the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2299. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2300. Mr. CRUZ (for himself and Mr. WARNOCK) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2301. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2138. Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 40901(4)(A) of division D, strike clause (ii) and insert the following:

(ii) selected for funding under the competitive grant program authorized pursuant to section 1602(f) of the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h(f)), with funding under this subparagraph to be provided in accordance with that section, notwithstanding section 4013 of the Water Infrastructure Improvements for the Nation Act (43 U.S.C. 390b note; Public Law 114–322), except that—

(I) section 1602(g)(2) of the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h(g)(2)) shall not apply to amounts made available under this subparagraph; and

(II) the amounts made available under this subparagraph shall not exceed the lesser of—

(aa) notwithstanding section 1631(d) of the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h-13(d)), $30,000,000 for each water recycling and reuse project provided funding under this subparagraph; and

(bb) the amount that is equal to 25 percent of the costs of the water recycling and reuse project provided funding under this subparagraph; and

---

SA 2139. Mrs. FEINSTEIN (for herself and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In division D, strike section 40909 and insert the following:

SEC. 40909. CLARIFICATION OF AUTHORITY TO USE CORONAVIRUS FISCAL RECOVERY FUNDS TO MEET A NON-FEDERAL MATCHING REQUIREMENT FOR AUTHORIZED WATER PROJECTS.

(a) CORONAVIRUS STATE FISCAL RECOVERY FUND.—Section 602(c) of the Social Security Act (42 U.S.C. 802(c)) is amended by adding at the end the following:

''(4) USE OF FUNDS TO SATISFY NON-FEDERAL MATCHING REQUIREMENTS FOR AUTHORIZED WATER PROJECTS.—Funds provided under this section for a project undertaken or funded by the Bureau of Reclamation pursuant to an Act of Congress may be used for purposes of satisfying any non-Federal matching requirement required for the project.''.

(b) CORONAVIRUS LOCAL FISCAL RECOVERY FUND.—Section 603(c) of the Social Security Act (42 U.S.C. 803(c)) is amended by adding at the end the following:

''(5) USE OF FUNDS TO SATISFY NON-FEDERAL MATCHING, MAINTENANCE OF EFFORT, OR OTHER EXPENDITURE REQUIREMENT.—Funds provided under this section for a project undertaken or funded by the Bureau of Reclamation pursuant to an Act of Congress may be used for purposes of satisfying any non-Federal matching requirement required for the project.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of section 9901 of the American Rescue Plan Act of 2021 (Public Law 117–2; 135 Stat. 223).

SA 2140. Ms. DUCKWORTH (for herself, Mr. CASEY, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2690, line 11, insert after ''et seq.):'' the following: ''*Provided further*, That an eligible entity that receives a grant under this heading in this Act shall adopt a plan under which the entity commits to pursuing public transportation accessibility projects that: (1) enhance the customer experience and maximize accessibility of rolling stock and stations or facilities for passenger use for individuals with disabilities, including accessibility for individuals with physical disabilities, including those who use wheelchairs, accessibility for individuals with sensory disabilities, and accessibility for individuals with intellectual or developmental disabilities; (2) improve the operations of, provide efficiencies of service to, and enhance the public transportation system for individuals with disabilities; and (3) address equity of service to all riders regardless of income, age, race, or ability, taking into account historical and current service gaps for low-income riders, older individuals, riders from communities of color, and riders with disabilities:''.

SA 2141. Mr. KAINE (for himself, Mr. PORTMAN, and Mr. OSSOFF) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division A, insert the following:

SEC. 13011. ESTABLISHING JOB TRAINING FEDERAL PELL GRANTS; ELIMINATING SHORT-TERM EDUCATION LOAN PROGRAMS; TECHNICAL CORRECTIONS.

(a) ELIMINATING SHORT-TERM EDUCATION LOAN PROGRAMS.—Section 481(b) of the Higher Education Act of 1965 (20 U.S.C. 1088(b)) is amended by adding at the end the following:

''(5) The Secretary shall eliminate the short-term education loan program, as authorized under paragraph (2), on the date that is 120 days after the date the Secretary establishes the application for Job Training Federal Pell Grants under section 401(k).''.

(b) TECHNICAL CORRECTIONS.—Section 481(d) of the Higher Education Act of 1965 (20 U.S.C. 1088(d)) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A), by striking ''under section 12301(a), 12301(g), 12302, 12304, or 12306 of title 10, United States Code, or any retired member of an Armed Force ordered to active duty under section 688 of such title,'' and inserting '', or any retired member of an Armed Force ordered to active duty,''; and

(B) in subparagraph (B), by striking ''an Armed Force'' and inserting ''a Uniformed Service''; and

(2) in paragraph (5), by striking ''and supported by Federal funds''.

(c) CURRENT ENACTMENT OF JOB TRAINING FEDERAL PELL GRANT PROGRAM.—Section 401 of the Higher Education Act of 1965 (20 U.S.C. 1070a) is amended by adding at the end the following:

''(k) JOB TRAINING FEDERAL PELL GRANT PROGRAM.—

''(1) DEFINITIONS.—In this subsection:

''(A) CAREER AND TECHNICAL EDUCATION.—The term 'career and technical education' has the meaning given the term in section 3 of the Carl D. Perkins Career and Technical Education Act.

''(B) ELIGIBLE JOB TRAINING PROGRAM.—

''(i) IN GENERAL.—The term 'eligible job training program' means a career and technical education program at an eligible institution of higher education that—

''(I) provides not less than 150, and not more than 600, clock hours of instructional time over a period of not less than 8 weeks and not more than 15 weeks;

''(II) provides training aligned with the requirements of high-skill, high-wage, or in-demand industry sectors or occupations in the State or local area in which the job training program is provided, as determined by—

''(aa) a State board or local board;

''(bb) a State plan, as described in section 122(d)(13)(C) of the Carl D. Perkins Career and Technical Education Act of 2006; or

''(cc) a comprehensive local needs assessment, as described in section 134(c) of the Carl D. Perkins Career and Technical Education Act of 2006;

''(III) is a program—

''(aa) provided through an eligible training provider, as described under section 122(d) of the Workforce Innovation and Opportunity Act; and

''(bb) subject to the reporting requirements of section 116(d)(4) of the Workforce Innovation and Opportunity Act, or would be subject to such requirements except for a waiver issued to a State under section 189(i) of the Workforce Innovation and Opportunity Act;

''(IV) provides a student, upon completion of the program, with a degree or recognized postsecondary credential that is stackable and portable across multiple employers and geographical areas;

''(V) has demonstrated that the median change in total earnings for students who complete the program is an increase of not less than 20 percent, in accordance with paragraph (2);

''(VI) publishes prominently on the website of the institution, and provides a written disclosure to each prospective student prior to entering into an enrollment agreement for such program (which each such student shall confirm receiving through a written affirmation prior to entering such enrollment agreement) containing, at a minimum, the following information calculated, as applicable, in accordance with paragraph (8)—

''(aa) the required tuition and fees of the program;

''(bb) the difference between required tuition and fees described in item (aa) and any grant aid (which does not need to be repaid) provided to the student;

''(cc) the completion rate of the program;

''(dd) the percentage of students placed or retained in employment, measured at not less than 6 months and 1 year, respectively, after completion of the program;

''(ee) total earnings of students who complete the program not less than 6 months after completion of the program;

''(ff) total earnings of students who do not complete the program;

''(gg) the ratio of the amount that is the difference between required tuition and fees and any grant aid provided to the student described in item (bb) to the total earnings of students who complete the program not less than 6 months after completion of the program described in item (ee);

''(hh) an explanation, in clear and plain language, of the ratio described in item (gg); and

''(ii) in the case of a job training program that prepares students for a professional license or certification exam, the share of such students who pass such exams;

''(VII) has been determined by the eligible institution of higher education (after validation of that determination by an industry or sector partnership or State board or local board) to provide academic content, an amount of instructional time, and competencies to satisfy any applicable educational requirement for professional licensure or certification, so that the student who completes the program and seeks employment is qualified to take any licensure or certification examination needed to practice or find employment in such sectors or occupations that the program prepares students to enter;

''(VIII) has been in operation for not less than 1 year prior to becoming an eligible job training program under this subsection;

''(IX) does not exceed by more than 50 percent the minimum number of clock hours required by a State to receive a professional license or certification in the State, if the State has established such a requirement;

''(X) includes institutional credit articulation for a student enrolled in a noncredit job training program;

''(XI) is not offered exclusively through distance education or a correspondence course, except as determined by the Secretary to be necessary, on a temporary basis, in connection with a—

''(aa) major disaster or emergency declared by the President under section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191); or

''(bb) national emergency declared by the President under section 201 of the National Emergencies Act (50 U.S.C. 1601 et seq.);

''(XII) is provided not less than 50 percent directly by the eligible institution of higher education;

''(XIII) may include integrated education and training; and

''(XIV) may be offered as part of a program that—

''(aa) meets the requirements of section 484(d)(2);

''(bb) is part of a career pathway, as defined in section 3 of the Workforce Innovation and Opportunity Act; and

''(cc) is aligned to a program of study, as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006.

''(ii) APPROVAL BY THE SECRETARY.—

''(I) IN GENERAL.—In the case of a program that is seeking to establish initial eligibility as an eligible job training program under this subparagraph, the Secretary shall make a determination whether the program meets the requirements of this subparagraph not more than 120 days after the date on which such program is submitted for consideration as an eligible job training program. If the Secretary determines the program meets the requirements of this paragraph, the Secretary shall grant an initial period of approval of 2 years. The Secretary shall enable institutions to apply for eligible job training program approval not later than 1 year after the date of enactment of the Infrastructure Investment and Jobs Act.

''(II) PUBLICATION OF APPLICATION.—Not later than 1 year after the date of enactment of the Infrastructure Investment and Jobs Act, the Secretary shall publish the application for job training programs to submit for approval as eligible job training programs. The information required to determine eligibility in such application shall be consistent with the requirements described in this subparagraph.

''(iii) RENEWAL OF APPROVAL BY THE SECRETARY.—An eligible job training program that desires to continue eligibility as an eligible job training program after the period of initial approval described in clause (ii), or the subsequent period described in this clause, shall submit a renewal application to the Secretary (with such information as the Secretary may require), not more than 270 days and not less than 180 days before the end of the previous approval period. If the Secretary determines the program meets such requirements, the Secretary shall grant another period of approval for 3 years.

''(iv) PERIODIC REVIEW BY THE SECRETARY.—The Secretary shall periodically review a program previously approved under clause (ii) or (iii) to determine whether such program is meeting the requirements of an eligible job training program described in this subsection.

''(v) REVOCATION OF APPROVAL BY THE SECRETARY.—If at any time the Secretary determines that a program previously approved under clause (ii) or (iii) is no longer meeting any of the requirements of an eligible job training program described in this subsection, the Secretary—

''(I) shall deny a subsequent renewal of approval in accordance with clause (iii) for such program after the expiration of the approval period;

''(II) may withdraw approval for such program before the expiration of the approval period;

''(III) shall ensure students who enrolled in such programs have access to transcripts for completed coursework without a fee or monetary charge and without regard to any balance owed to the institution; and

''(IV) shall prohibit such program and any substantially similar program, from being considered an eligible job training described in this subsection for a period of not less than 5 years.

''(vi) ADDITIONAL ASSURANCE BY STATE BOARD.—The Secretary shall not determine that a program is an eligible job training program in accordance with clause (ii) unless the Secretary receives a certification from the State board representing the State in which the eligible job training program is provided, containing an assurance that the program meets the requirements of clause (i).

''(C) TOTAL EARNINGS.—For the purposes of this subsection, the term 'total earnings' means the median annual earnings.

''(D) ELIGIBLE INSTITUTION OF HIGHER EDUCATION.—For the purposes of this subsection, the term 'eligible institution of higher education' means—

''(i) an institution of higher education, as defined in section 101;

''(ii) a postsecondary vocational institution, as defined in section 102(c); and

''(iii) an institution of higher education—

''(I) approved by an accrediting agency or association that meets the requirements of section 496(a)(4)(C);

''(II) that has not been a proprietary institution of higher education, as defined in section 102(b), within the previous 3 years; and

''(III) that has not been subject, during any of the preceding 5 years, to—

''(aa) any suspension, emergency action, or termination of programs under this title;

''(bb) any adverse action by the institution's accrediting agency or association; or

''(cc) any action by the State to revoke a license or other authority to operate.

''(E) INSTITUTIONAL CREDIT ARTICULATION.—The term 'institutional credit articulation' means the situation where an institution of higher education provides a student who has completed a noncredit program with the equivalent academic credit that may be applied to a subsequent credit-bearing certificate or degree program upon enrollment in such program at such institution.

''(F) WIOA DEFINITIONS.—The terms 'industry or sector partnership', 'in-demand industry sector or occupation', 'recognized postsecondary credential', 'local board', and 'State board' have the meanings given such terms in section 3 of the Workforce Innovation and Opportunity Act.

''(2) TOTAL EARNINGS INCREASE REQUIREMENT.—

''(A) IN GENERAL.—Subject to subparagraph (B), as a condition of participation under this subsection, the Secretary shall, using the data collected under paragraph (8) and such other information as the Secretary may require, determine whether such job training program meets the requirements of paragraph (1)(B)(i)(V) with respect to whether the median change in annual earnings for students who complete the program is an increase of not less than 20 percent of the total earnings of such students before enrollment in the program. For the purposes of this paragraph, the Secretary shall determine such percentage change by calculating the difference between the total earnings of students who enroll in such programs not more than 6 months prior to enrollment, and the total earnings of students who complete such program not more than 6 months after completing such program.

''(B) DATE OF EFFECT.—The requirement under this paragraph shall take effect beginning on the date that is 1 year after the date the program has been approved as an eligible job training program under this subsection.

''(3) APPEAL OF EARNINGS INFORMATION.—The Secretary's determination under paragraph (2) may include an appeals process to permit job training programs to submit alternate discretionary or total earnings data, respectively, provided that such data are statistically rigorous, accurate, comparable, and representative of students who complete the program.

''(4) AUTHORIZATION OF AWARDS.—The Secretary shall award Federal Pell Grants to students in eligible job training programs (referred to as a 'job training Federal Pell Grant'). Each eligible job training Federal Pell Grant awarded under this subsection shall have the same terms and conditions, and be awarded in the same manner, as other Federal Pell Grants awarded under subsection (b), except a student who is eligible to receive a job training Federal Pell Grant under this subsection is a student who—

''(A) has not yet attained a postbaccalaureate degree;

''(B) is enrolled, or accepted for enrollment, in an eligible job training program at an eligible institution of higher education; and

''(C) meets all other eligibility requirements for a Federal Pell Grant (except with respect to the type of program of study, as provided in subparagraph (B)).

''(5) AMOUNT OF AWARD.—The amount of a job training Federal Pell Grant for an eligible student shall be determined under subsection (b), except that a student who is eligible for less than the minimum Federal Pell Grant because the eligible job training program is less than an academic year (in clock-hours and weeks of instructional time) may still be eligible for a Federal Pell Grant.

''(6) INCLUSION IN TOTAL ELIGIBILITY PERIOD.—Any period during which a student receives a job training Federal Pell Grant under this subsection shall be included in calculating the student's period of eligibility for Federal Pell Grants under subsection (d), and the eligibility requirements regarding students who are enrolled in an undergraduate program on less than a full-time basis shall similarly apply to students who are enrolled in an eligible job training program at an eligible institution of higher education on less than a full-time basis.

''(7) SAME PAYMENT PERIOD.—No student may for the same payment period receive both a job training Federal Pell Grant under this subsection and a Federal Pell Grant under this section.

''(8) INTERAGENCY DATA SHARING AND DATA COLLECTION.—

''(A) INTERAGENCY DATA SHARING.—The Secretary shall coordinate and enter into a data sharing agreement with the Secretary of Labor to ensure access to data necessary to implement this paragraph, including such data related to indicators of performance collected under section 116 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141).

''(B) DATA ON ELIGIBLE JOB TRAINING PROGRAMS.—Except as provided under subparagraph (C), each institution of higher education offering an eligible job training program for which the Secretary awards job training Federal Pell Grants under this subsection, the Secretary shall, on at least an annual basis, collect and publish data with respect to each such eligible job training program, including the following:

''(i) The number and demographics of students who enroll in the program, including, at a minimum, disaggregated by—

''(I) sex;

''(II) race and ethnicity;

''(III) classification as a student with a disability;

''(IV) income quintile, as defined by the Secretary;

''(V) recipients of assistance under a tuition assistance program conducted by the Department of Defense under section 1784a or 2007 of title 10, United States Code (or other authorities available to the Department of Defense), or status as a veteran;

''(VI) status as a first-time student or transfer student from another institution;

''(VII) status as a first-generation student;

''(VIII) status as parent or guardian of 1 or more dependent children; and

''(IX) status as a confined or incarcerated individual, as defined under section 484(t)(1)(A).

''(ii) The number and demographics, disaggregated by the categories listed in clause (i), including, at a minimum, of—

''(I) students who complete the program; and

''(II) students who do not complete the program.

''(iii) The required tuition and fees of the program.

''(iv) The earnings of students, disaggregated by the categories listed in clause (i), including, at a minimum—

''(I) total earnings of students who complete the program; and

''(II) total earnings of students who do not complete the program.

''(v) Additional outcomes of the students who complete the program, disaggregated by the categories listed in clause (i), including, at a minimum—

''(I) the completion rate of such students;

''(II) the percentage of such students placed or retained in employment, measured at not less than 6 months and 1 year, respectively, after completion of the program;

''(III) in the case of a job training program that prepares students for a professional license or certification exam, the share of such students who pass such exams;

''(IV) the share of such students who continue enrollment at the institution of higher education offering the program within 1 year;

''(V) the share of such students who transfer to another institution of higher education within 1 year; and

''(VI) the share of such students who complete a subsequent certificate or degree program within 6 years.

''(C) EXCEPTIONS.—Notwithstanding any other provision of this paragraph—

''(i) if disclosure of disaggregated data under subparagraph (B) is prohibited from disclosure due to applicable privacy restrictions, the Secretary may take such steps as the Secretary determines necessary to provide meaningful disaggregated student demographic or outcome information, including by combining categories; and

''(ii) an institution may submit, and the Secretary may publish, data required to be collected under subparagraph (B) that is obtained through a State Unemployment Insurance Agency or through other supplemental means, in lieu of any additional data collection, provided that such data are statistically rigorous, accurate, comparable, and representative.

''(D) REPORT.—Not later than July 1, 2025, the Secretary shall—

''(i) submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives a report on the impact of an eligible job training program for which the Secretary awards job training Federal Pell Grants under this subsection, based on the most recent data collected under subparagraph (B); and

''(ii) make the report described in clause (i) available publicly on the website of the Department.''.

(d) FUTURE ENACTMENT OF JOB TRAINING FEDERAL PELL GRANT PROGRAM.—

(1) IN GENERAL.—Section 401 of the Higher Education Act of 1965 (20 U.S.C. 1070a), as amended by section 703 of the FAFSA Simplification Act (title VII of division FF of Public Law 116–260), is further amended by adding at the end the following:

''(k) JOB TRAINING FEDERAL PELL GRANT PROGRAM.—

''(1) DEFINITIONS.—In this subsection:

''(A) CAREER AND TECHNICAL EDUCATION.—The term 'career and technical education' has the meaning given the term in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006.

''(B) ELIGIBLE JOB TRAINING PROGRAM.—

''(i) IN GENERAL.—The term 'eligible job training program' means a career and technical education program at an eligible institution of higher education that—

''(I) provides not less than 150, and not more than 600, clock hours of instructional time over a period of not less than 8 weeks and not more than 15 weeks;

''(II) provides training aligned with the requirements of high-skill, high-wage, or in-demand industry sectors or occupations in the State or local area in which the job training program is provided, as determined by—

''(aa) a State board or local board;

''(bb) a State plan, as described in section 122(d)(13)(C) of the Carl D. Perkins Career and Technical Education Act of 2006; or

''(cc) a comprehensive local needs assessment, as described in section 134(c) of the Carl D. Perkins Career and Technical Education Act of 2006;

''(III) is a program—

''(aa) provided through an eligible training provider, as described under section 122(d) of the Workforce Innovation and Opportunity Act; and

''(bb) subject to the reporting requirements of section 116(d)(4) of the Workforce Innovation and Opportunity Act, or would be subject to such requirements except for a waiver issued to a State under section 189(i) of the Workforce Innovation and Opportunity Act;

''(IV) provides a student, upon completion of the program, with a degree or recognized postsecondary credential that is stackable and portable across multiple employers and geographical areas;

''(V) has demonstrated that the median change in total earnings for students who complete the program is an increase of not less than 20 percent, in accordance with paragraph (2);

''(VI) publishes prominently on the website of the institution, and provides a written disclosure to each prospective student prior to entering into an enrollment agreement for such program (which each such student shall confirm receiving through a written affirmation prior to entering such enrollment agreement) containing, at a minimum, the following information calculated, as applicable, in accordance with paragraph (8)—

''(aa) the required tuition and fees of the program;

''(bb) the difference between required tuition and fees described in item (aa) and any grant aid (which does not need to be repaid) provided to the student;

''(cc) the completion rate of the program;

''(dd) the percentage of students placed or retained in employment, measured at not less than 6 months and 1 year, respectively, after completion of the program;

''(ee) total earnings of students who complete the program not less than 6 months after completion of the program;

''(ff) total earnings of students who do not complete the program;

''(gg) the ratio of the amount that is the difference between required tuition and fees and any grant aid provided to the student described in item (bb) to the total earnings of students who complete the program not less

than 6 months after completion of the program described in item (ee);

''(hh) an explanation, in clear and plain language, of the ratio described in item (gg); and

''(ii) in the case of a job training program that prepares students for a professional license or certification exam, the share of such students who pass such exams;

''(VII) has been determined by the eligible institution of higher education (after validation of that determination by an industry or sector partnership or State board or local board) to provide academic content, an amount of instructional time, and competencies to satisfy any applicable educational requirement for professional licensure or certification, so that the student who completes the program and seeks employment is qualified to take any licensure or certification examination needed to practice or find employment in such sectors or occupations that the program prepares students to enter;

''(VIII) has been in operation for not less than 1 year prior to becoming an eligible job training program under this subsection;

''(IX) does not exceed by more than 50 percent the minimum number of clock hours required by a State to receive a professional license or certification in the State, if the State has established such a requirement;

''(X) includes institutional credit articulation for a student enrolled in a noncredit job training program;

''(XI) is not offered exclusively through distance education or a correspondence course, except as determined by the Secretary to be necessary, on a temporary basis, in connection with a—

''(aa) major disaster or emergency declared by the President under section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191); or

''(bb) national emergency declared by the President under section 201 of the National Emergencies Act (50 U.S.C. 1601 et seq.);

''(XII) is provided not less than 50 percent directly by the eligible institution of higher education;

''(XIII) may include integrated education and training; and

''(XIV) may be offered as part of a program that—

''(aa) meets the requirements of section 484(d)(2);

''(bb) is part of a career pathway, as defined in section 3 of the Workforce Innovation and Opportunity Act; and

''(cc) is aligned to a program of study, as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006.

''(ii) APPROVAL BY THE SECRETARY.—

''(I) IN GENERAL.—In the case of a program that is seeking to establish initial eligibility as an eligible job training program under this subparagraph, the Secretary shall make a determination whether the program meets the requirements of this subparagraph not more than 120 days after the date on which such program is submitted for consideration as an eligible job training program. If the Secretary determines the program meets the requirements of this paragraph, the Secretary shall grant an initial period of approval of 2 years. The Secretary shall enable institutions to apply for eligible job training program approval not later than 1 year after the date of enactment of the Infrastructure Investment and Jobs Act.

''(II) PUBLICATION OF APPLICATION.—Not later than 1 year after the date of enactment of the Infrastructure Investment and Jobs Act, the Secretary shall publish the application for job training programs to submit for approval as eligible job training programs. The information required to determine eligibility in such application shall be consistent with the requirements described in this subparagraph.

''(iii) RENEWAL OF APPROVAL BY THE SECRETARY.—An eligible job training program that desires to continue eligibility as an eligible job training program after the period of initial approval described in clause (ii), or the subsequent period described in this clause, shall submit a renewal application to the Secretary (with such information as the Secretary may require), not more than 270 days and not less than 180 days before the end of the previous approval period. If the Secretary determines the program meets such requirements, the Secretary shall grant another period of approval for 3 years.

''(iv) PERIODIC REVIEW BY THE SECRETARY.—The Secretary shall periodically review a program previously approved under clause (ii) or (iii) to determine whether such program is meeting the requirements of an eligible job training program described in this subsection.

''(v) REVOCATION OF APPROVAL BY THE SECRETARY.—If at any time the Secretary determines that a program previously approved under clause (ii) or (iii) is no longer meeting any of the requirements of an eligible job training program described in this subsection, the Secretary—

''(I) shall deny a subsequent renewal of approval in accordance with clause (iii) for such program after the expiration of the approval period;

''(II) may withdraw approval for such program before the expiration of the approval period;

''(III) shall ensure students who enrolled in such programs have access to transcripts for completed coursework without a fee or monetary charge and without regard to any balance owed to the institution; and

''(IV) shall prohibit such program and any substantially similar program, from being considered an eligible job training described in this subsection for a period of not less than 5 years.

''(vi) ADDITIONAL ASSURANCE BY STATE BOARD.—The Secretary shall not determine that a program is an eligible job training program in accordance with clause (ii) unless the Secretary receives a certification from the State board representing the State in which the eligible job training program is provided, containing an assurance that the program meets the requirements of clause (i).

''(C) TOTAL EARNINGS.—For the purposes of this subsection, the term 'total earnings' means the median annual earnings.

''(D) ELIGIBLE INSTITUTION OF HIGHER EDUCATION.—For the purposes of this subsection, the term 'eligible institution of higher education' means—

''(i) an institution of higher education, as defined in section 101;

''(ii) a postsecondary vocational institution, as defined in section 102(c); and

''(iii) an institution of higher education—

''(I) approved by an accrediting agency or association that meets the requirements of section 496(a)(4)(C);

''(II) that has not been a proprietary institution of higher education, as defined in section 102(b), within the previous 3 years; and

''(III) that has not been subject, during any of the preceding 5 years, to—

''(aa) any suspension, emergency action, or termination of programs under this title;

''(bb) any adverse action by the institution's accrediting agency or association; or

''(cc) any action by the State to revoke a license or other authority to operate.

''(E) INSTITUTIONAL CREDIT ARTICULATION.—The term 'institutional credit articulation' means the situation where an institution of higher education provides a student who has completed a noncredit program with the equivalent academic credit that may be applied to a subsequent credit-bearing certificate or degree program upon enrollment in such program at such institution.

''(F) WIOA DEFINITIONS.—The terms 'industry or sector partnership', 'in-demand industry sector or occupation', 'recognized postsecondary credential', 'local board', and 'State board' have the meanings given such terms in section 3 of the Workforce Innovation and Opportunity Act.

''(2) TOTAL EARNINGS INCREASE REQUIREMENT.—

''(A) IN GENERAL.—Subject to subparagraph (B), as a condition of participation under this subsection, the Secretary shall, using the data collected under paragraph (8) and such other information as the Secretary may require, determine whether such job training program meets the requirements of paragraph (1)(B)(i)(V) with respect to whether the median change in annual earnings for students who complete the program is an increase of not less than 20 percent of the total earnings of such students before enrollment in the program. For the purposes of this paragraph, the Secretary shall determine such percentage increase by calculating the difference between the total earnings of students who enroll in such programs not more than 6 months prior to enrollment, and the earnings of students who complete such program not more than 6 months after completing such program.

''(B) DATE OF EFFECT.—The requirement under this paragraph shall take effect beginning on the date that is 1 year after the date the program has been approved as an eligible job training program under this subsection.

''(3) APPEAL OF EARNINGS INFORMATION.—The Secretary's determination under paragraph (2) may include an appeals process to permit job training programs to submit alternate discretionary or total earnings data, respectively, provided that such data are statistically rigorous, accurate, comparable, and representative of students who complete the program.

''(4) AUTHORIZATION OF AWARDS.—The Secretary shall award Federal Pell Grants to students in eligible job training programs (referred to as a 'job training Federal Pell Grant'). Each eligible job training Federal Pell Grant awarded under this subsection shall have the same terms and conditions, and be awarded in the same manner, as other Federal Pell Grants awarded under subsection (b), except a student who is eligible to receive a job training Federal Pell Grant under this subsection is a student who—

''(A) has not yet attained a postbaccalaureate degree;

''(B) is enrolled, or accepted for enrollment, in an eligible job training program at an eligible institution of higher education; and

''(C) meets all other eligibility requirements for a Federal Pell Grant (except with respect to the type of program of study, as provided in subparagraph (B)).

''(5) AMOUNT OF AWARD.—The amount of a job training Federal Pell Grant for an eligible student shall be determined under subsection (b), except that a student who is eligible for less than the minimum Federal Pell Grant because the eligible job training program is less than an academic year (in clock-hours and weeks of instructional time) may still be eligible for a Federal Pell Grant.

''(6) INCLUSION IN TOTAL ELIGIBILITY PERIOD.—Any period during which a student receives a job training Federal Pell Grant under this subsection shall be included in calculating the student's period of eligibility for Federal Pell Grants under subsection (d), and the eligibility requirements regarding

students who are enrolled in an undergraduate program on less than a full-time basis shall similarly apply to students who are enrolled in an eligible job training program at an eligible institution of higher education on less than a full-time basis.

''(7) SAME PAYMENT PERIOD.—No student may for the same payment period receive both a job training Federal Pell Grant under this subsection and a Federal Pell Grant under this section.

''(8) INTERAGENCY DATA SHARING AND DATA COLLECTION.—

''(A) INTERAGENCY DATA SHARING.—The Secretary shall coordinate and enter into a data sharing agreement with the Secretary of Labor to ensure access to data necessary to implement this paragraph, including such data related to indicators of performance collected under section 116 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141).

''(B) DATA ON ELIGIBLE JOB TRAINING PROGRAMS.—Except as provided under subparagraph (C), each institution of higher education offering an eligible job training program for which the Secretary awards job training Federal Pell Grants under this subsection, the Secretary shall, on at least an annual basis, collect and publish data with respect to each such eligible job training program, including the following:

''(i) The number and demographics of students who enroll in the program, including, at a minimum, disaggregated by—

''(I) sex;

''(II) race and ethnicity;

''(III) classification as a student with a disability;

''(IV) income quintile, as defined by the Secretary;

''(V) recipients of assistance under a tuition assistance program conducted by the Department of Defense under section 1784a or 2007 of title 10, United States Code (or other authorities available to the Department of Defense), or status as a veteran;

''(VI) status as a first-time student or transfer student from another institution;

''(VII) status as a first-generation student;

''(VIII) status as parent or guardian of 1 or more dependent children; and

''(IX) status as a confined or incarcerated individual, as defined under section 484(t)(1)(A).

''(ii) The number and demographics, disaggregated by the categories listed in clause (i), including, at a minimum, of—

''(I) students who complete the program; and

''(II) students who do not complete the program.

''(iii) The required tuition and fees of the program.

''(iv) The earnings of students, disaggregated by the categories listed in clause (i), including, at a minimum—

''(I) total earnings of students who complete the program; and

''(II) total earnings of students who do not complete the program.

''(v) Additional outcomes of the students who complete the program, disaggregated by the categories listed in clause (i), including, at a minimum—

''(I) the completion rate of such students;

''(II) the percentage of such students placed or retained in employment, measured at not less than 6 months and 1 year, respectively, after completion of the program;

''(III) in the case of a job training program that prepares students for a professional license or certification exam, the share of such students who pass such exams;

''(IV) the share of such students who continue enrollment at the institution of higher education offering the program within 1 year;

''(V) the share of such students who transfer to another institution of higher education within 1 year; and

''(VI) the share of such students who complete a subsequent certificate or degree program within 6 years.

''(C) EXCEPTIONS.—Notwithstanding any other provision of this paragraph—

''(i) if disclosure of disaggregated data under subparagraph (B) is prohibited from disclosure due to applicable privacy restrictions, the Secretary may take such steps as the Secretary determines necessary to provide meaningful disaggregated student demographic or outcome information, including by combining categories; and

''(ii) an institution may submit, and the Secretary may publish, data required to be collected under subparagraph (B) that is obtained through a State Unemployment Insurance Agency or through other supplemental means, in lieu of any additional data collection, provided that such data are statistically rigorous, accurate, comparable, and representative.

''(D) REPORT.—Not later than July 1, 2025, the Secretary shall—

''(i) submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives a report on the impact of an eligible job training program for which the Secretary awards job training Federal Pell Grants under this subsection, based on the most recent data collected under subparagraph (B); and

''(ii) make the report described in clause (i) available publicly on the website of the Department.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if included in section 703 of the FAFSA Simplification Act (title VII of division FF of Public Law 116–260).

(e) WORKFORCE INNOVATION AND OPPORTUNITY ACT AMENDMENT.—Section 116(i) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141(i)) is amended by adding at the end the following:

''(4) INTERAGENCY DATA SHARING FOR JOB TRAINING FEDERAL PELL GRANT PROGRAM.—The Secretary of Labor shall coordinate and enter into a data sharing agreement with the Secretary of Education to ensure access to data necessary to implement section 401(k) of the Higher Education Act of 1965 (20 U.S.C. 1070a(k)), as added by section 13011 of the Infrastructure Investment and Jobs Act, including such applicable data related to unemployment insurance, wage information, employment-related outcomes, and indicators of performance collected under this section.''.

(f) ACCREDITING AGENCY RECOGNITION OF ELIGIBLE JOB TRAINING PROGRAMS.—Section 496(a)(4) of the Higher Education Act of 1965 (20 U.S.C. 1099b(a)(4)) is amended—

(1) in subparagraph (A), by striking ''and'' after the semicolon;

(2) in subparagraph (B)(ii), by inserting ''and'' after the semicolon; and

(3) by adding at the end the following:

''(C) if such agency or association has or seeks to include within its scope of recognition the evaluation of the quality of institutions of higher education participating in the job training Federal Pell Grant program under section 401(k), such agency or association shall, in addition to meeting the other requirements of this subpart, demonstrate to the Secretary that, with respect to such eligible job training programs (as defined in that subsection)—

''(i) the agency or association's standards include a process for determining if the institution has the capability to effectively offer an eligible job training program; and

''(ii) the agency or association requires a demonstration that the program—

''(I) has identified each recognized postsecondary credential offered in the relevant industry in the State or local area where the industry is located; and

''(II) provides academic content, an amount of instructional time, and competencies to satisfy any applicable educational requirement for professional licensure or certification, so that a student who completes the program and seeks employment is qualified to take any licensure or certification examination needed to practice or find employment in the sectors or occupations that the program prepares students to enter.''.

(g) RESCISSION.—Of the amounts appropriated under section 401(b)(7)(A)(iv)(XI) of the Higher Education Act of 1965 (20 U.S.C. 1070a(b)(7)(A)(iv)(XI)) for fiscal year 2021, $120,000,000 are rescinded.

(h) EFFECTIVE DATE.—Except as otherwise provided, this section and the amendments made by this section shall take effect on the date of enactment of this Act.

SA 2142. Mr. MARKEY (for himself and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. NORTH ATLANTIC RAIL INTERSTATE COMPACT.

(a) IN GENERAL.—Chapter 249 of title 49, United States Code, is amended by inserting after section 24905 the following:

''§ 24905A. North Atlantic Rail Interstate Compact; North Atlantic Rail Network

''(a) NORTH ATLANTIC RAIL INTERSTATE COMPACT.—

''(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this section, the Secretary of Transportation shall appoint a director for the North Atlantic Rail Interstate Compact (referred to in this section as the 'Compact') in collaboration with states identified in paragraph (2)(A).

''(2) BOARD OF DIRECTORS.—

''(A) COMPOSITION.—The Compact shall be governed by a board of directors, which shall be composed of directors, of whom—

''(i) 2 directors shall be appointed by the Secretary of Transportation;

''(ii) 1 director shall be appointed by the Chief Executive Officer of Amtrak;

''(iii) 2 directors shall be appointed by the Governor of Connecticut;

''(iv) 2 directors shall be appointed by the Governor of Maine;

''(v) 2 directors shall be appointed by the Governor of Massachusetts;

''(vi) 2 directors shall be appointed by the Governor of New Hampshire;

''(vii) 2 directors shall be appointed by the Governor of New York;

''(viii) 2 directors shall be appointed by the Governor of Rhode Island; and

''(ix) 2 directors shall be appointed by the Governor of Vermont.

''(B) TERM; QUALIFICATIONS.—Of the individuals appointed pursuant to each of the clauses (iii) through (ix) of paragraph (1)—

''(i) 1 shall be the head of the respective State department of transportation; and

''(ii) the other director appointed by the respective governor—

''(I) shall serve for a 5-year term;

''(II) shall be a resident of the appointing governor's State;