

116TH CONGRESS
2D SESSION

H. R. 6402

To provide State and local workforce systems flexibility and financial support to respond to the COVID–19 national emergency.

IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2020

Mr. LEVIN of Michigan introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To provide State and local workforce systems flexibility and financial support to respond to the COVID–19 national emergency.

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 “COVID–19 Workforce
5 Emergency Response Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) CORONAVIRUS.—The term “coronavirus”
9 means coronavirus as defined in section 506 of the
10 Coronavirus Preparedness and Response Supple-

1 mental Appropriations Act, 2020 (Public Law 116–
2 123).

3 (2) COVID–19 NATIONAL EMERGENCY.—The
4 term “COVID–19 national emergency” means the
5 national emergency declared by the President under
6 the National Emergencies Act (50 U.S.C. 1601 et
7 seq.) on March 13, 2020, with respect to the
8 coronavirus.

9 (3) SECRETARY.—The term “Secretary” means
10 the Secretary of Labor.

11 (4) WIOA TERMS.—Except as otherwise pro-
12 vided, the terms in this Act have the meanings given
13 the terms in section 3 of the Workforce Innovation
14 and Opportunity Act (29 U.S.C. 3102).

15 **SEC. 3. WORKFORCE RESPONSE ACTIVITIES.**

16 (a) IN GENERAL.—The purpose of this section is to
17 provide the increased flexibility needed for State and local
18 areas to provide continuity of services during the COVID–
19 19 national emergency.

20 (b) ADMINISTRATIVE COSTS.—Notwithstanding sec-
21 tion 128(b)(4) of the Workforce Innovation and Oppor-
22 tunity Act (29 U.S.C. 3163(b)(4)), of the funds allocated
23 to a local area, including a single State local area, under
24 subtitle B of title I of such Act (29 U.S.C. 3151 et seq.)
25 that remain unobligated for program year 2019, an

1 amount up to 20 percent may be used for the administra-
2 tive costs of carrying out local workforce investment activi-
3 ties under chapter 2 or chapter 3 of subtitle B of title
4 I of such Act (29 U.S.C. 3151 et seq.), as long as any
5 amount used under this subsection that exceeds the
6 amount authorized for administrative costs under section
7 128(b)(4)(A) of such Act (29 U.S.C. 3163(b)(4)) is used
8 to respond to the COVID–19 national emergency.

9 (c) RAPID RESPONSE ACTIVITIES.—

10 (1) STATEWIDE RAPID RESPONSE.—Of the re-
11 served by a Governor under section 128(a) of the
12 Workforce Innovation and Opportunity Act (29
13 U.S.C. 3163(a)) for statewide activities that remain
14 unobligated for program year 2019, such funds may
15 be used for the statewide rapid response activities
16 described in section 134(a)(2)(A) of such Act (29
17 U.S.C. 3174(a)(2)(A)) for responding to the
18 COVID–19 national emergency.

19 (2) LOCAL BOARDS.—Of the funds reserved by
20 a Governor under section 133(a)(2) of such Act (29
21 U.S.C. 3173(a)(2)) that remain unobligated for pro-
22 gram year 2019, such funds may be distributed by
23 the Governor not later than 30 days after the date
24 of enactment of this Act to local boards most im-
25 pacted by the coronavirus, at the determination of

1 the Governor, for rapid response activities related to
2 responding to the COVID–19 national emergency.

3 **SEC. 4. NATIONAL DISLOCATED WORKER GRANTS.**

4 (a) COVID–19 NATIONAL EMERGENCY RE-
5 SPONSE.—

6 (1) IN GENERAL.—From the funds made avail-
7 able under this section, the Secretary shall award
8 national dislocated worker grants in accordance with
9 section 170 of the Workforce Innovation and Oppor-
10 tunity Act (29 U.S.C. 3225) to respond to the
11 COVID–19 national emergency.

12 (2) USES OF FUNDS.—Any grant awarded
13 under this section shall used for activities directly
14 supporting the response to the COVID–19 national
15 emergency, and recovery efforts related to such
16 emergency, which shall include the following:

17 (A) TRAINING AND TEMPORARY EMPLOY-
18 MENT.—Training and temporary employment to
19 respond to the COVID–19 national emergency,
20 such as positions or assignments—

21 (i) delivering medicine, food, or other
22 supplies to older individuals, individuals
23 with disabilities, and other individuals with
24 respiratory conditions and other chronic
25 medical disorders;

1 (ii) helping set up quarantine areas
2 and providing assistance to quarantined in-
3 dividuals, including transportation;

4 (iii) organizing and coordinating re-
5 covery, quarantine, or other related activi-
6 ties;

7 (iv) cleaning public buildings, public
8 transportation facilities or equipment, or
9 sanitizing quarantine or treatment areas
10 after their use, or other related cleanup or
11 sanitizing activities; and

12 (v) in the sector directly responding to
13 the COVID–19 national emergency such as
14 childcare, health care, public service, and
15 transportation.

16 (B) LAYOFF RESPONSE.—Activities re-
17 sponding to layoffs of 50 or more individuals
18 laid off by one employer, or areas where there
19 are significant layoffs that significantly increase
20 unemployment in a given community, such as in
21 the hospitality, transportation, manufacturing,
22 and retail industry sectors or occupations.

23 (b) PRIORITY.—In awarding grants under this sec-
24 tion, the Secretary shall give priority to State or local

1 areas most impacted by the COVID–19 national emer-
2 gency as determined by the Secretary.

3 (c) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to carry this section
5 \$345,000,000 to remain available until expended through
6 fiscal year 2022.

7 **SEC. 5. GENERAL PROVISIONS.**

8 (a) SUPPLEMENT AND NOT SUPPLANT.—Any funds
9 made available under this Act shall supplement and not
10 supplant State or local public funds that would, in the ab-
11 sence of the funds under this Act, be made available for
12 employment and training programs or other activities
13 funded under the Workforce Innovation and Opportunity
14 Act (29 U.S.C. 3101 et seq.).

15 (b) EVALUATIONS.—Each activity carried out under
16 this Act shall be subject to—

17 (1) performance accountability as described in
18 section 116 of the Workforce Innovation and Oppor-
19 tunity Act (29 U.S.C. 3141); and

20 (2) rigorous evaluation using research ap-
21 proaches appropriate to the level of development and
22 maturity of the activity, including random assign-
23 ment or quasi-experimental impact evaluations, im-
24 plementation evaluations, pre-experimental studies,
25 and feasibility studies.

1 (c) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated such sums as may be
3 necessary for the Secretary for the administration of this
4 Act.

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