’ has the meaning given the term in section 3, except such
term also includes each of the outlying areas (as defined
in section 3).”.

SEC. 281. AUTHORIZATION OF APPROPRIATIONS.

Section 176 (as redesignated by section 277), is
amended to read as follows:

“SEC. 176. AUTHORIZATION OF APPROPRIATIONS.

“(a) NATIVE AMERICAN PROGRAMS.—There are au-
thorized to be appropriated to carry out section 166 (not
including subsection (k) of such section)—

“(1) $66,400,000 for fiscal year 2023;
“(2) $73,000,000 for fiscal year 2024;
“(3) $80,300,000 for fiscal year 2025;
“(4) $88,300,000 for fiscal year 2026;
“(5) $97,100,000 for fiscal year 2027; and
“(6) $106,800,000 for fiscal year 2028.

“(b) MIGRANT AND SEASONAL FARMWORKER PRO-
GRAMS.—There are authorized to be appropriated to carry
out section 167—

“(1) $109,100,000 for fiscal year 2023;
“(2) $114,600,000 for fiscal year 2024;
“(3) $120,300,000 for fiscal year 2025;
“(4) $126,300,000 for fiscal year 2026;
“(5) $132,600,000 for fiscal year 2027; and
“(6) $139,200,000 for fiscal year 2028.
“(c) Technical Assistance.—There are authorized to be appropriated to carry out section 168—

“(1) $3,600,000 for fiscal year 2023;
“(2) $3,800,000 for fiscal year 2024;
“(3) $4,000,000 for fiscal year 2025;
“(4) $4,200,000 for fiscal year 2026;
“(5) $4,400,000 for fiscal year 2027; and
“(6) $4,600,000 for fiscal year 2028.

“(d) Evaluations and Research.—There are authorized to be appropriated to carry out section 169—

“(1) $116,700,000 for fiscal year 2023;
“(2) $122,500,000 for fiscal year 2024;
“(3) $128,600,000 for fiscal year 2025;
“(4) $135,000,000 for fiscal year 2026;
“(5) $141,800,000 for fiscal year 2027; and
“(6) $148,900,000 for fiscal year 2028.”.

Subtitle E—Administration

Sec. 285. Nondiscrimination.

Section 188 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3248) is amended—

(1) in subsection (a)(5), by adding at the end the following: “Provided that it shall not be a violation of this paragraph to exclude any individual from participation or employment in programs or activities receiving Federal financial assistance where
such participation or employment, or access to the
premises upon which any part of such program, ac-
tivity, or employment is performed, is subject to any
requirements imposed in the interest of the national
security of the United States under any security pro-
gram in effect pursuant to or administered under
any statute or regulation of the United States, Exec-
utive Order of the President, or other Federal con-
tractual requirement, and such individual does not
meet such requirements.”; and

(4) in subsection (e) is amended by striking
“Workforce Innovation and Opportunity Act” and
inserting “Workforce Innovation and Opportunity
Act of 2022”.

SEC. 286. SECRETARIAL ADMINISTRATIVE AUTHORITIES
AND RESPONSIBILITIES.

Section 189 of the Workforce Innovation and Oppor-
tunity Act (29 U.S.C. 3249) is amended—

(1) in subsection (d), by striking “the Work-
force” and inserting “Labor”;

(2) in subsection (g)(2)(B)(ii), by striking “sub-
section (a) or (b) of section 169 (relating to evalua-
tions, research projects, studies and reports, and
multistate projects)” and inserting “subsection (a),
(b), or (c) of section 169 relating to evaluations, re-
search projects, studies and reports, multistate projects, and the workforce development innovation fund’’;

(3) by striking subsection (h);

(4) by redesignating subsection (i) as subsection (h); and

(5) by amending paragraph (3)(A)(ii) of subsection (h) (as so redesignated) to read as follows: ‘‘(ii) any of the statutory or regulatory requirements of the Wagner-Peyser Act (29 U.S.C. 49 et seq.) (excluding requirements relating to the provision of services to unemployment insurance claimants and veterans, the colocation of employment service offices with one-stop centers, the designation of a cooperating State agency, and requirements relating to universal access to basic labor exchange services without cost to jobseekers).’’.

Subtitle F—Privacy

SEC. 291. PROHIBITION OF NATIONAL DATABASE MANAGEMENT.

Section 501(b) (29 U.S.C. 3341) is amended to read as follows:

‘‘(b) Prohibition of National Database Management.—Nothing in this Act (or the amendments to other laws made by the Workforce Innovation and Oppor-
tunity Act of 2022) shall be construed to permit the develop-
ment, management, analysis, or maintenance by a pri-
vate entity (whether for-profit or non-profit) of a national
database of personally identifiable information of individ-
uals receiving services under title I, or the amendments
to other laws made by the Workforce Innovation and Op-
portunity Act of 2022.”.

TITLE III—ADULT EDUCATION
AND FAMILY LITERACY

SEC. 301. FAMILY LITERACY.

The heading of title II of the Workforce Innovation
and Opportunity Act (29 U.S.C. 3271 et seq.) is amended
by inserting “FAMILY” before “LITERACY”.

SEC. 302. PURPOSE.

Section 202 (29 U.S.C. 3271) is amended—

(1) in the matter preceding paragraph (1), by
inserting “family” before “literacy activities”;

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

“(1) assist adults to become literate and obtain
the knowledge and skills (including digital skills)
necessary for employment, economic self-sufficiency,
and full participation in all aspects of adult life;”;

(3) in paragraph (4)(A)—
(A) in clause (i), by striking “and” at the end; and

(B) by inserting after clause (ii) the following:

“(iii) digital skills; and”;

SEC. 303. DEFINITIONS.

Section 203 (29 U.S.C. 3272) is amended—

(1) in paragraph (1)—

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

(B) by redesignating subparagraph (C) as subparagraph (D); and

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

“(C) develop and use digital technology skills; and”;

(2) in paragraph (2), by inserting “, digital skills activities offered in conjunction with other adult education and literacy activities” after “family literacy activities”;

(3) in paragraph (3), by inserting “family” before “literacy activities”; 

(4) in paragraph (4)(C)(i), by striking “is basic skills deficient” and inserting “has foundational skills needs”;
(5) in paragraph (9)—

(A) in the matter preceding subparagraph (A), by striking “economic prospects” and inserting “economic and educational prospects”; and

(B) by adding at the end the following:

“(E) Digital literacy activities to enable parents or family members to develop and use digital literacy skills to support their children’s learning.”;

(6) by amending paragraph (11) to read as follows:

“(11) Integrated education and training.—The term ‘integrated education and training’ means a service approach that provides adult education and family literacy activities concurrently and contextually with workforce preparation activities and workforce training (and which may be provided concurrently with other adult education activities and services, such as adult basic education) for a specific high-wage, high demand occupation or occupational cluster (including, as appropriate, for apprenticeship and pre-apprenticeship programs) for the purpose of educational and career advancement.”;
(7) by amending paragraph (12) to read as follows:

“(12) INTEGRATED ENGLISH LITERACY AND CIVICS EDUCATION.—The term ‘integrated English literacy and civics education’ means instruction in literacy and English and other education services provided to English language learners who are adults, including professionals with degrees and credentials in their native countries—

“(A) that enables such adults—

“(i) to achieve competency in the English language;

“(iii) to build knowledge of United States history and civics;

“(iv) to prepare for United States citizenship and the naturalization process;

“(v) to use digital technology at levels of proficiency necessary to function effectively as a worker, a parent or a family member, and a member of society;

“(vi) to apply for Federal and other student financial aid and enroll in postsecondary education or other further learning; and
“(vii) to locate and apply for registered apprenticeship or pre-apprenticeship programs;
“(B) which may include—
“(i) preparation for a high school equivalency diploma or postsecondary training or education;
“(ii) preparation for employment;
“(iii) preparation for apprenticeship or pre-apprenticeship programs, or the provision of information regarding where to acquire that preparation; or
“(iv) instruction in—
“(I) navigating the early childhood, elementary and secondary, and postsecondary education systems;
“(II) financial literacy;
“(III) the housing market in the United States; or
“(IV) accessing Federal, State, and local health care systems.”;

(8) in paragraph (13) by striking “and solve problems,” and all that follows through the period at the end and inserting “solve problems, and use digital technology at levels of proficiency necessary to...
function effectively as an employee, a parent or a family member, and a member of society.”;

(9) by redesignating paragraphs (16) and (17) as paragraphs (17) and (18), respectively; and

(10) by inserting after paragraph (15), the following:

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

SEC. 304. AUTHORIZATION OF APPROPRIATIONS.

Section 206 (29 U.S.C. 3275) is amended by striking “$577,667,000 for fiscal year 2015” and all that follows through the period at the end and inserting “$785,100,000 for fiscal year 2023, $824,400,000 for fiscal year 2024, $865,600,000 for fiscal year 2025, $908,900,000 for fiscal year 2026, $954,300,000 for fiscal year 2027, and $1,002,000,000 for fiscal year 2028.”.

SEC. 305. PERFORMANCE ACCOUNTABILITY SYSTEM.

Section 212 (29 U.S.C. 3292) is amended to read as follows:

“SEC. 212. PERFORMANCE ACCOUNTABILITY SYSTEM.

“(a) IN GENERAL.—Programs and activities authorized in this title are subject to the performance accountability provisions described in section 116.
“(b) INNOVATIVE PERFORMANCE ACCOUNTABILITY

SYSTEM DEMONSTRATION PROGRAM.—

“(1) IN GENERAL.—The Secretary may authorize one or more eligible entities to implement an innovative performance accountability system that uses alternative primary indicators of performance that reflect the objectives and activities of the entity’s adult education and family literacy programs and measure the attainment of the education and employment goals of the participants in such programs. The innovative performance accountability system may include—

“(A) performance indicators attained while an individual is enrolled in an adult education and family literacy program; and

“(B) performance indicators attained after an individual exits such a program.

“(2) DEMONSTRATION PERIOD.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the period during which an eligible entity may carry out an innovative accountability system authorized under this subsection shall be a period determined by the Secretary that does not exceed five years.
“(B) EXTENSION.—The Secretary may extend, by up to one year, the demonstration period determined under subparagraph (A) for an eligible entity if—

“(i) the Secretary determines that the innovative accountability system implemented by the entity is successfully meeting the objectives of this subsection; and

“(ii) the total period during which the entity implements such system under the demonstration program, inclusive of such extension, does not exceed six years.

“(3) APPLICATION.—

“(A) IN GENERAL.—Subject to subparagraph (C), an eligible entity that seeks authorization to implement an innovative performance accountability system under this subsection shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

“(B) CONTENTS.—At a minimum, each application under this paragraph shall include—
“(i) a description of the objectives of the innovative performance accountability system proposed by the eligible entity;

“(ii) a description of such accountability system, including a description of the performance indicators to be used;

“(iii) the duration of the period over which the entity intends to carry out the proposed accountability system;

“(iv) an explanation of why the entity believes the alternative indicators of performance proposed by the entity would more accurately measure the attainment of the objectives of the entity’s adult education and family literacy programs compared to the indicators of performance described in section 116(b)(2)(A)(i);

“(v) an explanation of how the proposed performance indicators are expected to provide a valid and reliable measurement of the effectiveness of the entity’s adult education and family literacy programs with respect to the individuals served by such programs;
“(vi) a description of how the entity will report to the Secretary and make publicly available the proposed indicators of performance on a timely basis;

“(vii) an assurance that the entity will prepare and submit the final report required under paragraph (4); and

“(viii) a description of how the innovative accountability system may be relevant to and replicated by States and outlying areas.

“(C) REVIEW OF CERTAIN APPLICATIONS.—In a case in which an eligible entity that is a consortium of eligible providers seeks authorization to implement an innovative performance accountability system under this subsection—

“(i) the consortium shall submit the application described in subparagraph (A) to the eligible agency of the State or outlying area in which the consortium intends to implement the system;

“(ii) the eligible agency shall review the application; and
“(iii) if the eligible agency approves the application, the agency shall forward the application to the Secretary together with any comments of the agency regarding the content of the application.

“(4) PROGRESS REPORT.—

“(A) IN GENERAL.—Not later than 180 days before the end of the initial demonstration period applicable to an eligible entity under paragraph (2)(A), and before the Secretary authorizes any extension of the demonstration period under paragraph (2)(B) for such entity, the eligible entity shall submit to the Secretary a report on the initial progress (in this paragraph referred to as the ‘progress report’) of the innovative accountability system implemented by the eligible entity under this section.

“(B) ELEMENTS.—The progress report under subparagraph (A) shall be based on the annual information submitted by participating States and shall include an assessment of the following:

“(i) The burden placed on the local programs and the State to implement and
carry out the innovative accountability system.

“(ii) Whether and to what extent—

“(I) the State has solicited feedback from local program directors and instructors about their satisfaction with the innovative accountability system;

“(II) local program instructors and directors have demonstrated a commitment and capacity to implement or continue to implement the system;

“(III) the system was used to measure the performance indicators for all students participating in the system; and

“(IV) the innovative accountability system can be used across States.

“(C) PEER REVIEW.—

“(i) IN GENERAL.—The eligible entity shall conduct a peer review of the innovative performance accountability system im-
implemented by the eligible entity under this section.

“(ii) PEER REVIEW TEAM.—For purposes of conducting the peer review under clause (i), the eligible entity shall assemble a team of subject matter experts who—

“(I) are knowledgeable about innovative accountability systems; and

“(II) have demonstrated experience developing and implementing such systems.

“(iii) METHODOLOGY.—The methodology of the peer review shall meet requirements to be jointly established by the Secretary of Labor and Secretary of Education.

“(iv) ELEMENTS.—The peer review shall determine the extent to which the innovative accountability system includes primary indicators that reflect the objectives and activities of the State’s adult education and family literacy programs.

“(D) COMMENTS.—The eligible entity shall provide a response to the findings of the progress report.
“(E) PUBLIC AVAILABILITY.—The progress report under this paragraph, including any comments provided under subparagraph (D), shall be made available on a publicly accessible website of the eligible entity.

“(5) FINAL REPORT.—Not later than one year after the conclusion of the demonstration period applicable to an eligible entity under paragraph (2), the entity shall submit to the Secretary a report on the results of the innovative performance accountability system implemented by the entity under this subsection. Each such report shall include the entity’s assessment of whether, and to what extent, the innovative performance accountability system achieved its objectives.

“(6) CONTINUED REPORTING.—An eligible entity shall continue to report to the State, or the Secretary, as applicable, on the indicators of performance described in section 116(b)(2)(A)(i) during the demonstration period.

“(7) DEVELOPMENT AND DISSEMINATION OF BEST PRACTICES.—The Secretary shall—

“(A) based on the results of the demonstration programs authorized under this subsection and in consultation with the Director of
the Institute of Education Sciences and the Secretary of Labor, identify best practices for the development and implementation of innovative performance accountability systems; and

“(B) disseminate information on those practices, including by making such information available on a publicly accessible website of the Department of Education.

“(8) RELATIONSHIP TO OTHER REQUIREMENTS.—Nothing in this subsection shall be construed to supersede the requirements of section 116 or to authorize the Secretary to modify or replace the performance accountability measures required under section 116. An eligible entity participating in a demonstration program under this subsection shall be subject to the applicable requirements of section 116 while participating in such program.

“(9) ELIGIBLE ENTITY DEFINED.—In this subsection, the term ‘eligible entity’ means—

“(A) an eligible agency;

“(B) a consortium of eligible agencies; or

“(C) a consortium of eligible providers within a State or outlying area.”;}
SEC. 306. STATE DISTRIBUTION OF FUNDS; MATCHING REQUIREMENT.

Section 222(b) (29 U.S.C. 3302(b)) is amended by adding at the end the following:

“(3) Public availability of information on matching funds.—Each eligible agency shall maintain, on a publicly accessible website of such agency and in an easily accessible format, information documenting the non-Federal contributions made available to adult education and family literacy programs pursuant to this subsection, including—

“(A) the sources of such contributions; and
“(B) in the case of funds made available by a State or outlying area, an explanation of how such funds are distributed to eligible providers.”

SEC. 307. STATE LEADERSHIP ACTIVITIES.

Section 223(a) (29 U.S.C. 3303(a)) is amended—

(1) by amending paragraph (1)(C)(ii) to read as follows:

“(ii) the role of eligible providers as a one-stop partner to provide access to employment, education (including pre-apprenticeship and apprenticeship programs), and training services;”; and

(2) in paragraph (2)—
(A) in subparagraph (J), by striking the period at the end and inserting “, such as the development and maintenance of policies for the credentialing of adult educators who demonstrate effectiveness.”;

(B) by redesignating subparagraph (M) as subparagraph (N); and

(C) by inserting after subparagraph (L) the following:

“(M) Strengthening the quality of adult education and family literacy programs in the State through support for improved credentials, program quality standards, and certification and accreditation requirements.”.

SEC. 308. GRANTS AND CONTRACTS FOR ELIGIBLE PROVIDERS.

Section 231(e)(1)(6) (29 U.S.C. 3321(e)(1)(6)) is amended by striking “including scientifically valid research and effective educational practice” and inserting “including the application of the principles of universal design for learning, scientifically valid research, and effective educational practice”.

SEC. 309. LOCAL ADMINISTRATIVE COST LIMITS.

Section 233(a) (29 U.S.C. 3323(a)) is amended—
(1) in paragraph (1), by striking “95 percent” and inserting “85 percent”; and

(2) by amending paragraph (2) to read as follows:

“(2) of the remaining amount—

“(A) not more than 10 percent may be used for professional development for adult educators; and

“(B) not more than 5 percent may be used for planning, administration (including carrying out the requirements of section 116), and the activities described in paragraphs (3) and (5) of section 232.”.

SEC. 310. NATIONAL LEADERSHIP ACTIVITIES.

Section 242 (29 U.S.C. 3332) is amended—

(1) by amending paragraph (1) of subsection (b) to read as follows:

“(1) assistance to help States meet the requirements of section 116, including assistance to ensure that—

“(A) the outcomes and other data required pursuant to that section are collected and reported in a timely and accessible manner; and

“(B) such data are reported consistently across States and eligible providers and are re-
viewed for quality and consistency by the Department of Education;”;

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking “and” at the end of subparagraph (C);

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

(iii) by adding at the end the following:

“(E) assistance in the dissemination or provision of information for apprenticeship or pre-apprenticeship programs.”; and

(B) in paragraph (2)—

(i) in subparagraph (F), by striking “and” at the end;

(ii) by redesignating subparagraph (G) as paragraph (L); and

(iii) by inserting after subparagraph (F) the following:

“(G) developing and rigorously evaluating model programs for the preparation of effective adult educators;
“(H) carrying out initiatives to support the
professionalization of adult education through—

“(i) the creation and implementation
of full-time staffing models; and

“(ii) improved credentials, program
quality standards, and certification and ac-
creditation requirements that States may
adopt on a voluntary basis;

“(I) carrying out initiatives to support the
professionalization of adult education through
the creation and implementation of full-time
staffing models;

“(J) providing professional development
and technical assistance to adult educators;

“(K) incorporating the principles of uni-
versal design for learning for any activity car-
rried out under subsection (b); and”.

SEC. 311. INTEGRATED ENGLISH LITERACY AND CIVICS
EDUCATION.

Section 243 (29 U.S.C. 3333) is amended—

(1) by amending subsection (a) to read as fol-

ows:

“(a) IN GENERAL.—From funds made available
under section 211(a)(2) for each fiscal year, the Secretary
shall award grants to States, from allotments under sub-
section (b), for English literacy and civics education, in combination with workforce preparation activities, workplace adult education and family literacy activities, apprenticeship and pre-apprenticeship programs, integrated education and training activities, or work-based learning.”;

(2) in subsection (c)—

(A) in paragraph (1), by striking “, and place such adults in,”; and

(B) in paragraph (2), by inserting before the period the following: “, including the identification of in-demand industries and the placement of adult English language learners in unsubsidized employment within these industries”; and

(3) by adding at the end the following:

“(e) STATE DEFINED.—In this section, the term ‘State’ has the meaning given the term in section 3, except that such term also includes each of the outlying areas (as defined in section 3).”.

SEC. 312. TECHNICAL CORRECTIONS TO OTHER LAWS.

Section 9215(c) of the Every Student Succeeds Act (Public Law 114–95) is amended by striking “the Adult Education and Literacy Act” and inserting “the Adult Education and Family Literacy Act”.
TITLE IV—AMENDMENTS TO THE WAGNER-PEYSER ACT

SEC. 401. INCLUSION OF COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS AND AMERICAN SAMOA.

The Wagner-Peyser Act (29 U.S.C. 49 et seq.) is amended—

(1) in section 2(5) (29 U.S.C. 49a(5))—

(A) by striking “the Commonwealth of Puerto Rico” and inserting “Puerto Rico”; and

(B) by inserting “the Commonwealth of the Northern Mariana Islands, American Samoa,” after “Guam,”;

(2) in section 5(b)(1) (29 U.S.C. 49d(b)(1)), by inserting “the Commonwealth of the Northern Mariana Islands, and American Samoa,” after “Guam,”;

(3) in section 6(a) (29 U.S.C. 49e(a))—

(A) by inserting “, the Commonwealth of the Northern Mariana Islands, and American Samoa” after “except for Guam”; 

(B) by striking “allot to Guam” and inserting the following: “allot to—

“(1) Guam”;

(C) by striking the period at the end and inserting “; and”; and
(D) by adding at the end the following:

“(2) the Commonwealth of the Northern Mariana Islands and American Samoa an amount which, in relation to the total amount available for the fiscal year, is equal to the allotment percentage that Guam received of amounts available under this Act in fiscal year 1983.”; and

(4) in section 6(b)(1) (29 U.S.C. 49e(b)(1)), in the matter following subparagraph (B), by inserting “, the Commonwealth of the Northern Mariana Islands, American Samoa,” after “does not include Guam”.

SEC. 402. WORKFORCE AND LABOR MARKET INFORMATION SYSTEM.

Section 15(g) of the Wagner-Peyser Act (29 U.S.C. 49l–2(g)) is amended to read as follows:

“(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $74,400,000 for fiscal year 2023, $78,100,000 for fiscal year 2024, $82,000,000 for fiscal year 2025, $86,100,000 for fiscal year 2026, $90,400,000 for fiscal year 2027, and $94,900,000 for fiscal year 2028.”.
TITLE V—AMENDMENTS TO THE
REHABILITATION ACT OF 1973

SEC. 501. AUTHORIZATION OF APPROPRIATIONS.

(a) STATE PLANS.—Paragraph (1) of section 100(b) of the Rehabilitation Act of 1973 (29 U.S.C. 720(b)) is amended to read as follows:

“(1) IN GENERAL.—For the purpose of making grants to States under part B to assist States in meeting the costs of vocational rehabilitation services provided in accordance with State plans under section 101, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2023 through 2028, except that—

“(A) for fiscal year 2023 the amount to be appropriated shall be not less than $4,052,400,000; and

“(B) for fiscal year 2024 and each of the succeeding fiscal years, the amount to be appropriated for such a fiscal year shall not be less than the amount of the appropriation under this paragraph for the immediately preceding fiscal year, increased by the percentage change in the Consumer Price Index determined under subsection (c) for the immediately preceding fiscal year.”.
(b) RESEARCH AND TRAINING.—Section 201 of the Rehabilitation Act of 1973 (29 U.S.C. 761) is amended to read as follows:

"SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this title $134,357,300 for fiscal year 2023, $141,075,165 for fiscal year 2024, $148,128,923 for fiscal year 2025, $155,535,369 for fiscal year 2026, $163,312,138 for fiscal year 2027, and $171,477,745 for fiscal year 2028."

(c) TRAINING.—Section 302(i) of the Rehabilitation Act of 1973 (29 U.S.C. 772(i)) is amended to read as follows:

"(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $43,494,001 for fiscal year 2023, $45,668,701 for fiscal year 2024, $47,952,136 for fiscal year 2025, $50,349,743 for fiscal year 2026, $52,867,230 for fiscal year 2027, and $55,510,592 for fiscal year 2028."

(d) DEMONSTRATION AND TRAINING PROGRAMS.—Section 303(e) of the Rehabilitation Act of 1973 (29 U.S.C. 773(e)) is amended to read as follows:

"(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section there are authorized to be appropriated $7,489,900 for fiscal year 2023, $7,864,395 for fiscal year 2024, $8,257,615 for fiscal year
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12025, $8,670,495 for fiscal year 2026, $9,104,020 for fis-
2cal year 2027, and $9,559,221 for fiscal year 2028.”.

(c) National Council on Disability.—Section
5is amended to read as follows:

“SEC. 405. AUTHORIZATION OF APPROPRIATIONS.

“(e) There are authorized to be appropriated to carry out
this title $4,117,300 for fiscal year 2023, $4,323,165 for
fiscal year 2024, $4,539,323 for fiscal year 2025,
$4,766,289 for fiscal year 2026, $5,004,604 for fiscal year
2027, and $5,254,834 for fiscal year 2028.”.

(f) Architectural and Transportation Bar-
riers Compliance Board.—Section 502(j) of the Reha-
bilitiation Act of 1973 (29 U.S.C. 792(j)) is amended to
read as follows:

“(f) There are authorized to be appropriated for the
purpose of carrying out the duties and functions of the
Access Board under this section $962,500 for fiscal year
2023, $1,010,625 for fiscal year 2024, $1,061,156 for fis-
cal year 2025, $1,114,214 for fiscal year 2026,
$1,169,925 for fiscal year 2027, and $1,228,421 for fiscal
year 2028.”.

(g) Protection and Advocacy of Individual
Rights.—Section 509(l) of the Rehabilitation Act of 1973
(29 U.S.C. 794e(l)) is amended to read as follows:
“(l) Authorization of Appropriations.—There are authorized to be appropriated to carry out this section $22,808,500 for fiscal year 2023, $23,948,925 for fiscal year 2024, $25,146,371 for fiscal year 2025, $26,403,690 for fiscal year 2026, $27,723,874 for fiscal year 2027, and $29,110,068 for fiscal year 2028.”.

(h) Independent Living Services.—Section 714 of the Rehabilitation Act of 1973 (29 U.S.C. 796e–3) is amended to read as follows:


“There are authorized to be appropriated to carry out this part $29,564,700 for fiscal year 2023, $31,042,935 for fiscal year 2024, $32,595,082 for fiscal year 2025, $34,224,836 for fiscal year 2026, $35,936,078 for fiscal year 2027, and $37,732,882 for fiscal year 2028.”.

(i) Centers for Independent Living.—Section 727 of the Rehabilitation Act of 1973 (29 U.S.C. 796f–6) is amended to read as follows:


“There are authorized to be appropriated to carry out this part $101,191,200 for fiscal year 2023, $106,250,760 for fiscal year 2024, $111,563,298 for fiscal year 2025, $117,141,463 for fiscal year 2026, $122,998,536 for fiscal year 2027, and $129,148,463 for fiscal year 2028.”.
(j) Independent Living Services for Older Individuals Who Are Blind.—Section 753 of the Rehabilitation Act of 1973 (29 U.S.C. 796l) is amended to read as follows:

"SEC. 753. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this chapter $43,055,100 for fiscal year 2023, $45,207,855 for fiscal year 2024, $47,468,248 for fiscal year 2025, $49,841,660 for fiscal year 2026, $52,333,743 for fiscal year 2027, and $54,950,430 for fiscal year 2028."

"