H. R. ______

To amend and reauthorize the Workforce Innovation and Opportunity Act.

IN THE HOUSE OF REPRESENTATIVES

Ms. Foxx (for herself and Mr. Scott of Virginia) introduced the following bill; which was referred to the Committee on

A BILL

To amend and reauthorize the Workforce Innovation and Opportunity Act.

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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

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

Sec. 1. Short title; table of contents.
Sec. 2. Effective date; transition authority.

TITLE I—WORKFORCE DEVELOPMENT ACTIVITIES
Subtitle A—General Provisions
Sec. 101. Definitions.
Sec. 102. Table of contents amendments.

Subtitle B—System Alignment
CHAPTER 1—STATE PROVISIONS
Sec. 111. Unified State plan.

CHAPTER 2—LOCAL PROVISIONS
Sec. 115. Workforce development areas.
Sec. 116. Local workforce development boards.
Sec. 117. Local plan.

CHAPTER 3—PERFORMANCE ACCOUNTABILITY
Sec. 119. Performance accountability system.

Subtitle C—Workforce Investment Activities and Providers
CHAPTER 1—WORKFORCE INVESTMENT ACTIVITIES AND PROVIDERS
Sec. 121. Establishment of one-stop delivery systems.
Sec. 122. Identification of eligible providers and programs of training services.

CHAPTER 2—YOUTH WORKFORCE INVESTMENT ACTIVITIES
Sec. 131. Reservations for statewide activities.
Sec. 132. Use of funds for youth workforce investment activities.

CHAPTER 3—ADULT AND DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES
Sec. 141. State allotments.
Sec. 142. Reservations for State activities; within State allocations.
Sec. 143. Use of funds for employment and training activities.

CHAPTER 4—AUTHORIZATION OF APPROPRIATIONS
Sec. 145. Authorization of appropriations.

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

Subtitle E—National Programs

Sec. 171. Native American Programs.
Sec. 172. Migrant and seasonal farmworker programs.
Sec. 173. Technical Assistance.
Sec. 174. Evaluations and research.
Sec. 175. National dislocated worker grants.
Sec. 176. YouthBuild Program.
Sec. 178. Reentry employment opportunities.
Sec. 179. Strengthening community colleges grant program.

Subtitle F—Administration

Sec. 191. Requirements and restrictions.
Sec. 192. General waivers of statutory or regulatory requirements.
Sec. 193. State innovation demonstration authority.

TITLE II—ADULT EDUCATION AND LITERACY

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

TITLE III—AMENDMENTS TO OTHER LAWS

Sec. 301. Amendments to the Wagner-Peyser Act.
Sec. 302. Job training grants.

1 SEC. 2. EFFECTIVE DATE; TRANSITION AUTHORITY.
2 (a) EFFECTIVE DATE.—This Act, and the amendments made by this Act, shall take effect on the first date of the first program year that begins after the date of enactment of this Act.
3 (b) TRANSITION AUTHORITY.—
(1) IN GENERAL.—The Secretary of Labor and the Secretary of Education shall have the authority to take such steps as are necessary before the effective date to provide for the orderly implementation on such date of the amendments to the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.) made by this Act.

(2) CONFORMING AMENDMENT.—Section 503 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3343) is repealed.

TITLE I—WORKFORCE DEVELOPMENT ACTIVITIES
Subtitle A—General Provisions

SEC. 101. DEFINITIONS.

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

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

“(A) has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or
“(B) is unable to compute or solve problems, or read, write, or speak English, or does not possess digital literacy skills, at a level necessary to function on the job, in the individual’s family, or in society.”.

(b) EMPLOYER-DIRECTED SKILLS DEVELOPMENT.—

Section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102) is further amended by amending paragraph (14) to read as follows:

“(14) EMPLOYER-DIRECTED SKILLS DEVELOPMENT.—The term ‘employer-directed skills development’ means a program—

“(A) that is selected or designed to meet the specific skill demands of an employer (including a group of employers);

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

“(C) for which the employer pays a portion of the cost of the program, as determined by the local board involved, which shall not be less than—
“(i) 10 percent of the cost, in the case of an employer with 50 or fewer employees;
“(ii) 25 percent of the cost, in the case of an employer with more than 50, but fewer than 100 employees; and
“(iii) 50 percent of the cost, in the case of an employer with 100 or more employees.”.

(e) DISPLACED HOMEMAKER.—Section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102) is further amended by amending paragraph (16), in the matter preceding subparagraph (A), by striking “family members” and inserting “a family member”.

(d) ELIGIBLE YOUTH.—Section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102) is further amended by amending paragraph (18), by striking “out-of-school” and inserting “opportunity”.

(e) ENGLISH LEARNER.—Section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102) is further amended by amending paragraph (21)—

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

(2) by striking “language”.
(f) **JUSTICE-INVOLVED INDIVIDUAL.**—Section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102) is further amended by amending paragraph (38)—

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

and

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

(g) **OPPORTUNITY YOUTH.**—Section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102) is further amended by amending paragraph (46)—

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

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

(h) **PAY-FOR-PERFORMANCE CONTRACT STRATEGY.**—Section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102) is further amended by amending paragraph (47) to read as follows:

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

“(A) contracts, each of which—

“(i) shall specify a fixed amount that will be paid to an eligible service provider (which may include a local or national community-based organization or intermediary, community college, or other provider) based on the achievement of specified levels of performance on the primary indicators of performance described in section 116(b)(2)(A) for target populations as identified by the local board (including individuals with barriers to employment), within a defined timetable;

“(ii) may not be required by the Secretary to be informed by a feasibility study; and

“(iii) may provide for bonus payments to such service provider to expand capacity to provide effective training;

“(B) a strategy for validating the achievement of the performance described in subparagraph (A); and
“(C) a description of how the State or local area will reallocate funds not paid to a provider because the achievement of the performance described in subparagraph (A) did not occur, for further activities related to such a procurement strategy, subject to section 189(g)(4).”.

(i) **RAPID RESPONSE ACTIVITY.**—Section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102) is further amended by amending paragraph (51)—

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

(2) in subparagraph (B), by inserting before the semicolon at the end the following: “, including individual training accounts for eligible dislocated workers under section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 (29 U.S.C. 3224a)”;

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

(4) by redesignating subparagraph (E) as subparagraph (F);

(5) by inserting after subparagraph (D) the following new paragraph:
“(E) assistance in identifying employees eligible for assistance, including workers who work a majority of their time off-site or remotely;”;

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

(7) by adding at the end the following:

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

“(i) connecting employers to short-term compensation or other programs designed to prevent layoffs;

“(ii) conducting employee skill assessment and matching programs to different occupations;

“(iii) establishing incumbent worker training or other upskilling approaches, including incumbent worker upskilling accounts described in section 134(d)(4)(E);

“(iv) facilitating business support activities, such as connecting employers to programs that offer access to credit, financial support, and business consulting; and
“(v) partnering or contracting with business-focused organizations to assess risks to companies, and to propose, implement, and measure the impact of strategies and services to address such risks.”.

(j) NEW DEFINITIONS.—Section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102) is further amended by adding at the end the following:

“(72) CO-ENROLLMENT.—The term ‘co-enrollment’ 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).

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

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

“(75) 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)).

“(76) 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).”
SEC. 102. TABLE OF CONTENTS AMENDMENTS.

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

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

(2) by inserting after the item relating to section 171, the following:

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Sec. 172. Reentry employment opportunities.
Sec. 173. Strengthening community colleges workforce Development grants program.
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(3) by striking the item relating to section 190 and inserting the following:

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Sec. 190. State innovation demonstration authority.
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Subtitle B—System Alignment

CHAPTER 1—STATE PROVISIONS

SEC. 111. UNIFIED STATE PLAN.

Section 102 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3112) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

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

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

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(C) a description of—
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December 6, 2023 (6:56 p.m.)
“(i) how the State will use real-time labor market information to continually assess the economic conditions and workforce trends described in subparagraphs (A) and (B); and

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

(iii) in subparagraph (D), as so redesignated, by inserting “the extent to which such activities are evidence-based,” after “of such activities,”;

(iv) in subparagraph (E), as so redesignated, by striking “and” at the end;

(v) in subparagraph (F), as so redesignated, by striking the period at the end and inserting a semicolon; and

(vi) by adding at the end the following:

“(F) a description of any activities the State is conducting to expand economic opportunity for individuals and reduce barriers to labor market entry by—

“(i) developing, in cooperation with employers, education and training pro-
providers, and other stakeholders, statewide skills-based initiatives that promote the use of demonstrated skills and competencies as an alternative to the exclusive use of degree attainment as a requirement for employment or advancement in a career; and

“(ii) evaluating the existing occupational licensing policies in the State and identifying potential changes to recommend to the appropriate State entity to—

“(I) remove or streamline licensing requirements, as appropriate; and

“(II) improve the reciprocity of licensing, including through participating in interstate licensing compacts; and

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

(B) in paragraph (2)—
(i) in subparagraph (B), by striking “including a description” and inserting “which may include a description”;  
(ii) in subparagraph (C)—  
(I) in clause (ii)(I), by inserting “utilizing a continuous quality improvement approach,” after “year,”  
(II) in clause (vi), by inserting “and” at the end;  
(III) in clause (vii), by striking “; and” and inserting a period; and  
(iv) in subparagraph (E)—  
(I) in clause (viii)(II), by inserting “and” at the end;  
(II) in clause (ix), by striking “; and” at the end and inserting a period; and  
(III) by striking clause (x); and  
(2) in subsection (c)(3)—  
(A) in subparagraph (A), by striking “shall” and inserting “may”; and  
(B) in subparagraph (B)—
(i) by striking “required”; and

(ii) by inserting “, except that com-
municating changes in economic conditions
and workforce trends to the workforce sys-
tem in the State as described in subsection
(b)(1)(C) shall not be considered modifica-
tions subject to approval under this para-
graph” before the period at the end.

CHAPTER 2—LOCAL PROVISIONS

SEC. 115. WORKFORCE DEVELOPMENT AREAS.

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

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

“(A) review each region in the State iden-
tified under this subsection (as such subsection
was in effect on the day before the date of en-
actment of the A Stronger Workforce for Amer-
ica Act); and
“(B) after consultation with the local boards and chief elected officials in the local areas and consistent with the considerations described in subsection (b)(1)(B)—

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

“(ii) make a determination to maintain such region with no revision.”.

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

(1) in paragraph (1)—

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

(B) in subparagraph (B), by striking “(except for those local areas described in paragraphs (2) and (3))”; and

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

“(2) CONTINUATION PERIOD.—Subject to paragraph (5), in order to receive an allotment under section 127(b) or 132(b), the Governor shall maintain the designations of local areas in the State under this subsection (as in effect on the day before the date of enactment of the A Stronger Workforce
for America Act) until the end of the third full pro-
gram year after the date of enactment of the A
Stronger Workforce for America Act.

“(3) INITIAL ALIGNMENT REVIEW.—

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

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

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

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

“(II) be subject to the approval
of the local boards in the State in ac-
cordance with the process described in
subparagraph (C).
“(B) Designation of local areas.—A redesignation of local areas in a State that is approved by a majority of the local boards in the State through the process described in subparagraph (C) shall take effect on the first day of the 4th full program year after the date of enactment of the A Stronger Workforce for America Act.

“(C) Process to reach majority approval.—To approve a designation of local areas in the State, the local boards in the State shall comply with the following:

“(i) Initial vote.—Not later than 60 days after the Governor issues proposed redesignations under subparagraph (A), the chairperson of each local board shall review the proposed redesignations and submit a vote on behalf of such local board to the Governor either approving or rejecting the proposed redesignations.

“(ii) Results of initial vote.—If a majority of the local boards in the State vote under clause (i)—

“(I) to approve such proposed redesignations, such redesignations shall
take effect in accordance with sub-
paragraph (B); or

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

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

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

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

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

“(II) conduct a vote to approve,
by majority vote, 1 of the 2 alternate
redesignations described in subclause
(I).
“(iv) Effective Date of Alternate Designations.—The alternate redesignations approved pursuant to clause (iii)(II) shall take effect in accordance with subparagraph (B).

“(4) Subsequent Alignment Reviews.—On the date that is the first day of the 12th full program year after the date of enactment of the A Stronger Workforce for America Act, and every 8 years thereafter, the Governor shall review the designation of local areas based on the considerations described in paragraph (1)(B) and conduct a process in accordance with paragraph (3).

“(5) Interim Revisions.—

“(A) Automatic Approval of Certain Redesignation Requests.—

“(i) In General.—At any time, and notwithstanding the requirements of paragraphs (2), (3), and (4), the Governor, upon receipt of a request for a redesignation of a local area described in clause (ii), shall approve such request.

“(ii) Requests.—The following requests shall be approved pursuant to clause (i) upon request:
“(I) A request from multiple local areas to be redesignated as a single local area.

“(II) A request from multiple local areas for a revision to the designations of such local areas, which would not impact the designations of local areas that have not made such request.

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

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

“(i) performed successfully;

“(ii) sustained fiscal integrity; or

“(iii) in the case of a local area in a planning region, met the requirements described in subsection (c)(1).

“(C) EFFECTIVE DATE.—Any redesignation of a local area approved by the Governor
under paragraph (A) or (B) shall take effect on
the first date of the first full program year
after such date of approval.

“(6) APPEALS.—

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

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

“(C) SECRETARIAL REQUIREMENTS.—If a
request to maintain an existing designation as
a local area is not granted as a result of such
appeal, the Secretary, after receiving a request
for review from such local area and determining
that the local area was not accorded procedural
rights under the appeals process referred to in subparagraph (A), shall—

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

“(ii) upon determining that the applicable process has not been followed, require that the local area’s existing designation be maintained.

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

“(A) groups of local areas to request to be redesignated as a single local area under paragraph (5)(A); or

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

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

(1) in paragraph (1)—
(A) by redesignating subparagraphs (F) through (H) as subparagraphs (G) through (I), respectively; and

(B) by inserting the following after subparagraph (E):

“(F) the establishment of cost arrangements for services described in subsections (c) and (d) of section 134, including the pooling of funds for such services, as appropriate, for the region;”;

(2) in paragraph (2), by inserting “, including to assist with establishing administrative costs arrangements or cost arrangements for services under subparagraphs (F) and (G) of such paragraph’’ after “delivery efforts’’;

(3) by redesignating paragraph (3) as paragraph (4); and

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

“(3) REGIONAL CONSORTIUMS.—

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

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

“(i) one of the chief elected officials in the planning region shall be designated as the fiscal agent for the consortium;

“(ii) the local boards shall develop a memorandum of understanding to jointly administer the activities for the consortium; and

“(iii) the required activities for local areas under this Act, (including the required functions of the local boards described in section 107(d)) shall apply to such a consortium as a whole and may not be applied separately or differently to the local areas or local boards within such consortium.”.

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

(1) by redesignating paragraph (2) as paragraph (3); and
(2) by inserting after paragraph (1), the following:

“(2) NEW DESIGNATION.—

“(A) IN GENERAL.—Consistent with the process described in subsection (b)(1)(A) and during a review of designations described in paragraph (3) or (4) of subsection (b), the Governor may propose to designate a State as a single State local area for the purposes of this title.

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

“(C) DESIGNATION AS A SINGLE STATE LOCAL AREA.—If the majority of the chairpersons of the local boards in the State vote to approve such proposed designation, the State shall be designated as a single State local area and the Governor shall identify the State as a local area in the State plan.”.

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

SEC. 116. LOCAL WORKFORCE DEVELOPMENT BOARDS.

Section 107(d) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3122(d)) is amended—

(1) in paragraph (3), by inserting “, including, to the extent practicable, local representatives of the core programs and the programs described in section 102(a)(2),” after “system stakeholders”;

(2) in paragraph (4)(D)—

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

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

(C) by inserting “from a variety of industries and occupations” after “and employers”;

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

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

(B) in subparagraph (A)—

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

(ii) by inserting “and covered veterans (as defined in section 4212(a)(3)(A) of title 38, United States Code)” after “employment”;

(iii) by inserting “, and prioritize covered veterans as described in section 4212(a)(2) of title 38, United States Code” after “delivery system”; and

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

(7) in paragraph (10)(C)—

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

(B) by inserting “that operate in or are accessible to individuals” after “training services”; and

(8) in paragraph (12)(A), by striking “activities” and inserting “funds allocated to the local area under section 128(b) and section 133(b) for the
youth workforce development activities described in section 129 and local employment and training activities described in section 134(b), and the activities”.

SEC. 117. LOCAL PLAN.

Section 108 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3123) is amended—

(1) in subsection (a), by striking “shall prepare” and inserting “may prepare”; and

(2) in subsection (b)—

(A) in paragraph (1)—

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

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

“(D) a description of—

“(i) how the local area will use real-time labor market information to continually assess the economic conditions and workforce trends described in subparagraphs (A), (B), and (C); and

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

(iii) in subparagraph (F), as so redesignated, by striking “and” at the end; and

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

“(G) an analysis of the opportunity youth population in the local area, including the estimated number of such youth and any gaps in services for such population from other existing workforce development activities, as identified under paragraph (9); and”; 

(B) in paragraph (4)—

(i) in subparagraph (A)—

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

(II) by adding at the end the following:

“(v) carry out any statewide skills-based initiatives identified in the State plan that promote the use of demonstrated skills and competencies as an alternative to the exclusive use of degree attainment as a requirement for employment or advancement in a career; and”;

and
(ii) in subparagraph (B), by striking “customized training” and inserting “employer-directed skills development”;

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

(D) in paragraph (9)—

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

“(i) the availability of community based organizations that serve youth primarily during non-school time hours to carry out activities under section 129; and

“(ii) activities”; and

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

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

CHAPTER 3—PERFORMANCE ACCOUNTABILITY

SEC. 119. PERFORMANCE ACCOUNTABILITY SYSTEM.

(a) State Performance Accountability Measures.—
(1) PRIMARY INDICATORS OF PERFORMANCE.—

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

(A) in clause (i)—

(i) in subclause (II)—

(I) by striking “fourth” and inserting “second”; and

(II) by inserting “and remain in unsubsidized employment during the fourth quarter after exit from the program” after “the program”; 

(ii) in subclause (V)—

(I) by striking “, during a program year,”;

(II) by striking “are in” and inserting “enter into”; and

(III) by inserting before the semicolon at the end the following: “within 6 months after the quarter in which the participant enters into the education and training program”; and 

(iii) by amending subclause (VI) to read as follows:


“(VI) of the program participants who received training services and who exited the program during a program year, the percentage of such program participants who completed, prior to such exit, on-the-job training, employer-directed skills development, incumbent worker training, or an apprenticeship.”;

(B) in clause (ii)—

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

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

and

(iii) by adding at the end the following:

“(IV) the percentage of program participants who, during a program year, participate in paid or unpaid work experiences as described in section 129(c)(2)(C).”; and

(C) by striking clause (iv).

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

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

“(iii) IDENTIFICATION IN STATE PLAN.—

“(I) SECRETARIES.—For each State submitting a State plan, the Secretaries of Labor and Education shall—

“(aa) not later than December 1 of the year prior to the year in which such State plan is submitted, for the first 2 program years covered by the State plan, and not later than December 1 of the year prior to the third program year covered by the State plan, for the third and fourth program years covered by the State plan, propose expected levels of performance for each of the corresponding primary indicators of performance for each of...
the programs described in clause
(ii) for such State, which shall—

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

“(BB) be proposed in a
manner that ensures suffi-
cient time is provided for
the State to evaluate and re-
respond to such proposals; and

“(bb) publish, on a public
website of the Department of
Labor, the statistical model de-
developed under clause (viii) and
the methodology used to develop
each such proposed level of per-
formance.

“(II) States.—Each State
shall—

“(aa) evaluate each of the
expected levels of performance
proposed under subclause (I)
with respect to such State;
“(bb) based on such evaluation of each such proposed level of performance—

“(AA) accept the expected level of performance as so proposed; or

“(BB) provide a counterproposal for such proposed expected level of performance, including an analysis of how the counterproposal addresses factors or circumstances unique to the State that may not have been accounted for in the proposed expected level of performance; and

“(cc) include in the State plan, with respect to each of the corresponding primary indicators of performance for each of the programs described in clause (ii) for such State—
“(AA) the expected level of performance proposed under subclause (I);

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

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

(B) in clause (v)(II)—

(i) in the matter preceding item (aa), by striking “based on” and inserting “based on each of the following considerations that are found to be predictive of performance on an indicator for a program”; and

(ii) in item (bb), by inserting “, foster care status, school status, education level, highest grade level completed, low-income status” after “ex-offender status”.

(b) PERFORMANCE REPORTS.—Section 116(d) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141(d)) is amended—
(1) by amending paragraph (1) to read as fol-

lows:

“(1) IN GENERAL.—

“(A) TEMPLATE FOR PERFORMANCE RE-

PORTS.—Not later than 12 months after the
date of enactment of the A Stronger Workforce
for America Act, the Secretary of Labor, in
conjunction with the Secretary of Education,
shall develop, or review and modify, as appro-
priate, to comply with the requirements of this
subsection, the template for performance re-
ports that shall be used by States (including by
States on behalf of eligible providers of training
services under section 122) and local boards to
produce a report on outcomes achieved by the
core programs. In developing, or reviewing and
modifying, such templates, the Secretary of
Labor, in conjunction with the Secretary of
Education, shall take into account the need to
maximize the value of the templates for work-
ers, jobseekers, employers, local elected officials,
State officials, Federal policymakers, and other
key stakeholders.

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

“(C) ADDITIONAL REPORTING.—The Secretary of Labor, in conjunction with the Secretary of Education—

“(i) in addition to the common data elements described under subparagraph (B), may require a core program to provide additional information as necessary for effective reporting; and

“(ii) shall periodically review any requirement for additional information to ensure the requirement is necessary and does not impose an undue reporting burden.”.

(2) in paragraph (2)—

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

“(J) the median earnings gain of participants who received training services, calculated as the difference between—

“(i) median participant earnings in unsubsidized employment during the second quarter after program exit, and

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

(B) in subparagraph (L), as so redesignated, by striking clause (ii); and

(C) by striking “strategies for programs” and all that follows through “the performance”, and inserting “strategies for programs, the performance”; 

(3) in paragraph (3)—

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

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

(C) by inserting after subparagraph (B) the following:
“(C) the percentage of a local area’s allocation under section 133(b) that the local area spent on services paid for through an individual training account described in section 134(c)(3)(F)(iii) or a training contract described in section 134(c)(3)(G)(ii);

“(D) the percentage of a local area’s allocation under section 133(b) that the local area spent on supportive services; and”;

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

“(4) CONTENTS OF ELIGIBLE TRAINING PROVIDERS PERFORMANCE REPORT.—

“(A) IN GENERAL.—The State shall use the information submitted by the eligible providers of training services under section 122 and administrative records, including quarterly wage records, of the participants of the programs offered by the providers to produce a performance report on the eligible providers of training services in the State, which shall include, subject to paragraph (6)(C)—

“(i) with respect to each program of study (or the equivalent) of such a provider—
“(I) information specifying the levels of performance achieved with respect to the primary indicators of performance described in subclauses (I) through (IV) of subsection (b)(2)(A)(i) with respect to all individuals engaging in the program of study (or the equivalent); and

“(II) the total number of individuals exiting from the program of study (or the equivalent); and

“(ii) with respect to all such providers—

“(I) the total number of participants who received training services through each adult and dislocated worker program authorized under chapter 3 of subtitle B, disaggregated by the type of entity that provided the training, during the most recent program year and the 3 preceding program years;

“(II) the total number of participants who exited from training services, disaggregated by the type of en-
tity that provided the training, during
the most recent program year and the
3 preceding program years;

“(III) the average cost per par-
ticipant for the participants who re-
ceived training services, disaggregated
by the type of entity that provided the
training, during the most recent pro-
gram year and the 3 preceding pro-
gram years; and

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

“(iii) with respect to each recognized
postsecondary credential on the list of cre-
dentials awarded by eligible providers in
the State described in section 116(d)(2)—

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

“(II) information specifying the levels of performance achieved with respect to the primary indicators of performance described in subclauses (I) through (IV) of subsection (b)(2)(A)(i) for participants in the State receiving such credential with respect to individuals with barriers to employment, disaggregated by each subpopulation of such individuals, and by race, ethnicity, sex, and age.”; and

(5) in paragraph (6)—

(A) 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 for-
mats that are human readable and machine actionable such that the data from these reports—

“(I) is easily understandable; and

“(II) can be easily included in web-based tools and services supporting search, discovery, comparison, analysis, navigation, and guidance;

and

“(ii) in a printable format.”; and

(B) in subparagraph (B)—

(i) by striking “(including by electronic means), in an easily understandable format,”; and

(ii) by adding at the end the following: “The Secretary of Labor and the Secretary of Education shall include, on the website where the State performance reports required under subparagraph (A) are made available, a link to local area performance reports and the eligible training provider report for each State. Such reports shall be made available in each of the formats described in subparagraph (A).”.
(c) Evaluation of State Programs.—Section 116(e) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141(e)) is amended—

(1) in paragraph (1)—

(A) by striking “shall conduct ongoing” and inserting “shall use data to conduct analyses and ongoing”; and

(B) by striking “conduct the” and inserting “conduct such analyses and”; and

(2) in paragraph (2), by adding “A State may use other forms of analysis, such as machine learning or other advanced analytics, to improve program operations and outcomes and to identify areas for further evaluation.” at the end;

(d) Sanctions for State Failure to Meet State Performance Accountability Measures.—

Section 116(f) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141(f)) is amended to read as follows:

“(f) Sanctions for State Failure to Meet State Performance Accountability Measures.—

“(1) Targeted Support and Assistance.—

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

“(B) SANCTIONS.—

“(i) In general.—If the State fails
in the manner described in subclause (I) or
(II) of clause (ii) with respect to a pro-
gram year, the percentage of each amount
that would (in the absence of this para-
graph) be reserved by the Governor under
section 128(a)(1) for the immediately suc-
ceeding program year shall be reduced by
5 percentage points until such date as the
Secretary of Labor or the Secretary of
Education, as appropriate, determines that
the State meets the State adjusted level of
performance, in the case of a failure de-
scribed in clause (ii)(I), or has submitted
the reports for the appropriate program
years, in the case of a failure described in
clause (ii)(II).

“(ii) Failures.—A State shall be
subject to clause (i)—
“(I) if (except in the case of exceptional circumstances as determined by the Secretary of Labor or the Secretary of Education, as appropriate), such State fails to submit a report under subsection (d) for any program year; or

“(II) for a failure under subparagraph (A) that continues for a second consecutive year.

“(2) COMPREHENSIVE SUPPORT AND ASSISTANCE.—

“(A) In general.—If a State fails to meet an average of 90 percent of the State adjusted levels of performance for a program across all performance indicators for any program year, or if a State fails to meet an average of 90 percent of the State adjusted levels of performance for a single performance indicator across all programs for any program year, the Secretary of Labor and the Secretary of Education shall provide technical assistance, as described and authorized under section 168(b), including assistance in the development of a comprehensive performance improvement plan.
“(B) SECOND CONSECUTIVE YEAR FAIL-
URE.—If such failure under subparagraph (A)
continues for a second consecutive year, the
percentage of each amount that would (in the
absence of this subsection) be reserved by the
Governor under section 128(a)(1) for the imme-
diately succeeding program year shall be re-
duced by 10 percentage points until such date
as the Secretary of Labor or the Secretary of
Education, as appropriate, determines that the
State meets such State adjusted levels of per-
formance.

“(3) REALLOTTMENT OF REDUCTIONS.—Any
amounts not reserved under section 128(a)(1) for a
State for a program year pursuant to paragraph
(1)(B) or (2)(B) of this subsection shall be realloted
to other States in a manner consistent with para-
graph (1)(B) or (2)(B) of section 132(b).”;

(e) SANCTIONS FOR LOCAL AREA FAILURE TO MEET
LOCAL PERFORMANCE ACCOUNTABILITY MEASURES.—
Section 116(g) of the Workforce Innovation and Oppor-
tunity Act (29 U.S.C. 3141(g)) is amended—

(1) in paragraph (1)—

(A) by inserting “80 percent of the” before
“local performance”; and
(B) by striking “accountability measures” and inserting “accountability levels of performance on an indicator of performance, an average of 90 percent of the local levels of performance across indicators for a single program, or an average of 90 percent for a single performance indicator across all programs”; and

(2) in paragraph (2)—

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

“(A) IN GENERAL.—If such failure continues, the Governor shall take corrective actions, which shall include—

“(i) in the case of a failure, for a second consecutive year, on any individual indicator, across indicators for a single program, or on a single indicator across programs, a 5 percent reduction in the amount that would have otherwise been provided (in the absence of this clause) to the local area for the immediately succeeding program year under chapter 2 or 3 of subtitle B for the program subject to the performance failure;
“(ii) in the case of a failure, as described in paragraph (1), for a third consecutive year, the development of a reorganization plan through which the Governor shall—

“(I) require the appointment and certification of a new local board, consistent with the criteria established under section 107(b);

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

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

“(iii) other significant actions determined appropriate by the Governor.”;
(B) in subparagraph (B)(i), by inserting “(ii)” after “subparagraph (A)”; and

(C) by adding at the end the following:

“(D) REALLOCATION OF REDUCTIONS.—Any amounts not allocated under chapter 2 or 3 of subtitle B to a local area for a program year pursuant to subparagraph (A)(i) shall be reallocated to other local areas in a manner consistent with subparagraph (A) or (B) of section 133(b)(2) or subparagraph (A) of section 128(b)(2), as applicable.”.

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

(g) FISCAL AND MANAGEMENT ACCOUNTABILITY INFORMATION SYSTEMS.—Section 116(i) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141(i)) is amended—

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

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

“(3) DESIGNATED ENTITY.—The Governor shall designate a State agency (or appropriate State entity) to assist in carrying out the performance reporting requirements for core programs and eligible training providers. The designated State agency (or appropriate State entity) shall be responsible for—

“(A) facilitating data matches using quarterly wage record information, including wage record information made available by other States, to measure employment and earnings outcomes;

“(B) data validation and reliability, as described in subsection (d)(5); and

“(C) protection against disaggregation that would violate applicable privacy standards, as described in subsection (d)(6)(C).”.
Subtitle C—Workforce Investment
Activities and Providers

CHAPTER 1—WORKFORCE INVESTMENT
ACTIVITIES AND PROVIDERS

SEC. 121. 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)(B)—

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

(B) by striking clause (xii);

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

(3) in paragraph (2)(B)—

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

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

(C) by inserting after clause (vi) the following:
“(vii) workforce and economic development programs carried out by the Economic Development Administration; and”.

(b) 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)(B)—

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

(B) in clause (v), by striking “and”;

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

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

“(vi) a public library;

“(vii) a local board that meets the requirements of paragraph (4); and”;

(E) in clause (viii), as so redesignated, by inserting after “labor organization” the following: “joint labor-management organization”; and

(2) by redesignating paragraphs (3) and (4) as paragraphs (5) and (6), respectively; and
(3) by inserting after paragraph (2) the following:

“(3) Responsibilities.—

“(A) In general.—In operating a one-stop system referred to in subsection (e), a one-stop operator—

“(i) shall—

“(I) manage the physical and virtual infrastructure and operations of the one-stop system in the local area; and

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

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

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

“(i) with respect to the competition in which the one-stop operator will compete to
be selected as such service provider, and
the subsequent oversight, monitoring, and
evaluation of the performance of such one-
stop operator as such service provider; and
“(ii) which—
“(I) require compliance with—
“(aa) relevant Office of
Management and Budget circu-
lars relating to conflicts of inter-
est; and
“(bb) any applicable State
conflict of interest policy; and
“(II) prohibit a one-stop operator
from developing, managing, or con-
ducting the competition in which the
operator intends to compete to be se-
lected as a service provider.
“(4) LOCAL BOARDS AS ONE-STOP OPERA-
TORS.—Subject to approval from the chief elected
official and Governor and in accordance with any
other eligibility criteria established by the State, a
local board may serve as a one-stop operator, if the
local board—
“(A) enters into a written agreement with
the chief elected official that clarifies how the
local board will carry out the functions and responsibilities as a one-stop operator in a manner that complies with the appropriate internal controls to prevent any conflicts of interest, which shall include how the local board, while serving as a one-stop operator, will—

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

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

“(B) complies with the other applicable requirements of this subsection.”.

(e) One-Stop Delivery.—Section 121(e)(2) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3151(e)(2)) is amended—

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

“(A) shall make each of the programs, services, and activities described in paragraph (1) accessible—

“(i) to individuals through electronic means, in a single, virtually accessible location, and in a manner that improves efficiency, coordination, and quality, as deter-
mined by the State, in the delivery of such
programs, services, and activities; or
“(ii) at not less than 1 physical center
in each local area of the State; and”;
(2) in subparagraph (B)(i), by inserting after
“affiliated sites” the following: “(such as any of the
entities described in subsection (d)(2)(B))”;
(3) in subparagraph (C), by inserting after
“centers” the following: “(which may be virtual or
physical centers)”;
(4) in subparagraph (D), by striking “as appli-
cable and practicable, shall” and inserting “in the
case of a one-stop delivery system that is making
each of the programs, services, and activities de-
dscribed in paragraph (1) accessible at not less than
1 physical center, as described in subparagraph
(A)(ii), the one-stop delivery system shall, as appli-
cable and practicable,”; and
(5) by inserting after subparagraph (D) the fol-
lowing:
“(E) in the case of a one-stop delivery sys-
tem that is making each of the programs, serv-
ices, and activities accessible through electronic
means, as described in subparagraph (A)(i), the
one-stop delivery system shall have not less
than two affiliated sites with a physical location
where individuals can access, virtually, each of
the programs, services, and activities described
in paragraph (1) that are virtually accessible.”.

(d) Certification and Improvement Criteria.—
Section 121(g)(2)(A) of the Workforce Innovation and
Opportunity Act is amended by striking “under sub-
sections (h)(1)” and inserting “under subsections
(h)(1)(C)”.

(e) Funding of One-Stop Infrastructure.—Sec-
tion 121(h) of the Workforce Innovation and Opportunity
Act is amended—

(1) by striking paragraph (1);

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

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

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

“(B) Partner Contributions.—Subject
to subparagraph (D), the covered portions of
funding for a fiscal year shall be provided to
the Governor from the programs described in
subsection (b)(1) to pay the costs of infrastruc-
ture of one-stop centers in local areas of the
State.”; and
(B) in subparagraph (C)—

(i) by striking “for funding pursuant to clause (i)(II) or (ii) of paragraph (1)(A) by each partner,”; and

(ii) by striking the fourth sentence;

(C) in subparagraph (D)—

(i) in clause (ii), by striking “For local areas in a State that are not covered by paragraph (1)(A)(i)(I), the” and inserting “The”;

(ii) in clause (ii)—

(I) in subclause (I)—

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

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

(II) by striking subclause (III);

and

(iii) in clause (iii), by striking “For local areas in a State that are not covered by paragraph (1)(A)(i)(I), an” and inserting “An”;

(4) in paragraph (2), as so redesignated—
(A) in subparagraph (A), by striking “purposes of assisting in” and inserting “purpose of”; and

(B) in subparagraph (B)—

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

(ii) in the second sentence, by inserting after “local area,” the following: “the intensity of services provided by such centers,”;

(5) by inserting after paragraph (2), as so redesignated, the following:

“(3) Supplemental infrastructure funding.—For any fiscal year in which the allocation received by a local area under paragraph (2) is insufficient to cover the total costs of infrastructure of one-stop centers in such local area, the local board, the chief elected official, and the one-stop partners that have entered into the local memorandum of understanding with the local board under subsection (e) may agree to fund any such remaining costs using a method described in such memorandum.”; and
(6) in paragraph (4), by inserting after “operation of the one-stop center” the following: “(whether for in-person or virtual service delivery”).

SEC. 122. IDENTIFICATION OF ELIGIBLE PROVIDERS AND PROGRAMS OF TRAINING SERVICES.

(a) ELIGIBILITY.—Section 122(a) (29 U.S.C. 3152(a)) is amended—

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

“(1) IN GENERAL.—Except as provided in subsection (i), the Governor, after consultation with the State board and considering the State’s adjusted levels of performance described in section 116(b)(3)(A)(iv), shall establish—

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

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

(2) in paragraph (2)—
(A) in subparagraph (A), by inserting before the semicolon at the end the following:

“(other than an institution of higher education described in subparagraph (C)”;

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

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

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

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

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

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

“(iii) is an eligible program for purposes of the Federal Pell Grant program; or”; and

(E) in subparagraph (D), as so redesignated—

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

(ii) by inserting “providers of entrepreneurial skills development programs, industry or sector partnerships, groups of employers, trade or professional associations,” after “organizations,”; and

(3) in paragraph (3)—

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

(B) in the second sentence, by striking “paragraph (2)(B)” and inserting “subparagraph (B) or (C) of paragraph (2)”;

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

(b) CRITERIA AND INFORMATION REQUIREMENTS.—

Section 122(b) (29 U.S.C. 3152(b)) is amended to read as follows:

“(b) CRITERIA AND INFORMATION REQUIREMENTS.—

“(1) GENERAL REQUIREMENTS.—

“(A) GENERAL CRITERIA FOR PROGRAMS.—Each provider shall demonstrate that
the program for which the provider is seeking eligibility under this section—

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

“(I) is high skill and high wage;

or

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

“(ii) leads to a recognized postsecondary credential;

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

“(iv)(I) meets the performance requirements for standard eligibility described in paragraph (2); or

“(II) has received conditional eligibility described in paragraph (3).

“(B) PROVIDER ELIGIBILITY ELECTION.—

Any provider may elect to seek standard eligibility under paragraph (2) or conditional eligibility under paragraph (3).

“(2) PERFORMANCE CRITERIA FOR STANDARD ELIGIBILITY.—
“(A) IN GENERAL.—The Governor shall—

“(i) establish and publicize minimum levels of performance for each of the criteria listed in subparagraph (B) that a program offered by a provider of training services shall achieve to receive and maintain standard eligibility under this section; and

“(ii) verify the performance achieved by such a program with respect to each such criteria to determine whether the program meets the corresponding minimum level of performance established under clause (i)—

“(I) in the case of the criteria described in (ii) through (iv) of subparagraph (B), using State administrative data (such as quarterly wage records); and

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

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

“(B) PERFORMANCE CRITERIA.—The performance criteria to receive and maintain standard eligibility for a program under this section are as follows:

“(i) The credential attainment rate of program participants calculated as the percentage of program participants who obtain the recognized postsecondary credential for which the program prepares participants to earn within 6 months of exit from the program.

“(ii) The job placement rate of program participants calculated as the percentage of program participants in unsubsidized employment during the second 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 ratio of median earnings increase to the total cost of program, calculated as follows:

“(I) The difference between—

“(aa) the median participant wages from unsubsidized employment during the second quarter after program exit; and

“(bb) the median earnings of participants wages during the quarter prior to entering the program, to

“(II) The total cost of the program (as described in paragraph (5)(B)(iii)).

“(C) LOCAL CRITERIA.—With respect to any program receiving standard eligibility under this section from a Governor, a local board in the State may require higher levels of performance than the minimum performance levels established by the Governor under this paragraph, but may not—

“(i) require any information or application from the provider that is not required for such standard eligibility; or
“(ii) establish a performance require-
ment with respect to any criteria not listed
in subparagraph (B).

“(3) CONDITIONAL ELIGIBILITY.—

“(A) REQUIREMENTS.—

“(i) IN GENERAL.—The Governor
shall establish procedures and criteria for
conditional eligibility for a program of a
provider of training services that does not
meet the requirements under subparagraph
(2).

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

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

“(II) with respect to a program
that has received conditional eligibility
for the maximum period established
under subclause (I) and that is seek-
ing approval for an additional period
of conditional eligibility, may not con-
sider such program for such condi-
tional eligibility during the 3-year pe-
rid period that begins on the day after the
end of most recent period for which
the program received conditional eligi-
bility; and

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

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

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

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

“(iii) Upon verification of the participant’s employment during the second quarter after program completion, the provider shall receive not less than 25 percent of such total funds.

“(iv) The remainder of such total funds may be awarded at any of the intervals described in clauses (i) through (iii) as determined by the Governor in accordance with the procedures established under subparagraph (A).

“(C) LIMITATION ON BILLING PARTICIPANTS.—With respect to a program participant for whom a provider expects to be paid pursuant to subparagraph (B), the provider may not—

“(i) charge such participant tuition and refund such charges after receiving such payments; or
“(ii) if such program participant does not achieve the outcomes necessary for the provider to receive the provider’s full payment pursuant to subparagraph (B) for such participant, bill a participant for any of the amounts described in subparagraph (B).

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

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

“(i) pay to the provider, on behalf of each participant enrolled in such program under this Act, not less than 25 percent of the cost of the program (as described in paragraph (5)(B)(iii)), which shall be provided in lieu of 25 percent of the amount that the provider would have otherwise received under section 133(b) for the provi-
sion of training services by such program

to such participant; and

“(ii) guarantee an interview and con-
sideration for a job with the employer, or
in the case of an industry or sectoral part-
nership, an employer within such partner-
ship, for each such participant that suc-
cessfully completes the program.

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

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

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

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

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

“(B) include information on—

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

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

“(iii) the total cost of the program, in-
cluding the costs of the published tuition
and fees, supplies, books, and any other
costs required by the provider for participants in the program;

“(iv) the percentage of such participants that complete the program within the number of weeks that full-time participants would take to complete the program; and

“(v) in the case of a provider offering programs seeking or maintaining standard eligibility, the criteria described in paragraph (2) and not otherwise included in clause (i) of this subparagraph; and

“(C) with respect to employment and earnings measures described in subclauses (I) through (III) of section 116(b)(2)(A)(i) for such participants—

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

“(ii) the necessary information to determine the percentage of such participants who entered unsubsidized employment in an occupation related to the program, to the extent practicable;”.
(c) PROCEDURES.—Section 122(c) (29 U.S.C. 3152(c)) is amended—

(1) in the first sentence of paragraph (1), by inserting “, which shall be implemented in a manner that minimizes the financial and administrative burden on the provider and shall not require the submission of information in excess of the information required to determine a program’s eligibility under subsection (b);” after “provision of training services”; 

(2) by redesignating paragraph (2) as paragraph (3), and inserting the following after paragraph (1):

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

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

(A) by striking “biennial” and inserting “annual”; and
(B) by inserting before the period at the end the following: “that continue to meet the requirements under subsection (b)”; and

(C) by adding at the end the following: “Any program with standard or conditional eligibility that, upon such review, does not meet the eligibility criteria established under subsection (b) for standard or conditional eligibility, respectively, shall, except as otherwise provided in subsection (g)(1)(E), no longer be an eligible program and shall be removed from the list described in subsection (d).”; and

(4) by inserting at the end the following: “(4) MULTI-STATE PROVIDERS.—The procedures established under subsection (a) shall specify the process for any provider of training services offering a program in multiple States to establish eligibility in such States, which shall, to the extent practicable, minimize financial and administrative burdens on any such provider by authorizing the provider to submit the same application materials and information to the Governor of each State in which such program will be providing services, as long as the program meets the applicable State re-
quirements established under subsection (b) for each such State.

“(5) ONLINE PROVIDERS.—If a participant chooses a provider that delivers training services exclusively online and is not located in the State of the local area that approved such training services for the participant in accordance with section 133(c)(3)(A)(i), such provider shall be ineligible to receive payment for such participant from funds allocated to such State unless such provider is on the list of eligible providers of training services described in subsection (d) for such State.”.

(d) LIST AND INFORMATION TO ASSIST PARTICIPANTS IN CHOOSING PROVIDERS.—Section 122(d) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3152(d)) is amended—

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

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

“(2) CREDENTIAL NAVIGATION FEATURE.—In order to enhance the ability of participants and employers to understand and compare the value of the recognized postsecondary credentials awarded by eligible programs offered by providers of training serv-
ices in a State, the Governor shall establish (or de-
velop in partnership with other States), a credential
avigation feature that allows participants and the
public to search a list of such recognized postsec-
ondary credentials, and the providers and programs
awarding such a credential, which shall include, with
respect to each such credential (aggregated for all
participants in the State that have received such cre-
dential)—

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

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

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

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

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

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

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

“(C) with respect to a program described
in subsection (b)(4) that is offered by a pro-
vider, consist of the information promoting the
program as having an employer-sponsored des-
ignation and identifying the employer or part-
nership sponsoring the program.”.

(4) by amending paragraph (4) (as so redesig-
nated) to read as follows:

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

“(A) on a publicly accessible website

that—

“(i) is consumer-tested; and

“(ii) is searchable, easily understand-
able, and navigable, and allows for the
comparison of eligible programs through
the use of common, linked, open-data de-
scriptive language; and
“(B) in a manner that does not reveal personally identifiable information about an individual participant.”; and

(5) by inserting before paragraph (6) (as so redesignated), the following:

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

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

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

(e) PROVIDER PERFORMANCE INCENTIVES.—Section 122 (29 U.S.C. 3152), as amended by this section, is further amended—

(1) in subsection (e), by striking “information requirements,” in each place it appears;
(2) by redesignating subsections (f) through (i) as subsection (g) through (j), respectively;
(3) by inserting after subsection (e), as so amended, the following:
“(f) PROVIDER PERFORMANCE INCENTIVES.—

“(1) IN GENERAL.—The Governor or a local board may establish a system of performance incentive payments to be awarded to providers in addition to the amount paid under section 133(b) to such providers for the provision of training services to participants of eligible programs. Such system of performance incentives may be established to award eligible programs that—

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

“(B) serve a significantly higher number of individuals with barriers to employment compared to training providers offering similar training services; or

“(C) achieve other performance successes, including those related to jobs that provide economic stability and upward mobility (such as leading to jobs with high wages and family sustainable benefits) as determined by the State or the local board.

“(2) INCENTIVE PAYMENTS.—Incentive payments to providers established under paragraph (1)
shall be awarded to providers from the following allotments:

“(A) In the case of a system of performance incentive payments established by the Governor, from funds reserved by the Governor under section 128(a).

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

(f) ENFORCEMENT.—Section 122(g)(1) (as redesignated by subsection (e)(2)), is amended by adding at the end the following:

“(D) FAILURE TO PROVIDE REQUIRED INFORMATION.—With respect to a provider of training services that is eligible under this section for a program year with respect to an eligible program, but that does not provide the information described in subsection (b)(5) with respect to such program for such program year (including information on performance necessary to determine if the program meets the
minimum levels on the criteria to maintain eligibility), the provider shall be ineligible under this section with respect to such program for the program year after the program year for which the provider fails to provide such information.

“(E) Failure to meet performance criteria.—

“(i) First year.—An eligible program that has received standard eligibility under subsection (c)(2) for a program year but fails to meet the minimum levels of performance on the criteria described in subsection (b)(2) during the most recent program year for which performance data on such criteria are available shall be notified of such failure by the Governor.

“(ii) Second consecutive year.—A program that fails to meet the minimum levels of performance for a second consecutive program year shall lose standard eligibility for such program for at least the program year following such second consecutive program year.

“(iii) Reapplication.—
“(I) STANDARD ELIGIBILITY.—A provider may reapply to receive standard eligibility for the program according to the criteria described in subsection (c) if the program performance for the most recent program year for which performance data is available meets the minimum levels of performance required to receive such standard eligibility.

“(II) CONDITIONAL ELIGIBILITY.—A program that loses standard eligibility may apply to receive conditional eligibility under the process and criteria established by the Governor under subsection (b)(3).”.

(g) ON THE JOB TRAINING, CUSTOMIZED TRAINING, INCUMBENT WORKER TRAINING, AND OTHER TRAINING EXCEPTIONS.—Subsection (i) (as redesignated by subsection (e)(2)) of section 122 (29 U.S.C. 3152) is amended—

(1) in paragraph (1), by striking “subsections (a) through (f)” and inserting “subsections (a) through (g)”;}
(2) in paragraph (2), by amending the first sentence to read as follows: “A one-stop operator in a local area shall collect the minimum amount of information from providers of on-the-job training, customized training, incumbent worker training, internships, paid or unpaid work experience opportunities, and transitional employment as necessary to enable the use of State administrative data to generate such performance information as the Governor may require”.

(h) TECHNICAL ASSISTANCE.—Section 122 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3152) is further amended by adding at the end the following:

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

(i) TRANSITION.—A Governor and local boards shall implement the requirements of section 122 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3152),
as amended by this Act, not later than 12 months after the date of enactment of this Act. In order to facilitate early implementation of this section, the Governor may establish transition procedures under which providers eligible to provide training services under chapter 1 of subtitle B of title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3151 et seq.), as such chapter was in effect on the day before the date of enactment of this Act, may continue to be eligible to provide such services until December 31, 2024, or until such earlier date as the Governor determines to be appropriate.

CHAPTER 2—YOUTH WORKFORCE INVESTMENT ACTIVITIES

SEC. 131. RESERVATIONS FOR STATEWIDE ACTIVITIES.

Section 128(a) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3173(a)) is amended—

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

(2) by adding at the end the following:

“(3) Statewide critical industry skills fund.—

“(A) Authorized reservation.—In addition to the reservations required under paragraph (1) and section 133(a)(2), and subject to
subparagraph (B), the Governor may reserve not more than 10 percent of each of the amounts allotted to the State under section 127(b)(1)(C) and paragraphs (1)(B) and (2)(B) of section 132(b) for a fiscal year to establish and administer a critical industry skills fund described in section 134(a)(4).

“(B) MATCHING FUNDS.—

“(i) REQUIREMENT.—The amount of funds reserved by a Governor under subparagraph (A) for a fiscal year may not exceed the amount of funds that such Governor commits to using from any of the funds listed in clause (ii) for such fiscal year for the purposes of establishing and administering the critical industry skills fund for which funds are reserved under subparagraph (A).

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

“(I) Funds reserved by the Governor under paragraph (1) of this subsection.
“(II) Other Federal funds not described in subclause (I).
“(III) State funds.”.

SEC. 132. USE OF FUNDS FOR YOUTH WORKFORCE INVESTMENT ACTIVITIES.

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

(b) Youth Participant Eligibility.—

(1) Eligibility Determination.—

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

“(A) Eligibility Determination.—

“(i) In general.—To be eligible to participate in activities carried out under this chapter during any program year, an individual shall, at the time the eligibility determination is made, be an opportunity youth or an in-school youth.

“(ii) Enrollment.—If a one-stop operator or eligible provider of youth workforce activities carrying out activities under
this chapter reasonably believes that an individual is eligible to participate in such activities, the operator or provider may allow such individual to participate in such activities for not more than a 30-day period during which the operator or provider shall obtain the necessary information to make an eligibility determination with respect to such individual (which may involve working with such individual, other entities in the local area, and available sources of administrative data to obtain the necessary information).

“(iii) Determination of Ineligibility.—With respect to an individual who is determined to be ineligible for activities under this chapter by a one-stop operator or a service provider during the period described in clause (ii) and who does not qualify for an exception under paragraph (3)(A)(ii) applicable to the local area involved, such operator or service provider—

“(I) may—
“(aa) continue serving such individual using non-Federal funds; or

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

“(II) shall be paid for any services provided to such individual under this chapter during the period described in clause (ii) by the local area involved using funds allocated to such area under section 128(b).

“(iv) DETERMINATION PROCESS FOR HOMELESS AND FOSTER YOUTH.—In determining whether an individual is eligible to participate in activities carried out under this chapter on the basis of being an individual who is a homeless child or youth, or a youth in foster care, as described in subparagraph (B)(iii)(V), the
one-stop operator or service provider involved shall—

“(I) if determining whether the individual is a homeless child or youth, use a process that is in compliance with the requirements of subsection (a) of section 479D of the Higher Education Act of 1965, as added by section 702(l) of the FAFSA Simplification Act (Public Law 116–260), for financial aid administrators; and

“(II) if determining whether the individual is a youth in foster care, use a process that is in compliance with the requirements of subsection (b) of section 479D of the Higher Education Act of 1965, as added by section 702(l) of the FAFSA Simplification Act (Public Law 116–260), for financial aid administrators.”.

(B) DEFINITION OF OPPORTUNITY YOUTH.—Subparagraph (B) of section 129(a)(1) of the Workforce Innovation and Op-
portunity Act (29 U.S.C. 3164(a)(1) is amended—

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

(ii) in clause (i), by inserting “, except that an individual described in subparagraph (IV) or (V) of clause (iii) may be attending school” after “(as defined under State law)”;

(iii) in clause (iii)(III)(bb), by striking “language”.

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

(i) in subclause (II), by striking “language”;

(ii) by striking subclauses (III) and (IV); and

(iii) by redesignating subclauses (V), (VI), and (VII) as subclauses (III), (IV), and (V), respectively.
(2) EXCEPTION AND LIMITATION.—Section 129(a)(3) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3164(a)(1)) is amended—

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

(B) in subparagraph (B)—

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

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

(3) OPPORTUNITY YOUTH PRIORITY.—Section 129(a)(4) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3164(a)(1)) is amended—

(A) in the paragraph heading, by striking “OUT-OF-SCHOOL” and inserting “OPPORTUNITY”;

(B) in subparagraph (A)—

(i) by striking “75” each place it appears and inserting “65”;

(ii) by inserting “the total amount of” after “percent of”; and

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

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

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

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

“(B) LOCAL AREA TARGETS.—The local board, the chief elected official, and the Governor shall negotiate and reach agreement on the minimum amount of funds provided to a local area under subsection (c) that shall be used to provide youth workforce investment activities for opportunity youth based on the needs of youth in the local area, as necessary for the State to meet the percentage described in subparagraph (A).”.

(c) REQUIRED STATEWIDE YOUTH ACTIVITIES.—

Section 129(b)(1) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3164(b)(1))—

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

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

(d) ALLOWABLE STATEWIDE YOUTH ACTIVITIES.—

Section 129(b)(2) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3164(b)(2)) is amended—

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

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

(3) in subparagraph (D)—

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

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

“(vi) supporting the ability to understand relevant tax information and obligations;”;
(4) in subparagraph (E), by striking the period at the end and inserting a semicolon; and

(5) 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;

“(G) raising public awareness (including through public service announcements, such as social media campaigns and elementary and secondary school showcases and school visits) about career and technical education programs and community-based and youth services organizations, and other endeavors focused on programs that prepare students for in-demand industry sectors or occupations; and

“(H) developing partnerships between educational institutions (including area career and technical schools and institutions of higher education) and employers to create or improve workforce development programs to address the identified education and skill needs of the workforce and the employment needs of employers in the regions or local areas of the State, as determined based on the most recent analysis con-
ducted under subparagraphs (B) and (C) of section 102(b)(1).”

(c) LOCAL ELEMENTS AND REQUIREMENTS.—

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

(A) in subparagraph (B), by inserting “(which, in the case of a participant 18 years or older, may include co-enrollment in any employment or training activity provided under section 134 for adults)” after “for the participant”; 

(B) in subparagraph (C)(v), by inserting “high-skill, high-wage, or” after “small employers, in”; and

(C) in subparagraph (D)—

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

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

“(aa) the local board demonstrates to the Governor that such strategy resulted in performance improvements; and

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

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

(A) in subparagraph (C)—

(i) in clause (i)—

(I) by striking “other” and inserting “year-round”; and

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

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

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

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

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

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

“(iv) job shadowing; and”;}

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

(C) in subparagraph (M)—

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

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

(E) by adding at the end the following:

“(O) activities to develop fundamental workforce readiness, which may include creativity, collaboration, critical thinking, digital literacy, persistence, and other relevant skills.”.

(3) PRIORITY.—Section 129(c)(4) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3164(c)(2)) is amended, by striking “20” and inserting “40”.

(4) RULE OF CONSTRUCTION.—Section 129(c)(5) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3164(c)(2)) is amended by inserting “or local area” after “youth services”.

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

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

(6) SUMMER AND YEAR-ROUND EMPLOYMENT OPPORTUNITIES REQUIREMENTS.—Section 129(c) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3164(c)(2)) is further amended by adding at the end the following:

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

“(A) IN GENERAL.—A summer employment opportunity or a year-round employment opportunity referred to in paragraph (2)(C)(i) 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 informed aspirations of the eligible youth) that—

“(i) shall include—

“(I) a component of occupational skills education;
“(II) not less than 2 of the activities described in subparagraphs (G), (H), (I), (K), (M), and (O) of paragraph (2); and

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

“(iii) in the case of a summer employment opportunity, complies with the requirements of subparagraph (B); and

“(iv) in the case of a year-round employment opportunity, complies with the requirements of subparagraph (C).

“(B) SUMMER EMPLOYMENT OPPORTUNITY.—In addition to the applicable requirements described in subparagraph (A), a summer employment opportunity—

“(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.

“(C) YEAR-ROUND EMPLOYMENT OPPORTUNITY.—In addition to the applicable require-
ments described in subparagraph (B), a year-round employment opportunity—

“(i) may not be shorter than 180 days or longer 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, except in instances when the eligible youth are under the age of 18 or enrolled in school.

“(D) PRIORITY.—In selecting summer employment opportunities or year-round employment opportunities for purposes of paragraph (2)(C)(i), a local area shall give priority to programs that meet the requirements of this paragraph, which are in existing or emerging high-skill, high-wage, or in-demand industry sectors or occupations.”.
CHAPTER 3—ADULT AND DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES

SEC. 141. STATE ALLOTMENTS.

Section 132(a)(2)(A) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3172(a)(2)(A)) is amended by—

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

(2) by inserting “, and under subsections (c) (related to dislocated worker projects) and (d) (related to workforce data quality initiatives) of section 169” before “; and”

SEC. 142. RESERVATIONS FOR STATE ACTIVITIES; WITHIN STATE ALLOCATIONS.

(a) Reservations for State Activities.—Section 133(a) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3173(a)) is amended—

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

(2) by adding at the end the following:

“(3) Statewide critical industry skills fund.—In addition to the reservations required under paragraphs (1) and (2) of this subsection, the
Governor may make the reservation authorized under section 128(a)(3).”.

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

(1) in subparagraph (A), by striking “subsection (a)(1)” and inserting “paragraph (1) or (3) of subsection (a)”;

(2) in subparagraph (B), by striking “paragraph (1) or (2) of subsection (a)” and inserting “paragraph (1), (2), or (3) of subsection (a)”.

SEC. 143. USE OF FUNDS FOR EMPLOYMENT AND TRAINING ACTIVITIES.

(a) STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—

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

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

(B) in subparagraph (B)—

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

(ii) in clause (ii)—
(I) by striking the comma at the end and inserting “or to establish and administer a critical skills fund under paragraph (4); and” ; and

(C) by inserting before the flush left text at the end the following:

“(C) as described in section 128(a)(3), shall be used to establish and administer a critical industry skills fund described in paragraph (4).”.

(2) REQUIRED STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—

(A) STATEWIDE RAPID RESPONSE ACTIVITIES.—Section 134(a)(2)(A) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(a)(2)(A)) is amended—

(i) in clause (i)—

(I) in subclause (I)—

(aa) by striking “working” and inserting “as a rapid response unit working”; and

(bb) by striking “and” at the end;
(II) in subclause (II), by striking the period at the end and inserting ‘‘; and

(III) by adding at the end the following:

“(III) provision of additional assistance to a local area that has excess demand for individual training accounts for dislocated workers in such local area and requests such assistance under paragraph (5) of section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 (29 U.S.C. 3224a(5)), upon a determination by the State that, in using funds allocated to such local area pursuant to paragraph (1) of such section 414(c) and subsection (c)(1)(B) of this section for the purpose described in paragraph (2)(A) of such section 414(c), the local area was in compliance with the requirements of such section 414(c).’’; and

(ii) by adding at the end the following:
“(iii) INSUFFICIENT FUNDS TO MEET EXCESS DEMAND.—If a State determines that a local area with excess demand as described in clause (i)(A)(i)(III) met the compliance requirements described in such clause, but the State does not have sufficient funds reserved under section 133(a)(2) to meet such excess demand, the State—

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

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

(B) STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—Section 134(a)(2)(B) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(a)(2)(B) is amended—

(i) in clause (i)—

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

(II) in subclause (IV)—

(aa) by inserting “the development and education of staff to increase expertise in providing
opportunities for covered veterans (as defined in section 4212(a)(3)(A) of title 38, United States Code) to enter in-demand industry sectors or occupations and nontraditional occupations),” after “exemplary program activities,”; and

(bb) by adding “and” at the end; and

(III) by adding at the end the following:

“(V) local boards and eligible training providers in carrying out the performance reporting required under section 116(d), including facilitating data matches for program participants using quarterly wage record information (including the wage records made available by any other State) and other sources of information, as necessary to measure the performance of programs and activities conducted under chapter 2 or chapter 3 of this subtitle;”;}
(ii) in clause (ii), by striking “(7)” and inserting “(6)”;

(iii) in clause (v)—

(I) in subclause (II), by striking “customized training” and inserting “employer-directed skills development”; and

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

(iv) in clause (vi), by striking the period at the end and inserting a semicolon; and

(v) by adding at the end the following:

“(vii) coordinating (which may be done in partnership with other States) with industry organizations, employers (including small and mid-sized employers), industry or sector partnerships, training providers, local boards, and institutions of higher education to identify or develop competency-based assessments that are a valid and reliable method of collecting information with respect to, and measuring, the prior knowledge, skills, and abilities of
individuals who are adults or dislocated workers for the purpose of—

“(I) awarding, based on the knowledge, skills, and abilities of such an individual validated by such assessments—

“(aa) a recognized postsecondary credential that is used by employers in the State for recruitment, hiring, retention, or advancement purposes;

“(bb) postsecondary credit toward a recognized postsecondary credential aligned with in-demand industry sectors and occupations in the State for the purpose of accelerating attainment of such credential; and

“(cc) postsecondary credit for progress along a career pathway developed by the State or a local area within the State;

“(II) developing individual employment plans under subsection (c)(2)(B)(vii)(II) that incorporate the
knowledge, skills, and abilities of such an individual to identify—

“(aa) in-demand industry sectors or occupations that require similar knowledge, skills, and abilities; and

“(bb) any upskilling needed for the individual to secure employment in such a sector or occupation; and

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

“(viii) disseminating to local areas and employers information relating to the competency-based assessments identified or developed pursuant to clause (vii), including—

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

“(II) the industry organizations, employers, training providers, and in-
stitutions of higher education located within the State that recognize the knowledge, skills, and abilities of an individual validated by such assessments;

“(III) how such assessments may be provided to, and accessed by, individuals through the one-stop delivery system; and

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

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

(A) in clause (i)—

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

(ii) by striking “customized training” and inserting “employer-directed skills development”;
(B) in clause (ii), by inserting “, or bringing evidence-based strategies to scale,” after “strategies”;

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

(D) in clause (viii)(II)—

(i) in item (dd), by striking “and literacy” and inserting “, literacy, and digital literacy”;

(ii) in item (ee), by striking “ex-offenders in reentering the workforce; and” and inserting “, justice-involved individuals in reentering the workforce;”; and

(iii) 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”; 

(E) in clause (xiii), by striking “and” at the end;
(F) in clause (xiv), by striking the period at the end and inserting a semicolon; and

(G) by adding at the end the following:

“(xv) supporting employers seeking to implement skills-based hiring practices, which may include technical assistance on the use and validation of employment assessments (including competency-based assessments developed or identified by the State pursuant to paragraph (2)(B)(vii)), and support in the creation of skills-based job descriptions;

“(xvi) developing partnerships between educational institutions (including area career and technical education schools, local educational agencies, and institutions of higher education) and employers to create or improve workforce development programs to address the identified education and skill needs of the workforce and the employment needs of employers in regions of the State, as determined by the most recent analysis conducted under subparagraphs (A), (B), and (C) of section 102(b)(1);
“(xvii) identifying and making available to residents of the State, free or reduced cost access to online skills development programs that are aligned with in-demand industries or occupations in the State and lead to attainment of a recognized postsecondary credential valued by employers in such industries or occupations; and

“(xviii) establishing and administering critical skills fund under paragraph (4).”.

(4) Critical Industry Skills Fund.—Section 134(a) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(a)), as amended, is further amended by adding at the end the following:

“(4) Critical Industry Skills Fund.—

“(A) Performance-Based Payments.—

A State shall use funds reserved under paragraph (3)(A) of section 128(a), and any funds reserved under paragraph (3)(B) of section 128(a), to establish and administer a critical industry skills fund to award performance-based payments on a per-worker basis to eligible entities that provide eligible skills development programs to prospective workers or incumbent
workers (which may include youth age 18 through age 24) in industries and occupations identified by the Governor under subparagraph (B) that will result in employment or retention with a participating employer.

“(B) INDUSTRIES AND OCCUPATIONS.—

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

“(I) shall identify the industries and occupations for which an eligible skills development program carried out by an eligible entity in the State may receive funds under this paragraph; and

“(II) may select the industries and occupations identified under subclause (I) that will receive priority for funds under this paragraph.

“(ii) HIGH GROWTH AND HIGH WAGE.—In selecting industries or occupations to prioritize pursuant to clause (i)(II), the Governor may consider—

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

“(II) occupations—

“(aa) with wages that are significantly higher than an occupation of similar level of skill or needed skill development; or

“(bb) that are aligned with career pathways into higher-wage occupations.

“(C) SUBMISSION OF PROPOSALS.—

“(i) IN GENERAL.—To be eligible to receive a payment under the critical industry skills fund established under this paragraph by a State, an eligible entity shall submit a proposal to the Governor in such form and at such time as the Governor may require (subject to the requirements of clause (ii)), which shall include—

“(I) a description of the industries or occupations in which the participating employer is seeking to fill jobs, the specific skills or credentials necessary for an individual to obtain
such a job, and the salary range of such a job;

“(II) the expected number of individuals who will participate in the skills development program to be carried out by the eligible entity;

“(III) a description of the eligible skills development program, including the provider, the length of the program, the skills to be gained, and any recognized postsecondary credentials that will be awarded;

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

“(V) for purposes of receiving a payment pursuant to subparagraph (D)(i)(II)(bb), a commitment from the participating employer in the eligible entity to employ each participant of the program for not less than a 6-month period (or a longer period as determined by the State) after successful completion of the program; and
“(VI) an assurance that the entity will—

“(aa) establish the written agreements described in subparagraph (D)(ii)(I);

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

“(cc) maintain and submit the necessary documentation for the State to verify participant outcomes and report such outcomes as described in subparagraph (F).

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

“(iii) APPROVAL OF SUBSEQUENT PROPOSALS.—With respect to an eligible entity that has had a proposal approved by the Governor under this subparagraph and that submits a subsequent proposal under
in this subparagraph, the eligible entity may only receive approval from the Governor for the subsequent proposal if—

“(I) with respect to the most recent proposal approved under this subparagraph—

“(aa) the skills development program has ended;

“(bb) for any participants employed by the participating employer in accordance with subparagraph (C)(i)(V), the minimum periods of such employment described in such subparagraph have ended;

“(cc) all the payments under subparagraph (D) owed to the eligible entity have been made; and

“(dd) not fewer than 70 percent of the participants who enrolled in the skills development program—

“(AA) completed such program; and
“(BB) after such completion, were employed by the participating employer for the minimum period described in subparagraph (C)(i)(V); and

“(II) the eligible entity meets any other requirements that the Governor may establish with respect to eligible entities submitting subsequent proposals.

“(D) REIMBURSEMENT FOR APPROVED PROPOSALS.—

“(i) STATE REQUIREMENTS.—

“(I) IN GENERAL.—With respect to each eligible entity whose proposal under subparagraph (C) has been approved by the Governor, the Governor shall make payments (in an amount determined by the Governor and subject to the requirements of subclause (II) of this clause, subparagraphs (E) and (G), and any other limitations determined necessary by the State) from the critical industry skills fund estab-
lished under this paragraph to such
eligible entity for each participant of
the eligible skills development pro-
gram described in such proposal and
with respect to whom the eligible enti-
ty meets the requirements of clause
(ii).

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

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

“(bb) the remaining 50 per-
cent of such total payment shall
be made after the participant has
been employed by the particip-
ating employer for the minimum
period described in subparagraph
(C)(i)(V).

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

“(I) establish a written agree-

ment with the participant that in-
cludes the information described in
subclauses (I) and (III) of subpara-
graph (C)(i); and

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

“(E) NON-FEDERAL COST SHARING.—

“(i) LIMITS ON FEDERAL SHARE.—An
eligible entity may not receive funds under
subparagraph (D) with respect to a partici-
pant of the eligible skills development pro-
gram offered by the eligible entity in ex-
cess of the following costs of such pro-
gram:
“(I) In the case of a participating employer of such eligible entity with 25 or fewer employees, 90 percent of the costs.

“(II) In the case of a participating employer of such eligible entity with more than 25 employees, but fewer than 100 employees, 75 percent of the costs.

“(III) In the case of a participating employer of such eligible entity with 100 or more employees, 50 percent of the costs.

“(ii) NON-FEDERAL SHARE.—

“(I) IN GENERAL.—Any costs of the skills development program offered to a participant by such eligible entity that are not covered by the funds received under subparagraph (D) shall be the non-Federal share provided by the eligible entity (in cash or in-kind).

“(II) EMPLOYER COST SHARING.—If the eligible skills development program is being provided on-
the-job, the non-Federal share provided by an eligible entity may include the amount of the wages paid by the participating employer of the eligible entity to a participant while such participant is receiving the training.

“(F) PERFORMANCE REPORTING.—

“(i) IN GENERAL.—The State shall use the participant information provided by eligible entities to submit to the Secretary a report, on an annual basis, with respect to the participants of the eligible skills development programs for which the eligible entities received funds under this paragraph for the most recent program year, which shall—

“(I) be made digitally available by the Secretary using linked, open, and interoperable data, which shall include; and

“(II) include—

“(aa) the number of individuals who participated in programs, unless such information would reveal personally identifi-
able information about an individual); and

“(bb) performance outcomes on the measures listed in clause (ii).

“(ii) MEASURES.—The measures listed below are as follows:

“(I) The percentage of participants who completed the skills development program.

“(II) The percentage of participants who were employed by the participating employer for a 6-month period after program completion.

“(III) The percentage of participants who were employed by the participating employer as described in subclause (II), and who remained employed by the participating employer 1 year after program completion.

“(IV) The median earnings of program participants who are in unsubsidized employment during the second quarter after program completion.
“(V) The median earnings increase of program participants, measured by comparing the earning of a participant in the second quarter prior to entry into the program to the earnings of such participant in the second quarter following completion of the program.

“(G) DEFINITIONS.—In this paragraph:

“(i) ELIGIBLE ENTITY.—The term ‘eligible entity’ means an employer, a group of employers, an industry or sector partnership, or another entity serving as an intermediary (such as a local board) that is in a partnership with at least one employer in an industry or occupation identified by the Governor under subparagraph (B)(i) (referred to in this paragraph as the ‘participating employer’).

“(ii) ELIGIBLE SKILLS DEVELOPMENT PROGRAM.—The term ‘eligible skills development program’, with respect to which a State may set a maximum and minimum length (in weeks)—
“(I) includes work-based education or related occupational skills instruction that—

“(aa) develops the specific technical skills necessary for successful performance of the occupations in which participants are to be employed upon completion; and

“(bb) may be provided by the eligible entity or by any training provider selected by the eligible entity and that is not required to be on a list of eligible providers of training services described in section 122(d); and

“(II) may not include employee onboarding, orientation, or professional development generally provided to employees.”.

(5) STATE-IMPOSED REQUIREMENTS.—Section 134(a) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(a)), as amended, is further amended by adding at the end the following:
“(5) STATE-IMPOSED REQUIREMENTS.—Whenever a State or outlying area implements any rule or policy relating to the administration or operation of activities authorized under this title that has the effect of imposing a requirement that is not imposed under Federal law, or is not a requirement, process, or criteria that the Governor or State is directed to establish under Federal law, the State or outlying area shall identify to local areas and eligible providers the requirement as being imposed by the State or outlying area.”.

(b) REQUIRED LOCAL EMPLOYMENT AND TRAINING ACTIVITIES.—

(1) MINIMUM AMOUNT FOR SKILLS DEVELOPMENT.—Section 134(c)(1) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(c)(1)) is amended—

(A) in subparagraph (A)(iv), by striking “to” and inserting “to provide business services described in paragraph (4) and”;

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A), as so amended, the following:
“(B) MINIMUM AMOUNT FOR SKILLS DEVELOPMENT.—Not less than 50 percent of the funds described in subparagraph (A) shall be used by the local area—

“(i) for the payment of training services—

“(I) provided to adults under paragraph (3)(F)(iii); and

“(II) provided to adults and dislocated workers under paragraph (3)(G)(ii); and

“(ii) for the payment of training services under paragraph (2)(A) of section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 (29 U.S.C. 3224a(e)) after funds allocated to such local area under paragraph (1) of such section 414(c) have been exhausted.”;

and

(D) in subparagraph (C), as so redesignated, by striking “and (ii)” and inserting “, (ii), and (iv)”.

(2) CAREER SERVICES.—Section 134(e)(2) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(e)(2)) is amended—
(A) by redesignating subparagraphs (A) through (C) as subparagraphs (B) through (D), respectively;

(B) by inserting before subparagraph (B), as so redesignated, the following:

“(A) BASIC CAREER SERVICES.—The one-stop delivery system shall coordinate with the Employment Service established under the Wagner-Peyser Act to provide basic career services, which shall be available to individuals who are adults or dislocated workers through the one-stop delivery system, in an integrated manner to streamline access to assistance for such individuals and reduce duplication of effort, and may use funds allocated under paragraph (1)(A) for a fiscal year to provide such services if no funds remain available under Wagner-Peyser Act for such fiscal year for the local area in which the one-stop delivery system is located to provide such services, which shall, at a minimum, include—

“(i) provision of workforce and labor market employment statistics information, including the provision of accurate (and, to the extent practicable, real-time) informa-
tion relating to local, regional, and na-
tional labor market areas, including—

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

“(II) information on job skills necessary to obtain the jobs described in subclause (I); and

“(III) information relating to local occupations in demand (which may include entrepreneurship opportu-
nities), and the earnings, skill re-
quirements, and opportunities for ad-
vancement for such occupations;

“(ii) labor exchange services, includ-
ing job search and placement assistance and, in appropriate cases, career coun-
seling, including

“(I) provision of information on in-demand industry sectors and occu-
pations;

“(II) provision of information on nontraditional employment; and

“(III) provision of information on entrepreneurship, as appropriate;
“(iii)(I) provision of information, in formats that are usable by and understandable to one-stop center customers, relating to the availability of supportive services or assistance, including child care, child support, medical or child health assistance under title XIX or XXI of the Social Security Act (42 U.S.C. 1396 et seq. and 1397aa et seq.), benefits under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), assistance through the earned income tax credit under section 32 of the Internal Revenue Code of 1986, and assistance under a State program for temporary assistance for needy families funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) and other supportive services and transportation provided through funds made available under such part, available in the local area; and

“(II) referral to the services or assistance described in subclause (I), as appropriate;
“(iv) provision of information and assistance regarding filing claims for unemployment compensation; and

“(v) assistance in establishing eligibility for programs of financial aid assistance for training and education programs that are not funded under this Act.”;

(C) in subparagraph (B), as so redesignated—

(i) in the heading, by striking “CAREER” inserting “INDIVIDUALIZED CAREER”;

(ii) by inserting “individualized” before “career services”;

(iii) by inserting “shall, to the extent practicable, be evidence-based,” before “and shall”;

(iv) in clause (iii), by inserting “, and a determination (considering factors including prior work experience, military service, education, and in-demand industry sectors and occupations in the local area) of whether such an individual would benefit from a competency-based assessment developed or identified by the State pursu-
ant to subsection (a)(2)(B)(vii) to accelerate the time to obtaining employment that leads to economic self-sufficiency or career advancement” before the semi-colon at the end;

(v) by striking clauses (iv), (vi), (ix), (x), and (xi);

(vi) by redesignating clauses (v), (vii), (viii), (xii), and (xiii) as clauses (iv), (v), (vi), (vii), and (viii), respectively;

(vii) in clause (v), as so redesignated, by inserting “and credential” after “by program”; and

(viii) in clause (vii)(I)(aa), as so redesignated, by inserting “, including a competency-based assessment developed or identified by the State pursuant to subsection (a)(2)(B)(vii)” after “tools”;

(D) by amending subparagraph (C), as so redesignated, to read as follows:

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

“(i) it is appropriate to use a recent
interview, evaluation, or assessment of the
participant conducted pursuant to another
education or training program; and

“(ii) using such recent interview, eval-
uation, or assessment will accelerate an eli-
gibility determination.”; and

(E) in subparagraph (D), as so redesig-
nated—

(i) by inserting “individualized” be-
fore “career”; and

(ii) in clause (i), by inserting “libraries, and community-based organiza-
tions” after “nonprofit service providers”.

(3) TRAINING SERVICES.—Section 134(c)(3) of
the Workforce Innovation and Opportunity Act (29
U.S.C. 3174(c)(3)) is amended—

(A) in subparagraph (A)—

(i) in clause (i), in the matter pre-
ceeding subclause (I), by striking “clause
(ii)” and inserting “clause (ii) or (iii)”

(ii) in clause (i)(II)—
(I) by striking “or in” and inserting “in” and

(II) by inserting “or that may be performed remotely” after “relocate”;

(iii) by redesignating clause (iii) as clause (iv);

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

“(iii) EMPLOYER REFERRAL.—

“(I) IN GENERAL.—A one-stop operator or one-stop partner shall not be required to conduct an interview, evaluation, or assessment of an individual under clause (i)(I) if such individual—

“(aa) is referred by an employer to receive on-the-job training or employer-directed skills development in connection with that employer; and

“(bb) has been certified by the employer as being in need of training services to obtain unsubsidized employment with such
employer and having the skills and qualifications to successfully participate in the selected program of training services.

“(II) PRIORITY.—A one-stop operator or one-stop partner shall follow the priority described in subparagraph (E) to determine whether an individual that meets the requirements of subclause (I) of this clause is eligible to receive training services.”; and

(v) by adding at the end the following:

“(v) 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)(ee), the one-stop operator or one-stop partner shall refer such individual to adult education and literacy activities under title II, including for co-enrollment in such activities, as appropriate.”;

(B) in subparagraph (B)—

(i) in clause (i)—
(I) in subclause (I), by striking “other grant assistance for such services, including” and inserting “assistance for such services under”; and

(II) by striking “under other grant assistance programs, including” and inserting “under”; and

(ii) by adding at the end the following:

“(iv) Participation during eligibility determination.—An individual may participate in a program of training services during the period which such individual’s eligibility for training services under clause (i) is being determined, except that the provider of such a program shall only receive reimbursement under this Act for the individual’s participation during such period if such individual is determined to be eligible under clause (i).”;

(C) in subparagraph (D)(xi), by striking “customized training” and inserting “employer-directed skills development”; 

(D) in subparagraph (G)(ii)—
(i) in subclause (II), by striking “customized training” and inserting “employer-directed skills development”; and

(ii) in subclause (IV), by striking “is a” and inserting “is an evidence-based”;

(E) in subparagraph (H)(ii)—

(i) in subclause (I), by inserting “, such as the extent to which participants are individuals with barriers to employment” after “participants”; and

(ii) in subclause (III), by inserting “, including whether the skills a participant will obtain are transferable to other employers, occupations, or industries in the local area or the State” after “opportunities”; and

(F) by adding at the end the following:

“(I) EMPLOYER-DIRECTED SKILLS DEVELOPMENT.—An employer may receive a contract from a local board to provide employer-directed skills development to a participant or group of participants if the employer submits to the local board an agreement that establishes—

“(i) the provider of the skills development program, which may be the employer;
“(ii) the length of the skills development program;

“(iii) the recognized postsecondary credentials that will be awarded to, or the occupational skills that will be gained by, program participants;

“(iv) the cost of the skills development program;

“(v) the amount of such cost that will be paid by the employer, which shall not be less than the amount specified in section 3(14)(C); and

“(vi) a commitment by the employer to employ the participating individual or individuals upon successful completion of the program.”.

(c) BUSINESS SERVICES.—Section 134(c) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(c)) is further amended—

(1) in paragraph (1)(A)(iv), by inserting “provide business services described in paragraph (4) and” before “establish”; and

(2) by adding at the end the following:

“(4) BUSINESS SERVICES.—Funds described in paragraph (1) shall be used to provide appropriate
recruitment and other business services and strategies on behalf of employers, including small employers, that meet the workforce investment needs of area employers, as determined by the local board and consistent with the local plan under section 108, which services—

“(A) may be provided through effective business intermediaries working in conjunction with the local board, and may also be provided on a fee-for-service basis or through the leveraging of economic development, philanthropic, and other public and private resources in a manner determined appropriate by the local board; and

“(B) may include one or more of the following:

“(i) Developing and implementing industry sector strategies (including strategies involving industry partnerships, regional skills alliances, industry skill panels, and sectoral skills partnerships).

“(ii) Developing and delivering innovative workforce investment services and strategies for area employers, which may include career pathways, skills upgrading,
skill standard development and certification for recognized postsecondary credential or other employer use, apprenticeship, and other effective initiatives for meeting the workforce investment needs of area employers and workers.

“(iii) Assistance to area employers in managing reductions in force in coordination with rapid response activities provided under subsection (a)(2)(A) and developing strategies for the aversion of layoffs, which strategies may include early identification of firms at risk of layoffs, use of feasibility studies to assess the needs of and options for at-risk firms, and the delivery of employment and training activities to address risk factors,

“(iv) The marketing of business services offered under this title to appropriate area employers, including small and mid-sized employers.

“(v) Technical assistance or other support to employers seeking to implement skills-based hiring practices, which may include technical assistance on the use and
validation of employment assessments, including competency-based assessments developed or identified by the State pursuant to paragraph (2)(B)(vii), and support in the creation of skills-based job descriptions.

“(vi) Other services described in this subsection, including providing information and referral to microenterprise services, as appropriate, and specialized business services not traditionally offered through the one-stop delivery system.”.

(d) PERMISSIBLE LOCAL EMPLOYMENT AND TRAINING ACTIVITIES.—

(1) ACTIVITIES.—Section 134(d)(1)(A) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(d)(1)(A)) is amended—

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

“(iii) implementation of a pay-for-performance contract strategy for training services, for which the local board may reserve and use not more than 40 percent of the total funds allocated to the local area under paragraph (2) or (3) of section
133(b), except that after 2 fiscal years of a local board implementing such pay-for-performance contract strategy, the local board may request approval from the Governor to reserve and use not more than 60 percent of the total funds allocated to the local area under paragraph (2) or (3) of section 133(b) for such strategy for the following fiscal year if the local board can demonstrate to the Governor the performance improvements achieved through the use of such strategy;”;

(B) in clause (vii)—

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

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

(iii) 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 deliver high quality
services and outcomes for jobseekers,
workers, and employers;”;

(C) in clause (ix)(II)—

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

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

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

“(ee) technical assistance or
other support to employers seek-
ing to implement skills-based hir-
ing practices, which may include
technical assistance on the use
and validation of employment as-
assessments, including competency-
based assessments developed or
identified by the State pursuant
to paragraph (2)(B)(vii), and
support in the creation of skills-
based job descriptions;”;

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

(E) in clause (xii), by striking the period
at the end and inserting a semicolon; and
(F) by adding at the end the following:

“(xiii) the use of competency-based assessments for individuals upon initial assessment of skills (pursuant to subsection (c)(2)(A)(iii)) or completion of training services or other learning experiences; and

“(xiv) the development of partnerships between educational institutions (including area career and technical education schools, local educational agencies, and institutions of higher education) and employers to create or improve workforce development programs to address the identified education and skill needs of the workforce and the employment needs of employers in a region, as determined based on the most recent analysis conducted by the local board under section 107(d)(2).”.

(2) INCUMBENT WORKER TRAINING PROGRAMS.—

(A) IN GENERAL.—Section 134(d)(4)(A) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(d)(4)(A)) is amended—

(i) in clause (i), by striking “20” and inserting “30”
(ii) by redesignating clauses (ii) and

(iii) as clauses (iii) and (iv), respectively;

and

(iii) by inserting after clause (i) the

following:

“(ii) INCREASE IN RESERVATION OF
FUNDS.—Notwithstanding clause (i), —

“(I) with respect to a local area

that had a rate of unemployment of

not more than 3 percent for not less

than 6 months during the preceding

program year, clause (i) shall be ap-

plied by substituting ‘40 percent’ for

‘30 percent’; or

“(II) with respect to a local area

that meets the requirement in sub-

clause (I) and is located in a State

that had a labor force participation

rate of not less than 68 percent for

not less than 6 months during the

preceding program year, clause (i)

shall be applied by substituting ‘45

percent’ for ‘30 percent’.”.

(B) INCUMBENT WORKER UPSKILLING AC-

COUNTS.—Section 134(d)(4) of the Workforce
Innovation and Opportunity Act (29 U.S.C. 3174(d)(4)) is further amended by adding at the end the following:

“(E) INCUMBENT WORKER UPSKILLING ACCOUNTS.—

“(i) IN GENERAL.—To establish incumbent worker upskilling accounts through which an eligible provider of training services under section 122 may be paid for the program of training services provided to an incumbent worker, a local board—

“(I) may use up to 5 percent of the funds reserved by the local area under subparagraph (A)(i) or, if the local area reserved funds under subparagraph (A)(ii), up to 10 percent of such reserved funds; and

“(II) may use funds reserved under section 134(a)(2)(A) for statewide rapid response activities and provided by the State to local area to establish such accounts.

“(ii) ELIGIBILITY.—
“(I) IN GENERAL.—Subject to subclause (II), a local board that seeks to establish incumbent worker upskilling accounts under clause (i) shall establish criteria for determining the eligibility of an incumbent worker to receive such an account, which shall take into account factors of—

“(aa) the wages of the incumbent worker as of the date of determining such worker’s eligibility under this clause;

“(bb) the career advancement opportunities for the incumbent worker in the occupation of such worker as of such date; and

“(cc) the ability of the incumbent worker to, upon completion of the program of training services selected by such worker, secure employment in an in-demand industry or occupation in the local area that will lead to economic self-sufficiency and
wages higher than the current wages of the incumbent worker.

“(II) LIMITATION.—

“(aa) IN GENERAL.—An incumbent worker described in item (bb) shall be ineligible to receive an incumbent worker upskilling account under this subparagraph.

“(bb) INELIGIBILITY.—Item (aa) shall apply to an incumbent worker—

“(AA) whose total annual wages for the most recent year are greater than the median household income of the State; or

“(BB) who has earned a baccalaureate or professional degree.

“(iii) COST SHARING FOR CERTAIN INCUMBENT WORKERS.—With respect to an incumbent worker determined to be eligible to receive an incumbent worker upskilling account who is not a low-income individual—
“(I) such incumbent worker shall pay not less than 25 percent of the cost of the program of training services selected by such worker; and

“(II) funds provided through the incumbent worker upskilling account established for such worker shall cover the remaining 75 percent of the cost of the program.”.

CHAPTER 4—AUTHORIZATION OF APPROPRIATIONS

SEC. 145. AUTHORIZATION OF APPROPRIATIONS.

Section 136 of the Workforce Innovation and Opportunity Act (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) $976,573,900 for each of the fiscal years 2025 through 2030.

“(b) ADULT EMPLOYMENT AND TRAINING ACTIVITIES.—There are authorized to be appropriated to carry out the activities described in section 132(a)(1) $912,218,500 for each of the fiscal years 2025 through 2030.
“(c) DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES.—There are authorized to be appropriated to carry out the activities described in section 132(a)(2) $1,451,859,000 for each of the fiscal years 2025 through 2030.”.

Subtitle D—Job Corps

SEC. 151. PURPOSES.

Section 141 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3191) is amended by striking “centers” each place it appears and inserting “campuses”.

SEC. 152. DEFINITIONS.

Section 142 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3192) is amended—

(1) in paragraphs (1), (7), (8), and (10), by striking “center” each place it appears and inserting “campus”; and

(2) in paragraph (7), by striking “center” in the header and inserting “campus”.

SEC. 153. INDIVIDUALS ELIGIBLE FOR THE JOB CORPS.

Section 144 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3194) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “21” and inserting “24”;
(ii) by amending subparagraph (A) to read as follows:

“(A) an individual who is age 16 or 17 shall be eligible only upon an individual determination by the director of a Job Corps campus that such individual meets the criteria described in subparagraph (A) or (B) of section 145(b)(1); and”;

(iii) in subparagraph (B), by striking “either”; and

(B) in paragraph (2), by inserting after “individual” the following: “or a resident of a qualified opportunity zone as defined in section 1400Z–1(a) of the Internal Revenue Code of 1986”;

(2) in subsection (b), by inserting after “a veteran” the following: “or a member of the Armed Forces eligible for preseparation counseling of the Transition Assistance Program under section 1142 of title 10, United States Code”; and

(3) by inserting at the end the following:

“(c) SPECIAL RULE FOR HOMELESS AND FOSTER YOUTH.—In determining whether an individual is eligible to enroll for services under this subtitle on the basis of being an individual who is a homeless child or youth, or
1 a youth in foster care, as described in subsection
2 (a)(3)(C), staff shall—
3 "(1) if determining whether the individual is a
4 homeless child or youth, use a process that is in
5 compliance with the requirements of subsection (a)
6 of section 479D of the Higher Education Act of
7 1965, as added by section 702(l) of the FAFSA
8 Simplification Act (Public Law 116–260), for finan-
9 cial aid administrators; and
10 "(2) if determining whether the individual is a
11 youth in foster care, use a process that is in compli-
12 ance with the requirements of subsection (b) of such
13 section 479D of the Higher Education Act of 1965,
14 as added by section 702(l) of the FAFSA Simplifica-
15 tion Act (Public Law 116–260), for financial aid ad-
16 ministrators."

SEC. 154. RECRUITMENT, SCREENING, SELECTION, AND AS-
17 SIGNMENT OF ENROLLEES.
18
19 Section 145 of the Workforce Innovation and Oppor-
20 tunity Act (29 U.S.C. 3195) is amended—
21 (1) in subsection (a)—
22 (A) in paragraph (2)—
23 (i) by amending paragraph (A) to
24 read as follows:
25 "(A) prescribe procedures for—
“(i) administering drug tests to enrollees; and

“(ii) informing such enrollees that drug tests will be administered;”;

(ii) in subparagraph (D), by striking “and”;

(iii) in subparagraph (E), by striking the period and inserting “; and”; and

(iv) by adding at the end the following:

“(F) assist applicable one-stop centers and other entities identified in paragraph (3) in developing joint applications for Job Corps, YouthBuild, and the youth activities described in section 129.”; and

(B) by adding at the end the following:

“(6) DRUG TEST PROCEDURES.—The procedures prescribed under paragraph (2)(A)(i) shall require that—

“(A) each enrollee take a drug test not more than 48 hours after such enrollee arrives on campus;

“(B) if the result of the drug test taken by an enrollee pursuant to subparagraph (A) is positive, the enrollee take a subsequent drug
test at the earliest appropriate time (considering the substance and potency levels identified in the initial test) to determine if the enrollee has continued to use drugs since arriving on campus, the results of which must be received not later than 50 days after the enrollee arrived on campus; and

“(C) if the result of the subsequent test administered under subparagraph (B) is positive, the enrollee be terminated from the program and referred to a substance use disorder treatment program.”; and

(2) in subsections (b), (c), and (d)—

(A) by striking “center” each place it appears and inserting “campus”; and

(B) by striking “centers” each place it appears and inserting “campus”.

SEC. 155. JOB CORPS CAMPUSES.

Section 147 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3197) is amended—

(1) in the header, by striking “centers” and inserting “campuses”;

(2) in subsection (a)—

(A) in paragraph (1)—
(i) by striking “center” each place it appears and inserting “campus”; and

(ii) in subparagraph (A), by inserting after “technical education school,” the following: “an institution of higher education,”;

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking “center” each place it appears and inserting “campus”; and

(II) by inserting after “United States Code,” the following: “and paragraph (2)(C)(iii) of section 159(f),”; and

(ii) in subparagraph (B)—

(I) in clause (i)—

(aa) by striking “operate a Job Corps center” and inserting “operate a Job Corps campus”;

(bb) by striking subclause (IV);

(IV);

(ee) by redesignating subclauses (I), (II), and (III), as
subclauses (III), (IV), and (V), respectively;

(dd) by inserting before subclause (III), as so redesignated, the following:

“(I) (aa) in the case of an entity that has previously operated a Job Corps campus, a numeric metric of the past achievement on the primary indicators of performance for eligible youth described in section 116(b)(2)(A)(ii); or

“(bb) in the case of an entity that has not previously operated a Job Corps campus, an alternative numeric metric on the past effectiveness of the entity in successfully assisting at-risk youth to connect to the labor force, based on such primary indicators of performance for eligible youth; and

“(II) in the case of an entity that has previously operated a Job Corps campus, any information regarding the entity included in any report de-
developed by the Office of Inspector General of the Department of Labor’’;

   (ee) in subclauses (III) and (IV), as so redesignated, by striking “center” each place it appears and inserting “campus”;

   (ff) in subclause (V), as so redesignated, by striking “center is located” and inserting “campus is located, including agreements to provide off-campus work-based learning opportunities aligned with the career and technical education provided to enrollees”; and

   (gg) by amending clause (VI) to read as follows:

   “(VI) the ability of the entity to implement an effective behavior management plan, as described in section 152(a), and maintain a safe and secure learning environment for enrollees.”; and

   (II) in clause (ii), by striking “center” and inserting “campus”;

   (ee) in subclauses (III) and (IV), as so redesignated, by striking “center” each place it appears and inserting “campus”;

   (ff) in subclause (V), as so redesignated, by striking “center is located” and inserting “campus is located, including agreements to provide off-campus work-based learning opportunities aligned with the career and technical education provided to enrollees”; and

   (gg) by amending clause (VI) to read as follows:

   “(VI) the ability of the entity to implement an effective behavior management plan, as described in section 152(a), and maintain a safe and secure learning environment for enrollees.”; and

   (II) in clause (ii), by striking “center” and inserting “campus”;
(C) in paragraph (3)—

(i) by striking “center” each place it appears and inserting “campus”;

(ii) in subparagraph (D), by inserting after “is located” the following: “, including agreements to provide off-campus work-based learning opportunities aligned with the career and technical education provided to enrollees,”;

(iii) by redesignating subparagraphs (E), (F), (G), (H), (I), (J), and (K) as subparagraphs (F), (G), (H), (I), (J), (K), and (L), respectively; and

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

“(E) A description of the policies that will be implemented at the campus regarding security and access to campus facilities, including procedures to report on and respond to criminal actions and other emergencies occurring on campus.”;

(3) in subsection (b)—

(A) in the header, by striking “centers” and inserting “campuses”;
(B) by striking “center” each place it appears and inserting “campus”;

(C) by striking “centers” each place it appears and inserting “campuses”;

(D) in paragraph (2)(A), by striking “20 percent” and inserting “25 percent”; and

(E) by striking paragraph (3);

(4) in subsection (c)—

(A) by striking “centers” and inserting “campuses”; and

(B) by striking “20 percent” and inserting “30 percent”;

(5) in subsection (d) by striking “centers” each place it appears and inserting “campuses”;

(6) in subsection (e)(1), by striking “centers” and inserting “campuses”;

(7) in subsection (f), by striking “2-year period” and inserting “3-year period”; and

(8) in subsection (g)—

(A) by striking “center” each place it appears and inserting “campus”;

(B) in paragraph (1)—

(i) by striking subparagraph (A);

(ii) by redesignating subparagraph

(B) as subparagraph (A);
(iii) by amending subparagraph (A), as so redesignated—

(I) by striking “50 percent” and inserting “80 percent”; and

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

(iv) by inserting after subparagraph (A), as so redesignated and amended, the following:

“(B) failed to achieve an average of 80 percent of the level of enrollment that was agreed to in the agreement described in subsection (a)(1)(A).”;

(C) in paragraph (3) by striking “shall provide” and inserting “shall provide, at least 30 days prior to renewing the agreement”; and

(D) in paragraph (4)—

(i) in subparagraph (C), by striking “and” after the semicolon;

(ii) by redesignating subparagraph (D) as subparagraph (E); and

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

“(D) has maintained a safe and secure campus environment; and”.
SEC. 156. PROGRAM ACTIVITIES.

Section 148 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3198) is amended—

(1) in subsection (a)—

(A) by striking “center” each place it appears and inserting “campus”;

(B) in paragraph (1), by inserting before the period at the end the following: “, and productive activities, such as tutoring or other skills development opportunities, for residential enrollees to participate in outside of regular class time and work hours in order to increase supervision of enrollees and reduce behavior infractions”; and

(2) in subsection (c)—

(A) by striking “centers” each place it appears and inserting “campuses”; and

(B) in paragraph (1)—

(i) by striking “the eligible providers” and inserting “any eligible provider”; and

(ii) by inserting after “under section 122” the following: “that is aligned with the career and technical education an enrollee has completed”.


SEC. 157. SUPPORT.

Section 150 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3200) is amended—

(1) in subsection (a), by striking “centers” and inserting “campuses”; and

(2) by adding at the end the following:

“(d) PERIOD OF TRANSITION.—Notwithstanding the requirements of section 146(b), a Job Corps graduate may remain an enrollee and a resident of a Job Corps campus for not more than one month after graduation as such graduate—

“(1) has not had a behavioral infraction in the 90 days prior to graduation; and

“(2) receives written approval from the director of the Job Corps campus to remain such a resident.”.

SEC. 158. OPERATIONS.

Section 151 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3201) is amended—

(1) by striking “center” each place it appears and inserting “campus”; and

(2) by adding at the end the following:

“(d) LOCAL AUTHORITY.—

“(1) IN GENERAL.—Subject to the limitations of the budget approved by the Secretary for a Job
Corps campus, the operator of a Job Corps campus shall have the authority, without prior approval from the Secretary, to—

“(A) hire staff and provide staff professional development;

“(B) set terms and enter into agreements with Federal, State, or local educational partners, such as secondary schools, institutions of higher education, child development centers, units of Junior Reserve Officer Training Corps programs established under section 2031 of title 10, United States Code, or employers; and

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

“(2) LIMITATION OF LIABILITY.—In the case of an agreement described in paragraph (1)(B) that does not involve the Job Corps operator providing monetary compensation to the entity involved in such agreement from the funds made available under this subtitle, such agreement shall not be considered a subcontract (as defined in section 8701 of title 41, United States Code).

“(e) PRIOR NOTICE.—Prior to making a change to the agreement described in section 147(a) or an operating plan described in this section, the Secretary shall solicit
from the operators of the Job Corps campuses information on any operational costs the operators expect to result from such change.”.

SEC. 159. STANDARDS OF CONDUCT.

Section 152 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3202) is amended—

(1) by striking “centers” each place it appears and inserting “campuses”;

(2) in subsection (a), by inserting “As part of the operating plan required under section 151(a), the director of each Job Corps campus shall develop and implement a behavior management plan consistent with the standards of conduct and subject to the approval of the Secretary.” at the end; and

(3) in subsection (b)(2)(A), by striking “or disruptive”;

(4) by amending subsection (c) to read as follows:

“(c) APPEAL PROCESS.—

“(1) ENROLLEE APPEALS.—A disciplinary measure taken by a director under this section shall be subject to expeditious appeal in accordance with procedures established by the Secretary.

“(2) DIRECTOR APPEALS.—
“(A) IN GENERAL.—The Secretary shall establish an appeals process under which the director of a Job Corps campus may submit a request that an enrollee who has engaged in an activity which is a violation of the guidelines established pursuant to subsection (b)(2)(A) remain enrolled in the program, but be subject to other disciplinary actions.

“(B) CONTENTS.—An request under paragraph (A) shall include—

“(i) a signed certification from the director attesting that, to the belief of the director, the continued enrollment of such enrollee would not impact the safety or learning environment of the campus; and

“(ii) the behavioral records of such enrollee.

“(C) TIMELINE.—The Secretary shall review such appeal and either approve or deny the appeal within 30 days of receiving such appeal.

“(D) INELIGIBILITY FOR APPEAL.—The Secretary shall reject an appeal made by a director of a Job Corps campus if such campus has been found out of compliance with the re-
quirements under subsection (d) at any time during the previous 5 years.”; and
(5) by adding at the end the following:
“(d) INCIDENT REPORTING.—
“(1) IN GENERAL.—The Secretary shall require that the director of a Job Corps campus report to the appropriate regional office—
“(A) not later than 2 hours after the campus management becomes aware of the occurrence of—
“(i) an enrollee or on-duty staff death;
“(ii) any incident—
“(I) requiring law enforcement involvement;
“(II) involving a missing minor student; or
“(III) where substantial property damage has occurred; or
“(iii) a level 1 infraction;
“(B) in the case of a level 2 infraction, on a quarterly basis, including the number and type of such infractions that occurred during such time period;
“(C) in the case of a minor infraction, as determined necessary by the Secretary.
“(2) **Infractions Defined.**—In this subsection:

“(A) **Level 1 Infraction.**—The term ‘level 1 infraction’ means an activity described in subsection (b)(2)(A).

“(B) **Level 2 Infraction.**—The term ‘level 2 infraction’ means an activity, other than a level 1 infraction, determined by the Secretary to be a serious infraction.

“(C) **Minor Infraction.**—The term ‘minor infraction’ means an activity, other than a level 1 or 2 infraction, determined by the Secretary to be an infraction.

“(3) **Law Enforcement Agreements.**—The director of each Job Corps campus shall enter into an agreement with the local law enforcement agency with jurisdiction regarding procedures for the prompt reporting and investigation of potentially illegal activity on Job Corps campuses.”.

**Sec. 160. Community Participation.**

Section 153 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3203) is amended—

(1) by striking “center” each place it appears and inserting “campus”; and
(2) by striking “centers” each place it appears and inserting “campuses”.

SEC. 161. WORKFORCE COUNCILS.

Section 154 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3204) is amended—

(1) by striking “center” each place it appears and inserting “campus”;

(2) in subsection (d), in the heading, by striking “New centers” and inserting “New campuses”.

SEC. 162. ADVISORY COMMITTEES.

Section 155 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3205) is amended—

(1) by striking “The Secretary” and inserting “(a) IN GENERAL.—The Secretary”;

(2) by striking “centers” and inserting “campuses”

(3) by striking “center” and inserting “campus”; and

(4) by adding at the end the following:

“(b) ADVISORY COMMITTEE TO IMPROVE JOB CORPS SAFETY.—Not later than 6 months after the date of enactment of the A Stronger Workforce for America Act, the Secretary shall establish an advisory committee to provide recommendations on effective or evidence-based strategies to improve—
“(1) safety, security, and learning conditions on Job Corps campuses; and

“(2) the standards for campus safety established under section 159(e)(4).”.

SEC. 163. EXPERIMENTAL PROJECTS AND TECHNICAL ASSISTANCE.

Section 156 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3206) is amended—

(1) by striking “center” each place it appears and inserting “campus”;

(2) by striking “centers” each place it appears and inserting “campuses”;

(3) by redesignating subsection (b) as subsection (c);

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

“(b) JOB CORPS SCHOLARS.—

“(1) IN GENERAL.—The Secretary may award grants, on a competitive basis, to institutions of higher education to enroll cohorts of Job Corps eligible youth in Job Corps Scholars activities for a 24-month period and pay the tuition and necessary costs for enrollees for such period.

“(2) ACTIVITIES.—Job Corps Scholar activities shall include—
“(A) intensive counseling services and supportive services;

“(B) a 12-month career and technical education component aligned with in-demand industries and occupations in the State where the institution of higher education that is receiving the grant is located; and

“(C) a 12-month employment placement period that follows the component described in subparagraph (B).

“(3) PERFORMANCE DATA.—The Secretary shall collect performance information from institutions of higher education receiving grants under this subsection on the primary indicators of performance for eligible youth described in section 116(b)(2)(A)(ii), the cost per participant and cost per graduate, and other information as necessary to evaluate the success of Job Corps Scholars grantees in improving outcomes for at-risk youth.

“(4) EVALUATION.—At the end of each two year-period for which the Secretary awards grants under this subsection, the Secretary shall provide for an independent, robust evaluation that compares—

“(A) the outcomes achieved by Job Corps Scholars participants with the outcomes
achieved by other participants in the Job Corps program during such 2-year period; and

“(B) the costs of the Job Corps Scholars programs with the costs of other Job Corps programs during such 2-year period.”; and

(5) in subsection (c)(1), as so redesignated, by adding at the end the following:

“(D) in the development and implementation of a behavior management plan under section 152(a); and

“(E) maintaining a safe and secure learning environment; and”.

SEC. 164. SPECIAL PROVISIONS.

Section 158 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3208) is amended—

(1) by striking “center” each place it appears and inserting “campus”;

(2) in subsection (f)—

(A) by striking “may accept on behalf of the Job Corps or individual Job Corps centers charitable donations of cash” and inserting “, on behalf of the Job Corps or Job Corps campus operators, may accept grants, charitable donations of cash,”;
(B) by inserting at the end the following:

“Notwithstanding sections 501(b) and 522 of title 40, United States Code, any property acquired by a Job Corps campus shall be directly transferred, on a nonreimbursable basis, to the Secretary.”.

SEC. 165. MANAGEMENT INFORMATION.

(a) LEVELS OF PERFORMANCE.—Section 159 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3209) is amended—

(1) by striking “center” each place it appears and inserting “campus”;

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking “The Secretary” and inserting the following:

“(A) IN GENERAL.—The Secretary”.

(ii) by inserting “that are ambitious yet achievable and” after “program”; and

(iii) by adding at the end the following new subparagraphs:

“(B) LEVELS OF PERFORMANCE.—In establishing the expected performance levels under subparagraph (A) for a Job Corps campus, the Secretary shall take into account—
“(i) how the levels involved compare
with the recent performance of such cam-
pus and the performance of other cam-
puses within the same State or geographic
region;

“(ii) the levels of performance set for
the primary indicators of performance for
eligible youth described in section
116(b)(2)(A)(ii) for the State in which the
campus is located;

“(iii) the differences in actual eco-

“(iv) the extent to which the levels in-

“(C) PERFORMANCE PER CONTRACT.—The
Secretary shall ensure the expected levels of
performance are established in the relevant contract or agreement.

“(D) REVISIONS BASED ON ECONOMIC CONDITIONS AND INDIVIDUALS SERVED DURING THE PROGRAM YEAR.—

“(i) In general.—In the event of a significant economic downturn, the Secretary may revise the applicable adjusted levels of performance for each of the campuses for a program year to reflect the actual economic conditions during such program year.

“(ii) Report to Congress.—Prior to implementing the revisions described in clause (i), the Secretary shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report explaining the reason for such revisions.

“(E) REVIEW OF PERFORMANCE LEVELS.—The Office of Inspector General of the Department of Labor shall, every 5 years, submit to the Committee on Education and the
Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, and publish in the Federal Register and on a publicly available website of the Department, a report containing—

“(i) a quadrennial review of the expected levels of performance; and

“(ii) an evaluation of whether—

“(I) the Secretary is establishing such expected levels of performance in good faith; and

“(II) such expected levels have led to continued improvement of the Job Corps program.”;

(B) by redesignating paragraph (4) as paragraph (5);

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

“(4) CAMPUS SAFETY.—

“(A) IN GENERAL.—The Secretary shall establish campus and student safety standards. A Job Corps campus failing to achieve such standards shall be required to take the perform-
ance improvement actions described in sub-
section (f).

“(B) CONSIDERATIONS.—In establishing
the campus and student safety standards under
subsection (A), the Secretary shall take into
account—

“(i) incidents reported under section
152(d);

“(ii) survey data from enrollees, fac-
ulty and staff, and community members;
and

“(iii) any other considerations identi-

fied by the Secretary after reviewing the
recommendations of the advisory group de-
scribed in section 155(b),”;

(D) in paragraph (5), as so redesignated—

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

(ii) in subparagraph (B), by striking
the period at the end and inserting a semi-
colon; and

(iii) by adding at the end the fol-
lowing:
“(C) the number of contracts that were awarded a renewal compared to those eligible for a renewal;

“(D) the number of campuses where the contract was awarded to a new operator; and

“(E) the number of campuses that were required to receive performance improvement, as described under subsection (f)(2), including whether any actions were taken as described in subparagraphs (B) and (C) of such subsection.”; and

(E) by adding at the end the following:

“(6) WAGE RECORDS.—The Secretary shall make arrangements with a State or other appropriate entity to facilitate the use of State wage records to evaluate the performance of Job Corps campuses on the employment and earnings indicators described in clause (i)(III) of paragraph (A) of section 116(b)(2)(A) and subclauses (I) and (II) of clause (ii) of such paragraph for the purposes of the report required under paragraph (5).”;

(3) in subsection (d)(1)—

(A) by inserting “and make available on the website of the Department pertaining to the Job Corps program in a manner that is con-
sumer-tested to ensure it is easily understood, searchable, and navigable,” after “subsection (c)(4),”;

(B) in subparagraph (B), by striking “gender” and inserting “sex”;

(C) by redesignating subparagraphs (J) through (O) as subparagraphs (K) through (P), respectively; and

(D) by inserting the following after subparagraph (I):

“(J) the number of appeals under section 152(c) and a description of each appeal that was approved;”; and

(4) in subsection (g)(2), by striking “comply” and inserting “attest to compliance”.

(b) PERFORMANCE ASSESSMENTS AND IMPROVEMENTS.—Section 159(f) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3209) is amended to read as follows:

“(f) PERFORMANCE ASSESSMENTS AND IMPROVEMENTS.—

“(1) ASSESSMENTS.—The Secretary shall conduct an annual assessment of the performance of each Job Corps campus on the primary indicators of performance described in section 116(b)(2)(A)(ii),
where each indicator shall be given equal weight in determining the overall performance of the campus. Based on the assessment, the Secretary shall take measures to continuously improve the performance of the Job Corps program.

“(2) PERFORMANCE IMPROVEMENT.—

“(A) INITIAL FAILURE.—With respect to a Job Corps campus that fails to meet an average of 90 percent on the expected levels of performance across all the primary indicators of performance specified in subsection (c)(1) or is ranked among the lowest 10 percent of Job Corps campuses, the Secretary shall, after each program year of such performance failure, develop and implement a performance improvement plan for such campus. Such a plan shall require action to be taken during a 1-year program year period, which shall include providing technical assistance to the campus.

“(B) REPEAT FAILURE.—With respect to a Job Corps campus that, for two consecutive program years, fails to meet an average of 85 percent on the expected levels of performance across all the primary indicators of performance or is ranked among the lowest 10 percent of
Job Corps campuses, the Secretary shall take substantial action to improve the performance of such campus, which shall include—

“(i) changing the management staff of the campus;

“(ii) changing the career and technical education and training offered at the campus;

“(iii) replacing the operator of the campus; or

“(iv) reducing the capacity of the campus;

“(C) CHRONIC FAILURE.—With respect to a Job Corps campus that, for the two consecutive program years immediately following the Secretary taking substantial performance action under subparagraph (B), fails to meet an average of 85 percent on the expected levels of performance across all the primary indicators or is ranked among the lowest 10 percent of Job Corps campuses, the Secretary shall take further substantial action to improve the performance of such campus, which shall include—

“(i) relocating the campus;

“(ii) closing the campus; or
“(iii) awarding funding directly to the State in which the campus is located for operation of the campus, and for which the Secretary shall enter into a memorandum of understanding with such State for purposes of operating the campus in its current location and may encourage innovation in such memorandum of understanding by waiving any statutory or regulatory requirement of this subtitle except for those related to participant eligibility under section 144, standards of conduct under section 152, and performance reporting and accountability under this section.

“(3) ADDITIONAL PERFORMANCE IMPROVEMENT.—In addition to the performance improvement plans required under paragraph (2), the Secretary may develop and implement additional performance improvement plans for a Job Corps campus that fails to meet criteria established by the Secretary other than the expected levels of performance described in subsection (e)(1).

“(4) CIVILIAN CONSERVATION CENTERS.—With respect to a Civilian Conservation Center that, for 3
consecutive program years, fails to meet an average of 90 percent of the expected levels of performance across all the primary indicators of performance specified in subsection (c)(1), the Secretary, in consultation with the Secretary of Agriculture, shall select, on a competitive basis, an entity to operate the Civilian Conservation Center in accordance with the requirements of section 147.”.

(e) CONFORMING AMENDMENTS.—Section 159 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3209) is further amended—

(1) by striking “center” each place it appears and inserting “campus”;
(2) by striking “centers” each place it appears and inserting “campuses”; and
(3) in subsection (g)(1), in the header, by striking “Center” and inserting “Campus”.

SEC. 166. JOB CORPS OVERSIGHT AND REPORTING.

Section 161 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3211) is amended—

(1) by redesignating subsection (d) as subsection (e); and
(2) by inserting after subsection (e) the following new subsection:
“(d) REPORT ON IMPLEMENTATION OF RECOMMENDATIONS.—The Secretary shall, on an annual basis, prepare and submit to the appropriate committees a report regarding the implementation of all outstanding recommendations from the Office of Inspector General of the Department of Labor or the Government Accountability Office.”.

SEC. 167. AUTHORIZATION OF APPROPRIATIONS.

Section 162 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3212) is amended to read as follows:

“SEC. 162. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this subtitle $1,760,155,000 for each of the fiscal years 2025 through 2030.”.

Subtitle E—National Programs

SEC. 171. NATIVE AMERICAN PROGRAMS.

Section 166 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3221) is amended—

(1) in subsection (d)(1)—

(A) in subparagraph (A), by striking “and”;

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

(C) by inserting at the end the following:
“(C) are evidence-based, to the extent practicable.”;

(2) in subsection (d)(2)—

(A) by redesignating subparagraph (B) as subparagraph (C); and

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

“(B) ADMINISTRATIVE COSTS.—Not more than 10 percent of the funds provided to an entity under this section may be used for the administrative costs of the activities and services carried out under subparagraph (A).”;

(3) in subsection (h), by inserting after paragraph (2) the following:

“(3) WAGE RECORDS.—The Secretary shall make arrangements with a State or other appropriate entity to facilitate the use of State wage records to evaluate the performance of entities funded under this section on the employment and earnings indicators described in subclause (I) through (III) of section 116(b)(2)(A)(i) for the purposes of the report required under paragraph (4).

“(4) PERFORMANCE RESULTS.—For each program year, the Secretary shall make available on a publicly accessible website of the Department a re-
port on the performance, during such program year, of entities funded under this section on—

“(A) the primary indicators of performance described in section 116(b)(2)(A);

“(B) any additional indicators established under paragraph (1)(A); and

“(C) the adjusted levels of performance for such entities as described in paragraph (2).”;

(4) in subsection (i)—

(A) in paragraph (3)(A), by striking “and judicial review.” and inserting “judicial review, and performance accountability pertaining to the primary indicators of performance described in 116(b)(2)(A).”;

(B) in paragraph (4)—

(i) in subparagraph (B)—

(I) by striking “The Council” and inserting the following:

“(i) IN GENERAL.—The Council”; and

(II) by inserting at the end the following:

“(ii) VACANCIES.—An individual appointed to fill a vacancy on the Council occurring before the expiration of the term for which the predecessor of such indi-
vidual was appointed shall be appointed only for the remainder of that term. Such an individual may serve on the Council after the expiration of such term until a successor is appointed.”; and

(5) by amending subsection (k)(2) to read as follows:

“(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection $542,000 for each of the fiscal years 2025 through 2030.”.

SEC. 172. MIGRANT AND SEASONAL FARMWORKER PROGRAMS.

Section 167 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3222) is amended—

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

“(5) WAGE RECORDS.—The Secretary shall make arrangements with a State or other appropriate entity to facilitate the use of State wage records to evaluate the performance of entities funded under this section on the employment and earnings indicators described in subclause (I) through (III) of section 116(b)(2)(A)(i) for the purposes of the report required under paragraph (4).
“(6) PERFORMANCE RESULTS.—For each program year, the Secretary shall make available on a publicly accessible website of the Department a report on the performance, during such program year, of entities funded under this section on—

“(A) the primary indicators of performance described in section 116(b)(2)(A); and

“(B) the adjusted levels of performance for such entities as described in paragraph (3).”;

(2) by redesignating subsections (e), (f), (g), (h), and (i) as subsections (f), (g), (h), (i), and (j), respectively;

(3) by inserting after subsection (d) the following:

“(e) ADMINISTRATIVE COSTS.—Not more than 10 percent of the funds provided to an entity under this section may be used for the administrative costs of the activities and services carried out under subsection (d).”; and

(4) in subsection (i), as so redesignated, to read as follows:

“(i) FUNDING ALLOCATION; FUNDING OBLIGATION.—

“(1) FUNDING ALLOCATION.—From the funds appropriated and made available to carry out this section, the Secretary shall reserve not more than 1
percent for discretionary purposes, such as providing
technical assistance to eligible entities.

“(2) FUNDING OBLIGATION.—

“(A) IN GENERAL.—Funds appropriated
and made available to carry out this section for
any fiscal year may be obligated by the Sec-
retary during the period beginning on April 1
of the calendar year that begins during such
fiscal year and ending on June 30 of the fol-
lowing calendar year to be made available to an
entity described in subsection (b) for the period
described in subparagraph (B).

“(B) OBLIGATED AMOUNT.—Funds made
available under this section for a fiscal year to
any entity described in subsection (b) may be
spent or reserved for spending by such entity
during 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.”.

SEC. 173. TECHNICAL ASSISTANCE.

(a) GENERAL TECHNICAL ASSISTANCE.—Section
168(a)(1) of the Workforce Innovation and Opportunity
Act (29 U.S.C. 3223(a)(1)) is amended—
(1) by striking “appropriate training, technical assistance, staff development” and inserting “appropriate education, technical assistance, professional development for staff”

(2) in subparagraphs (B), (C), and (D), by striking “training” each place it appears and inserting “professional development”; and

(3) by redesignating subparagraphs (G) and (H) as subparagraphs (J) and (K), respectively; and

(4) by inserting after paragraph (F) the following:

“(G) assistance to the one-stop delivery system and the Employment Service established under the Wagner-Peyser Act for the integration of basic career service activities pursuant to section 134(e)(2)(A);

“(H) assistance to States with maintaining, and making accessible to job seekers and employers, the lists of eligible providers of training services required under section 122;

“(I) assistance to States that apply for such assistance under section 122(k) for the purposes described in such subsection;”.

(b) PERFORMANCE ACCOUNTABILITY TECHNICAL ASSISTANCE.—Section 168(b) of the Workforce
tion and Opportunity Act (29 U.S.C. 3223(b)) is amend-
ed—

(1) in the header, by striking “DISLOCATED
WORKER” and inserting “PERFORMANCE ACCOUNT-
ABILITY”; and

(2) in paragraph (1), in the first sentence—

(A) by inserting “pursuant to paragraphs
(1) and (2) of section 116(f),” after “technical
assistance”; and

(B) by striking “with respect to employ-
ment and training activities for dislocated work-
ers” and inserting “with respect to the core
programs”; and

(e) COMMUNITIES IMPACTED BY OPIOID USE DIS-
ORDERS.—Section 168 of the Workforce Innovation and
Opportunity Act (29 U.S.C. 3223) is further amended by
adding at the end the following:

“(d) COMMUNITIES IMPACTED BY OPIOID USE DIS-
ORDERS.—The Secretary shall, as part of the activities de-
scribed in subsection (e)(2), evaluate and disseminate to
States and local areas information regarding evidence-
based and promising practices for addressing the economic
workforce impacts associated with high-rates of opioid use
disorders, which information shall—
“(1) be updated annually to reflect the most recent and available research; and

“(2) include information—

“(A) shared by States and local areas regarding effective practices for addressing such impacts; and

“(B) on how to apply for any funding that may be available under section 170(b)(1)(E).”.

SEC. 174. EVALUATIONS AND RESEARCH.

(a) IN GENERAL.—Section 169 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3224) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (E), by inserting “and” at the end;

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

(iii) by striking subparagraph (G);

(B) in paragraph (3)—

(i) by striking “The Secretary” and inserting the following:

“(A) IN GENERAL.—The Secretary”; and
(ii) by adding at the end the following new subparagraph:

“(B) LIMITATION.—The Secretary may not use the authority described in subparagraph (A) if the evaluations required under paragraph (1) have not been initiated or completed in the time period required.”; and

(C) in paragraph (4), by striking “2019” and inserting “2028”; and

(2) in subsection (b)—

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

“(4) STUDIES AND REPORTS.—

“(A) STUDY ON EMPLOYMENT CONDITIONS.—The Secretary, in coordination with other heads of Federal agencies, as appropriate, may conduct a study examining the nature of participants’ unsubsidized employment after exit from programs carried out under this Act, including factors such as availability of paid time off, health and retirement benefits, workplace safety standards, predictable and stable work schedule, stackable credentials, and advancement opportunities.
“(B) Study on improving workforce services for individuals with disabilities.—The Secretary of Labor, in coordination with the Secretary of Education and the Secretary of Health and Human Services, may conduct studies that analyze the access to services by individuals with disabilities, including whether an individual who is unable to receive services under title IV due to a wait list for such services is able to receive services under titles I through III.

“(C) Study on the effectiveness of pay for performance.—The Secretary shall, not more than 4 years after the date of enactment of A Stronger Workforce for America Act, conduct a study that compares the effectiveness of the pay-for-performance strategies used under sections 129, 134, and 172 after such date of enactment to the awarding of grants and contracts under such sections as in effect on the day before the date of enactment of such Act.

“(D) Study on individual training accounts for dislocated workers.—The Secretary shall, not more than 4 years after the
date of enactment of the A Stronger Workforce
for America Act, conduct a study that compares
the usage of Individual Training Accounts for
dislocated workers after such date of enactment
to the usage of such accounts prior to such date
of enactment, including—

“(i) the types of training services and
occupations targeted by dislocated workers
when using their Individual Training Ac-
counts; and

“(ii) the effectiveness of such skills
development.

“(E) STUDY ON STATEWIDE CRITICAL IN-
DUSTRY SKILLS FUNDS.—The Secretary shall,
not more than 4 years after the date of enact-
ment of the A Stronger Workforce for America
Act, conduct a study that will review the usage
of statewide critical industry skills funds estab-
lished by States under section 134(a)(4) and
identify, for purposes of measuring the overall
effectiveness of the program—

“(i) the industries targeted by such
Funds;

“(ii) the occupations workers are
being upskilled for;
“(iii) how frequently skills development is provided to prospective workers and incumbent workers, and
“(iv) the reported performance outcomes.

“(F) STUDY ON THE EFFECTIVENESS OF EMPLOYER-BASED TRAINING.—The Secretary shall, not more than 4 years after the date of enactment of the A Stronger Workforce for America Act, conduct a study that measures the effectiveness of on-the-job training, employer-directed skills training, apprenticeship, and incumbent worker training under this title in preparing job seekers and workers, including those with barriers to employment, for unsubsidized employment. Such study shall include the cost per participant and wage and employment outcomes, as compared to other methods of training.

“(G) REPORTS.—The Secretary shall prepare and disseminate to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives, and on the publicly available website of the De-
partment, reports containing the results of the studies conducted under this paragraph.”; and

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

“(C) EVALUATION OF GRANTS.—

“(i) IN GENERAL.—For each grant or contract awarded under this paragraph, the Secretary shall conduct a rigorous evaluation of the multistate project to determine the impact of the activities supported by the project, including the impact on the employment and earnings of program participants.

“(ii) REPORT.—The Secretary shall prepare and disseminate to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives, and to the public, including through electronic means, reports containing the results of evaluations conducted under this subparagraph.”.

(b) WORKFORCE DATA QUALITY INITIATIVE.—Section 169 of the Workforce Innovation and Opportunity Act
(29 U.S.C. 3224) is further amended by adding at the end the following:

“(d) WORKFORCE DATA QUALITY INITIATIVE.—

“(1) GRANT PROGRAM.—Of amount made available pursuant to section 132(a)(2)(A) for any program year, the Secretary shall use 5 percent of such amount, and may also use funds authorized for purposes of carrying out this section, to award grants to eligible entities to create workforce longitudinal data systems and associated resources for the purposes of strengthening program quality, building State capacity to produce evidence for decision making, meeting performance reporting requirements, protecting privacy, and improving transparency.

“(2) APPLICATION.—To be eligible to receive a grant under this subsection, an eligible entity shall submit an application to the Secretary at such time and in such manner as the Secretary may require, which shall include—

“(A) a description of the proposed activities that will be conducted by the eligible entity, including a description of the need for such activities and a detailed budget for such activities;

“(B) a description of the expected outcomes and outputs (such as systems or prod-
ucts) that will result from the proposed activities and the proposed uses of such outputs;

“(C) a description of how the proposed activities will support the reporting of performance data, including employment and earnings outcomes, for the performance accountability requirements under section 116, including outcomes for eligible training providers;

“(D) a description of the methods and procedures the eligible entity will use to ensure the security and privacy of the collection, storage, and use of all data involved in the systems and resources supported through the grant, including compliance with State and Federal privacy and confidentiality statutes and regulations; and

“(E) a plan for how the eligible entity will continue the activities or sustain the use of the outputs created with the grant funds after the grant period ends.

“(3) PRIORITY.—In awarding grants under the subsection, the Secretary shall give priority to—

“(A) eligible entities that are—

“(i) a State agency of a State that has not previously received a grant from
the Secretary for the purposes of this sub-
section and demonstrates a substantial
need to improve its data infrastructure; or

“(ii) a consortium of State agencies
that is comprised of State agencies from
multiple States and includes at least one
State agency described in clause (i) and
has the capacity to make significant con-
tributions towards building interoperable,
cross-State data infrastructure; and

“(B) eligible entities that will use grant
funds to—

“(i) expand the adoption and use of
linked, open, and interoperable data on
credentials, including through the develop-
ment of a credential registry or other tools
and services designed to help learners and
workers make informed decisions, such as
the credential navigation feature described
in section 122(d)(2);

“(ii) participate in and contribute
data to a multistate data collaborative, in-
cluding data that provides participating
States the ability to better understand—
“(I) earnings and employment outcomes of individuals who work out-of-State; and

“(II) cross-State earnings and employment trends;

“(iii) enhance collaboration with private sector workforce and labor market data entities and the end-users of workforce and labor market data, including individuals, employers, economic development agencies, and workforce development providers; or

“(iv) leverage the use of non-Federal contributions to improve workforce data infrastructure, including staff capacity building.

“(4) USE OF FUNDS.—In addition to the activities described in paragraph (3)(B), an eligible entity awarded a grant under this subsection may use funds to carry out any of the following activities:

“(A) Developing or enhancing a State’s workforce longitudinal data system, including by participating and contributing data to the State’s data system, if applicable, that links
with elementary and secondary school and post-
secondary data.

“(B) Accelerating the replication and
adoption of data systems, projects, products, or
practices already in use in one or more States
to other States.

“(C) Research and labor market data im-
provement activities to improve the timeliness,
relevance, and accessibility of such data
through pilot projects that are developed locally
but designed to scale to other regions or States.

“(D) Establishing, enhancing, or con-
necting to a system of interoperable learning
and employment records that provides individ-
uals who choose to participate in such system
ownership of a verified and secure record of
their skills and achievements and the ability to
share such record with employers and education
providers.

“(E) Developing policies, guidelines, and
security measures for data collection, storing,
and sharing to ensure compliance with relevant
Federal and State privacy laws and regulations.
“(F) Increasing local board access to and integration with the State’s workforce longitudinal data system in a secure manner.

“(G) Creating or participating in a data exchange for collecting and using standards-based jobs and employment data including, at a minimum, job titles or occupation codes.

“(H) Improving State and local staff capacity to understand, use, and analyze data to improve decision-making and improve participant outcomes.

“(5) ADMINISTRATION.—

“(A) DURATION.—A grant awarded under this subsection may be for a period of up to 3 years.

“(B) SUPPLEMENT, NOT SUPPLANT.— Funds made available under this subsection shall be used to supplement, and not supplant, other Federal, State, or local funds used for development of State data systems.

“(C) REPORT.—Each eligible entity that receives a grant under this subsection shall submit a report to the Secretary not later than 180 days after the conclusion of the grant period on the activities supported through the grant and
improvements in the use of workforce and labor
market information that have resulted from
such activities.

“(6) DEFINITIONS.—In this subsection, the
term ‘eligible entity’ means a State agency or con-
sortium of State agencies, including a multistate
data collaborative, that is or includes the State agen-
cies responsible for—

“(A) State employer wage records used by
the State’s unemployment insurance programs
in labor market information reporting and anal-
ysis and for fulfilling the reporting require-
ments of this Act;

“(B) the production of labor market infor-
mation; and

“(C) the direct administration of one or
more of the core programs.”.

SEC. 175. NATIONAL DISLOCATED WORKER GRANTS.

Section 170 of the Workforce Innovation and Oppor-
tunity Act (29 U.S.C. 3225) is amended—

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

“(1) EMERGENCY OR DISASTER.—The term
‘emergency or disaster’ means an emergency or a
major disaster, as defined in paragraphs (1) and (2),
respectively, of section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122 (1) and (2)).

(2) in subsection (b)—

(A) in paragraph (1)—

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

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

(iii) by adding at the end the following:

“(E) to an entity described in subsection (c)(1)(B) to provide employment and training activities related to the prevention and treatment of opioid use disorders, including addiction treatment, mental health treatment, and pain management, in an area that, as a result of widespread opioid use, addiction, and overdoses, has higher-than-average demand for such activities that exceeds the availability of State and local resources to provide such activities.”; and

(B) by adding at the end the following:
“(3) PERFORMANCE RESULTS.—The Secretary shall collect the necessary information from each entity receiving a grant under this section to determine the performance of such entity on the primary indicators of performance described in section 116(b)(2)(A)(i) and make such information available on the publicly accessible website of the Department in a format that does not reveal personally identifiable information.”; and

(3) in subsection (e)—

(A) in paragraph (1)(A)—

(i) by striking “subsection (b)(1)(A)” and inserting “subparagraphs (A) or (E) of subsection (b)(1)”;

(ii) by striking “, in such manner, and containing such information” and inserting “and in such manner”; and

(B) in paragraph (2)—

(i) in subparagraph (B)—

(I) in the heading, by striking “RETRAINING” and inserting “RESKILLING”; and

(II) by striking “retraining” and inserting “reskilling”;
(ii) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and

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

“(C) OPIOID-RELATED GRANTS.—In order to be eligible to receive employment and training assistance under a national dislocated worker grant awarded pursuant to subsection (b)(1)(E), an individual shall be—

“(i) a dislocated worker;

“(ii) a long-term unemployed individual;

“(iii) an individual who is unemployed or significantly underemployed as a result of widespread opioid use in the area; or

“(iv) an individual who is employed or seeking employment in a health care profession involved in the prevention and treatment of opioid use disorders, including such professions that provide addiction treatment, mental health treatment, or pain management.”.
SEC. 176. YOUTHBUILD PROGRAM.

Section 171 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3226) is amended—

(1) in subsection (c)—

(A) in paragraph (1), to read as follows:

“(1) AMOUNT OF GRANTS; RESERVATION.—

“(A) AMOUNT OF GRANTS.—Subject to subparagraph (B), the Secretary is authorized to make grants to applicants for the purpose of carrying out YouthBuild programs approved under this section.

“(B) RESERVATION FOR RURAL AREAS AND INDIAN TRIBES.—In any fiscal year in which the amount appropriated to carry out this section is greater than $90,000,000, the Secretary shall reserve 20 percent of the amount appropriated that is in excess of $90,000,000 and use such reserved amount to make grants, for the purpose of carrying out YouthBuild programs approved under this section, to applicants that—

“(i) are located in rural areas; or

“(ii) are Indian tribes, or are carrying out such programs for the benefit of members of an Indian tribe.”;

(B) in paragraph (2)—
(i) in subparagraph (A)—

(I) in clause (iv)(II), by striking “language learners” and inserting “learners”; and

(II) in clause (vii), by inserting after “enable individuals” the following: “, including those with disabilities,”; and

(ii) by adding at the end the following:

“(I) Provision of meals and other food assistance to participants in conjunction with another activity described in this paragraph.”;

(C) in paragraph (3)—

(i) in subparagraph (A), by striking “such time, in such manner, and containing such information” and inserting “such time and in such manner”; and

(ii) in subparagraph (B)—

(I) in the header, by striking “Minimum requirements” and inserting “Requirements”;

(II) by striking “, at a minimum”;

“(I) Provision of meals and other food assistance to participants in conjunction with another activity described in this paragraph.”;
(III) in clause (xx), by striking “and” at the end;

(IV) in clause (xxi) by striking the period at the end and inserting “; and”;

(V) by adding at the end the following:

“(xxii) a description of the levels of performance the applicant expects to achieve on the primary indicators of performance described in section 116(b)(2)(A)(ii).”; and

(D) in paragraph (4)—

(i) by striking “such selection criteria as the Secretary shall establish under this section, which shall include criteria” and inserting “selection criteria”; 

(ii) in subparagraph (J)(iii), by adding “and” after the semicolon;

(iii) in subparagraph (K), by striking “; and” and inserting a period; and

(iv) by striking subparagraph (L);

(2) in subsection (e)(1)—
(A) in subparagraph (A)(ii), by striking “offender” and inserting “who is a justice-involved individual”; and

(B) in subparagraph (B)(i), by striking “are basic skills deficient” and inserting “have foundational skill needs”;

(3) in subsection (f), by striking paragraph (2) and inserting the following:

“(2) USE OF WAGE RECORDS.—The Secretary shall make arrangements with a State or other appropriate entity to facilitate the use of State wage records to evaluate the performance of YouthBuild programs funded under this section on the employment and earnings indicators described in section 116(b)(2)(A)(ii) for the purposes of the report required under paragraph (3).

“(3) PERFORMANCE RESULTS.—For each program year, the Secretary shall make available, on a publicly accessible website of the Department, a report on the performance of YouthBuild programs, during such program year, funded under this section on—

“(A) the primary indicators of performance described in section 116(b)(2)(A)(ii); and
“(B) the expected levels of performance for such programs as described in paragraph (1).”;

(4) in subsection (g), by inserting 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 for which such grants are available.”; 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 $108,150,000 for each of the fiscal years 2025 through 2030.”.

SEC. 178. REENTRY EMPLOYMENT OPPORTUNITIES.

Subtitle D of title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3221 et seq.), is further amended—

(1) by redesignating section 172 as section 174; and

(2) by inserting after section 171 the following:

“SEC. 172. 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, and disseminate such evidence to entities supporting the reentry of justice-involved individuals into the workforce.

“(b) Reentry Employment Competitive Grants, Contracts, and Cooperative Agreements Authorized.—

“(1) In general.—From the amounts appropriated under section 174(e) and not reserved under subsection (h), 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 eligible youth;

“(B) may use not more than 30 percent of such amounts to award funds under subparagraph (A) to eligible entities to serve as national or regional intermediaries to provide such funds to other eligible entities to—

“(i) implement reentry projects described in subparagraph (A); and

“(ii) monitor and support such entities;

“(C) shall use 30 percent of such amounts to award funds under subparagraph (A) to eligible entities using pay-for-performance contracts—

“(i) that specify a fixed amount that will be paid to the entity based on the achievement of specified levels of performance on the indicators of performance described in subsections (e)(1)(A)(i) and (e)(2)(A) within a defined timetable; and

“(ii) which may provide for bonus payments to such entity to expand capacity to provide effective services; and
“(D) shall ensure grants awarded under this section are awarded to eligible entities from geographically diverse areas, in addition to the priorities described in paragraph (4).

“(2) AWARD PERIODS.—The Secretary shall award funds under this section for an initial period of not more than 4 years.

“(3) ADDITIONAL AWARDS.—The Secretary may award, for a period of not more than 4 years, one or more additional grants to an eligible entity that received a grant under this section if the eligible entity achieved the performance levels agreed upon with the Secretary (as described in subsection (e)(3)) for the most recent award period.

“(4) PRIORITY.—In awarding funds under this section, the Secretary shall give priority to eligible entities whose applications submitted under subsection (c) demonstrate a commitment to use such funds to implement reentry projects—

“(A) that will serve high-poverty areas;

“(B) that will enroll 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 or providers under section 122 (as determined by the State where services are being provided) to provide project participants with programs of study leading to recognized postsecondary credentials in in-demand occupations; or

“(E) that provide training services, including customized training and on-the-job training, that are designed to meet the specific 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 preparation.

“(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 employment in in-demand industry sectors and occupations 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 entity will establish with agencies and entities within the criminal justice system, local boards and one-stops, community-based organizations, and employers (including local businesses) to provide participants of the reentry project with work-based learning, job placement, and recruitment (if applicable); and

“(ii) how the eligible entity will coordinate 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 each subpopulation of individuals with barriers to employment, and by race, ethnicity, sex and age, and report to the Secretary the data required with respect to the reentry project carried out by the eligible entity for purposes of determining levels of performance achieved and conducting the evaluation under this section.

“(K) An assurance that the eligible entity will provide matching funds, as described in subsection (d)(4).

“(L) A description of how the eligible entity plans to continue the reentry project after the award period.

“(3) ADDITIONAL CONTENT FOR INTERMEDIARY APPLICANTS.—An application submitted by an eligible entity seeking to serve as a national or regional intermediary as described in subsection (b)(1)(B) shall also contain the following:
“(A) An identification and description of the eligible entities that will be subgrantees of such intermediary and implement the reentry projects, which shall include subgrantees in—

“(i) three or more noncontiguous metropolitan areas or rural areas; and

“(ii) not less than 2 States.

“(B) A description of the services and supports the intermediary will provide to the subgrantees, including administrative and fiscal support to ensure the subgrantees comply with all grant requirements.

“(C) A description of how the intermediary will facilitate the replication of evidence-based practices or other best practices identified by the intermediary across all subgrantees.

“(D) If such intermediary is currently receiving, or has previously received, funds under this section as an intermediary to implement a reentry project, an assurance that none of the subgrantees identified under subparagraph (A) were previous subgrantees of the intermediary for such reentry project and failed to meet the levels of performance established for such reentry project.
“(d) USES OF FUNDS.—

“(1) REQUIRED ACTIVITIES.—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 each of the following:

“(A) One or more of the individualized career services listed in subclause (I) through (IX) of section 134(c)(2)(A)(xii).

“(B) 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.

“(C) For participants who are eligible youth, one or more of the program elements listed in subparagraphs (A) through (N) of section 129(c)(2).

“(2) ALLOWABLE ACTIVITIES.—An eligible entity that receives funds under this section may use such funds to provide to eligible adults or eligible youth the following:

“(A) Follow-up services after placement in unsubsidized employment as described in section 134(c)(2)(A)(xiii).

“(B) Apprenticeship programs.
“(C) Education in digital literacy skills.

“(D) Mentoring.

“(E) Assistance in obtaining employment, including as a result of the eligible entity—

“(i) establishing and developing relationships and networks with large and small employers; and

“(ii) coordinating with employers to develop customized training programs and on-the-job training.

“(F) Assistance with driver’s license reinstatement and fees for driver’s licenses and other necessary documents for employment.

“(G) Provision of or referral to evidence-based mental health treatment by licensed practitioners.

“(H) Provision of or referral to substance use disorder 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.

“(I) Provisions of or referral to supportive services, provided that no more than 5 percent of funds awarded to an eligible entity under
this section may be used to provide such services to participants who are able to obtain such services through other programs providing such services.

“(3) ADMINISTRATIVE COST LIMIT.—An eligible entity may not use more than 7 percent of the funds received under this section for administrative costs, including for costs related to collecting information, analysis, and coordination for purposes of subsection (e) or (f).

“(4) MATCHING FUNDS.—An eligible entity shall provide a non-Federal contribution, which may be provided in cash or in-kind, for the costs of the project in an amount that is not less than 25 percent of the total amount of funds awarded to the entity for such period, except that the Secretary may waive the matching funds requirement, on a case-by-case basis and for not more than 20 percent of all grants awarded, if the eligible entity demonstrates significant financial hardship.

“(e) LEVELS OF PERFORMANCE.—

“(1) ESTABLISHMENT OF LEVELS.—

“(A) IN GENERAL.—The Secretary shall establish expected levels of performance for re-entry projects funded under this section for—
“(i) each of the primary indicators of performance for adults and youth described in section 116(b); and

“(ii) an indicator of performance established by the Secretary with respect to participant recidivism.

“(B) UPDATES.—The levels established under subparagraph (A) shall be updated for each 4-year award period.

“(2) 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, as the Secretary determines relevant for each indicator of performance, the following factors:

“(A) The expected performance levels of each such eligible entity described in the application submitted under subsection (c)(2)(H).

“(B) The 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.
"(C) The characteristics of project participants when entering the project involved, including—

"(i) criminal records;

"(ii) indicators of poor work history;

"(iii) lack of work experience;

"(iv) lack of educational or occupational skills attainment;

"(v) low levels of literacy or English proficiency;

"(vi) disability status;

"(vii) homelessness; and

"(viii) receipt of public assistance.

"(3) FAILURE TO MEET PERFORMANCE LEVELS.—In the case of an eligible entity that fails to meet the performance levels established under paragraph (1) and updated to reflect the actual economic conditions and characteristics of participants (as described in paragraph (2)(C)) served by 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 each of 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 recognized 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 employment, compensation (which may include wages earned and benefits), career ad-
vancement, measurable skills gains, credentials earned, and recidivism 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 effectively serve various demographic groups, including people of different 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 development 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.

“(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 disclose personally identifiable information.

“(2) DESIGN REQUIREMENTS.—An evaluation under this subsection—

“(A) shall—

“(i) be designed by the Secretary (acting through the Chief Evaluation Officer) in conjunction with the eligible entities carrying out the reentry projects being evaluated;

“(ii) include analysis of participant feedback and outcome and process measures; and

“(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 information, except to the extent such information is necessary to conduct the evaluation; or

“(ii) reveal or share personally identifiable 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 the Workforce 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;

“(C) the performance of eligible entities on such projects as measured by the performance indicators set forth in subsection (e); and

“(D) an explanation of any waivers granted by the Secretary of the matching requirement under subsection (d)(4).

“(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) RESERVATION OF FUNDS.—Of the funds appropriated under section 174(e) for a fiscal year, the Secretary—
“(1) 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—

“(A) technical assistance to eligible entities that receive funds under this section; and

“(B) outreach and technical assistance to eligible entities desiring to receive such funds, including assistance with application development and submission; and

“(2) 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 in the Office of the Assistant Secretary for Policy of the Department of Labor.

“(2) COMMUNITY SUPERVISION.—The term ‘community supervision’ means mandatory oversight
(including probation and parole) of a formerly incarcerated 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 entity’ 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;

“(F) an industry or sector partnership;

“(G) an institution of higher education; or

“(H) a consortium of the entities described in subparagraphs (A) through (H).
“(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-POVERTY.—The term ‘high-poverty’, when used with respect to a geographic area, means an area with a poverty rate of at least 20 percent as determined based on the most recently available data from the American Community Survey conducted by the Bureau of the Census.

“(8) JUSTICE-INVOLVED INDIVIDUAL.—The term ‘justice-involved individual’ means an individual who has been convicted as a juvenile or an adult and imprisoned under Federal or State law.”.

SEC. 179. STRENGTHENING COMMUNITY COLLEGES GRANT PROGRAM.

Subtitle D of title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3221 et seq.), is further
amended by inserting after section 172, as added by the
preceeding section, the following:

“SEC. 173. STRENGTHENING COMMUNITY COLLEGES WORK-
FORCE DEVELOPMENT GRANTS PROGRAM.

“(a) PURPOSES.—The purposes of this section are—
“(1) to establish, improve, or expand high-qual-
ity workforce development 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
WORKFORCE DEVELOPMENT GRANTS PROGRAM.—
“(1) IN GENERAL.—From the amounts appro-
priated to carry out this section under section 174(f)
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 appro-
priated to carry out this section under section
174(f), 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, during the most recently completed grant period for a grant received under this section,
such eligible institution achieved the levels of performance agreed to by the eligible institution 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 and in such manner as the Secretary may require.

“(2) Contents.—An application submitted by an eligible institution under paragraph (1) shall include a description of each the following:

“(A) The extent to which the eligible institution has demonstrated success building partnerships with employers in in-demand industry sectors or occupations to provide students with the skills needed for occupations in such industries and an explanation of the results of any such partnerships.

“(B) The methods and strategies the eligible institution will use to engage with employers in in-demand industry sectors or occupations, including any arrangements to place individuals who complete the workforce development pro-
grams supported by the grant into employment
with such employers.

“(C) The proposed eligible institution and
industry partnership that the eligible institution
will establish or maintain to comply with sub-
section (e)(1), including—

“(i) the roles and responsibilities of
each employer, organization, agency, or in-
itution of higher education that the eligi-
bile institution will partner with to carry
out the activities under this section; and

“(ii) the needs that will be addressed
by such eligible institution and industry
partnership.

“(D) One or more industries that such
partnership will target and real-time labor mar-
et data demonstrating that those industries
are aligned with employer demand in the geo-
graphic area to be served by the eligible institu-
tion.

“(E) The extent to which the eligible insti-
tution can—

“(i) leverage additional resources to
support the programs to be funded with
the grant, which shall include written com-
mitments of any leveraged or matching funds for the proposed programs; and

“(ii) demonstrate the future sustainability of each such program.

“(F) The steps the institution will take to ensure the high quality of each program to be funded with the grant, including the career pathways within such programs.

“(G) The population and geographic area to be served by the eligible institution, including the number of individuals the eligible institution intends to serve during the grant period.

“(H) The workforce development programs to be supported by the grant.

“(I) The recognized postsecondary credentials that are expected to be earned by participants in such workforce development programs and the related in-demand industry sectors or occupations for which such programs will prepare participants.

“(J) The evidence upon which the education and skills development strategies to be used in such workforce development programs are based and an explanation of how such evi-
dence influenced the design of the programs to improve education and employment outcomes.

“(K) How activities of the eligible institution 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 eligible institution 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.

“(L) The goals of the eligible institution 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 eligible institution, including with respect to any performance indicators
applicable under section 116 or subsection (f) of this section.

“(3) CONSIDERATION OF PREVIOUS EXPERIENCE.—The Secretary may not disqualify an eligible institution from receiving a grant under this section solely because such institution lacks previous experience in building partnerships, as described in paragraph (2)(A).

“(4) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to eligible institutions that—

“(A) will use the grant to serve—

“(i) individuals with barriers to employment; or

“(ii) incumbent workers who need to gain or improve foundational skills to enhance their employability;

“(B) use competency-based assessments, such as the competency-based assessment identified by the State in which the eligible institution is located under section 134(a)(2)(B)(vii), to award academic credit for prior learning for programs supported by the grant; or

“(C) have, or will seek to have, the career education programs supported by the grant in—
cluded on the list of eligible providers of training services under section 122 for the State in which the eligible institution is located.

“(e) USES OF FUNDS.—

“(1) ELIGIBLE INSTITUTION 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 (in this section referred to as an ‘eligible institution and industry partnership’) 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;
“(E) incorporates work-based learning opportunities, as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302); and

“(F) 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 shall, in consultation with the employers in the eligible institution and industry partnership described in paragraph (1)—

“(A) establish, improve, or expand high quality, evidence-based workforce development programs, career pathway programs, or work-based learning programs (including apprenticeship programs or preapprenticeships);

“(B) provide career services to individuals participating in the programs funded with the grant to facilitate retention and program completion, which may include—

“(i) career navigation, coaching, mentorship, and case management services, including providing information and outreach to individuals with barriers to
employment to encourage such individuals
to participate in programs funded with the
grant; and

“(ii) providing access to course mate-
rials, technological devices, required equip-
ment, and other supports necessary for
participation in and successful completion
of such programs; and

“(C) make available, in a format that is
open, searchable, and easily comparable, infor-
mation on—

“(i) curricula and recognized postsec-
ondary credentials offered through pro-
grams funded with the grant, including
any curricula or credentials created or fur-
ther developed using such grant, which for
each recognized postsecondary credential,
shall include—

“(I) the issuing entity of such
credential;

“(II) any third-party endorse-
ments of such credential;

“(III) the occupations for which
the credential prepares individuals;
“(IV) the skills and competencies necessary to achieve to earn such credential;

“(V) the level of mastery of such skills and competencies (including how mastery is assessed); and

“(VI) any transfer value or stackability of the credential;

“(ii) any skills or competencies developed by individuals who participate in such programs beyond the skills and competencies identified as part of the recognized postsecondary credential awarded; and

“(iii) related employment and earnings outcomes on the primary indicators of performance described in subclauses (I) through (III) of section 116(b)(2)(A)(i).

“(3) ADDITIONAL ACTIVITIES.—In addition to the activities required under paragraph (2), an eligible institution that receives a grant under this section shall, in consultation with the employers in the eligible institution and industry partnership described in paragraph (1), 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)(A).

“(B) Establish or implement plans for pro-
viders of the programs described in paragraph
(2)(A) to meet the criteria and carry out the
procedures necessary to be included on the eli-
gible training services provider list described in section 122(d).

“(C) Purchase, lease, or refurbish specialized equipment as necessary to carry out such programs, provided that not more than 15 percent of the funds awarded to the eligible institution under this section may be used for activities described in this subparagraph.

“(D) Reduce or eliminate unmet financial need relating to the cost of attendance (as defined under section 472 of the Higher Education Act of 1965 (20 U.S.C. 1087ll)) of participants in such programs.

“(4) ADMINISTRATIVE COST LIMIT.—An eligible institution may use not more than 7 percent of the funds awarded 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 eligible institution receiving a grant under this
section. Such performance levels shall be established on the following indicators:

“(A) Each of the primary indicators of performance for adults described in section 116(b), which shall be applied for all individuals who participated in a program that received funding from a grant under this section.

“(B) The extent to which the eligible institution built capacity by—

“(i) increasing the breadth and depth of employer engagement and investment in workforce development programs in the in-demand industry sectors and occupations targeted by the eligible institution and industry partnership established or maintained by the eligible institution under subsection (e)(1);

“(ii) designing or implementing new and accelerated instructional techniques or technologies, including the use of advanced online and technology-enabled learning (such as immersive technology); and

“(iii) increasing program and policy alignment across systems and decreasing duplicative services or service gaps.
“(C) With respect to individuals who participated in a workforce development program funded with the grant—

“(i) the percentage of participants who successfully completed the program; and

“(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.

“(2) CONSULTATION AND DETERMINATION OF PERFORMANCE LEVELS.—

“(A) CONSIDERATION.—In developing performance levels in accordance with paragraph (1), the Secretary shall take into consideration the goals of the eligible institution pursuant to subsection (d)(2)(L).

“(B) DETERMINATION.—After completing the consideration required under subparagraph (A), the Secretary shall separately determine the performance levels that will apply to each eligible institution, taking into account—

“(i) the expected performance levels of each eligible institution with respect to the
goals described by the eligible institution
pursuant to subsection (d)(2)(L); and

“(ii) local economic conditions in the
geographic area to be served by the eligible
institution, including differences in unem-
ployment rates and job losses or gains in
particular industries.

“(C) NOTICE AND ACKNOWLEDGMENT.—

“(i) NOTICE.—The Secretary shall
provide each eligible institution with a
written notification that sets forth the per-
formance levels that will apply to the eligi-
ble institution, as determined under sub-
paragraph (B).

“(ii) ACKNOWLEDGMENT.—After re-
ceiving the notification described in clause
(i), each eligible institution shall submit to
the Secretary written confirmation that the
eligible institution—

“(I) received the notification; and

“(II) agrees to be evaluated in
accordance with the performance lev-
els determined by the Secretary.

“(3) PERFORMANCE REVIEWS.—On an annual
basis during each year of the grant period, the Sec-
(4) FAILURE TO MEET PERFORMANCE LEVELS.—After conducting an evaluation under paragraph (3), if the Secretary determines that an eligible institution did not achieve the performance levels applicable to the eligible institution under paragraph (2), the Secretary shall—

“(A) provide technical assistance to the eligible institution; and

“(B) develop a performance improvement plan for the eligible institution.

(g) EVALUATIONS AND REPORTS.—

“(1) IN GENERAL.—Not later than 4 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 eligible institutions receiving a grant under this section.

“(2) ELEMENTS.—The evaluation of the effectiveness of eligible institutions conducted under paragraph (1) shall include an assessment of the
general effectiveness of programs and activities sup-
ported by the grants awarded to such eligible insti-
tutions 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 eligible institutions 
deepened employer engagement and developed 
workforce development programs that met in-
dustry skill needs;

“(B) created, expanded, or enhanced ca-
reer pathways, including the extent to which the 
eligible institutions developed or improved com-
petency-based education and assessment, credit 
for prior learning, modularized and self-paced 
curricula, integrated education and workforce 
development, dual enrollment in secondary and 
postsecondary career pathways, stacked and 
latticed credentials, and online and distance 
learning;

“(C) created alignment between eligible in-
stitutions and the workforce development sys-
tem;

“(D) assisted individuals with finding, re-
taining, or advancing in employment;
“(E) assisted individuals with earning recognized postsecondary credentials; and

“(F) provided equal access to various demographic groups, including people of different geographic locations, ages, races, national origins, and sexes.

“(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 eligible institutions being evaluated;

“(B) include analysis of program 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 in-

“(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 the Workforce 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 such 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:


“(3) The number of individuals enrolled in workforce development programs 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.”.

SEC. 180. AUTHORIZATION OF APPROPRIATIONS.

Section 174 of the Workforce Innovation and Oppor-
tunity Act, as so redesignated, is amended—
(1) by redesignating subsections (e) and (f) as
subsections (g) and (h), respectively; and
(2) by striking subsections (a) through (d) and
inserting the following:
“(a) NATIVE AMERICAN PROGRAMS.—There are au-
thorized to be appropriated to carry out section 166 (not
including subsection (k) of such section) $61,800,000 for
each of the fiscal years 2025 through 2030.
“(b) MIGRANT AND SEASONAL FARMWORKER PRO-
GRAMS.—There are authorized to be appropriated to carry
out section 167 $100,317,900 for each of the fiscal years
2025 through 2030.
“(c) TECHNICAL ASSISTANCE.—There are authorized to be appropriated to carry out section 168 $5,000,000 for each of the fiscal years 2025 through 2030.

“(d) EVALUATIONS AND RESEARCH.—There are authorized to be appropriated to carry out section 169 $12,720,000 for each of the fiscal years 2025 through 2030.

“(e) REENTRY PROGRAM.—There are authorized to be appropriated to carry out section 172 $115,000,000 for each of the fiscal years 2025 through 2030.

“(f) STRENGTHENING COMMUNITY COLLEGES PROGRAM.—There are authorized to be appropriated to carry out section 173 $65,000,000 for each of the fiscal years 2025 through 2030.”.

Subtitle F—Administration

SEC. 191. REQUIREMENTS AND RESTRICTIONS.

Section 181(b) of the Workforce Innovation and Opportunity Act is amended by adding at the end the following:

“(8) CONSULTATION.—If an employer provides on-the-job training, incumbent worker training, or employer-directed skill development with funds made available under this title directly to employees of such employer that are subject to a collective bargaining agreement with the employer, the employer...
shall consult with the labor organization that rep-
resents such employees on the planning and design
of such training or development.”.

SEC. 192. GENERAL WAIVERS OF STATUTORY OR REGU-
LATORY REQUIREMENTS.

Section 189(i)(3)(A)(i) of the Workforce Innovation
and Opportunity Act (29 U.S.C. 3249(i)(3)(A)(i)) is
amended by striking “procedures for review and approval
of plans” and inserting “the procedures for review and
approval of plans, the performance reports described in
section 116(d), and the requirement described in section
134(c)(1)(B)”.

SEC. 193. STATE INNOVATION DEMONSTRATION AUTHOR-
ITY.

Section 190 of the Workforce Innovation and Oppor-
tunity Act (29 U.S.C. 3250) is amended to read as follows:

“SEC. 190. STATE INNOVATION DEMONSTRATION AUTHOR-
ITY.

“(a) PURPOSE.—The purpose of this section is to—

“(1) authorize States to apply under this sec-
tion, in the case of an eligible State, on behalf of the
entire State, or for any State, on behalf of a local
area or a consortium of local areas in the State, to
receive the allotments or allocations of the State or
the local areas, respectively, for youth workforce in-
vestment activities and adult and dislocated worker
employment and training activities under this Act,
as a consolidated grant for 5 years for the purpose
of carrying out a demonstration project to pursue in-
novative reforms to achieve better outcomes for job-
seekers, employers, and taxpayers; and

“(2) require that rigorous evaluations be con-
ducted to demonstrate if better outcomes and associ-
ated innovative reforms were achieved as a result of
such demonstration projects.

“(b) GENERAL AUTHORITY.—

“(1) WAIVERS AND DEMONSTRATION GRANT
AMOUNTS.—Notwithstanding any other provision of
law, during the demonstration period applicable to a
demonstration project approved for a State pursuant
to subsection (d)(3), the Secretary shall comply with
each of the following:

“(A) WAIVERS.—Subject to paragraph (2),
waive for the State as a whole, or for the local
area or the consortium of local areas in such
State selected by the State to carry out such
demonstration project, all the statutory and
regulatory requirements of subtitle A and sub-
title B.
``(B) DEMONSTRATION GRANT AMOUNTS.—For each fiscal year applicable to such demonstration period:

``(i) STATE AS A WHOLE.—In a case of a State approved to carry out a demonstration project under this section on behalf of the State as a whole, distribute as a consolidated sum to the State, for purposes of carrying out the project, the State’s total allotment for such fiscal year under—

``(I) subsections (b)(1)(C) and subsection (e) of section 127; and
``(II) paragraphs (1)(B) and (2)(B) of section 132(b); and
``(III) section 132(c).
``(ii) LOCAL AREA.—In a case of a local area selected by a State to carry out a demonstration project under this section, require the State to—
``(I) distribute as a consolidated sum to the local board for such local area, for purposes of carrying out the project, the local area’s allocation for such fiscal year under—
“(aa) subsections (b) and (c)
of section 128; and
“(bb) subsections (b) and (c) of section 133; or
“(II) if the local board of the local area enters into a written agreement with the State for the State to serve as the fiscal agent for the local board during the demonstration project, use the funds described in subclause (I) for purposes of carrying out the project on behalf of the local board.
“(iii) CONSORTIUM OF LOCAL AREAS.—In a case of a consortium of local areas selected by a State to carry out a demonstration project under this section, require the State to—
“(I) distribute as a consolidated sum to the consortium, for purposes of carrying out the project, the total amount of the allocations for the local areas in such consortium for such fiscal year under—
“(aa) subsections (b) and (c)
of section 128; and
“(bb) subsections (b) and
(c) of section 133; or
“(II) if the consortium enters
into a written agreement with the
State for the State to serve as the fis-
cal agent for the consortium during
the demonstration project, use the
funds described in subclause (I) for
purposes of carrying out the project
on behalf of such consortium.
“(2) EXCEPTIONS.—
“(A) IN GENERAL.—A State, local area, or
consortium of local areas carrying out a dem-
onstration project under this section shall com-
ply with statutory or regulatory requirements of
this Act relating to—
“(i) performance accountability and
reporting, except as otherwise provided in
this section;
“(ii) the membership of local or State
boards in instances where a State carrying
out a demonstration project will maintain
the use of such boards during the demonstration period; and

“(iii) the priority of service described in section 134(c)(3)(E).

“(B) APPLICABILITY OF DEFINED TERMS.—In carrying out a demonstration project under this section, a State, local area, or consortium of local areas may only use a term defined in section 3 to describe an activity carried out under such demonstration project if the State, local area, or consortium of local areas gives such term the same meaning as such term is given under such section.

“(3) AUTHORITY FOR THIRD PARTY EVALUATION.—

“(A) IN GENERAL.—Not later than 180 days after the issuance of the first demonstration project awarded under this section, the Secretary shall contract with a third party evaluator to conduct a rigorous evaluation of each demonstration project for each State, local area, or consortium of local areas awarded a demonstration project. The evaluation shall—

“(i) cover the 5-year period of each demonstration project;
“(ii) compare the employment and earnings outcomes of participants in activities carried out under the demonstration project to—

“(I) the outcomes of similarly situated individuals that do not participate in such activities who are located in such State, local area, or a local area in such consortium; and

“(II) the outcomes of participants in activities under this chapter in the State, local area, or a local area in the consortium that was awarded a waiver prior to the award of such waiver;

“(iii) conduct a qualitative analysis that identifies any promising practices or innovate strategies that—

“(I) would not have been conducted without the waiving of statutory or regulatory provisions through the demonstration project; and

“(II) lead to positive employment and earnings outcomes for the participants; and
“(iv) compare the outcomes for sub-
clauses (I) and (II) of clause (i) with re-
spect to the subpopulations described in
section 116(d)(2)(B).

“(B) REPORT.—Not later than 2 years
after the fifth year of the demonstration project
the Secretary shall submit to the Committee on
Education and the Workforce of the House of
Representatives and the Committee on Health,
Education, Labor, and Pensions the results of
the evaluation conducted on such project.

“(c) DEMONSTRATION PERIOD; LIMITATIONS.—
“(1) IN GENERAL.—A demonstration project
approved under this section for a State, local area,
or consortium—

“(A) shall be carried out for a 5-year dem-
onstration period; and

“(B) may be renewed for an additional 5-
year demonstration period if the State, local
area, or consortium meets its expected levels of
performance established under subsection (f)(1)
for each of the final 3 years of the preceding
5-year period and achieves a performance im-
provement of not less than an average of a 5
percent increase across all of the primary indi-
icators of performance on the final year of the preceding 5-year period compared with the expected levels of performance.

“(2) LIMITATIONS.—

“(A) DEMONSTRATION PERIOD LIMITATIONS.—For each 5-year demonstration period (including renewals of such period) the Secretary may not award—

“(i) more than 4 demonstration projects to eligible States for the State as a whole under this section; and

“(ii) more than 6 demonstration projects to local areas (or consortia of local areas) for a local area (or a consortium) under this section.

“(B) STATE LIMITATIONS.—No more than 1 demonstration project may be approved under this section per State. For purposes of this paragraph, a demonstration project approved for a local area or a consortium of local areas in a State shall be considered a demonstration project approved under this section for the State.

“(3) ELIGIBLE STATES.—The Secretary may not approve a statewide demonstration project under
subsection (b)(1)(B)(i) to a State unless, at the time of submission of the application, such State is—

“(A) a State designated as a single State local area; or

“(B) a State with a labor force participation rate that is less than 60 percent for the most recent program year and a population of less than 6,000,000, as determined by the most recent data released by the Census Bureau.

“(d) Application.—

“(1) In general.—To be eligible to carry out a demonstration project under this section, a State shall submit to the Secretary an application at such time and in such manner as the Secretary may reasonably require, and containing the information described in paragraph (2).

“(2) Content.—Each application submitted by a State under this subsection shall include the following:

“(A) A description of the demonstration project to be carried out under this section, including—

“(i) whether the project will be carried out—

“(I) by the State as a whole;
“(II) by a local area, and if so—

“(aa) an identification of—

“(AA) such local area;

“(BB) whether the local board for such local area is the fiscal agent for the project, or whether the local board has entered into a written agreement with the State for the State to serve as the fiscal agent during the project; and

“(bb) written verification from the local board for such local area that such local board agrees—

“(AA) to carry out such project; and

“(BB) to the fiscal agent identified in item (aa)(BB); and

“(III) by a consortium of local areas in the State, and if so—

“(aa) an identification of—
“(AA) each local area that comprises the consortium; and

“(BB) the local area that will serve as the fiscal agent for the consortium during the project, or whether the consortium has entered into a written agreement with the State for the State to serve as the fiscal agent; and

“(bb) written verification from each local board of each local area identified in item (aa)(AA) that such local board agrees—

“(AA) to carry out such project as a consortium; and

“(BB) to the fiscal agent for the consortium identified in item (aa)(BB);

“(ii) a description of the activities to be carried out under the project; and
“(iii) the goals the State, local area, or consortium intends to achieve through such activities, which shall be aligned with purpose described in subsection (a).

“(B) A description of the performance outcomes the State, the local area, or consortium expects to achieve for such activities for each year of the demonstration period as described in subsection (f)(1).

“(C) A description of how the State, local area, or consortium consulted with employers, the State board, and the local boards in the State in determining the activities to carry out under the demonstration project.

“(D) A description of how the State will make such activities available to jobseekers and employers in each of the local areas in the State or, in a case of a project that will be carried out by a local area or a consortium, a description of how such services will be made available to jobseekers and employers in such local area or each of the local areas in the consortium.

“(E) A description, if appropriate, of how the State, local area, or consortium will integrate the funds received, and the activities car-
ried out, under the demonstration project under this section with State workforce development programs and other Federal, State, or local workforce, education, or social service programs (including the programs and activities listed in section 103(a)(2), the program of adult education and literacy activities authorized under title II, and the program authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.)).

“(F) An assurance that the State, local area, or consortium will meet the requirements of this section.

“(3) SECRETARIAL APPROVAL.—

“(A) IN GENERAL.—Not later than 60 days after the date on which a State submits an application under this subsection, the Secretary shall—

“(i) in a case in which the application meets the requirements of this section and is not subject to the limitations described in subsection (c)(2), approve such application and the demonstration project described in such application; or
“(ii) provide to the State a written explanation of initial disapproval that meets the requirements of subparagraph (C).

“(B) DEFAULT APPROVAL.—With respect to an application submitted by a State under this subsection that is not subject to the limitations described in subsection (c), if the Secretary fails to approve such application or provide an explanation of initial disapproval for such application as required under subparagraph (A), the application and the demonstration project described in such application shall be deemed approved by the Secretary.

“(C) INITIAL DISAPPROVAL.—An explanation of initial disapproval provided by the Secretary to a State under subparagraph (A)(ii) shall provide the State—

“(i) a detailed explanation of why the application does not meet the requirements of this section; and

“(ii) if the State is not subject to the limitations described in subsection (c), an opportunity to revise and resubmit the State’s application under this section.
“(e) State Demonstration Project Requirements.—A State, local area, or consortium that has been approved to carry out a demonstration project under this section shall meet each of the following requirements:

“(1) Use of Funds.—Use the funds received pursuant to subsection (b)(1)(B) solely to carry out the activities of the demonstration project to achieve the goals described in subsection (d)(2)(A).

“(2) Administrative Costs Limitation.—Use not more than 10 percent of the funds received pursuant to subsection (b)(1)(B) for a fiscal year for the administrative costs of carrying out the demonstration project.

“(3) Priority for Services.—Give priority for services under the project to veterans and their eligible spouses in accordance with the requirements of section 4215 of title 38, United States Code, recipients of public assistance, low-income individuals, and individuals who have foundational skills needs.

“(4) Number of Participants.—Serve a number of participants under the activities of the demonstration project for each year of the demonstration period that—

“(A) is greater than the number of participants served by such State, local area, or con-
sortium under the programs described in sub-
paragraphs (A) and (C) of section 3(13) for the
most recent program year that ended prior to
the beginning of the first year of the dem-
onstration period; or

“(B) is not less than the number of par-
ticipants to be served under the activities of the
demonstration project that is agreed upon be-
tween the State, local area, or consortium, and
the Secretary—

“(i) prior to the Secretary’s approval
of the application submitted under sub-
section (d); and

“(ii) after the Secretary takes into ac-
count—

“(I) the goals the State, local
area, or consortium intends to achieve
through the demonstration project; and

“(II) the participants the State,
local area, or consortium intends to
serve under such project; and

“(iii) prior to approval of the applica-
tion submitted under subsection (d).
“(5) REPORTING OUTCOMES.—Submit, on an annual basis, to the Secretary a report, with respect to such State, local area, or consortium, on—

“(A) participant outcomes for each indicator of performance described in subsection (f)(1)(A) for the activities carried out under the project; and

“(B) the applicable requirements of section 116(d)(2), including subparagraphs (B) through (G) and subparagraph (J), as such subparagraphs are applicable to activities under the demonstration project.

“(6) COMPLIANCE WITH CERTAIN EXISTING REQUIREMENTS.—Comply with the statutory or regulatory requirements listed in subsection (b)(2).

“(f) PERFORMANCE ACCOUNTABILITY.—

“(1) ESTABLISHMENT OF BASELINE LEVEL FOR PERFORMANCE.—

“(A) IN GENERAL.—Each State shall describe in the application submitted under subsection (d), for each year of the demonstration period—

“(i) with respect to participants who are at least 25 years old, the expected levels of performance for each of the indica-
tors of performance under section 116(b)(2)(A)(i) for the activities carried out under the project under this section, which shall meet the requirements of subparagraph (B); and

“(ii) with respect to participants who are at least 16 years old and no older than 24 years old, the expected levels of performance for each of the indicators of performance under section 116(b)(2)(A)(ii) for the activities carried out under the project under this section, which shall meet the requirements of subparagraph (B).

“(B) 5TH YEAR.—Each of the expected levels of performance established pursuant to subparagraph (A) for each of the indicators of performance for the 5th year of the demonstration period shall be higher than—

“(i) the highest level of performance for the corresponding indicator of performance for the programs described in subparagraph (A) of section 3(13) for the most recent program year that ended prior to the beginning of the first year of the demonstration period; or
“(ii) an alternate baseline level of performance that is agreed upon between the State and the Secretary—

“(I) prior to the Secretary’s approval of the application submitted under subsection (d); and

“(II) after the Secretary takes into account—

“(aa) the goals the State intends to achieve through the demonstration project; and

“(bb) the participants the State intends to serve under such project.

“(C) AGREED LEVEL FOR PERFORMANCE ON EXPECTED LEVELS OF PERFORMANCE.—
Prior to approving an application for a demonstration project submitted by a State, and using the expected levels of performance described in such application, the Secretary shall reach an agreement with such State on the expected levels of performance for each of the indicators of performance. In reaching an agreement on such expected levels of performance,
the Secretary and the State may consider the
factors described in section 116(b)(3)(A)(v).

“(2) SANCTIONS.—

“(A) IN GENERAL.—The sanctions de-
scribed in section 116(f)(1)(B) shall apply to a
State, local area, or consortium beginning on
the 3rd year of the demonstration period for
such State, local area, or consortium, except
that the levels of performance established under
subsection (f)(1) of this section shall be—

“(i) deemed to be the State negotiated
levels of performance for purposes of this
paragraph; and

“(ii) adjusted at the end of each pro-
gram year to reflect the actual characteris-
tics of participants served and the actual
economic conditions experienced using a
statistical adjustment model similar to the
model described in section

“(B) INELIGIBILITY FOR RENEWAL.—A
State, local area, or consortium that is subject
to such sanctions shall be ineligible to renew its
demonstration period under subsection (c).
“(3) IMPACT OF LOCAL OR CONSORTIUM DEMONSTRATIONS ON STATEWIDE ACCOUNTABILITY.—

With respect to a State with an approved demonstration project for a local area or consortium of local areas in the State—

“(A) the performance of such local area or consortium for the programs described in subparagraphs (A) and (C) of section 3(13) shall not be included in the levels of performance for such State for any of such programs for purposes of section 116 for any program year that is applicable to any year of the demonstration period; and

“(B) with respect to any local areas of the State that are not part of the demonstration project, the State shall reach a new agreement with the Secretary, for purposes of section 116(b)(3)(A), on levels of performance for such programs for such program years.

“(g) TERMINATION.—Except as provided under subsection (c)(1)(B), the Secretary may not approve a demonstration project after December 31, 2030.”.
TITLE II—ADULT EDUCATION AND LITERACY

SEC. 201. PURPOSE.

Section 202 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3271) is amended—

(1) in paragraph (1), by inserting “(including digital literacy skills)” before “necessary”; and

(2) in paragraph (4), by striking “English language learners” and inserting “English learners”.

SEC. 202. DEFINITIONS.

Section 203 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3272) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by inserting “listen,” after “write,”;

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

(C) by redesignating subparagraph (C) as subparagraph (D); and

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

“(C) develop and use digital literacy skills; and”;

(2) by redesignating paragraphs (3) through (17) as paragraphs (4) through (18), respectively;
(3) by inserting after paragraph (2) the following:

“(3) DIGITAL LITERACY SKILLS.—The term ‘digital literacy skills’ means the skills associated with using existing and emerging technologies to find, evaluate, organize, create, and communicate information and to complete tasks.”;

(4) in paragraph (5)(C) (as so redesignated)—

(A) by striking clause (i) and inserting the following:

“(i) has foundational skills needs;”;

and

(B) in clause (iii), by striking “English language learner” and inserting “English learner”;

(5) in paragraph (7)(A) (as so redesignated), by striking “English language learners” and inserting “English learners”;

(6) in paragraph (8) (as so redesignated)—

(A) in the paragraph header, by striking “LANGUAGE”; and

(B) in the matter preceding subparagraph (A), by striking “English language” and inserting “English”;}
(7) in paragraph (10) (as so redesignated), by inserting “and educational” after “economic”;
(8) in paragraph (13) (as so redesignated)—
   (A) by striking “English language learner” and inserting “English learner”; and
   (B) by striking “workforce training” and inserting “skills development, preparation for postsecondary education or employment, and financial literacy instruction”; and
(9) in paragraph (14) (as so redesignated)—
   (A) by striking “and solve” and insert “solve”; and
   (B) by inserting “and use digital technology,” after “problems,”.

SEC. 203. AUTHORIZATION OF APPROPRIATIONS.

Section 206 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3275) is amended to read as follows:

“SEC. 206. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this title $751,042,100 for each of the fiscal years 2025 through 2030.”.

SEC. 204. PERFORMANCE ACCOUNTABILITY SYSTEM.

Section 212 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3292) is amended by striking “section 116.” and inserting “section 116, except that the in-
indicator described in subsection (b)(2)(A)(i)(VI) of such section shall be applied as if it were the percentage of program participants who exited the program during the program year and completed an integrated education and training program.”.

SEC. 205. MATCHING REQUIREMENT.

Section 222(b) of the Workforce Innovation and Opportunity Act (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, except that in the case of private contributions, names of the individuals or entities providing such contributions may not be disclosed; 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. 206. STATE LEADERSHIP ACTIVITIES.

Section 223(a) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3303(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking “activities.” and inserting “activities and the identification of opportunities to coordinate with activities supported under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) to expand integrated education and training programs.”;

(B) in subparagraph (C)—

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

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

(iii) by adding at the end the following:

“(iv) assistance in reporting participant outcomes for the performance accountability system described in section 212, including facilitating partnerships with the appropriate State entities to conduct matches with State administrative data (such as wage records) to determine program performance on the indicators of
performance described in subclauses (I) through (III) of section 116(b)(2)(A)(i).”;

(C) by redesignating subparagraph (D) as subparagraph (F); and

(D) by inserting after subparagraph (C) the following:

“(D) The development or identification (which may be done in coordination with other States) of instructional materials that—

“(i) are designed to meet the needs of adult learners and English learners;

“(ii) to the extent practicable, are evidence-based; and

“(iii) will improve the instruction provided pursuant to the local activities required under section 231(b).

“(E) The dissemination of instructional materials described in subparagraph (D) to eligible providers to improve the instruction provided pursuant to the local activities required under section 231(b), including instructional materials that—

“(i) were developed for integrated education and training in an in-demand industry or occupation within the State; and
“(ii) lead to English language acquisition, a recognized postsecondary credential, or both.”; and

(2) in paragraph (2)—

(A) in subparagraph (I)(i)—

(i) by striking “mathematics, and English” and inserting “mathematics, English”; and

(ii) by striking “acquisition;” and inserting “acquisition, and digital literacy skills;”;

(B) in subparagraph (J), by striking “retention.” and inserting “retention, such as the development and maintenance of policies for awarding recognized postsecondary credentials to adult educators who demonstrate effectiveness at improving the achievement of adult students.”;

(C) in subparagraph (K), by striking “English language learners,” and inserting “English learners,”;

(D) by redesignating subparagraph (M) as subparagraph (O); and

(E) by inserting after subparagraph (L) the following:
“(M) Performance incentive payments to eligible providers, including incentive payments linked to increased use of integrated employment and training or other forms of instruction linking adult education with the development of occupational skills for an in-demand occupation in the State.

“(N) Strengthening the quality and effectiveness of adult education and family literacy programs in the State through support for program quality standards and accreditation requirements.”.

SEC. 207. PROGRAMS FOR CORRECTIONS EDUCATION AND OTHER INSTITUTIONALIZED INDIVIDUALS.

Section 225 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3305)) is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

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

“(d) COORDINATION.—Each eligible agency that is using assistance provided under this section to carry out a program for criminal offenders within a correctional institution shall—
“(1) coordinate such educational programs with career and technical education activities provided to individuals in State institutions from funds reserved under section 112(a)(2)(A) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2322(a)(2)(A)); and

“(2) identify opportunities to develop integrated education and training opportunities for such individuals.”.

SEC. 208. GRANTS AND CONTRACTS FOR ELIGIBLE PROVIDERS.

Section 231 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3321) is amended—

(1) in subsection (e)—

(A) in paragraph (1)(B)(ii), by striking “English language learners” and inserting “English learners”;

(B) in paragraph (5)—

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

(ii) in subparagraph (B), by adding “and” at the end; and

(iii) by adding at the end the following:
“(C) uses instructional materials that are designed to meet the needs of adult learners and English learners and are evidence-based (to the extent practicable), which may include, but shall not be required to include, the instructional materials disseminated by the State under section 223(a)(1)(D);”; and

(C) in paragraph (6)—

(i) by striking “speaking,” and inserting “speaking and listening,”; and

(ii) by inserting before the semicolon at the end the following: “, which may include the application of the principals of universal design for learning”; and

(2) by adding at the end the following:

“(f) COST ANALYSIS.—In determining the amount of funds to be awarded in grants or contracts under this section, the eligible agency may consider the costs of providing learning in context, including integrated education and training and workplace adult education and literacy activities, and the extent to which the eligible provider intends to serve individuals using such activities, in order to align the amount of funds awarded with such costs.”.
SEC. 209. LOCAL APPLICATION.

Section 232 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3322) is amended—

(1) in paragraph (4), by inserting “and coordinate with the appropriate State entity” after “data”;

(2) in paragraph (6), by striking “and” at the end;

(3) by redesignating paragraph (7) as paragraph (8); and

(4) by inserting after paragraph (6) the following:

“(7) a description of how the eligible provider will provide learning in context, including through partnerships with employers to offer workplace adult education and literacy activities and integrated education and training; and”.

SEC. 210. LOCAL ADMINISTRATIVE COST LIMITS.

Section 233(a) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3323(a)) is amended—

(1) in paragraph (1), by striking “95” and inserting “85”; 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 shall be used for planning, administration (including carrying out the requirements of section 116), professional development of administrative staff, and the activities described in paragraphs (3) and (5) of section 232.”.

SEC. 211. NATIONAL LEADERSHIP ACTIVITIES.

Section 242 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3332) is amended—

(1) in subsection (b)(1), by striking “116;” and inserting “116, including the dissemination of effective practices used by States to use administrative data to determine program performance and reduce the data collection and reporting burden on eligible providers;”;

(2) in paragraphs (1)(B) and (2)(C)(vii)(I) of subsection (c), by striking “English language learners” and inserting “English learners”; and

(3) in subsection (c)(2)—

(A) in subparagraph (F), by striking “and” at the end;
(B) by redesignating subparagraph (G) as subparagraph (I); and

(C) by inserting after subparagraph (F) the following:

“(G) developing and rigorously evaluating programs for the preparation of effective adult educators and disseminating the results of such evaluations;

“(H) carrying out initiatives to support the effectiveness and impact of adult education, that States may adopt on a voluntary basis, through—

“(i) the development and dissemination of staffing models that prioritize demonstrated effectiveness and continuous improvement in supporting the learning of adult students; and

“(ii) the evaluation and improvement of program quality standards and accreditation requirements; and”.

SEC. 212. INTEGRATED ENGLISH LITERACY AND CIVICS EDUCATION.

Section 243(c)(1) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3333(c)(1)) is amended by
striking “English language learners” and inserting “English learners”.

**TITLE III—AMENDMENTS TO OTHER LAWS**

SEC. 301. AMENDMENTS TO THE WAGNER-PEYSER ACT.

(a) **DEFINITIONS.**—Section 2(5) of the Wagner-Peyser Act (29 U.S.C. 49a(5)) is amended by inserting “the Commonwealth of the Northern Mariana Islands, American Samoa,” after “Guam,”.

(b) **UNEMPLOYMENT COMPENSATION LAW REQUIREMENT.**—Section 5(b)(1) of such Act is amended by inserting “the Commonwealth of the Northern Mariana Islands, American Samoa,” after “Guam,”.

(c) **ALLOTMENTS.**—Section 6 of such Act (29 U.S.C. 49e) is amended—

(1) in subsection (a)—

(A) by striking “except for Guam” and inserting “except for Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa”;

(B) by striking “first allot to Guam and the Virgin Islands” and inserting the following:

“first allot—

“(1) to Guam and the Virgin Islands”;
(C) by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(2) beginning with the first fiscal year for which the total amount available for allotments under this section is greater than the total amount available for allotments under this section for fiscal year 2024, and for each succeeding fiscal year, to each of the Commonwealth of the Northern Mariana Islands and American Samoa, an amount which is equal to one-half of the amount allotted to Guam under paragraph (1) for such fiscal year.”; and

(2) in subsection (b)(1), in the matter following subparagraph (B), by inserting “, the Commonwealth of the Northern Mariana Islands, American Samoa,” after “Guam”.

(d) USE OF FUNDS.—Section 7 of such Act (29 U.S.C. 49f) is amended—

(1) in subsection (a)(1), by striking “and referral to employers” and inserting “referral to employers, and the activities described in section 134(c)(2)(A) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(c)(2)(A)), as amended by the A Stronger Workforce for America Act”; and
(2) in subsection (e), by inserting “and in an integrated manner as described in section 134(c)(2)(A) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(c)(2)(A)), as amended by the A Stronger Workforce for America Act” before the period at the end.

(e) WORKFORCE AND LABOR MARKET INFORMATION SYSTEM.—Section 15 of such Act (29 U.S.C. 49l–2) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking “timely manner” and inserting “manner that is as close to real-time as practicable”;

(ii) in clause (i), by striking “part-time, and seasonal workers” and inserting “part-time, contingent, and seasonal workers, and workers engaged in alternative employment arrangements”;

(iii) by redesignating clauses (iii) and (iv) as clauses (iv) and (v), respectively; and

(iv) by inserting after clause (ii), the following:
“(iii) real-time trends in new and emerging occupational roles, and in new and emerging skills by occupation and industry, with particular attention paid to State and local conditions;”;

(B) in subparagraph (B)(i), by inserting “(including, to the extent practicable, real-time)” after “current”; and

(C) in subparagraph (G), by striking “user-friendly manner and” and inserting “manner that is available on-demand and is user-friendly,”;

(2) in subsection (b)(2)(F)—

(A) in clause (i), by striking “; and” and inserting “(including, to the extent practicable, provided in real time);”;

(B) by redesignating clause (ii) as clause (iii); and

(C) by inserting after clause (i), as so amended, the following:

“(ii) the capabilities of digital technology and modern data collection approaches are effectively utilized; and”; and

(3) by amending subsection (g) to read as follows:
“(g) Authorization of Appropriations.—There are authorized to be appropriated to carry out this section $64,532,600 for each of the fiscal years 2025 through 2030.”.

SEC. 302. JOB TRAINING GRANTS.

Section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 (29 U.S.C. 3224a) is amended to read as follows:

“(e) Job Training Grants.—

“(1) Allotment.—

“(A) In general.—Of the funds available under section 286(s)(2) of the Immigration and Nationality Act (8 U.S.C. 1356(s)(2)), the Secretary of Labor shall—

“(i) return permanently 12 percent of such amounts in each fiscal year to the general fund of the Treasury; and

“(ii) of the remainder, make allotments to each State that receives an allotment under section 132(b) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3172) for the purpose of providing training services through individual training accounts for eligible dislocated workers as described in paragraph (2)(A).
“(B) RESERVATION; ALLOTMENT AMONG STATES.—

“(i) RESERVATION.—From the amount made available under subparagraph (A)(ii) for a fiscal year, the Secretary shall reserve not more than $\frac{1}{4}$ of 1 percent of such amount to provide assistance to the outlying areas for the purpose described in paragraph (2)(A).

“(ii) ALLOTMENT AMONG STATES.—The Secretary shall use the remainder of the amount made available under subparagraph (A)(ii) for a fiscal year to make allotments to States described in such subparagraph on the following basis:

“(I) $\frac{1}{3}$ and $\frac{1}{3}$ percent shall be allotted on the basis of the relative number of unemployed individuals in each such State, compared to the total number of unemployed individuals in all such States.

“(II) $\frac{1}{3}$ and $\frac{1}{3}$ percent shall be allotted based on the relative number of disadvantaged adults in each such State, compared to the total number
of disadvantaged adults in all such States.

“(III) 33 and 1/3 percent shall be allotted on the basis of the relative number of individuals in the civilian labor force in each such State, compared to the total number in the civilian labor force in all such States.

“(iii) DISADVANTAGED ADULT DEFINED.—For purposes of this subparagraph and subparagraph (C), the term ‘disadvantaged adult’ has the meaning given such term in section 132(b)(1)(B)(v)(IV) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3172(b)(1)(B)(v)(IV)).

“(iv) REALLOTMENT.—

“(I) IN GENERAL.—The Secretary of Labor shall, in accordance with this clause, reallocate amounts that are made available to States from allotments made under this subparagraph (referred to individually in this subsection as a
‘State allotment’) and that are available for reallocation.

“(II) AMOUNT.—The amount available for reallocation for a program year is equal to the amount by which the unobligated balance of the State allotment, at the end of the program year prior to the program year for which the determination under this subclause is made, exceeds 20 percent of such allotment for the prior program year.

“(III) REALLOTMENT.—In making reallocations to eligible States of amounts available pursuant to subclause (II) for a program year, the Secretary shall allot to each eligible State an amount based on the relative amount of the State allotment for the program year for which the determination is made, as compared to the total amount of the State allotments for all eligible States for such program year.
“(IV) ELIGIBILITY.—For purposes of this subsection, an eligible State means a State that does not have an amount available for reallocation under subclause (II) for the program year for which the determination under subclause (II) is made.

“(C) WITHIN STATE ALLOCATIONS.—

“(i) IN GENERAL.—The Governor shall allocate the funds allotted to the State under subparagraph (B)(ii) for a fiscal year to the local areas in the State on the following basis:

“(I) 33 and 1/3 percent of the funds on the basis described in subparagraph (B)(ii)(I).

“(II) 33 and 1/3 percent of the funds on the basis described in subparagraph (B)(ii)(II).

“(III) 33 and 1/3 percent of the funds on the basis described in subparagraph (B)(ii)(III).

“(ii) APPLICATION.—For purposes of carrying out clause (i)—
“(I) references in subparagraph (B)(ii) to a State shall be deemed to be references to a local area; and

“(II) references in subparagraph (B)(ii) to all States shall be deemed to be references to all local areas in the State involved.

“(iii) REALLOCATION AMONG LOCAL AREAS.—

“(I) IN GENERAL.—The Governor may, in accordance with this clause and after consultation with the State board, reallocate to eligible local areas within the State amounts that are made available to local areas from allocations made under this subparagraph (referred to individually in this subsection as a ‘local allocation’) and that are available for reallocation.

“(II) AMOUNT.—The amount available for reallocation for a program year is equal to the amount by which the unobligated balance of the local allocation, at the end of the program year prior to the program year
for which the determination under this subclause is made, exceeds 20 percent of such allocation for the prior program year.

“(III) REALLOCATION.—In making reallocations to eligible local areas of amounts available pursuant to subclause (II) for a program year, the Governor shall allocate to each eligible local area within the State an amount based on the relative amount of the local allocation for the program year for which the determination is made, as compared to the total amount of the local allocations for all eligible local areas in the State for such program year.

“(IV) ELIGIBILITY.—For purposes of this subsection, an eligible local area means a local area that does not have an amount available for reallocation under subclause (II) for the program year for which the determination under subclause (II) is made.
“(2) USE OF FUNDS.—

“(A) IN GENERAL.—Funds allocated pursuant to paragraph (1) to a local area shall be used to pay, through the use of an individual training account in accordance with section 134(c)(3)(F)(iii) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(c)(3)(F)(iii)), an eligible provider of training services from the list of eligible providers of training services described in section 122(d) of such Act (29 U.S.C. 3152(d)) for training services provided to eligible dislocated workers in the local area.

“(B) REQUIREMENTS FOR LOCAL AREAS.—As a condition of receipt of funds under paragraph (1), a local area shall agree to each of the following:

“(i) REQUIRED NOTICE TO WORKERS.—Prior to an eligible dislocated worker selecting a program of training services from the list of eligible providers of training services under section 122(d) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3152(d)), the local area shall inform such dislocated worker of any op-
opportunities the dislocated worker may have
to participate in on-the-job training or em-
ployer-directed skills development funded
through such local area.

“(ii) AMOUNTS AVAILABLE.—Except
as provided in clause (iv)(II), a local
area—

“(I) may not limit the maximum
amount available for an individual
training account for an eligible dis-
located worker under subparagraph
(A) to an amount that is less than
$5,000; and

“(II) may not pay an amount,
through the use of an individual train-
ing account under subparagraph (A),
for training services provided to an el-
igible dislocated worker that exceeds
the costs of such services.

“(iii) WIOA FUNDS.—A local area
may not use funds made available to the
local area for a fiscal year pursuant to sec-
tion 134(c)(1)(B) of the Workforce Innova-
tion and Opportunity Act (29 U.S.C.
3174(c)(1)(B)) to make payments under
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subparagraph (A) until the funds allocated
to the local area pursuant to paragraph (1)
of this subsection for such fiscal year have
been exhausted.

“(iv) Exhaustion of Allocations.—Upon the exhaustion of the funds
allocated to the local area pursuant to
paragraph (1) of this subsection, for the
purpose of paying, through the use of indi-
vidual training accounts under subpara-
graph (A), the costs of training services for
eligible dislocated workers in the local area
seeking such services, the local area—

“(I) shall use any funds made
available to the local area pursuant to
section 134(e)(1)(B) of the Workforce
Innovation and Opportunity Act (29
U.S.C. 3174(e)(1)(B)) to pay for such
costs under subparagraph (A) (other
than any costs that exceed the limit
set by the local area pursuant to sub-
clause (II)); and

“(II) for any eligible dislocated
worker who is not a low-income indi-

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amount available for the individual training account under subparagraph (A) for such worker to an amount that is less than $5,000.

“(3) ELIGIBLE DISLOCATED WORKER.—A dislocated worker shall be an eligible dislocated worker for purposes of this subsection if the dislocated worker—

“(A) meets the requirements under section 134(c)(3)(A)(i) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(c)(3)(A)(i)) to be eligible for training services;

“(B) has not received training services through an individual training account under this subsection or under section 134(c)(3)(F)(iii) of Workforce Innovation and Opportunity Act (29 U.S.C. 3174(c)(3)(F)(iii)) during the preceding 5-year period or, if such a worker has received such training services during such period, the worker has been granted an exception by the local area due to an exceptional circumstance, as determined by the local area; and
“(C) is not subject to any limitations established by the local area or State involved pursuant to paragraph (4), which would disqualify such dislocated worker from being an eligible dislocated worker under this subsection.

“(4) STATE OR LOCAL AREA LIMITATIONS.—A State or local area may establish limitations on the eligibility of an otherwise eligible dislocated worker who has previously received training services through an individual training account under this subsection or under section 134(c)(3)(F)(iii) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(c)(3)(F)(iii)) to receive a subsequent individual training account under this subsection.

“(5) EXCESS DEMAND.—Upon the exhaustion of the funds allocated to a local area pursuant to paragraph (1) of this subsection and any funds that may be available to such local area pursuant to section 134(c)(1)(B) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(c)(1)(B)) for the purpose described in paragraph (2)(A) of this subsection, the local area—

“(A) may request additional funds for such purpose from the Governor under section 134(a)(2)(A)(i)(III) of the Workforce Innova-
tion and Opportunity Act (29 U.S.C. 3174(a)(2)(A)(i)(III)); and

“(B) shall not be required to pay for training services or establish an individual training account for an eligible dislocated worker.

“(6) DEFINITIONS.—Except as otherwise specified, a term used in this subsection shall have the meaning given such term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

“(7) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to provide an individual with an entitlement to a service under this subsection or under title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111 et seq.) or to mandate a State or local area to provide a service if Federal funds are not available for such service.”.

SEC. 303. ACCESS TO NATIONAL DIRECTORY OF NEW HIRES.

Section 453(j)(8) of the Social Security Act (42 U.S.C. 653(j)(8)) is amended—

(1) in paragraph (A)—

(A) by inserting “or administering the performance accountability system required under
section 116 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141)” after “State law”; and

(B) by inserting “or such system” after “such program”; and

(2) in paragraph (C)(i), by inserting “or system” after “program”.