

117TH CONGRESS
1ST SESSION

H. R. 2112

To direct the Secretary of Labor to award funds to States to promote the skill acquisition, employment, and retention of individuals, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2021

Ms. STEFANIK (for herself and Mr. CROW) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To direct the Secretary of Labor to award funds to States to promote the skill acquisition, employment, and retention of individuals, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “American Workforce
5 Recovery Act”.

6 **SEC. 2. STATE ALLOTMENTS AND LOCAL ALLOCATIONS.**

7 (a) STATE ALLOTMENTS.—

8 (1) RESERVATION FOR OUTLYING AREAS.—

9 From the amount made available under section 6(a)

1 for a fiscal year, the Secretary of Labor shall reserve
2 not more than $\frac{1}{4}$ of 1 percent of such amount to
3 provide assistance to the outlying areas.

4 (2) STATE ALLOTMENTS.—After determining
5 the amount to be reserved under paragraph (1), the
6 Secretary shall allot the remainder of the amount
7 made available under section 6(a) for that fiscal year
8 to the States in accordance with clause (ii) of section
9 132(b)(2)(B) of the Workforce Innovation and Op-
10 portunity Act (29 U.S.C. 3172(b)(2)(B)) for the ac-
11 tivities described in this Act, except that clause (iii)
12 of such section shall not apply to allotments made
13 under this paragraph.

14 (b) WITHIN STATE ALLOCATION.—

15 (1) RESERVATION FOR STATE USES.—The Gov-
16 ernor shall reserve not more than 15 percent of the
17 amount allotted to the State under subsection (a)(2)
18 for the State activities described in section 3.

19 (2) ALLOCATIONS TO LOCAL AREAS.—After de-
20 termining the amount to be reserved under para-
21 graph (1) and not later than 30 days after receiving
22 funds allotted under subsection (a)(2), the Governor
23 shall allocate the remainder of such allotment to
24 local areas in the State, on the basis of the alloca-
25 tion formula prescribed by the Governor of the State

1 under clause (i) of section 133(b)(2)(B) of the
2 Workforce Innovation and Opportunity Act (29
3 U.S.C. 3173(b)(2)(B)) for the program year that is
4 in effect on the date of such allocation.

5 (3) REALLOCATION REQUIREMENTS.—Any
6 amounts allocated to a local area under paragraph
7 (1) or (2) that remain unobligated for 1 year after
8 the date of allocation may be reallocated to other
9 local areas in the State by the Governor, as deter-
10 mined by the Governor.

11 **SEC. 3. STATE USES OF FUNDS.**

12 The State activities referred to in section 2(b)(1) are
13 as follows:

14 (1) Reviewing new applications from training
15 providers seeking to be included on the list of eligi-
16 ble providers of training services under section
17 122(d) of the Workforce Innovation and Opportunity
18 Act (29 U.S.C. 3152(d)) for such State not later
19 than 30 days after receipt of such application.

20 (2) Evaluating the training providers included
21 on the list of eligible providers of training services
22 under section 122(d) of the Workforce Innovation
23 and Opportunity Act (29 U.S.C. 3152(d)) for such
24 State to determine if such providers have the capac-
25 ity to meet the job training needs of displaced work-

1 ers and the employment needs of employers in the
2 State, including the capacity of remote or virtual
3 training options in such State.

4 (3) Carrying out activities to facilitate remote
5 access to employment and training activities, includ-
6 ing career services, through a one-stop center.

7 (4) Improving the quality of local and regional
8 labor market information relating to in-demand in-
9 dustry sectors or occupations, including by ensuring
10 such information is up-to-date, searchable, com-
11 parable, informed by best practices on public provi-
12 sion of credential information, and includes informa-
13 tion on skills required by in-demand industry sectors
14 or occupations in the local area.

15 (5) Improving the public availability and acces-
16 sibility of the performance reports of eligible train-
17 ing providers required under section 116(d)(4) of
18 the Workforce Innovation and Opportunity Act (29
19 U.S.C. 3141(d)(4)).

20 (6) Carrying out any statewide employment and
21 training activities under section 134(a)(3)(A) of the
22 Workforce Innovation and Opportunity Act (29
23 U.S.C. 3174(a)(3)(A)).

1 (7) Providing supplemental allocations to local
2 areas most in need of additional employment and
3 training resources, as determined by the Governor.

4 **SEC. 4. LOCAL AREA USES OF FUNDS.**

5 (a) USES OF FUNDS.—

6 (1) REQUIRED USES.—A local area receiving an
7 allocation under this Act shall use not less than 75
8 percent of the allocation for the following:

9 (A) To provide the following training or
10 jobs:

11 (i) Training services provided through
12 individual training accounts described in
13 subsection (b);

14 (ii) On-the-job training, for which the
15 local board may take into account the im-
16 pact of a qualifying emergency as a factor
17 in determining whether to increase the
18 amount of a reimbursement to an amount
19 of up to 75 percent of the wage rate of a
20 participant in accordance with section
21 134(c)(3)(H) of the Workforce Innovation
22 and Opportunity Act (29 U.S.C.
23 3174(c)(3)(H)).

24 (iii) Customized training, for which
25 the local board may take into account the

1 impact of a qualifying emergency as a fac-
2 tor in determining the portion of the cost
3 of training an employer shall provide.

4 (iv) Transitional jobs that meet the
5 requirements of section 134(d)(5) of the
6 Workforce Innovation and Opportunity Act
7 (29 U.S.C. 3174(d)(5)).

8 (v) Training programs for incumbent
9 workers carried out in accordance with sec-
10 tion 134(d)(4) of the Workforce Innovation
11 and Opportunity Act (29 U.S.C.
12 3174(d)(4)).

13 (B) To establish a Pandemic Reskilling
14 Fund for dislocated workers participating in
15 training services described in clauses (i)
16 through (iii) of subparagraph (A).

17 (2) AUTHORIZED USES.—A local area receiving
18 an allocation under this Act may use the alloca-
19 tion—

20 (A) to provide the career services described
21 in paragraph (2) of section 134(c) of the Work-
22 force Innovation and Opportunity Act (29
23 U.S.C. 3174(c)(2)) to adults and dislocated
24 workers—

1 (i) which shall include the
2 prioritization of the use of the assessments
3 and the development of individual employ-
4 ment plans described in subclauses (I) and
5 (II) of paragraph (2)(A)(xii) of such sec-
6 tion 134(c), respectively;

7 (ii) be based on the most recent local
8 and regional labor market information re-
9 lating to in-demand industry sectors or oc-
10 cupations for such local area; and

11 (iii) carried out in coordination with
12 reemployment activities conducted under
13 section 306 of the Social Security Act;

14 (B) to provide the employment and train-
15 ing activities described in section 134(d)) of the
16 Workforce Innovation and Opportunity Act (29
17 U.S.C. 3174(d));

18 (C) to provide information to adults and
19 dislocated workers on employers seeking indi-
20 viduals to participate in the on-the-job training
21 described in subsection (b); and

22 (D) for administrative costs to carry out
23 the requirements of this section, as long as not
24 more than 10 percent of the allocation is used
25 for such costs.

(b) INDIVIDUAL TRAINING ACCOUNTS.—

(1) IN GENERAL.—Notwithstanding section 134(c)(3)(G) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(c)(3)(G)), an individual training account established with an allocation made under this Act may be used to support—

(A) on-the-job training if a work-based training agreement is established by the individual and the employer, and is approved by the one-stop operator involved; or

(B) training services with a provider described in paragraph (3).

(2) WORK-BASED TRAINING AGREEMENT.—

(A) CONTENTS.—A work-based training agreement referred to in paragraph (1)(A) shall establish the length of training, the hourly wage rate of the individual, the skills necessary for the job, and the individual's current skill level as of the date of the agreement, the skills to be learned during the training, any recognized postsecondary credential that may be acquired during the training, and the reimbursement to be provided to the employer.

(B) DOCUMENTATION REQUIREMENTS.—A work-based training agreement that is approved

1 by the one-stop operator shall ensure that the
2 individual provides the one-stop operator in-
3 volved with any documentation of the wages
4 earned by the individual while engaged in such
5 training for the purpose of reimbursement to
6 the employer.

7 (3) ELIGIBLE TRAINING PROVIDERS.—

8 (A) IN GENERAL.—An individual training
9 account described in paragraph (1) established
10 on behalf of an individual shall pay for training
11 provided through—

12 (i) a provider on the list of eligible
13 providers of training services under section
14 122(d) of the Workforce Innovation and
15 Opportunity Act (29 U.S.C. 3152(d)) for
16 the State of the local area; or

17 (ii) a training provider that is not on
18 such list—

19 (I) in a case in which the State
20 board or local board approves such
21 provider upon a determination that
22 the individual is seeking training for
23 an in-demand industry sector or occu-
24 pation in the local area for which such

1 provider has demonstrated effective-
2 ness; or

3 (II) in a case in which an em-
4 ployer identifies such provider as hav-
5 ing the ability to help the individual
6 acquire the skills necessary to be
7 hired by such employer, and for which
8 the employer covers not less than 20
9 percent of the training cost.

10 (B) PERFORMANCE REPORTS.—To receive
11 a payment under an individual training account
12 described in paragraph (1), a training provider
13 described in subparagraph (A)(ii) shall submit
14 the necessary information to be included in the
15 performance report with respect to such pro-
16 vider under section 116(d)(4) of the Workforce
17 Innovation and Opportunity Act (29 U.S.C.
18 3141(d)(4)).

19 (c) PANDEMIC RESKILLING FUND.—

20 (1) IN GENERAL.—For dislocated workers re-
21 ceiving training services under subsection (a)(1), the
22 local area shall establish a Pandemic Reskilling
23 Fund that the individual can access to receive reim-
24 bursement for supportive services necessary for the
25 individual to participate in the training.

1 (2) ONE-STOP OPERATOR.—The one-stop oper-
2 ator involved shall—

3 (A) have the discretion to approve an indi-
4 vidual's supportive services expenses and make
5 payments from the individual's Pandemic
6 Reskilling Fund; and

7 (B) provide information, in formats that
8 are usable by and understandable to one-stop
9 center customers, relating to the availability of
10 other supportive services and funding for such
11 services in the local area.

12 (3) AMOUNT PER INDIVIDUAL.—The Pandemic
13 Reskilling Fund shall provide the following reim-
14 bursement amounts:

15 (A) \$1,000 for a dislocated worker who is
16 a low-income individual.

17 (B) \$500 for a dislocated worker who is
18 not covered under subparagraph (A).

19 (4) COMPLETION INCENTIVE AND REALLOCA-
20 TION.—

21 (A) COMPLETION INCENTIVE.—Any funds
22 remaining in a Pandemic Reskilling Fund of an
23 individual shall be provided in cash to the indi-
24 vidual if—

1 (i) not later than 6 weeks after an in-
2 dividual completes the training for which
3 such Fund was established, the individual
4 obtains full-time, unsubsidized employ-
5 ment; and

6 (ii) the individual has been so em-
7 ployed for 6 weeks.

8 (B) REALLOCATION.—With respect to any
9 funds remaining in the Pandemic Reskilling
10 Fund of an individual who does not meet the
11 requirements of subparagraph (A), after com-
12 pletion of the training for which such Fund was
13 established, such funds shall be returned to the
14 local area for redistribution by such area.

15 (d) ELIGIBLE INDIVIDUALS.—The requirements of
16 section 134(c)(3)(B) of the Workforce Innovation and Op-
17 portunity Act (29 U.S.C. 3174(c)(3)(B)) shall not apply
18 in determining an individual’s eligibility to receive training
19 services funded under this section.

20 **SEC. 5. GAO REPORT.**

21 Not later than one year following the date of enact-
22 ment of this Act, the Comptroller General of the United
23 States shall—

24 (1) conduct an evaluation of the—

1 (A) flexibility provided through individual
2 training accounts established under this Act;
3 and

4 (B) the overall effectiveness of the funds
5 provided under this Act with respect to pro-
6 moting the skill acquisition, employment, and
7 retention of the individuals who were assisted
8 with such funds, including individuals with bar-
9 riers to employment, disaggregated—

10 (i) by each subpopulation of such indi-
11 viduals; and

12 (ii) by race, ethnicity, sex, and age.

13 (2) submit the results of the evaluation to Con-
14 gress.

15 **SEC. 6. GENERAL PROVISIONS.**

16 (a) **AUTHORIZATION OF APPROPRIATIONS.**—There
17 are authorized to be appropriated \$7,000,000,000 to carry
18 out this Act.

19 (b) **DEFINITIONS.**—In this Act:

20 (1) **QUALIFYING EMERGENCY.**—The term
21 “qualifying emergency” has the meaning given the
22 term in section 3502(a) of the CARES Act (20
23 U.S.C. 1001 note).

24 (2) **SUPPORTIVE SERVICES.**—The term “sup-
25 portive services” means services such as transpor-

1 tation, child care, dependent care, housing, tech-
2 nology and equipment, and needs-related payments,
3 that are necessary to enable an individual to partici-
4 pate in activities authorized under this Act.

5 (3) WIOA DEFINITIONS.—Except as otherwise
6 provided, a term used in this Act that is defined in
7 section 3 of the Workforce Innovation and Oppor-
8 tunity Act (29 U.S.C. 3102) shall have the meaning
9 given that term in such section.

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