

**AMENDMENT TO**  
**RULES COMMITTEE PRINT 117-31**  
**OFFERED BY MS. SHERRILL OF NEW JERSEY**

At the end of division J, add the following new title:

1 **TITLE V—EXPANDING PATH-**  
2 **WAYS TO EMPLOYMENT**  
3 **PILOT PROGRAM**

4 **SEC. 90501. SHORT TITLE.**

5 This title may be cited as the “Expanding Pathways  
6 to Employment Pilot Program”.

7 **SEC. 90502. WORKFORCE DEVELOPMENT AND POST-SEC-**  
8 **ONDARY EDUCATION GRANT PROGRAM.**

9 (a) IN GENERAL.—The Secretary, in consultation  
10 with the Board, shall make grants in accordance with this  
11 section to provide long-term funding commitments for eli-  
12 gible workforce development programs and eligible post-  
13 secondary education programs as follows:

14 (1) WORKFORCE DEVELOPMENT PROGRAMS  
15 SUPPORTED BY STRONG EVIDENCE.—Of the total  
16 amount appropriated under section 90506, the Sec-  
17 retary shall use 50 percent of such amount to make  
18 grants for eligible workforce development programs  
19 that have demonstrated a substantial, statistically

1 significant positive impact on worker earnings  
2 through one or more well-designed and well-imple-  
3 mented randomized control experimental studies. A  
4 grant awarded under this paragraph shall be used  
5 for the cost of operating and expanding such pro-  
6 gram, and may also be used, at the discretion of the  
7 grantee, for the cost of conducting a new random-  
8 ized control experimental study with respect to such  
9 program.

10 (2) WORKFORCE DEVELOPMENT PROGRAMS  
11 SUPPORTED BY MODERATE AND PROMISING EVI-  
12 DENCE.—Of the total amount appropriated under  
13 section 90506, the Secretary shall use 25 percent of  
14 such amount to make grants for eligible workforce  
15 development programs that have demonstrated a  
16 substantial, statistically significant positive impact  
17 on worker earnings through one or more well-de-  
18 signed and well-implemented quasi-experimental  
19 studies or correlational studies. A grant awarded  
20 under this paragraph shall be used—

21 (A) for the cost of conducting randomized  
22 control experimental studies with respect to  
23 such program; and

24 (B) for the cost of operating and expand-  
25 ing such program (but only if a grant under

1           subparagraph (A) has been concurrently award-  
2           ed for such program).

3           (3) DISCRETIONARY AMOUNT.—Of the total  
4           amount appropriated under section 90506, the Sec-  
5           retary shall use 20 percent of such amount at the  
6           discretion of the Secretary—

7                   (A) to make additional grants as described  
8                   in paragraph (1);

9                   (B) to make additional grants as described  
10                  in paragraph (2); and

11                  (C) to make grants for eligible post-sec-  
12                  ondary education programs that have dem-  
13                  onstrated a substantial, statistically significant  
14                  positive impact on student graduation and de-  
15                  gree completion through one or more well-de-  
16                  signed and well-implemented randomized con-  
17                  trol experimental studies, quasi-experimental  
18                  studies, or correlational studies, to be used—

19                           (i) in the case of programs that have  
20                           demonstrated such positive impact through  
21                           one or more randomized control experi-  
22                           mental studies, for the cost of operating  
23                           and expanding such program, and, at the  
24                           discretion of the grantee, for the cost of  
25                           conducting a new randomized control ex-

1                   perimental study with respect to such pro-  
2                   gram; and

3                   (ii) in the case of programs that have  
4                   demonstrated such positive impact through  
5                   one or more quasi-experimental studies or  
6                   correlational studies—

7                   (I) for the cost of conducting  
8                   randomized control experimental stud-  
9                   ies with respect to such program; and

10                  (II) for the cost of operating and  
11                  expanding such program (but only if a  
12                  grant under subelause (I) has been  
13                  concurrently awarded for such pro-  
14                  gram).

15                  (4) TECHNICAL ASSISTANCE.—Of the total  
16                  amount appropriated under section 90506, the Sec-  
17                  retary shall use 5 percent—

18                  (A) to provide technical assistance for eli-  
19                  gible workforce development programs and eligi-  
20                  ble post-secondary education programs, includ-  
21                  ing technical assistance related to the use of ad-  
22                  ministrative data to improve program perform-  
23                  ance;

24                  (B) to conduct feasibility studies and other  
25                  planning activities;

1 (C) to disseminate best practices; and

2 (D) for staff and other costs related to  
3 such activities.

4 (b) ELIGIBLE APPLICANTS.—Applicants for a grant  
5 under subsection (a) may include—

6 (1) State, local, territorial, or Tribal govern-  
7 ments, but only if the application includes one or  
8 more clearly designated nonprofit organizations, in-  
9 stitutions of higher education, or post-secondary vo-  
10 cational institutions that will implement the program  
11 using such grant funds; and

12 (2) nonprofit organizations, institutions of high-  
13 er education, or post-secondary vocational institu-  
14 tions, but only if the application—

15 (A) is supported by a State, local, terri-  
16 torial, or Tribal government; and

17 (B) includes a plan to partner with that  
18 government, a sustainability plan to ensure the  
19 program continues to be delivered after the end  
20 of the grant award, and a clearly designated  
21 place or places where the program will be ad-  
22 ministered.

23 (c) MATCHING REQUIREMENT.—The Secretary shall  
24 not award any grant under paragraph (1) or paragraph  
25 (3)(A) of subsection (a) to an entity unless the entity pro-

1 vides matching funds from Federal or non-Federal sources  
2 in an amount equal to not less than 50 percent of such  
3 grant, except that the Secretary may, at the request of  
4 an applicant or a grantee, grant a waiver reducing this  
5 requirement for the purposes of increasing the accessi-  
6 bility or equity of the program design, or in the case of  
7 grants awarded to an eligible entity with limited resources.

8 **SEC. 90503. AMOUNT OF GRANTS AND CRITERIA FOR**  
9 **AWARDING GRANTS.**

10 (a) IN GENERAL.—The amount of a grant awarded  
11 for an eligible workforce development program or post-sec-  
12 ondary education program under section 90502 shall be  
13 determined by the Secretary, in consultation with the  
14 Board, based on the following:

15 (1) The program's impact on participant earn-  
16 ings or participant graduation and degree comple-  
17 tion rates relative to costs (as determined under  
18 guidance issued pursuant to subsection (b)).

19 (2) Whether the program was evaluated  
20 through a randomized control experimental study, a  
21 quasi-experimental study, or a correlational study,  
22 and the overall quality of the evidence behind the  
23 program, including the sample size and number of  
24 evaluations, the statistical quality of the evaluations,  
25 the magnitude of the impacts detected, and the

1 strength of the causal connection between the pro-  
2 gram and key economic outcomes measured.

3 (3) The number of additional participants that  
4 the program expects to enroll as a result of receiving  
5 such grant.

6 (4) Whether the program has been dem-  
7 onstrated to improve equity, in particular for popu-  
8 lations of individuals or communities (which may in-  
9 clude rural communities) historically held furthest  
10 from opportunity.

11 (b) **IMPACT RELATIVE TO COSTS STANDARD.**—The  
12 Board shall devise and publish a minimum impact relative  
13 to costs standard comparing the impact on worker earn-  
14 ings or student graduation and degree completion rates  
15 as a result of an eligible workforce development program  
16 or post-secondary education program and the annual cost  
17 per participant under such program. Such standard  
18 shall—

19 (1) set forth a minimum required demonstrable  
20 increase in earnings or graduation and degree com-  
21 pletion rates over time (based on previous evalua-  
22 tions) per dollar of program cost per participant;  
23 and

24 (2) allow for additional flexibility for programs  
25 that specifically or primarily serve individuals with

1 barriers to employment (as defined in section 3(24)  
2 of the Workforce Innovation and Opportunity Act  
3 (29 U.S.C. 3102(24)) or post-secondary education,  
4 individuals in communities that have historically or  
5 currently been underserved by workforce develop-  
6 ment and post-secondary education programs, and  
7 individuals in rural areas.

8 **SEC. 90504. INDEPENDENT BOARD.**

9 (a) ESTABLISHMENT OF INDEPENDENT BOARD.—  
10 There is established an independent board (in this section  
11 referred to as the “Board”) consisting of 5 members ap-  
12 pointed by the Secretary in accordance with subsection (c).

13 (b) DUTIES.—The Board shall review applications for  
14 grants under this section and make recommendations to  
15 the Secretary with respect to the awarding of such grants.  
16 The Board shall, in their recommendation to the Secretary  
17 regarding program selection, prioritize programs that have  
18 demonstrated a larger impact relative to costs (as deter-  
19 mined under guidance issued pursuant to subsection (b)),  
20 that have been evaluated by more well-designed and well-  
21 implemented studies, and that have been evaluated by ran-  
22 domized control experimental studies rather than quasi-  
23 experimental studies or correlational studies. The Board  
24 shall, in their recommendation to the Secretary regarding  
25 grant size, prioritize higher funding levels to programs



1 that have demonstrated a larger impact relative to costs  
2 (as so determined), that have been evaluated by more well-  
3 designed and well-implemented studies, that have been  
4 evaluated by randomized control experimental studies  
5 rather than quasi-experimental studies or correlational  
6 studies, and that expect to enroll more participants as a  
7 result of receiving such grant. For the purposes of these  
8 recommendations, the Board shall devise a quality stand-  
9 ard for evaluations to determine which evaluations are  
10 more well-designed and well-implemented compared to  
11 others.

12 (c) APPOINTMENT.—The Secretary shall appoint in-  
13 dividuals to serve on the Board who meet the qualifica-  
14 tions described in subsection (d). In making such appoint-  
15 ments, the Secretary shall consult and receive rec-  
16 ommendations from the Commission of Social Impact  
17 Partnerships established under section 2057 of the Social  
18 Security Act.

19 (d) QUALIFICATIONS OF MEMBERS.—An individual  
20 who meets the qualifications described in this subsection  
21 is an individual who is an academic, nonprofit, or execu-  
22 tive agency official with expertise in workforce develop-  
23 ment programs or post-secondary education programs and  
24 experience in running rigorous evaluations. Such an indi-  
25 vidual shall—

1           (1) be an expert in program evaluation and evi-  
2           dence-based policy, including evaluation methodolo-  
3           gies that are appropriately rigorous and reliant upon  
4           independent data;

5           (2) have relevant professional or personal expe-  
6           rience in a field related to one or more of the out-  
7           comes listed in this division; or

8           (3) have relevant lived or professional experi-  
9           ence with underserved communities and under-  
10          resourced families that this section is intended to  
11          serve.

12          (e) STAFFING.—In administering the program under  
13          this section, the Secretary may hire such staff as nec-  
14          essary, including by using placement authorities under the  
15          Intergovernmental Personnel Act of 1970, and any other  
16          direct hire authorities available to the Secretary for any  
17          other purpose. In hiring staff to administer such program,  
18          the Secretary shall ensure that such staff meet the quali-  
19          fications described in subsection (d).

20          (f) REPORTS.—The Board shall report on progress  
21          periodically to the Federal Interagency Council on Social  
22          Impact Partnerships established under section 2056 of the  
23          Social Security Act, and shall coordinate policies and deci-  
24          sions with relevance to other Federal agencies through  
25          such Council.

1 (g) GUIDANCE.—

2 (1) IN GENERAL.—The Board, in consultation  
3 with the Commission of Social Impact Partnerships  
4 established under section 2057 of the Social Security  
5 Act, shall develop and make publicly available guid-  
6 ance regarding best practices for the evaluation of  
7 eligible workforce development programs and eligible  
8 post-secondary education programs to be used to as-  
9 sess the quality of each evaluation as required under  
10 subsection (b). Such guidance shall seek to ensure  
11 that—

12 (A) the evaluation accurately models a par-  
13 ticipant group population that is representative  
14 of the overall population served by the program;

15 (B) aggregate shifts that might affect  
16 baseline numbers are controlled for by the eval-  
17 uation; and

18 (C) regardless of any other factors, all pos-  
19 sible safeguards are undertaken to avoid statis-  
20 tical creaming, in which the impact of a pro-  
21 gram is over measured as recruited participants  
22 become more highly skilled prior to participa-  
23 tion over time.

24 (2) PROCEDURE.—In issuing the guidance and  
25 performance benchmarks defined above, the Board

1 shall release and circulate draft guidance, regula-  
2 tions, and performance benchmarks, which shall be  
3 circulated to the Commission, and shall not be  
4 adopted unless approved by a majority vote of the  
5 Commission at a public meeting, and the Commis-  
6 sion shall receive proposed draft guidance or per-  
7 formance benchmarks not less than 30 days prior to  
8 voting to approve it. The Board shall use the draft  
9 guidance, regulations, and performance benchmarks,  
10 once approved by the Commission, to review grant  
11 applications under this section and make rec-  
12 ommendations to the Secretary with respect to the  
13 awarding of such grants, as described in subsection  
14 (b).

15 **SEC. 90505. DEFINITIONS.**

16 In this title:

17 (1) CORRELATIONAL STUDY.—The term “cor-  
18 relational study” means a study conducted by an  
19 independent organization using a non-randomized  
20 methodology with statistical controls for selection  
21 bias that has found a correlational impact of an eli-  
22 gible workforce development program, or eligible  
23 post-secondary education program, on participants’  
24 earnings, or graduation and degree completion rates,  
25 and has demonstrated a rationale based on high-

1 quality research findings that the program is likely  
2 to improve those participant outcomes at least two  
3 years after participants enroll in the program but  
4 has not yet demonstrated a causal relationship.

5 (2) ELIGIBLE POST-SECONDARY EDUCATION  
6 PROGRAM.—The term “eligible post-secondary edu-  
7 cation program” means a program operated by a  
8 nonprofit organization, an institution of higher edu-  
9 cation (as defined in section 101 of the Higher Edu-  
10 cation Act of 1965), or a postsecondary vocational  
11 institution (as defined in section 102(c) of such Act)  
12 that provides education and support services to post-  
13 secondary students with the objective of increasing  
14 the rate at which these individuals graduate or ob-  
15 tain a post-secondary credential from the post-sec-  
16 ondary program in which they are enrolled.

17 (3) ELIGIBLE WORKFORCE DEVELOPMENT PRO-  
18 GRAM.—The term “eligible workforce development  
19 program” means a program operated by a nonprofit  
20 organization that provides skills training and edu-  
21 cation to existing and potential workers with the ob-  
22 jective of increasing the wage level and chance of  
23 employment of those workers.

24 (4) QUASI-EXPERIMENTAL STUDY.—The term  
25 “quasi-experimental study” means a study con-

1       ducted by an independent organization that uses a  
2       non-randomized methodology and model to measure  
3       the causal impact of an eligible workforce develop-  
4       ment program, or eligible post-secondary education  
5       program, on participants' earnings, or graduation  
6       and degree completion rates, at least two years after  
7       participants enroll in the program.

8               (5) RANDOMIZED CONTROL EXPERIMENTAL  
9       STUDY.—The term “randomized control experi-  
10      mental study” means a study conducted by an inde-  
11      pendent organization utilizing a randomized control  
12      trial methodology that compares the earnings, or  
13      graduation and degree completion rates, of partici-  
14      pant group and control group members, and meas-  
15      ures the causal impact of an eligible workforce devel-  
16      opment program, or eligible post-secondary edu-  
17      cation program, on participants' earnings, or grad-  
18      uation and degree completion rates, at least two  
19      years after participants enroll in the program.

20              (6) SECRETARY.—The term “Secretary” means  
21      the Secretary of the Treasury.

22              (7) WELL-DESIGNED AND WELL-IMPLE-  
23      MENTED.—The term “well-designed and well-imple-  
24      mented”, as applied to a study, means a study that  
25      is replicable, uses programmatic and control groups

1 that are representative of the type of population  
2 served by the program, uses controls for aggregate  
3 shifts that might affect baseline numbers, does not  
4 have problems with attrition from the program, and  
5 takes measures to avoid statistical creaming.

6 **SEC. 90506. FUNDING.**

7 There is appropriated to carry out this title, out of  
8 any funds in the Treasury not otherwise appropriated,  
9 \$100,000,000 for fiscal year 2022, to remain available for  
10 7 fiscal years.

