

117TH CONGRESS
1ST SESSION

S. 1562

To amend the Workforce Innovation and Opportunity Act to provide funding, on a competitive basis, for summer and year-round employment opportunities for youth ages 14 through 24.

IN THE SENATE OF THE UNITED STATES

MAY 11, 2021

Mr. DURBIN (for himself and Ms. DUCKWORTH) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Workforce Innovation and Opportunity Act to provide funding, on a competitive basis, for summer and year-round employment opportunities for youth ages 14 through 24.

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 “Creating Pathways for
5 Youth Employment Act”.

6 **SEC. 2. YOUTH EMPLOYMENT OPPORTUNITIES.**

7 Title I of the Workforce Innovation and Opportunity
8 Act is amended—

1 (1) by redesignating subtitle E (29 U.S.C. 3241
2 et seq.) as subtitle F; and

3 (2) by inserting after subtitle D (29 U.S.C.
4 3221 et seq.) the following:

5 **“Subtitle E—Youth Employment**
6 **Opportunities**

7 **“SEC. 176. DEFINITIONS.**

8 “In this subtitle:

9 “(1) ELIGIBLE YOUTH.—The term ‘eligible
10 youth’ means an individual who—

11 “(A) is not younger than age 14 or older
12 than age 24; and

13 “(B) is—

14 “(i) an in-school youth;

15 “(ii) an out-of-school youth; or

16 “(iii) an unemployed individual.

17 “(2) HARDEST-TO-EMPLOY, MOST-AT-RISK.—

18 The term ‘hardest-to-employ, most-at-risk’, used
19 with respect to an individual, includes individuals
20 who are homeless, in foster care, involved in the ju-
21 venile or criminal justice system, or are not enrolled
22 in or at risk of dropping out of an educational insti-
23 tution and who live in an underserved community
24 that has faced trauma through acute or long-term
25 exposure to substantial discrimination, historical or

1 cultural oppression, intergenerational poverty, civil
2 unrest, a high rate of violence, or a high rate of
3 drug overdose mortality.

4 “(3) INDIAN TRIBE; TRIBAL ORGANIZATION.—
5 The terms ‘Indian tribe’ and ‘tribal organization’
6 have the meanings given the terms in section 4 of
7 the Indian Self-Determination and Education Assist-
8 ance Act (25 U.S.C. 5304).

9 “(4) IN-SCHOOL YOUTH; OUT-OF-SCHOOL
10 YOUTH.—The terms ‘in-school youth’ and ‘out-of-
11 school youth’ have the meanings given the terms in
12 section 129(a)(1).

13 “(5) INSTITUTION OF HIGHER EDUCATION.—
14 The term ‘institution of higher education’ has the
15 meaning given the term in section 101 of the Higher
16 Education Act of 1965 (20 U.S.C. 1001).

17 “(6) SUBSIDIZED EMPLOYMENT.—The term
18 ‘subsidized employment’ means employment for
19 which the employer receives a total or partial sub-
20 sidy to offset costs of employing an eligible youth
21 under this subtitle.

22 “(7) TRIBAL AREA.—The term ‘tribal area’
23 means—

24 “(A) an area on or adjacent to an Indian
25 reservation;

1 “(B) land held in trust by the United
2 States for Indians;

3 “(C) a public domain Indian allotment;

4 “(D) a former Indian reservation in Okla-
5 homa; and

6 “(E) land held by an incorporated Native
7 group, Regional Corporation, or Village Cor-
8 poration under the provisions of the Alaska Na-
9 tive Claims Settlement Act (43 U.S.C. 1601 et
10 seq.).

11 “(8) TRIBAL COLLEGE OR UNIVERSITY.—The
12 term ‘tribal college or university’ has the meaning
13 given the term ‘Tribal College or University’ in sec-
14 tion 316(b) of the Higher Education Act of 1965
15 (20 U.S.C. 1059c(b)).

16 “(9) TRIBALLY DESIGNATED HOUSING ENTI-
17 TY.—The term ‘tribally designated housing entity’,
18 used with respect to an Indian tribe (as defined in
19 this section), has the meaning given in section 4 of
20 the Native American Housing Assistance and Self-
21 Determination Act of 1996 (25 U.S.C. 4103).

22 **“SEC. 176A. ALLOCATION OF FUNDS.**

23 “(a) ALLOCATION.—Of the funds appropriated under
24 section 176E that remain available after any reservation
25 under subsection (b), the Secretary may make available—

1 “(1) not more than \$1,500,000,000 in accord-
 2 ance with section 176B to provide eligible youth with
 3 subsidized summer employment opportunities; and

4 “(2) not more than \$2,000,000,000 in accord-
 5 ance with section 176C to provide eligible youth with
 6 subsidized year-round employment opportunities.

7 “(b) RESERVATION.—The Secretary may reserve not
 8 more than 10 percent of the funds appropriated under sec-
 9 tion 176E to provide technical assistance and oversight,
 10 in order to assist eligible entities in applying for and ad-
 11 ministering grants awarded under this subtitle.

12 **“SEC. 176B. SUMMER EMPLOYMENT COMPETITIVE GRANT**
 13 **PROGRAM.**

14 “(a) IN GENERAL.—

15 “(1) GRANTS.—Using the amounts made avail-
 16 able under 176A(a)(1), the Secretary shall award,
 17 on a competitive basis, planning and implementation
 18 grants.

19 “(2) GENERAL USE OF FUNDS.—The Secretary
 20 shall award the grants to assist eligible entities by
 21 paying for the program share of the cost of—

22 “(A) in the case of a planning grant, plan-
 23 ning a summer youth employment program to
 24 provide subsidized summer employment oppor-
 25 tunities; and

1 “(B) in the case of an implementation
 2 grant, implementation of such a program, to
 3 provide such opportunities.

4 “(b) PERIODS AND AMOUNTS OF GRANTS.—

5 “(1) PLANNING GRANTS.—The Secretary may
 6 award a planning grant under this section for a 1-
 7 year period, in an amount of not more than
 8 \$200,000.

9 “(2) IMPLEMENTATION GRANTS.—The Sec-
 10 retary may award an implementation grant under
 11 this section for a 3-year period, in an amount of not
 12 more than \$5,000,000.

13 “(c) ELIGIBLE ENTITIES.—

14 “(1) IN GENERAL.—To be eligible to receive a
 15 planning or implementation grant under this section,
 16 an entity shall—

17 “(A) be a—

18 “(i) State, local government, or Indian
 19 tribe or tribal organization, that meets the
 20 requirements of paragraph (2); or

21 “(ii) community-based organization
 22 that meets the requirements of paragraph
 23 (3); and

1 “(B) meet the requirements for a planning
 2 or implementation grant, respectively, specified
 3 in paragraph (4).

4 “(2) GOVERNMENT PARTNERSHIPS.—An entity
 5 that is a State, local government, or Indian tribe or
 6 tribal organization referred to in paragraph (1) shall
 7 demonstrate that the entity has entered into a part-
 8 nership with State, local, or tribal entities—

9 “(A) that shall include—

10 “(i) a local educational agency or trib-
 11 al educational agency (as defined in section
 12 6132 of the Elementary and Secondary
 13 Education Act of 1965 (20 U.S.C. 7452));

14 “(ii) a local board or tribal workforce
 15 development agency;

16 “(iii) a State, local, or tribal agency
 17 serving youth under the jurisdiction of the
 18 juvenile justice system or criminal justice
 19 system;

20 “(iv) a State, local, or tribal child wel-
 21 fare agency;

22 “(v) a State, local, or tribal agency or
 23 community-based organization, with—

24 “(I) expertise in providing coun-
 25 seling services, and trauma-informed

1 and gender-responsive trauma preven-
2 tion, identification, referral, and sup-
3 port (including treatment) services;
4 and

5 “(II) a proven track record of
6 serving low-income vulnerable youth
7 and out-of-school youth; and

8 “(vi) if the State, local government, or
9 Indian tribe or tribal organization is seek-
10 ing an implementation grant, and has not
11 established a summer youth employment
12 program, an entity that is carrying out a
13 State, local, or tribal summer youth em-
14 ployment program; and

15 “(vii) an employer or employer asso-
16 ciation; and

17 “(B) that may include—

18 “(i) an institution of higher education
19 or tribal college or university;

20 “(ii) a representative of a labor or
21 labor-management organization;

22 “(iii) an entity that carries out a pro-
23 gram that receives funding under the Juve-
24 nile Justice and Delinquency Prevention
25 Act of 1974 (42 U.S.C. 5601 et seq.) or

1 section 212 of the Second Chance Act of
2 2007 (42 U.S.C. 17532);

3 “(iv) a collaborative applicant as de-
4 fined in section 401 of the McKinney-
5 Vento Homeless Assistance Act (42 U.S.C.
6 11360) or a private nonprofit organization
7 that serves homeless individuals and house-
8 holds (including such an applicant or orga-
9 nization that serves individuals or house-
10 holds that are at risk of homelessness in
11 tribal areas) or serves foster youth;

12 “(v) an entity that carries out a pro-
13 gram funded under the Carl D. Perkins
14 Career and Technical Education Act of
15 2006 (20 U.S.C. 2301 et seq.), including
16 Native American programs funded under
17 section 116 of that Act (20 U.S.C. 2326)
18 and tribally controlled postsecondary ca-
19 reer and technical institution programs
20 funded under section 117 of that Act (20
21 U.S.C. 2327);

22 “(vi) a local or tribal youth com-
23 mittee;

1 “(vii) a State or local public housing
2 agency or a tribally designated housing en-
3 tity; and

4 “(viii) another appropriate State,
5 local, or tribal agency.

6 “(3) COMMUNITY-BASED ORGANIZATION PART-
7 NERSHIPS.—A community-based organization re-
8 ferred to in paragraph (1) shall demonstrate that
9 the organization has entered into a partnership with
10 State, local, or tribal entities—

11 “(A) that shall include—

12 “(i) a unit of general local government
13 or tribal government;

14 “(ii) an agency described in para-
15 graph (2)(A)(i);

16 “(iii) a local board or tribal workforce
17 development agency;

18 “(iv) a State, local, or tribal agency
19 serving youth under the jurisdiction of the
20 juvenile justice system or criminal justice
21 system;

22 “(v) a State, local, or tribal child wel-
23 fare agency;

24 “(vi) if the organization is seeking an
25 implementation grant, and has not estab-

lished a summer youth employment program, an entity that is carrying out a State, local, or tribal summer youth employment program; and

“(vii) an employer or employer association; and

“(B) that may include one or more entities described in paragraph (2)(B).

“(4) ENTITIES ELIGIBLE FOR PARTICULAR GRANTS.—

“(A) ENTITIES ELIGIBLE FOR PLANNING GRANTS.—The Secretary may award a planning grant under this section to an eligible entity that—

“(i) is preparing to establish or expand a summer youth employment program that meets the minimum requirements specified in subsection (d); and

“(ii) has not received a grant under this section.

“(B) ENTITIES ELIGIBLE FOR IMPLEMENTATION GRANTS.—

“(i) IN GENERAL.—The Secretary may award an implementation grant under this section to an eligible entity that—

1 “(I) has received a planning
2 grant under this section; or

3 “(II) has established a summer
4 youth employment program and dem-
5 onstrates a minimum level of capacity
6 to enhance or expand the summer
7 youth employment program described
8 in the application submitted under
9 subsection (d).

10 “(ii) CAPACITY.—In determining
11 whether an entity has the level of capacity
12 referred to in clause (i)(II), the Secretary
13 may include as capacity—

14 “(I) the entity’s staff capacity
15 and staff training to deliver youth em-
16 ployment services; and

17 “(II) the entity’s existing youth
18 employment services (as of the date of
19 submission of the application sub-
20 mitted under subsection (d)) that are
21 consistent with the application.

22 “(d) APPLICATION.—

23 “(1) IN GENERAL.—Except as provided in para-
24 graph (2), an eligible entity desiring to receive a
25 grant under this section for a summer youth employ-

1 ment program shall submit an application to the
2 Secretary at such time, in such manner, and con-
3 taining such information as the Secretary may re-
4 quire, including, at a minimum, each of the fol-
5 lowing:

6 “(A) With respect to an application for a
7 planning or implementation grant—

8 “(i) a description of the eligible youth
9 for whom summer employment services will
10 be provided;

11 “(ii) a description of the eligible enti-
12 ty, and a description of the expected par-
13 ticipation and responsibilities of each of
14 the partners in the partnership described
15 in subsection (c);

16 “(iii) information demonstrating suffi-
17 cient need for the grant in the State, local,
18 or tribal population, which may include in-
19 formation showing—

20 “(I) a high level of unemploy-
21 ment among youth (including young
22 adults) ages 14 through 24;

23 “(II) a high rate of out-of-school
24 youth;

1 “(III) a high rate of homeless-
2 ness;

3 “(IV) a high rate of poverty;

4 “(V) a high rate of adult unem-
5 ployment;

6 “(VI) a high rate of community
7 or neighborhood crime;

8 “(VII) a high rate of violence; or

9 “(VIII) a high level or rate on
10 another indicator of need;

11 “(iv) a description of the strategic ob-
12 jectives the eligible entity seeks to achieve
13 through the program to provide eligible
14 youth with core work readiness skills,
15 which may include—

16 “(I) financial literacy skills, in-
17 cluding providing the support de-
18 scribed in section 129(b)(2)(D);

19 “(II) sector-based technical skills
20 aligned with employer needs;

21 “(III) skills that—

22 “(aa) are soft employment
23 skills, early work skills, or work
24 readiness skills; and

1 “(bb) include social skills,
2 communications skills, higher-
3 order thinking skills, self-control,
4 and positive self-concept; and

5 “(IV) (for the hardest-to-employ,
6 most-at-risk eligible youth) basic skills
7 like communication, math, and prob-
8 lem solving in the context of training
9 for advancement to better jobs and
10 postsecondary training; and

11 “(v) information demonstrating that
12 the eligible entity has obtained commit-
13 ments to provide the non-program share
14 described in paragraph (2) of subsection
15 (h).

16 “(B) With respect to an application for a
17 planning grant—

18 “(i) a description of the intermediate
19 and long-term goals for planning activities
20 for the duration of the planning grant;

21 “(ii) a description of how grant funds
22 will be used to develop a plan to provide
23 summer employment services for eligible
24 youth;

1 “(iii) a description of how the eligible
2 entity will carry out an analysis of best
3 practices for identifying, recruiting, and
4 engaging program participants, in par-
5 ticular the hardest-to-employ, most-at-risk
6 eligible youth;

7 “(iv) a description of how the eligible
8 entity will carry out an analysis of best
9 practices for placing youth participants—

10 “(I) in opportunities that—

11 “(aa) are appropriate sub-
12 sidized employment opportunities
13 with employers based on factors
14 including age, skill, experience,
15 career aspirations, work-based
16 readiness, and barriers to em-
17 ployment; and

18 “(bb) may include additional
19 services for participants, includ-
20 ing core work readiness skill de-
21 velopment and mentorship serv-
22 ices;

23 “(II) in summer employment
24 that—

1 “(aa) is not less than 6
2 weeks;

3 “(bb) follows a schedule of
4 not more than 20 hours per
5 week; and

6 “(cc) pays not less than the
7 applicable Federal, State, or local
8 minimum wage; and

9 “(v) a description of how the eligible
10 entity plans to develop a mentorship pro-
11 gram or connect youth with positive, sup-
12 portive mentorships, consistent with para-
13 graph (3).

14 “(C) With respect to an application for an
15 implementation grant—

16 “(i) a description of how the eligible
17 entity plans to identify, recruit, and engage
18 program participants, in particular the
19 hardest-to-employ, most-at-risk eligible
20 youth;

21 “(ii) a description of the manner in
22 which the eligible entity plans to place eli-
23 gible youth participants in subsidized em-
24 ployment opportunities, and in summer

1 employment, described in subparagraph
2 (B)(iv);

3 “(iii) (for a program serving the hard-
4 est-to-employ, most-at-risk eligible youth),
5 a description of workplaces for the sub-
6 sidized employment involved, which may
7 include workplaces in the public, private,
8 and nonprofit sectors;

9 “(iv) a description of how the eligible
10 entity plans to provide or connect eligible
11 youth participants with positive, supportive
12 mentorships, consistent with paragraph
13 (3);

14 “(v) a description of services that will
15 be available to employers participating in
16 the youth employment program, to provide
17 supervisors involved in the program with
18 coaching and mentoring on—

19 “(I) how to support youth devel-
20 opment;

21 “(II) how to structure learning
22 and reflection; and

23 “(III) how to deal with youth
24 challenges in the workplace;

1 “(vi) a description of how the eligible
2 entity plans to offer structured pathways
3 back into employment and a youth employ-
4 ment program under this section for eligi-
5 ble youth who have been terminated from
6 employment or removed from the program;

7 “(vii) a description of how the eligible
8 entity plans to engage eligible youth be-
9 yond the duration of the summer employ-
10 ment opportunity, which may include—

11 “(I) developing or partnering
12 with a year-round youth employment
13 program;

14 “(II) referring eligible youth to
15 other year-round programs, which
16 may include—

17 “(aa) programs funded
18 under section 176C or the Carl
19 D. Perkins Career and Technical
20 Education Act of 2006 (20
21 U.S.C. 2301 et seq.);

22 “(bb) after school programs;

23 “(cc) secondary or postsec-
24 ondary education programs;

25 “(dd) training programs;

1 “(ee) cognitive behavior
2 therapy programs;

3 “(ff) apprenticeship pro-
4 grams; and

5 “(gg) national service pro-
6 grams;

7 “(III) employing a full-time, per-
8 manent staff person who is respon-
9 sible for youth outreach, followup, and
10 recruitment; or

11 “(IV) connecting eligible youth
12 with job development services, includ-
13 ing career counseling, resume and job
14 application assistance, interview prep-
15 aration, and connections to job leads;

16 “(viii) evidence of the eligible entity’s
17 capacity to provide the services described
18 in this subsection; and

19 “(ix) a description of the quality of
20 the summer youth employment program,
21 including a program that leads to a recog-
22 nized postsecondary credential.

23 “(2) INDIAN TRIBE; TRIBAL ORGANIZATIONS.—
24 An eligible entity that is an Indian tribe or tribal or-
25 ganization and desires to receive a grant under this

1 section for a summer youth employment program
2 may, in lieu of submitting the application described
3 in paragraph (1), submit an application to the Sec-
4 retary that meets such requirements as the Sec-
5 retary develops after consultation with the tribe or
6 organization.

7 “(3) MENTOR.—For purposes of subparagraphs
8 (B)(iv), (B)(v), and (C)(iv) of paragraph (1), a men-
9 tor—

10 “(A) shall be an individual who has been
11 matched with an eligible youth based on the
12 youth’s needs;

13 “(B) shall make contact with the eligible
14 youth at least once each week;

15 “(C) shall be a trusted member of the local
16 community; and

17 “(D) may include—

18 “(i) a mentor trained in trauma-in-
19 formed care (including provision of trau-
20 ma-informed trauma prevention, identifica-
21 tion, referral, or support services to youth
22 that have experienced or are at risk of ex-
23 perienceing trauma), conflict resolution, and
24 positive youth development;

1 “(ii) a job coach trained to provide
2 youth with guidance on how to navigate
3 the workplace and troubleshoot problems;

4 “(iii) a supervisor trained to provide
5 at least two performance assessments and
6 serve as a reference; or

7 “(iv) a peer mentor who is a former
8 or current participant in the youth employ-
9 ment program involved.

10 “(e) AWARDS FOR POPULATIONS AND AREAS.—

11 “(1) POPULATIONS.—The Secretary shall re-
12 serve, from the amounts made available under sec-
13 tion 176A(a)(1)—

14 “(A) 50 percent to award grants under
15 this section for planning or provision of sub-
16 sidized summer employment opportunities for
17 in-school youth; and

18 “(B) 50 percent to award such grants to
19 plan for planning or provision of such opportu-
20 nities for out-of-school youth.

21 “(2) AREAS.—

22 “(A) IN GENERAL.—In awarding the
23 grants, the Secretary shall consider the regional
24 diversity of the areas to be served, to ensure

1 that urban, suburban, rural, and tribal areas
2 are receiving grant funds.

3 “(B) RURAL AND TRIBAL AREA INCLU-
4 SION.—

5 “(i) RURAL AREAS.—Not less than 20
6 percent of the amounts made available
7 under section 176A(a)(1) for each fiscal
8 year shall be made available for activities
9 to be carried out in rural areas.

10 “(ii) TRIBAL AREAS.—Not less than 5
11 percent of the amounts made available
12 under section 176A(a)(1) for each fiscal
13 year shall be made available for activities
14 to be carried out in tribal areas.

15 “(f) PROGRAM PRIORITIES.—In allocating funds
16 under this section, the Secretary shall give priority to eligi-
17 ble entities—

18 “(1) who propose to coordinate their activi-
19 ties—

20 “(A) with local or tribal employers; and

21 “(B) with agencies described in subsection
22 (c)(2)(A)(i) to ensure the summer youth em-
23 ployment programs provide clear linkages to re-
24 medial, academic, and occupational programs
25 carried out by the agencies;

1 “(2) who propose a plan to increase private sec-
 2 tor engagement in, and job placement through, sum-
 3 mer youth employment; and

4 “(3) who have, in their counties, States, or trib-
 5 al areas (as compared to other counties in their
 6 State, other States, or other tribal areas, respec-
 7 tively), a high level or rate described in subsection
 8 (d)(1)(A)(iii).

9 “(g) USE OF FUNDS.—

10 “(1) IN GENERAL.—An eligible entity that re-
 11 ceives a grant under this section may use the grant
 12 funds for services described in subsection (d).

13 “(2) DISCRETIONARY USES.—The eligible entity
 14 may also use the funds—

15 “(A) to provide wages to eligible youth in
 16 subsidized summer employment programs;

17 “(B) to provide eligible youth with support
 18 services, including case management, child care
 19 assistance, child support services, and transpor-
 20 tation assistance; and

21 “(C) to develop data management systems
 22 to assist with programming, evaluation, and
 23 records management.

24 “(3) ADMINISTRATION.—An eligible entity may
 25 reserve not more than 10 percent of the grant funds

1 for the administration of activities under this sec-
2 tion.

3 “(4) CARRY-OVER AUTHORITY.—Any amounts
4 provided to an eligible entity under this section for
5 a fiscal year may, at the discretion of the Secretary,
6 remain available to that entity for expenditure dur-
7 ing the succeeding fiscal year to carry out programs
8 under this section.

9 “(h) PROGRAM SHARE.—

10 “(1) PLANNING GRANTS.—The program share
11 for a planning grant awarded under this section
12 shall be 100 percent of the cost described in sub-
13 section (a)(2)(A).

14 “(2) IMPLEMENTATION GRANTS.—

15 “(A) IN GENERAL.—The program share
16 for an implementation grant awarded under
17 this section shall be 50 percent of the cost de-
18 scribed in subsection (a)(2)(B).

19 “(B) EXCEPTION.—Notwithstanding sub-
20 paragraph (A), the Secretary—

21 “(i) may increase the program share
22 for an eligible entity; and

23 “(ii) shall increase the program share
24 for an Indian tribe or tribal organization

1 to not less than 95 percent of the cost de-
 2 scribed in subsection (a)(2)(B).

3 “(C) NON-PROGRAM SHARE.—The eligible
 4 entity may provide the non-program share of
 5 the cost—

6 “(i) in cash or in-kind, fairly evalu-
 7 ated, including plant, equipment, or serv-
 8 ices; and

9 “(ii) from State, local, tribal or pri-
 10 vate (including philanthropic) sources and,
 11 in the case of an Indian tribe or tribal or-
 12 ganization, from Federal sources.

13 **“SEC. 176C. YEAR-ROUND EMPLOYMENT COMPETITIVE**
 14 **GRANT PROGRAM.**

15 “(a) IN GENERAL.—

16 “(1) GRANTS.—Using the amounts made avail-
 17 able under 176A(a)(2), the Secretary shall award,
 18 on a competitive basis, planning and implementation
 19 grants.

20 “(2) GENERAL USE OF FUNDS.—The Secretary
 21 shall award the grants to assist eligible entities by
 22 paying for the program share of the cost of—

23 “(A) in the case of a planning grant, plan-
 24 ning a year-round youth employment program

1 to provide subsidized year-round employment
 2 opportunities; and

3 “(B) in the case of an implementation
 4 grant, implementation of such a program to
 5 provide such opportunities.

6 “(b) PERIODS AND AMOUNTS OF GRANTS.—The
 7 planning grants shall have the periods and amounts de-
 8 scribed in section 176B(b)(1). The implementation grants
 9 shall have the periods and grants described in section
 10 176B(b)(2).

11 “(c) ELIGIBLE ENTITIES.—

12 “(1) IN GENERAL.—To be eligible to receive a
 13 planning or implementation grant under this section,
 14 an entity shall, except as provided in paragraph
 15 (2)—

16 “(A) be a—

17 “(i) State, local government, or Indian
 18 tribe or tribal organization, that meets the
 19 requirements of section 176B(c)(2); or

20 “(ii) community-based organization
 21 that meets the requirements of section
 22 176B(c)(3); and

23 “(B) meet the requirements for a planning
 24 or implementation grant, respectively, specified
 25 in section 176B(c)(4).

1 “(2) YEAR-ROUND YOUTH EMPLOYMENT PRO-
2 GRAMS.—For purposes of paragraph (1), any ref-
3 erence in section 176B(c)—

4 “(A) to a summer youth employment pro-
5 gram shall be considered to refer to a year-
6 round youth employment program; and

7 “(B) to a provision of section 176B shall
8 be considered to refer to the corresponding pro-
9 vision of this section.

10 “(d) APPLICATION.—

11 “(1) IN GENERAL.—Except as provided in para-
12 graph (2), an eligible entity desiring to receive a
13 grant under this section for a year-round youth em-
14 ployment program shall submit an application to the
15 Secretary at such time, in such manner, and con-
16 taining such information as the Secretary may re-
17 quire, including, at a minimum, each of the fol-
18 lowing:

19 “(A) With respect to an application for a
20 planning or implementation grant, the informa-
21 tion and descriptions specified in section
22 176B(d)(1)(A).

23 “(B) With respect to an application for a
24 planning grant, the descriptions specified in
25 section 176B(d)(1)(B), except that the descrip-

tion of an analysis for placing youth in employment described in clause (iv)(II)(bb) of that section shall cover employment that follows a schedule—

“(i) that consists of—

“(I) not more than 15 hours per week for in-school youth; and

“(II) not less than 20 and not more than 40 hours per week for out-of-school youth; and

“(ii) that depends on the needs and work-readiness level of the population being served.

“(C) With respect to an application for an implementation grant, the descriptions and evidence specified in section 176B(d)(1)(C)—

“(i) except that the reference in section 176(d)(1)(C)(ii) to employment described in section 176B(d)(1)(B) shall cover employment that follows the schedule described in subparagraph (B); and

“(ii) except that the reference to programs in clause (vii)(II)(aa) of that section shall be considered to refer only to programs funded under the Carl D. Perkins

1 Career and Technical Education Act of
2 2006 (20 U.S.C. 2301 et seq.).

3 “(2) INDIAN TRIBE; TRIBAL ORGANIZATIONS.—
4 An eligible entity that is an Indian tribe or tribal or-
5 ganization and desires to receive a grant under this
6 section for a year-round youth employment program
7 may, in lieu of submitting the application described
8 in paragraph (1), submit an application to the Sec-
9 retary that meets such requirements as the Sec-
10 retary develops after consultation with the tribe or
11 organization.

12 “(3) MENTOR.—For purposes of paragraph (1),
13 any reference in subparagraphs (B)(iv), (B)(v), and
14 (C)(iv) of section 176B(d)(1) to a mentor shall be
15 considered to refer to a mentor who—

16 “(A) shall be an individual described in
17 subparagraphs (A) and (C) of section
18 176B(d)(3);

19 “(B) shall make contact with the eligible
20 youth at least twice each week; and

21 “(C) may be an individual described in sec-
22 tion 176B(d)(3)(D).

23 “(4) YEAR-ROUND EMPLOYMENT.—For pur-
24 poses of this subsection, any reference in section
25 176B(d)—

1 “(A) to summer employment shall be con-
2 sidered to refer to year-round employment; and

3 “(B) to a provision of section 176B shall
4 be considered to refer to the corresponding pro-
5 vision of this section.

6 “(e) AWARDS FOR POPULATIONS AND AREAS; PRIOR-
7 ITIES.—

8 “(1) POPULATIONS.—The Secretary shall re-
9 serve, from the amounts made available under sec-
10 tion 176A(a)(2)—

11 “(A) 50 percent to award grants under
12 this section for planning or provision of sub-
13 sidized year-round employment opportunities
14 for in-school youth; and

15 “(B) 50 percent to award such grants to
16 plan for planning or provision of such opportu-
17 nities for out-of-school youth.

18 “(2) AREAS; PRIORITIES.—In awarding the
19 grants, the Secretary shall—

20 “(A) carry out section 176B(e)(2); and

21 “(B) give priority to eligible entities—

22 “(i) who—

23 “(I) propose the coordination and
24 plan described paragraphs (1) and (2)

1 of section 176B(f), with respect to
 2 year-round youth employment; and

3 “(II) meet the requirements of
 4 section 176B(f)(3); or

5 “(ii) who—

6 “(I) propose a plan to coordinate
 7 activities with entities carrying out
 8 State, local, or tribal summer youth
 9 employment programs, to provide
 10 pathways to year-round employment
 11 for eligible youth who are ending sum-
 12 mer employment; and

13 “(II) meet the requirements of
 14 section 176B(f)(3).

15 “(f) USE OF FUNDS.—An eligible entity that receives
 16 a grant under this section may use the grant funds—

17 “(1) for services described in subsection (d);

18 “(2) as described in section 176B(g)(2), with
 19 respect to year-round employment programs;

20 “(3) as described in section 176B(g)(3), with
 21 respect to activities under this section; and

22 “(4) at the discretion of the Secretary, as de-
 23 scribed in section 176B(g)(4), with respect to activi-
 24 ties under this section.

25 “(g) PROGRAM SHARE.—

1 “(1) PLANNING GRANTS.—The provisions of
2 section 176B(h)(1) shall apply to planning grants
3 awarded under this section, with respect to the cost
4 described in subsection (a)(2)(A).

5 “(2) IMPLEMENTATION GRANTS.—The provi-
6 sions of section 176B(h)(2) shall apply to implemen-
7 tation grants awarded under this section, with re-
8 spect to the cost described in subsection (a)(2)(B).

9 **“SEC. 176D. EVALUATION AND ADMINISTRATION.**

10 “(a) PERFORMANCE MEASURES.—

11 “(1) ESTABLISHMENT.—The Secretary shall es-
12 tablish performance measures for purposes of annual
13 reviews under subsection (b).

14 “(2) COMPONENTS.—The performance meas-
15 ures for the eligible entities shall consist of—

16 “(A) the indicators of performance de-
17 scribed in paragraph (3); and

18 “(B) an adjusted level of performance for
19 each indicator described in subparagraph (A).

20 “(3) INDICATORS OF PERFORMANCE.—

21 “(A) IN GENERAL.—The indicators of per-
22 formance shall consist of—

23 “(i) the percentage of youth employ-
24 ment program participants who are in edu-
25 cation or training activities, or in employ-

1 ment, during the second quarter after exit
2 from the program;

3 “(ii) the percentage of youth employ-
4 ment program participants who are in edu-
5 cation or training activities, or in employ-
6 ment, during the fourth quarter after exit
7 from the program;

8 “(iii) the percentage of youth employ-
9 ment program participants who obtain a
10 recognized postsecondary credential, or a
11 secondary school diploma or its recognized
12 equivalent (subject to subparagraph (B)),
13 during participation in or within 1 year
14 after exit from the program; and

15 “(iv) the percentage of youth employ-
16 ment program participants who, during a
17 program year, are in a youth employment
18 program that includes an education or
19 training program that leads to an outcome
20 specified by the Secretary, which may in-
21 clude—

22 “(I) obtaining a recognized post-
23 secondary credential or employment;
24 or

1 “(II) achieving measurable skill
2 gains toward such a credential or em-
3 ployment.

4 “(B) INDICATOR RELATING TO CREDEN-
5 TIAL.—For purposes of subparagraph (A)(iii),
6 youth employment program participants who
7 obtain a secondary school diploma or its recog-
8 nized equivalent shall be included in the per-
9 centage counted as meeting the criterion under
10 such subparagraph only if such participants, in
11 addition to obtaining such diploma or its recog-
12 nized equivalent, have obtained or retained em-
13 ployment or are in a youth employment pro-
14 gram that includes an education or training
15 program leading to a recognized postsecondary
16 credential within 1 year after exit from the pro-
17 gram.

18 “(4) LEVELS OF PERFORMANCE.—

19 “(A) IN GENERAL.—For each eligible enti-
20 ty, there shall be established, in accordance
21 with this paragraph, levels of performance for
22 each of the corresponding indicators of perform-
23 ance described in paragraph (3).

24 “(B) IDENTIFICATION IN APPLICATION.—
25 Each eligible entity shall identify, in the appli-

1 cation submitted under subsection (d) of section
 2 176B or 176C, expected levels of performance
 3 for each of those indicators of performance for
 4 each program year covered by the application.

5 “(C) AGREEMENT ON ADJUSTED LEVELS
 6 OF PERFORMANCE.—The eligible entity shall
 7 reach agreement with the Secretary on levels of
 8 performance for each of those indicators of per-
 9 formance for each such program year. The lev-
 10 els agreed to shall be considered to be the ad-
 11 justed levels of performance for the eligible en-
 12 tity for such program years and shall be incor-
 13 porated into the application prior to the ap-
 14 proval of such application.

15 “(b) ANNUAL REVIEW.—The Secretary shall carry
 16 out an annual review of each eligible entity receiving a
 17 grant under this subtitle. In conducting the review, the
 18 Secretary shall review the performance of the entity on
 19 the performance measures under this section and deter-
 20 mine if the entity has used any practices that shall be con-
 21 sidered best practices for purposes of this subtitle.

22 “(c) REPORT TO CONGRESS.—

23 “(1) PREPARATION.—The Secretary shall pre-
 24 pare a report on the grant programs established by

1 this subtitle, which report shall include a description
2 of—

3 “(A) the eligible entities receiving funding
4 under this subtitle;

5 “(B) the activities carried out by the eligi-
6 ble entities;

7 “(C) how the eligible entities were selected
8 to receive funding under this subtitle; and

9 “(D) an assessment of the results achieved
10 by the grant programs including findings from
11 the annual reviews conducted under subsection
12 (b).

13 “(2) SUBMISSION.—Not later than 3 years
14 after the date of enactment of the Creating Path-
15 ways for Youth Employment Act, and annually
16 thereafter, the Secretary shall submit a report de-
17 scribed in paragraph (1) to the appropriate commit-
18 tees of Congress.

19 “(d) APPLICATION TO INDIAN TRIBES AND TRIBAL
20 ORGANIZATIONS.—The Secretary may issue regulations
21 that clarify the application of all the provisions of this sub-
22 title to Indian tribes and tribal organizations.

23 **“SEC. 176E. AUTHORIZATION OF APPROPRIATIONS.**

24 “‘There are authorized to be appropriated—

1 “(1) to carry out section 176B, \$300,000,000
 2 for each of fiscal years 2022 through 2026; and
 3 “(2) to carry out section 176C, \$400,000,000
 4 for each of fiscal years 2022 through 2026.”.

5 **SEC. 3. CONFORMING AMENDMENTS.**

6 (a) REFERENCES.—

7 (1) Section 121(b)(1)(C)(ii)(II) of the Work-
 8 force Investment and Opportunity Act (29 U.S.C.
 9 3152(b)(1)(C)(ii)(II)) is amended by striking “sub-
 10 titles C through E” and inserting “subtitles C
 11 through F”.

12 (2) Section 503(b) of such Act (29 U.S.C.
 13 3343(b)) is amended by inserting before the period
 14 the following: “(as such subtitles were in effect on
 15 the day before the date of enactment of this Act)”.

16 (b) TABLE OF CONTENTS.—The table of contents in
 17 section 1(b) of such Act is amended by striking the item
 18 relating to the subtitle heading for subtitle E of title I
 19 and inserting the following:

 “Subtitle E—Youth Employment Opportunities

 “Sec. 176. Definitions.

 “Sec. 176A. Allocation of funds.

 “Sec. 176B. Summer employment competitive grant program.

 “Sec. 176C. Year-round employment competitive grant program.

 “Sec. 176D. Evaluation and administration.

 “Sec. 176E. Authorization of appropriations.”.

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