

118TH CONGRESS
2D SESSION

S. 5401

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

NOVEMBER 21, 2024

Mr. HICKENLOOPER (for himself and Mr. MARSHALL) 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 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 more than 10 percent of the total amount
9 made available pursuant to section 132(a)(2)(A) for
10 any program year, and may use amounts otherwise
11 made available for purposes of carrying out this sec-
12 tion, to competitively award grants to eligible enti-
13 ties to design, develop, implement, improve, or align
14 a statewide longitudinal data system for the pur-
15 poses of integrating data from education and work-
16 force development systems, labor market outcomes,
17 and other data sources toward strengthening pro-
18 gram quality, building State capacity to produce evi-
19 dence for decision making, meeting performance re-
20 porting requirements, promoting individual privacy
21 and data security, improving transparency, moving
22 toward improved workforce data standardization,
23 and improving worker and employer capacity to
24 identify and address skill needs.

25 “(2) ELIGIBLE ENTITY.—In this subsection, the
26 term ‘eligible entity’ means a State agency or con-

1 sortium of State agencies, including a multistate
2 data collaborative, that is or includes the State agen-
3 cy responsible for—

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

9 “(B) the production of labor market infor-
10 mation; and

11 “(C) the direct administration of a core
12 program.

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

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

22 “(B) a description of the expected out-
23 comes and outputs that will result from the
24 proposed activities and the proposed uses of
25 such outputs;

1 “(C) a description of how the proposed ac-
2 tivities will—

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

9 “(ii) improve workforce data stand-
10 ardization;

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

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

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

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

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

7 “(A) any eligible entity that is a consor-
8 tium comprised of State agencies from multiple
9 States (including at least one State agency that
10 has not previously received a grant from the
11 Secretary for the purposes of this subsection
12 and demonstrates a substantial need to improve
13 its data infrastructure) and has the capacity to
14 make significant contributions toward building
15 interoperable, cross-State data infrastructure
16 and leveraging public-private partnerships to
17 provide participating States the ability to better
18 understand—

19 “(i) earnings and employment out-
20 comes of individuals who work out-of-
21 State; and

22 “(ii) cross-State earnings and employ-
23 ment trends, including new and emerging
24 skills and in-demand occupational roles;
25 and

1 “(B) any eligible entity that will use grant
2 funds to—

3 “(i) expand the adoption and use of
4 linked, open, and interoperable data on
5 skills and credentials, including through
6 the development of a credential registry or
7 other tools and services designed to help
8 learners and workers make informed deci-
9 sions;

10 “(ii) enhance collaboration and part-
11 nerships with private sector workforce and
12 labor market data entities and the end-
13 users of workforce and labor market data,
14 including individuals, employers, economic
15 development agencies, and workforce devel-
16 opment providers;

17 “(iii) improve real-time workforce
18 data collection and reporting toward equip-
19 ping employers, workers, and training pro-
20 viders with accurate information to better
21 predict workforce demands, including re-
22 lated to the expanding role of emerging
23 technology (including artificial intelligence
24 and machine learning) in the workplace;

1 “(iv) leverage the use of non-Federal
2 contributions to improve workforce data in-
3 frastructure, including staff capacity build-
4 ing; or

5 “(v) expand existing statewide longi-
6 tudinal data systems, including such sys-
7 tems receiving assistance under section
8 208 of the Educational Technical Assist-
9 ance Act of 2002 (20 U.S.C. 9607).

10 “(5) USE OF FUNDS.—In addition to the activi-
11 ties described in clauses (i) through (v) of paragraph
12 (4)(B), an eligible entity awarded a grant under this
13 subsection may use funds to carry out any of the fol-
14 lowing:

15 “(A) Supporting data linkages, including
16 on skills and emerging skills and in-demand oc-
17 cupational roles, for data from education and
18 workforce development systems, labor market
19 outcomes, and other data sources, which may
20 include integrating such data with statewide
21 longitudinal data systems.

22 “(B) Accelerating the replication and
23 adoption of data standards, systems, projects,
24 products, or practices already in use in a State
25 to other States.

1 “(C) Research and labor market data im-
2 provement activities to improve the timeliness,
3 relevance, and accessibility of such data, which
4 may include—

5 “(i) pilot projects that are developed
6 locally but designed to scale to other re-
7 gions or States; or

8 “(ii) end-user tools, which may facili-
9 tate career exploration or related data in-
10 sights.

11 “(D) Establishing, enhancing, or con-
12 necting to a system of interoperable learning
13 and employment records that provides individ-
14 uals who choose to participate in such system
15 ownership of a verified and secure record of the
16 credentials earned and skills gained by such in-
17 dividuals and the ability to share such record
18 with employers and education providers.

19 “(E) Defining policies, guidelines, stand-
20 ards, or protocols, as appropriate for data col-
21 lection, storage, data sharing, use, data destruc-
22 tion, and disclosure avoidance to secure any
23 personally identifiable information, in accord-
24 ance with Federal and State privacy laws.

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

4 “(G) Establishing or participating in a
5 data exchange for collecting and using stand-
6 ards-based jobs, skills, and employment data in-
7 cluding, at a minimum, job titles or occupation
8 codes.

9 “(H) Improving State and local staff ca-
10 pacity to understand, use, and analyze data to
11 improve decision making, improve participant
12 outcomes, and improve the ability of workers to
13 adapt to changes in the workplace, including re-
14 garding emerging technologies (including artifi-
15 cial intelligence and machine learning tools).

16 “(6) ADMINISTRATION.—

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

20 “(B) SUPPLEMENT, NOT SUPPLANT.—
21 Funds made available under this subsection
22 shall be used to supplement, and not supplant,
23 other Federal, State, or local funds used for de-
24 velopment of State data systems.

1 “(C) REPORT.—Each eligible entity that
 2 receives a grant under this subsection shall sub-
 3 mit a report to the Secretary not later than 180
 4 days after the conclusion of the grant period on
 5 the activities supported through the grant and
 6 any improvements in the use of workforce and
 7 labor market information that have resulted
 8 from such activities.

9 “(7) STATEWIDE LONGITUDINAL DATA SYS-
 10 TEMS.—In this subsection, the term ‘statewide longi-
 11 tudinal data systems’ has the same meaning as such
 12 term used in section 153(a)(5) of the Education
 13 Sciences Reform Act of 2002 (20 U.S.C.
 14 9543(a)(5)).”.

15 (b) SOURCE OF FUNDING.—Section 132(a)(2)(A) of
 16 the Workforce Innovation and Opportunity Act (29 U.S.C.
 17 3172(a)(2)(A)) is amended—

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

20 (2) by striking “169(c) (relating to dislocated
 21 worker projects)” and inserting “subsections (c) (re-
 22 lating to dislocated worker projects) and (d) (relat-
 23 ing to a workforce data quality initiative) of section
 24 169”; and

- 1 (3) by striking “and 170” and inserting “and
- 2 section 170”.

