

119TH CONGRESS
2D SESSION

S. _____

To amend the Workforce Innovation and Opportunity Act to establish a grant program for a workforce data quality initiative, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. HICKENLOOPER (for himself and Mr. MARSHALL) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To amend the Workforce Innovation and Opportunity Act to establish a grant program for a workforce data quality initiative, 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 “Workforce Data En-
5 hancement Act”.

1 **SEC. 2. AMENDMENTS TO THE WORKFORCE INNOVATION**
2 **AND OPPORTUNITY ACT.**

3 (a) IN GENERAL.—Section 169 of the Workforce In-
4 novation and Opportunity Act (29 U.S.C. 3224) is amend-
5 ed by adding at the end the following:

6 “(d) WORKFORCE DATA QUALITY INITIATIVE.—

7 “(1) GRANT PROGRAM.—The Secretary shall
8 use not less than 5 percent and not more than 10
9 percent of the total amount made available pursuant
10 to section 132(a)(2)(A) for any program year, and
11 may use amounts otherwise made available for pur-
12 poses of carrying out this section, to competitively
13 award grants to eligible entities to design, develop,
14 implement, improve, or align a statewide longitu-
15 dinal data system for the purposes of integrating
16 data from education and workforce development sys-
17 tems, labor market outcomes, and other data sources
18 toward strengthening program quality, building
19 State capacity to produce evidence for decision mak-
20 ing, meeting performance reporting requirements,
21 promoting individual privacy and data security, im-
22 proving transparency, moving toward improved
23 workforce data standardization, and improving work-
24 er and employer capacity to identify and address
25 skill needs.

1 “(2) ELIGIBLE ENTITY.—In this subsection, the
2 term ‘eligible entity’ means a State agency or con-
3 sortium of State agencies, including a multistate
4 data collaborative, that is or includes the State agen-
5 cy responsible for—

6 “(A) State employer wage records used by
7 the State’s unemployment insurance programs
8 in labor market information reporting and anal-
9 ysis and for fulfilling the reporting require-
10 ments of this Act;

11 “(B) the production of labor market infor-
12 mation; and

13 “(C) the direct administration of a core
14 program.

15 “(3) APPLICATION.—To be eligible to receive a
16 grant under this subsection, an eligible entity shall
17 submit an application to the Secretary at such time
18 and in such manner as the Secretary may require,
19 which shall include—

20 “(A) a description of the proposed activi-
21 ties that will be conducted by the eligible entity,
22 including a description of the need for such ac-
23 tivities and a detailed budget for such activities;

24 “(B) a description of the expected out-
25 comes and outputs that will result from the

1 proposed activities and the proposed uses of
2 such outputs;

3 “(C) a description of how the proposed ac-
4 tivities will—

5 “(i) support the reporting of perform-
6 ance data, including employment and earn-
7 ings outcomes, for the performance ac-
8 countability requirements under section
9 116, including outcomes for eligible train-
10 ing providers;

11 “(ii) improve workforce data stand-
12 ardization;

13 “(iii) leverage public-private partner-
14 ships to achieve intended goals of the ac-
15 tivities; and

16 “(iv) improve the collection, accuracy,
17 timeliness, and usability of real-time, econ-
18 omy-wide data on new and emerging skills
19 and in-demand occupational roles;

20 “(D) a description of the methods and pro-
21 cedures the eligible entity will use to promote
22 individual privacy and data security in the col-
23 lection, storage, and use of all data involved in
24 the systems and resources supported through

1 the grant, in accordance with Federal and State
2 privacy laws; and

3 “(E) a plan for how the eligible entity will
4 continue the activities or sustain the use of the
5 outputs created with the grant funds after the
6 grant period ends.

7 “(4) PRIORITY.—In awarding grants under this
8 subsection, the Secretary shall give priority to—

9 “(A) any eligible entity that is a consor-
10 tium comprised of State agencies from multiple
11 States (including at least one State agency that
12 has not previously received a grant from the
13 Secretary for the purposes of this subsection
14 and demonstrates a substantial need to improve
15 its data infrastructure) and—

16 “(i) has the capacity to make signifi-
17 cant contributions toward building inter-
18 operable, cross-State data infrastructure
19 and leveraging public-private partnerships
20 to provide participating States the ability
21 to better understand—

22 “(I) earnings and employment
23 outcomes of individuals who work out-
24 of-State; and

1 “(II) cross-State earnings and
2 employment trends, including new and
3 emerging skills and in-demand occu-
4 pational roles; or

5 “(ii) proposes to use such grant funds
6 to establish or participate in a cross-State
7 data exchange for collecting and using
8 standards-based jobs, skills, and employ-
9 ment data including, at a minimum, job ti-
10 tles or occupation codes; and

11 “(B) any eligible entity that will use grant
12 funds to—

13 “(i) expand the adoption and use of
14 structured, linked, open, and interoperable
15 data on skills and credentials, including
16 through the development of a credential
17 registry or other tools and services de-
18 signed to help learners and workers make
19 informed decisions;

20 “(ii) enhance collaboration and part-
21 nerships with private sector workforce and
22 labor market data entities and the end-
23 users of workforce and labor market data,
24 including individuals, employers, economic

1 development agencies, and workforce devel-
2 opment providers;

3 “(iii) improve real-time workforce
4 data collection and reporting toward equip-
5 ping employers, workers, and training pro-
6 viders with accurate information to better
7 predict workforce demands, including re-
8 lated to the expanding role of emerging
9 technology (including artificial intelligence
10 and machine learning) in the workplace;

11 “(iv) leverage the use of non-Federal
12 contributions or other amounts made avail-
13 able to the eligible entity under the Work-
14 force Innovation and Opportunity Act (29
15 U.S.C. 3101 et seq.) to improve workforce
16 data infrastructure, including staff capac-
17 ity building and ongoing administrative
18 costs; or

19 “(v) expand existing statewide longi-
20 tudinal data systems, including such sys-
21 tems receiving assistance under section
22 208 of the Educational Technical Assist-
23 ance Act of 2002 (20 U.S.C. 9607).

24 “(5) USE OF FUNDS.—In addition to the activi-
25 ties described in clauses (i) through (v) of paragraph

1 (4)(B), an eligible entity awarded a grant under this
2 subsection may use funds to carry out any of the fol-
3 lowing:

4 “(A) Supporting data linkages, including
5 on skills and emerging skills and in-demand oc-
6 cupational roles, for data from education and
7 workforce development systems, labor market
8 outcomes, and other data sources, which may
9 include integrating such data with statewide
10 longitudinal data systems.

11 “(B) Accelerating the replication and
12 adoption of data standards, systems, projects,
13 products, or practices already in use in a State
14 to other States.

15 “(C) Research and labor market data im-
16 provement activities to improve the timeliness,
17 relevance, and accessibility of such data, which
18 may include—

19 “(i) pilot projects that are developed
20 locally but designed to scale to other re-
21 gions or States; or

22 “(ii) end-user tools, which may facili-
23 tate career exploration or related data in-
24 sights.

1 “(D) Establishing, enhancing, or con-
2 necting to a system of interoperable learning
3 and employment records that provides individ-
4 uals who choose to participate in such system
5 ownership of a verified and secure record of the
6 credentials earned and skills gained by such in-
7 dividuals and the ability to share such record
8 with employers and education providers.

9 “(E) Defining policies, guidelines, stand-
10 ards, or protocols, as appropriate for data col-
11 lection, storage, data sharing, use, data destruc-
12 tion, and disclosure avoidance to secure any
13 personally identifiable information, in accord-
14 ance with Federal and State privacy laws.

15 “(F) Increasing local board access to and
16 integration with the State’s statewide longitu-
17 dinal data system in a secure manner.

18 “(G) Improving State and local staff ca-
19 pacity to understand, use, and analyze data to
20 improve decision making, improve participant
21 outcomes, and improve the ability of workers to
22 adapt to changes in the workplace, including re-
23 garding emerging technologies (including artifi-
24 cial intelligence and machine learning tools).

25 “(6) ADMINISTRATION.—

1 “(A) DURATION.—A grant awarded under
2 this subsection may be for a period of not more
3 than 3 years.

4 “(B) SUPPLEMENT, NOT SUPPLANT.—
5 Funds made available under this subsection
6 shall be used to supplement, and not supplant,
7 other Federal, State, or local funds used for de-
8 velopment of State data systems.

9 “(C) REPORT.—Each eligible entity that
10 receives a grant under this subsection shall sub-
11 mit a report to the Secretary not later than 180
12 days after the conclusion of the grant period on
13 the activities supported through the grant and
14 any improvements in the use of workforce and
15 labor market information that have resulted
16 from such activities.

17 “(7) STATEWIDE LONGITUDINAL DATA SYS-
18 TEMS.—In this subsection, the term ‘statewide longi-
19 tudinal data systems’ has the same meaning as such
20 term used in section 153(a)(5) of the Education
21 Sciences Reform Act of 2002 (20 U.S.C.
22 9543(a)(5)).”.

23 (b) SOURCE OF FUNDING.—Section 132(a)(2)(A) of
24 the Workforce Innovation and Opportunity Act (29 U.S.C.
25 3172(a)(2)(A)) is amended—

1 (1) by striking “under sections” and inserting
2 “under section”;

3 (2) by striking “169(c) (relating to dislocated
4 worker projects)” and inserting “subsections (c) (re-
5 lating to dislocated worker projects) and (d) (relat-
6 ing to a workforce data quality initiative) of section
7 169”; and

8 (3) by striking “and 170” and inserting “and
9 section 170”.