

MARCH 7, 2013

**RULES COMMITTEE PRINT 113-4**  
**OF H.R. 803, SKILLS ACT**

**[Showing the text of H.R. 803 as ordered reported by the  
Committee on Education and the Workforce]**

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Supporting Knowledge  
3 and Investing in Lifelong Skills Act” or the “SKILLS  
4 Act”.

**5 SEC. 2. TABLE OF CONTENTS.**

6 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. Effective date.

**TITLE I—AMENDMENTS TO THE WORKFORCE INVESTMENT ACT  
OF 1998**

**Subtitle A—Workforce Investment Definitions**

Sec. 101. Definitions.

**Subtitle B—Statewide and Local Workforce Investment Systems**

- Sec. 102. Purpose.
- Sec. 103. State workforce investment boards.
- Sec. 104. State plan.
- Sec. 105. Local workforce investment areas.
- Sec. 106. Local workforce investment boards.
- Sec. 107. Local plan.
- Sec. 108. Establishment of one-stop delivery system.
- Sec. 109. Identification of eligible providers of training services.
- Sec. 110. General authorization.
- Sec. 111. State allotments.
- Sec. 112. Within State allocations.
- Sec. 113. Use of funds for employment and training activities.
- Sec. 114. Performance accountability system.
- Sec. 115. Authorization of appropriations.

Subtitle C—Job Corps

- Sec. 116. Job Corps purposes.
- Sec. 117. Job Corps definitions.
- Sec. 118. Individuals eligible for the Job Corps.
- Sec. 119. Recruitment, screening, selection, and assignment of enrollees.
- Sec. 120. Job Corps centers.
- Sec. 121. Program activities.
- Sec. 122. Counseling and job placement.
- Sec. 123. Support.
- Sec. 124. Operations.
- Sec. 125. Community participation.
- Sec. 126. Workforce councils.
- Sec. 127. Technical assistance.
- Sec. 128. Special provisions.
- Sec. 129. Performance accountability management.

Subtitle D—National Programs

- Sec. 130. Technical assistance.
- Sec. 131. Evaluations.

Subtitle E—Administration

- Sec. 132. Requirements and restrictions.
- Sec. 133. Prompt allocation of funds.
- Sec. 134. Fiscal controls; sanctions.
- Sec. 135. Reports to Congress.
- Sec. 136. Administrative provisions.
- Sec. 137. State legislative authority.
- Sec. 138. General program requirements.
- Sec. 139. Federal agency staff.

Subtitle F—State Unified Plan

- Sec. 140. State unified plan.

TITLE II—ADULT EDUCATION AND FAMILY LITERACY  
EDUCATION

- Sec. 201. Amendment.

TITLE III—AMENDMENTS TO THE WAGNER-PEYSER ACT

- Sec. 301. Amendments to the Wagner-Peyser Act.

TITLE IV—REPEALS AND CONFORMING AMENDMENTS

- Sec. 401. Repeals.
- Sec. 402. Amendment to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.
- Sec. 403. Amendments to the Food and Nutrition Act of 2008.
- Sec. 404. Amendments to section 412 of the Immigration and Nationality Act.
- Sec. 405. Amendments relating to the Second Chance Act of 2007.
- Sec. 406. Amendments to the Omnibus Crime Control and Safe Streets Act of 1968.
- Sec. 407. Conforming amendments to the United States Code.
- Sec. 408. Conforming amendment to table of contents.

TITLE V—AMENDMENTS TO THE REHABILITATION ACT OF 1973

- Sec. 501. Findings.
- Sec. 502. Rehabilitation services administration.
- Sec. 503. Definitions.
- Sec. 504. State plan.
- Sec. 505. Scope of services.
- Sec. 506. Standards and indicators.
- Sec. 507. Collaboration with industry.
- Sec. 508. Reservation for expanded transition services.
- Sec. 509. Client assistance program.
- Sec. 510. Title III amendments.
- Sec. 511. Repeal of title VI.
- Sec. 512. Chairperson.
- Sec. 513. Authorizations of appropriations.
- Sec. 514. Conforming amendments.

1 **SEC. 3. REFERENCES.**

2       Except as otherwise expressly provided, wherever in  
3 this Act an amendment or repeal is expressed in terms  
4 of an amendment to, or repeal of, a section or other provi-  
5 sion, the amendment or repeal shall be considered to be  
6 made to a section or other provision of the Workforce In-  
7 vestment Act of 1998 (29 U.S.C. 9201 et seq.).

8 **SEC. 4. EFFECTIVE DATE.**

9       Except as otherwise provided, this Act and the  
10 amendments made by this Act shall be effective with re-  
11 spect to fiscal year 2014 and succeeding fiscal years.

12 **TITLE I—AMENDMENTS TO THE**  
13 **WORKFORCE INVESTMENT**  
14 **ACT OF 1998**

15 **Subtitle A—Workforce Investment**  
16 **Definitions**

17 **SEC. 101. DEFINITIONS.**

18       Section 101 (29 U.S.C. 2801) is amended—

1 (1) by striking paragraphs (13) and (24);

2 (2) by redesignating paragraphs (1) through  
3 (12) as paragraphs (3) through (14), and para-  
4 graphs (14) through (23) as paragraphs (15)  
5 through (24), respectively;

6 (3) by striking paragraphs (52) and (53);

7 (4) by inserting after “In this title:” the fol-  
8 lowing new paragraphs:

9 “(1) ACCRUED EXPENDITURES.—The term ‘ac-  
10 crued expenditures’ means charges incurred by re-  
11 cipients of funds under this title for a given period  
12 requiring the provision of funds for goods or other  
13 tangible property received; services performed by  
14 employees, contractors, subgrantees, subcontractors,  
15 and other payees; and other amounts becoming owed  
16 under programs assisted under this title for which  
17 no current services or performance is required, such  
18 as annuities, insurance claims, and other benefit  
19 payments.

20 “(2) ADMINISTRATIVE COSTS.—The term ‘ad-  
21 ministrative costs’ means expenditures incurred by  
22 State and local workforce investment boards, direct  
23 recipients (including State grant recipients under  
24 subtitle B and recipients of awards under subtitles  
25 C and D), local grant recipients, local fiscal agents

1 or local grant subrecipients, and one-stop operators  
2 in the performance of administrative functions and  
3 in carrying out activities under this title which are  
4 not related to the direct provision of workforce in-  
5 vestment services (including services to participants  
6 and employers). Such costs include both personnel  
7 and non-personnel and both direct and indirect.”;

8 (5) in paragraph (3) (as so redesignated), by  
9 striking “Except in sections 127 and 132, the” and  
10 inserting “The”;

11 (6) by amending paragraph (5) (as so redesign-  
12 nated) to read as follows:

13 “(5) AREA CAREER AND TECHNICAL EDU-  
14 CATION SCHOOL.—The term ‘area career and tech-  
15 nical education school’ has the meaning given the  
16 term in section 3(3) of the Carl D. Perkins Career  
17 and Technical Education Act of 2006 (20 U.S.C.  
18 2302(3)).”;

19 (7) in paragraph (6) (as so redesignated), by  
20 inserting “(or such other level as the Governor may  
21 establish)” after “8th grade level”;

22 (8) in paragraph (10)(C) (as so redesignated),  
23 by striking “not less than 50 percent of the cost of  
24 the training” and inserting “a significant portion of  
25 the cost of training, as determined by the local

1 board (or, in the case of an employer in multiple  
2 local areas in the State, as determined by the Gov-  
3 ernor), taking into account the size of the employer  
4 and such other factors as the local board determines  
5 to be appropriate”;

6 (9) in paragraph (11) (as so redesignated)—

7 (A) in subparagraph (A)(ii)(II), by striking  
8 “section 134(e)” and inserting “section  
9 121(e)”;

10 (B) in subparagraph (B)(iii)—

11 (i) by striking “134(d)(4)” and insert-  
12 ing “134(e)(4)”;

13 (ii) by striking “intensive services de-  
14 scribed in section 134(d)(3)” and inserting  
15 “work ready services described in section  
16 117(d)(5)(C)”;

17 (C) in subparagraph (C), by striking “or”  
18 after the semicolon;

19 (D) in subparagraph (D), by striking the  
20 period and inserting “; or”;

21 (E) by adding at the end the following:

22 “(E)(i) is the spouse of a member of the  
23 Armed Forces on active duty for a period of  
24 more than 30 days (as defined in section  
25 101(d)(2) of title 10, United States Code) who

1 has experienced a loss of employment as a di-  
2 rect result of relocation to accommodate a per-  
3 manent change in duty station of such member;  
4 or

5 “(ii) is the spouse of a member of the  
6 Armed Forces on active duty who meets the cri-  
7 teria described in paragraph (12)(B).”;

8 (10) in paragraph (12)(A) (as redesignated)—

9 (A) by striking “and” after the semicolon  
10 and inserting “or”;

11 (B) by striking “(A)” and inserting  
12 “(A)(i)”; and

13 (C) by adding at the end the following:

14 “(ii) is the spouse of a member of the  
15 Armed Forces on active duty for a period of  
16 more than 30 days (as defined in section  
17 101(d)(2) of title 10, United States Code)  
18 whose family income is significantly reduced be-  
19 cause of a deployment (as defined in section  
20 991(b) of title 10, United States Code, or pur-  
21 suant to paragraph (4) of such section), a call  
22 or order to active duty pursuant to a provision  
23 of law referred to in section 101(a)(13)(B) of  
24 title 10, United States Code, a permanent  
25 change of station, or the service-connected (as

1 defined in section 101(16) of title 38, United  
2 States Code) death or disability of the member;  
3 and”;

4 (11) in paragraph (13) (as so redesignated), by  
5 inserting “or regional” after “local” each place it  
6 appears;

7 (12) in paragraph (14) (as so redesignated)—

8 (A) in subparagraph (A), by striking “sec-  
9 tion 122(e)(3)” and inserting “section 122”;

10 (B) by striking subparagraph (B), and in-  
11 sserting the following:

12 “(B) work ready services, means a provider  
13 who is identified or awarded a contract as de-  
14 scribed in section 117(d)(5)(C); or”;

15 (C) by striking subparagraph (C); and

16 (D) by redesignating subparagraph (D) as  
17 subparagraph (C).

18 (13) in paragraph (15) (as so redesignated), by  
19 striking “adult or dislocated worker” and inserting  
20 “individual”;

21 (14) in paragraph (25)—

22 (A) in subparagraph (B), by striking  
23 “higher of—” and all that follows through  
24 clause (ii) and inserting “poverty line for an  
25 equivalent period;”;



1 (B) by redesignating subparagraphs (D)  
2 through (F) as subparagraphs (E) through (G),  
3 respectively; and

4 (C) by inserting after subparagraph (C)  
5 the following:

6 “(D) receives or is eligible to receive free  
7 or reduced price lunch under the Richard B.  
8 Russell National School Lunch Act (42 U.S.C.  
9 1751 et seq.);”;

10 (15) in paragraph (32), by striking “the Repub-  
11 lic of the Marshall Islands, the Federated States of  
12 Micronesia,”;

13 (16) by amending paragraph (33) to read as  
14 follows:

15 “(33) OUT-OF-SCHOOL YOUTH.—The term ‘out-  
16 of-school youth’ means—

17 “(A) an at-risk youth who is a school drop-  
18 out; or

19 “(B) an at-risk youth who has received a  
20 secondary school diploma or its recognized  
21 equivalent but is basic skills deficient, unem-  
22 ployed, or underemployed.”.

23 (17) in paragraph (38), by striking  
24 “134(a)(1)(A)” and inserting “134(a)(1)(B)”;

1           (18) by amending paragraph (49) to read as  
2 follows:

3           “(49) VETERAN.—The term ‘veteran’ has the  
4 same meaning given the term in section 2108(1) of  
5 title 5, United States Code.”;

6           (19) by amending paragraph (50) to read as  
7 follows:

8           “(50) CAREER AND TECHNICAL EDUCATION.—  
9 The term ‘career and technical education’ has the  
10 meaning given the term in section 3 of the Carl D.  
11 Perkins Career and Technical Education Act of  
12 2006 (20 U.S.C. 2302).”;

13           (20) in paragraph (51) by striking “, and a  
14 youth activity”; and

15           (21) by adding at the end the following:

16           “(52) AT-RISK YOUTH.—Except as provided in  
17 subtitle C, the term ‘at-risk youth’ means an indi-  
18 vidual who—

19                   “(A) is not less than age 16 and not more  
20 than age 24;

21                   “(B) is a low-income individual; and

22                   “(C) is an individual who is one or more  
23 of the following:

24                           “(i) a secondary school dropout;

1 “(ii) a youth in foster care (including  
2 youth aging out of foster care);

3 “(iii) a youth offender;

4 “(iv) a youth who is an individual  
5 with a disability; or

6 “(v) a migrant youth.

7 “(53) INDUSTRY OR SECTOR PARTNERSHIP.—

8 The term ‘industry or sector partnership’ means a  
9 partnership of a State or local board and one or  
10 more industries and other entities that have the ca-  
11 pability to help the State or local board determine  
12 the immediate and long term skilled workforce needs  
13 of in-demand industries and other occupations im-  
14 portant to the State or local economy, respectively.

15 “(54) INDUSTRY-RECOGNIZED CREDENTIAL.—

16 The term ‘industry-recognized credential’ means a  
17 credential that is sought or accepted by companies  
18 within the industry sector involved, across multiple  
19 States, as recognized, preferred, or required for re-  
20 cruitment, screening, or hiring.

21 “(55) RECOGNIZED POSTSECONDARY CREDEN-

22 TIAL.—The term ‘recognized postsecondary creden-  
23 tial’ means a credential awarded by a training pro-  
24 vider or postsecondary educational institution based  
25 on completion of all requirements for a program of

1 study, including coursework or tests or other per-  
2 formance evaluations. The term includes an indus-  
3 try-recognized credential, a certificate of completion  
4 of an apprenticeship, or an associate or bacca-  
5 laurate degree.

6 “(56) PAY-FOR-PERFORMANCE CONTRACT  
7 STRATEGY.—The term ‘pay-for-performance contract  
8 strategy’ means a strategy in which a contract to  
9 provide a program of employment and training ac-  
10 tivities incorporates—

11 “(A) the performance outcome described in  
12 subclauses (I) through (IV) of section  
13 136(b)(2)(A)(i);

14 “(B) a fixed amount that will be paid to a  
15 provider of such employment and training ac-  
16 tivities for each program participant who  
17 achieves the agreed to levels of performance  
18 based upon the outcome measures described in  
19 subparagraph (A), within a defined timetable,  
20 and may include a bonus payment to such pro-  
21 vider which may be used to expand the capacity  
22 of such provider;

23 “(C) the ability for a provider to recoup  
24 the costs of training a participant who has not  
25 met such outcome measures, but for whom the

1 provider is able to demonstrate that such par-  
2 ticipant gained specific competencies required  
3 for education and career advancement that are,  
4 where feasible, tied to industry-recognized cre-  
5 dentials and related standards, or State licens-  
6 ing requirements; and

7 “(D) the ability for a provider that does  
8 not meet the requirements under section  
9 122(a)(2) to participate in such pay-for-per-  
10 formance contract and to not be required to re-  
11 port on the performance and cost information  
12 required under section 122(d).”.

## 13 **Subtitle B—Statewide and Local** 14 **Workforce Investment Systems**

### 15 **SEC. 102. PURPOSE.**

16 Section 106 (29 U.S.C. 2811) is amended by adding  
17 at the end the following: “It is also the purpose of this  
18 subtitle to provide workforce investment activities in a  
19 manner that enhances employer engagement, promotes  
20 customer choices in the selection of training services, and  
21 ensures accountability in the use of the taxpayer funds.”.

### 22 **SEC. 103. STATE WORKFORCE INVESTMENT BOARDS.**

23 Section 111 (29 U.S.C. 2821) is amended—

24 (1) in subsection (b)—

25 (A) in paragraph (1)—

- 1 (i) by striking subparagraph (B);
- 2 (ii) by redesignating subparagraph
- 3 (C) as subparagraph (B); and
- 4 (iii) in subparagraph (B) (as so red-
- 5 igned)—

6 (I) by amending clause (i)(I), by  
7 striking “section 117(b)(2)(A)(i)” and  
8 inserting “section 117(b)(2)(A)”;

9 (II) by amending clause (i)(II) to  
10 read as follows:

11 “(II) represent businesses, in-  
12 cluding large and small businesses,  
13 with immediate and long-term employ-  
14 ment opportunities in in-demand in-  
15 dustries and other occupations impor-  
16 tant to the State economy; and”;

17 (III) by striking clause (iii) and  
18 inserting the following:

19 “(iii) a State agency official respon-  
20 sible for economic development; and”;

21 (IV) by striking clauses (iv)  
22 through (vi);

23 (V) by amending clause (vii) to  
24 read as follows:

1                   “(vii) such other representatives and  
2                   State agency officials as the Governor may  
3                   designate, including—

4                               “(I) members of the State legis-  
5                               lature;

6                               “(II) representatives of individ-  
7                               uals and organizations that have expe-  
8                               rience with respect to youth activities;

9                               “(III) representatives of individ-  
10                              uals and organizations that have expe-  
11                              rience and expertise in the delivery of  
12                              workforce investment activities, in-  
13                              cluding chief executive officers of com-  
14                              munity colleges and community-based  
15                              organizations within the State;

16                             “(IV) representatives of the lead  
17                             State agency officials with responsi-  
18                             bility for the programs and activities  
19                             that are described in section 121(b)  
20                             and carried out by one-stop partners;  
21                             or

22                             “(V) representatives of veterans  
23                             service organizations.”; and

24                             (VI) by redesignating clause (vii)  
25                             (as so amended) as clause (iv); and

1 (B) by amending paragraph (3) to read as  
2 follows:

3 “(3) MAJORITY.—A  $\frac{2}{3}$  majority of the mem-  
4 bers of the board shall be representatives described  
5 in paragraph (1)(B)(i).”;

6 (2) in subsection (c), by striking “(b)(1)(C)(i)”  
7 and inserting “(b)(1)(B)(i)”;

8 (3) by amending subsection (d) to read as fol-  
9 lows:

10 “(d) FUNCTIONS.—The State board shall assist the  
11 Governor of the State as follows:

12 “(1) STATE PLAN.—Consistent with section  
13 112, develop a State plan.

14 “(2) STATEWIDE WORKFORCE DEVELOPMENT  
15 SYSTEM.—Review and develop statewide policies and  
16 programs in the State in a manner that supports a  
17 comprehensive Statewide workforce develop-  
18 ment system that will result in meeting the workforce needs  
19 of the State and its local areas. Such review shall in-  
20 clude determining whether the State should consoli-  
21 date additional programs into the Workforce Invest-  
22 ment Fund in accordance with section 501(e).

23 “(3) WORKFORCE AND LABOR MARKET INFOR-  
24 MATION SYSTEM.—Develop a statewide workforce  
25 and labor market information system described in



1 section 15(e) of the Wagner-Peyser Act, which may  
2 include using existing information conducted by the  
3 State economic development entity or related entity  
4 in developing such system.

5 “(4) EMPLOYER ENGAGEMENT.—Develop strat-  
6 egies across local areas that meet the needs of em-  
7 ployers and support economic growth in the State by  
8 enhancing communication, coordination, and collabo-  
9 ration among employers, economic development enti-  
10 ties, and service providers.

11 “(5) DESIGNATION OF LOCAL AREAS.—Des-  
12 ignate local areas as required under section 116.

13 “(6) ONE-STOP DELIVERY SYSTEM.—Identify  
14 and disseminate information on best practices for ef-  
15 fective operation of one-stop centers, including use  
16 of innovative business outreach, partnerships, and  
17 service delivery strategies.

18 “(7) PROGRAM OVERSIGHT.—Conduct the fol-  
19 lowing program oversight:

20 “(A) Reviewing and approving local plans  
21 under section 118.

22 “(B) Ensuring the appropriate use and  
23 management of the funds provided for State  
24 employment and training activities authorized  
25 under section 134.

1           “(C) Preparing an annual report to the  
2           Secretary described in section 136(d).

3           “(8) DEVELOPMENT OF PERFORMANCE MEAS-  
4           URES.—Develop and ensure continuous improvement  
5           of comprehensive State performance measures, in-  
6           cluding State adjusted levels of performance, as de-  
7           scribed under section 136(b).”;

8           (4) by striking subsection (e) and redesignating  
9           subsection (f) as subsection (e);

10          (5) in subsection (e) (as so redesignated), by in-  
11          serting “or participate in any action taken” after  
12          “vote”;

13          (6) by inserting after subsection (e) (as so re-  
14          designated), the following:

15          “(f) STAFF.—The State board may employ staff to  
16          assist in carrying out the functions described in subsection  
17          (d).”; and

18          (7) in subsection (g), by inserting “electronic  
19          means and” after “on a regular basis through”.

20       **SEC. 104. STATE PLAN.**

21       Section 112 (29 U.S.C. 2822)—

22           (1) in subsection (a)—

23               (A) by striking “127 or”; and

24               (B) by striking “5-year strategy” and in-  
25           serting “3-year strategy”;

1 (2) in subsection (b)—

2 (A) by amending paragraph (4) to read as  
3 follows:

4 “(4) information describing—

5 “(A) the economic conditions in the State;

6 “(B) the immediate and long-term skilled  
7 workforce needs of in-demand industries, small  
8 businesses, and other occupations important to  
9 the State economy;

10 “(C) the knowledge and skills of the work-  
11 force in the State; and

12 “(D) workforce development activities (in-  
13 cluding education and training) in the State;”;

14 (B) by amending paragraph (7) to read as  
15 follows:

16 “(7) a description of the State criteria for de-  
17 termining the eligibility of training providers in ac-  
18 cordance with section 122, including how the State  
19 will take into account the performance of providers  
20 and whether the training programs relate to occupa-  
21 tions that are in-demand;”;

22 (C) by amending paragraph (8) to read as  
23 follows:

24 “(8)(A) a description of the procedures that will  
25 be taken by the State to assure coordination of, and

1       avoid duplication among, the programs and activities  
2       identified under section 501(b)(2); and

3           “(B) a description of common data collection  
4       and reporting processes used for the programs and  
5       activities described in subparagraph (A), which are  
6       carried out by one-stop partners, including—

7           “(i) assurances that such processes use  
8       quarterly wage records for performance meas-  
9       ures described in section 136(b)(2)(A) that are  
10      applicable to such programs or activities; or

11          “(ii) if such wage records are not being  
12      used for the performance measures, an identi-  
13      fication of the barriers to using such wage  
14      records and a description of how the State will  
15      address such barriers within one year of the ap-  
16      proval of the plan;”;

17          (D) in paragraph (9), by striking “, includ-  
18      ing comment by representatives of businesses  
19      and representatives of labor organizations;”;

20          (E) in paragraph (11), by striking “under  
21      sections 127 and 132” and inserting “under  
22      section 132”;

23          (F) by striking paragraph (12);

1 (G) by redesignating paragraphs (13)  
2 through (18) as paragraphs (12) through (17),  
3 respectively;

4 (H) in paragraph (12) (as so redesign-  
5 ated), by striking “111(f)” and inserting  
6 “111(e)”;

7 (I) in paragraph (13) (as so redesignated),  
8 by striking “134(c)” and inserting “121(e)”;

9 (J) in paragraph (14) (as so redesignated),  
10 by striking “116(a)(5)” and inserting  
11 “116(a)(4)”;

12 (K) in paragraph (16) (as so redesign-  
13 ated)—

14 (i) in subparagraph (A)—

15 (I) in clause (ii), by striking “to  
16 dislocated workers”;

17 (II) in clause (iii), by striking  
18 “134(d)(4)” and inserting  
19 “134(e)(4)”;

20 (III) by striking “and” at the  
21 end of clause (iii);

22 (IV) by amending clause (iv) to  
23 read as follows:

24 “(iv) how the State will serve the em-  
25 ployment and training needs of dislocated

1 workers (including displaced homemakers),  
2 low-income individuals (including recipients  
3 of public assistance such as supplemental  
4 nutrition assistance program benefits pur-  
5 suant to the Food and Nutrition Act of  
6 2008 (7 U.S.C. 2011 et seq.)), long-term  
7 unemployed individuals (including individ-  
8 uals who have exhausted entitlement to  
9 State and Federal unemployment com-  
10 pensation), English learners, homeless in-  
11 dividuals, individuals training for nontradi-  
12 tional employment, youth (including out-of-  
13 school youth and at-risk youth), older  
14 workers, ex-offenders, migrant and sea-  
15 sonal farmworkers, refugee and entrants,  
16 veterans (including disabled and homeless  
17 veterans), and Native Americans; and”;  
18 and

19 (V) by adding at the end the fol-  
20 lowing new clause:

21 “(v) how the State will—

22 “(I) consistent with section 188  
23 and Executive Order 13217 (42  
24 U.S.C. 12131 note), serve the employ-

1                   ment and training needs of individuals  
2                   with disabilities; and

3                                 “(II) consistent with sections 504  
4                   and 508 of the Rehabilitation Act of  
5                   1973, include the provision of out-  
6                   reach, intake, assessments, and serv-  
7                   ice delivery, the development of per-  
8                   formance measures, the training of  
9                   staff, and other aspects of accessibility  
10                  to programs and services under this  
11                  subtitle;”;

12                               (ii) in subparagraph (B), by striking  
13                  “to the extent practicable” and inserting  
14                  “in accordance with the requirements of  
15                  the Jobs for Veterans Act (Public Law  
16                  107–288) and the amendments made by  
17                  such Act”;

18                               (L) by striking paragraph (17) (as so re-  
19                  designated) and inserting the following:

20                               “(17) a description of the strategies and serv-  
21                  ices that will be used in the State—

22                               “(A) to more fully engage employers, in-  
23                  cluding small businesses and employers in in-  
24                  demand industries and occupations important  
25                  to the State economy;

1           “(B) to meet the needs of employers in the  
2           State; and

3           “(C) to better coordinate workforce devel-  
4           opment programs with economic development  
5           activities;

6           “(18) a description of how the State board will  
7           convene (or help to convene) industry or sector part-  
8           nerships that lead to collaborative planning, resource  
9           alignment, and training efforts across multiple firms  
10          for a range of workers employed or potentially em-  
11          ployed by a targeted industry cluster—

12           “(A) to encourage industry growth and  
13           competitiveness and to improve worker training,  
14           retention, and advancement in targeted indus-  
15           try clusters;

16           “(B) to address the immediate and long-  
17           term skilled workforce needs of in-demand in-  
18           dustries and other occupations important to the  
19           State economy, and

20           “(C) to address critical skill gaps within  
21           and across industries;

22           “(19) a description of how the State will utilize  
23           technology to facilitate access to services in remote  
24           areas, which may be used throughout the State;



1           “(20) a description of the State strategy and  
2 assistance to be provided for encouraging regional  
3 cooperation within the State and across State bor-  
4 ders, as appropriate;

5           “(21) a description of the actions that will be  
6 taken by the State to foster communication, coordi-  
7 nation, and partnerships with non-profit organiza-  
8 tions (including public libraries, community, faith-  
9 based, and philanthropic organizations) that provide  
10 employment-related, training, and complementary  
11 services, to enhance the quality and comprehensive-  
12 ness of services available to participants under this  
13 title;

14           “(22) a description of the process and method-  
15 ology for determining—

16           “(A) one-stop partner program contribu-  
17 tions for the cost of the infrastructure of one-  
18 stop centers under section 121(h)(1); and

19           “(B) the formula for allocating such infra-  
20 structure funds to local areas under section  
21 121(h)(3);

22           “(23) a description of the strategies and serv-  
23 ices that will be used in the State to assist at-risk  
24 youth and out-of-school youth in acquiring the edu-  
25 cation and skills, credentials (including recognized

1 postsecondary credentials and industry-recognized  
2 credentials), and employment experience to succeed  
3 in the labor market, including—

4 “(A) training and internships in in-demand  
5 industries or occupations important to the State  
6 and local economy;

7 “(B) dropout recovery activities that are  
8 designed to lead to the attainment of a regular  
9 secondary school diploma or its recognized  
10 equivalent, or other State recognized equivalent  
11 (including recognized alternative standards for  
12 individuals with disabilities); and

13 “(C) activities combining remediation of  
14 academic skills, work readiness training, and  
15 work experience, and including linkages to post-  
16 secondary education and training and career-  
17 ladder employment; and

18 “(24) a description of—

19 “(A) how the State will furnish employ-  
20 ment, training, supportive, and placement serv-  
21 ices to veterans, including disabled and home-  
22 less veterans;

23 “(B) the strategies and services that will  
24 be used in the State to assist and expedite re-

1 integration of homeless veterans into the labor  
2 force; and

3 “(C) the veteran population to be served in  
4 the State.”;

5 (3) in subsection (c), by striking “period,  
6 that—” all that follows through paragraph (2) and  
7 inserting “period, that the plan is inconsistent with  
8 the provisions of this title.”; and

9 (4) in subsection (d), by striking “5-year” and  
10 inserting “3-year”.

11 **SEC. 105. LOCAL WORKFORCE INVESTMENT AREAS.**

12 Section 116 (29 U.S.C. 2831) is amended—

13 (1) in subsection (a)—

14 (A) in paragraph (1)—

15 (i) in subparagraph (A)—

16 (I) by striking “Except as pro-  
17 vided in subsection (b), and consistent  
18 with paragraphs (2), (3), and (4), in”  
19 and inserting “In”; and

20 (II) by striking “127 or”; and

21 (ii) by amending subparagraph (B) to  
22 read as follows:

23 “(B) CONSIDERATIONS.—In making the  
24 designation of local areas, the Governor shall  
25 take into consideration the following:

1                   “(i) The extent to which such local  
2                   areas are consistent with labor market  
3                   areas.

4                   “(ii) The extent to which labor market  
5                   areas align with economic development re-  
6                   gions.

7                   “(iii) Whether such local areas have  
8                   the appropriate education and training  
9                   providers to meet the needs of the local  
10                  workforce.

11                  “(iv) The distance that individuals  
12                  will need to travel to receive services pro-  
13                  vided in such local areas.”;

14                  (B) by amending paragraph (2) to read as  
15                  follows:

16                  “(2) TECHNICAL ASSISTANCE.—The Secretary  
17                  shall, if requested by the Governor of a State, pro-  
18                  vide the State with technical assistance in making  
19                  the determinations required under paragraph (1).  
20                  The Secretary shall not issue regulations governing  
21                  determinations to be made under paragraph (1).”;

22                  (C) by striking paragraph (3) and insert-  
23                  ing the following:

24                  “(3) DESIGNATION ON RECOMMENDATION OF  
25                  STATE BOARD.—The Governor may approve a re-

1       quest from any unit of general local government (in-  
2       cluding a combination of such units) for designation  
3       as a local area under paragraph (1) if the State  
4       board determines, taking into account the factors  
5       described in clauses (i) through (iv) of paragraph  
6       (1)(B), and recommends to the Governor, that such  
7       area shall be so designated.”;

8               (D) by striking paragraph (4); and

9               (E) by redesignating paragraph (5) as  
10       paragraph (4);

11       (2) by amending subsection (b) to read as fol-  
12       lows:

13       “(b) SINGLE STATES.—Consistent with subsection  
14       (a)(1)(B), the Governor may designate a State as a single  
15       State local area for the purposes of this title.”; and

16       (3) in subsection (c)—

17               (A) in paragraph (1), by adding at the end  
18       the following: “The State may require the local  
19       boards for the designated region to prepare a  
20       single regional plan that incorporates the ele-  
21       ments of the local plan under section 118 and  
22       that is submitted and approved in lieu of sepa-  
23       rate local plans under such section.”; and

1 (B) in paragraph (2), by striking “employ-  
2 ment statistics” and inserting “workforce and  
3 labor market information”.

4 **SEC. 106. LOCAL WORKFORCE INVESTMENT BOARDS.**

5 Section 117 (29 U.S.C. 2832) is amended—

6 (1) in subsection (b)—

7 (A) in paragraph (2)—

8 (i) in subparagraph (A)—

9 (I) by striking “include—” and  
10 all that follows through “representa-  
11 tives” and inserting “include rep-  
12 resentatives”;

13 (II) by striking clauses (ii)  
14 through (vi);

15 (III) by redesignating subclauses  
16 (I) through (III) as clauses (i)  
17 through (iii), respectively (and by  
18 moving the margins of such clauses 2  
19 ems to the left);

20 (IV) by striking clause (ii) (as so  
21 redesignated) and inserting the fol-  
22 lowing:

23 “(ii) represent businesses, including  
24 large and small businesses, with immediate  
25 and long-term employment opportunities in

1 in-demand industries and other occupa-  
2 tions important to the local economy;  
3 and”; and

4 (V) by striking the semicolon at  
5 the end of clause (iii) (as so redesign-  
6 nated) and inserting “; and”; and

7 (ii) by amending subparagraph (B) to  
8 read as follows:

9 “(B) may include such other individuals or  
10 representatives of entities as the chief elected  
11 official in the local area may determine to be  
12 appropriate, including—

13 “(i) a superintendent of the local sec-  
14 ondary school system, the president or  
15 chief executive officer of a postsecondary  
16 educational institution (including a com-  
17 munity college, where such an entity ex-  
18 ists), or an administrator of local entities  
19 providing adult education and literacy ac-  
20 tivities;

21 “(ii) representatives of community-  
22 based organizations (including organiza-  
23 tions representing individuals with disabil-  
24 ities and veterans, for a local area in which  
25 such organizations are present); or

1 “(iii) representatives of veterans serv-  
2 ice organizations.”;

3 (B) in paragraph (4)—

4 (i) by striking “A majority” and in-  
5 serting “A  $\frac{2}{3}$  majority”; and

6 (ii) by striking “(2)(A)(i)” and insert-  
7 ing “(2)(A)”; and

8 (C) in paragraph (5) by striking  
9 “(2)(A)(i)” and inserting “(2)(A)”;

10 (2) by striking subsection (c)(1)(C);

11 (3) by amending subsection (d) to read as fol-  
12 lows:

13 “(d) FUNCTIONS OF LOCAL BOARD.—The functions  
14 of the local board shall include the following:

15 “(1) LOCAL PLAN.—Consistent with section  
16 118, each local board, in partnership with the chief  
17 elected official for the local area involved, shall de-  
18 velop and submit a local plan to the Governor.

19 “(2) WORKFORCE RESEARCH AND REGIONAL  
20 LABOR MARKET ANALYSIS.—

21 “(A) IN GENERAL.—The local board  
22 shall—

23 “(i) conduct, and regularly update, an  
24 analysis of—



1                   “(I) the economic conditions in  
2                   the local area;

3                   “(II) the immediate and long-  
4                   term skilled workforce needs of in-de-  
5                   mand industries and other occupa-  
6                   tions important to the local economy;

7                   “(III) the knowledge and skills of  
8                   the workforce in the local area; and

9                   “(IV) workforce development ac-  
10                  tivities (including education and train-  
11                  ing) in the local area; and

12                  “(ii) assist the Governor in developing  
13                  the statewide workforce and labor market  
14                  information system described in section  
15                  15(e) of the Wagner-Peyser Act.

16                  “(B) EXISTING ANALYSIS.—A local board  
17                  shall use existing analysis by the local economic  
18                  development entity or related entity in order to  
19                  carry out requirements of subparagraph (A)(i).

20                  “(3) EMPLOYER ENGAGEMENT.—The local  
21                  Board shall meet the needs of employers and sup-  
22                  port economic growth in the local area by enhancing  
23                  communication, coordination, and collaboration  
24                  among employers, economic development entities,  
25                  and service providers.

1           “(4) BUDGET AND ADMINISTRATION.—

2           “(A) BUDGET.—

3           “(i) IN GENERAL.—The local board  
4 shall develop a budget for the activities of  
5 the local board in the local area, consistent  
6 with the requirements of this subsection.

7           “(ii) TRAINING RESERVATION.—In de-  
8 veloping a budget under clause (i), the  
9 local board shall reserve a percentage of  
10 funds to carry out the activities specified  
11 in section 134(c)(4). The local board shall  
12 use the analysis conducted under para-  
13 graph (2)(A)(i) to determine the appro-  
14 priate percentage of funds to reserve under  
15 this clause.

16          “(B) ADMINISTRATION.—

17          “(i) GRANT RECIPIENT.—

18           “(I) IN GENERAL.—The chief  
19 elected official in a local area shall  
20 serve as the local grant recipient for,  
21 and shall be liable for any misuse of,  
22 the grant funds allocated to the local  
23 area under section 133, unless the  
24 chief elected official reaches an agree-  
25 ment with the Governor for the Gov-

1           ernor to act as the local grant recipi-  
2           ent and bear such liability.

3                   “(II) DESIGNATION.—In order to  
4           assist in administration of the grant  
5           funds, the chief elected official or the  
6           Governor, where the Governor serves  
7           as the local grant recipient for a local  
8           area, may designate an entity to serve  
9           as a local grant subrecipient for such  
10          funds or as a local fiscal agent. Such  
11          designation shall not relieve the chief  
12          elected official or the Governor of the  
13          liability for any misuse of grant funds  
14          as described in subclause (I).

15                   “(III) DISBURSAL.—The local  
16          grant recipient or an entity designated  
17          under subclause (II) shall disburse the  
18          grant funds for workforce investment  
19          activities at the direction of the local  
20          board, pursuant to the requirements  
21          of this title. The local grant recipient  
22          or entity designated under subclause  
23          (II) shall disburse the funds imme-  
24          diately on receiving such direction  
25          from the local board.

1                   “(ii) STAFF.—The local board may  
2                   employ staff to assist in carrying out the  
3                   functions described in this subsection.

4                   “(iii) GRANTS AND DONATIONS.—The  
5                   local board may solicit and accept grants  
6                   and donations from sources other than  
7                   Federal funds made available under this  
8                   Act.

9                   “(5) SELECTION OF OPERATORS AND PRO-  
10                  VIDERS.—

11                  “(A) SELECTION OF ONE-STOP OPERA-  
12                  TORS.—Consistent with section 121(d), the  
13                  local board, with the agreement of the chief  
14                  elected official—

15                         “(i) shall designate or certify one-stop  
16                         operators as described in section  
17                         121(d)(2)(A); and

18                         “(ii) may terminate for cause the eli-  
19                         gibility of such operators.

20                  “(B) IDENTIFICATION OF ELIGIBLE TRAIN-  
21                  ING SERVICE PROVIDERS.—Consistent with this  
22                  subtitle, the local board shall identify eligible  
23                  providers of training services described in sec-  
24                  tion 134(e)(4) in the local area, annually review  
25                  the outcome of individual training providers

1 using the criteria under section 122(b)(2), and  
2 designate providers in the local area who have  
3 demonstrated the highest level of success with  
4 respect to such indicators as priority providers  
5 for the following program year.

6 “(C) IDENTIFICATION OF ELIGIBLE PRO-  
7 VIDERS OF WORK READY SERVICES.—If the  
8 one-stop operator does not provide the services  
9 described in section 134(c)(2) in the local area,  
10 the local board shall identify eligible providers  
11 of such services in the local area by awarding  
12 contracts.

13 “(6) PROGRAM OVERSIGHT.—The local board,  
14 in partnership with the chief elected official, shall be  
15 responsible for—

16 “(A) ensuring the appropriate use and  
17 management of the funds provided for local em-  
18 ployment and training activities authorized  
19 under section 134(b); and

20 “(B) conducting oversight of the one-stop  
21 delivery system in the local area authorized  
22 under section 121.

23 “(7) NEGOTIATION OF LOCAL PERFORMANCE  
24 MEASURES.—The local board, the chief elected offi-  
25 cial, and the Governor shall negotiate and reach

1 agreement on local performance measures as de-  
2 scribed in section 136(c).

3 “(8) TECHNOLOGY IMPROVEMENTS.—The local  
4 board shall develop strategies for technology im-  
5 provements to facilitate access to services authorized  
6 under this subtitle and carried out in the local area,  
7 including in remote areas.”;

8 (4) in subsection (e)—

9 (A) by inserting “electronic means and”  
10 after “regular basis through”; and

11 (B) by striking “and the award of grants  
12 or contracts to eligible providers of youth activi-  
13 ties,”;

14 (5) in subsection (f)—

15 (A) in paragraph (1)(A), by striking “sec-  
16 tion 134(d)(4)” and inserting “section  
17 134(c)(4)”; and

18 (B) by striking paragraph (2) and insert-  
19 ing the following:

20 “(2) WORK READY SERVICES, DESIGNATION, OR  
21 CERTIFICATION AS ONE-STOP OPERATORS.—A local  
22 board may provide work ready services described in  
23 section 134(c)(2) through a one-stop delivery system  
24 described in section 121 or be designated or certified

1 as a one-stop operator only with the agreement of  
2 the chief elected official and the Governor.”;

3 (6) in subsection (g)(1), by inserting “or par-  
4 ticipate in any action taken” after “vote”; and

5 (7) by striking subsections (h) and (i).

6 **SEC. 107. LOCAL PLAN.**

7 Section 118 (29 U.S.C. 2833) is amended—

8 (1) in subsection (a), by striking “5-year” and  
9 inserting “3-year”;

10 (2) by amending subsection (b) to read as fol-  
11 lows:

12 “(b) CONTENTS.—The local plan shall include—

13 “(1) a description of the analysis of the local  
14 area’s economic and workforce conditions conducted  
15 under section 117(d)(2)(A)(i), and an assurance  
16 that the local board will use such analysis to carry  
17 out the activities under this subtitle;

18 “(2) a description of the one-stop delivery sys-  
19 tem in the local area, including—

20 “(A) a description of how the local board  
21 will ensure—

22 “(i) the continuous improvement of el-  
23 igible providers of services through the sys-  
24 tem; and

1                   “(ii) that such providers meet the em-  
2                   ployment needs of local businesses and  
3                   participants; and

4                   “(B) a description of how the local board  
5                   will facilitate access to services provided  
6                   through the one-stop delivery system consistent  
7                   with section 117(d)(8);

8                   “(3) a description of the strategies and services  
9                   that will be used in the local area—

10                   “(A) to more fully engage employers, in-  
11                   cluding small businesses and employers in in-  
12                   demand industries and occupations important  
13                   to the local economy;

14                   “(B) to meet the needs of employers in the  
15                   local area;

16                   “(C) to better coordinate workforce devel-  
17                   opment programs with economic development  
18                   activities; and

19                   “(D) to better coordinate workforce devel-  
20                   opment programs with employment, training,  
21                   and literacy services carried out by nonprofit  
22                   organizations, including public libraries, as ap-  
23                   propriate;

24                   “(4) a description of how the local board will  
25                   convene (or help to convene) industry or sector part-



1       nerships that lead to collaborative planning, resource  
2       alignment, and training efforts across multiple firms  
3       for a range of workers employed or potentially em-  
4       ployed by a targeted industry cluster—

5               “(A) to encourage industry growth and  
6       competitiveness and to improve worker training,  
7       retention, and advancement in targeted indus-  
8       try clusters;

9               “(B) to address the immediate and long-  
10      term skilled workforce needs of in-demand in-  
11      dustries, small businesses, and other occupa-  
12      tions important to the local economy; and

13              “(C) to address critical skill gaps within  
14      and across industries;

15              “(5) a description of how the funds reserved  
16      under section 117(d)(4)(A)(ii) will be used to carry  
17      out activities described in section 134(c)(4);

18              “(6) a description of how the local board will  
19      coordinate workforce investment activities carried  
20      out in the local area with statewide activities, as ap-  
21      propriate;

22              “(7) a description of how the local area will—

23                      “(A) coordinate activities with the local  
24      area’s disability community and with services  
25      provided under section 614(d)(1)(A)(i)(VIII) of

1 the Individuals with Disabilities Education Act  
2 (20 U.S.C. 1414(d)(1)(A)(i)(VIII)) by local  
3 educational agencies serving such local area to  
4 make available comprehensive, high-quality  
5 services to individuals with disabilities;

6 “(B) consistent with section 188 and Exec-  
7utive Order 13217 (42 U.S.C. 12131 note),  
8 serve the employment and training needs of in-  
9dividuals with disabilities; and

10 “(C) consistent with sections 504 and 508  
11 of the Rehabilitation Act of 1973, include the  
12 provision of outreach, intake, assessments, and  
13 service delivery, the development of perform-  
14ance measures, the training of staff, and other  
15 aspects of accessibility to programs and services  
16 under this subtitle;

17 “(8) a description of the local levels of perform-  
18ance negotiated with the Governor and chief elected  
19 official pursuant to section 136(c), to be—

20 “(A) used to measure the performance of  
21 the local area; and

22 “(B) used by the local board for measuring  
23 performance of the local fiscal agent (where ap-  
24propriate), eligible providers, and the one-stop  
25 delivery system, in the local area;

1           “(9) a description of the process used by the  
2 local board, consistent with subsection (c), to provide  
3 an opportunity for public comment prior to submis-  
4 sion of the plan;

5           “(10) a description of how the local area will  
6 serve the employment and training needs of dis-  
7 located workers (including displaced homemakers),  
8 low-income individuals (including recipients of public  
9 assistance such as the Supplemental Nutrition As-  
10 sistance Program), long-term unemployed individ-  
11 uals (including individuals who have exhausted enti-  
12 tlement to State and Federal unemployment com-  
13 pensation), English learners, homeless individuals,  
14 individuals training for nontraditional employment,  
15 youth (including out-of-school youth and at-risk  
16 youth), older workers, ex-offenders, migrant and sea-  
17 sonal farmworkers, refugee and entrants, veterans  
18 (including disabled veterans and homeless veterans),  
19 and Native Americans;

20           “(11) an identification of the entity responsible  
21 for the disbursal of grant funds described in sub-  
22 clause (III) of section 117(d)(4)(B)(i), as deter-  
23 mined by the chief elected official or the Governor  
24 under such section;

1           “(12) a description of the strategies and serv-  
2           ices that will be used in the local area to assist at-  
3           risk youth and out-of-school youth in acquiring the  
4           education and skills, credentials (including recog-  
5           nized postsecondary credentials and industry-recog-  
6           nized credentials), and employment experience to  
7           succeed in the labor market, including—

8                   “(A) training and internships in in-demand  
9                   industries or occupations important to the local  
10                  economy;

11                  “(B) dropout recovery activities that are  
12                  designed to lead to the attainment of a regular  
13                  secondary school diploma or its recognized  
14                  equivalent, or other State recognized equivalent  
15                  (including recognized alternative standards for  
16                  individuals with disabilities); and

17                  “(C) activities combining remediation of  
18                  academic skills, work readiness training, and  
19                  work experience, and including linkages to post-  
20                  secondary education and training and career-  
21                  ladder employment;

22           “(13) a description of—

23                   “(A) how the local area will furnish em-  
24                  ployment, training, supportive, and placement

1 services to veterans, including disabled and  
2 homeless veterans;

3 “(B) the strategies and services that will  
4 be used in the local area to assist and expedite  
5 reintegration of homeless veterans into the  
6 labor force; and

7 “(C) the veteran population to be served in  
8 the local area;

9 “(14) a description of—

10 “(A) the duties assigned to the veteran  
11 employment specialist consistent with the re-  
12 quirements of section 134(f);

13 “(B) the manner in which the veteran em-  
14 ployment specialist is integrated into the One-  
15 Stop Career System described in section 121;

16 “(C) the date on which the veteran em-  
17 ployment specialist was assigned; and

18 “(D) whether the veteran employment spe-  
19 cialist has satisfactorily competed such training  
20 by the National Veterans’ Employment and  
21 Training Services Institute; and

22 “(15) such other information as the Governor  
23 may require.”;

24 (3) in subsection (c)(1), by striking “such  
25 means” and inserting “electronic means such”; and

1           (4) in subsection (c)(2), by striking “, including  
2           representatives of business and representatives of  
3           labor organizations,”.

4 **SEC. 108. ESTABLISHMENT OF ONE-STOP DELIVERY SYS-**  
5 **TEM.**

6           Section 121 (29 U.S.C. 2841) is amended—

7           (1) in subsection (b)—

8                   (A) by striking subparagraph (A) of para-  
9                   graph (1) and inserting the following:

10                   “(A) ROLES AND RESPONSIBILITIES OF  
11                   ONE-STOP PARTNERS.—Each entity that carries  
12                   out a program or activities described in sub-  
13                   paragraph (B) shall—

14                           “(i) provide access through the one-  
15                           stop delivery system to the program and  
16                           activities carried out by the entity, includ-  
17                           ing making the work ready services de-  
18                           scribed in section 134(c)(2) that are appli-  
19                           cable to the program of the entity available  
20                           at one-stop centers (in addition to any  
21                           other appropriate locations);

22                           “(ii) use a portion of the funds avail-  
23                           able to the program of the entity to main-  
24                           tain the one-stop delivery system, including  
25                           payment of the infrastructure costs of one-

1 stop centers in accordance with subsection  
2 (h);

3 “(iii) enter into a local memorandum  
4 of understanding with the local board re-  
5 lating to the operation of the one-stop de-  
6 livery system that meets the requirements  
7 of subsection (c); and

8 “(iv) participate in the operation of  
9 the one-stop delivery system consistent  
10 with the terms of the memorandum of un-  
11 derstanding, the requirements of this title,  
12 and the requirements of the Federal laws  
13 authorizing the programs carried out by  
14 the entity.”;

15 (B) in paragraph (1)(B)—

16 (i) by striking clauses (ii), (v), and  
17 (vi);

18 (ii) by redesignating clauses (iii) and  
19 (iv) as clauses (ii) and (iii), respectively;

20 (iii) by redesignating clauses (vii)  
21 through (xii) as clauses (iv) through (ix),  
22 respectively;

23 (iv) in clause (viii), as so redesign-  
24 nated, by striking “and” at the end;

1 (v) in clause (ix), as so redesignated,  
2 by striking the period and inserting “;  
3 and”; and

4 (vi) by adding at the end the fol-  
5 lowing:

6 “(x) subject to subparagraph (C), pro-  
7 grams authorized under part A of title IV  
8 of the Social Security Act (42 U.S.C. 601  
9 et seq.).”;

10 (C) by inserting after paragraph (1)(B)  
11 the following:

12 “(C) DETERMINATION BY THE GOV-  
13 ERNOR.—Each entity carrying out a program  
14 described in subparagraph (B)(x) shall carry  
15 out the required partner activities described in  
16 subparagraph (A) unless the Governor of the  
17 State in which the local area is located provides  
18 the Secretary and Secretary of Health and  
19 Human Services written notice of a determina-  
20 tion by the Governor that such entities shall not  
21 carry out such required partner activities.”; and

22 (D) in paragraph (2)—

23 (i) in subparagraph (A)(i), by striking  
24 “section 134(d)(2)” and inserting “section  
25 134(c)(2)”; and



1 (ii) in subparagraph (B)—

2 (I) by striking clauses (i), (ii),  
3 and (v);

4 (II) in clause (iv), by striking  
5 “and” at the end;

6 (III) by redesignating clauses  
7 (iii) and (iv) as clauses (i) and (ii), re-  
8 spectively; and

9 (IV) by adding at the end the fol-  
10 lowing:

11 “(iii) employment and training pro-  
12 grams administered by the Commissioner  
13 of the Social Security Administration;

14 “(iv) employment and training pro-  
15 grams carried out by the Administrator of  
16 the Small Business Administration;

17 “(v) employment, training, and lit-  
18 eracy services carried out by public librar-  
19 ies; and

20 “(vi) other appropriate Federal, State,  
21 or local programs, including programs in  
22 the private sector.”;

23 (2) in subsection (c)(2), by amending subpara-  
24 graph (A) to read as follows:

25 “(A) provisions describing—

1           “(i) the services to be provided  
2 through the one-stop delivery system con-  
3 sistent with the requirements of this sec-  
4 tion, including the manner in which the  
5 services will be coordinated through such  
6 system;

7           “(ii) how the costs of such services  
8 and the operating costs of such system will  
9 be funded, through cash and in-kind con-  
10 tributions, to provide a stable and equi-  
11 table funding stream for ongoing one-stop  
12 system operations, including the funding of  
13 the infrastructure costs of one-stop centers  
14 in accordance with subsection (h);

15           “(iii) methods of referral of individ-  
16 uals between the one-stop operator and the  
17 one-stop partners for appropriate services  
18 and activities, including referrals for non-  
19 traditional employment; and

20           “(iv) the duration of the memo-  
21 randum of understanding and the proce-  
22 dures for amending the memorandum dur-  
23 ing the term of the memorandum, and as-  
24 surances that such memorandum shall be  
25 reviewed not less than once every 3-year

1 period to ensure appropriate funding and  
2 delivery of services; and”;

3 (3) in subsection (d)—

4 (A) in the heading for paragraph (1), by  
5 striking “DESIGNATION AND CERTIFICATION”  
6 and inserting “LOCAL DESIGNATION AND CER-  
7 TIFICATION”;

8 (B) in paragraph (2)—

9 (i) by striking “section 134(c)” and  
10 inserting “subsection (e)”;

11 (ii) by amending subparagraph (A) to  
12 read as follows:

13 “(A) shall be designated or certified as a  
14 one-stop operator through a competitive proc-  
15 ess; and”; and

16 (iii) in subparagraph (B), by striking  
17 clause (ii) and redesignating clauses (iii)  
18 through (vi) as clauses (ii) through (v), re-  
19 spectively; and

20 (C) in paragraph (3), by striking “voca-  
21 tional” and inserting “career and technical”;

22 (4) by amending subsection (e) to read as fol-  
23 lows:

24 “(e) ESTABLISHMENT OF ONE-STOP DELIVERY SYS-  
25 TEM.—

1           “(1) IN GENERAL.—There shall be established  
2           in a State that receives an allotment under section  
3           132(b) a one-stop delivery system, which shall—

4                   “(A) provide the work ready services de-  
5                   scribed in section 134(c)(2);

6                   “(B) provide access to training services as  
7                   described in section 134(c)(4), including serving  
8                   as the point of access to career enhancement  
9                   accounts for training services to participants in  
10                  accordance with paragraph (4)(F) of such sec-  
11                  tion;

12                  “(C) provide access to the activities carried  
13                  out under section 134(d), if any;

14                  “(D) provide access to programs and ac-  
15                  tivities carried out by one-stop partners that  
16                  are described in subsection (b) of this section;  
17                  and

18                  “(E) provide access to the information de-  
19                  scribed in section 15(e) of the Wagner-Peyser  
20                  Act (29 U.S.C. 491–2(e)).

21           “(2) ONE-STOP DELIVERY.—At a minimum, the  
22           one-stop delivery system—

23                   “(A) shall make each of the programs,  
24                   services, and activities described in paragraph

1 (1) accessible at not less than one physical cen-  
2 ter in each local area of the State; and

3 “(B) may also make programs, services,  
4 and activities described in paragraph (1) avail-  
5 able—

6 “(i) through a network of affiliated  
7 sites that can provide one or more of the  
8 programs, services, and activities to indi-  
9 viduals; and

10 “(ii) through a network of eligible  
11 one-stop partners—

12 “(I) in which each partner pro-  
13 vides one or more of the programs,  
14 services, and activities to such individ-  
15 uals and is accessible at an affiliated  
16 site that consists of a physical loca-  
17 tion or an electronically- or techno-  
18 logically-linked access point; and

19 “(II) that assures individuals  
20 that information on the availability of  
21 the work ready services will be avail-  
22 able regardless of where the individ-  
23 uals initially enter the statewide work-  
24 force investment system, including in-  
25 formation made available through an

1 access point described in subclause  
2 (I).

3 “(3) SPECIALIZED CENTERS.—The centers and  
4 sites described in paragraph (2) may have a speciali-  
5 zation in addressing special needs.”; and

6 (5) by adding at the end the following:

7 “(g) CERTIFICATION OF ONE-STOP CENTERS.—

8 “(1) IN GENERAL.—

9 “(A) IN GENERAL.—The State board shall  
10 establish objective procedures and criteria for  
11 certifying, at least once every 3 years, one-stop  
12 centers for the purpose of awarding the one-  
13 stop infrastructure funding described in sub-  
14 section (h).

15 “(B) CRITERIA.—The criteria for certifi-  
16 cation under this subsection shall include—

17 “(i) meeting all of the expected levels  
18 of performance for each of the core indica-  
19 tors of performance as outlined in the  
20 State plan under section 112;

21 “(ii) meeting minimum standards re-  
22 lating to the scope and degree of service  
23 integration achieved by the centers involv-  
24 ing the programs provided by the one-stop  
25 partners; and

1                   “(iii) meeting minimum standards re-  
2                   lating to how the centers ensure that eligi-  
3                   ble providers meet the employment needs  
4                   of local employers and participants.

5                   “(C) EFFECT OF CERTIFICATION.—One-  
6                   stop centers certified under this subsection shall  
7                   be eligible to receive the infrastructure grants  
8                   authorized under subsection (h).

9                   “(2) LOCAL BOARDS.—Consistent with the cri-  
10                  teria developed by the State, the local board may de-  
11                  velop additional criteria of higher standards to re-  
12                  spond to local labor market and demographic condi-  
13                  tions and trends.

14                  “(h) ONE-STOP INFRASTRUCTURE FUNDING.—

15                  “(1) PARTNER CONTRIBUTIONS.—

16                  “(A) PROVISION OF FUNDS.—Notwith-  
17                  standing any other provision of law, as deter-  
18                  mined under subparagraph (B), a portion of the  
19                  Federal funds provided to the State and areas  
20                  within the State under the Federal laws author-  
21                  izing the one-stop partner programs described  
22                  in subsection (b)(1)(B) and participating addi-  
23                  tional partner programs described in (b)(2)(B)  
24                  for a fiscal year shall be provided to the Gov-

1           ernor by such programs to carry out this sub-  
2           section.

3                   “(B) DETERMINATION OF GOVERNOR.—

4                           “(i) IN GENERAL.—Subject to sub-  
5                           paragraph (C), the Governor, in consulta-  
6                           tion with the State board, shall determine  
7                           the portion of funds to be provided under  
8                           subparagraph (A) by each one-stop partner  
9                           and in making such determination shall  
10                          consider the proportionate use of the one-  
11                          stop centers by each partner, the costs of  
12                          administration for purposes not related to  
13                          one-stop centers for each partner, and  
14                          other relevant factors described in para-  
15                          graph (3).

16                          “(ii) SPECIAL RULE.—In those States  
17                          where the State constitution places policy-  
18                          making authority that is independent of  
19                          the authority of the Governor in an entity  
20                          or official with respect to the funds pro-  
21                          vided for adult education and literacy ac-  
22                          tivities authorized under title II of this Act  
23                          and for postsecondary career education ac-  
24                          tivities authorized under the Carl D. Per-  
25                          kins Career and Technical Education Act,



1 the determination described in clause (i)  
2 with respect to such programs shall be  
3 made by the Governor with the appropriate  
4 entity or official with such independent  
5 policy-making authority.

6 “(iii) APPEAL BY ONE-STOP PART-  
7 NERS.—The Governor shall establish a  
8 procedure for the one-stop partner admin-  
9 istering a program described in subsection  
10 (b) to appeal a determination regarding  
11 the portion of funds to be contributed  
12 under this paragraph on the basis that  
13 such determination is inconsistent with the  
14 criteria described in the State plan or with  
15 the requirements of this paragraph. Such  
16 procedure shall ensure prompt resolution  
17 of the appeal.

18 “(C) LIMITATIONS.—

19 “(i) PROVISION FROM ADMINISTRA-  
20 TIVE FUNDS.—The funds provided under  
21 this paragraph by each one-stop partner  
22 shall be provided only from funds available  
23 for the costs of administration under the  
24 program administered by such partner,  
25 and shall be subject to the limitations with

1           respect to the portion of funds under such  
2           programs that may be used for administra-  
3           tion.

4                   “(ii) FEDERAL DIRECT SPENDING  
5           PROGRAMS.—Programs that are Federal  
6           direct spending under section 250(c)(8) of  
7           the Balanced Budget and Emergency Def-  
8           icit Control Act of 1985 (2 U.S.C.  
9           900(c)(8)) shall not, for purposes of this  
10          paragraph, be required to provide an  
11          amount in excess of the amount deter-  
12          mined to be equivalent to the proportionate  
13          use of the one-stop centers by such pro-  
14          grams in the State.

15                   “(2) ALLOCATION BY GOVERNOR.—From the  
16          funds provided under paragraph (1), the Governor  
17          shall allocate funds to local areas in accordance with  
18          the formula established under paragraph (3) for the  
19          purposes of assisting in paying the costs of the in-  
20          frastructure of one-stop centers certified under sub-  
21          section (g).

22                   “(3) ALLOCATION FORMULA.—The State board  
23          shall develop a formula to be used by the Governor  
24          to allocate the funds described in paragraph (1).  
25          The formula shall include such factors as the State

1 board determines are appropriate, which may in-  
2 clude factors such as the number of centers in the  
3 local area that have been certified, the population  
4 served by such centers, and the performance of such  
5 centers.

6 “(4) COSTS OF INFRASTRUCTURE.—For pur-  
7 poses of this subsection, the term ‘costs of infra-  
8 structure’ means the nonpersonnel costs that are  
9 necessary for the general operation of a one-stop  
10 center, including the rental costs of the facilities, the  
11 costs of utilities and maintenance, and equipment  
12 (including assistive technology for individuals with  
13 disabilities).

14 “(i) OTHER FUNDS.—

15 “(1) IN GENERAL.—In addition to the funds  
16 provided to carry out subsection (h), a portion of  
17 funds made available under Federal law authorizing  
18 the one-stop partner programs described in sub-  
19 section (b)(1)(B) and participating additional part-  
20 ner programs described in subsection (b)(2)(B), or  
21 the noncash resources available under such pro-  
22 grams shall be used to pay the costs relating to the  
23 operation of the one-stop delivery system that are  
24 not paid for from the funds provided under sub-

1 section (h), to the extent not inconsistent with the  
2 Federal law involved including—

3 “(A) infrastructure costs that are in excess  
4 of the funds provided under subsection (h);

5 “(B) common costs that are in addition to  
6 the costs of infrastructure; and

7 “(C) the costs of the provision of work  
8 ready services applicable to each program.

9 “(2) DETERMINATION AND GUIDANCE.—The  
10 method for determining the appropriate portion of  
11 funds and noncash resources to be provided by each  
12 program under paragraph (1) shall be determined as  
13 part of the memorandum of understanding under  
14 subsection (c). The State board shall provide guid-  
15 ance to facilitate the determination of appropriate  
16 allocation of the funds and noncash resources in  
17 local areas.”.

18 **SEC. 109. IDENTIFICATION OF ELIGIBLE PROVIDERS OF**  
19 **TRAINING SERVICES.**

20 Section 122 (29 U.S.C. 2842) is amended to read as  
21 follows:

22 **“SEC. 122. IDENTIFICATION OF ELIGIBLE PROVIDERS OF**  
23 **TRAINING SERVICES.**

24 “(a) ELIGIBILITY.—

1           “(1) IN GENERAL.—The Governor, after con-  
2           sultation with the State board, shall establish cri-  
3           teria and procedures regarding the eligibility of pro-  
4           viders of training services described in section  
5           134(c)(4) to receive funds provided under section  
6           133(b) for the provision of such training services.

7           “(2) PROVIDERS.—Subject to the provisions of  
8           this section, to be eligible to receive the funds pro-  
9           vided under section 133(b) for the provision of train-  
10          ing services, the provider shall be—

11                   “(A) a postsecondary educational institu-  
12                   tion that—

13                           “(i) is eligible to receive Federal funds  
14                           under title IV of the Higher Education Act  
15                           of 1965 (20 U.S.C. 1070 et seq.); and

16                           “(ii) provides a program that leads to  
17                           a recognized postsecondary credential;

18                           “(B) an entity that carries out programs  
19                           under the Act of August 16, 1937 (commonly  
20                           known as the ‘National Apprenticeship Act’; 50  
21                           Stat. 664, chapter 663; 29 U.S.C. 50 et seq.);  
22                           or

23                           “(C) another public or private provider of  
24                           a program of training services.

1           “(3) INCLUSION IN LIST OF ELIGIBLE PRO-  
2           VIDERS.—A provider described in subparagraph (A)  
3           or (C) of paragraph (2) shall comply with the cri-  
4           teria and procedures established under this section  
5           to be included on the list of eligible providers of  
6           training services described in subsection (d). A pro-  
7           vider described in paragraph (2)(B) shall be in-  
8           cluded on the list of eligible providers of training  
9           services described in subsection (d) for so long as  
10          the provider remains certified by the Secretary of  
11          Labor to carry out the programs described in para-  
12          graph (2)(B).

13          “(b) CRITERIA.—

14                 “(1) IN GENERAL.—The criteria established  
15                 pursuant to subsection (a) shall take into account—

16                         “(A) the performance of providers of train-  
17                         ing services with respect to the performance  
18                         measures described in section 136 and other  
19                         matters for which information is required under  
20                         paragraph (2) and other appropriate measures  
21                         of performance outcomes for those participants  
22                         receiving training services under this subtitle;

23                         “(B) whether the training programs of  
24                         such providers relate to occupations that are in  
25                         demand;

1           “(C) the need to ensure access to training  
2 services throughout the State, including in rural  
3 areas;

4           “(D) the ability of providers to offer pro-  
5 grams that lead to a recognized postsecondary  
6 credential;

7           “(E) the information such providers are  
8 required to report to State agencies with re-  
9 spect to other Federal and State programs  
10 (other than the program carried out under this  
11 subtitle), including one-stop partner programs;  
12 and

13           “(F) such other factors as the Governor  
14 determines are appropriate.

15           “(2) INFORMATION.—The criteria established  
16 by the Governor shall require that a provider of  
17 training services submit appropriate, accurate, and  
18 timely information to the State for purposes of car-  
19 rying out subsection (d), with respect to participants  
20 receiving training services under this subtitle in the  
21 applicable program, including—

22           “(A) information on recognized postsec-  
23 ondary credentials received by such partici-  
24 pants;

1           “(B) information on costs of attendance  
2           for such participants;

3           “(C) information on the program comple-  
4           tion rate for such participants; and

5           “(D) information on the performance of  
6           the provider with respect to the performance  
7           measures described in section 136 for such par-  
8           ticipants.

9           “(3) RENEWAL.—The criteria established by  
10          the Governor shall also provide for a review every 3  
11          years and renewal of eligibility under this section for  
12          providers of training services.

13          “(4) LOCAL CRITERIA.—A local board in the  
14          State may establish criteria in addition to the cri-  
15          teria established by the Governor, or may require  
16          higher levels of performance than required under the  
17          criteria established by the Governor, for purposes of  
18          determining the eligibility of providers of training  
19          services to receive funds described in subsection (a)  
20          to provide the services in the local area involved.

21          “(5) LIMITATION.—In carrying out the require-  
22          ments of this subsection, no personally identifiable  
23          information regarding a student, including Social  
24          Security number, student identification number, or  
25          other identifier, may be disclosed without the prior



1 written consent of the parent or eligible student in  
2 compliance with section 444 of the General Edu-  
3 cation Provisions Act (20 U.S.C. 1232g).

4 “(c) PROCEDURES.—The procedures established  
5 under subsection (a) shall—

6 “(1) identify—

7 “(A) the application process for a provider  
8 of training services to become eligible to receive  
9 funds under section 133(b) for the provision of  
10 training services; and

11 “(B) the respective roles of the State and  
12 local areas in receiving and reviewing applica-  
13 tions and in making determinations of eligibility  
14 based on the criteria established under this sec-  
15 tion; and

16 “(2) establish a process for a provider of train-  
17 ing services to appeal a denial or termination of eli-  
18 gibility under this section that includes an oppor-  
19 tunity for a hearing and prescribes appropriate time  
20 limits to ensure prompt resolution of the appeal.

21 “(d) INFORMATION TO ASSIST PARTICIPANTS IN  
22 CHOOSING PROVIDERS.—In order to facilitate and assist  
23 participants under chapter 5 in choosing providers of  
24 training services, the Governor shall ensure that an appro-  
25 priate list or lists of providers determined eligible under

1 this section in the State, including information provided  
2 under subsection (b)(2) with respect to such providers, is  
3 provided to the local boards in the State and is made avail-  
4 able to such participants and to members of the public  
5 through the one-stop delivery system in the State.

6 “(e) ENFORCEMENT.—

7 “(1) IN GENERAL.—The criteria and proce-  
8 dures established under this section shall provide the  
9 following:

10 “(A) INTENTIONALLY SUPPLYING INAC-  
11 CURATE INFORMATION.—Upon a determination,  
12 by an individual or entity specified in the cri-  
13 teria or procedures, that a provider of training  
14 services, or individual providing information on  
15 behalf of the provider, intentionally supplied in-  
16 accurate information under this section, the eli-  
17 gibility of such provider to receive funds under  
18 chapter 5 shall be terminated for a period of  
19 time that is not less than 2 years.

20 “(B) SUBSTANTIAL VIOLATIONS.—Upon a  
21 determination, by an individual or entity speci-  
22 fied in the criteria or procedures, that a pro-  
23 vider of training services substantially violated  
24 any requirement under this title, the eligibility  
25 of such provider to receive funds under the pro-

1           gram involved shall be terminated for a period  
2           of time that is not less than 10 years.

3           “(C) REPAYMENT.—A provider of training  
4           services whose eligibility is terminated under  
5           subparagraph (A) or (B) shall be liable for the  
6           repayment of funds received under chapter 5  
7           during a period of noncompliance described in  
8           such subparagraph.

9           “(2) CONSTRUCTION.—Paragraph (1) shall be  
10          construed to provide remedies and penalties that  
11          supplement, but do not supplant, other civil and  
12          criminal remedies and penalties.

13          “(f) AGREEMENTS WITH OTHER STATES.—States  
14          may enter into agreements, on a reciprocal basis, to per-  
15          mit eligible providers of training services to accept career  
16          enhancement accounts provided in another State.

17          “(g) RECOMMENDATIONS.—In developing the cri-  
18          teria, procedures, and information required under this sec-  
19          tion, the Governor shall solicit and take into consideration  
20          the recommendations of local boards and providers of  
21          training services within the State.

22          “(h) OPPORTUNITY TO SUBMIT COMMENTS.—Dur-  
23          ing the development of the criteria, procedures, require-  
24          ments for information, and the list of eligible providers  
25          required under this section, the Governor shall provide an

1 opportunity for interested members of the public to submit  
2 comments regarding such criteria, procedures, and infor-  
3 mation.

4 “(i) ON-THE-JOB TRAINING OR CUSTOMIZED TRAIN-  
5 ING EXCEPTION.—

6 “(1) IN GENERAL.—Providers of on-the-job  
7 training or customized training shall not be subject  
8 to the requirements of subsections (a) through (d).

9 “(2) COLLECTION AND DISSEMINATION OF IN-  
10 FORMATION.—A one-stop operator in a local area  
11 shall collect such performance information from on-  
12 the-job training and customized training providers  
13 as the Governor may require, determine whether the  
14 providers meet such performance criteria as the Gov-  
15 ernor may require, and disseminate information  
16 identifying providers that meet the criteria as eligi-  
17 ble providers, and the performance information,  
18 through the one-stop delivery system. Providers de-  
19 termined to meet the criteria shall be considered to  
20 be identified as eligible providers of training serv-  
21 ices.”.

22 **SEC. 110. GENERAL AUTHORIZATION.**

23 Chapter 5 of subtitle B of title I is amended—

1 (1) by striking the heading for chapter 5 and  
2 inserting the following: “**EMPLOYMENT AND**  
3 **TRAINING ACTIVITIES**”; and

4 (2) in section 131 (29 U.S.C. 2861)—

5 (A) by striking “paragraphs (1)(B) and  
6 (2)(B) of”; and

7 (B) by striking “adults, and dislocated  
8 workers,” and inserting “individuals”.

9 **SEC. 111. STATE ALLOTMENTS.**

10 Section 132 (29 U.S.C. 2862) is amended—

11 (1) by amending subsection (a) to read as fol-  
12 lows:

13 “(a) IN GENERAL.—The Secretary shall—

14 “(1) reserve  $\frac{1}{2}$  of 1 percent of the total amount  
15 appropriated under section 137 for a fiscal year, of  
16 which—

17 “(A) 50 percent shall be used to provide  
18 technical assistance under section 170; and

19 “(B) 50 percent shall be used for evalua-  
20 tions under section 172;

21 “(2) reserve not more than 1 percent of the  
22 total amount appropriated under section 137 for a  
23 fiscal year to make grants to, and enter into con-  
24 tracts or cooperative agreements with Indian tribes,  
25 tribal organizations, Alaska-Native entities, Indian-

1 controlled organizations serving Indians, or Native  
2 Hawaiian organizations to carry out employment  
3 and training activities;

4 “(3) reserve not more than 25 percent of the  
5 total amount appropriated under section 137 for a  
6 fiscal year to carry out the Jobs Corps program  
7 under subtitle C;

8 “(4) reserve not more than 3.5 percent of the  
9 total amount appropriated under section 137 for a  
10 fiscal year to—

11 “(A) make grants to State or local boards  
12 to provide employment and training assistance  
13 to workers affected by major economic disloca-  
14 tions, such as plant closures, mass layoffs, or  
15 closures and realignments of military installa-  
16 tions; and

17 “(B) provide assistance to Governors of  
18 States with an area that has suffered an emer-  
19 gency or a major disaster (as such terms are  
20 defined in paragraphs (1) and (2), respectively,  
21 of section 102 of the Robert T. Stafford Dis-  
22 aster Relief and Emergency Assistance Act (42  
23 U.S.C. 5122)) to provide disaster relief employ-  
24 ment in the area.

1           “(5) from the remaining amount appropriated  
2           under section 137 for a fiscal year (after reserving  
3           funds under paragraphs (1) through (4)), make al-  
4           lotments in accordance with subsection (b) of this  
5           section.”; and

6           (2) by amending subsection (b) to read as fol-  
7           lows:

8           “(b) WORKFORCE INVESTMENT FUND.—

9           “(1) RESERVATION FOR OUTLYING AREAS.—

10           “(A) IN GENERAL.—From the amount  
11           made available under subsection (a)(5) for a  
12           fiscal year, the Secretary shall reserve not more  
13           than  $\frac{1}{4}$  of 1 percent to provide assistance to  
14           the outlying areas.

15           “(B) RESTRICTION.—The Republic of  
16           Palau shall cease to be eligible to receive fund-  
17           ing under this subparagraph upon entering into  
18           an agreement for extension of United States  
19           educational assistance under the Compact of  
20           Free Association (approved by the Compact of  
21           Free Association Amendments Act of 2003  
22           (Public Law 99–658)) after the date of enact-  
23           ment of the SKILLS Act.

24           “(2) STATES.—

1           “(A) IN GENERAL.—After determining the  
2           amount to be reserved under paragraph (1), the  
3           Secretary shall allot the remainder of the  
4           amount referred to in subsection (a)(5) for a  
5           fiscal year to the States pursuant to subpara-  
6           graph (B) for employment and training activi-  
7           ties and statewide workforce investment activi-  
8           ties.

9           “(B) FORMULA.—Subject to subpara-  
10          graphs (C) and (D), of the remainder—

11           “(i) 25 percent shall be allotted on the  
12           basis of the relative number of unemployed  
13           individuals in areas of substantial unem-  
14           ployment in each State, compared to the  
15           total number of unemployed individuals in  
16           areas of substantial unemployment in all  
17           States;

18           “(ii) 25 percent shall be allotted on  
19           the basis of the relative number of individ-  
20           uals in the civilian labor force in each  
21           State, compared to the total number of  
22           such individuals in all States;

23           “(iii) 25 percent shall be allotted on  
24           the basis of the relative number of individ-  
25           uals in each State who have been unem-



1           employed for 15 weeks or more, compared to  
2           the total number of individuals in all  
3           States who have been unemployed for 15  
4           weeks or more; and

5                   “(iv) 25 percent shall be allotted on  
6           the basis of the relative number of dis-  
7           advantaged youth in each State, compared  
8           to the total number of disadvantaged youth  
9           in all States.

10                   “(C) MINIMUM AND MAXIMUM PERCENT-  
11           AGES.—

12                           “(i) MINIMUM PERCENTAGE.—The  
13           Secretary shall ensure that no State shall  
14           receive an allotment under this paragraph  
15           for—

16                                   “(I) each of fiscal years 2014  
17           through 2016, that is less than 100  
18           percent of the allotment percentage of  
19           the State for fiscal year 2012; and

20                                   “(II) fiscal year 2017 and each  
21           succeeding fiscal year, that is less  
22           than 90 percent of the allotment per-  
23           centage of the State for the preceding  
24           fiscal year.

1                   “(ii) MAXIMUM PERCENTAGE.—Sub-  
2                   ject to clause (i), the Secretary shall en-  
3                   sure that no State shall receive an allot-  
4                   ment under this paragraph for—

5                   “(I) each of fiscal years 2014  
6                   through 2016, that is more than 130  
7                   percent of the allotment percentage of  
8                   the State for fiscal year 2012; and

9                   “(II) fiscal year 2017 and each  
10                  succeeding fiscal year, that is more  
11                  than 130 percent of the allotment per-  
12                  centage of the State for the preceding  
13                  fiscal year.

14                  “(D) SMALL STATE MINIMUM ALLOT-  
15                  MENT.—Subject to subparagraph (C), the Sec-  
16                  retary shall ensure that no State shall receive  
17                  an allotment under this paragraph for a fiscal  
18                  year that is less than  $\frac{1}{5}$  of 1 percent of the re-  
19                  mainder described in subparagraph (A) for the  
20                  fiscal year.

21                  “(E) DEFINITIONS.—For the purpose of  
22                  the formula specified in this paragraph:

23                  “(i) ALLOTMENT PERCENTAGE.—The  
24                  term ‘allotment percentage’—

1           “(I) used with respect to fiscal  
2           year 2012, means the percentage of  
3           the amounts allotted to States under  
4           title I of this Act, title V of the Older  
5           Americans Act of 1965 (42 U.S.C.  
6           3056 et seq.), the Women in Appren-  
7           ticeship and Nontraditional Occupa-  
8           tions Act (29 U.S.C. 2501 et seq.),  
9           sections 4103A and 4104 of title 38,  
10          United States Code, and sections 1  
11          through 14 of the Wagner-Peyser Act  
12          (29 U.S.C. 49 et seq.), as such provi-  
13          sions were in effect for fiscal year  
14          2012, that is received under such pro-  
15          visions by the State involved for fiscal  
16          year 2012; and

17           “(II) used with respect to fiscal  
18          year 2016 or a succeeding fiscal year,  
19          means the percentage of the amounts  
20          allotted to States under this para-  
21          graph for the fiscal year that is re-  
22          ceived under this paragraph by the  
23          State involved for the fiscal year.

24           “(ii) DISADVANTAGED YOUTH.—The  
25          term ‘disadvantaged youth’ means an indi-

1           vidual who is not less than age 16 and not  
2           more than age 24 who receives an income,  
3           or is a member of a family that received a  
4           total family income, that in relation to  
5           family size, does not exceed the higher  
6           of—

7                           “(I) the poverty line; or

8                           “(II) 70 percent of the lower liv-  
9                           ing standard income level.

10                          “(iii) INDIVIDUAL.—The term ‘indi-  
11                          vidual’ means an individual who is age 16  
12                          or older.”.

13 **SEC. 112. WITHIN STATE ALLOCATIONS.**

14       Section 133 is amended—

15           (1) by amending subsection (a) to read as fol-  
16       lows:

17       “(a) RESERVATIONS FOR STATEWIDE WORKFORCE  
18       INVESTMENT ACTIVITIES.—

19           “(1) STATEWIDE EMPLOYMENT AND TRAINING  
20       ACTIVITIES.—The Governor of a State shall reserve  
21       up to 15 percent of the total amount allotted to the  
22       State under section 132(b)(2) for a fiscal year to  
23       carry out the statewide activities described in section  
24       134(a).

1           “(2) STATEWIDE RAPID RESPONSE ACTIVI-  
2           TIES.—Of the amount reserved under paragraph (1)  
3           for a fiscal year, the Governor of the State shall re-  
4           serve not more than 25 percent for statewide rapid  
5           response activities described in section 134(a)(4).

6           “(3) STATEWIDE GRANTS FOR INDIVIDUALS  
7           WITH BARRIERS TO EMPLOYMENT.—Of the amount  
8           reserved under paragraph (1) for a fiscal year, the  
9           Governor of a State shall reserve 15 percent to carry  
10          out statewide activities described in section  
11          134(a)(5).

12          “(4) STATE ADMINISTRATIVE COST LIMIT.—Not  
13          more than 5 percent of the funds reserved under  
14          paragraph (1) may be used by the Governor of a  
15          State for administrative costs of carrying out the  
16          statewide activities described in section 134(a).”;

17          (2) by amending subsection (b) to read as fol-  
18          lows:

19          “(b) WITHIN STATE ALLOCATION.—

20                 “(1) METHODS.—The Governor, acting in ac-  
21                 cordance with the State plan, and after consulting  
22                 with chief elected officials in the local areas, shall—

23                         “(A) allocate the funds that are allotted to  
24                         the State for employment and training activities

1 and not reserved under subsection (a), in ac-  
2 cordance with paragraph (2)(A); and

3 “(B) award the funds that are reserved by  
4 the State under subsection (a)(3) through com-  
5 petitive grants to eligible entities, in accordance  
6 with section 134(a)(1)(C).

7 “(2) FORMULA ALLOCATIONS FOR THE WORK-  
8 FORCE INVESTMENT FUND.—

9 “(A) ALLOCATION.—In allocating the  
10 funds described in paragraph (1)(A) to local  
11 areas, a State shall allocate—

12 “(i) 25 percent on the basis described  
13 in section 132(b)(2)(B)(i);

14 “(ii) 25 percent on the basis described  
15 in section 132(b)(2)(B)(ii);

16 “(iii) 25 percent on the basis de-  
17 scribed in section 132(b)(2)(B)(iii); and

18 “(iv) 25 percent on the basis de-  
19 scribed in section 132(b)(2)(B)(iv).

20 “(B) MINIMUM AND MAXIMUM PERCENT-  
21 AGES.—

22 “(i) MINIMUM PERCENTAGE.—The  
23 State shall ensure that no local area shall  
24 receive an allocation under this paragraph  
25 for—

1           “(I) each of fiscal years 2014  
2           through 2016, that is less than 100  
3           percent of the allocation percentage of  
4           the local area for fiscal year 2012;  
5           and

6           “(II) fiscal year 2017 and each  
7           succeeding fiscal year, that is less  
8           than 90 percent of the allocation per-  
9           centage of the local area for the pre-  
10          ceding fiscal year.

11          “(ii) MAXIMUM PERCENTAGE.—Sub-  
12          ject to clause (i), the State shall ensure  
13          that no local area shall receive an alloca-  
14          tion for a fiscal year under this paragraph  
15          for—

16               “(I) each of fiscal years 2014  
17               through 2016, that is more than 130  
18               percent of the allocation percentage of  
19               the local area for fiscal year 2012;  
20               and

21               “(II) fiscal year 2017 and each  
22               succeeding fiscal year, that is more  
23               than 130 percentage of the allocation  
24               percentage of the local area for the  
25               preceding fiscal year.

1           “(C) DEFINITIONS.—For the purpose of  
2 the formula specified in this paragraph, the  
3 term ‘allocation percentage’—

4           “(i) used with respect to fiscal year  
5 2012, means the percentage of the  
6 amounts allocated to local areas under title  
7 I of this Act, title V of the Older Ameri-  
8 cans Act of 1965 (42 U.S.C. 3056 et seq.),  
9 the Women in Apprenticeship and Non-  
10 traditional Occupations Act (29 U.S.C.  
11 2501 et seq.), sections 4103A and 4104 of  
12 title 38, United States Code, and sections  
13 1 through 14 of the Wagner-Peyser Act  
14 (29 U.S.C. 49 et seq.), as such provisions  
15 were in effect for fiscal year 2012, that is  
16 received under such provisions by the local  
17 area involved for fiscal year 2012; and

18           “(ii) used with respect to fiscal year  
19 2016 or a succeeding fiscal year, means  
20 the percentage of the amounts allocated to  
21 local areas for the fiscal year under this  
22 paragraph that is received under this para-  
23 graph by the local area involved for the fis-  
24 cal year.”;

25           (3) in subsection (c)—



1 (A) by amending paragraph (1) to read as  
2 follows:

3 “(1) IN GENERAL.—The Governor, may in ac-  
4 cordance with this subsection, reallocate to eligible  
5 local areas within the State amounts that are allo-  
6 cated under subsection (b) for employment and  
7 training activities and that are available for realloca-  
8 tion.”;

9 (B) in paragraph (2), by striking “para-  
10 graph (2)(A) or (3) of subsection (b) for such  
11 activities” and inserting “subsection (b) for  
12 such activities”;

13 (C) by amending paragraph (3) to read as  
14 follows:

15 “(3) REALLOCATIONS.—In making reallocations  
16 to eligible local areas of amounts available pursuant  
17 to paragraph (2) for a program year, the Governor  
18 shall allocate to each eligible local area within the  
19 State an amount based on the relative amount allo-  
20 cated to such local area under subsection (b)(2) for  
21 such activities for such prior program year, as com-  
22 pared to the total amount allocated to all eligible  
23 local areas in the State under subsection (b)(2) for  
24 such activities for such prior program year.”; and

1 (D) in paragraph (4), by striking “para-  
2 graph (2)(A) or (3) of”; and

3 (4) by adding at the end the following new sub-  
4 section:

5 “(d) LOCAL ADMINISTRATIVE COST LIMIT.—Of the  
6 amounts allocated to a local area under this section for  
7 a fiscal year, not more than 10 percent of the amount  
8 may be used by the local board involved for the adminis-  
9 trative costs of carrying out local workforce investment ac-  
10 tivities in the local area under this chapter.”.

11 **SEC. 113. USE OF FUNDS FOR EMPLOYMENT AND TRAINING**  
12 **ACTIVITIES.**

13 Section 134 is amended—

14 (1) by amending subsection (a) to read as fol-  
15 lows:

16 “(a) STATEWIDE EMPLOYMENT AND TRAINING AC-  
17 TIVITIES.—

18 “(1) IN GENERAL.—

19 “(A) DISTRIBUTION OF STATEWIDE AC-  
20 TIVITIES.—Funds reserved by a Governor for a  
21 State as described in section 133(a)(1)—

22 “(i) shall be used to carry out the  
23 statewide employment and training activi-  
24 ties described in paragraph (2); and

1                   “(ii) may be used to carry out any of  
2                   the statewide employment and training ac-  
3                   tivities described in paragraph (3).

4                   “(B) STATEWIDE RAPID RESPONSE ACTIVI-  
5                   TIES.—Funds reserved by a Governor for a  
6                   State as described in section 133(a)(2) shall be  
7                   used to carry out the statewide rapid response  
8                   activities described in paragraph (4).

9                   “(C) STATEWIDE GRANTS FOR INDIVID-  
10                   UALS WITH BARRIERS TO EMPLOYMENT.—  
11                   Funds reserved by a Governor for a State as  
12                   described in section 133(a)(3) shall be used to  
13                   carry out the Statewide Grants for Individuals  
14                   with Barriers to Employment competition de-  
15                   scribed in paragraph (5).

16                   “(2) REQUIRED STATEWIDE EMPLOYMENT AND  
17                   TRAINING ACTIVITIES.—A State shall use funds re-  
18                   served as described in section 133(a)(1) to carry out  
19                   statewide employment and training activities, which  
20                   shall include—

21                   “(A) disseminating the State list of eligible  
22                   providers of training described in section  
23                   122(d), information identifying eligible pro-  
24                   viders of on-the-job training and customized  
25                   training described in section 122(i), and per-

1 formance information and program cost infor-  
2 mation described in section 122(b)(2);

3 “(B) supporting the provision of work  
4 ready services described in subsection (c)(2) in  
5 the one-stop delivery system;

6 “(C) implementing strategies and services  
7 that will be used in the State to assist at-risk  
8 youth and out-of-school youth in acquiring the  
9 education and skills, recognized postsecondary  
10 credentials, and employment experience to suc-  
11 ceed in the labor market;

12 “(D) conducting evaluations under section  
13 136(e) of activities authorized under this chap-  
14 ter in coordination with evaluations carried out  
15 by the Secretary under section 172;

16 “(E) providing technical assistance to local  
17 areas that fail to meet local performance meas-  
18 ures;

19 “(F) operating a fiscal and management  
20 accountability system under section 136(f); and

21 “(G) carrying out monitoring and over-  
22 sight of activities carried out under this chap-  
23 ter.

24 “(3) ALLOWABLE STATEWIDE EMPLOYMENT  
25 AND TRAINING ACTIVITIES.—A State may use funds

1 reserved as described in section 133(a)(1) to carry  
2 out statewide employment and training activities  
3 which may include—

4 “(A) implementing innovative programs  
5 and strategies designed to meet the needs of all  
6 employers in the State, including small employ-  
7 ers, which may include incumbent worker train-  
8 ing programs, sectoral and industry cluster  
9 strategies and partnerships, career ladder pro-  
10 grams, micro-enterprise and entrepreneurial  
11 training and support programs, utilization of ef-  
12 fective business intermediaries, activities to im-  
13 prove linkages between the one-stop delivery  
14 system in the State and all employers (includ-  
15 ing small employers) in the State, and other  
16 business services and strategies that better en-  
17 gage employers in workforce investment activi-  
18 ties and make the workforce investment system  
19 more relevant to the needs of State and local  
20 businesses, consistent with the objectives of this  
21 title;

22 “(B) providing incentive grants to local  
23 areas for regional cooperation among local  
24 boards (including local boards in a designated  
25 region as described in section 116(c)), for local

1 coordination of activities carried out under this  
2 Act, and for exemplary performance by local  
3 areas on the local performance measures;

4 “(C) developing strategies for effectively  
5 integrating programs and services among one-  
6 stop partners;

7 “(D) carrying out activities to facilitate re-  
8 mote access to services provided through a one-  
9 stop delivery system, including facilitating ac-  
10 cess through the use of technology;

11 “(E) incorporating pay-for-performance  
12 contracting strategies, as defined in section  
13 101(56), as an element in funding activities  
14 under this section and providing technical sup-  
15 port to local areas and providers in order to  
16 carry out such strategy, which may provide as-  
17 sistance with data collection and data entry re-  
18 quirements;

19 “(F) carrying out the State option under  
20 subsection (f)(8); and

21 “(G) carrying out other activities author-  
22 ized under this section that the State deter-  
23 mines to be necessary to assist local areas in  
24 carrying out activities described in subsection

1 (c) or (d) through the statewide workforce in-  
2 vestment system.

3 “(4) STATEWIDE RAPID RESPONSE ACTIVI-  
4 TIES.—A State shall use funds reserved as described  
5 in section 133(a)(2) to carry out statewide rapid re-  
6 sponse activities, which shall include—

7 “(A) provision of rapid response activities,  
8 carried out in local areas by the State or by an  
9 entity designated by the State, working in con-  
10 junction with the local boards and the chief  
11 elected officials in the local areas; and

12 “(B) provision of additional assistance to  
13 local areas that experience disasters, mass lay-  
14 offs or plant closings, or other events that pre-  
15 cipitate substantial increases in the number of  
16 unemployed individuals, carried out in local  
17 areas by the State or by an entity designated  
18 by the State, working in conjunction with the  
19 local boards and the chief elected officials in the  
20 local areas.

21 “(5) STATEWIDE GRANTS FOR INDIVIDUALS  
22 WITH BARRIERS TO EMPLOYMENT.—

23 “(A) IN GENERAL.—Of the funds reserved  
24 as described in section 133(a)(3), the Governor  
25 of a State—

1           “(i) may reserve up to 5 percent to  
2           provide technical assistance to, and con-  
3           duct evaluations as described in section  
4           136(e), of the programs and activities car-  
5           ried out under this paragraph; and

6           “(ii) using the remainder, shall award  
7           grants on a competitive basis to eligible en-  
8           tities described in subparagraph (B) to  
9           carry out employment and training pro-  
10          grams authorized under this paragraph for  
11          individuals with barriers to employment  
12          that meet specific performance outcomes  
13          and criteria established by the Governor.

14          “(B) ELIGIBLE ENTITY DEFINED.—For  
15          purposes of this paragraph, the term ‘eligible  
16          entity’ means an entity that—

17                 “(i) is a—

18                         “(I) local board or a consortium  
19                         of local boards;

20                         “(II) nonprofit entity, for-profit  
21                         entity, or a consortium of nonprofit or  
22                         for-profit entities; or

23                         “(III) consortium of the entities  
24                         described in subclauses (I) and (II);



1           “(ii) has a demonstrated record of  
2           placing individuals into unsubsidized em-  
3           ployment and serving hard to serve individ-  
4           uals; and

5           “(iii) agrees to be reimbursed pri-  
6           marily on the basis of achievement of spec-  
7           ified performance outcomes and criteria es-  
8           tablished by the Governor.

9           “(C) GRANT PERIOD.—

10           “(i) IN GENERAL.—A grant under  
11           this paragraph shall be awarded for a pe-  
12           riod of 1 year.

13           “(ii) GRANT RENEWAL.—A Governor  
14           of a State may renew, for up to 4 addi-  
15           tional 1-year periods, a grant awarded  
16           under this paragraph.

17           “(D) ELIGIBLE PARTICIPANTS.—To be eli-  
18           gible to participate in activities under this para-  
19           graph, an individual shall be a low-income indi-  
20           vidual age 16 or older or a member of a low-  
21           income family.

22           “(E) USE OF FUNDS.—An eligible entity  
23           receiving a grant under this paragraph shall use  
24           such funds for activities that are designed to  
25           assist eligible participants in obtaining employ-

1           ment and acquiring the education and skills  
2           necessary to succeed in the labor market.

3           “(F) APPLICATIONS.—To be eligible to re-  
4           ceive a grant under this paragraph, an eligible  
5           entity shall submit an application to a State at  
6           such time, in such manner, and containing such  
7           information as the State may require, includ-  
8           ing—

9                   “(i) a description of how the strate-  
10                   gies and activities will be aligned with the  
11                   State plan submitted under section 112  
12                   and the local plan submitted under section  
13                   118 with respect to the areas of the State  
14                   that will be the focus of grant activities  
15                   under this paragraph;

16                   “(ii) a description of the educational  
17                   and skills training programs and activities  
18                   the eligible entity will provide to eligible  
19                   participants under this paragraph;

20                   “(iii) how the eligible entity will col-  
21                   laborate with State and local workforce in-  
22                   vestment systems established under this  
23                   title in the provision of such programs and  
24                   activities;

1                   “(iv) a description of the programs of  
2                   demonstrated effectiveness on which the  
3                   provision of such educational and skills  
4                   training programs and activities are based,  
5                   and a description of how such programs  
6                   and activities will improve the education  
7                   and skills training for eligible participants;

8                   “(v) a description of the populations  
9                   to be served and the skill needs of those  
10                  populations, and the manner in which eligi-  
11                  ble participants will be recruited and se-  
12                  lected as participants;

13                  “(vi) a description of the private, pub-  
14                  lic, local, and State resources that will be  
15                  leveraged, in addition to the grant funds  
16                  provided for the programs and activities  
17                  under this paragraph, and how the entity  
18                  will ensure the sustainability of such pro-  
19                  grams and activities after grant funds are  
20                  no longer available;

21                  “(vii) a description of the extent of  
22                  the involvement of employers in such pro-  
23                  grams and activities;

24                  “(viii) a description of the levels of  
25                  performance the eligible entity expects to

1           achieve with respect to the indicators of  
2           performance for all individuals specified in  
3           section in 136(b)(2);

4                   “(ix) a detailed budget and a descrip-  
5                   tion of the system of fiscal controls, and  
6                   auditing and accountability procedures  
7                   that will be used to ensure fiscal soundness  
8                   for the programs and activities provided  
9                   under this paragraph; and

10                   “(x) any other criteria the Governor  
11                   may require.”;

12                   (2) by amending subsection (b) to read as fol-  
13           lows:

14           “(b) LOCAL EMPLOYMENT AND TRAINING ACTIVI-  
15   TIES.—Funds allocated to a local area under section  
16   133(b)—

17                   “(1) shall be used to carry out employment and  
18                   training activities described in subsection (c); and

19                   “(2) may be used to carry out employment and  
20                   training activities described in subsection (d).”;

21                   (3) by striking subsection (c);

22                   (4) by redesignating subsections (d) and (e), as  
23                   subsection (c) and (d), respectively;

24                   (5) in subsection (c) (as so redesignated)—

1 (A) by amending paragraph (1) to read as  
2 follows:

3 “(1) IN GENERAL.—Funds allocated to a local  
4 area under section 133(b) shall be used—

5 “(A) to establish a one-stop delivery sys-  
6 tem as described in section 121(e);

7 “(B) to provide the work ready services de-  
8 scribed in paragraph (2) through the one-stop  
9 delivery system in accordance with such para-  
10 graph; and

11 “(C) to provide training services described  
12 in paragraph (4) in accordance with such para-  
13 graph.”;

14 (B) in paragraph (2)—

15 (i) in the heading, by striking “CORE  
16 SERVICES” and inserting “WORK READY  
17 SERVICES”;

18 (ii) in the matter preceding subpara-  
19 graph (A)—

20 (I) by striking “(1)(A)” and in-  
21 serting “(1)(B)”;

22 (II) by striking “core services”  
23 and inserting “work ready services”;  
24 and

1 (III) by striking “who are adults  
2 or dislocated workers”;

3 (iii) by redesignating subparagraph  
4 (K) as subparagraph (V);

5 (iv) by redesignating subparagraphs  
6 (B) through (J) as subparagraphs (C)  
7 through (K), respectively;

8 (v) by inserting after subparagraph  
9 (A) the following:

10 “(B) assistance in obtaining eligibility de-  
11 terminations under the other one-stop partner  
12 programs through activities, where appropriate  
13 and consistent with the authorizing statute of  
14 the one-stop partner program, such as assisting  
15 in the submission of applications, the provision  
16 of information on the results of such applica-  
17 tions, and the provision of intake services and  
18 information;”;

19 (vi) by amending subparagraph (E),  
20 as so redesignated, to read as follows:

21 “(E) labor exchange services, including—

22 “(i) job search and placement assist-  
23 ance, and where appropriate, career coun-  
24 seling;

1                   “(ii) appropriate recruitment services  
2                   for employers, including small employers,  
3                   in the local area, which may include serv-  
4                   ices described in this subsection, including  
5                   information and referral to specialized  
6                   business services not traditionally offered  
7                   through the one-stop delivery system; and  
8                   “(iii) reemployment services provided  
9                   to unemployment claimants, including  
10                  claimants identified as in need of such  
11                  services under the worker profiling system  
12                  established under section 303(j) of the So-  
13                  cial Security Act (42 U.S.C. 503(j));”;  
14                  (vii) in subparagraph (F), as so redes-  
15                  ignated, by striking “employment statis-  
16                  tics” and inserting “workforce and labor  
17                  market”;  
18                  (viii) in subparagraph (G), as so re-  
19                  designated, by striking “and eligible pro-  
20                  viders of youth activities described in sec-  
21                  tion 123,”;  
22                  (ix) in subparagraph (H), as so redes-  
23                  ignated, by inserting “under section 136”  
24                  after “local performance measures”;

1                   (x) in subparagraph (J), as so redesi-  
2                   gnated, by inserting “and the administra-  
3                   tion of the work test for the unemployment  
4                   compensation system” after “compensa-  
5                   tion”;

6                   (xi) by amending subparagraph (K),  
7                   as so redesignated, to read as follows:

8                   “(K) assistance in establishing eligibility  
9                   for programs of financial aid assistance for  
10                  training and education programs that are not  
11                  funded under this Act and are available in the  
12                  local area;” and

13                  (xii) by inserting the following new  
14                  subparagraphs after subparagraph (K), as  
15                  so redesignated:

16                  “(L) the provision of information from of-  
17                  ficial publications of the Internal Revenue Serv-  
18                  ice regarding Federal tax credits available to in-  
19                  dividuals relating to education, job training and  
20                  employment;

21                  “(M) comprehensive and specialized assess-  
22                  ments of the skill levels and service needs of  
23                  workers, which may include—

24                         “(i) diagnostic testing and use of  
25                         other assessment tools; and



1                   “(ii) in-depth interviewing and evalua-  
2                   tion to identify employment barriers and  
3                   appropriate employment goals;

4                   “(N) development of an individual employ-  
5                   ment plan, to identify the employment goals,  
6                   appropriate achievement objectives, and appro-  
7                   priate combination of services for the partici-  
8                   pant;

9                   “(O) group counseling;

10                  “(P) individual counseling and career plan-  
11                  ning;

12                  “(Q) case management;

13                  “(R) short-term pre-career services, includ-  
14                  ing development of learning skills, communica-  
15                  tions skills, interviewing skills, punctuality, per-  
16                  sonal maintenance skills, and professional con-  
17                  duct, to prepare individuals for unsubsidized  
18                  employment or training;

19                  “(S) internships and work experience;

20                  “(T) literacy activities relating to basic  
21                  work readiness, information and communication  
22                  technology literacy activities, and financial lit-  
23                  eracy activities, if such activities are not avail-  
24                  able to participants in the local area under pro-  
25                  grams administered under the Adult Education

1 and Family Literacy Act (20 U.S.C. 2901 et  
2 seq.);

3 “(U) out-of-area job search assistance and  
4 relocation assistance; and”;

5 (C) by amending paragraph (3) to read as  
6 follows:

7 “(3) DELIVERY OF SERVICES.—The work ready  
8 services described in paragraph (2) shall be provided  
9 through the one-stop delivery system and may be  
10 provided through contracts with public, private for-  
11 profit, and private nonprofit service providers, ap-  
12 proved by the local board.”;

13 (D) in paragraph (4)—

14 (i) by amending subparagraph (A) to  
15 read as follows:

16 “(A) IN GENERAL.—Funds described in  
17 paragraph (1)(C) shall be used to provide train-  
18 ing services to individuals who—

19 “(i) after an interview, evaluation, or  
20 assessment, and case management, have  
21 been determined by a one-stop operator or  
22 one-stop partner, as appropriate, to—

23 “(I) be in need of training serv-  
24 ices to obtain or retain employment;  
25 and

1                   “(II) have the skills and quali-  
2                   fications to successfully participate in  
3                   the selected program of training serv-  
4                   ices;

5                   “(ii) select programs of training serv-  
6                   ices that are directly linked to the employ-  
7                   ment opportunities in the local area in-  
8                   volved or in another area in which the indi-  
9                   vidual receiving such services are willing to  
10                  commute or relocate; and

11                  “(iii) who meet the requirements of  
12                  subparagraph (B);”; and

13                  (ii) in subparagraph (B)(i), by strik-  
14                  ing “Except” and inserting “Notwith-  
15                  standing section 479B of the Higher Edu-  
16                  cation Act of 1965 (20 U.S.C. 1087uu)  
17                  and except”;

18                  (iii) by amending subparagraph (D) to  
19                  read as follows:

20                  “(D) TRAINING SERVICES.—Training serv-  
21                  ices authorized under this paragraph may in-  
22                  clude—

23                         “(i) occupational skills training;

24                         “(ii) on-the-job training;

25                         “(iii) skill upgrading and retraining;

1 “(iv) entrepreneurial training;

2 “(v) education activities leading to a  
3 regular secondary school diploma or its  
4 recognized equivalent in combination with,  
5 concurrently or subsequently, occupational  
6 skills training;

7 “(vi) adult education and literacy ac-  
8 tivities provided in conjunction with other  
9 training authorized under this subpara-  
10 graph;

11 “(vii) workplace training combined  
12 with related instruction;

13 “(viii) occupational skills training that  
14 incorporates English language acquisition;

15 “(ix) customized training conducted  
16 with a commitment by an employer or  
17 group of employers to employ an individual  
18 upon successful completion of the training;  
19 and

20 “(x) training programs operated by  
21 the private sector.”;

22 (iv) by striking subparagraph (E) and  
23 redesignating subparagraphs (F) and (G)  
24 as subparagraphs (E) and (F), respec-  
25 tively; and

1 (v) in subparagraph (E) (as so reded-  
2 ignated)—

3 (I) in clause (ii)—

4 (aa) in the matter preceding  
5 subclause (I), by striking “sub-  
6 section (c)” and inserting “sec-  
7 tion 121”;

8 (bb) in subclause (I), by  
9 striking “section 122(e)” and in-  
10 serting “section 122(d)” and by  
11 striking “section 122(h)” and in-  
12 serting “section 122(i)”; and

13 (cc) in subclause (II), by  
14 striking “subsections (e) and  
15 (h)” and inserting “subsection  
16 (i)”; and

17 (II) by striking clause (iii) and  
18 inserting the following:

19 “(iii) CAREER ENHANCEMENT AC-  
20 COUNTS.—An individual who seeks train-  
21 ing services and who is eligible pursuant to  
22 subparagraph (A), may, in consultation  
23 with a case manager, select an eligible pro-  
24 vider of training services from the list or  
25 identifying information for providers de-

1           scribed in clause (ii)(I). Upon such selec-  
2           tion, the one-stop operator involved shall,  
3           to the extent practicable, refer such indi-  
4           vidual to the eligible provider of training  
5           services, and arrange for payment for such  
6           services through a career enhancement ac-  
7           count.

8           “(iv) COORDINATION.—Each local  
9           board may, through one-stop centers, co-  
10          ordinate career enhancement accounts with  
11          other Federal, State, local, or private job  
12          training programs or sources to assist the  
13          individual in obtaining training services.

14          “(v) ASSISTANCE.—Each local board  
15          may, through one-stop centers, assist indi-  
16          viduals receiving career enhancement ac-  
17          counts in obtaining funds (in addition to  
18          the funds provided under this section)  
19          from other programs and sources that will  
20          assist the individual in obtaining training  
21          services.”; and

22          (vi) in subparagraph (F) (as so reded-  
23          ignated)—

24                               (I) in the subparagraph heading,  
25                               by striking “INDIVIDUAL TRAINING

1 ACCOUNTS” and inserting “CAREER  
2 ENHANCEMENT ACCOUNTS”;

3 (II) in clause (i) by striking “in-  
4 dividual training accounts” and in-  
5 serting “career enhancement ac-  
6 counts”;

7 (III) in clause (ii)—

8 (aa) by striking “an indi-  
9 vidual training account” and in-  
10 serting “a career enhancement  
11 account”;

12 (bb) by striking “subpara-  
13 graph (F)” and inserting “sub-  
14 paragraph (E)”;

15 (cc) in subclause (II), by  
16 striking “individual training ac-  
17 counts” and inserting “career en-  
18 hancement accounts”;

19 (dd) in subclause (II) by  
20 striking “or” after the semicolon;

21 (ee) in subclause (III) by  
22 striking the period and inserting  
23 “; or”; and

24 (ff) by adding at the end the  
25 following:

1                   “(IV) the local board determines  
2                   that it would be most appropriate to  
3                   award a contract to an institution of  
4                   higher education that has been identi-  
5                   fied as a priority provider under sec-  
6                   tion 117(d)(5)(B) in order to facili-  
7                   tate the training of multiple individ-  
8                   uals in in-demand sectors or occupa-  
9                   tions, and which may be used to en-  
10                  able the expansion of programs pro-  
11                  vided by a priority provider, if such  
12                  contract does not limit customer  
13                  choice.”;

14                   (IV) in clause (iii), by striking  
15                   “adult or dislocated worker” and in-  
16                   serting “individual”; and

17                   (V) in clause (iv)—

18                   (aa) by redesignating sub-  
19                   clause (IV) as subclause (V) and  
20                   inserting after subclause (III) the  
21                   following:

22                   “(IV) Individuals with disabili-  
23                   ties.”;

24                   (6) in subsection (d) (as so redesignated)—



1 (A) by amending paragraph (1) to read as  
2 follows:

3 “(1) DISCRETIONARY ONE-STOP DELIVERY AC-  
4 TIVITIES.—

5 “(A) IN GENERAL.—Funds allocated to a  
6 local area under section 133(b)(2) may be used  
7 to provide, through the one-stop delivery sys-  
8 tem—

9 “(i) customized screening and referral  
10 of qualified participants in training serv-  
11 ices to employers;

12 “(ii) customized employment-related  
13 services to employers on a fee-for-service  
14 basis;

15 “(iii) customer supports, including  
16 transportation and childcare, to navigate  
17 among multiple services and activities for  
18 special participant populations that face  
19 multiple barriers to employment, including  
20 individuals with disabilities;

21 “(iv) employment and training assist-  
22 ance provided in coordination with child  
23 support enforcement activities of the State  
24 agency carrying out subtitle D of title IV

1 of the Social Security Act (42 U.S.C. 651  
2 et seq.);

3 “(v) incorporating pay-for-perform-  
4 ance contract strategies, as defined in sec-  
5 tion 101(56), as an element in funding ac-  
6 tivities under this section;

7 “(vi) activities to facilitate remote ac-  
8 cess to services provided through a one-  
9 stop delivery system, including facilitating  
10 access through the use of technology; and

11 “(vii) activities to carry out business  
12 services and strategies that meet the work-  
13 force investment needs of local area em-  
14 ployers, as determined by the local board,  
15 consistent with the local plan under section  
16 118.”.

17 (B) by striking paragraphs (2) and (3);

18 and

19 (C) by adding at the end the following:

20 “(2) INCUMBENT WORKER TRAINING PRO-  
21 GRAMS.—

22 “(A) IN GENERAL.—The local board may  
23 use funds allocated to a local area under section  
24 133(b)(2) to carry out incumbent worker train-

1           ing programs in accordance with this para-  
2           graph.

3           “(B) TRAINING ACTIVITIES.—The training  
4           programs for incumbent workers under this  
5           paragraph shall be carried out by the local area  
6           in conjunction with the employers of such work-  
7           ers for the purpose of assisting such workers in  
8           obtaining the skills necessary to retain employ-  
9           ment and avert layoffs.

10          “(C) EMPLOYER MATCH REQUIRED.—

11                 “(i) IN GENERAL.—Employers partici-  
12                 pating in programs under this paragraph  
13                 shall be required to pay a proportion of the  
14                 costs of providing the training to the in-  
15                 cumbent workers of the employers. The  
16                 local board shall establish the required por-  
17                 tion of such costs, which may include in-  
18                 kind contributions.

19                 “(ii) CALCULATION OF MATCH.—The  
20                 wages paid by an employer to a worker  
21                 while they are attending training may be  
22                 included as part of the required payment  
23                 of the employer.”; and

24           (7) by adding at the end the following:

1       “(e) PRIORITY FOR PLACEMENT IN PRIVATE SECTOR  
2 JOBS.—In providing employment and training activities  
3 authorized under this section, the State and local board  
4 shall give priority to placing participants in jobs in the  
5 private sector.

6       “(f) VETERAN EMPLOYMENT SPECIALIST.—

7               “(1) IN GENERAL.—Subject to paragraph (8), a  
8 local board shall hire and employ one or more vet-  
9 eran employment specialist to carry out employment,  
10 training, and placement services under this sub-  
11 section in the local area served by the local board.

12               “(2) PRINCIPAL DUTIES.—A veteran employ-  
13 ment specialist in a local area shall—

14                       “(A) conduct outreach to employers in the  
15 local area to assist veterans, including disabled  
16 veterans, in gaining employment, including—

17                               “(i) conducting seminars for employ-  
18 ers; and

19                               “(ii) in conjunction with employers,  
20 conducting job search workshops, and es-  
21 tablishing job search groups; and

22                       “(B) facilitate employment, training, sup-  
23 portive, and placement services furnished to  
24 veterans, including disabled and homeless vet-  
25 erans, in the local area.

1           “(3) HIRING PREFERENCE FOR VETERANS AND  
2           INDIVIDUALS WITH EXPERTISE IN SERVING VET-  
3           ERANS.—Subject to paragraph (8), a local board  
4           shall, to the maximum extent practicable, employ  
5           veterans or individuals with expertise in serving vet-  
6           erans to carry out the services described in para-  
7           graph (2) in the local area served by the local board.  
8           In hiring an individual to serve as a veteran employ-  
9           ment specialist, a local board shall give preference to  
10          veterans and other individuals in the following order:

11                   “(A) To service-connected disabled vet-  
12                   erans.

13                   “(B) If no veteran described in subpara-  
14                   graph (A) is available, to veterans.

15                   “(C) If no veteran described in subpara-  
16                   graph (A) or (B) is available, to any member of  
17                   the Armed Forces transitioning out of military  
18                   service.

19                   “(D) If no veteran described in subpara-  
20                   graph (A), (B), or (C) is available, to any  
21                   spouse of a veteran or a spouse of a member of  
22                   the Armed Forces transitioning out of military  
23                   service.

24                   “(E) If no veteran described in subpara-  
25                   graph (A), (B), or (C) is available and no

1 spouse described in paragraph (D) is available,  
2 to any other individuals with expertise in serv-  
3 ing veterans.

4 “(4) ADMINISTRATION AND REPORTING.—

5 “(A) IN GENERAL.—Each veteran employ-  
6 ment specialist shall be administratively respon-  
7 sible to the manager of the one-stop delivery  
8 center in the local area and shall provide, at a  
9 minimum, quarterly reports to the manager of  
10 such center and to the Director for Veterans’  
11 Employment and Training for the State on the  
12 performance and compliance by the specialist  
13 with Federal law and regulations with respect  
14 to the—

15 “(i) principal duties and special serv-  
16 ices for veterans described in paragraph  
17 (2); and

18 “(ii) hiring preferences described in  
19 paragraph (3) for veterans and individuals  
20 with expertise in serving veterans.

21 “(B) REPORT TO SECRETARY.—Each  
22 State shall submit to the Secretary an annual  
23 report on the qualifications used by the local  
24 board in making hiring determinations for a  
25 veteran employment specialist and the salary

1 structure under which such specialist is com-  
2 pensated.

3 “(C) REPORT TO CONGRESS.—The Sec-  
4 retary shall submit to the Committee on Edu-  
5 cation and the Workforce and the Committee  
6 on Veterans’ Affairs of the House of Represent-  
7 atives and the Committee on Health, Edu-  
8 cation, Labor, and Pensions and the Committee  
9 on Veterans’ Affairs of the Senate an annual  
10 report summarizing the reports submitted  
11 under subparagraph (B), including summaries  
12 of outcomes achieved by participating veterans  
13 disaggregated by local areas.

14 “(5) PART-TIME EMPLOYEES.—A part-time vet-  
15 eran employment specialist shall perform the func-  
16 tions of a veteran employment specialist under this  
17 subsection on a halftime basis.

18 “(6) TRAINING REQUIREMENTS.—Each veteran  
19 employment specialist described in paragraph (2)  
20 shall satisfactorily complete training provided by the  
21 National Veterans’ Employment and Training Insti-  
22 tute during the three-year period that begins on the  
23 date on which the employee is so assigned.

24 “(7) SPECIALIST’S DUTIES.—A full-time vet-  
25 eran employment specialist shall perform only duties

1 related to the employment, training, supportive, and  
2 placement services under this subsection, and shall  
3 not perform other non-veteran-related duties if such  
4 duties detract from the specialist's ability to perform  
5 the specialist's duties related to employment, train-  
6 ing, and placement services under this subsection.

7 “(8) STATE OPTION.—At the request of a local  
8 board, a State may assume the duties assigned to  
9 the local board under paragraphs (1) and (3), in-  
10 cluding the hiring and employment of one or more  
11 veteran employment specialist for placement in the  
12 local area served by the local board.”.

13 **SEC. 114. PERFORMANCE ACCOUNTABILITY SYSTEM.**

14 Section 136 (29 U.S.C. 2871) is amended—

15 (1) in subsection (b)—

16 (A) by amending paragraphs (1) and (2)  
17 to read as follows:

18 “(1) IN GENERAL.—For each State, the State  
19 performance measures shall consist of—

20 “(A)(i) the core indicators of performance  
21 described in paragraph (2)(A); and

22 “(ii) additional indicators of performance  
23 (if any) identified by the State under paragraph  
24 (2)(B); and



1           “(B) a State adjusted level of performance  
2           for each indicator described in subparagraph  
3           (A).

4           “(2) INDICATORS OF PERFORMANCE.—

5           “(A) CORE INDICATORS OF PERFORM-  
6           ANCE.—

7           “(i) IN GENERAL.—The core indica-  
8           tors of performance for the program of em-  
9           ployment and training activities authorized  
10          under sections 132(a)(2) and 134, the pro-  
11          gram of adult education and literacy activi-  
12          ties authorized under title II, and the pro-  
13          gram authorized under title I of the Reha-  
14          bilitation Act of 1973 (29 U.S.C. 720 et  
15          seq.), other than section 112 or part C of  
16          that title (29 U.S.C. 732, 741), shall con-  
17          sist of the following indicators of perform-  
18          ance, each disaggregated by the popu-  
19          lations identified in the State and local  
20          plans:

21                   “(I) The percentage and number  
22                   of program participants who are in  
23                   unsubsidized employment during the  
24                   second full calendar quarter after exit  
25                   from the program.

1           “(II) The percentage and number  
2 of program participants who are in  
3 unsubsidized employment during the  
4 fourth full calendar quarter after exit  
5 from the program.

6           “(III) The median earnings of  
7 program participants who are in un-  
8 subsidized employment during the sec-  
9 ond full calendar quarter after exit  
10 from the program compared to the  
11 median earnings of such participants  
12 prior to the training received under  
13 such program.

14           “(IV) The percentage and num-  
15 ber of program participants who ob-  
16 tain a recognized postsecondary cre-  
17 dential, a registered apprenticeship,  
18 an industry-recognized credential, or a  
19 regular secondary school diploma or  
20 its recognized equivalent (subject to  
21 clause (ii)), during participation in or  
22 within 1 year after exit from program.

23           “(V) The percentage and number  
24 of program participants who, during a  
25 program year—

1           “(aa) are in an education or  
2 training program that leads to a  
3 recognized postsecondary creden-  
4 tial, a registered apprenticeship  
5 or on-the-job training program,  
6 an industry-recognized credential,  
7 a regular secondary school di-  
8 ploma or its recognized equiva-  
9 lent, or unsubsidized employ-  
10 ment; and

11           “(bb) are achieving measur-  
12 able basic skill gains toward such  
13 a credential or employment.

14           “(VI) The percentage and num-  
15 ber of program participants who ob-  
16 tain unsubsidized employment in the  
17 field relating to the training services  
18 described in section 134(c)(4) that  
19 such participants received.

20           “(ii) INDICATOR RELATING TO CRE-  
21 DENTIAL.—For purposes of clause (i)(IV),  
22 program participants who obtain a regular  
23 secondary school diploma or its recognized  
24 equivalent shall be included in the percent-  
25 age counted as meeting the criterion under

1           such clause only if such participants, in  
2           addition to obtaining such diploma or its  
3           recognized equivalent, have, within 1 year  
4           after exit from the program, obtained or  
5           retained employment, have been removed  
6           from public assistance, or are in an edu-  
7           cation or training program leading to a  
8           recognized postsecondary credential.

9           “(B) ADDITIONAL INDICATORS.—A State  
10          may identify in the State plan additional indica-  
11          tors for workforce investment activities author-  
12          ized under this subtitle.”; and

13                 (B) in paragraph (3)—

14                         (i) in subparagraph (A)—

15                                 (I) in the heading, by striking  
16                                 “AND CUSTOMER SATISFACTION INDI-  
17                                 CATOR”;

18                                 (II) in clause (i), by striking  
19                                 “and the customer satisfaction indi-  
20                                 cator described in paragraph (2)(B)”;

21                                 (III) in clause (ii), by striking  
22                                 “and the customer satisfaction indi-  
23                                 cator of performance, for the first 3”  
24                                 and inserting “, for all 3”;

25                                 (IV) in clause (iii)—

1 (aa) in the heading, by  
2 striking “FOR FIRST 3 YEARS”;  
3 and

4 (bb) by striking “and the  
5 customer satisfaction indicator of  
6 performance, for the first 3 pro-  
7 gram years” and inserting “for  
8 all 3 program years”;

9 (V) in clause (iv)—

10 (aa) by striking “or (v)”;

11 (bb) by striking subclause  
12 (I) and redesignating subclauses  
13 (II) and (III) as subclauses (I)  
14 and (II), respectively; and

15 (cc) in subclause (I) (as so  
16 redesignated)—

17 (AA) by striking “tak-  
18 ing into account” and in-  
19 serting “which shall be ad-  
20 justed based on”;

21 (BB) by inserting “,  
22 such as unemployment rates  
23 and job losses or gains in  
24 particular industries” after  
25 “economic conditions”; and

1 (CC) by inserting “,  
2 such as indicators of poor  
3 work experience, dislocation  
4 from high-wage employment,  
5 low levels of literacy or  
6 English proficiency, dis-  
7 ability status, including the  
8 number of veterans with dis-  
9 abilities, and welfare de-  
10 pendency” after “program”;  
11 (VI) by striking clause (v) and  
12 redesignating clause (vi) as clause (v);  
13 and  
14 (VII) in clause (v) (as so redesign-  
15 nated),  
16 (aa) by striking “described  
17 in clause (iv)(II)” and inserting  
18 “described in clause (iv)(I)”; and  
19 (bb) by striking “or (v)”;  
20 and  
21 (ii) in subparagraph (B), by striking  
22 “paragraph (2)(C)” and inserting “para-  
23 graph (2)(B)”;  
24 (2) in subsection (c)(1)(A)—

1 (A) by amending clause (i) to read as fol-  
2 lows: “(i) the core indicators of performance de-  
3 scribed in subsection (b)(2)(A) for activities de-  
4 scribed in such subsections, other than state-  
5 wide workforce investment activities; and”;

6 (B) in clause (ii), by striking “(b)(2)(C)”  
7 and inserting “(b)(2)(B)”;

8 (C) by amending paragraph (3) to read as  
9 follows:

10 “(3) DETERMINATIONS.—In determining such  
11 local levels of performance, the local board, the chief  
12 elected official, and the Governor shall ensure such  
13 levels are adjusted based on the specific economic  
14 characteristics (such as unemployment rates and job  
15 losses or gains in particular industries), demographic  
16 characteristics, or other characteristics of the popu-  
17 lation to be served in the local area.”;

18 (3) in subsection (d)—

19 (A) in paragraph (1)—

20 (i) by striking “127 or”;

21 (ii) by striking “and the customer sat-  
22 isfaction indicator” each place it appears;  
23 and

24 (iii) in the last sentence, by inserting  
25 before the period the following: “, and on

1 the amount and percentage of the State’s  
2 annual allotment under section 132 the  
3 State spends on administrative costs and  
4 on the amount and percentage of its an-  
5 nual allocation under section 133 each  
6 local area in the State spends on adminis-  
7 trative costs”;

8 (B) in paragraph (2)—

9 (i) by striking subparagraphs (A),  
10 (B), and (D);

11 (ii) by redesignating subparagraph  
12 (C) as subparagraph (A);

13 (iii) by redesignating subparagraph  
14 (E) as subparagraph (B);

15 (iv) in subparagraph (B), as so redес-  
16 igned—

17 (I) by striking “(excluding par-  
18 ticipants who received only self-service  
19 and informational activities)”; and

20 (II) by striking “and” at the end;

21 (v) by striking subparagraph (F);

22 (vi) by adding at the end the fol-  
23 lowing:

24 “(C) with respect to each local area in the  
25 State—



1           “(i) the number of individuals who re-  
2           ceived work ready services described under  
3           section 134(c)(2) and the number of indi-  
4           viduals who received training services de-  
5           scribed under section 134(c)(4) during the  
6           most recent program year and fiscal year,  
7           and the preceding 5 program years, where  
8           the individuals received the training,  
9           disaggregated by the type of entity that  
10          provided the training, and the amount of  
11          funds spent on each type of service;

12          “(ii) the number of individuals who  
13          successfully exited out of work ready serv-  
14          ices described under section 134(c)(2) and  
15          the number of individuals who exited out  
16          of training services described under section  
17          134(c)(4) during the most recent program  
18          year and fiscal year, and the preceding 5  
19          program years, and where the individuals  
20          received the training, disaggregated by the  
21          type of entity that provided the training;  
22          and

23          “(iii) the average cost per participant  
24          of those individuals who received work  
25          ready services described under section

1           134(c)(2) and the average cost per partici-  
2           pant of those individuals who received  
3           training services described under section  
4           134(c)(4) during the most recent program  
5           year and fiscal year, and the preceding 5  
6           program years, and where the individuals  
7           received the training, disaggregated by the  
8           type of entity that provided the training;  
9           and

10           “(E) the amount of funds spent on train-  
11           ing services and discretionary one-stop delivery  
12           activities, disaggregated by the populations  
13           identified in the State and local plans.”;

14           (C) in paragraph (3)(A), by striking  
15           “through publication” and inserting “through  
16           electronic means”; and

17           (D) by adding at the end the following:

18           “(4) DATA VALIDATION.—In preparing the re-  
19           ports described in this subsection, each State shall  
20           establish procedures, consistent with guidelines  
21           issued by the Secretary, to ensure the information  
22           contained in the report is valid and reliable.

23           “(5) STATE AND LOCAL POLICIES.—

24           “(A) STATE POLICIES.—Each State that  
25           receives an allotment under section 132 shall

1 maintain a central repository of policies related  
2 to access, eligibility, availability of services, and  
3 other matters and plans approved by the State  
4 board and make such repository available to the  
5 public, including by electronic means.

6 “(B) LOCAL POLICIES.—Each local area  
7 that receives an allotment under section 133  
8 shall maintain a central repository of policies  
9 related to access, eligibility, availability of serv-  
10 ices, and other matters and plans approved by  
11 the local board and make such repository avail-  
12 able to the public, including by electronic  
13 means.”;

14 (4) in subsection (g)—

15 (A) in paragraph (1)(A), by striking “or  
16 (B)”;

17 (B) in paragraph (1)(B), by striking “may  
18 reduce by not more than 5 percent,” and insert-  
19 ing “shall reduce”; and

20 (C) by striking paragraph (2) and insert-  
21 ing the following:

22 “(2) FUNDS RESULTING FROM REDUCED AL-  
23 LOTMENTS.—The Secretary shall return to the  
24 Treasury the amount retained, as a result of a re-

1           duction in an allotment to a State made under para-  
2           graph (1)(B).”;

3           (5) in subsection (h)(1), by striking “or (B)”;  
4           (6) in subsection (h)(2)—

5           (A) in subparagraph (A), by amending the  
6           matter preceding clause (i) to read as follows:

7           “(A) IN GENERAL.—If such failure con-  
8           tinues for a second consecutive year, the Gov-  
9           ernor shall take corrective actions, including the  
10          development of a reorganization plan. Such  
11          plan shall—”;

12          (B) by redesignating subparagraphs (B)  
13          and (C) as subparagraphs (C) and (D), respec-  
14          tively;

15          (C) by inserting after subparagraph (A),  
16          the following:

17          “(B) REDUCTION IN THE AMOUNT OF  
18          GRANT.—If such failure continues for a third  
19          consecutive year, the Governor of a State shall  
20          reduce the amount of the grant that would (in  
21          the absence of this subparagraph) be payable to  
22          the local area under such program for the pro-  
23          gram year after such third consecutive year.  
24          Such penalty shall be based on the degree of  
25          failure to meet local levels of performance.”;

1 (D) in subparagraph (C)(i) (as so redesignated),  
2 by striking “a reorganization plan  
3 under subparagraph (A) may, not later than 30  
4 days after receiving notice of the reorganization  
5 plan, appeal to the Governor to rescind or re-  
6 vise such plan” and inserting “corrective ac-  
7 tions under subparagraphs (A) and (B) may,  
8 not later than 30 days after receiving notice of  
9 the actions, appeal to the Governor to rescind  
10 or revise such actions”; and

11 (E) in subparagraph (D) (as so redesignated),  
12 by striking “subparagraph (B)” each  
13 place it appears and inserting “subparagraph  
14 (C)”;

15 (7) in subsection (i)(1)(B), by striking “sub-  
16 section (b)(2)(C)” and inserting “subsection  
17 (b)(2)(B)”;

18 (8) in subsection (i)(1)(C), by striking  
19 “(b)(3)(A)(vi)” and inserting “(b)(3)(A)(v)”;

20 (9) in subsection (i)(2), by striking “the activi-  
21 ties described in section 502 concerning”;

22 (10) in subsection (i)(3), by striking “described  
23 in paragraph (1) and in the activities described in  
24 section 502” and inserting “and activities described  
25 in this subsection”; and

1           (11) by adding at the end the following new  
2 subsections:

3           “(j) USE OF CORE INDICATORS FOR OTHER PRO-  
4 GRAMS.—In addition to the programs carried out under  
5 chapter 5, and consistent with the requirements of the ap-  
6 plicable authorizing laws, the Secretary shall use the core  
7 indicators of performance described in subsection  
8 (b)(2)(A) to assess the effectiveness of the programs de-  
9 scribed under section 121(b)(1)(B) that are carried out  
10 by the Secretary.

11           “(k) ESTABLISHING PAY-FOR-PERFORMANCE INCEN-  
12 TIVES.—

13           “(1) IN GENERAL.—At the discretion of the  
14 Governor of a State, a State may establish an incen-  
15 tive system for local boards to implement pay-for-  
16 performance contract strategies for the delivery of  
17 employment and training services in the local areas  
18 served by the local boards.

19           “(2) IMPLEMENTATION.—A State that estab-  
20 lishes a pay-for-performance incentive system shall  
21 reserve not more than 10 percent of the total  
22 amount allotted to the State under section 132(b)(2)  
23 for a fiscal year to provide funds to local areas in  
24 the State whose local boards have implemented a  
25 pay-for-performance contract strategy.

1           “(3) EVALUATIONS.—A State described in  
2 paragraph (2) shall use funds reserved by the State  
3 under section 133(a)(1) to evaluate the return on in-  
4 vestment of pay-for-performance contract strategies  
5 implemented by local boards in the State.”.

6 **SEC. 115. AUTHORIZATION OF APPROPRIATIONS.**

7           Section 137 (29 U.S.C. 2872) is amended to read as  
8 follows:

9 **“SEC. 137. AUTHORIZATION OF APPROPRIATIONS.**

10           “There are authorized to be appropriated to carry out  
11 the activities described in section 132, \$6,245,318,000 for  
12 fiscal year 2014 and each of the 6 succeeding fiscal  
13 years.”.

14                           **Subtitle C—Job Corps**

15 **SEC. 116. JOB CORPS PURPOSES.**

16           Paragraph (1) of section 141 (29 U.S.C. 2881(1))  
17 is amended to read as follows:

18           “(1) to maintain a national Job Corps program  
19 for at-risk youth, carried out in partnership with  
20 States and communities, to assist eligible youth to  
21 connect to the workforce by providing them with in-  
22 tensive academic, career and technical education,  
23 and service-learning opportunities, in residential and  
24 nonresidential centers, in order for such youth to ob-  
25 tain regular secondary school diplomas and recog-

1 nized postsecondary credentials leading to successful  
2 careers in in-demand industries that will result in  
3 opportunities for advancement;”.

4 **SEC. 117. JOB CORPS DEFINITIONS.**

5 Section 142 (29 U.S.C. 2882) is amended—

6 (1) in paragraph (2)—

7 (A) in the paragraph heading, by striking  
8 “APPLICABLE ONE-STOP” and inserting “ONE-  
9 STOP”;

10 (B) by striking “applicable”;

11 (C) by striking “customer service”; and

12 (D) by striking “intake” and inserting “as-  
13 sessment”;

14 (2) in paragraph (4), by striking “before com-  
15 pleting the requirements” and all that follows and  
16 inserting “prior to becoming a graduate.”; and

17 (3) in paragraph (5), by striking “has com-  
18 pleted the requirements” and all that follows and in-  
19 serting the following: “who, as a result of participa-  
20 tion in the Job Corps program, has received a reg-  
21 ular secondary school diploma, completed the re-  
22 quirements of a career and technical education and  
23 training program, or received, or is making satisfac-  
24 tory progress (as defined under section 484(c) of the  
25 Higher Education Act of 1965 (20 U.S.C. 1091(e))



1 toward receiving, a recognized postsecondary creden-  
2 tial, including an industry-recognized credential that  
3 prepares individuals for employment leading to eco-  
4 nomic self-sufficiency.”.

5 **SEC. 118. INDIVIDUALS ELIGIBLE FOR THE JOB CORPS.**

6 Section 144 (29 U.S.C. 2884) is amended—

7 (1) by amending paragraph (1) to read as fol-  
8 lows:

9 “(1) not less than age 16 and not more than  
10 age 24 on the date of enrollment;”;

11 (2) in paragraph (3)(B), by inserting “sec-  
12 ondary” before “school”; and

13 (3) in paragraph (3)(E), by striking “voca-  
14 tional” and inserting “career and technical edu-  
15 cation and”.

16 **SEC. 119. RECRUITMENT, SCREENING, SELECTION, AND AS-**  
17 **SIGNMENT OF ENROLLEES.**

18 Section 145 (29 U.S.C. 2885) is amended—

19 (1) in subsection (a)—

20 (A) in paragraph (2)(C)(i) by striking “vo-  
21 cational” and inserting “career and technical  
22 education and training”; and

23 (B) in paragraph (3)—

24 (i) by striking “To the extent prac-  
25 ticable, the” and inserting “The”;

- 1 (ii) in subparagraph (A)—
- 2 (I) by striking “applicable”; and
- 3 (II) by inserting “and” after the
- 4 semicolon;
- 5 (iii) by striking subparagraphs (B)
- 6 and (C); and
- 7 (iv) by adding at the end the fol-
- 8 lowing:
- 9 “(B) organizations that have a dem-
- 10 onstrated record of effectiveness in placing at-
- 11 risk youth into employment.”;
- 12 (2) in subsection (b)—
- 13 (A) in paragraph (1)—
- 14 (i) in subparagraph (B), by inserting
- 15 “and agrees to such rules” after “failure
- 16 to observe the rules”; and
- 17 (ii) by amending subparagraph (C) to
- 18 read as follows:
- 19 “(C) the individual has passed a back-
- 20 ground check conducted in accordance with pro-
- 21 cedures established by the Secretary, which
- 22 shall include—
- 23 “(i) a search of the State criminal
- 24 registry or repository in the State where

1 the individual resides and each State where  
2 the individual previously resided;

3 “(ii) a search of State-based child  
4 abuse and neglect registries and databases  
5 in the State where the individual resides  
6 and each State where the individual pre-  
7 viously resided;

8 “(iii) a search of the National Crime  
9 Information Center;

10 “(iv) a Federal Bureau of Investiga-  
11 tion fingerprint check using the Integrated  
12 Automated Fingerprint Identification Sys-  
13 tem; and

14 “(v) a search of the National Sex Of-  
15 fender Registry established under the  
16 Adam Walsh Child Protection and Safety  
17 Act of 2006 (42 U.S.C. 16901 et seq.)”;  
18 and

19 (B) by adding at the end the following new  
20 paragraph:

21 “(3) INDIVIDUALS CONVICTED OF A CRIME.—  
22 An individual shall be ineligible for enrollment if the  
23 individual—

1           “(A) makes a false statement in connection  
2 with the criminal background check described in  
3 paragraph (1)(C);

4           “(B) is registered or is required to be reg-  
5 istered on a State sex offender registry or the  
6 National Sex Offender Registry established  
7 under the Adam Walsh Child Protection and  
8 Safety Act of 2006 (42 U.S.C. 16901 et seq.);  
9 or

10           “(C) has been convicted of a felony con-  
11 sisting of—

12                   “(i) homicide;

13                   “(ii) child abuse or neglect;

14                   “(iii) a crime against children, includ-  
15 ing child pornography;

16                   “(iv) a crime involving rape or sexual  
17 assault; or

18                   “(v) physical assault, battery, or a  
19 drug-related offense, committed within the  
20 past 5 years.”;

21           (3) in subsection (c)—

22                   (A) in paragraph (1)—

23                           (i) by striking “2 years” and inserting  
24 “year”; and

1 (ii) by striking “an assignment” and  
2 inserting “a”; and

3 (B) in paragraph (2)—

4 (i) in the matter preceding subpara-  
5 graph (A), by striking “, every 2 years,”;

6 (ii) in subparagraph (B), by striking  
7 “and” at the end; and

8 (iii) in subparagraph (C)—

9 (I) by inserting “the education  
10 and training” after “including”; and

11 (II) by striking the period at the  
12 end and inserting “; and”; and

13 (iv) by adding at the end the fol-  
14 lowing:

15 “(D) the performance of the Job Corps  
16 center relating to the indicators described in  
17 paragraphs (1) and (2) in section 159(c), and  
18 whether any actions have been taken with re-  
19 spect to such center pursuant to section  
20 159(f).”; and

21 (4) in subsection (d)—

22 (A) in paragraph (1)—

23 (i) in the matter preceding subpara-  
24 graph (A), by striking “is closest to the  
25 home of the enrollee, except that the” and

1 inserting “offers the type of career and  
2 technical education and training selected  
3 by the individual and, among the centers  
4 that offer such education and training, is  
5 closest to the home of the individual. The”;  
6 (ii) by striking subparagraph (A); and  
7 (iii) by redesignating subparagraphs  
8 (B) and (C) as subparagraphs (A) and  
9 (B), respectively; and  
10 (B) in paragraph (2), by inserting “that  
11 offers the career and technical education and  
12 training desired by” after “home of the en-  
13 rollee”.

14 **SEC. 120. JOB CORPS CENTERS.**

15 Section 147 (29 U.S.C. 2887) is amended—

16 (1) in subsection (a)—

17 (A) in paragraph (1)(A), by striking “voca-  
18 tional” both places it appears and inserting  
19 “career and technical”; and

20 (B) in paragraph (2)—

21 (i) in subparagraph (A)—

22 (I) by striking “subsections (c)  
23 and (d) of section 303 of the Federal  
24 Property and Administrative Services  
25 Act of 1949 (41 U.S.C. 253)” and in-

1           serting “subsections (a) and (b) of  
2           section 3304 of title 41, United States  
3           Code”; and

4                   (II) by striking “industry coun-  
5           cil” and inserting “workforce coun-  
6           cil”;

7           (ii) in subparagraph (B)(i)—

8                   (I) by amending subclause (II) to  
9           read as follows:

10                   “(II) the ability of the entity to  
11           offer career and technical education  
12           and training that the workforce coun-  
13           cil proposes under section 154(c);”;

14                   (II) in subclause (III), by strik-  
15           ing “is familiar with the surrounding  
16           communities, applicable” and insert-  
17           ing “demonstrates relationships with  
18           the surrounding communities, employ-  
19           ers, workforce boards,” and by strik-  
20           ing “and” at the end;

21                   (III) by amending subclause (IV)  
22           to read as follows:

23                   “(IV) the performance of the en-  
24           tity, if any, relating to operating or  
25           providing activities described in this

1 subtitle to a Job Corps center, includ-  
2 ing the entity’s demonstrated effec-  
3 tiveness in assisting individuals in  
4 achieving the primary and secondary  
5 indicators of performance described in  
6 paragraphs (1) and (2) of section  
7 159(c); and”;

8 (IV) by adding at the end the fol-  
9 lowing new subclause:

10 “(V) the ability of the entity to  
11 demonstrate a record of successfully  
12 assisting at-risk youth to connect to  
13 the workforce, including by providing  
14 them with intensive academic, and ca-  
15 reer and technical education and  
16 training.”;

17 (iii) in subparagraph (B)(ii), by strik-  
18 ing “, as appropriate”;

19 (2) in subsection (b), by striking “In any year,  
20 no more than 20 percent of the individuals enrolled  
21 in the Job Corps may be nonresidential participants  
22 in the Job Corps.”;

23 (3) by amending subsection (c) to read as fol-  
24 lows:

25 “(c) CIVILIAN CONSERVATION CENTERS.—



1           “(1) IN GENERAL.—The Job Corps centers may  
2 include Civilian Conservation Centers, operated  
3 under an agreement between the Secretary of Labor  
4 and the Secretary of Agriculture, that are located  
5 primarily in rural areas. Such centers shall adhere  
6 to all the provisions of this subtitle, and shall pro-  
7 vide, in addition to education, career and technical  
8 education and training, and workforce preparation  
9 skills training described in section 148, programs of  
10 work experience to conserve, develop, or manage  
11 public natural resources or public recreational areas  
12 or to develop community projects in the public inter-  
13 est.

14           “(2) SELECTION PROCESS.—The Secretary  
15 shall select an entity that submits an application  
16 under subsection (d) to operate a Civilian Conserva-  
17 tion Center on a competitive basis, as provided in  
18 subsection (a).”; and

19           (4) by striking subsection (d) and inserting the  
20 following:

21           “(d) APPLICATION.—To be eligible to operate a Job  
22 Corps center under this subtitle, an entity shall submit  
23 an application to the Secretary at such time, in such man-  
24 ner, and containing such information as the Secretary may  
25 require, including—

1           “(1) a description of the program activities that  
2 will be offered at the center, including how the ca-  
3 reer and technical education and training reflect  
4 State and local employment opportunities, including  
5 in in-demand industries;

6           “(2) a description of the counseling, placement,  
7 and support activities that will be offered at the cen-  
8 ter, including a description of the strategies and pro-  
9 cedures the entity will use to place graduates into  
10 unsubsidized employment upon completion of the  
11 program;

12           “(3) a description of the demonstrated record  
13 of effectiveness that the entity has in placing at-risk  
14 youth into employment, including past performance  
15 of operating a Job Corps center under this subtitle;

16           “(4) a description of the relationships that the  
17 entity has developed with State and local workforce  
18 boards, employers, State and local educational agen-  
19 cies, and the surrounding communities in an effort  
20 to promote a comprehensive statewide workforce in-  
21 vestment system;

22           “(5) a description of the strong fiscal controls  
23 the entity has in place to ensure proper accounting  
24 of Federal funds, and a description of how the entity  
25 will meet the requirements of section 159(a);

1           “(6) a description of the strategies and policies  
2           the entity will utilize to reduce participant costs;

3           “(7) a description of the steps taken to control  
4           costs in accordance with section 159(a)(3);

5           “(8) a detailed budget of the activities that will  
6           be supported using funds under this subtitle;

7           “(9) a detailed budget of the activities that will  
8           be supported using funds from non-Federal re-  
9           sources;

10          “(10) an assurance the entity will comply with  
11          the administrative cost limitation included in section  
12          151(c);

13          “(11) an assurance the entity is licensed to op-  
14          erate in the State in which the center is located; and

15          “(12) an assurance the entity will comply with  
16          and meet basic health and safety codes, including  
17          those measures described in section 152(b).

18          “(e) LENGTH OF AGREEMENT.—The agreement de-  
19          scribed in subsection (a)(1)(A) shall be for not longer than  
20          a 2-year period. The Secretary may renew the agreement  
21          for 3 one-year periods if the entity meets the requirements  
22          of subsection (f).

23          “(f) RENEWAL.—

24                  “(1) IN GENERAL.—Subject to paragraph (2),  
25          the Secretary may renew the terms of an agreement

1 described in subsection (a)(1)(A) for an entity to op-  
2 erate a Job Corps center if the center meets or ex-  
3 ceeds each of the indicators of performance de-  
4 scribed in section 159(c)(1).

5 “(2) RECOMPETITION.—

6 “(A) IN GENERAL.—Notwithstanding para-  
7 graph (1), the Secretary shall not renew the  
8 terms of the agreement for an entity to operate  
9 a Job Corps center if such center is ranked in  
10 the bottom quintile of centers described in sec-  
11 tion 159(f)(2) for any program year. Such enti-  
12 ty may submit a new application under sub-  
13 section (d) only if such center has shown sig-  
14 nificant improvement on the indicators of per-  
15 formance described in section 159(c)(1) over  
16 the last program year.

17 “(B) VIOLATIONS.—The Secretary shall  
18 not select an entity to operate a Job Corps cen-  
19 ter if such entity or such center has been found  
20 to have a systemic or substantial material fail-  
21 ure that involves—

22 “(i) a threat to the health, safety, or  
23 civil rights of program participants or  
24 staff;

1           “(ii) the misuse of funds received  
2           under this subtitle;

3           “(iii) loss of legal status or financial  
4           viability, loss of permits, debarment from  
5           receiving Federal grants or contracts, or  
6           the improper use of Federal funds;

7           “(iv) failure to meet any other Fed-  
8           eral or State requirement that the entity  
9           has shown an unwillingness or inability to  
10          correct, after notice from the Secretary,  
11          within the period specified; or

12          “(v) an unresolved area of noncompli-  
13          ance.

14          “(g) CURRENT GRANTEES.—Not later than 60 days  
15          after the date of enactment of the SKILLS Act and not-  
16          withstanding any previous grant award or renewals of  
17          such award under this subtitle, the Secretary shall require  
18          all entities operating a Job Corps center under this sub-  
19          title to submit an application under subsection (d) to carry  
20          out the requirements of this section.”.

21       **SEC. 121. PROGRAM ACTIVITIES.**

22           Section 148 (29 U.S.C. 2888) is amended—

23           (1) by amending subsection (a) to read as fol-  
24           lows:

1       “(a) ACTIVITIES PROVIDED THROUGH JOB CORPS  
2 CENTERS.—

3           “(1) IN GENERAL.—Each Job Corps center  
4 shall provide enrollees with an intensive, well-orga-  
5 nized, and supervised program of education, career,  
6 and technical education and training, work experi-  
7 ence, recreational activities, physical rehabilitation  
8 and development, and counseling. Each Job Corps  
9 center shall provide enrollees assigned to the center  
10 with access to work-ready services described in sec-  
11 tion 134(c)(2).

12           “(2) RELATIONSHIP TO OPPORTUNITIES.—

13           “(A) IN GENERAL.—The activities pro-  
14 vided under this subsection shall be targeted to  
15 helping enrollees, on completion of their enroll-  
16 ment—

17                   “(i) secure and maintain meaningful  
18 unsubsidized employment;

19                   “(ii) complete secondary education  
20 and obtain a regular secondary school di-  
21 ploma;

22                   “(iii) enroll in and complete postsec-  
23 ondary education or training programs, in-  
24 cluding obtaining recognized postsecondary

1                   credentials, industry-recognized creden-  
2                   tials, and registered apprenticeships; or

3                   “*(iv)* satisfy Armed Forces require-  
4                   ments.

5                   “(B) LINK TO EMPLOYMENT OPPORTUNI-  
6                   TIES.—The career and technical education and  
7                   training provided shall be linked to the employ-  
8                   ment opportunities in in-demand industries in  
9                   the State in which the Job Corps center is lo-  
10                  cated.”; and

11                  (2) in subsection (b)—

12                   (A) in the subsection heading, by striking  
13                   “EDUCATION AND VOCATIONAL” and inserting  
14                   “ACADEMIC AND CAREER AND TECHNICAL  
15                   EDUCATION AND”;

16                   (B) by striking “may” after “The Sec-  
17                   retary” and inserting “shall”; and

18                   (C) by striking “vocational” each place it  
19                   appears and inserting “career and technical”;  
20                   and

21                  (3) by amending paragraph (3) of subsection  
22                  (c) to read as follows:

23                   “(3) DEMONSTRATION.—Each year, any oper-  
24                   ator seeking to enroll additional enrollees in an ad-  
25                   vanced career training program shall demonstrate,

1 before the operator may carry out such additional  
2 enrollment, that—

3 “(A) participants in such program have  
4 achieved a satisfactory rate of completion and  
5 placement in training-related jobs; and

6 “(B) such operator has met or exceeded  
7 the indicators of performance described in para-  
8 graphs (1) and (2) of section 159(c) for the  
9 previous year.”.

10 **SEC. 122. COUNSELING AND JOB PLACEMENT.**

11 Section 149 (29 U.S.C. 2889) is amended—

12 (1) in subsection (a), by striking “vocational”  
13 and inserting “career and technical education and”;

14 (2) in subsection (b), by striking “make every  
15 effort to arrange to”; and

16 (3) by striking subsection (d).

17 **SEC. 123. SUPPORT.**

18 Subsection (b) of section 150 (29 U.S.C. 2890) is  
19 amended to read as follows:

20 “(b) **TRANSITION ALLOWANCES AND SUPPORT FOR**  
21 **GRADUATES.**—The Secretary shall arrange for a transi-  
22 tion allowance to be paid to graduates. The transition al-  
23 lowance shall be incentive-based to reflect a graduate’s  
24 completion of academic, career and technical education or



1 training, and attainment of a recognized postsecondary  
2 credential, including an industry-recognized credential.”.

3 **SEC. 124. OPERATIONS.**

4 Section 151 (29 U.S.C. 2891) is amended—

5 (1) in the header, by striking “**OPERATING**  
6 **PLAN.**” and inserting “**OPERATIONS.**”;

7 (2) in subsection (a), by striking “IN GEN-  
8 ERAL.—” and inserting “OPERATING PLAN.—”;

9 (3) by striking subsection (b) and redesignating  
10 subsection (c) as subsection (b);

11 (4) by amending subsection (b) (as so redesign-  
12 nated)—

13 (A) in the heading by inserting “OF OPER-  
14 ATING PLAN” after “AVAILABILITY”; and

15 (B) by striking “subsections (a) and (b)”  
16 and inserting “subsection (a)”; and

17 (5) by adding at the end the following new sub-  
18 section:

19 “(c) ADMINISTRATIVE COSTS.—Not more than 10  
20 percent of the funds allotted under section 147 to an enti-  
21 ty selected to operate a Job Corps center may be used  
22 by the entity for administrative costs under this subtitle.”.

23 **SEC. 125. COMMUNITY PARTICIPATION.**

24 Section 153 (29 U.S.C. 2893) is amended to read as  
25 follows:

1 **“SEC. 153. COMMUNITY PARTICIPATION.**

2 “The director of each Job Corps center shall encour-  
3 age and cooperate in activities to establish a mutually ben-  
4 efcial relationship between Job Corps centers in the State  
5 and nearby communities. Such activities may include the  
6 use of any local workforce development boards established  
7 under section 117 to provide a mechanism for joint discus-  
8 sion of common problems and for planning programs of  
9 mutual interest.”.

10 **SEC. 126. WORKFORCE COUNCILS.**

11 Section 154 (29 U.S.C. 2894) is amended to read as  
12 follows:

13 **“SEC. 154. WORKFORCE COUNCILS.**

14 “(a) IN GENERAL.—Each Job Corps center shall  
15 have a workforce council appointed by the Governor of the  
16 State in which the Job Corps center is located.

17 “(b) WORKFORCE COUNCIL COMPOSITION.—

18 “(1) IN GENERAL.—A workforce council shall  
19 be comprised of—

20 “(A) business members of the State board  
21 described in section 111(b)(1)(B)(i);

22 “(B) business members of the local boards  
23 described in section 117(b)(2)(A) located in the  
24 State;

25 “(C) a representative of the State board  
26 described in section 111(f); and

1           “(D) such other representatives and State  
2           agency officials as the Governor may designate.

3           “(2) MAJORITY.—A  $\frac{2}{3}$  majority of the mem-  
4           bers of the workforce council shall be representatives  
5           described in paragraph (1)(A).

6           “(c) RESPONSIBILITIES.—The responsibilities of the  
7           workforce council shall be—

8           “(1) to review all the relevant labor market in-  
9           formation, including related information in the State  
10          plan described in section 112, to—

11           “(A) determine the in-demand industries  
12           in the State in which enrollees intend to seek  
13           employment after graduation;

14           “(B) determine the skills and education  
15           that are necessary to obtain the employment  
16           opportunities described in subparagraph (A);  
17           and

18           “(C) determine the type or types of career  
19           and technical education and training that will  
20           be implemented at the center to enable the en-  
21           rollees to obtain the employment opportunities;  
22           and

23           “(2) to meet at least once a year to reevaluate  
24           the labor market information, and other relevant in-  
25           formation, to determine any necessary changes in

1 the career and technical education and training pro-  
2 vided at the center.”.

3 **SEC. 127. TECHNICAL ASSISTANCE.**

4 Section 156 (29 U.S.C. 2896) is amended to read as  
5 follows:

6 **“SEC. 156. TECHNICAL ASSISTANCE TO CENTERS.**

7 “(a) IN GENERAL.—From the funds reserved under  
8 section 132(a)(3), the Secretary shall provide, directly or  
9 through grants, contracts, or other agreements or ar-  
10 rangements as the Secretary considers appropriate, tech-  
11 nical assistance and training for the Job Corps program  
12 for the purposes of improving program quality.

13 “(b) ACTIVITIES.—In providing training and tech-  
14 nical assistance and for allocating resources for such as-  
15 sistance, the Secretary shall—

16 “(1) assist entities, including those entities not  
17 currently operating a Job Corps center, in devel-  
18 oping the application described in section 147(d);

19 “(2) assist Job Corps centers and programs in  
20 correcting deficiencies and violations under this sub-  
21 title;

22 “(3) assist Job Corps centers and programs in  
23 meeting or exceeding the indicators of performance  
24 described in paragraph (1) and (2) of section 159(e);  
25 and

1           “(4) assist Job Corps centers and programs in  
2           the development of sound management practices, in-  
3           cluding financial management procedures.”.

4 **SEC. 128. SPECIAL PROVISIONS.**

5           Section 158(c)(1) (29 U.S.C. 2989(c)(1)) is amended  
6 by striking “title II of the Federal Property and Adminis-  
7 trative Services Act of 1949 (40 U.S.C. 481 et seq.)” and  
8 inserting “chapter of 5 title 40, United States Code,”.

9 **SEC. 129. PERFORMANCE ACCOUNTABILITY MANAGEMENT.**

10          Section 159 (29 U.S.C. 2899) is amended—

11           (1) in the section heading, by striking “**MAN-**  
12           **AGEMENT INFORMATION**” and inserting “**PER-**  
13           **FORMANCE ACCOUNTABILITY AND MANAGE-**  
14           **MENT**”;

15           (2) in subsection (a)(3), by inserting before the  
16           period at the end the following: “, or operating costs  
17           for such centers result in a budgetary shortfall”;

18           (3) by striking subsections (c) through (g); and

19           (4) by inserting after subsection (b) the fol-  
20           lowing:

21           “(c) INDICATORS OF PERFORMANCE.—

22           “(1) PRIMARY INDICATORS.—The annual pri-  
23           mary indicators of performance for Job Corps cen-  
24           ters shall include—

1           “(A) the percentage and number of enroll-  
2           ees who graduate from the Job Corps center;

3           “(B) the percentage and number of grad-  
4           uates who entered unsubsidized employment re-  
5           lated to the career and technical education and  
6           training received through the Job Corps center,  
7           except that such calculation shall not include  
8           enrollment in education, the military or volun-  
9           teer service;

10          “(C) the percentage and number of grad-  
11          uates who obtained a recognized postsecondary  
12          credential, including an industry-recognized cre-  
13          dential or a registered apprenticeship; and

14          “(D) the cost per successful performance  
15          outcome, which is calculated by comparing the  
16          number of graduates who were placed in unsub-  
17          sidized employment or obtained a recognized  
18          credential, including an industry-recognized cre-  
19          dential, to total program costs, including all op-  
20          erations, construction, and administration costs  
21          at each Job Corp center.

22          “(2) SECONDARY INDICATORS.—The annual  
23          secondary indicators of performance for Job Corps  
24          centers shall include—

1           “(A) the percentage and number of grad-  
2           uates who entered unsubsidized employment not  
3           related to the career and technical education  
4           and training received through the Job Corps  
5           center;

6           “(B) the percentage and number of grad-  
7           uates who entered into postsecondary education;

8           “(C) the percentage and number of grad-  
9           uates who entered into the military;

10          “(D) the average wage of graduates who  
11          are in unsubsidized employment—

12                 “(i) on the first day of employment;

13                 and

14                 “(ii) 6 months after the first day;

15          “(E) the number and percentage of grad-  
16          uates who entered unsubsidized employment  
17          and were retained in the unsubsidized employ-  
18          ment—

19                 “(i) 6 months after the first day of  
20                 employment; and

21                 “(ii) 12 months after the first day of  
22                 employment;

23          “(F) the percentage and number of enroll-  
24          ees compared to the percentage and number of

1           enrollees the Secretary has established targets  
2           in section 145(c)(1);

3           “(G) the cost per training slot, which is  
4           calculated by comparing the program’s max-  
5           imum number of students that can be enrolled  
6           in a Job Corps center at any given time during  
7           the program year to the number of enrollees in  
8           the same program year; and

9           “(H) the number and percentage of former  
10          enrollees, including the number dismissed under  
11          the zero tolerance policy described in section  
12          152(b).

13          “(3) INDICATORS OF PERFORMANCE FOR RE-  
14          CRUITERS.—The annual indicators of performance  
15          for recruiters shall include the measurements de-  
16          scribed in subparagraph (A) of paragraph (1) and  
17          subparagraphs (F), (G), and (H) of paragraph (2).

18          “(4) INDICATORS OF PERFORMANCE OF CAREER  
19          TRANSITION SERVICE PROVIDERS.—The annual indi-  
20          cators of performance of career transition service  
21          providers shall include the measurements described  
22          in subparagraphs (B) and (C) of paragraph (1) and  
23          subparagraphs, (B), (C), (D), and (E) of paragraph  
24          (2).



1           “(d) ADDITIONAL INFORMATION.—The Secretary  
2 shall collect, and submit in the report described in sub-  
3 section (f), information on the performance of each Job  
4 Corps center, and the Job Corps program, regarding—

5                   “(1) the number and percentage of former en-  
6 rollees who obtained a regular secondary school di-  
7 ploma;

8                   “(2) the number and percentage of former en-  
9 rollees who entered unsubsidized employment;

10                   “(3) the number and percentage of former en-  
11 rollees who obtained a recognized postsecondary cre-  
12 dential, including an industry-recognized credential;

13                   “(4) the number and percentage of former en-  
14 rollees who entered into military service; and

15                   “(5) any additional information required by the  
16 Secretary.

17           “(e) METHODS.—The Secretary shall collect the in-  
18 formation described in subsections (c) and (d), using  
19 methods described in section 136(i)(2) and consistent with  
20 State law, by entering into agreements with the States to  
21 access such data for Job Corps enrollees, former enrollees,  
22 and graduates.

23           “(f) TRANSPARENCY AND ACCOUNTABILITY.—

24                   “(1) REPORT.—The Secretary shall collect and  
25 annually submit to the Committee on Education and

1 the Workforce of the House of Representatives and  
2 the Committee on Health, Education, Labor and  
3 Pensions of the Senate, as well as make available to  
4 the public by electronic means, a report containing—

5 “(A) information on the performance of  
6 each Job Corps center, and the Job Corps pro-  
7 gram, on the performance indicators described  
8 in paragraphs (1) and (2) of subsection (c);

9 “(B) a comparison of each Job Corps cen-  
10 ter, by rank, on the performance indicators de-  
11 scribed in paragraphs (1) and (2) of subsection  
12 (c);

13 “(C) a comparison of each Job Corps cen-  
14 ter, by rank, on the average performance of all  
15 primary indicators described in paragraph (1)  
16 of subsection (c);

17 “(D) information on the performance of  
18 the service providers described in paragraphs  
19 (3) and (4) of subsection (c) on the perform-  
20 ance indicators established under such para-  
21 graphs; and

22 “(E) a comparison of each service pro-  
23 vider, by rank, on the performance of all service  
24 providers described in paragraphs (3) and (4)

1 of subsection (c) on the performance indicators  
2 established under such paragraphs.

3 “(2) ASSESSMENT.—The Secretary shall con-  
4 duct an annual assessment of the performance of  
5 each Job Corps center which shall include informa-  
6 tion on the Job Corps centers that—

7 “(A) are ranked in the bottom 10 percent  
8 on the performance indicator described in para-  
9 graph (1)(C); or

10 “(B) have failed a safety and health code  
11 review described in subsection (g).

12 “(3) PERFORMANCE IMPROVEMENT.—With re-  
13 spect to a Job Corps center that is identified under  
14 paragraph (2) or reports less than 50 percent on the  
15 performance indicators described in subparagraphs  
16 (A), (B), or (C) of subsection (c)(1), the Secretary  
17 shall develop and implement a 1 year performance  
18 improvement plan. Such a plan shall require action  
19 including—

20 “(A) providing technical assistance to the  
21 center;

22 “(B) changing the management staff of  
23 the center;

24 “(C) replacing the operator of the center;

1           “(D) reducing the capacity of the center;

2           or

3           “(E) closing the center.

4           “(4) CLOSURE OF JOB CORPS CENTERS.—Job  
5           Corps centers that have been identified under para-  
6           graph (2) for more than 4 consecutive years shall be  
7           closed. The Secretary shall ensure—

8           “(A) that the proposed decision to close  
9           the center is announced in advance to the gen-  
10          eral public through publication in the Federal  
11          Register and other appropriate means; and

12          “(B) the establishment of a reasonable  
13          comment period, not to exceed 30 days, for in-  
14          terested individuals to submit written comments  
15          to the Secretary.

16          “(g) PARTICIPANT HEALTH AND SAFETY.—The Sec-  
17          retary shall enter into an agreement with the General  
18          Services Administration or the appropriate State agency  
19          responsible for inspecting public buildings and safe-  
20          guarding the health of disadvantaged students, to conduct  
21          an in-person review of the physical condition and health-  
22          related activities of each Job Corps center annually. Such  
23          review shall include a passing rate of occupancy under  
24          Federal and State ordinances.”.

## 1       **Subtitle D—National Programs**

### 2       **SEC. 130. TECHNICAL ASSISTANCE.**

3       Section 170 (29 U.S.C. 2915) is amended—

4             (1) by striking subsection (b);

5             (2) by striking:

6             “(a) **GENERAL TECHNICAL ASSISTANCE.—**”;

7             (3) by redesignating paragraphs (1), (2), and

8             (3) as subsections (a), (b), and (c) respectively, and

9             moving such subsections 2 ems to the left;

10            (4) in subsection (a) (as so redesignated)—

11                 (A) by inserting “the training of staff pro-

12                 viding rapid response services, the training of

13                 other staff of recipients of funds under this

14                 title, assistance regarding accounting and pro-

15                 gram operation practices (when such assistance

16                 would not be duplicative to assistance provided

17                 by the State), technical assistance to States

18                 that do not meet State performance measures

19                 described in section 136,” after “localities,”;

20                 and

21                 (B) by striking “from carrying out activi-

22                 ties” and all that follows up to the period and

23                 inserting “to implement the amendments made

24                 by the SKILLS Act”;

25             (5) in subsection (b) (as so redesignated)—

1 (A) by striking “paragraph (1)” and in-  
2 serting “subsection (a)”;

3 (B) by striking “, or recipient of financial  
4 assistance under any of sections 166 through  
5 169,”; and

6 (C) by striking “or grant recipient”;

7 (6) in subsection (c) (as so redesignated), by  
8 striking “paragraph (1)” and inserting “subsection  
9 (a)”;

10 (7) by inserting, after subsection (c) (as so re-  
11 designated), the following:

12 “(d) BEST PRACTICES COORDINATION.—The Sec-  
13 retary shall—

14 “(1) establish a system through which States  
15 may share information regarding best practices with  
16 regard to the operation of workforce investment ac-  
17 tivities under this Act; and

18 “(2) evaluate and disseminate information re-  
19 garding best practices and identify knowledge  
20 gaps.”.

21 **SEC. 131. EVALUATIONS.**

22 Section 172 (29 U.S.C. 2917) is amended—

23 (1) in subsection (a), by striking “the Secretary  
24 shall provide for the continuing evaluation of the  
25 programs and activities, including those programs

1 and activities carried out under section 171” and in-  
2 sserting “the Secretary, through grants, contracts, or  
3 cooperative agreements, shall conduct, at least once  
4 every 5 years, an independent evaluation of the pro-  
5 grams and activities funded under this Act”;

6 (2) in subsection (a)(4) is amended to read as  
7 follows:

8 “(4) the impact of receiving services and not re-  
9 ceiving services under such programs and activities  
10 on the community, businesses, and individuals;”;

11 (3) in subsection (c) is amended to read as fol-  
12 lows:

13 “(c) TECHNIQUES.—Evaluations conducted under  
14 this section shall utilize appropriate and rigorous method-  
15 ology and research designs, including the use of control  
16 groups chosen by scientific random assignment methodolo-  
17 gies, quasi-experimental methods, impact analysis and the  
18 use of administrative data. The Secretary shall conduct  
19 an impact analysis, as described in subsection (a)(4), of  
20 the formula grant program under subtitle B not later than  
21 2015, and thereafter shall conduct such an analysis not  
22 less than once every four years.”;

23 (4) in subsection (e) is amended by striking  
24 “the Committee on Labor and Human Resources of  
25 the Senate” and inserting “the Committee on

1 Health, Education, Labor, and Pensions of the Sen-  
2 ate”; and

3 (5) by adding at the end, the following:

4 “(g) PUBLIC AVAILABILITY.—The results of the eval-  
5 uations conducted under this section shall be made pub-  
6 licly available, including by posting such results on the De-  
7 partment’s website.”.

## 8 **Subtitle E—Administration**

### 9 **SEC. 132. REQUIREMENTS AND RESTRICTIONS.**

10 Section 181 (29 U.S.C. 2931) is amended—

11 (1) in subsection (b)(6), by striking “, including  
12 representatives of businesses and of labor organiza-  
13 tions”;

14 (2) in subsection (c)(2)(A), in the matter pre-  
15 ceding clause (i), by striking “shall” and inserting  
16 “may”;

17 (3) in subsection (e)—

18 (A) by striking “training for” and insert-  
19 ing “the entry into employment, retention in  
20 employment, or increases in earnings of”;

21 (B) by striking “subtitle B” and inserting  
22 “this Act”;

23 (4) in subsection (f)(4), by striking  
24 “134(a)(3)(B)” and inserting “134(a)(6)”; and

25 (5) by adding at the end the following:



1       “(g) SALARY AND BONUS LIMITATION.—No funds  
2 provided under this title shall be used by a recipient or  
3 subrecipient of such funds to pay the salary and bonuses  
4 of an individual, either as direct costs or indirect costs,  
5 at a rate in excess of Level II of the Federal Executive  
6 Pay Schedule (5 U.S.C. 5313). This limitation shall not  
7 apply to vendors providing goods and services as defined  
8 in OMB Circular A–133. Where States are recipients of  
9 such funds, States may establish a lower limit for salaries  
10 and bonuses of those receiving salaries and bonuses from  
11 subrecipients of such funds, taking into account factors  
12 including the relative cost-of-living in the State, the com-  
13 pensation levels for comparable State or local government  
14 employees, and the size of the organizations that admin-  
15 ister the programs.

16       “(h) GENERAL AUTHORITY.—

17               “(1) IN GENERAL.—The Employment and  
18 Training Administration of the U.S. Department of  
19 Labor (hereinafter in this Act referred to as the ‘Ad-  
20 ministration’) shall administer all programs author-  
21 ized under title I and III of this Act. The Adminis-  
22 tration shall be headed by an Assistant Secretary  
23 appointed by the President by and with the advice  
24 and consent of the Senate. Except for titles II and  
25 IV, the Administration shall be the principal agency,

1 and the Assistant Secretary shall be the principal of-  
2 ficer, of such Department for carrying out this Act.

3 “(2) QUALIFICATIONS.—The Assistant Sec-  
4 retary shall be an individual with substantial experi-  
5 ence in workforce development and in workforce de-  
6 velopment management. The Assistant Secretary  
7 shall also, to the maximum extent possible, possess  
8 knowledge and have worked in or with the State or  
9 local workforce investment system or have been a  
10 member of the business community. In the perform-  
11 ance of the functions of the office, the Assistant Sec-  
12 retary shall be directly responsible to the Secretary  
13 or the Under Secretary as designed by the Sec-  
14 retary. The functions of the Assistant Secretary  
15 shall not be delegated to any officer not directly re-  
16 sponsible, both with respect to program operation  
17 and administration, to the Assistant Secretary. Any  
18 reference in this Act to duties to be carried out by  
19 the Assistant Secretary shall be considered to be a  
20 reference to duties to be carried out by the Secretary  
21 acting through the Assistant Secretary.”

22 **SEC. 133. PROMPT ALLOCATION OF FUNDS.**

23 Section 182 (29 U.S.C. 2932) is amended—

24 (1) in subsection (c), by striking “127 or”; and

25 (2) in subsection (e)—

1 (A) by striking “sections 128 and 133”  
2 and inserting “section 133”; and  
3 (B) by striking “127 or”.

4 **SEC. 134. FISCAL CONTROLS; SANCTIONS.**

5 Section 184(a)(2) (29 U.S.C. 2934(a)(2)) is amend-  
6 ed—

7 (1) by striking “(A)” and all that follows  
8 through “Each” and inserting “Each”; and  
9 (2) by striking subparagraph (B).

10 **SEC. 135. REPORTS TO CONGRESS.**

11 Section 185 (29 U.S.C. 2935) is amended—

12 (1) in subsection (c)—

13 (A) in paragraph (2), by striking “and”  
14 after the semicolon;

15 (B) in paragraph (3), by striking the pe-  
16 riod and inserting “; and”; and

17 (C) by adding at the end the following:

18 “(4) shall have the option to submit or dissemi-  
19 nate electronically any reports, records, plans, or any  
20 other data that are required to be collected or dis-  
21 seminated under this title.”; and

22 (2) in subsection (e)(2), by inserting “and the  
23 Secretary shall submit to the Committee on Edu-  
24 cation and the Workforce of the House of Rep-  
25 resentatives and the Committee on Health, Edu-

1 cation, Labor, and Pensions of the Senate,” after  
2 “Secretary,”.

3 **SEC. 136. ADMINISTRATIVE PROVISIONS.**

4 Section 189 (29 U.S.C. 2939) is amended—

5 (1) in subsection (g)—

6 (A) by amending paragraph (1) to read as  
7 follows:

8 “(1) IN GENERAL.—Appropriations for any fis-  
9 cal year for programs and activities carried out  
10 under this title shall be available for obligation only  
11 on the basis of a program year. The program year  
12 shall begin on October 1 in the fiscal year for which  
13 the appropriation is made.”; and

14 (B) in paragraph (2)—

15 (i) by striking “each State” and in-  
16 serting “each recipient”; and

17 (ii) by striking “171 or”;

18 (2) in subsection (i)—

19 (A) by striking paragraphs (2) and (3);

20 (B) by redesignating paragraph (4) as  
21 paragraph (2);

22 (C) by amending paragraph (2)(A), as so  
23 redesignated—

24 (i) by striking “requirements of sub-  
25 paragraph (B)” and all that follows

1 through “any of the statutory or regu-  
2 latory requirements of subtitle B” and in-  
3 sserting “requirements of subparagraph (B)  
4 or (D), any of the statutory or regulatory  
5 requirements of subtitle B”;

6 (ii) by striking clause (ii); and

7 (iii) in clause (i), by striking “; and”  
8 and inserting a period at the end; and

9 (D) by adding at the end the following:

10 “(D) EXPEDITED PROCESS FOR EXTEND-  
11 ING APPROVED WAIVERS TO ADDITIONAL  
12 STATES.—In lieu of the requirements of sub-  
13 paragraphs (B) and (C), the Secretary may es-  
14 tablish an expedited procedure for the purpose  
15 of extending to additional States the waiver of  
16 statutory or regulatory requirements that have  
17 been approved for a State pursuant to a request  
18 under subparagraph (B). Such procedure shall  
19 ensure that the extension of such waivers to ad-  
20 ditional States are accompanied by appropriate  
21 conditions relating the implementation of such  
22 waivers.

23 “(E) EXTERNAL CONDITIONS.—The Sec-  
24 retary shall not require or impose new or addi-  
25 tional requirements, which are not specified

1           under this Act, on a State in exchange for pro-  
2           viding a waiver to the State or a local area in  
3           the State under this paragraph.”.

4 **SEC. 137. STATE LEGISLATIVE AUTHORITY.**

5           Section 191(a) (29 U.S.C. 2941(a)) is amended—

6           (1) by striking “consistent with the provisions  
7           of this title” and inserting “consistent with State  
8           law and the provisions of this title”; and

9           (2) by striking “consistent with the terms and  
10          conditions required under this title” and inserting  
11          “consistent with State law and the terms and condi-  
12          tions required under this title”.

13 **SEC. 138. GENERAL PROGRAM REQUIREMENTS.**

14          Section 195 (29 U.S.C. 2945) is amended—

15          (1) in paragraph (7), by inserting at the end  
16          the following:

17                 “(D) Funds received by a public or private non-  
18                 profit entity that are not described in paragraph  
19                 (B), such as funds privately raised from philan-  
20                 thropic foundations, businesses, or other private en-  
21                 tities, shall not be considered to be income under  
22                 this title and shall not be subject to the require-  
23                 ments of this section.”; and

24          (2) by adding at the end the following new  
25          paragraphs:

1           “(14) Funds provided under this title shall not  
2           be used to establish or operate stand-alone fee-for-  
3           service enterprises that compete with private sector  
4           employment agencies within the meaning of section  
5           701(c) of the Civil Rights Act of 1964 (42 U.S.C.  
6           2000e(c)), except that for purposes of this para-  
7           graph, such an enterprise does not include one-stop  
8           centers.

9           “(15) Any report required to be submitted to  
10          Congress, or to a Committee of Congress, under this  
11          title shall be submitted to both the chairmen and  
12          ranking minority members of the Committee on  
13          Education and the Workforce of the House of Rep-  
14          resentatives and the Committee on Health, Edu-  
15          cation, Labor, and Pensions of the Senate.”.

16 **SEC. 139. FEDERAL AGENCY STAFF.**

17          Subtitle E of title I (29 U.S.C. 2931 et seq.) is  
18          amended by adding at the end the following new sections:

19 **“SEC. 196. FEDERAL AGENCY STAFF.**

20          “The Director of the Office of Management and  
21          Budget shall—

22                 “(1) not later than 60 days after the date of  
23                 the enactment of the SKILLS Act—

24                         “(A) identify the number of Federal gov-  
25                         ernment employees who work on or administer

1 each of the programs authorized under this Act  
2 or repealed under section 401 of the SKILLS  
3 Act, as such programs were in effect on the day  
4 before such date of enactment; and

5 “(B) identify the number of full-time  
6 equivalent employees who work on or admin-  
7 ister each of the programs authorized under  
8 this Act or repealed under section 401 of the  
9 SKILLS Act, as such programs were in effect  
10 on the day before such date of enactment, and  
11 that have been eliminated or consolidated on or  
12 after such date of enactment;

13 “(2) not later than 90 after such date of enact-  
14 ment, publish the information described in para-  
15 graph (1) on the Office of Management and Budget  
16 website;

17 “(3) not later than 1 year after such date of en-  
18 actment—

19 “(A) reduce the workforce of the Federal  
20 Government by the number of full-time equiva-  
21 lent employees identified under paragraph  
22 (1)(B); and

23 “(B) submit to Congress a report on how  
24 the Director carried out the requirements of  
25 subparagraph (A).



1 **“SEC. 197. RESTRICTIONS ON LOBBYING AND POLITICAL**  
2 **ACTIVITIES.**

3 “(a) LOBBYING RESTRICTIONS.—

4 “(1) PUBLICITY RESTRICTIONS.—

5 “(A) IN GENERAL.—Subject to subpara-  
6 graph (B), no funds provided under this Act  
7 shall be used or proposed for use, for—

8 “(i) publicity or propaganda purposes;

9 or

10 “(ii) the preparation, distribution, or  
11 use of any kit, pamphlet, booklet, publica-  
12 tion, electronic communication, radio, tele-  
13 vision, or video presentation designed to  
14 support or defeat the enactment of legisla-  
15 tion before the Congress or any State or  
16 local legislature or legislative body.

17 “(B) EXCEPTION.—Subparagraph (A)  
18 shall not apply to—

19 “(i) normal and recognized executive-  
20 legislative relationships;

21 “(ii) the preparation, distribution, or  
22 use of the materials described in subpara-  
23 graph (A)(ii) in presentation to the Con-  
24 gress or any State or local legislature (ex-  
25 cept that this subparagraph does not apply  
26 with respect to such preparation, distribu-

1                   tion, or use in presentation to the executive  
2                   branch of any State or local government);  
3                   or

4                   “(iii) if such materials are designed to  
5                   support or defeat any proposed or pending  
6                   regulation, administrative action, or order  
7                   issued by the executive branch of any State  
8                   or local government.

9                   “(2) SALARY PAYMENT RESTRICTION.—No  
10                  funds provided under this Act shall be used, or pro-  
11                  posed for use, to pay the salary or expenses of any  
12                  grant or contract recipient, or agent acting for such  
13                  recipient, related to any activity designed to influ-  
14                  ence the enactment of legislation, appropriations,  
15                  regulations, administrative action, or executive order  
16                  proposed or pending before the Congress or any  
17                  State government, or State legislature or local legis-  
18                  lature or legislative body, other than for normal and  
19                  recognized executive-legislative relationships or par-  
20                  ticipation by an agency or officer of a State, local,  
21                  or tribal government in policymaking and adminis-  
22                  trative processes within the executive branch of that  
23                  government.

24                  “(b) POLITICAL RESTRICTIONS.—

1           “(1) IN GENERAL.—No funds received by a  
2 participant of a program or an activity under this  
3 Act shall be used for—

4           “(A) any partisan or nonpartisan political  
5 activity or any other political activity associated  
6 with a candidate, or contending faction or  
7 group, in an election for public or party office;  
8 or

9           “(B) any activity to provide voters with  
10 transportation to the polls or similar assistance  
11 in connection with any such election.

12           “(2) DEFINITION.—For the purposes of this  
13 subsection, the term ‘participant’ includes any State,  
14 local area, or governmental, nonprofit, or for-profit  
15 entity receiving funds under this Act.

16           “(3) RESTRICTION ON VOTER REGISTRATION  
17 ACTIVITIES.—No funds under this Act shall be used  
18 to conduct voter registration activities.”.

## 19           **Subtitle F—State Unified Plan**

### 20           **SEC. 140. STATE UNIFIED PLAN.**

21           Section 501 (20 U.S.C. 9271) is amended—

22           (1) by amending subsection (a) to read as fol-  
23 lows:

1       “(a) GENERAL AUTHORITY.—The Secretary shall re-  
2 ceive and approve State unified plans developed and sub-  
3 mitted under this section.”;

4           (2) by amending subsection (b) to read as fol-  
5 lows:

6       “(b) STATE UNIFIED PLAN.—

7           “(1) IN GENERAL.—A State may develop and  
8 submit to the Secretary a State unified plan for 2  
9 or more of the activities or programs set forth in  
10 paragraph (2). The State unified plan shall cover  
11 one or more of the activities set forth in subpara-  
12 graphs (A) and (B) of paragraph (2) and may cover  
13 one or more of the activities set forth in subpara-  
14 graphs (C) through (N) of paragraph (2). For pur-  
15 poses of this paragraph, the activities and programs  
16 described in subparagraphs (A) and (B) of para-  
17 graph (2) shall not be considered to be 2 or more  
18 activities or programs for purposes of the unified  
19 plan. Such activities or programs shall be considered  
20 to be 1 activity or program.

21           “(2) ACTIVITIES AND PROGRAMS.—The activi-  
22 ties and programs referred to in paragraph (1) are  
23 as follows:

24           “(A) Programs and activities authorized  
25           under title I.

1           “(B) Programs and activities authorized  
2 under title II.

3           “(C) Programs authorized under the Reha-  
4 bilitation Act of 1973.

5           “(D) Secondary career education programs  
6 authorized under the Carl D. Perkins Career  
7 and Applied Technology Education Act.

8           “(E) Postsecondary career education pro-  
9 grams authorized under the Carl D. Perkins  
10 Career and Applied Technology Education Act.

11           “(F) Programs and activities authorized  
12 under title II of the Trade Act of 1974.

13           “(G) National Apprenticeship Act of 1937.

14           “(H) Programs authorized under the Com-  
15 munity Services Block Grant Act.

16           “(I) Programs authorized under the part A  
17 of title IV of the Social Security Act.

18           “(J) Programs authorized under State un-  
19 employment compensation laws (in accordance  
20 with applicable Federal law).

21           “(K) Work programs authorized under sec-  
22 tion 6(o) of the Food Stamp Act of 1977.

23           “(L) Programs and activities authorized  
24 title I of the Housing and Community Develop-  
25 ment Act of 1974.

1           “(M) Programs and activities authorized  
2           under the Public Workers and Economic Devel-  
3           opment Act of 1965.

4           “(N) Activities as defined under chapter  
5           41 of title 38, United States Code.”;

6           (3) by amending subsection (d) to read as fol-  
7           lows:

8           “(d) APPROVAL.—

9           “(1) JURISDICTION.—In approving a State uni-  
10          fied plan under this section, the Secretary shall—

11           “(A) submit the portion of the State uni-  
12          fied plan covering an activity or program de-  
13          scribed in subsection (b)(2) to the head of the  
14          Federal agency who exercises administrative au-  
15          thority over the activity or program for the ap-  
16          proval of such portion by such Federal agency  
17          head; or

18           “(B) coordinate approval of the portion of  
19          the State unified plan covering an activity or  
20          program described in subsection (b)(2) with the  
21          head of the Federal agency who exercises ad-  
22          ministrative authority over the activity or pro-  
23          gram.

24           “(2) TIMELINE.—A State unified plan shall be  
25          considered to be approved by the Secretary at the

1 end of the 90-day period beginning on the day the  
2 Secretary receives the plan, unless the Secretary  
3 makes a written determination, during the 90-day  
4 period, that details how the plan is not consistent  
5 with the requirements of the Federal statute author-  
6 izing an activity or program described in subsection  
7 (b)(2) and covered under the plan or how the plan  
8 is not consistent with the requirements of subsection  
9 (c)(3).”; and

10 (4) by adding at the end the following:

11 “(e) ADDITIONAL EMPLOYMENT AND TRAINING  
12 FUNDS.—

13 “(1) PURPOSE.—It is the purpose of this sub-  
14 section to reduce inefficiencies in the administration  
15 of federally-funded State and local employment and  
16 training programs.

17 “(2) IN GENERAL.—In developing a State uni-  
18 fied plan for the activities or programs described in  
19 subsection (b)(2) and subject to paragraph (4) and  
20 the State plan approval process under subsection  
21 (d), a State may propose to consolidate the amount,  
22 in whole or part, provided for the activities or pro-  
23 grams dedicated to employment and training into  
24 the Workforce Investment Fund under section

1 132(b) to improve the administration of State and  
2 local employment and training programs.

3 “(3) REQUIREMENTS.—A State with a State  
4 unified plan approved under subsection (d) for pur-  
5 poses of consolidation under paragraph (2) and that  
6 is carrying out such consolidation shall—

7 “(A) continue to meet the program re-  
8 quirements, limitations, and prohibitions of any  
9 Federal statute authorizing the activity or pro-  
10 gram consolidated into the Workforce Invest-  
11 ment Fund;

12 “(B) meet the intent and purpose of the  
13 activity or program consolidated into the Work-  
14 force Investment Fund; and

15 “(C) continue to make reservations and al-  
16 lotments under subsections (a) and (b) of sec-  
17 tion 133.

18 “(4) EXCEPTIONS.—A State may not consoli-  
19 date funds under paragraph (2) that are allocated to  
20 the State under—

21 “(A) the Carl D. Perkins Career and Tech-  
22 nical Education Act of 2006; or

23 “(B) the Rehabilitation Act of 1973.”.



1 **TITLE II—ADULT EDUCATION**  
2 **AND FAMILY LITERACY EDU-**  
3 **CATION**

4 **SEC. 201. AMENDMENT.**

5 Title II (20 U.S.C. 2901 et seq.) is amended to read  
6 as follows:

7 **“TITLE II—ADULT EDUCATION**  
8 **AND FAMILY LITERACY EDU-**  
9 **CATION**

10 **“SEC. 201. SHORT TITLE.**

11 “This title may be cited as the ‘Adult Education and  
12 Family Literacy Education Act’.

13 **“SEC. 202. PURPOSE.**

14 “It is the purpose of this title to provide instructional  
15 opportunities for adults seeking to improve their literacy  
16 skills, including their basic reading, writing, speaking, and  
17 math skills, and support States and local communities in  
18 providing, on a voluntary basis, adult education and family  
19 literacy education programs, in order to—

20 “(1) increase the literacy of adults, including  
21 the basic reading, writing, speaking, and math skills,  
22 to a level of proficiency necessary for adults to ob-  
23 tain employment and self-sufficiency and to success-  
24 fully advance in the workforce;

1           “(2) assist adults in the completion of a sec-  
2           ondary school education (or its equivalent) and the  
3           transition to a postsecondary educational institution;

4           “(3) assist adults who are parents to enable  
5           them to support the educational development of their  
6           children and make informed choices regarding their  
7           children’s education including, through instruction in  
8           basic reading, writing, speaking, and math skills;  
9           and

10           “(4) assist adults who are not proficient in  
11           English in improving their reading, writing, speak-  
12           ing, listening, comprehension, and math skills.

13   **“SEC. 203. DEFINITIONS.**

14           “In this title:

15           “(1) ADULT EDUCATION AND FAMILY LITERACY  
16           EDUCATION PROGRAMS.—The term ‘adult education  
17           and family literacy education programs’ means a se-  
18           quence of academic instruction and educational serv-  
19           ices below the postsecondary level that increase an  
20           individual’s ability to read, write, and speak English  
21           and perform mathematical computations leading to a  
22           level of proficiency equivalent to at least a secondary  
23           school completion that is provided for individuals—

24           “(A) who are at least 16 years of age;

1           “(B) who are not enrolled or required to be  
2 enrolled in secondary school under State law;  
3 and

4           “(C) who—

5                 “(i) lack sufficient mastery of basic  
6 reading, writing, speaking, and math skills  
7 to enable the individuals to function effec-  
8 tively in society;

9                 “(ii) do not have a secondary school  
10 diploma or its equivalent and have not  
11 achieved an equivalent level of education;

12           or

13                 “(iii) are English learners.

14           “(2) ELIGIBLE AGENCY.—The term ‘eligible  
15 agency’—

16                 “(A) means the primary entity or agency  
17 in a State or an outlying area responsible for  
18 administering or supervising policy for adult  
19 education and family literacy education pro-  
20 grams in the State or outlying area, respec-  
21 tively, consistent with the law of the State or  
22 outlying area, respectively; and

23                 “(B) may be the State educational agency,  
24 the State agency responsible for administering  
25 workforce investment activities, or the State

1           agency responsible for administering community  
2           or technical colleges.

3           “(3) ELIGIBLE PROVIDER.—The term ‘eligible  
4           provider’ means an organization of demonstrated ef-  
5           fectiveness which is—

6                   “(A) a local educational agency;

7                   “(B) a community-based or faith-based or-  
8                   ganization;

9                   “(C) a volunteer literacy organization;

10                  “(D) an institution of higher education;

11                  “(E) a public or private educational agen-  
12                  cy;

13                  “(F) a library;

14                  “(G) a public housing authority;

15                  “(H) an institution that is not described in  
16                  any of subparagraphs (A) through (G) and has  
17                  the ability to provide adult education, basic  
18                  skills, and family literacy education programs to  
19                  adults and families; or

20                  “(I) a consortium of the agencies, organi-  
21                  zations, institutions, libraries, or authorities de-  
22                  scribed in any of subparagraphs (A) through  
23                  (H).

1           “(4) ENGLISH LANGUAGE ACQUISITION PRO-  
2           GRAM.—The term ‘English language acquisition pro-  
3           gram’ means a program of instruction—

4                   “(A) designed to help English learners  
5                   achieve competence in reading, writing, speak-  
6                   ing, and comprehension of the English lan-  
7                   guage; and

8                   “(B) that may lead to—

9                           “(i) attainment of a secondary school  
10                          diploma or its recognized equivalent;

11                           “(ii) transition to success in postsec-  
12                          ondary education and training; and

13                           “(iii) employment or career advance-  
14                          ment.

15           “(5) FAMILY LITERACY EDUCATION PRO-  
16           GRAM.—The term ‘family literacy education pro-  
17           gram’ means an educational program that—

18                   “(A) assists parents and students, on a  
19                   voluntary basis, in achieving the purposes of  
20                   this title as described in section 202; and

21                   “(B) is of sufficient intensity in terms of  
22                   hours and of sufficient quality to make sustain-  
23                   able changes in a family, is evidence-based, and,  
24                   for the purpose of substantially increasing the

1 ability of parents and children to read, write,  
2 and speak English, integrates—

3 “(i) interactive literacy activities be-  
4 tween parents and their children;

5 “(ii) training for parents regarding  
6 how to be the primary teacher for their  
7 children and full partners in the education  
8 of their children;

9 “(iii) parent literacy training that  
10 leads to economic self-sufficiency; and

11 “(iv) an age-appropriate education to  
12 prepare children for success in school and  
13 life experiences.

14 “(6) GOVERNOR.—The term ‘Governor’ means  
15 the chief executive officer of a State or outlying  
16 area.

17 “(7) INDIVIDUAL WITH A DISABILITY.—

18 “(A) IN GENERAL.—The term ‘individual  
19 with a disability’ means an individual with any  
20 disability (as defined in section 3 of the Ameri-  
21 cans with Disabilities Act of 1990).

22 “(B) INDIVIDUALS WITH DISABILITIES.—  
23 The term ‘individuals with disabilities’ means  
24 more than one individual with a disability.

1           “(8) ENGLISH LEARNER.—The term ‘English  
2 learner’ means an adult or out-of-school youth who  
3 has limited ability in reading, writing, speaking, or  
4 understanding the English language, and—

5           “(A) whose native language is a language  
6 other than English; or

7           “(B) who lives in a family or community  
8 environment where a language other than  
9 English is the dominant language.

10          “(9) INTEGRATED EDUCATION AND TRAIN-  
11 ING.—The term ‘integrated education and training’  
12 means services that provide adult education and lit-  
13 eracy activities contextually and concurrently with  
14 workforce preparation activities and workforce train-  
15 ing for a specific occupation or occupational cluster.  
16 Such services may include offering adult education  
17 services concurrent with postsecondary education  
18 and training, including through co-instruction.

19          “(10) INSTITUTION OF HIGHER EDUCATION.—  
20 The term ‘institution of higher education’ has the  
21 meaning given the term in section 101 of the Higher  
22 Education Act of 1965.

23          “(11) LITERACY.—The term ‘literacy’ means an  
24 individual’s ability to read, write, and speak in  
25 English, compute, and solve problems at a level of

1 proficiency necessary to obtain employment and to  
2 successfully make the transition to postsecondary  
3 education.

4 “(12) LOCAL EDUCATIONAL AGENCY.—The  
5 term ‘local educational agency’ has the meaning  
6 given the term in section 9101 of the Elementary  
7 and Secondary Education Act of 1965.

8 “(13) OUTLYING AREA.—The term ‘outlying  
9 area’ has the meaning given the term in section 101  
10 of this Act.

11 “(14) POSTSECONDARY EDUCATIONAL INSTITU-  
12 TION.—The term ‘postsecondary educational institu-  
13 tion’ means—

14 “(A) an institution of higher education  
15 that provides not less than a 2-year program of  
16 instruction that is acceptable for credit toward  
17 a bachelor’s degree;

18 “(B) a tribally controlled community col-  
19 lege; or

20 “(C) a nonprofit educational institution of-  
21 fering certificate or apprenticeship programs at  
22 the postsecondary level.

23 “(15) SECRETARY.—The term ‘Secretary’  
24 means the Secretary of Education.



1           “(16) STATE.—The term ‘State’ means each of  
2           the several States of the United States, the District  
3           of Columbia, and the Commonwealth of Puerto Rico.

4           “(17) STATE EDUCATIONAL AGENCY.—The  
5           term ‘State educational agency’ has the meaning  
6           given the term in section 9101 of the Elementary  
7           and Secondary Education Act of 1965.

8           “(18) WORKPLACE LITERACY PROGRAM.—The  
9           term ‘workplace literacy program’ means an edu-  
10          cational program that is offered in collaboration be-  
11          tween eligible providers and employers or employee  
12          organizations for the purpose of improving the pro-  
13          ductivity of the workforce through the improvement  
14          of reading, writing, speaking, and math skills.

15   **“SEC. 204. HOME SCHOOLS.**

16          “Nothing in this title shall be construed to affect  
17          home schools, whether or not a home school is treated as  
18          a home school or a private school under State law, or to  
19          compel a parent engaged in home schooling to participate  
20          in adult education and family literacy education activities  
21          under this title.

22   **“SEC. 205. AUTHORIZATION OF APPROPRIATIONS.**

23          “There are authorized to be appropriated to carry out  
24          this title, \$606,294,933 for fiscal years 2014 and for each  
25          of the 6 succeeding fiscal years.

1       **“Subtitle A—Federal Provisions**

2       **“SEC. 211. RESERVATION OF FUNDS; GRANTS TO ELIGIBLE**  
3                                   **AGENCIES; ALLOTMENTS.**

4           “(a) RESERVATION OF FUNDS.—From the sums ap-  
5       propriated under section 205 for a fiscal year, the Sec-  
6       retary shall reserve 2.0 percent to carry out section 242.

7           “(b) GRANTS TO ELIGIBLE AGENCIES.—

8                   “(1) IN GENERAL.—From the sums appro-  
9       priated under section 205 and not reserved under  
10       subsection (a) for a fiscal year, the Secretary shall  
11       award a grant to each eligible agency having a State  
12       plan approved under section 224 in an amount equal  
13       to the sum of the initial allotment under subsection  
14       (c)(1) and the additional allotment under subsection  
15       (c)(2) for the eligible agency for the fiscal year, sub-  
16       ject to subsections (f) and (g).

17                   “(2) PURPOSE OF GRANTS.—The Secretary  
18       may award a grant under paragraph (1) only if the  
19       eligible agency involved agrees to expend the grant  
20       in accordance with the provisions of this title.

21           “(c) ALLOTMENTS.—

22                   “(1) INITIAL ALLOTMENTS.—From the sums  
23       appropriated under section 205 and not reserved  
24       under subsection (a) for a fiscal year, the Secretary

1 shall allot to each eligible agency having a State  
2 plan approved under section 224—

3 “(A) \$100,000, in the case of an eligible  
4 agency serving an outlying area; and

5 “(B) \$250,000, in the case of any other el-  
6 igible agency.

7 “(2) ADDITIONAL ALLOTMENTS.—From the  
8 sums appropriated under section 205, not reserved  
9 under subsection (a), and not allotted under para-  
10 graph (1), for a fiscal year, the Secretary shall allot  
11 to each eligible agency that receives an initial allot-  
12 ment under paragraph (1) an additional amount  
13 that bears the same relationship to such sums as the  
14 number of qualifying adults in the State or outlying  
15 area served by the eligible agency bears to the num-  
16 ber of such adults in all States and outlying areas.

17 “(d) QUALIFYING ADULT.—For the purpose of sub-  
18 section (c)(2), the term ‘qualifying adult’ means an adult  
19 who—

20 “(1) is at least 16 years of age;

21 “(2) is beyond the age of compulsory school at-  
22 tendance under the law of the State or outlying  
23 area;

24 “(3) does not have a secondary school diploma  
25 or its recognized equivalent; and

1           “(4) is not enrolled in secondary school.

2           “(e) SPECIAL RULE.—

3           “(1) IN GENERAL.—From amounts made avail-  
4           able under subsection (c) for the Republic of Palau,  
5           the Secretary shall award grants to Guam, American  
6           Samoa, the Commonwealth of the Northern Mariana  
7           Islands, or the Republic of Palau to carry out activi-  
8           ties described in this title in accordance with the  
9           provisions of this title as determined by the Sec-  
10          retary.

11          “(2) TERMINATION OF ELIGIBILITY.—Notwith-  
12          standing any other provision of law, the Republic of  
13          Palau shall be eligible to receive a grant under this  
14          title until an agreement for the extension of United  
15          States education assistance under the Compact of  
16          Free Association for the Republic of Palau becomes  
17          effective.

18          “(f) HOLD-HARMLESS PROVISIONS.—

19          “(1) IN GENERAL.—Notwithstanding subsection  
20          (c) and subject to paragraph (2), for—

21                 “(A) fiscal year 2014, no eligible agency  
22                 shall receive an allotment under this title that  
23                 is less than 90 percent of the allotment the eli-  
24                 gible agency received for fiscal year 2012 under  
25                 this title; and

1           “(B) fiscal year 2015 and each succeeding  
2           fiscal year, no eligible agency shall receive an  
3           allotment under this title that is less than 90  
4           percent of the allotment the eligible agency re-  
5           ceived for the preceding fiscal year under this  
6           title.

7           “(2) RATABLE REDUCTION.—If, for any fiscal  
8           year the amount available for allotment under this  
9           title is insufficient to satisfy the provisions of para-  
10          graph (1), the Secretary shall ratable reduce the  
11          payments to all eligible agencies, as necessary.

12          “(g) REALLOTMENT.—The portion of any eligible  
13          agency’s allotment under this title for a fiscal year that  
14          the Secretary determines will not be required for the pe-  
15          riod such allotment is available for carrying out activities  
16          under this title, shall be available for reallocation from  
17          time to time, on such dates during such period as the Sec-  
18          retary shall fix, to other eligible agencies in proportion to  
19          the original allotments to such agencies under this title  
20          for such year.

21          **“SEC. 212. PERFORMANCE ACCOUNTABILITY SYSTEM.**

22          “Programs and activities authorized under this title  
23          are subject to the performance accountability provisions  
24          described in paragraph (2)(A) and (3) of section 136(b)  
25          and may, at a State’s discretion, include additional indica-

1 tors identified in the State plan approved under section  
2 224.

### 3 **“Subtitle B—State Provisions**

#### 4 **“SEC. 221. STATE ADMINISTRATION.**

5 “Each eligible agency shall be responsible for the fol-  
6 lowing activities under this title:

7 “(1) The development, submission, implementa-  
8 tion, and monitoring of the State plan.

9 “(2) Consultation with other appropriate agen-  
10 cies, groups, and individuals that are involved in, or  
11 interested in, the development and implementation  
12 of activities assisted under this title.

13 “(3) Coordination and avoidance of duplication  
14 with other Federal and State education, training,  
15 corrections, public housing, and social service pro-  
16 grams.

#### 17 **“SEC. 222. STATE DISTRIBUTION OF FUNDS; MATCHING RE- 18 QUIREMENT.**

19 “(a) STATE DISTRIBUTION OF FUNDS.—Each eligi-  
20 ble agency receiving a grant under this title for a fiscal  
21 year—

22 “(1) shall use an amount not less than 82.5  
23 percent of the grant funds to award grants and con-  
24 tracts under section 231 and to carry out section

1       225, of which not more than 10 percent of such  
2       amount shall be available to carry out section 225;

3           “(2) shall use not more than 12.5 percent of  
4       the grant funds to carry out State leadership activi-  
5       ties under section 223; and

6           “(3) shall use not more than 5 percent of the  
7       grant funds, or \$65,000, whichever is greater, for  
8       the administrative expenses of the eligible agency.

9       “(b) MATCHING REQUIREMENT.—

10           “(1) IN GENERAL.—In order to receive a grant  
11       from the Secretary under section 211(b), each eligi-  
12       ble agency shall provide, for the costs to be incurred  
13       by the eligible agency in carrying out the adult edu-  
14       cation and family literacy education programs for  
15       which the grant is awarded, a non-Federal contribu-  
16       tion in an amount that is not less than—

17           “(A) in the case of an eligible agency serv-  
18       ing an outlying area, 12 percent of the total  
19       amount of funds expended for adult education  
20       and family literacy education programs in the  
21       outlying area, except that the Secretary may  
22       decrease the amount of funds required under  
23       this subparagraph for an eligible agency; and

24           “(B) in the case of an eligible agency serv-  
25       ing a State, 25 percent of the total amount of

1 funds expended for adult education and family  
2 literacy education programs in the State.

3 “(2) NON-FEDERAL CONTRIBUTION.—An eligi-  
4 ble agency’s non-Federal contribution required under  
5 paragraph (1) may be provided in cash or in kind,  
6 fairly evaluated, and shall include only non-Federal  
7 funds that are used for adult education and family  
8 literacy education programs in a manner that is con-  
9 sistent with the purpose of this title.

10 **“SEC. 223. STATE LEADERSHIP ACTIVITIES.**

11 “(a) IN GENERAL.—Each eligible agency may use  
12 funds made available under section 222(a)(2) for any of  
13 the following adult education and family literacy education  
14 programs:

15 “(1) The establishment or operation of profes-  
16 sional development programs to improve the quality  
17 of instruction provided pursuant to local activities  
18 required under section 231(b).

19 “(2) The provision of technical assistance to eli-  
20 gible providers of adult education and family literacy  
21 education programs, including for the development  
22 and dissemination of evidence based research in-  
23 structional practices in reading, writing, speaking,  
24 math, and English language acquisition programs.



1           “(3) The provision of assistance to eligible pro-  
2           viders in developing, implementing, and reporting  
3           measurable progress in achieving the objectives of  
4           this title.

5           “(4) The monitoring and evaluation of the qual-  
6           ity of, and the improvement in, adult education and  
7           literacy activities.

8           “(5) The provision of technology assistance, in-  
9           cluding staff training, to eligible providers of adult  
10          education and family literacy education programs,  
11          including distance education activities, to enable the  
12          eligible providers to improve the quality of such ac-  
13          tivities.

14          “(6) The development and implementation of  
15          technology applications or distance education, in-  
16          cluding professional development to support the use  
17          of instructional technology.

18          “(7) Coordination with other public programs,  
19          including programs under title I of this Act, and  
20          other welfare-to-work, workforce development, and  
21          job training programs.

22          “(8) Coordination with existing support serv-  
23          ices, such as transportation, child care, and other  
24          assistance designed to increase rates of enrollment  
25          in, and successful completion of, adult education and

1 family literacy education programs, for adults en-  
2 rolled in such activities.

3 “(9) The development and implementation of a  
4 system to assist in the transition from adult basic  
5 education to postsecondary education.

6 “(10) Activities to promote workplace literacy  
7 programs.

8 “(11) Other activities of statewide significance,  
9 including assisting eligible providers in achieving  
10 progress in improving the skill levels of adults who  
11 participate in programs under this title.

12 “(12) Integration of literacy, instructional, and  
13 occupational skill training and promotion of linkages  
14 with employees.

15 “(b) COORDINATION.—In carrying out this section,  
16 eligible agencies shall coordinate where possible, and avoid  
17 duplicating efforts, in order to maximize the impact of the  
18 activities described in subsection (a).

19 “(c) STATE-IMPOSED REQUIREMENTS.—Whenever a  
20 State or outlying area implements any rule or policy relat-  
21 ing to the administration or operation of a program au-  
22 thorized under this title that has the effect of imposing  
23 a requirement that is not imposed under Federal law (in-  
24 cluding any rule or policy based on a State or outlying  
25 area interpretation of a Federal statute, regulation, or

1 guideline), the State or outlying area shall identify, to eli-  
2 gible providers, the rule or policy as being imposed by the  
3 State or outlying area.

4 **“SEC. 224. STATE PLAN.**

5 “(a) 3-YEAR PLANS.—

6 “(1) IN GENERAL.—Each eligible agency desir-  
7 ing a grant under this title for any fiscal year shall  
8 submit to, or have on file with, the Secretary a 3-  
9 year State plan.

10 “(2) STATE UNIFIED PLAN.—The eligible agen-  
11 cy may submit the State plan as part of a State uni-  
12 fied plan described in section 501.

13 “(b) PLAN CONTENTS.—The eligible agency shall in-  
14 clude in the State plan or any revisions to the State plan—

15 “(1) an objective assessment of the needs of in-  
16 dividuals in the State or outlying area for adult edu-  
17 cation and family literacy education programs, in-  
18 cluding individuals most in need or hardest to serve;

19 “(2) a description of the adult education and  
20 family literacy education programs that will be car-  
21 ried out with funds received under this title;

22 “(3) an assurance that the funds received under  
23 this title will not be expended for any purpose other  
24 than for activities under this title;

1           “(4) a description of how the eligible agency  
2 will annually evaluate and measure the effectiveness  
3 and improvement of the adult education and family  
4 literacy education programs funded under this title  
5 using the indicators of performance described in sec-  
6 tion 136, including how the eligible agency will con-  
7 duct such annual evaluations and measures for each  
8 grant received under this title;

9           “(5) a description of how the eligible agency  
10 will fund local activities in accordance with the  
11 measurable goals described in section 231(d);

12           “(6) an assurance that the eligible agency will  
13 expend the funds under this title only in a manner  
14 consistent with fiscal requirements in section 241;

15           “(7) a description of the process that will be  
16 used for public participation and comment with re-  
17 spect to the State plan, which—

18           “(A) shall include consultation with the  
19 State workforce investment board, the State  
20 board responsible for administering community  
21 or technical colleges, the Governor, the State  
22 educational agency, the State board or agency  
23 responsible for administering block grants for  
24 temporary assistance to needy families under  
25 title IV of the Social Security Act, the State

1 council on disabilities, the State vocational re-  
2 habilitation agency, and other State agencies  
3 that promote the improvement of adult edu-  
4 cation and family literacy education programs,  
5 and direct providers of such programs; and

6 “(B) may include consultation with the  
7 State agency on higher education, institutions  
8 responsible for professional development of  
9 adult education and family literacy education  
10 programs instructors, representatives of busi-  
11 ness and industry, refugee assistance programs,  
12 and faith-based organizations;

13 “(8) a description of the eligible agency’s strat-  
14 egies for serving populations that include, at a min-  
15 imum—

16 “(A) low-income individuals;

17 “(B) individuals with disabilities;

18 “(C) the unemployed;

19 “(D) the underemployed; and

20 “(E) individuals with multiple barriers to  
21 educational enhancement, including English  
22 learners;

23 “(9) a description of how the adult education  
24 and family literacy education programs that will be  
25 carried out with any funds received under this title

1 will be integrated with other adult education, career  
2 development, and employment and training activities  
3 in the State or outlying area served by the eligible  
4 agency;

5 “(10) a description of the steps the eligible  
6 agency will take to ensure direct and equitable ac-  
7 cess, as required in section 231(c)(1), including—

8 “(A) how the State will build the capacity  
9 of community-based and faith-based organiza-  
10 tions to provide adult education and family lit-  
11 eracy education programs; and

12 “(B) how the State will increase the par-  
13 ticipation of business and industry in adult edu-  
14 cation and family literacy education programs;

15 “(11) an assessment of the adequacy of the sys-  
16 tem of the State or outlying area to ensure teacher  
17 quality and a description of how the State or out-  
18 lying area will use funds received under this subtitle  
19 to improve teacher quality, including evidence-based  
20 professional development to improve instruction; and

21 “(12) a description of how the eligible agency  
22 will consult with any State agency responsible for  
23 postsecondary education to develop adult education  
24 that prepares students to enter postsecondary edu-

1 cation without the need for remediation upon com-  
2 pletion of secondary school equivalency programs.

3 “(c) PLAN REVISIONS.—When changes in conditions  
4 or other factors require substantial revisions to an ap-  
5 proved State plan, the eligible agency shall submit the re-  
6 visions of the State plan to the Secretary.

7 “(d) CONSULTATION.—The eligible agency shall—

8 “(1) submit the State plan, and any revisions to  
9 the State plan, to the Governor, the chief State  
10 school officer, or the State officer responsible for ad-  
11 ministering community or technical colleges, or out-  
12 lying area for review and comment; and

13 “(2) ensure that any comments regarding the  
14 State plan by the Governor, the chief State school  
15 officer, or the State officer responsible for admin-  
16 istering community or technical colleges, and any re-  
17 vision to the State plan, are submitted to the Sec-  
18 retary.

19 “(e) PLAN APPROVAL.—The Secretary shall—

20 “(1) approve a State plan within 90 days after  
21 receiving the plan unless the Secretary makes a writ-  
22 ten determination within 30 days after receiving the  
23 plan that the plan does not meet the requirements  
24 of this section or is inconsistent with specific provi-  
25 sions of this subtitle; and

1           “(2) not finally disapprove of a State plan be-  
2           fore offering the eligible agency the opportunity,  
3           prior to the expiration of the 30-day period begin-  
4           ning on the date on which the eligible agency re-  
5           ceived the written determination described in para-  
6           graph (3), to review the plan and providing technical  
7           assistance in order to assist the eligible agency in  
8           meeting the requirements of this subtitle.

9   **“SEC. 225. PROGRAMS FOR CORRECTIONS EDUCATION AND**  
10                                   **OTHER INSTITUTIONALIZED INDIVIDUALS.**

11           “(a) PROGRAM AUTHORIZED.—From funds made  
12           available under section 222(a)(1) for a fiscal year, each  
13           eligible agency shall carry out corrections education and  
14           education for other institutionalized individuals.

15           “(b) USES OF FUNDS.—The funds described in sub-  
16           section (a) shall be used for the cost of educational pro-  
17           grams for criminal offenders in correctional institutions  
18           and for other institutionalized individuals, including aca-  
19           demic programs for—

20                   “(1) basic skills education;

21                   “(2) special education programs as determined  
22           by the eligible agency;

23                   “(3) reading, writing, speaking, and math pro-  
24           grams;



1           “(4) secondary school credit or diploma pro-  
2           grams or their recognized equivalent; and

3           “(5) integrated education and training.

4           “(c) PRIORITY.—Each eligible agency that is using  
5           assistance provided under this section to carry out a pro-  
6           gram for criminal offenders within a correctional institu-  
7           tion shall give priority to serving individuals who are likely  
8           to leave the correctional institution within 5 years of par-  
9           ticipation in the program.

10          “(d) DEFINITIONS.—For purposes of this section:

11           “(1) CORRECTIONAL INSTITUTION.—The term  
12           ‘correctional institution’ means any—

13                   “(A) prison;

14                   “(B) jail;

15                   “(C) reformatory;

16                   “(D) work farm;

17                   “(E) detention center; or

18                   “(F) halfway house, community-based re-  
19           habilitation center, or any other similar institu-  
20           tion designed for the confinement or rehabilita-  
21           tion of criminal offenders.

22           “(2) CRIMINAL OFFENDER.—The term ‘crimi-  
23           nal offender’ means any individual who is charged  
24           with, or convicted of, any criminal offense.

1           **“Subtitle C—Local Provisions**

2           **“SEC. 231. GRANTS AND CONTRACTS FOR ELIGIBLE PRO-**  
3                                   **VIDERS.**

4           “(a) GRANTS AND CONTRACTS.—From grant funds  
5 made available under section 222(a)(1), each eligible agen-  
6 cy shall award multi-year grants or contracts, on a com-  
7 petitive basis, to eligible providers within the State or out-  
8 lying area that meet the conditions and requirements of  
9 this title to enable the eligible providers to develop, imple-  
10 ment, and improve adult education and family literacy  
11 education programs within the State.

12           “(b) LOCAL ACTIVITIES.—The eligible agency shall  
13 require eligible providers receiving a grant or contract  
14 under subsection (a) to establish or operate—

15                   “(1) programs that provide adult education and  
16                   literacy activities;

17                   “(2) programs that provide integrated employ-  
18                   ment and training activities; or

19                   “(3) credit-bearing postsecondary coursework.

20           “(c) DIRECT AND EQUITABLE ACCESS; SAME PROC-  
21           ESS.—Each eligible agency receiving funds under this title  
22 shall ensure that—

23                   “(1) all eligible providers have direct and equi-  
24                   table access to apply for grants or contracts under  
25                   this section; and

1           “(2) the same grant or contract announcement  
2           process and application process is used for all eligi-  
3           ble providers in the State or outlying area.

4           “(d) MEASURABLE GOALS.—The eligible agency shall  
5           require eligible providers receiving a grant or contract  
6           under subsection (a) to demonstrate—

7           “(1) the eligible provider’s measurable goals for  
8           participant outcomes to be achieved annually on the  
9           core indicators of performance described in section  
10          136(b)(2)(A);

11          “(2) the past effectiveness of the eligible pro-  
12          vider in improving the basic academic skills of adults  
13          and, for eligible providers receiving grants in the  
14          prior year, the success of the eligible provider receiv-  
15          ing funding under this title in exceeding its perform-  
16          ance goals in the prior year;

17          “(3) the commitment of the eligible provider to  
18          serve individuals in the community who are the most  
19          in need of basic academic skills instruction services,  
20          including individuals with disabilities and individuals  
21          who are low-income or have minimal reading, writ-  
22          ing, speaking, and math skills, or are English learn-  
23          ers;

1           “(4) the program is of sufficient intensity and  
2           quality for participants to achieve substantial learn-  
3           ing gains;

4           “(5) educational practices are evidence-based;

5           “(6) the activities of the eligible provider effec-  
6           tively employ advances in technology, and delivery  
7           systems including distance education;

8           “(7) the activities provide instruction in real-life  
9           contexts, including integrated education and training  
10          when appropriate, to ensure that an individual has  
11          the skills needed to compete in the workplace and  
12          exercise the rights and responsibilities of citizenship;

13          “(8) the activities are staffed by well-trained in-  
14          structors, counselors, and administrators who meet  
15          minimum qualifications established by the State;

16          “(9) the activities are coordinated with other  
17          available resources in the community, such as  
18          through strong links with elementary schools and  
19          secondary schools, postsecondary educational institu-  
20          tions, local workforce investment boards, one-stop  
21          centers, job training programs, community-based  
22          and faith-based organizations, and social service  
23          agencies;

24          “(10) the activities offer flexible schedules and  
25          support services (such as child care and transpor-

1 tation) that are necessary to enable individuals, in-  
2 cluding individuals with disabilities or other special  
3 needs, to attend and complete programs;

4 “(11) the activities include a high-quality infor-  
5 mation management system that has the capacity to  
6 report measurable participant outcomes (consistent  
7 with section 136) and to monitor program perform-  
8 ance;

9 “(12) the local communities have a dem-  
10 onstrated need for additional English language ac-  
11 quisition programs, and integrated education and  
12 training programs;

13 “(13) the capacity of the eligible provider to  
14 produce valid information on performance results,  
15 including enrollments and measurable participant  
16 outcomes;

17 “(14) adult education and family literacy edu-  
18 cation programs offer rigorous reading, writing,  
19 speaking, and math content that are evidence based;  
20 and

21 “(15) applications of technology, and services to  
22 be provided by the eligible providers, are of sufficient  
23 intensity and duration to increase the amount and  
24 quality of learning and lead to measurable learning  
25 gains within specified time periods.

1       “(e) SPECIAL RULE.—Eligible providers may use  
2 grant funds under this title to serve children participating  
3 in family literacy programs assisted under this part, pro-  
4 vided that other sources of funds available to provide simi-  
5 lar services for such children are used first.

6 **“SEC. 232. LOCAL APPLICATION.**

7       “Each eligible provider desiring a grant or contract  
8 under this title shall submit an application to the eligible  
9 agency containing such information and assurances as the  
10 eligible agency may require, including—

11           “(1) a description of how funds awarded under  
12 this title will be spent consistent with the require-  
13 ments of this title;

14           “(2) a description of any cooperative arrange-  
15 ments the eligible provider has with other agencies,  
16 institutions, or organizations for the delivery of  
17 adult education and family literacy education pro-  
18 grams; and

19           “(3) each of the demonstrations required by  
20 section 231(d).

21 **“SEC. 233. LOCAL ADMINISTRATIVE COST LIMITS.**

22       “(a) IN GENERAL.—Subject to subsection (b), of the  
23 amount that is made available under this title to an eligi-  
24 ble provider—

1           “(1) at least 95 percent shall be expended for  
2 carrying out adult education and family literacy edu-  
3 cation programs; and

4           “(2) the remaining amount shall be used for  
5 planning, administration, personnel and professional  
6 development, development of measurable goals in  
7 reading, writing, speaking, and math, and inter-  
8 agency coordination.

9           “(b) SPECIAL RULE.—In cases where the cost limits  
10 described in subsection (a) are too restrictive to allow for  
11 adequate planning, administration, personnel develop-  
12 ment, and interagency coordination, the eligible provider  
13 may negotiate with the eligible agency in order to deter-  
14 mine an adequate level of funds to be used for noninstruc-  
15 tional purposes.

## 16       **“Subtitle D—General Provisions**

### 17       **“SEC. 241. ADMINISTRATIVE PROVISIONS.**

18           “Funds made available for adult education and fam-  
19 ily literacy education programs under this title shall sup-  
20 plement and not supplant other State or local public funds  
21 expended for adult education and family literacy education  
22 programs.

### 23       **“SEC. 242. NATIONAL ACTIVITIES.**

24           “The Secretary shall establish and carry out a pro-  
25 gram of national activities that may include the following:

1           “(1) Providing technical assistance to eligible  
2 entities, on request, to—

3           “(A) improve their fiscal management, re-  
4 search-based instruction, and reporting require-  
5 ments to carry out the requirements of this  
6 title;

7           “(B) improve its performance on the core  
8 indicators of performance described in section  
9 136;

10          “(C) provide adult education professional  
11 development; and

12          “(D) use distance education and improve  
13 the application of technology in the classroom,  
14 including instruction in English language acqui-  
15 sition for English learners.

16          “(2) Providing for the conduct of research on  
17 national literacy basic skill acquisition levels among  
18 adults, including the number of adult English learn-  
19 ers functioning at different levels of reading pro-  
20 ficiency.

21          “(3) Improving the coordination, efficiency, and  
22 effectiveness of adult education and workforce devel-  
23 opment services at the national, State, and local lev-  
24 els.



1           “(4) Determining how participation in adult  
2           education, English language acquisition, and family  
3           literacy education programs prepares individuals for  
4           entry into and success in postsecondary education  
5           and employment, and in the case of prison-based  
6           services, the effect on recidivism.

7           “(5) Evaluating how different types of pro-  
8           viders, including community and faith-based organi-  
9           zations or private for-profit agencies measurably im-  
10          prove the skills of participants in adult education,  
11          English language acquisition, and family literacy  
12          education programs.

13          “(6) Identifying model integrated basic and  
14          workplace skills education programs, including pro-  
15          grams for English learners coordinated literacy and  
16          employment services, and effective strategies for  
17          serving adults with disabilities.

18          “(7) Initiating other activities designed to im-  
19          prove the measurable quality and effectiveness of  
20          adult education, English language acquisition, and  
21          family literacy education programs nationwide.”.

1           **TITLE III—AMENDMENTS TO**  
2           **THE WAGNER-PEYSER ACT**

3   **SEC. 301. AMENDMENTS TO THE WAGNER-PEYSER ACT.**

4           The Wagner-Peyser Act (29 U.S.C. 49 et seq.) is  
5 amended by amending section 15 to read as follows:

6   **“SEC. 15. WORKFORCE AND LABOR MARKET INFORMATION**  
7                           **SYSTEM.**

8           “(a) SYSTEM CONTENT.—

9                   “(1) IN GENERAL.—The Secretary of Labor, in  
10 accordance with the provisions of this section, shall  
11 oversee the development, maintenance, and contin-  
12 uous improvement of a nationwide workforce and  
13 labor market information system that includes—

14                           “(A) statistical data from cooperative sta-  
15 tistical survey and projection programs and  
16 data from administrative reporting systems  
17 that, taken together, enumerate, estimate, and  
18 project employment opportunities and condi-  
19 tions at national, State, and local levels in a  
20 timely manner, including statistics on—

21                                   “(i) employment and unemployment  
22 status of national, State, and local popu-  
23 lations, including self-employed, part-time,  
24 and seasonal workers;

1                   “(ii) industrial distribution of occupa-  
2                   tions, as well as current and projected em-  
3                   ployment opportunities, wages, benefits  
4                   (where data is available), and skill trends  
5                   by occupation and industry, with particular  
6                   attention paid to State and local condi-  
7                   tions;

8                   “(iii) the incidence of, industrial and  
9                   geographical location of, and number of  
10                  workers displaced by, permanent layoffs  
11                  and plant closings; and

12                  “(iv) employment and earnings infor-  
13                  mation maintained in a longitudinal man-  
14                  ner to be used for research and program  
15                  evaluation;

16                  “(B) information on State and local em-  
17                  ployment opportunities, and other appropriate  
18                  statistical data related to labor market dynam-  
19                  ics, which—

20                         “(i) shall be current and comprehen-  
21                         sive;

22                         “(ii) shall meet the needs identified  
23                         through the consultations described in sub-  
24                         paragraphs (A) and (B) of subsection  
25                         (e)(2); and

1                   “(iii) shall meet the needs for the in-  
2                   formation identified in section 121;

3                   “(C) technical standards (which the Sec-  
4                   retary shall publish annually) for data and in-  
5                   formation described in subparagraphs (A) and  
6                   (B) that, at a minimum, meet the criteria of  
7                   chapter 35 of title 44, United States Code;

8                   “(D) procedures to ensure compatibility  
9                   and additivity of the data and information de-  
10                  scribed in subparagraphs (A) and (B) from na-  
11                  tional, State, and local levels;

12                  “(E) procedures to support standardization  
13                  and aggregation of data from administrative re-  
14                  porting systems described in subparagraph (A)  
15                  of employment-related programs;

16                  “(F) analysis of data and information de-  
17                  scribed in subparagraphs (A) and (B) for uses  
18                  such as—

19                         “(i) national, State, and local policy-  
20                         making;

21                         “(ii) implementation of Federal poli-  
22                         cies (including allocation formulas);

23                         “(iii) program planning and evalua-  
24                         tion; and

1                   “(iv) researching labor market dynam-  
2                   ics;

3                   “(G) wide dissemination of such data, in-  
4                   formation, and analysis in a user-friendly man-  
5                   ner and voluntary technical standards for dis-  
6                   semination mechanisms; and

7                   “(H) programs of—

8                   “(i) training for effective data dis-  
9                   semination;

10                   “(ii) research and demonstration; and

11                   “(iii) programs and technical assist-  
12                   ance.

13                   “(2) INFORMATION TO BE CONFIDENTIAL.—

14                   “(A) IN GENERAL.—No officer or em-  
15                   ployee of the Federal Government or agent of  
16                   the Federal Government may—

17                   “(i) use any submission that is fur-  
18                   nished for exclusively statistical purposes  
19                   under the provisions of this section for any  
20                   purpose other than the statistical purposes  
21                   for which the submission is furnished;

22                   “(ii) disclose to the public any publi-  
23                   cation or media transmittal of the data  
24                   contained in the submission described in  
25                   clause (i) that permits information con-

1           cerning an individual subject to be reason-  
2           ably inferred by either direct or indirect  
3           means; or

4           “(iii) permit anyone other than a  
5           sworn officer, employee, or agent of any  
6           Federal department or agency, or a con-  
7           tractor (including an employee of a con-  
8           tractor) of such department or agency, to  
9           examine an individual submission described  
10          in clause (i),

11          without the consent of the individual, agency, or  
12          other person who is the subject of the submis-  
13          sion or provides that submission.

14          “(B) IMMUNITY FROM LEGAL PROCESS.—  
15          Any submission (including any data derived  
16          from the submission) that is collected and re-  
17          tained by a Federal department or agency, or  
18          an officer, employee, agent, or contractor of  
19          such a department or agency, for exclusively  
20          statistical purposes under this section shall be  
21          immune from the legal process and shall not,  
22          without the consent of the individual, agency, or  
23          other person who is the subject of the submis-  
24          sion or provides that submission, be admitted  
25          as evidence or used for any purpose in any ac-

1           tion, suit, or other judicial or administrative  
2           proceeding.

3           “(C) RULE OF CONSTRUCTION.—Nothing  
4           in this section shall be construed to provide im-  
5           munity from the legal process for such submis-  
6           sion (including any data derived from the sub-  
7           mission) if the submission is in the possession  
8           of any person, agency, or entity other than the  
9           Federal Government or an officer, employee,  
10          agent, or contractor of the Federal Government,  
11          or if the submission is independently collected,  
12          retained, or produced for purposes other than  
13          the purposes of this Act.

14          “(b) SYSTEM RESPONSIBILITIES.—

15                 “(1) IN GENERAL.—The workforce and labor  
16                 market information system described in subsection  
17                 (a) shall be planned, administered, overseen, and  
18                 evaluated through a cooperative governance struc-  
19                 ture involving the Federal Government and States.

20                 “(2) DUTIES.—The Secretary, with respect to  
21                 data collection, analysis, and dissemination of work-  
22                 force and labor market information for the system,  
23                 shall carry out the following duties:

24                         “(A) Assign responsibilities within the De-  
25                         partment of Labor for elements of the work-

1 force and labor market information system de-  
2 scribed in subsection (a) to ensure that all sta-  
3 tistical and administrative data collected is con-  
4 sistent with appropriate Bureau of Labor Sta-  
5 tistics standards and definitions.

6 “(B) Actively seek the cooperation of other  
7 Federal agencies to establish and maintain  
8 mechanisms for ensuring complementarity and  
9 nonduplication in the development and oper-  
10 ation of statistical and administrative data col-  
11 lection activities.

12 “(C) Eliminate gaps and duplication in  
13 statistical undertakings, with the systemization  
14 of wage surveys as an early priority.

15 “(D) In collaboration with the Bureau of  
16 Labor Statistics and States, develop and main-  
17 tain the elements of the workforce and labor  
18 market information system described in sub-  
19 section (a), including the development of con-  
20 sistent procedures and definitions for use by the  
21 States in collecting the data and information  
22 described in subparagraphs (A) and (B) of sub-  
23 section (a)(1).

24 “(E) Establish procedures for the system  
25 to ensure that—



1                   “(i) such data and information are  
2                   timely;

3                   “(ii) paperwork and reporting for the  
4                   system are reduced to a minimum; and

5                   “(iii) States and localities are fully in-  
6                   volved in the development and continuous  
7                   improvement of the system at all levels.

8                   “(c) NATIONAL ELECTRONIC TOOLS TO PROVIDE  
9 SERVICES.—The Secretary is authorized to assist in the  
10 development of national electronic tools that may be used  
11 to facilitate the delivery of work ready services described  
12 in section 134(c)(2) and to provide workforce information  
13 to individuals through the one-stop delivery systems de-  
14 scribed in section 121 and through other appropriate de-  
15 livery systems.

16                   “(d) COORDINATION WITH THE STATES.—

17                   “(1) IN GENERAL.—The Secretary, working  
18 through the Bureau of Labor Statistics and the Em-  
19 ployment and Training Administration, shall regu-  
20 larly consult with representatives of State agencies  
21 carrying out workforce information activities regard-  
22 ing strategies for improving the workforce and labor  
23 market information system.

24                   “(2) FORMAL CONSULTATIONS.—At least twice  
25 each year, the Secretary, working through the Bu-

1       reau of Labor Statistics, shall conduct formal con-  
2       sultations regarding programs carried out by the  
3       Bureau of Labor Statistics with representatives of  
4       each of the Federal regions of the Bureau of Labor  
5       Statistics, elected (pursuant to a process established  
6       by the Secretary) from the State directors affiliated  
7       with State agencies that perform the duties de-  
8       scribed in subsection (e)(2).

9       “(e) STATE RESPONSIBILITIES.—

10           “(1) IN GENERAL.—In order to receive Federal  
11       financial assistance under this section, the Governor  
12       of a State shall—

13           “(A) be responsible for the management of  
14       the portions of the workforce and labor market  
15       information system described in subsection (a)  
16       that comprise a statewide workforce and labor  
17       market information system and for the State’s  
18       participation in the development of the annual  
19       plan;

20           “(B) establish a process for the oversight  
21       of such system;

22           “(C) consult with State and local employ-  
23       ers, participants, and local workforce invest-  
24       ment boards about the labor market relevance  
25       of the data to be collected and disseminated

1 through the statewide workforce and labor mar-  
2 ket information system;

3 “(D) consult with State educational agen-  
4 cies and local educational agencies concerning  
5 the provision of employment statistics in order  
6 to meet the needs of secondary school and post-  
7 secondary school students who seek such infor-  
8 mation;

9 “(E) collect and disseminate for the sys-  
10 tem, on behalf of the State and localities in the  
11 State, the information and data described in  
12 subparagraphs (A) and (B) of subsection  
13 (a)(1);

14 “(F) maintain and continuously improve  
15 the statewide workforce and labor market infor-  
16 mation system in accordance with this section;

17 “(G) perform contract and grant respon-  
18 sibilities for data collection, analysis, and dis-  
19 semination for such system;

20 “(H) conduct such other data collection,  
21 analysis, and dissemination activities as will en-  
22 sure an effective statewide workforce and labor  
23 market information system;

24 “(I) actively seek the participation of other  
25 State and local agencies in data collection, anal-

1            ysis, and dissemination activities in order to en-  
2            sure complementarity, compatibility, and useful-  
3            ness of data;

4            “(J) participate in the development of the  
5            annual plan described in subsection (e); and

6            “(K) utilize the quarterly records described  
7            in section 136(f)(2) to assist the State and  
8            other States in measuring State progress on  
9            State performance measures.

10          “(2) RULE OF CONSTRUCTION.—Nothing in  
11          this section shall be construed as limiting the ability  
12          of a Governor to conduct additional data collection,  
13          analysis, and dissemination activities with State  
14          funds or with Federal funds from sources other than  
15          this section.

16          “(f) NONDUPLICATION REQUIREMENT.—None of the  
17          functions and activities carried out pursuant to this sec-  
18          tion shall duplicate the functions and activities carried out  
19          under the Carl D. Perkins Career and Technical Edu-  
20          cation Act of 2006 (20 U.S.C. 2301 et seq.).

21          “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
22          are authorized to be appropriated to carry out this section  
23          \$63,473,000 for fiscal year 2014 and each of the 6 suc-  
24          ceeding fiscal years.

1       “(h) DEFINITION.—In this section, the term ‘local  
2 area’ means the smallest geographical area for which data  
3 can be produced with statistical reliability.”.

## 4                   **TITLE IV—REPEALS AND** 5                   **CONFORMING AMENDMENTS**

### 6   **SEC. 401. REPEALS.**

7       The following provisions are repealed:

8               (1) Chapter 4 of subtitle B of title I, and sec-  
9               tions 123, 155, 166, 167, 168, 169, 171, 173, 173A,  
10              174, 192, 194, 502, 503, and 506 of the Workforce  
11              Investment Act of 1998.

12              (2) Title V of the Older Americans Act of 1965  
13              (42 U.S.C. 3056 et seq.).

14              (3) Sections 1 through 14 of the Wagner-  
15              Peysner Act (29 U.S.C. 49 et seq.).

16              (4) Twenty-First Century Workforce Commis-  
17              sion Act (29 U.S.C. 2701 note).

18              (5) Youth Conservation Corps Act of 1970 (16  
19              U.S.C. 1701 et seq.).

20              (6) Section 821 of the Higher Education  
21              Amendments of 1998 (20 U.S.C. 1151) (Grants to  
22              States for workplace and community transition  
23              training for incarcerated individuals).

1           (7) The Women in Apprenticeship and Non-  
2           traditional Occupations Act (29 U.S.C. 2501 et  
3           seq.).

4           (8) Sections 4103A and 4104 of title 38,  
5           United States Code.

6   **SEC. 402. AMENDMENT TO THE COMPREHENSIVE ENVIRON-**  
7                   **MENTAL RESPONSE, COMPENSATION, AND LI-**  
8                   **ABILITY ACT OF 1980.**

9           Section 104(k)(6) of the Comprehensive Environ-  
10          mental Response, Compensation, and Liability Act of  
11          1980 (42 U.S.C. 9604) is amended by striking “, train-  
12          ing,”.

13   **SEC. 403. AMENDMENTS TO THE FOOD AND NUTRITION ACT**  
14                   **OF 2008.**

15          (a) DEFINITION.—Section 3(t) of the Food and Nu-  
16          trition Act of 2008 (7 U.S.C. 2012(t)) is amended—

17                  (1) by striking “and (2)” and inserting “(2)”,  
18                  and

19                  (2) by inserting before the period at the end the  
20                  following:

21          “, and (3) when referencing employment and training ac-  
22          tivities under section 6(d)(4), a State board as defined in  
23          section 101 of the Workforce Investment Act of 1998 (29  
24          U.S.C. 2801)”.

1 (b) ELIGIBLE HOUSEHOLDS.—Section 5 of the Food  
2 and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

3 (1) in subsection (d)(14) by striking “section  
4 6(d)(4)(I)” and inserting “section 6(d)(4)(C)”, and

5 (2) in subsection (g)(3) by striking “constitutes  
6 adequate participation in an employment and train-  
7 ing program under section 6(d)” and inserting “al-  
8 lows the individual to participate in employment and  
9 training activities under section 6(d)(4)”.

10 (c) ELIGIBILITY DISQUALIFICATIONS.—Section  
11 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C.  
12 2015(d)(4)) is amended to read as follows:

13 “(4) EMPLOYMENT AND TRAINING.—

14 “(A) IMPLEMENTATION.—Each State  
15 agency shall provide employment and training  
16 services authorized under section 134 of the  
17 Workforce Investment Act of 1998 (29 U.S.C.  
18 2864) to eligible members of households partici-  
19 pating in the supplemental nutrition assistance  
20 program in gaining skills, training, work, or ex-  
21 perience that will increase their ability to obtain  
22 regular employment.

23 “(B) STATEWIDE WORKFORCE DEVELOP-  
24 MENT SYSTEM.—Consistent with subparagraph  
25 (A), employment and training services shall be

1 provided through the statewide workforce devel-  
2 opment system, including the One-Stop delivery  
3 system, authorized by the Workforce Invest-  
4 ment Act of 1998 (29 U.S.C. 2801 et seq.).

5 “(C) REIMBURSEMENTS.—

6 “(i) ACTUAL COSTS.—The State agen-  
7 cy shall provide payments or reimburse-  
8 ment to participants served under this  
9 paragraph for—

10 “(I) the actual costs of transpor-  
11 tation and other actual costs (other  
12 than dependent care costs) that are  
13 reasonably necessary and directly re-  
14 lated to the individual participating in  
15 employment and training activities;  
16 and

17 “(II) the actual costs of such de-  
18 pendent care expenses that are deter-  
19 mined by the State agency to be nec-  
20 essary for the individual to participate  
21 in employment and training activities  
22 (other than an individual who is the  
23 caretaker relative of a dependent in a  
24 family receiving benefits under part A  
25 of title IV of the Social Security Act



1 (42 U.S.C. 601 et seq.) in a local area  
2 where an employment, training, or  
3 education program under title IV of  
4 such Act is in operation), except that  
5 no such payment or reimbursement  
6 shall exceed the applicable local mar-  
7 ket rate.

8 “(ii) SERVICE CONTRACTS AND  
9 VOUCHERS.—In lieu of providing reim-  
10 bursements or payments for dependent  
11 care expenses under clause (i), a State  
12 agency may, at its option, arrange for de-  
13 pendent care through providers by the use  
14 of purchase of service contracts or vouch-  
15 ers or by providing vouchers to the house-  
16 hold.

17 “(iii) VALUE OF REIMBURSEMENTS.—  
18 The value of any dependent care services  
19 provided for or arranged under clause (ii),  
20 or any amount received as a payment or  
21 reimbursement under clause (i), shall—

22 “(I) not be treated as income for  
23 the purposes of any other Federal or  
24 federally assisted program that bases

1 eligibility for, or the amount of bene-  
2 fits on, need; and

3 “(II) not be claimed as an em-  
4 ployment-related expense for the pur-  
5 poses of the credit provided under sec-  
6 tion 21 of the Internal Revenue Code  
7 of 1986 (26 U.S.C. 21).”.

8 (d) ADMINISTRATION.—Section 11(e)(19) of the  
9 Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)(11))  
10 is amended to read as follows:

11 “(19) the plans of the State agency for pro-  
12 viding employment and training services under sec-  
13 tion 6(d)(4);”.

14 (e) ADMINISTRATIVE COST-SHARING AND QUALITY  
15 CONTROL.—Section 16(h) of the Food and Nutrition Act  
16 of 2008 (7 U.S.C. 2025) is amended—

17 (1) in paragraph (1)—

18 (A) in subparagraph (A) by striking “carry  
19 out employment and training programs” and  
20 inserting “provide employment and training  
21 services to eligible households under section  
22 6(d)(4)”, and

23 (B) in subparagraph (D) by striking “op-  
24 erating an employment and training program”

1           and inserting “providing employment and train-  
2           ing services consistent with section 6(d)(4)”,

3           (2) in paragraph (3) by striking “related to  
4           participation in an employment and training pro-  
5           gram” and inserting “the individual participating in  
6           employment and training activities”,

7           (3) in paragraph (4) by striking “for operating  
8           an employment and training program” and inserting  
9           “to provide employment and training services”, and

10          (4) by amending paragraph (5) to read as fol-  
11          lows:

12                 “(5) MONITORING.—The Secretary, in conjunc-  
13                 tion with the Secretary of Labor, shall monitor each  
14                 State agency responsible for administering employ-  
15                 ment and training services under section 6(d)(4) to  
16                 ensure funds are being spent effectively and effi-  
17                 ciently. Each program of employment and training  
18                 receiving funds under section 6(d)(4) shall be sub-  
19                 ject to the requirements of the performance account-  
20                 ability system, including having to meet the state  
21                 performance measures included in section 136 of the  
22                 Workforce Investment Act (29 U.S.C. 2871).”.

23           (f) RESEARCH, DEMONSTRATION, AND EVALUA-  
24           TIONS.—Section 17 of the Food and Nutrition Act of  
25           2008 (7 U.S.C. 2026) is amended—

1 (1) in subsection (b) by striking paragraph (3),

2 and

3 (2) in subsection (g)—

4 (A) by inserting “, in conjunction with the  
5 Secretary of Labor,” after “Secretary”, and

6 (B) by striking “programs established”  
7 and inserting “activities provided to eligible  
8 households”.

9 (g) MINNESOTA FAMILY INVESTMENT PROJECT.—

10 Section 22(b)(4) of the Food and Nutrition Act of 2008  
11 (7 U.S.C. 2031(b)(4)) is amended by striking “equivalent  
12 to those offered under the employment and training pro-  
13 gram”.

14 **SEC. 404. AMENDMENTS TO SECTION 412 OF THE IMMIGRA-  
15 TION AND NATIONALITY ACT.**

16 (a) CONDITIONS AND CONSIDERATIONS.—Section  
17 412(a) of the Immigration and Nationality Act (8 U.S.C.  
18 1522(a)) is amended—

19 (1) in paragraph (1)—

20 (A) in subparagraph (A)(i), by striking  
21 “make available sufficient resources for employ-  
22 ment training and placement” and inserting  
23 “provide refugees with the opportunity to access  
24 employment and training services, including job  
25 placement,”; and

1 (B) in subparagraph (B)(ii), by striking  
2 “services;” and inserting “services provided  
3 through the Workforce Investment Act of 1998  
4 (29 U.S.C. 2801 et seq.);”;

5 (2) in paragraph (2)(C)(iii)(II), by inserting  
6 “and training” after “employment”;

7 (3) in paragraph (6)(A)(ii)—

8 (A) by striking “insure” and inserting “en-  
9 sure”;

10 (B) by inserting “and training” after “em-  
11 ployment”; and

12 (C) by inserting after “available” the fol-  
13 lowing: “through the one-stop delivery system  
14 under section 121 of the Workforce Investment  
15 Act of 1998 (29 U.S.C. 2841)”;

16 (4) in paragraph (9), by inserting “the Sec-  
17 retary of Labor,” after “Education,”.

18 (b) PROGRAM OF INITIAL RESETTLEMENT.—Section  
19 412(b)(2) of such Act (8 U.S.C. 1522(b)(2)) is amend-  
20 ed—

21 (1) by striking “orientation, instruction” and  
22 inserting “orientation and instruction”; and

23 (2) by striking “, and job training for refugees,  
24 and such other education and training of refugees,

1 as facilitates” and inserting “for refugees to facili-  
2 tate”.

3 (c) PROJECT GRANTS AND CONTRACTS FOR SERV-  
4 ICES FOR REFUGEES.—Section 412(c) of such Act (8  
5 U.S.C. 1522(c)) is amended—

6 (1) in paragraph (1)—

7 (A) in subparagraph (A)(i), by inserting  
8 “and training” after “employment”; and

9 (B) by striking subparagraph (C);

10 (2) in paragraph (2)(B), by striking “para-  
11 graph—” through “in a manner” and inserting  
12 “paragraph in a manner”; and

13 (3) by adding at the end the following:

14 “(3) In carrying out this section, the Director shall  
15 ensure that employment and training services are provided  
16 through the statewide workforce development system, as  
17 appropriate, authorized by the Workforce Investment Act  
18 of 1998 (29 U.S.C. 2801 et seq.). Such action may in-  
19 clude—

20 “(A) making employment and training services  
21 as described under section 134 of such Act (29  
22 U.S.C. 2864) available to refugees; and

23 “(B) providing refugees with access to a one-  
24 stop delivery system under section 121 of such Act  
25 (29 U.S.C. 2841).”.

1 (d) CASH ASSISTANCE AND MEDICAL ASSISTANCE TO  
2 REFUGEES.—Section 412(e) of such Act (8 U.S.C.  
3 1522(e)) is amended—

4 (1) in paragraph (2)(A)(i), by inserting “and  
5 training” after “providing employment”; and

6 (2) in paragraph (3), by striking “The” and in-  
7 serting “Consistent with subsection (c)(3), the”.

8 **SEC. 405. AMENDMENTS RELATING TO THE SECOND**  
9 **CHANCE ACT OF 2007.**

10 (a) FEDERAL PRISONER REENTRY INITIATIVE.—  
11 Section 231 of the Second Chance Act of 2007 (42 U.S.C.  
12 17541) is amended—

13 (1) in subsection (a)(1)(E)—

14 (A) by inserting “the Department of Labor  
15 and” before “other Federal agencies”; and

16 (B) by inserting “State and local work-  
17 force investment boards,” after “community-  
18 based organizations,”;

19 (2) in subsection (c)—

20 (A) in paragraph (2), by striking at the  
21 end “and”;

22 (B) in paragraph (3), by striking at the  
23 end the period and inserting “; and”; and

24 (C) by adding at the end the following new  
25 paragraph:

1           “(4) to coordinate reentry programs with the  
2           employment and training services provided through  
3           the statewide workforce investment system under  
4           subtitle B of title I of the Workforce Investment Act  
5           of 1998 (29 U.S.C. 2811 et seq.)”; and

6           (3) in subsection (d), by adding at the end the  
7           following new paragraph:

8           “(6) INTERACTION WITH THE WORKFORCE IN-  
9           VESTMENT SYSTEM.—

10           “(A) IN GENERAL.—In carrying out this  
11           section, the Director shall ensure that employ-  
12           ment and training services, including such em-  
13           ployment and services offered through reentry  
14           programs, are provided, as appropriate, through  
15           the statewide workforce investment system  
16           under subtitle B of title I of the Workforce In-  
17           vestment Act of 1998 (29 U.S.C. 2811 et seq.).  
18           Such action may include—

19           “(i) making employment and training  
20           services available to prisoners prior to and  
21           immediately following the release of such  
22           prisoners; or

23           “(ii) providing prisoners with access  
24           by remote means to a one-stop delivery  
25           system under section 121 of the Workforce



1 Investment Act of 1998 (29 U.S.C. 2841)  
2 in the State in which the prison involved is  
3 located.

4 “(B) SERVICE DEFINED.—In this para-  
5 graph, the term ‘employment and training serv-  
6 ices’ means those services described in section  
7 134 of the Workforce Investment Act of 1998  
8 (29 U.S.C. 2864) offered by the Bureau of  
9 Prisons, including—

10 “(i) the skills assessment described in  
11 subsection (a)(1)(A);

12 “(ii) the skills development plan de-  
13 scribed in subsection (a)(1)(B); and

14 “(iii) the enhancement, development,  
15 and implementation of reentry and skills  
16 development programs.”.

17 (b) DUTIES OF THE BUREAU OF PRISONS.—Section  
18 4042(a)(5)(E) of title 18, United States Code, is amend-  
19 ed—

20 (1) in clause (ii), by striking “Employment”  
21 and inserting “Employment and training services (as  
22 defined in paragraph (6) of section 231(d) of the  
23 Second Chance Act of 2007), including basic skills  
24 attainment, consistent with such paragraph”;

25 (2) by striking clause (iii); and

1           (3) by redesignating clauses (iv), (v), (vi), and  
2           (vii) as clauses (iii), (iv), (v), and (vi), respectively.

3 **SEC. 406. AMENDMENTS TO THE OMNIBUS CRIME CONTROL**  
4 **AND SAFE STREETS ACT OF 1968.**

5           Section 2976 of the Omnibus Crime Control and Safe  
6 Streets Act of 1968 (42 U.S.C. 3797w) is amended—

7           (1) in subsection (b)—

8                   (A) in paragraph (1), by striking “voca-  
9                   tional” and inserting “career and technical edu-  
10                   cation (as defined in section 3 of the Carl D.  
11                   Perkins Career and Technical Education Act of  
12                   2006 (20 U.S.C. 2302)) and training”;

13                   (B) by redesignating each of paragraphs  
14                   (4) through (7) as paragraphs (5) through (8),  
15                   respectively; and

16                   (C) by inserting after paragraph (3) the  
17                   following new paragraph:

18                   “(4) coordinating employment and training  
19                   services provided through the statewide workforce  
20                   investment system under subtitle B of title I of the  
21                   Workforce Investment Act of 1998 (29 U.S.C. 2811  
22                   et seq.), including a one-stop delivery system under  
23                   section 121 of such Act (29 U.S.C. 2841), for of-  
24                   fenders upon release from prison, jail, or a juvenile  
25                   facility, as appropriate;”;

1           (2) in subsection (d)(2), by inserting “, includ-  
2           ing local workforce investment boards established  
3           under section 117 of the Workforce Investment Act  
4           of 1998 (29 U.S.C. 2832),” after “nonprofit organi-  
5           zations”;

6           (3) in subsection (e)—

7                 (A) in paragraph (3), by striking “victim  
8                 services, and employment services” and insert-  
9                 ing “and victim services”;

10                (B) by redesignating paragraphs (4) and  
11                (5) as paragraphs (5) and (6), respectively; and

12                (C) by inserting after paragraph (3) the  
13                following new paragraph:

14                “(4) provides employment and training services  
15                through the statewide workforce investment system  
16                under subtitle B of title I of the Workforce Invest-  
17                ment Act of 1998 (29 U.S.C. 2811 et seq.), includ-  
18                ing a one-stop delivery system under section 121 of  
19                such Act (29 U.S.C. 2841); and”;

20           (4) in subsection (k)—

21                 (A) in paragraph (1)(A), by inserting “, in  
22                 accordance with paragraph (2)” after “under  
23                 this section”;

24                 (B) by redesignating paragraphs (2) and  
25                 (3) as paragraphs (3) and (4), respectively; and

1 (C) by inserting after paragraph (1) the  
2 following new paragraph:

3 “(2) EMPLOYMENT AND TRAINING.—The Attor-  
4 ney General shall require each grantee under this  
5 section to measure the core indicators of perform-  
6 ance as described in section 136(b)(2)(A) of the  
7 Workforce Investment Act of 1998 (29 U.S.C.  
8 2871(b)(2)(A)) with respect to the program of such  
9 grantee funded with a grant under this section.”.

10 **SEC. 407. CONFORMING AMENDMENTS TO THE UNITED**  
11 **STATES CODE.**

12 Title 38, United States Code, is amended—

13 (1) by striking the item relating to section  
14 4103A and section 4104 in the table of sections at  
15 the beginning of chapter 41 of such title;

16 (2) in section 4102A—

17 (A) in subsection (b)—

18 (i) by striking paragraphs (5), (6),  
19 and (7);

20 (ii) by redesignating paragraph (8) as  
21 paragraph (5);

22 (B) by striking subsections (c) and (h);

23 (C) by redesignating subsection (d), (e),  
24 (f), and (g) as subsection (c), (d), (e), and (f);

1 (D) in subsection (e)(1) (as so redesignated)—  
2

3 (i) by striking “, including disabled  
4 veterans’ outreach program specialists and  
5 local veterans’ employment representatives  
6 providing employment, training, and place-  
7 ment services under this chapter in a  
8 State”; and

9 (ii) by striking “for purposes of sub-  
10 section (c)”.

11 (3) in section 4109(a), by striking “disabled  
12 veterans’ outreach program specialists and local vet-  
13 erans’ employment representative” and inserting  
14 “veteran employment specialists appointed under  
15 section 134(f) of the Workforce Investment Act of  
16 1998”;

17 (4) in section 4109(d)(1), by striking “disabled  
18 veterans’ outreach program specialists and local vet-  
19 erans’ employment representatives” and inserting  
20 “veteran employment specialists appointed under  
21 section 134(f) of the Workforce Investment Act of  
22 1998”;

23 (5) in section 4112(d)—

24 (A) in paragraph (1), by striking “disabled  
25 veterans’ outreach program specialist” and in-

1           serting “veteran employment specialist ap-  
2           pointed under section 134(f) of the Workforce  
3           Investment Act of 1998”; and

4                   (B) by striking paragraph (2) and redesignig-  
5           nating paragraph (3) as paragraph (2);

6           (6) in section 3672(d)(1), by striking “disabled  
7           veterans’ outreach program specialists under section  
8           4103A” and inserting “veteran employment special-  
9           ists appointed under section 134(f) of the Workforce  
10          Investment Act of 1998”; and

11           (7) in section 4104A—

12                   (A) in subsection (b)(1), by striking sub-  
13          paragraph (A) and inserting the following:

14                   “(A) the appropriate veteran employment  
15          specialist (in carrying out the functions de-  
16          scribed in section 134(f) of the Workforce In-  
17          vestment Act of 1998);” and

18                   (B) in subsection (c)(1), by striking sub-  
19          paragraph (A) and inserting the following:

20                   “(A) collaborate with the appropriate vet-  
21          eran employment specialist (as described in sec-  
22          tion 134(f)) and the appropriate State boards  
23          and local boards (as such terms are defined in  
24          section 101 of the Workforce Investment Act of  
25          1998 (29 U.S.C. 2801));”.

1 **SEC. 408. CONFORMING AMENDMENT TO TABLE OF CON-**  
2 **TENTS.**

3 The table of contents in section 1(b) is amended to  
4 read as follows:

“Sec. 1. Short title; table of contents.

“TITLE I—WORKFORCE INVESTMENT SYSTEMS

“Subtitle A—Workforce Investment Definitions

“Sec. 101. Definitions.

“Subtitle B—Statewide and Local Workforce Investment Systems

“Sec. 106. Purpose.

“CHAPTER 1—STATE PROVISIONS

“Sec. 111. State workforce investment boards.

“Sec. 112. State plan.

“CHAPTER 2—LOCAL PROVISIONS

“Sec. 116. Local workforce investment areas.

“Sec. 117. Local workforce investment boards.

“Sec. 118. Local plan.

“CHAPTER 3—WORKFORCE INVESTMENT ACTIVITIES PROVIDERS

“Sec. 121. Establishment of one-stop delivery systems.

“Sec. 122. Identification of eligible providers of training services.

“Sec. 123. [Repealed].

“CHAPTER 4—[REPEALED]

“CHAPTER 5—EMPLOYMENT AND TRAINING ACTIVITIES

“Sec. 131. General authorization.

“Sec. 132. State allotments.

“Sec. 133. Within State allocations.

“Sec. 134. Use of funds for employment and training activities.

“CHAPTER 6—GENERAL PROVISIONS

“Sec. 136. Performance accountability system.

“Sec. 137. Authorization of appropriations.

“Subtitle C—Job Corps

“Sec. 141. Purposes.

“Sec. 142. Definitions.

“Sec. 143. Establishment.

“Sec. 144. Individuals eligible for the Job Corps.

“Sec. 145. Recruitment, screening, selection, and assignment of enrollees.

“Sec. 146. Enrollment.

- “See. 147. Job Corps centers.
- “See. 148. Program activities.
- “See. 149. Counseling and job placement.
- “See. 150. Support.
- “See. 151. Operations.
- “See. 152. Standards of conduct.
- “See. 153. Community participation.
- “See. 154. Workforce councils.
- “See. 155. [Repealed].
- “See. 156. Technical assistance to centers.
- “See. 157. Application of provisions of Federal law.
- “See. 158. Special provisions.
- “See. 159. Performance accountability and management.
- “See. 160. General provisions.
- “See. 161. Authorization of appropriations.

“Subtitle D—National Programs

- “See. 166. [Repealed].
- “See. 167. [Repealed].
- “See. 168. [Repealed].
- “See. 169. [Repealed].
- “See. 170. Technical assistance.
- “See. 171. [Repealed].
- “See. 172. Evaluations.
- “See. 173. [Repealed].
- “See. 173A. [Repealed].
- “See. 174. [Repealed].

“Subtitle E—Administration

- “See. 181. Requirements and restrictions.
- “See. 182. Prompt allocation of funds.
- “See. 183. Monitoring.
- “See. 184. Fiscal controls; sanctions.
- “See. 185. Reports; recordkeeping; investigations.
- “See. 186. Administrative adjudication.
- “See. 187. Judicial review.
- “See. 188. Nondiscrimination.
- “See. 189. Administrative provisions.
- “See. 190. References.
- “See. 191. State legislative authority.
- “See. 192. [Repealed].
- “See. 193. Transfer of Federal equity in State employment security real property to the States.
- “See. 194. [Repealed].
- “See. 195. General program requirements.
- “See. 196. Federal agency staff.

“Subtitle F—Repeals and Conforming Amendments

- “See. 199. Repeals.
- “See. 199A. Conforming amendments.

“TITLE II—ADULT EDUCATION AND FAMILY LITERACY  
EDUCATION



- “Sec. 201. Short title.
- “Sec. 202. Purpose.
- “Sec. 203. Definitions.
- “Sec. 204. Home schools.
- “Sec. 205. Authorization of appropriations.

“Subtitle A—Federal Provisions

- “Sec. 211. Reservation of funds; grants to eligible agencies; allotments.
- “Sec. 212. Performance accountability system.

“Subtitle B—State Provisions

- “Sec. 221. State administration.
- “Sec. 222. State distribution of funds; matching requirement.
- “Sec. 223. State leadership activities.
- “Sec. 224. State plan.
- “Sec. 225. Programs for corrections education and other institutionalized individuals.

“Subtitle C—Local Provisions

- “Sec. 231. Grants and contracts for eligible providers.
- “Sec. 232. Local application.
- “Sec. 233. Local administrative cost limits.

“Subtitle D—General Provisions

- “Sec. 241. Administrative provisions.
- “Sec. 242. National activities.

“TITLE III—WORKFORCE INVESTMENT-RELATED ACTIVITIES

“Subtitle A—Wagner-Peyser Act

- “Sec. 301. Definitions.
- “Sec. 302. Functions.
- “Sec. 303. Designation of State agencies.
- “Sec. 304. Appropriations.
- “Sec. 305. Disposition of allotted funds.
- “Sec. 306. State plans.
- “Sec. 307. Repeal of Federal advisory council.
- “Sec. 308. Regulations.
- “Sec. 309. Employment statistics.
- “Sec. 310. Technical amendments.
- “Sec. 311. Effective date.

“Subtitle B—Linkages With Other Programs

- “Sec. 321. Trade Act of 1974.
- “Sec. 322. Veterans’ employment programs.
- “Sec. 323. Older Americans Act of 1965.

“Subtitle C—[Repealed]

- “Subtitle D—Application of Civil Rights and Labor-Management Laws to the Smithsonian Institution

“Sec. 341. Application of civil rights and labor-management laws to the Smithsonian Institution.

“TITLE IV—REHABILITATION ACT AMENDMENTS OF 1998

- “Sec. 401. Short title.
- “Sec. 402. Title.
- “Sec. 403. General provisions.
- “Sec. 404. Vocational rehabilitation services.
- “Sec. 405. Research and training.
- “Sec. 406. Professional development and special projects and demonstrations.
- “Sec. 407. National Council on Disability.
- “Sec. 408. Rights and advocacy.
- “Sec. 409. Employment opportunities for individuals with disabilities.
- “Sec. 410. Independent living services and centers for independent living.
- “Sec. 411. [Repealed].
- “Sec. 412. Helen Keller National Center Act.
- “Sec. 413. President’s Committee on Employment of People With Disabilities.
- “Sec. 414. Conforming amendments.

“TITLE V—GENERAL PROVISIONS

- “Sec. 501. State unified plan.
- “Sec. 502. [Repealed].
- “Sec. 503. [Repealed].
- “Sec. 504. Privacy.
- “Sec. 505. Buy-American requirements.
- “Sec. 506. [Repealed].
- “Sec. 507. Effective date.”.

**1 TITLE V—AMENDMENTS TO THE**  
**2 REHABILITATION ACT OF 1973**

**3 SEC. 501. FINDINGS.**

4 Section 2(a) of the Rehabilitation Act of 1973 (29  
5 U.S.C. 701(a)) is amended—

6 (1) in paragraph (5), by striking “and” at the  
7 end;

8 (2) in paragraph (6), by striking the period and  
9 inserting “; and”; and

10 (3) by adding at the end the following:

1           “(7) there is a substantial need to improve and  
2           expand services for students with disabilities under  
3           this Act.”.

4 **SEC. 502. REHABILITATION SERVICES ADMINISTRATION.**

5           (a) REHABILITATION SERVICES ADMINISTRATION.—  
6 The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.)  
7 is amended—

8           (1) in section 3(a) (29 U.S.C. 702(a))—

9                   (A) by striking “Office of the Secretary”  
10                   and inserting “Department of Education”;

11                   (B) by striking “President by and with the  
12                   advice and consent of the Senate” and inserting  
13                   “Secretary”; and

14                   (C) by striking “, and the Commissioner  
15                   shall be the principal officer,”;

16           (2) by striking “Commissioner” each place it  
17           appears (except in section 21) and inserting “Direc-  
18           tor”;

19           (3) in section 12(c) (29 U.S.C. 709), by strik-  
20           ing “Commissioner’s” and inserting “Director’s”;

21           (4) in the heading for subparagraph (B) of sec-  
22           tion 100(d)(2), by striking “COMMISSIONER” and in-  
23           serting “DIRECTOR”;

24           (5) in the heading for section 706, by striking  
25           “**COMMISSIONER**” and inserting “**DIRECTOR**”;

1           (6) in the heading for paragraph (3) of section  
2           723(a), by striking “COMMISSIONER” and inserting  
3           “DIRECTOR”; and

4           (7) in section 21 (29 U.S.C. 718)—

5           (A) in subsection (b)(1)—

6           (i) by striking “Commissioner” the  
7           first place it appears and inserting “Direc-  
8           tor of the Rehabilitation Services Adminis-  
9           tration”;

10          (ii) by striking “(referred to in this  
11          subsection as the ‘Director’)”; and

12          (iii) by striking “The Commissioner  
13          and the Director” and inserting “Both  
14          such Directors”; and

15          (B) by striking “the Commissioner and the  
16          Director” each place it appears and inserting  
17          “both such Directors”.

18          (b) EFFECTIVE DATE; APPLICATION.—The amend-  
19          ments made by subsection (a) shall—

20               (1) take effect on the date of the enactment of  
21               this Act; and

22               (2) apply with respect to the appointments of  
23               Directors of the Rehabilitation Services Administra-  
24               tion made on or after the date of enactment of this  
25               Act, and the Directors so appointed.

1 **SEC. 503. DEFINITIONS.**

2 Section 7 of the Rehabilitation Act of 1973 (29  
3 U.S.C. 705) is amended—

4 (1) by redesignating paragraphs (35) through  
5 (39) as paragraphs (36) through (40), respectively;

6 (2) in subparagraph (A)(ii) of paragraph (36)  
7 (as redesignated by paragraph (1)), by striking  
8 “paragraph (36)(C)” and inserting “paragraph  
9 (37)(C)”; and

10 (3) by inserting after paragraph (34) the fol-  
11 lowing:

12 “(35)(A) The term ‘student with a disability’  
13 means an individual with a disability who—

14 “(i) is not younger than 16 and not  
15 older than 21;

16 “(ii) has been determined to be eligi-  
17 ble under section 102(a) for assistance  
18 under this title; and

19 “(iii)(I) is eligible for, and is receiv-  
20 ing, special education under part B of the  
21 Individuals with Disabilities Education Act  
22 (20 U.S.C. 1411 et seq.); or

23 “(II) is an individual with a disability,  
24 for purposes of section 504.

25 “(B) The term ‘students with disabilities’  
26 means more than 1 student with a disability.”.

1 **SEC. 504. STATE PLAN.**

2 Section 101(a) of the Rehabilitation Act of 1973 (29  
3 U.S.C. 721(a)) is amended—

4 (1) in paragraph (10)(B) by striking “on the el-  
5 igible individuals” and all that follows through “sec-  
6 tion 136(d)(2)” and inserting “of information nec-  
7 essary to assess the State’s performance on the core  
8 indicators of performance described in section  
9 136(b)(2)(A)”;

10 (2) in paragraph (11)—

11 (A) in subparagraph (D)(i), by inserting  
12 before the semicolon the following: “, which  
13 may be provided using alternative means of  
14 meeting participation (such as video conferences  
15 and conference calls)”;

16 (B) by adding at the end the following:

17 “(G) COORDINATION WITH ASSISTIVE  
18 TECHNOLOGY PROGRAMS.—The State plan shall  
19 include an assurance that the designated State  
20 unit and the lead agency or implementing entity  
21 responsible for carrying out duties under the  
22 Assistive Technology Act of 1998 (29 U.S.C.  
23 3001 et seq.) have developed working relation-  
24 ships and coordinate their activities.”;

25 (3) in paragraph (15)—

26 (A) in subparagraph (A)—

1 (i) in clause (i)—  
2 (I) in subclause (II), by striking  
3 “and” at the end;  
4 (II) in subclause (III), by adding  
5 “and” at the end; and  
6 (III) by adding at the end the  
7 following:  
8 “(IV) students with disabilities,  
9 including their need for transition  
10 services;”;  
11 (ii) by redesignating clauses (ii) and  
12 (iii) as clauses (iii) and (iv), respectively;  
13 and  
14 (iii) by inserting after clause (i) the  
15 following:  
16 “(ii) include an assessment of the  
17 transition services provided under this Act,  
18 and coordinated with transition services  
19 under the Individuals with Disabilities  
20 Education Act, as to those services meet-  
21 ing the needs of individuals with disabil-  
22 ities;” and  
23 (B) in subparagraph (D)—

1 (i) by redesignating clauses (iii), (iv),  
2 and (v) as clauses (iv), (v), and (vi), re-  
3 spectively; and

4 (ii) by inserting after clause (ii) the  
5 following:

6 “(iii) the methods to be used to im-  
7 prove and expand vocational rehabilitation  
8 services for students with disabilities, in-  
9 cluding the coordination of services de-  
10 signed to facilitate the transition of such  
11 students from the receipt of educational  
12 services in school to the receipt of voca-  
13 tional rehabilitation services under this  
14 title or to postsecondary education or em-  
15 ployment;”;

16 (4) in paragraph (22)—

17 (A) by striking “carrying out part B of  
18 title VI, including”; and

19 (B) by striking “that part to supplement  
20 funds made available under part B of”;

21 (5) in paragraph (24)(A), by striking “part A  
22 of title VI” and inserting “section 109A”; and

23 (6) by adding at the end the following:

24 “(25) COLLABORATION WITH INDUSTRY.—The  
25 State plan shall describe how the designated State



1 agency will carry out the provisions of section 109A,  
2 including—

3 “(A) the criteria such agency will use to  
4 award grants under such section; and

5 “(B) how the activities carried out under  
6 such grants will be coordinated with other serv-  
7 ices provided under this title.

8 “(26) SERVICES FOR STUDENTS WITH DISABIL-  
9 ITIES.—The State plan shall provide an assurance  
10 satisfactory to the Secretary that the State—

11 “(A) has developed and implemented strat-  
12 egies to address the needs identified in the as-  
13 sessment described in paragraph (15), and  
14 achieve the goals and priorities identified by the  
15 State, to improve and expand vocational reha-  
16 bilitation services for students with disabilities  
17 on a statewide basis in accordance with para-  
18 graph (15); and

19 “(B) from funds reserved under section  
20 110A, shall carry out programs or activities de-  
21 signed to improve and expand vocational reha-  
22 bilitation services for students with disabilities  
23 that—

24 “(i) facilitate the transition of stu-  
25 dents with disabilities from the receipt of

1 educational services in school, to the re-  
2 ceipt of vocational rehabilitation services  
3 under this title, including, at a minimum,  
4 those services specified in the interagency  
5 agreement required in paragraph (11)(D);

6 “(ii) improve the achievement of post-  
7 school goals of students with disabilities,  
8 including improving the achievement  
9 through participation (as appropriate when  
10 career goals are discussed) in meetings re-  
11 garding individualized education programs  
12 developed under section 614 of the Individ-  
13 uals with Disabilities Education Act (20  
14 U.S.C. 1414);

15 “(iii) provide career guidance, career  
16 exploration services, job search skills and  
17 strategies, and technical assistance to stu-  
18 dents with disabilities;

19 “(iv) support the provision of training  
20 and technical assistance to State and local  
21 educational agencies and designated State  
22 agency personnel responsible for the plan-  
23 ning and provision of services to students  
24 with disabilities; and

1                   “(v) support outreach activities to stu-  
2                   dents with disabilities who are eligible for,  
3                   and need, services under this title.”.

4 **SEC. 505. SCOPE OF SERVICES.**

5           Section 103 of the Rehabilitation Act of 1973 (29  
6 U.S.C. 723) is amended—

7           (1) in subsection (a), by striking paragraph  
8           (15) and inserting the following:

9           “(15) transition services for students with dis-  
10           abilities, that facilitate the achievement of the em-  
11           ployment outcome identified in the individualized  
12           plan for employment, including services described in  
13           clauses (i) through (iii) of section 101(a)(26)(B);”;

14           (2) in subsection (b), by striking paragraph (6)  
15           and inserting the following:

16           “(6)(A)(i) Consultation and technical assistance  
17           services to assist State and local educational agen-  
18           cies in planning for the transition of students with  
19           disabilities from school to post-school activities, in-  
20           cluding employment.

21           “(ii) Training and technical assistance de-  
22           scribed in section 101(a)(26)(B)(iv).

23           “(B) Services for groups of individuals with dis-  
24           abilities who meet the requirements of clauses (i)  
25           and (iii) of section 7(35)(A), including services de-

1 scribed in clauses (i), (ii), (iii), and (v) of section  
2 101(a)(26)(B), to assist in the transition from  
3 school to post-school activities.”; and

4 (3) in subsection (b) by inserting at the end,  
5 the following:

6 “(7) The establishment, development, or im-  
7 provement of assistive technology demonstration,  
8 loan, reutilization, or financing programs in coordi-  
9 nation with activities authorized under the Assistive  
10 Technology Act of 1998 (29 U.S.C. 3001) to pro-  
11 mote access to assistive technology for individuals  
12 with disabilities and employers.”.

13 **SEC. 506. STANDARDS AND INDICATORS.**

14 Section 106 of the Rehabilitation Act of 1973 (29  
15 U.S.C. 726(a)) is amended—

16 (1) by striking subsection (a) and inserting the  
17 following:

18 “(a) STANDARDS AND INDICATORS.—The perform-  
19 ance standards and indicators for the vocational rehabili-  
20 tation program carried out under this title—

21 “(1) shall be subject to paragraphs (2)(A) and  
22 (3) of section 136(b) of the Workforce Investment  
23 Act of 1998; and

1           “(2) may, at a State’s discretion, include addi-  
2           tional indicators identified in the State plan sub-  
3           mitted under section 101.”; and

4           (2) in subsection (b)(2)(B), by striking clause  
5           (i) and inserting the following:

6                       “(i) on a biannual basis, review the  
7                       program improvement efforts of the State  
8                       and, if the State has not improved its per-  
9                       formance to acceptable levels, as deter-  
10                      mined by the Director, direct the State to  
11                      make revisions to the plan to improve per-  
12                      formance; and”.

13 **SEC. 507. COLLABORATION WITH INDUSTRY.**

14           The Rehabilitation Act of 1973 is amended by insert-  
15           ing after section 109 (29 U.S.C. 729) the following:

16 **“SEC. 109A. COLLABORATION WITH INDUSTRY.**

17           “(a) **AUTHORITY.**—A State shall use not less than  
18           one-half of one percent of the payment the State receives  
19           under section 111 for a fiscal year to award grants to eligi-  
20           ble entities to create practical job and career readiness and  
21           training programs, and to provide job placements and ca-  
22           reer advancement.

23           “(b) **APPLICATION.**—To receive a grant under this  
24           section, an eligible entity shall submit an application to  
25           a designated State agency at such time, in such manner,

1 and containing such information as such agency shall re-  
2 quire. Such application shall include, at a minimum—

3 “(1) a plan for evaluating the effectiveness of  
4 the program;

5 “(2) a plan for collecting and reporting the  
6 data and information described under subparagraphs  
7 (A) through (C) of section 101(a)(10), as deter-  
8 mined appropriate by the designated State agency;  
9 and

10 “(3) a plan for providing for the non-Federal  
11 share of the costs of the program.

12 “(c) ACTIVITIES.—An eligible entity receiving a grant  
13 under this section shall use the grant funds to carry out  
14 a program that provides one or more of the following:

15 “(1) Job development, job placement, and ca-  
16 reer advancement services for individuals with dis-  
17 abilities.

18 “(2) Training in realistic work settings in order  
19 to prepare individuals with disabilities for employ-  
20 ment and career advancement in the competitive  
21 market.

22 “(3) Providing individuals with disabilities with  
23 such support services as may be required in order to  
24 maintain the employment and career advancement  
25 for which the individuals have received training.

1 “(d) AWARDS.—Grants under this section shall—

2 “(1) be awarded for a period not to exceed 5  
3 years; and

4 “(2) be awarded competitively.

5 “(e) ELIGIBLE ENTITY DEFINED.—For the purposes  
6 of this section, the term ‘eligible entity’ means a for-profit  
7 business, alone or in partnership with one or more of the  
8 following:

9 “(1) Community rehabilitation program pro-  
10 viders.

11 “(2) Indian tribes.

12 “(3) Tribal organizations.

13 “(f) FEDERAL SHARE.—The Federal share of a pro-  
14 gram under this section shall not exceed 80 percent of the  
15 costs of the program.

16 “(g) ELIGIBILITY FOR SERVICES.—An individual  
17 shall be eligible for services provided under a program  
18 under this section if the individual is determined under  
19 section 102(a)(1) to be eligible for assistance under this  
20 title.”.

21 **SEC. 508. RESERVATION FOR EXPANDED TRANSITION**  
22 **SERVICES.**

23 The Rehabilitation Act of 1973 is amended by insert-  
24 ing after section 110 (29 U.S.C. 730) the following:

1 **“SEC. 110A. RESERVATION FOR EXPANDED TRANSITION**  
2 **SERVICES.**

3 “Each State shall reserve not less than 10 percent  
4 of the funds allotted to the State under section 110(a)  
5 to carry out programs and activities under sections  
6 101(a)(26)(B) and 103(b)(6).”.

7 **SEC. 509. CLIENT ASSISTANCE PROGRAM.**

8 Section 112(e)(1) of the Rehabilitation Act of 1973  
9 (29 U.S.C. 732(e)(1)) is amended by redesignating sub-  
10 paragraph (D) as subparagraph (E) and inserting after  
11 subparagraph (C) the following:

12 “(D) The Secretary shall make grants to  
13 the protection and advocacy system serving the  
14 American Indian Consortium to provide services  
15 in accordance with this section. The amount of  
16 such grants shall be the same as provided to  
17 territories under this subsection.”.

18 **SEC. 510. TITLE III AMENDMENTS.**

19 Title III of the Rehabilitation Act of 1973 (29 U.S.C.  
20 771 et seq.) is amended—

21 (1) in section 301(a)—

22 (A) in paragraph (2), by inserting “and”  
23 at the end;

24 (B) by striking paragraphs (3) and (4);

25 and



1 (C) by redesignating paragraph (5) as  
2 paragraph (3);

3 (2) in section 302(g)—

4 (A) in the heading, by striking “AND IN-  
5 SERVICE TRAINING”; and

6 (B) by striking paragraph (3);

7 (3) in section 303(e)—

8 (A) in paragraph (4)—

9 (i) by amending subparagraph (A)(ii)  
10 to read as follows:

11 “(ii) to coordinate and work closely  
12 with the parent training and information  
13 centers established pursuant to section 671  
14 of the Individuals with Disabilities Edu-  
15 cation Act, the community parent resource  
16 centers established pursuant to section 672  
17 of such Act, and the eligible entities receiv-  
18 ing awards under section 673 of such Act;  
19 and”;

20 (ii) in subparagraph (C), by inserting  
21 “, and demonstrate the capacity for serv-  
22 ing,” after “serve”; and

23 (B) by adding at the end the following:

24 “(8) RESERVATION.—From the amount appro-  
25 priated to carry out this subsection for a fiscal year,

1       20 percent of such amount or \$500,000, whichever  
2       is less, shall be reserved to carry out paragraph  
3       (6).”;

4               (4) by striking sections 304 and 305; and

5               (5) by redesignating section 306 as section 304.

6       **SEC. 511. REPEAL OF TITLE VI.**

7       The Rehabilitation Act of 1973 (29 U.S.C. 701 et  
8       seq.) is amended by repealing title VI.

9       **SEC. 512. CHAIRPERSON.**

10       Section 705(b)(5) of the Rehabilitation Act of 1973  
11       (29 U.S.C. 796d(b)(5)) is amended to read as follows:

12               “(5) CHAIRPERSON.—The Council shall select a  
13       chairperson from among the voting membership of  
14       the Council.”.

15       **SEC. 513. AUTHORIZATIONS OF APPROPRIATIONS.**

16       The Rehabilitation Act of 1973 (29 U.S.C. 701 et  
17       seq.) is further amended—

18               (1) in section 100(b)(1) (29 U.S.C. 720(b)(1)),  
19       by striking “such sums as may be necessary for fis-  
20       cal years 1999 through 2003” and inserting  
21       “\$3,121,712,000 for fiscal year 2014 and each of  
22       the 6 succeeding fiscal years”;

23               (2) in section 110(c) (29 U.S.C. 730(c)), by  
24       amending paragraph (2) to read as follows:

1           “(2) The sum referred to in paragraph (1) shall  
2 be, as determined by the Secretary, not less than 1  
3 percent and not more than 1.5 percent of the  
4 amount referred to in paragraph (1) for each of fis-  
5 cal years 2014 through 2020.”;

6           (3) in section 112(h) (29 U.S.C. 732(h)) by  
7 striking “such sums as may be necessary for fiscal  
8 years 1999 through 2003” and inserting  
9 “\$12,240,000 for fiscal year 2014 and each of the  
10 6 succeeding fiscal years”;

11           (4) by amending subsection (a) of section 201  
12 (29 U.S.C. 761(a)) to read as follows: “(a) There  
13 are authorized to be appropriated \$108,817,000 for  
14 fiscal year 2014 and each of the 6 succeeding fiscal  
15 years to carry out this title.”;

16           (5) in section 302(i) (29 U.S.C. 772(i)) by  
17 striking “such sums as may be necessary for each of  
18 the fiscal years 1999 through 2003” and inserting  
19 “\$35,515,000 for fiscal year 2014 and each of the  
20 6 succeeding fiscal years”;

21           (6) in section 303(e) (29 U.S.C. 773(e)) by  
22 striking “such sums as may be necessary for each of  
23 the fiscal years 1999 through 2003” and inserting  
24 “\$5,325,000 for fiscal year 2014 and each of the 6  
25 succeeding fiscal years”;

1           (7) in section 405 (29 U.S.C. 785) by striking  
2           “such sums as may be necessary for each of the fis-  
3           cal years 1999 through 2003” and inserting  
4           “\$3,258,000 for fiscal year 2014 and each of the 6  
5           succeeding fiscal years”;

6           (8) in section 502(j) (29 U.S.C. 792(j)) by  
7           striking “such sums as may be necessary for each of  
8           the fiscal years 1999 through 2003” and inserting  
9           “\$7,400,000 for fiscal year 2014 and each of the 6  
10          succeeding fiscal years”;

11          (9) in section 509(l) (29 U.S.C. 794e(l)) by  
12          striking “such sums as may be necessary for each of  
13          the fiscal years 1999 through 2003” and inserting  
14          “\$18,031,000 for fiscal year 2014 and each of the  
15          6 succeeding fiscal years”;

16          (10) in section 714 (29 U.S.C. 796e-3), by  
17          striking “such sums as may be necessary for each of  
18          the fiscal years 1999 through 2003” and inserting  
19          “\$23,359,000 for fiscal year 2014 and each of the  
20          6 succeeding fiscal years”;

21          (11) in section 727 (29 U.S.C. 796f-6), by  
22          striking “such sums as may be necessary for each of  
23          the fiscal years 1999 through 2003” and inserting  
24          “\$79,953,000 for fiscal year 2014 and each of the  
25          6 succeeding fiscal years”; and

1           (12) in section 753 (29 U.S.C. 7961), by strik-  
2           ing “such sums as may be necessary for each of the  
3           fiscal years 1999 through 2003” and inserting  
4           “\$34,018,000 for fiscal year 2014 and each of the  
5           6 succeeding fiscal years”.

6 **SEC. 514. CONFORMING AMENDMENTS.**

7           Section 1(b) of the Rehabilitation Act of 1973 is  
8           amended—

9           (1) by inserting after the item relating to sec-  
10          tion 109 the following:

“Sec. 109A. Collaboration with industry.”;

11          (2) by inserting after the item relating to sec-  
12          tion 110 the following:

“Sec. 110A. Reservation for expanded transition services.”;

13          (3) by striking the item related to section 304  
14          and inserting the following:

“Sec. 304. Measuring of project outcomes and performance.”;

15          (4) by striking the items related to sections 305  
16          and 306; and

17          (5) by striking the items related to title VI.

