

BILL NUMBER:

SPONSOR:

TITLE OF BILL:

The Youth Engagement Act

PURPOSE:

To prescribe procedures for effective consultation and coordination by Federal agencies with youth and young adults regarding Federal Government actions that impact young people's interests to ensure that meaningful youth input is an integral part of the Federal decision-making process.

BILL LANGUAGE:

A BILL

To prescribe procedures for effective consultation and coordination by Federal agencies with youth and young adults regarding Federal Government actions that impact young people's interests to ensure that meaningful youth input is an integral part of the Federal decision-making process.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Short title.

(a) SHORT TITLE.—This Act may be cited as the "Youth Engagement Act" or the "YEA".

SEC.2. Table of contents.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Sense of Congress.

Sec. 4. Definitions.

TITLE I—ESTABLISHING DESIGNATED YOUTH LEADERS

TITLE II—STANDARDS FOR CONSULTATION
TITLE III—CONSULTATION PROCEDURES
TITLE IV—DOCUMENTATION AND REPORTING
TITLE V—IMPLEMENTATION AND TRAINING
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TITLE VII—STATE YOUTH LEADERSHIP FUND
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SEC. 3. Sense of Congress.

It is the sense of Congress that—

(1) consultation constitutes more than simply notifying young people about a planned undertaking;

(2) effective, meaningful consultation requires a two-way exchange of information, a willingness to listen, an attempt to understand and to genuinely consider each other's opinions, beliefs, and desired outcomes, and a seeking of agreement on how to proceed concerning the issues at hand; and

(3) consultation can be considered effective and meaningful when each party demonstrates a genuine commitment to learn, acknowledge, and respect the positions, perspectives, and concerns of the other parties and when Federal agencies accommodate youth concerns to the extent feasible and consistent with applicable law.

SEC. 4. Definitions.

For the purposes of this Act:

(1) **ACTIVITY.**—The term “activity” means any plan, project, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including—

(A) those carried out by or on behalf of an agency;

(B) those carried out with Federal financial assistance;

(C) those requiring a Federal permit, license, or approval; and

(D) those subject to state or local regulation administered pursuant to a delegation or approval by a Federal agency.

(2) AGENCY.—The term “agency” means any authority of the United States that is an agency under section 551 of title 5, United States Code.

(3) LEAD AGENCY.—The term “lead agency” means a designated agency that will fulfill the collective consultation responsibilities under this Act if more than one agency is involved in an activity or regulatory action. Any agency that does not designate a lead agency shall remain individually responsible for the consultation responsibilities of that agency under this Act.

(4) MEMORANDUM OF AGREEMENT.—The term “memorandum of agreement” means a document that records the terms and conditions agreed upon by an agency, or lead agency, and designated Youth Leaders through the consultation process regarding an activity or regulatory action.

(5) NEW DISCOVERY.—The term “new discovery” means any unexpected development that occurs during the course of an activity, unanticipated impacts on organisms or ecosystems, or the realization of unintended consequences that may have impacts on young people’s livelihoods.

(6) REGULATORY ACTION.—The term “regulatory action” means any regulation, policy, guidance, or grant funding formula change that is proposed by an agency.

(8) STANDARD METHOD OF COMMUNICATION.—The term “standard method of communication” means the mode of communication that the agency uses in the typical course

of communicating with persons outside the Federal Government.

(9) STANDARD PROCESS.—The term “standard process” means a process for Federal agency and youth leader interactions agreed to by both parties through consultation and certified in a memorandum of agreement that applies to certain specified activities or regulatory actions, or to limited categories of activities or regulatory actions.

(11) Youth IMPACT.—The term “Youth Impact” means any Federal action that may have an impact on youth, including—

(A) Economic justice policies, including poverty, college affordability and student loans, employment, education, homelessness, housing and transportation, labor and jobs;

(B) Healing and wellbeing policies, including health care, behavioral and physical health, mental health, social media usage, reproductive justice, substance use and vaping,

(C) Justice and safe communities policies, including, safety, bullying, juvenile justice, foster care, child welfare, gun violence;

(D) Immigration justice policies, including immigration and undocumented youth, and immigration enforcement;

(E) Environmental justice policies, including the climate crisis and green economy

(F) Democracy and civic engagement policies, including civic engagement, youth development, LGBTQ Civil Rights, Racial and gender equity

or

(G) Any other policy or fiscal issues deemed appropriate by designated youth leaders.

(12) DESIGNATED YOUTH LEADERS.—The term “designated youth leaders” means the 100 young people ages 14-25 identified through a public sign up process to include significant representation from young people who have experienced racism, immigration, poverty, a disability, youth homelessness, foster care, juvenile incarceration, or identify as LGBTQ+, young parents, or Indigenous.

Title I - Establishing Designated Youth Leaders

John C. Stennis Center for Public Service shall be responsible for managing the Designated Youth Leaders.

TITLE II—Standards for Consultation

SEC. 201. Standards for consultation.

(a) SCOPE.—Consultation with no fewer than 10 designated Youth Leaders shall occur before undertaking any proposed Federal activity or finalizing any Federal regulatory action that may have youth impacts.

(b) LIMITATION.—Nothing in this Act shall—

(1) exempt an agency from additional consultation required under any other law or from taking any other consultative actions as required by any other law or agency prerogative in addition to those required by this Act; or

(2) preclude an agency from additional consultation that complies with agency regulations for consultation, advances agency consultation practices, or supports agency efforts to build or strengthen relationships with designated Youth Leaders.

TITLE III—Consultation Procedures

SEC. 301. Assessing Youth impacts.

As early as possible in the planning stage of an activity or a regulatory action, the agency, or lead agency, shall—

(1) prepare a Youth Impact Statement that identifies any potential Youth impacts of the proposed activity or regulatory action. At a minimum, the Youth Impact Statement shall include the scope of the activity or regulatory action being considered, including any issue area that might be affected, as well as a list of all affected youth populations; and

(3) publish the completed Youth Impact Statement in the Federal Register, before any further action on the proposed activity or regulatory action.

SEC. 302. Consultation stage.

(a) INITIAL CONSULTATION OUTREACH.—The agency, or lead agency, shall—

(1) transmit, via the agency's standard method of communication, a formal request for a consultation meeting, along with a copy of the proposed activity or regulatory action as well as a copy of the Youth Impact Statement as prepared according to section 201, to designated youth leaders;

(2) at the request of a member of the public, transmit, via the agency's standard method of communication, a copy of the Youth Impact Statement and the letter requesting a consultation meeting to additional stakeholders;

(3) follow up within 5 business days to ensure receipt of the documents by all intended recipients; and

(4) if the documents were not received by any of the intended recipients, retransmit all materials via a form of communication that is suitable to the recipient.

(b) NON-RESPONSE TO CONSULTATION OUTREACH.—If, after a good faith effort, the agency, or lead agency, fails to engage designated youth leaders in the consultation process, the agency, or lead agency, may conclude its consultation efforts by providing the designated youth leaders with a written notification and explanation for its decision, signed by the

head of the agency, or lead agency, which shall be made part of the official consultation record as described in section 301(a).

(c) MEETING ARRANGEMENTS.—

(1) The agency, or lead agency, shall negotiate with designated youth leaders to determine the format, agenda, and goals of a consultation meeting, and shall keep thorough documentation of all steps taken to engage the designated youth leaders in consultation meetings.

(d) CONSULTATION MEETING REQUIREMENTS.—A consultation meeting shall—

(1) begin with confirmation of the format, agenda, and goals of the meeting, with adequate time scheduled for introductions;

(2) be structured to allow for meaningful and respectful interaction throughout the meeting among all meeting participants; and

(3) conclude with planning for the next meeting, if necessary, as well as confirmation of the method of any potential interim communications between all parties participating in the consultation.

(e) CONCLUSION OF CONSULTATION WITH A MEMORANDUM OF AGREEMENT.—

(1) Except as provided by subsection (b), subsection (f), and subsection (g), consultation shall conclude only upon the execution of a memorandum of agreement signed by the head of the agency, or lead agency, and participating designated youth leaders.

(2) The memorandum of agreement—

(A) may address multiple activities or regulatory actions if the activities or regulatory actions are similar and repetitive in nature, or are multistate or

regional in scope, or where routine management activities are undertaken at Federal installations, facilities, or other land management units;

(B) may establish standard processes for certain categories of activities and regulatory actions determined through consultation and defined in the memorandum of agreement;

(C) shall, in the case of a proposed activity—

(i) include a provision for monitoring and reporting on the implementation of the activity;

(ii) include provisions for reconsideration if the activity has not been completed within a specified time; and

(iii) include provisions to address new discoveries, which may include halting the activity and returning to the consultation stage.

(3) The signed memorandum of agreement may be amended at any time by the joint approval of all signatories.

(f) CONCLUSION OF CONSULTATION WITHOUT A MEMORANDUM OF AGREEMENT.—

(1) The agency, or lead agency, shall make a good faith effort through sustained interaction and collaboration to reach a consensus resulting in a memorandum of agreement.

(2) If, after a good faith effort, the agency, or lead agency, determines that further consultation will not be productive, it may conclude consultation by providing the designated Youth Leaders with a written notification and explanation for its decision, including identification of any legal, policy, or factual barriers that prevented the agency from reaching agreement with the designated youth leaders, signed by the head of the agency, or lead agency, which shall be made part of the official consultation record as described in section 301(a).

(g) DESIGNATED YOUTH LEADER WITHDRAWAL FROM CONSULTATION.—A Designated Youth Leader may at any point decide to withdraw from the consultation process. In such case, the agency, or lead agency, shall provide the affected Designated Youth Leader with the opportunity to submit a written statement, explanation, or comment on the consultation proceedings that will become part of the official consultation record as described in section 301(a).

SEC. 303. Decision stage for proposed activity.

(a) PROPOSAL DOCUMENT.—Upon completion of the consultation stage pursuant to section 202, the agency, or lead agency, shall—

(1) compile a proposal document consisting of the plan for the proposed activity, its anticipated Youth impacts, and any signed memorandum of agreement;

(2) include sufficient supporting documentation to the extent permitted by law to enable any reviewing parties to understand its basis;

(3) transmit, via the agency's standard method of communication, a copy of the proposal document to the designated Youth Leaders, including those that withdrew from the process;

(4) follow up within 5 business days to ensure receipt of the proposal document by all intended recipients;

(5) if the proposal document was not received by an intended recipient, retransmit all material via a form of communication that is suitable to the recipient; and

(6) after the verified receipt of the proposal document by all intended recipients, the proposal document shall be published in the Federal Register.

(b) PUBLIC COMMENT PERIOD.—The agency, or lead agency, shall provide a period of not less than 90 days after publication of the proposal document in the Federal Register for public

comment. A 30-day extension of the 90-day period shall be automatically granted upon request by designated youth leaders.

(c) PRELIMINARY DECISION DOCUMENT.—After expiration of the public comment period pursuant to subsection (b), the agency, or lead agency, shall prepare a preliminary decision letter, signed by the head of the agency, or lead agency, that shall—

(1) state the decision to proceed or not proceed with the activity;

(2) state the rationale for the decision;

(3) list any changes to the proposed activity made in response to the comments filed pursuant to subsection (b);

(4) specifically address any points where the decision conflicts with the request of designated youth leaders, including a detailed explanation of why the request was disregarded;

(5) transmit, via the agency's standard method of communication, a copy of the preliminary decision letter to the designated Youth Leaders, including those that withdrew from the process;

(6) follow up within 5 business days to ensure receipt of the preliminary decision letter by all intended recipients; and

(7) if the preliminary decision letter was not received by an intended recipient, retransmit the material via a form of communication that is suitable to the recipient.

(d) YOUTH RESPONSE PERIOD.—The agency, or lead agency, shall provide a period of no less than 45 days after issuance of the preliminary decision letter for a response by designated youth leaders.

(e) FINAL DECISION DOCUMENT.—After expiration of the Youth Response Period pursuant to subsection (d), the agency, or lead agency, shall prepare a letter stating the final decision of the agency, signed by the head of the agency, or lead agency, that shall—

(1) state the decision to proceed or not proceed with the activity;

(2) state the rationale for the decision;

(3) list any changes to the preliminary decision in response to comments received from designated youth leaders pursuant to subsection (d);

(4) specifically address any points where the final decision conflicts with the request of designated youth leaders, including a detailed explanation of why the request was disregarded;

(5) transmit, via the agency's standard method of communication, a copy of the final decision letter to the designated Youth Leaders, including those that withdrew from the process;

(6) follow up after 5 business days to ensure receipt of the final decision letter by all intended recipients; and

(7) if the final decision letter was not received by an intended recipient, retransmit the material via a form of communication that is suitable to the recipient.

(f) PUBLICATION OF LETTER.—The agency shall make public the final decision letter.

SEC. 304. Decision stage for proposed regulatory action.

(a) DECISION DOCUMENT.—Upon completion of the consultation stage pursuant to section 202, the agency, or lead agency, shall prepare a decision letter, signed by the head of the agency, or lead agency, that shall—

(1) state the decision to proceed or not proceed with the proposed regulatory action;

(2) state the rationale for the decision;

(3) list any changes to the proposed regulatory action made at the request of the Designated Youth Leaders during the consultation process as outlined in section 202;

(4) specifically address any points where the decision conflicts with the request of the Designated Youth Leaders, along with a detailed explanation of why the request was disregarded;

(5) transmit, via the agency's standard method of communication, a copy of the decision letter to the designated Youth Leaders, including those that withdrew from the process;

(6) follow up within 5 business days to ensure receipt of the decision letter by all intended recipients; and

(7) if the decision letter was not received by an intended recipient, retransmit the material via a form of communication that is suitable to the recipient.

(b) PUBLICATION IN FEDERAL REGISTER.—The decision letter shall be published in the Federal Register alongside the final decision on the regulatory action, excluding all information designated as sensitive by the Designated Youth Leader(s) pursuant to section 502.

TITLE IV—Documentation and Reporting

SEC. 401. Documentation and reporting.

(a) OFFICIAL CONSULTATION RECORD.—The agency, or lead agency, shall—

(1) keep an official consultation record that allows accurate tracking of the process so that the agency and all consulting parties can correct any errors or

omissions, and provides an official record of the process that can be referred to in any litigation that may arise;

(2) document all efforts to initiate consultation as well as documenting the process once it has begun, such as correspondence, telephone logs, and emails;

(3) keep notes so that the consultation record documents the content of consultation meetings, site visits, and phone calls in addition to information about dates and who participated;

(4) include all documentation in the official consultation record; and

(b) **PAYMENT FOR YOUTH DOCUMENTATION WORK.**—If the agency, or lead agency, asks designated youth leaders for specific information or documentation that in any way fulfills the duties of the agency in a role similar to that of a consultant or contractor, then the agency, or lead agency, must pay for such services, as it would for any private consultant or contractor.

(c) **REPORT TO CONGRESS.**—Each agency shall submit a biennial report on its consultation activities to Congress, including outcomes.

TITLE V—Implementation and Training

SEC. 501. Designated agency official.

No later than 90 days after the date of the enactment of this Act—

(1) the head of each agency shall designate an official with principal responsibility for the agency's implementation of this Act; and

(2) each bureau or office within the agency shall designate one or more officials with the responsibility to work with the principal agency official on implementation of this Act.

SEC. 502. Consultation policy.

No later than 180 days after enactment of this Act, the designated agency official shall submit to the Office of Management and Budget a description of the agency's consultation policy, including all designated agency officials, in conformity with this Act.

SEC. 503. Training.

Each agency shall design training for staff aimed at improving the agency's capacity for interacting with designated Youth Leaders and executing the consultation process. The training shall—

(1) promote consultation, communication, collaboration, and other interactions with designated Youth Leaders;

(2) outline and reinforce the agency duties concerning Youth interests; and

(3) strengthen the understanding of authentic youth engagement, mandated reporting laws.

TITLE VI—Judicial Review

SEC. 601. Judicial review.

Designated Youth Leaders may seek judicial review of a determination of an agency under this Act in accordance with subchapter II of [chapter 5](#) of title 5, United States Code, and [chapter 7](#) of title 5, United States Code (commonly known as the Administrative Procedure Act), if the designated youth leaders have exhausted all other administrative remedies available to the

Title VII - Payment of Youth Council

Designated youth council members shall be compensated for their work. Each member shall be paid xx amount by the relevant agency for each consultation meeting they attend plus xx amount for reviewing the proposal prior to the consultation meeting. The amount will increase every year with the rate of inflation.

TITLE VIII—State Youth Leadership Fund

SEC. 801. Purposes.

The purposes of this section are to—

(1) provide states funding to establish or support state-level youth leadership structures;

SEC. 802. Definitions.

In this Act:

(1) STATE LEVEL YOUTH LEADERSHIP STRUCTURE.—The term “state level youth leadership structure” means—

(A) a commission, congress, or advisory board composed of designated youth leaders

(B) Provides meaningful opportunities for actual civic engagement to improve the quality of life for the state’s disconnected and disadvantaged youth

(C) Makes meaningful recommendations regarding legislation and policies that impact their own lives and the lives of millions of other youths in their estate whose voices often go unheard.

(2) DESIGNATED YOUTH LEADERS.—The term “designated youth leaders” means young people ages 14-25 identified through a state determined process to include significant representation from young people who have experienced racism, immigration, poverty, a disability, youth homelessness, foster care, juvenile incarceration, or identify as LGBTQ+, young parents, or Indigenous.

SEC. 803. Formula grants to States and local areas.

(a) FUNDING ALLOTMENTS AND ALLOCATIONS.—

(1) STATE ALLOTMENTS.—To assist States and outlying areas, and to enable States and outlying areas to assist local areas, in establishing and sustaining state-level

youth leadership structures described in subsection (1), from the funds appropriated to the John C. Stennis Center for Public Service Training and Development Act—

(A) make an allotment of \$155,000 to each state; and

(B) award a grant of \$155,000 to each territory and outlying area to carry out state-level youth leadership structures.

(C) An additional sum of \$50,000 to the ten states with the highest numbers of youth belonging to priority populations in section 129(a)(1)(B) of the Workforce Innovation and Opportunity Act; and the 10 states with the lowest number of youth participating in 21st Century Community Learning Center Programs as a proportion of eligible students.

(2) WITHIN STATE ALLOCATION.—

(A) STATEWIDE ACTIVITIES.—Each State shall reserve 75 percent of the allotment received under paragraph (1)(A) to carry out statewide youth leadership structures as defined in (b).

(B) ALLOCATIONS TO LOCAL AREAS.—A Governor of a State that receives an allotment under paragraph (1), in coordination with relevant State and local stakeholders, may use any remaining amounts (after reserving funds under subparagraph (A)), to allocate funds to local areas, as long the remaining amount is allocated to—

(i) Local areas that have faced acute or long-term exposure to substantial discrimination, historical oppression, intergenerational poverty, civil unrest, a high rate of violence, or drug overdose deaths.

(b) USES OF FUNDS.—

(1) STATE-LEVEL YOUTH LEADERSHIP STRUCTURES.—

(A) IN GENERAL.—Funds allotted to States shall be used to establish and sustain state-level youth leadership structures described in paragraph (1) that—

(B) Provide meaningful opportunities for actual civic engagement to improve the quality of life for the state's disconnected and disadvantaged youth

(C) Make meaningful recommendations regarding legislation and policies that impact their own lives and the lives of other youths in their state whose voices often go unheard.

(2) FUNDING DISTRIBUTION.—Of the funds allotted to States, as described in paragraph (1) for a fiscal year:

(A) Not less than X percent shall be used to compensate designated youth leaders while on official state business and reimburse their actual necessary traveling expenses while on official state business. For designated youth leaders between 14 and 18 years of age, or with a disability, a parent, guardian, or caregiver shall be entitled to receive their actual necessary traveling expenses while accompanying the youth on official business.

(B) Any remaining funds may be used for administrative and other allowable costs (such as supplies, materials, equipment, and health and safety resources) incurred by the State or local area, as determined by the Secretary.

(3) CONDITIONS.—Except as otherwise determined by the Secretary, the following conditions shall apply to each state-level youth leadership structure funded under this section:

(A) The state will develop and implement a process to identify designated youth leaders within the state

(B) The state will establish a governance structure for the the commission, congress, or advisory council

(C) The state commits, to the extent possible and allowable under applicable law, to implement the recommendations of the state-level youth leadership body

SEC. 804. Performance evaluation, data collection, and accountability.

(a) IN GENERAL.—Not later than 1 year after the first grant is awarded under section 101, and annually thereafter, each state-level youth leadership structure funded under section 801 shall be evaluated by the State agency receiving an allotment under section 801 to carry out such program.

(b) PERFORMANCE DATA COLLECTION.—The Stennis Center for Public Service shall collect data on—

(1) the performance of each state-level youth leadership structure;

(2) the number of recommendations adopted

(3) the level of authentic youth engagement

(4) the number of designated youth leaders identified

(5) the diversity and equal opportunity amongst designated youth leaders.

SEC. 805. Report to congress.

Not later than DATE, and annually thereafter, the Stennis Center for Public Service shall submit a publicly available report to the Committee on Appropriations of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate that includes—

(1) a review and assessment of all information related to the programs funded under this Act;

(2) any relevant guidance issued by the Secretary with respect to such programs; and

(3) an analysis of equity, diversity, and inclusion activities, best practices, and recommendations for improvement with respect to increasing the success of such programs and outcomes for youth.

SEC. 806. Authorization of appropriations.

(a) MANDATORY FUNDS.—There are authorized to be appropriated, and there are appropriated (in addition to any other amounts appropriated to carry out this section 101 and out of any money in the Treasury not otherwise appropriated), such sums as may be necessary to carry out section 101 for fiscal year 20XX and each of the succeeding 9 fiscal years.

TITLE IX—GAO Report

SEC. 901. GAO report.

(a) IN GENERAL.—Not later than 2 years after the date of the published report in section 105, and every 4 years thereafter, the Comptroller General of the United States shall conduct an independent evaluation of the activities funded under this Act and submit to Congress a report that shall be made publicly available.

(b) EVALUATION.—In conducting the evaluation under subsection (a), the Comptroller General shall consider, as applicable and appropriate, information from the report under section 105.

(c) REPORT.—The report described in subsection (a) shall review, assess, and provide recommendations, as appropriate, on the following:

(1) Compliance with the requirements established under this Act.

(2) The effectiveness of the requirements established under this Act, associated challenges, and trends in the

youth progress made toward the goals described in section 101(b) (1) (A) .

(3) Federal guidance, best practices, and funding recommendations for related Federal youth engagement activities and any innovative State and local actions that improve or further the state level youth engagement.