

118TH CONGRESS  
2D SESSION

# S. 4008

To authorize workforce development innovation grants for the implementation, expansion, and evaluation of evidence-based workforce programs, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MARCH 20, 2024

Mr. BENNET introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To authorize workforce development innovation grants for the implementation, expansion, and evaluation of evidence-based workforce programs, 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 “Better Jobs through  
5 Evidence and Innovation Act”.

6 **SEC. 2. EVALUATIONS AND RESEARCH.**

7 (a) IN GENERAL.—Section 169 of the Workforce In-  
8 novation and Opportunity Act (29 U.S.C. 3224) is amend-  
9 ed—

1           (1) by redesignating subsection (c) as sub-  
2           section (d); and

3           (2) by inserting after subsection (b) the fol-  
4           lowing:

5           “(c) WORKFORCE DEVELOPMENT INNOVATION  
6 FUND.—

7           “(1) PROGRAM AUTHORIZED.—

8                   “(A) IN GENERAL.—The Secretary may,  
9                   on a competitive basis and in accordance with  
10                   subparagraph (B), award workforce develop-  
11                   ment innovation grants described in subpara-  
12                   graph (C) to eligible entities to enable such en-  
13                   tities to—

14                           “(i) establish, implement, replicate, or  
15                           take to scale evidence-based, field-initiated  
16                           innovation programs or services for im-  
17                           proving the design and delivery of employ-  
18                           ment and training services that generate  
19                           demonstrated long-term improvements in—

20                                   “(I) the performance or impact  
21                                   of the workforce development system;

22                                   “(II) earnings and employment  
23                                   outcomes for jobseekers (including in-  
24                                   dividuals with barriers to employ-

1                   ment) and earnings for employers;  
2                   and

3                   “(III) the cost-effectiveness of  
4                   such innovation programs or services,  
5                   particularly for participants and com-  
6                   munities not sufficiently served by ex-  
7                   isting models such as participants and  
8                   communities in rural areas; and

9                   “(ii) rigorously evaluate, through a  
10                  partnership with a third-party research or-  
11                  ganization or a third-party researcher,  
12                  such innovation programs or services for  
13                  effectiveness in achieving any dem-  
14                  onstrated long-term improvements in an  
15                  outcome described in subclause (I), (II), or  
16                  (III) of clause (i).

17                 “(B) GRANT AWARDS.—

18                   “(i) IN GENERAL.—The Secretary—

19                   “(I) shall award grants under  
20                   subparagraph (A) on the basis of po-  
21                   tential achievements of the innovation  
22                   program or service proposed by the el-  
23                   igible entity with respect to dem-  
24                   onstrated, long-term improvements in  
25                   an outcome described in subclause (I),

1 (II), or (III) of subparagraph (A)(i);  
2 and

3 “(II) may award under subpara-  
4 graph (A) different types of grants  
5 described under subparagraph (C) to  
6 an eligible entity for separate innova-  
7 tion programs or services that meet  
8 the relevant criteria for such different  
9 types of grants.

10 “(ii) DURATION OF AWARD.—A grant  
11 awarded under subparagraph (A) shall be  
12 awarded for a period determined appro-  
13 priate by the Secretary.

14 “(C) DESCRIPTION OF GRANTS.—The  
15 grants described in subparagraph (A) shall, to  
16 the extent feasible, include—

17 “(i) early-phase grants for an innova-  
18 tion program or service supported by any  
19 level of evidence described in clause (i),  
20 (ii), or (iii) of subparagraph (D), for the  
21 purposes of funding the development, im-  
22 plementation, and evaluation of such pro-  
23 gram or service;

24 “(ii) mid-phase grants for an innova-  
25 tion program or service supported by a

1 moderate level of evidence or a high level  
2 of evidence (as described in clause (ii) or  
3 (iii) of subparagraph (D), respectively) for  
4 the purposes of funding the operation, ex-  
5 pansion, and continued evaluation of such  
6 innovation program or service at a single  
7 site; and

8 “(iii) expansion grants for an innova-  
9 tion program or service supported by a  
10 high level of evidence, as described in sub-  
11 subparagraph (D)(iii), for the purposes of—

12 “(I) funding the operation of  
13 such innovation program or service at  
14 a single site;

15 “(II) expansion or such innova-  
16 tion program or service to another  
17 site; and

18 “(III) implementation of a multi-  
19 site evaluation of such innovation pro-  
20 gram or service.

21 “(D) LEVEL OF EVIDENCE STANDARDS.—

22 The levels of evidence described in this subpara-  
23 graph are the following:

24 “(i) LOW LEVEL OF EVIDENCE.—An  
25 innovation program or service is supported

1 by a low level of evidence if such program  
2 or service has demonstrated, through a  
3 reasonable hypothesis and credible research  
4 findings (such as a correlational study with  
5 statistical controls for selection bias), de-  
6 scriptive research (such as a case study),  
7 or evidence review and needs assessment,  
8 the—

9 “(I) ability to achieve positive ef-  
10 fects on earnings and employment  
11 outcomes for jobseekers (including in-  
12 dividuals with barriers to employ-  
13 ment) and earnings for employers; or

14 “(II) potential to achieve such ef-  
15 fect on such outcomes.

16 “(ii) MODERATE LEVEL OF EVI-  
17 DENCE.—An innovation program or service  
18 is supported by a moderate level of evi-  
19 dence if such program or service has dem-  
20 onstrated the ability to achieve sizable, but  
21 not yet conclusive, positive effects on earn-  
22 ings and employment outcomes for job-  
23 seekers (including individuals with barriers  
24 to employment) and earnings for employ-  
25 ers, through—

1                   “(I) a well-designed and well-im-  
2                   plemented experimental study of such  
3                   program or service, such as a random-  
4                   ized controlled trial; or

5                   “(II) a rigorous quasi-experi-  
6                   mental study of such program or serv-  
7                   ice capable of drawing causal conclu-  
8                   sions about the effectiveness of such  
9                   program or service.

10                  “(iii) HIGH LEVEL OF EVIDENCE.—  
11                  An innovation program or service is sup-  
12                  ported by a high level of evidence if such  
13                  program or service has demonstrated,  
14                  through replication of studies, the ability  
15                  to achieve a substantial and statistically-  
16                  significant, positive impact on earnings  
17                  and employment outcomes for jobseekers  
18                  (including individuals with barriers to em-  
19                  ployment) and earnings for employers,  
20                  through 2 or more well-designed and well-  
21                  implemented experimental studies of such  
22                  program or service conducted—

23                                  “(I) at different implementation  
24                                  sites; or

1                   “(II) through large, multi-site,  
2                   randomized controlled trials.

3                   “(2) TECHNICAL ASSISTANCE AND EVALUATION  
4 RESEARCH.—Of the funds made available to carry  
5 out this subsection for a fiscal year, the Secretary  
6 shall reserve not more than 10 percent of the funds  
7 to—

8                   “(A) provide technical assistance to eligible  
9 entities, which may include preapplication work-  
10 shops, web-based seminars, support for con-  
11 ducting feasibility studies and other planning  
12 activities, assistance with methods and require-  
13 ments for purposes of evaluation research under  
14 subparagraph (D), and support for improving  
15 grant implementation and the quality and effec-  
16 tiveness of activities and services funded by  
17 grants awarded under subparagraph (A), in-  
18 cluding the use of administrative data and in-  
19 formation to improve outcomes for participants;

20                   “(B) disseminate information on low-,  
21 moderate-, and high-evidence-based practices;

22                   “(C) fund staffing and other costs related  
23 to such activities; and



1           “(D) conduct evaluation research regard-  
2           ing activities or services funded by grants  
3           awarded under subparagraph (A).

4           “(3) DEFINITIONS.—In this subsection:

5           “(A) ELIGIBLE ENTITY.—The term ‘eligi-  
6           ble entity’ means an entity that is any of the  
7           following:

8                   “(i) A State workforce development  
9                   board established under section 101 (29  
10                  U.S.C. 3111).

11                  “(ii) A local workforce development  
12                  board established under section 107 (29  
13                  U.S.C. 3122).

14                  “(iii) An Indian tribe, tribal organiza-  
15                  tion, Alaska Native entity, Indian-con-  
16                  trolled organization serving Indians, or Na-  
17                  tive Hawaiian organization that is eligible  
18                  to receive an award under section 166 (29  
19                  U.S.C. 3221).

20                  “(iv) An institution of higher edu-  
21                  cation (as defined in section 101 of the  
22                  Higher Education Act of 1965 (20 U.S.C.  
23                  1001)).

24                  “(v) A State workforce agency.

25                  “(vi) An organization—

1 “(I) that—

2 “(aa) is a community-based  
3 organization, a nonprofit organi-  
4 zation, or a nongovernment orga-  
5 nization; and

6 “(bb) serves an underserved  
7 population; or

8 “(II) that is a national or re-  
9 gional organization that intends to  
10 use funds awarded under this Act to  
11 make direct grants to an organization  
12 described in subclause (I).

13 “(vii) A consortium of any entities de-  
14 scribed in clause (i) through (vi).

15 “(B) FIELD-INITIATED.—The term ‘field-  
16 initiated’, with respect to a program or service,  
17 means a program or service in which the ele-  
18 ments of the program or service have been de-  
19 veloped by practitioners or researchers in the  
20 policy area.

21 “(C) INNOVATION PROGRAM OR SERV-  
22 ICE.—The term ‘innovation program or service’  
23 means a program or service designed to dem-  
24 onstrate innovative and cost-effective ways to

1           augment and improve employment and training  
2           services.

3                   “(D) WELL-DESIGNED AND WELL-IMPLE-  
4           MENTED EXPERIMENTAL STUDY.—The term  
5           ‘well-designed and well-implemented experi-  
6           mental study’ means a study that—

7                           “(i) is replicable;

8                           “(ii) uses programmatic and control  
9                           groups that are representative of the type  
10                          of population served by the program or  
11                          service that is subject to the study, includ-  
12                          ing by avoiding over-selection of partici-  
13                          pants who are highly skilled prior to par-  
14                          ticipation for such programmatic group;

15                          “(iii) uses controls for aggregate  
16                          shifts that might affect baseline numbers;

17                          “(iv) does not have problems with at-  
18                          trition of participants from the study; and

19                          “(v) is conducted in a manner that is  
20                          consistent with applicable evaluation, data,  
21                          and privacy standards and practices de-  
22                          scribed in—

23                                   “(I) the guidelines of the Office  
24                                   of Management and Budget entitled  
25                                   ‘Guidelines for Ensuring and Maxi-

1 mizing the Quality, Objectivity, Util-  
2 ity, and Integrity of Information Dis-  
3 seminated by Federal Agencies’ (67  
4 Fed. Reg. 8452 (February 22, 2002))  
5 (or successor guidelines); and

6 “(II) the Foundations for Evi-  
7 dence-Based Policymaking Act of  
8 2018 (Public Law 115–435; 132 Stat.  
9 5529) and the amendments made by  
10 that Act.

11 “(4) AUTHORIZATION OF APPROPRIATIONS.—  
12 There are authorized to be appropriated to carry out  
13 this subsection, such sums as may be necessary for  
14 each of the fiscal years 2025 through 2029.”.

15 (b) CONFORMING AMENDMENT.—Section  
16 132(a)(2)(A) of the Workforce Innovation and Oppor-  
17 tunity Act (29 U.S.C. 3172(a)(2)(A)) is amended by strik-  
18 ing “169(c)” and inserting “169(d)”.

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