

113TH CONGRESS  
1ST SESSION

# H. R. 803

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## AN ACT

To reform and strengthen the workforce investment system of the Nation to put Americans back to work and make the United States more competitive in the 21st century.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

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.
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- Sec. 106. Local workforce investment boards.
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- Sec. 109. Identification of eligible providers of training services.
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Subtitle C—Job Corps

- Sec. 116. Job Corps purposes.
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- 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 and restrictions on political and lobbying activities.

Subtitle F—State Unified Plan

Sec. 140. State unified plan.

TITLE II—ADULT EDUCATION AND FAMILY LITERACY  
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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.

TITLE VI—STUDIES BY THE COMPTROLLER GENERAL

Sec. 601. Study by the Comptroller General on exhausting Federal Pell Grants before accessing WIA funds.  
 Sec. 602. Study by the Comptroller General on administrative cost savings.

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—

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

20 (2) by redesignating paragraphs (1) through

21 (12) as paragraphs (3) through (14), and para-

1 graphs (14) through (23) as paragraphs (15)  
2 through (24), respectively;

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

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

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

17 “(2) ADMINISTRATIVE COSTS.—The term ‘ad-  
18 ministrative costs’ means expenditures incurred by  
19 State and local workforce investment boards, direct  
20 recipients (including State grant recipients under  
21 subtitle B and recipients of awards under subtitles  
22 C and D), local grant recipients, local fiscal agents  
23 or local grant subrecipients, and one-stop operators  
24 in the performance of administrative functions and  
25 in carrying out activities under this title which are

1 not related to the direct provision of workforce in-  
2 vestment services (including services to participants  
3 and employers). Such costs include both personnel  
4 and non-personnel and both direct and indirect.”;

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

8 (6) by amending paragraph (5) (as so redesign-  
9 ated) to read as follows:

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

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

19 (8) in paragraph (10)(C) (as so redesignated),  
20 by striking “not less than 50 percent of the cost of  
21 the training” and inserting “a significant portion of  
22 the cost of training, as determined by the local  
23 board (or, in the case of an employer in multiple  
24 local areas in the State, as determined by the Gov-  
25 ernor), taking into account the size of the employer

1 and such other factors as the local board determines  
2 to be appropriate”;

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

4 (A) in subparagraph (A)(ii)(II), by striking  
5 “section 134(e)” and inserting “section  
6 121(e)”;

7 (B) in subparagraph (B)(iii)—

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

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

14 (C) in subparagraph (C), by striking “or”  
15 after the semicolon;

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

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

19 “(E)(i) is the spouse of a member of the  
20 Armed Forces on active duty for a period of  
21 more than 30 days (as defined in section  
22 101(d)(2) of title 10, United States Code) who  
23 has experienced a loss of employment as a di-  
24 rect result of relocation to accommodate a per-

1           manent change in duty station of such member;  
2           or

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

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

7           (A) by striking “and” after the semicolon  
8           and inserting “or”;

9           (B) by striking “(A)” and inserting  
10          “(A)(i)”; and

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

12          “(ii) is the spouse of a member of the  
13          Armed Forces on active duty for a period of  
14          more than 30 days (as defined in section  
15          101(d)(2) of title 10, United States Code)  
16          whose family income is significantly reduced be-  
17          cause of a deployment (as defined in section  
18          991(b) of title 10, United States Code, or pur-  
19          suant to paragraph (4) of such section), a call  
20          or order to active duty pursuant to a provision  
21          of law referred to in section 101(a)(13)(B) of  
22          title 10, United States Code, a permanent  
23          change of station, or the service-connected (as  
24          defined in section 101(16) of title 38, United



1 States Code) death or disability of the member;  
2 and”;

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

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

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

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

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

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

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

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

20 (14) in paragraph (25)—

21 (A) in subparagraph (B), by striking  
22 “higher of—” and all that follows through  
23 clause (ii) and inserting “poverty line for an  
24 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 pay-for-per-  
9 formance contract to provide a program of employ-  
10 ment and training activities incorporates—

11 “(A) the core indicators of performance de-  
12 scribed in subclauses (I) through (IV) of section  
13 136(b)(2)(A)(i);

14 “(B) a fixed amount that will be paid to  
15 an eligible provider of such employment and  
16 training activities for each program participant  
17 who, within a defined timetable, achieves the  
18 agreed to levels of performance based upon the  
19 core indicators of performance described in sub-  
20 paragraph (A), and may include a bonus pay-  
21 ment to such provider which may be used to ex-  
22 pand the capacity of such provider;

23 “(C) the ability for an eligible provider to  
24 recoup the costs of training a program partici-  
25 pant who has not met such core indicators of

1 performance, but for whom the provider is able  
2 to demonstrate that such participant gained  
3 specific competencies required for education  
4 and career advancement that are, where fea-  
5 sible, tied to industry-recognized credentials  
6 and related standards, or State licensing re-  
7 quirements; and

8 “(D) the ability for an eligible provider  
9 that does not meet the requirements under sec-  
10 tion 122(a)(2) to participate in such pay-for-  
11 performance contract and to not be required to  
12 report on the performance and cost information  
13 required under section 122(d).”.

## 14 **Subtitle B—Statewide and Local** 15 **Workforce Investment Systems**

### 16 **SEC. 102. PURPOSE.**

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

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

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

25 (1) in subsection (b)—

- 1 (A) in paragraph (1)—
- 2 (i) by striking subparagraph (B);
- 3 (ii) by redesignating subparagraph
- 4 (C) as subparagraph (B); and
- 5 (iii) in subparagraph (B) (as so red-
- 6 ignated)—
- 7 (I) by amending clause (i)(I), by
- 8 striking “section 117(b)(2)(A)(i)” and
- 9 inserting “section 117(b)(2)(A)”;
- 10 (II) by amending clause (i)(II) to
- 11 read as follows:
- 12 “(II) represent businesses, in-
- 13 cluding large and small businesses,
- 14 with immediate and long-term employ-
- 15 ment opportunities in in-demand in-
- 16 dustries and other occupations impor-
- 17 tant to the State economy; and”;
- 18 (III) by striking clause (iii) and
- 19 inserting the following:
- 20 “(iii) a State agency official respon-
- 21 sible for economic development; and”;
- 22 (IV) by striking clauses (iv)
- 23 through (vi);
- 24 (V) by amending clause (vii) to
- 25 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 nonradi-  
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 No. 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;”); and

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”; and

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, including training in advanced  
21 manufacturing, supportive, and placement serv-  
22 ices to veterans, including disabled and home-  
23 less veterans;

24 “(B) the strategies and services that will  
25 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—” and all that follows through paragraph (2)  
7 and inserting “period, that the plan is inconsistent  
8 with 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) by amending paragraph (1) to read as  
15 follows:

16 “(1) IN GENERAL.—

17 “(A) PROCESS.—In order to receive an al-  
18 lotment under section 132, a State, through the  
19 State board, shall establish a process to des-  
20 ignate local workforce investment areas within  
21 the State. Such process shall—

22 “(i) support the statewide workforce  
23 investment system developed under section  
24 111(d)(2) that will meet the workforce  
25 needs of the State and its local areas;

1           “(ii) include prior consultation with  
2           chief elected officials;

3           “(iii) consider comments received  
4           through the public comment process as de-  
5           scribed in section 112(b)(9); and

6           “(iv) require the submission of an ap-  
7           proved application under subparagraph  
8           (B).

9           “(B) APPLICATION.—To be designated as  
10          a local area under this paragraph, a local or re-  
11          gional board (or consortiums of local or regional  
12          boards) shall submit an application to a State  
13          board at such time, in such manner, and con-  
14          taining such information as the State board  
15          may require, including—

16               “(i) a description of the local area, in-  
17               cluding the population that will be served  
18               by the local area, and the education and  
19               training needs of its employers and work-  
20               ers;

21               “(ii) a description of how the local  
22               area is consistent or aligned with—

23                       “(I) service delivery areas;

24                       “(II) labor market areas; and

1                   “(III) economic development re-  
2                   gions;

3                   “(iii) a description of the eligible pro-  
4                   viders of education and training, including  
5                   postsecondary educational institutions such  
6                   as community colleges, located in the local  
7                   area available to meet the needs of the  
8                   local workforce;

9                   “(iv) a description of the distance that  
10                  individuals will need to travel to receive  
11                  services provided in such local area; and

12                  “(v) any other criteria that the State  
13                  board may require.

14                  “(C) PRIORITY.—In designating local  
15                  areas under this paragraph, a State board shall  
16                  give priority consideration to applicants dem-  
17                  onstrating that a designation as a local area  
18                  under this paragraph will result in the reduc-  
19                  tion of overlapping service delivery areas, local  
20                  market areas, or economic development regions.

21                  “(D) ALIGNMENT WITH LOCAL PLAN.—A  
22                  State may designate an applicant as a local  
23                  area under this paragraph for a period not to  
24                  exceed 3 years.”.

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

3 “(2) TECHNICAL ASSISTANCE.—The Secretary  
4 shall, if requested by the Governor of a State, pro-  
5 vide the State with technical assistance in making  
6 the determinations required under paragraph (1).  
7 The Secretary shall not issue regulations governing  
8 determinations to be made under paragraph (1).”;

9 (C) by striking paragraph (3);

10 (D) by striking paragraph (4);

11 (E) by redesignating paragraph (5) as  
12 paragraph (3); and

13 (F) in paragraph (3) (as so redesignated),  
14 by striking “(2) or (3)” both places it appears  
15 and inserting “(1)”;

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

18 “(b) SINGLE STATES.—Consistent with subsection  
19 (a), the State board of a State may designate the State  
20 as a single State local area for the purposes of this title.”;  
21 and

22 (3) in subsection (c)—

23 (A) in paragraph (1), by adding at the end  
24 the following: “The State may require the local  
25 boards for the designated region to prepare a

1 single regional plan that incorporates the ele-  
2 ments of the local plan under section 118 and  
3 that is submitted and approved in lieu of sepa-  
4 rate local plans under such section.”; and

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

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

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

10 (1) in subsection (b)—

11 (A) in paragraph (2)—

12 (i) in subparagraph (A)—

13 (I) by striking “include—” and  
14 all that follows through “representa-  
15 tives” and inserting “include rep-  
16 resentatives”;

17 (II) by striking clauses (ii)  
18 through (vi);

19 (III) by redesignating subclauses  
20 (I) through (III) as clauses (i)  
21 through (iii), respectively (and by  
22 moving the margins of such clauses 2  
23 ems to the left);



1 (IV) by striking clause (ii) (as so  
2 redesignated) and inserting the fol-  
3 lowing:

4 “(ii) represent businesses, including  
5 large and small businesses, with immediate  
6 and long-term employment opportunities in  
7 in-demand industries and other occupa-  
8 tions important to the local economy;  
9 and”; and

10 (V) by striking the semicolon at  
11 the end of clause (iii) (as so redesign-  
12 ated) and inserting “; and”; and

13 (ii) by amending subparagraph (B) to  
14 read as follows:

15 “(B) may include such other individuals or  
16 representatives of entities as the chief elected  
17 official in the local area may determine to be  
18 appropriate, including—

19 “(i) a superintendent of the local sec-  
20 ondary school system, the president or  
21 chief executive officer of a postsecondary  
22 educational institution (including a com-  
23 munity college, where such an entity ex-  
24 ists), or an administrator of local entities

1 providing adult education and literacy ac-  
2 tivities;

3 “(ii) representatives of community-  
4 based organizations (including organiza-  
5 tions representing individuals with disabil-  
6 ities and veterans, for a local area in which  
7 such organizations are present); or

8 “(iii) representatives of veterans serv-  
9 ice organizations.”;

10 (B) in paragraph (4)—

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

13 (ii) by striking “(2)(A)(i)” and insert-  
14 ing “(2)(A)”; and

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

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

18 (3) by amending subsection (d) to read as fol-  
19 lows:

19 lows:

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

22 “(1) LOCAL PLAN.—Consistent with section  
23 118, each local board, in partnership with the chief  
24 elected official for the local area involved, shall de-  
25 velop and submit a local plan to the Governor.

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

3           “(A) IN GENERAL.—The local board  
4 shall—

5           “(i) conduct, and regularly update, an  
6 analysis of—

7           “(I) the economic conditions in  
8 the local area;

9           “(II) the immediate and long-  
10 term skilled workforce needs of in-de-  
11 mand industries and other occupa-  
12 tions important to the local economy;

13           “(III) the knowledge and skills of  
14 the workforce in the local area; and

15           “(IV) workforce development ac-  
16 tivities (including education and train-  
17 ing) in the local area; and

18           “(ii) assist the Governor in developing  
19 the statewide workforce and labor market  
20 information system described in section  
21 15(e) of the Wagner-Peyser Act.

22           “(B) EXISTING ANALYSIS.—A local board  
23 shall use existing analysis by the local economic  
24 development entity or related entity in order to  
25 carry out requirements of subparagraph (A)(i).

1           “(3) EMPLOYER ENGAGEMENT.—The local  
2 Board shall meet the needs of employers and sup-  
3 port economic growth in the local area by enhancing  
4 communication, coordination, and collaboration  
5 among employers, economic development entities,  
6 and service providers.

7           “(4) BUDGET AND ADMINISTRATION.—

8           “(A) BUDGET.—

9           “(i) IN GENERAL.—The local board  
10 shall develop a budget for the activities of  
11 the local board in the local area, consistent  
12 with the requirements of this subsection.

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

22           “(B) ADMINISTRATION.—

23           “(i) GRANT RECIPIENT.—

24           “(I) IN GENERAL.—The chief  
25 elected official in a local area shall

1 serve as the local grant recipient for,  
2 and shall be liable for any misuse of,  
3 the grant funds allocated to the local  
4 area under section 133, unless the  
5 chief elected official reaches an agree-  
6 ment with the Governor for the Gov-  
7 ernor to act as the local grant recipi-  
8 ent and bear such liability.

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

21 “(III) DISBURSAL.—The local  
22 grant recipient or an entity designated  
23 under subclause (II) shall disburse the  
24 grant funds for workforce investment  
25 activities at the direction of the local

1 board, pursuant to the requirements  
2 of this title. The local grant recipient  
3 or entity designated under subclause  
4 (II) shall disburse the funds imme-  
5 diately on receiving such direction  
6 from the local board.

7 “(ii) STAFF.—The local board may  
8 employ staff to assist in carrying out the  
9 functions described in this subsection.

10 “(iii) GRANTS AND DONATIONS.—The  
11 local board may solicit and accept grants  
12 and donations from sources other than  
13 Federal funds made available under this  
14 Act.

15 “(5) SELECTION OF OPERATORS AND PRO-  
16 VIDERS.—

17 “(A) SELECTION OF ONE-STOP OPERA-  
18 TORS.—Consistent with section 121(d), the  
19 local board, with the agreement of the chief  
20 elected official—

21 “(i) shall designate or certify one-stop  
22 operators as described in section  
23 121(d)(2)(A); and

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

1           “(B) IDENTIFICATION OF ELIGIBLE TRAIN-  
2           ING SERVICE PROVIDERS.—Consistent with this  
3           subtitle, the local board shall identify eligible  
4           providers of training services described in sec-  
5           tion 134(c)(4) in the local area, annually review  
6           the outcome of each such eligible provider using  
7           the criteria under section 122(b)(2), and des-  
8           ignate eligible providers in the local area who  
9           have demonstrated the highest level of success  
10          with respect to such criteria as priority eligible  
11          providers for the following program year.

12          “(C) IDENTIFICATION OF ELIGIBLE PRO-  
13          VIDERS OF WORK READY SERVICES.—If the  
14          one-stop operator does not provide the services  
15          described in section 134(c)(2) in the local area,  
16          the local board shall identify eligible providers  
17          of such services in the local area by awarding  
18          contracts.

19          “(6) PROGRAM OVERSIGHT.—The local board,  
20          in partnership with the chief elected official, shall be  
21          responsible for—

22                 “(A) ensuring the appropriate use and  
23                 management of the funds provided for local em-  
24                 ployment and training activities authorized  
25                 under section 134(b); and

1           “(B) conducting oversight of the one-stop  
2           delivery system in the local area authorized  
3           under section 121.

4           “(7) NEGOTIATION OF LOCAL PERFORMANCE  
5           MEASURES.—The local board, the chief elected offi-  
6           cial, and the Governor shall negotiate and reach  
7           agreement on local performance measures as de-  
8           scribed in section 136(c).

9           “(8) TECHNOLOGY IMPROVEMENTS.—The local  
10          board shall develop strategies for technology im-  
11          provements to facilitate access to services authorized  
12          under this subtitle and carried out in the local area,  
13          including in remote areas.”;

14          (4) in subsection (e)—

15                 (A) by inserting “electronic means and”  
16                 after “regular basis through”; and

17                 (B) by striking “and the award of grants  
18                 or contracts to eligible providers of youth activi-  
19                 ties,”;

20          (5) in subsection (f)—

21                 (A) in paragraph (1)(A), by striking “sec-  
22                 tion 134(d)(4)” and inserting “section  
23                 134(c)(4)”; and

24                 (B) by striking paragraph (2) and insert-  
25                 ing the following:



1           “(2) WORK READY SERVICES, DESIGNATION, OR  
2           CERTIFICATION AS ONE-STOP OPERATORS.—A local  
3           board may provide work ready services described in  
4           section 134(c)(2) through a one-stop delivery system  
5           described in section 121 or be designated or certified  
6           as a one-stop operator only with the agreement of  
7           the chief elected official and the Governor.”;

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

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

11 **SEC. 107. LOCAL PLAN.**

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

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

15           (2) by amending subsection (b) to read as fol-  
16           lows:

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

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

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

1           “(A) a description of how the local board  
2 will ensure—

3                   “(i) the continuous improvement of el-  
4  igible providers of services through the sys-  
5  tem; and

6                   “(ii) that such providers meet the em-  
7  ployment needs of local businesses and  
8  participants; and

9           “(B) a description of how the local board  
10 will facilitate access to services provided  
11 through the one-stop delivery system consistent  
12 with section 117(d)(8);

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

15                   “(A) to more fully engage employers, in-  
16  cluding small businesses and employers in in-  
17  demand industries and occupations important  
18  to the local economy;

19                   “(B) to meet the needs of employers in the  
20  local area;

21                   “(C) to better coordinate workforce devel-  
22  opment programs with economic development  
23  activities; and

24                   “(D) to better coordinate workforce devel-  
25  opment programs with employment, training,

1 and literacy services carried out by nonprofit  
2 organizations, including public libraries, as ap-  
3 propriate;

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

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

14 “(B) to address the immediate and long-  
15 term skilled workforce needs of in-demand in-  
16 dustries, small businesses, and other occupa-  
17 tions important to the local economy; and

18 “(C) to address critical skill gaps within  
19 and across industries;

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

23 “(6) a description of how the local board will  
24 coordinate workforce investment activities carried

1 out in the local area with statewide activities, as ap-  
2 propriate;

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

4 “(A) coordinate activities with the local  
5 area’s disability community and with services  
6 provided under section 614(d)(1)(A)(i)(VIII) of  
7 the Individuals with Disabilities Education Act  
8 (20 U.S.C. 1414(d)(1)(A)(i)(VIII)) by local  
9 educational agencies serving such local area to  
10 make available comprehensive, high-quality  
11 services to individuals with disabilities;

12 “(B) consistent with section 188 and Exec-  
13 utive Order No. 13217 (42 U.S.C. 12131 note),  
14 serve the employment and training needs of in-  
15 dividuals with disabilities, with a focus on em-  
16 ployment that fosters independence and integra-  
17 tion; and

18 “(C) consistent with sections 504 and 508  
19 of the Rehabilitation Act of 1973, include the  
20 provision of outreach, intake, assessments, and  
21 service delivery, the development of perform-  
22 ance measures, the training of staff, and other  
23 aspects of accessibility to programs and services  
24 under this subtitle;

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

4                   “(A) used to measure the performance of  
5                   the local area; and

6                   “(B) used by the local board for measuring  
7                   performance of the local fiscal agent (where ap-  
8                   propriate), eligible providers, and the one-stop  
9                   delivery system, in the local area;

10           “(9) a description of the process used by the  
11           local board, consistent with subsection (c), to provide  
12           an opportunity for public comment prior to submis-  
13           sion of the plan;

14           “(10) a description of how the local area will  
15           serve the employment and training needs of dis-  
16           located workers (including displaced homemakers),  
17           low-income individuals (including recipients of public  
18           assistance such as the Supplemental Nutrition As-  
19           sistance Program), long-term unemployed individ-  
20           uals (including individuals who have exhausted enti-  
21           tlement to State and Federal unemployment com-  
22           pensation), English learners, homeless individuals,  
23           individuals training for nontraditional employment,  
24           youth (including out-of-school youth and at-risk  
25           youth), older workers, ex-offenders, migrant and sea-

1       sonal farmworkers, refugee and entrants, veterans  
2       (including disabled veterans and homeless veterans),  
3       and Native Americans;

4               “(11) an identification of the entity responsible  
5       for the disbursement of grant funds described in sub-  
6       clause (III) of section 117(d)(4)(B)(i), as deter-  
7       mined by the chief elected official or the Governor  
8       under such section;

9               “(12) a description of the strategies and serv-  
10       ices that will be used in the local area to assist at-  
11       risk youth and out-of-school youth in acquiring the  
12       education and skills, credentials (including recog-  
13       nized postsecondary credentials and industry-recog-  
14       nized credentials), and employment experience to  
15       succeed in the labor market, including—

16                   “(A) training and internships in in-demand  
17       industries or occupations important to the local  
18       economy;

19                   “(B) dropout recovery activities that are  
20       designed to lead to the attainment of a regular  
21       secondary school diploma or its recognized  
22       equivalent, or other State recognized equivalent  
23       (including recognized alternative standards for  
24       individuals with disabilities); and

1           “(C) activities combining remediation of  
2 academic skills, work readiness training, and  
3 work experience, and including linkages to post-  
4 secondary education and training and career-  
5 ladder employment;

6           “(13) a description of—

7           “(A) how the local area will furnish em-  
8 ployment, training, including training in ad-  
9 vanced manufacturing, supportive, and place-  
10 ment services to veterans, including disabled  
11 and homeless veterans;

12           “(B) the strategies and services that will  
13 be used in the local area to assist and expedite  
14 reintegration of homeless veterans into the  
15 labor force; and

16           “(C) the veteran population to be served in  
17 the local area;

18           “(14) a description of—

19           “(A) the duties assigned to the veteran  
20 employment specialist consistent with the re-  
21 quirements of section 134(f);

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

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

3           “(D) whether the veteran employment spe-  
4           cialist has satisfactorily competed such training  
5           by the National Veterans’ Employment and  
6           Training Services Institute; and

7           “(15) such other information as the Governor  
8           may require.”;

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

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

14 **SEC. 108. ESTABLISHMENT OF ONE-STOP DELIVERY SYS-**  
15 **TEM.**

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

17          (1) in subsection (b)—

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

20                  “(A) ROLES AND RESPONSIBILITIES OF  
21                  ONE-STOP PARTNERS.—Each entity that carries  
22                  out a program or activities described in sub-  
23                  paragraph (B) shall—

24                          “(i) provide access through the one-  
25                          stop delivery system to the program and



1 activities carried out by the entity, includ-  
2 ing making the work ready services de-  
3 scribed in section 134(c)(2) that are appli-  
4 cable to the program of the entity available  
5 at one-stop centers (in addition to any  
6 other appropriate locations);

7 “(ii) use a portion of the funds avail-  
8 able to the program of the entity to main-  
9 tain the one-stop delivery system, including  
10 payment of the infrastructure costs of one-  
11 stop centers in accordance with subsection  
12 (h);

13 “(iii) enter into a local memorandum  
14 of understanding with the local board re-  
15 lating to the operation of the one-stop de-  
16 livery system that meets the requirements  
17 of subsection (c); and

18 “(iv) participate in the operation of  
19 the one-stop delivery system consistent  
20 with the terms of the memorandum of un-  
21 derstanding, the requirements of this title,  
22 and the requirements of the Federal laws  
23 authorizing the programs carried out by  
24 the entity.”;

25 (B) in paragraph (1)(B)—

1 (i) by striking clauses (ii), (v), and  
2 (vi);

3 (ii) by redesignating clauses (iii) and  
4 (iv) as clauses (ii) and (iii), respectively;

5 (iii) by redesignating clauses (vii)  
6 through (xii) as clauses (iv) through (ix),  
7 respectively;

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

10 (v) in clause (ix), as so redesignated,  
11 by striking the period and inserting “;  
12 and”; and

13 (vi) by adding at the end the fol-  
14 lowing:

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

19 (C) by inserting after paragraph (1)(B)  
20 the following:

21 “(C) DETERMINATION BY THE GOV-  
22 ERNOR.—Each entity carrying out a program  
23 described in subparagraph (B)(x) shall carry  
24 out the required partner activities described in  
25 subparagraph (A) unless the Governor of the

1 State in which the local area is located provides  
2 the Secretary and Secretary of Health and  
3 Human Services written notice of a determina-  
4 tion by the Governor that such entities shall not  
5 carry out such required partner activities.”; and

6 (D) in paragraph (2)—

7 (i) in subparagraph (A)(i), by striking  
8 “section 134(d)(2)” and inserting “section  
9 134(e)(2)”; and

10 (ii) in subparagraph (B)—

11 (I) by striking clauses (i), (ii),  
12 and (v);

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

15 (III) by redesignating clauses  
16 (iii) and (iv) as clauses (i) and (ii), re-  
17 spectively; and

18 (IV) by adding at the end the fol-  
19 lowing:

20 “(iii) employment and training pro-  
21 grams administered by the Commissioner  
22 of the Social Security Administration;

23 “(iv) employment and training pro-  
24 grams carried out by the Administrator of  
25 the Small Business Administration;

1           “(v) employment, training, and lit-  
2           eracy services carried out by public librar-  
3           ies; and

4           “(vi) other appropriate Federal, State,  
5           or local programs, including programs in  
6           the private sector.”;

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

9           “(A) provisions describing—

10           “(i) the services to be provided  
11           through the one-stop delivery system con-  
12           sistent with the requirements of this sec-  
13           tion, including the manner in which the  
14           services will be coordinated through such  
15           system;

16           “(ii) how the costs of such services  
17           and the operating costs of such system will  
18           be funded, through cash and in-kind con-  
19           tributions, to provide a stable and equi-  
20           table funding stream for ongoing one-stop  
21           system operations, including the funding of  
22           the infrastructure costs of one-stop centers  
23           in accordance with subsection (h);

24           “(iii) methods of referral of individ-  
25           uals between the one-stop operator and the

1 one-stop partners for appropriate services  
2 and activities, including referrals for non-  
3 traditional employment; and

4 “(iv) the duration of the memo-  
5 randum of understanding and the proce-  
6 dures for amending the memorandum dur-  
7 ing the term of the memorandum, and as-  
8 surances that such memorandum shall be  
9 reviewed not less than once every 3-year  
10 period to ensure appropriate funding and  
11 delivery of services; and”;

12 (3) in subsection (d)—

13 (A) in the heading for paragraph (1), by  
14 striking “DESIGNATION AND CERTIFICATION”  
15 and inserting “LOCAL DESIGNATION AND CER-  
16 TIFICATION”;

17 (B) in paragraph (2)—

18 (i) by striking “section 134(c)” and  
19 inserting “subsection (e)”;

20 (ii) by amending subparagraph (A) to  
21 read as follows:

22 “(A) shall be designated or certified as a  
23 one-stop operator through a competitive proce-  
24 ss; and”;

1 (iii) in subparagraph (B), by striking  
2 clause (ii) and redesignating clauses (iii)  
3 through (vi) as clauses (ii) through (v), re-  
4 spectively; and

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

7 (4) by amending subsection (e) to read as fol-  
8 lows:

9 “(e) ESTABLISHMENT OF ONE-STOP DELIVERY SYS-  
10 TEM.—

11 “(1) IN GENERAL.—There shall be established  
12 in a State that receives an allotment under section  
13 132(b) a one-stop delivery system, which shall—

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

16 “(B) provide access to training services as  
17 described in section 134(c)(4), including serving  
18 as the point of access to career enhancement  
19 accounts for training services to participants in  
20 accordance with paragraph (4)(F) of such sec-  
21 tion;

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

24 “(D) provide access to programs and ac-  
25 tivities carried out by one-stop partners that

1 are described in subsection (b) of this section;  
2 and

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

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

8 “(A) shall make each of the programs,  
9 services, and activities described in paragraph  
10 (1) accessible at not less than one physical cen-  
11 ter in each local area of the State; and

12 “(B) may also make programs, services,  
13 and activities described in paragraph (1) avail-  
14 able—

15 “(i) through a network of affiliated  
16 sites that can provide one or more of the  
17 programs, services, and activities to indi-  
18 viduals; and

19 “(ii) through a network of eligible  
20 one-stop partners—

21 “(I) in which each partner pro-  
22 vides one or more of the programs,  
23 services, and activities to such individ-  
24 uals and is accessible at an affiliated  
25 site that consists of a physical loca-

1                   tion or an electronically- or techno-  
2                   logically-linked access point; and

3                   “(II) that assures individuals  
4                   that information on the availability of  
5                   the work ready services will be avail-  
6                   able regardless of where the individ-  
7                   uals initially enter the statewide work-  
8                   force investment system, including in-  
9                   formation made available through an  
10                  access point described in subclause  
11                  (I).

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

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

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

17                  “(1) IN GENERAL.—

18                  “(A) IN GENERAL.—The State board shall  
19                  establish objective procedures and criteria for  
20                  certifying, at least once every 3 years, one-stop  
21                  centers for the purpose of awarding the one-  
22                  stop infrastructure funding described in sub-  
23                  section (h).

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



1           “(i) meeting all of the expected levels  
2           of performance for each of the core indica-  
3           tors of performance as outlined in the  
4           State plan under section 112;

5           “(ii) meeting minimum standards re-  
6           lating to the scope and degree of service  
7           integration achieved by the centers involv-  
8           ing the programs provided by the one-stop  
9           partners; and

10           “(iii) meeting minimum standards re-  
11           lating to how the centers ensure that eligi-  
12           ble providers meet the employment needs  
13           of local employers and participants.

14           “(C) EFFECT OF CERTIFICATION.—One-  
15           stop centers certified under this subsection shall  
16           be eligible to receive the infrastructure grants  
17           authorized under subsection (h).

18           “(2) LOCAL BOARDS.—Consistent with the cri-  
19           teria developed by the State, the local board may de-  
20           velop additional criteria of higher standards to re-  
21           spond to local labor market and demographic condi-  
22           tions and trends.

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

24           “(1) PARTNER CONTRIBUTIONS.—

1           “(A) PROVISION OF FUNDS.—Notwith-  
2 standing any other provision of law, as deter-  
3 mined under subparagraph (B), a portion of the  
4 Federal funds provided to the State and areas  
5 within the State under the Federal laws author-  
6 izing the one-stop partner programs described  
7 in subsection (b)(1)(B) and participating addi-  
8 tional partner programs described in subsection  
9 (b)(2)(B) for a fiscal year shall be provided to  
10 the Governor by such programs to carry out  
11 this subsection.

12           “(B) DETERMINATION OF GOVERNOR.—

13           “(i) IN GENERAL.—Subject to sub-  
14 paragraph (C), the Governor, in consulta-  
15 tion with the State board, shall determine  
16 the portion of funds to be provided under  
17 subparagraph (A) by each one-stop partner  
18 and in making such determination shall  
19 consider the proportionate use of the one-  
20 stop centers by each partner, the costs of  
21 administration for purposes not related to  
22 one-stop centers for each partner, and  
23 other relevant factors described in para-  
24 graph (3).

1           “(ii) SPECIAL RULE.—In those States  
2           where the State constitution places policy-  
3           making authority that is independent of  
4           the authority of the Governor in an entity  
5           or official with respect to the funds pro-  
6           vided for adult education and literacy ac-  
7           tivities authorized under title II of this Act  
8           and for postsecondary career education ac-  
9           tivities authorized under the Carl D. Per-  
10          kins Career and Technical Education Act,  
11          the determination described in clause (i)  
12          with respect to such programs shall be  
13          made by the Governor with the appropriate  
14          entity or official with such independent  
15          policy-making authority.

16          “(iii) APPEAL BY ONE-STOP PART-  
17          NERS.—The Governor shall establish a  
18          procedure for the one-stop partner admin-  
19          istering a program described in subsection  
20          (b) to appeal a determination regarding  
21          the portion of funds to be contributed  
22          under this paragraph on the basis that  
23          such determination is inconsistent with the  
24          criteria described in the State plan or with  
25          the requirements of this paragraph. Such

1 procedure shall ensure prompt resolution  
2 of the appeal.

3 “(C) LIMITATIONS.—

4 “(i) PROVISION FROM ADMINISTRA-  
5 TIVE FUNDS.—The funds provided under  
6 this paragraph by each one-stop partner  
7 shall be provided only from funds available  
8 for the costs of administration under the  
9 program administered by such partner,  
10 and shall be subject to the limitations with  
11 respect to the portion of funds under such  
12 programs that may be used for administra-  
13 tion.

14 “(ii) FEDERAL DIRECT SPENDING  
15 PROGRAMS.—Programs that are Federal  
16 direct spending under section 250(c)(8) of  
17 the Balanced Budget and Emergency Def-  
18 icit Control Act of 1985 (2 U.S.C.  
19 900(c)(8)) shall not, for purposes of this  
20 paragraph, be required to provide an  
21 amount in excess of the amount deter-  
22 mined to be equivalent to the proportionate  
23 use of the one-stop centers by such pro-  
24 grams in the State.

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

8           “(3) ALLOCATION FORMULA.—The State board  
9 shall develop a formula to be used by the Governor  
10 to allocate the funds described in paragraph (1).  
11 The formula shall include such factors as the State  
12 board determines are appropriate, which may in-  
13 clude factors such as the number of centers in the  
14 local area that have been certified, the population  
15 served by such centers, and the performance of such  
16 centers.

17           “(4) COSTS OF INFRASTRUCTURE.—For pur-  
18 poses of this subsection, the term ‘costs of infra-  
19 structure’ means the nonpersonnel costs that are  
20 necessary for the general operation of a one-stop  
21 center, including the rental costs of the facilities, the  
22 costs of utilities and maintenance, and equipment  
23 (including assistive technology for individuals with  
24 disabilities).

25           “(i) OTHER FUNDS.—

1           “(1) IN GENERAL.—In addition to the funds  
2           provided to carry out subsection (h), a portion of  
3           funds made available under Federal law authorizing  
4           the one-stop partner programs described in sub-  
5           section (b)(1)(B) and participating additional part-  
6           ner programs described in subsection (b)(2)(B), or  
7           the noncash resources available under such pro-  
8           grams shall be used to pay the costs relating to the  
9           operation of the one-stop delivery system that are  
10          not paid for from the funds provided under sub-  
11          section (h), to the extent not inconsistent with the  
12          Federal law involved including—

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

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

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

19          “(2) DETERMINATION AND GUIDANCE.—The  
20          method for determining the appropriate portion of  
21          funds and noncash resources to be provided by each  
22          program under paragraph (1) shall be determined as  
23          part of the memorandum of understanding under  
24          subsection (c). The State board shall provide guid-  
25          ance to facilitate the determination of appropriate

1 allocation of the funds and noncash resources in  
2 local areas.”.

3 **SEC. 109. IDENTIFICATION OF ELIGIBLE PROVIDERS OF**  
4 **TRAINING SERVICES.**

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

7 **“SEC. 122. IDENTIFICATION OF ELIGIBLE PROVIDERS OF**  
8 **TRAINING SERVICES.**

9 “(a) ELIGIBILITY.—

10 “(1) IN GENERAL.—The Governor, after con-  
11 sultation with the State board, shall establish cri-  
12 teria and procedures regarding the eligibility of pro-  
13 viders of training services described in section  
14 134(c)(4) to receive funds provided under section  
15 133(b) for the provision of such training services.

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

20 “(A) a postsecondary educational institu-  
21 tion that—

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

1                   “(ii) provides a program that leads to  
2                   a recognized postsecondary credential;

3                   “(B) an entity that carries out programs  
4                   under the Act of August 16, 1937 (commonly  
5                   known as the ‘National Apprenticeship Act’; 50  
6                   Stat. 664, chapter 663; 29 U.S.C. 50 et seq.);  
7                   or

8                   “(C) another public or private provider of  
9                   a program of training services.

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

22                  “(b) CRITERIA.—

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



1           “(A) the performance of providers of train-  
2           ing services with respect to the performance  
3           measures described in section 136 and other  
4           matters for which information is required under  
5           paragraph (2) and other appropriate measures  
6           of performance outcomes for those participants  
7           receiving training services under this subtitle;

8           “(B) whether the training programs of  
9           such providers relate to occupations that are in  
10          demand;

11          “(C) the need to ensure access to training  
12          services throughout the State, including in rural  
13          areas;

14          “(D) the ability of providers to offer pro-  
15          grams that lead to a recognized postsecondary  
16          credential;

17          “(E) the information such providers are  
18          required to report to State agencies with re-  
19          spect to other Federal and State programs  
20          (other than the program carried out under this  
21          subtitle), including one-stop partner programs;  
22          and

23          “(F) such other factors as the Governor  
24          determines are appropriate.

1           “(2) INFORMATION.—The criteria established  
2           by the Governor shall require that a provider of  
3           training services submit appropriate, accurate, and  
4           timely information to the State for purposes of car-  
5           rying out subsection (d), with respect to participants  
6           receiving training services under this subtitle in the  
7           applicable program, including—

8                   “(A) information on recognized postsec-  
9                   ondary credentials received by such partici-  
10                  pants;

11                  “(B) information on costs of attendance  
12                  for such participants;

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

15                  “(D) information on the performance of  
16                  the provider with respect to the performance  
17                  measures described in section 136 for such par-  
18                  ticipants.

19           “(3) RENEWAL.—The criteria established by  
20           the Governor shall also provide for a review every 3  
21           years and renewal of eligibility under this section for  
22           providers of training services.

23           “(4) LOCAL CRITERIA.—A local board in the  
24           State may establish criteria in addition to the cri-  
25           teria established by the Governor, or may require

1 higher levels of performance than required under the  
2 criteria established by the Governor, for purposes of  
3 determining the eligibility of providers of training  
4 services to receive funds described in subsection (a)  
5 to provide the services in the local area involved.

6 “(5) LIMITATION.—In carrying out the require-  
7 ments of this subsection, no personally identifiable  
8 information regarding a student, including Social  
9 Security number, student identification number, or  
10 other identifier, may be disclosed without the prior  
11 written consent of the parent or eligible student in  
12 compliance with section 444 of the General Edu-  
13 cation Provisions Act (20 U.S.C. 1232g).

14 “(c) PROCEDURES.—The procedures established  
15 under subsection (a) shall—

16 “(1) identify—

17 “(A) the application process for a provider  
18 of training services to become eligible to receive  
19 funds under section 133(b) for the provision of  
20 training services; and

21 “(B) the respective roles of the State and  
22 local areas in receiving and reviewing applica-  
23 tions and in making determinations of eligibility  
24 based on the criteria established under this sec-  
25 tion; and

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

6           “(d) INFORMATION TO ASSIST PARTICIPANTS IN  
7           CHOOSING PROVIDERS.—In order to facilitate and assist  
8           participants under chapter 5 in choosing providers of  
9           training services, the Governor shall ensure that an appro-  
10          prium list or lists of providers determined eligible under  
11          this section in the State, including information provided  
12          under subsection (b)(2) with respect to such providers, is  
13          provided to the local boards in the State and is made avail-  
14          able to such participants and to members of the public  
15          through the one-stop delivery system in the State.

16          “(e) ENFORCEMENT.—

17                 “(1) IN GENERAL.—The criteria and proce-  
18                 dures established under this section shall provide the  
19                 following:

20                         “(A) INTENTIONALLY SUPPLYING INAC-  
21                         CULATE INFORMATION.—Upon a determination,  
22                         by an individual or entity specified in the cri-  
23                         teria or procedures, that a provider of training  
24                         services, or individual providing information on  
25                         behalf of the provider, intentionally supplied in-

1 accurate information under this section, the eli-  
2 gibility of such provider to receive funds under  
3 chapter 5 shall be terminated for a period of  
4 time that is not less than 2 years.

5 “(B) SUBSTANTIAL VIOLATIONS.—Upon a  
6 determination, by an individual or entity speci-  
7 fied in the criteria or procedures, that a pro-  
8 vider of training services substantially violated  
9 any requirement under this title, the eligibility  
10 of such provider to receive funds under the pro-  
11 gram involved shall be terminated for a period  
12 of time that is not less than 10 years.

13 “(C) REPAYMENT.—A provider of training  
14 services whose eligibility is terminated under  
15 subparagraph (A) or (B) shall be liable for the  
16 repayment of funds received under chapter 5  
17 during a period of noncompliance described in  
18 such subparagraph.

19 “(2) CONSTRUCTION.—Paragraph (1) shall be  
20 construed to provide remedies and penalties that  
21 supplement, but do not supplant, other civil and  
22 criminal remedies and penalties.

23 “(f) AGREEMENTS WITH OTHER STATES.—States  
24 may enter into agreements, on a reciprocal basis, to per-

1 mit eligible providers of training services to accept career  
2 enhancement accounts provided in another State.

3 “(g) RECOMMENDATIONS.—In developing the cri-  
4 teria, procedures, and information required under this sec-  
5 tion, the Governor shall solicit and take into consideration  
6 the recommendations of local boards and providers of  
7 training services within the State.

8 “(h) OPPORTUNITY TO SUBMIT COMMENTS.—Dur-  
9 ing the development of the criteria, procedures, require-  
10 ments for information, and the list of eligible providers  
11 required under this section, the Governor shall provide an  
12 opportunity for interested members of the public to submit  
13 comments regarding such criteria, procedures, and infor-  
14 mation.

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

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

20 “(2) COLLECTION AND DISSEMINATION OF IN-  
21 FORMATION.—A one-stop operator in a local area  
22 shall collect such performance information from on-  
23 the-job training and customized training providers  
24 as the Governor may require, determine whether the  
25 providers meet such performance criteria as the Gov-

1 error may require, and disseminate information  
2 identifying providers that meet the criteria as eligi-  
3 ble providers, and the performance information,  
4 through the one-stop delivery system. Providers de-  
5 termined to meet the criteria shall be considered to  
6 be identified as eligible providers of training serv-  
7 ices.”.

8 **SEC. 110. GENERAL AUTHORIZATION.**

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

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

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

14 (A) by striking “paragraphs (1)(B) and  
15 (2)(B) of”; and

16 (B) by striking “adults, and dislocated  
17 workers,” and inserting “individuals”.

18 **SEC. 111. STATE ALLOTMENTS.**

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

20 (1) by amending subsection (a) to read as fol-  
21 lows:

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

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

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

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

5           “(2) reserve 1 percent of the total amount ap-  
6           propriated under section 137 for a fiscal year to  
7           make grants to, and enter into contracts or coopera-  
8           tive agreements with Indian tribes, tribal organiza-  
9           tions, Alaska-Native entities, Indian-controlled orga-  
10          nizations serving Indians, or Native Hawaiian orga-  
11          nizations to carry out employment and training ac-  
12          tivities;

13          “(3) reserve not more than 25 percent of the  
14          total amount appropriated under section 137 for a  
15          fiscal year to carry out the Jobs Corps program  
16          under subtitle C;

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

20                 “(A) make grants to State or local boards  
21                 to provide employment and training assistance  
22                 to workers affected by major economic disloca-  
23                 tions, such as plant closures, mass layoffs, or  
24                 closures and realignments of military installa-  
25                 tions; and



1           “(B) provide assistance to Governors of  
2 States with an area that has suffered an emer-  
3 gency or a major disaster (as such terms are  
4 defined in paragraphs (1) and (2), respectively,  
5 of section 102 of the Robert T. Stafford Dis-  
6 aster Relief and Emergency Assistance Act (42  
7 U.S.C. 5122)) to provide disaster relief employ-  
8 ment in the area; and

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

14           (2) by amending subsection (b) to read as fol-  
15 lows:

16           “(b) WORKFORCE INVESTMENT FUND.—

17           “(1) RESERVATION FOR OUTLYING AREAS.—

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

23           “(B) RESTRICTION.—The Republic of  
24 Palau shall cease to be eligible to receive fund-  
25 ing under this subparagraph upon entering into

1 an agreement for extension of United States  
2 educational assistance under the Compact of  
3 Free Association (approved by the Compact of  
4 Free Association Amendments Act of 2003  
5 (Public Law 99–658)) after the date of enact-  
6 ment of the SKILLS Act.

7 “(2) STATES.—

8 “(A) IN GENERAL.—After determining the  
9 amount to be reserved under paragraph (1), the  
10 Secretary shall allot the remainder of the  
11 amount referred to in subsection (a)(5) for a  
12 fiscal year to the States pursuant to subpara-  
13 graph (B) for employment and training activi-  
14 ties and statewide workforce investment activi-  
15 ties.

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

18 “(i) 25 percent shall be allotted on the  
19 basis of the relative number of unemployed  
20 individuals in areas of substantial unem-  
21 ployment in each State, compared to the  
22 total number of unemployed individuals in  
23 areas of substantial unemployment in all  
24 States;

1           “(ii) 25 percent shall be allotted on  
2           the basis of the relative number of individ-  
3           uals in the civilian labor force in each  
4           State, compared to the total number of  
5           such individuals in all States;

6           “(iii) 25 percent shall be allotted on  
7           the basis of the relative number of individ-  
8           uals in each State who have been unem-  
9           ployed for 15 weeks or more, compared to  
10          the total number of individuals in all  
11          States who have been unemployed for 15  
12          weeks or more; and

13          “(iv) 25 percent shall be allotted on  
14          the basis of the relative number of dis-  
15          advantaged youth in each State, compared  
16          to the total number of disadvantaged youth  
17          in all States.

18          “(C) MINIMUM AND MAXIMUM PERCENT-  
19          AGES.—

20                 “(i) MINIMUM PERCENTAGE.—The  
21                 Secretary shall ensure that no State shall  
22                 receive an allotment under this paragraph  
23                 for—

24                         “(I) each of fiscal years 2014  
25                         through 2016, that is less than 100

1 percent of the allotment percentage of  
2 the State for fiscal year 2012; and

3 “(II) fiscal year 2017 and each  
4 succeeding fiscal year, that is less  
5 than 90 percent of the allotment per-  
6 centage of the State for the preceding  
7 fiscal year.

8 “(ii) MAXIMUM PERCENTAGE.—Sub-  
9 ject to clause (i), the Secretary shall en-  
10 sure that no State shall receive an allot-  
11 ment under this paragraph for—

12 “(I) each of fiscal years 2014  
13 through 2016, that is more than 130  
14 percent of the allotment percentage of  
15 the State for fiscal year 2012; and

16 “(II) fiscal year 2017 and each  
17 succeeding fiscal year, that is more  
18 than 130 percent of the allotment per-  
19 centage of the State for the preceding  
20 fiscal year.

21 “(D) SMALL STATE MINIMUM ALLOT-  
22 MENT.—Subject to subparagraph (C), the Sec-  
23 retary shall ensure that no State shall receive  
24 an allotment under this paragraph for a fiscal  
25 year that is less than  $\frac{1}{5}$  of 1 percent of the re-

1           mainder described in subparagraph (A) for the  
2           fiscal year.

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

5                   “(i) ALLOTMENT PERCENTAGE.—The  
6                   term ‘allotment percentage’—

7                           “(I) used with respect to fiscal  
8                           year 2012, means the percentage of  
9                           the amounts allotted to States under  
10                           title I of this Act, title V of the Older  
11                           Americans Act of 1965 (42 U.S.C.  
12                           3056 et seq.), the Women in Appren-  
13                           ticeship and Nontraditional Occupa-  
14                           tions Act (29 U.S.C. 2501 et seq.),  
15                           sections 4103A and 4104 of title 38,  
16                           United States Code, and sections 1  
17                           through 14 of the Wagner-Peyser Act  
18                           (29 U.S.C. 49 et seq.), as such provi-  
19                           sions were in effect for fiscal year  
20                           2012, that is received under such pro-  
21                           visions by the State involved for fiscal  
22                           year 2012; and

23                           “(II) used with respect to fiscal  
24                           year 2016 or a succeeding fiscal year,  
25                           means the percentage of the amounts

1           allotted to States under this para-  
2           graph for the fiscal year that is re-  
3           ceived under this paragraph by the  
4           State involved for the fiscal year.

5           “(ii) DISADVANTAGED YOUTH.—The  
6           term ‘disadvantaged youth’ means an indi-  
7           vidual who is not less than age 16 and not  
8           more than age 24 who receives an income,  
9           or is a member of a family that received a  
10          total family income, that in relation to  
11          family size, does not exceed the higher  
12          of—

13                           “(I) the poverty line; or

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

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

19 **SEC. 112. WITHIN STATE ALLOCATIONS.**

20       Section 133 is amended—

21           (1) by amending subsection (a) to read as fol-  
22       lows:

23       “(a) RESERVATIONS FOR STATEWIDE WORKFORCE  
24       INVESTMENT ACTIVITIES.—

1           “(1) STATEWIDE EMPLOYMENT AND TRAINING  
2           ACTIVITIES.—The Governor of a State shall reserve  
3           up to 15 percent of the total amount allotted to the  
4           State under section 132(b)(2) for a fiscal year to  
5           carry out the statewide activities described in section  
6           134(a).

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

12          “(3) STATEWIDE GRANTS FOR INDIVIDUALS  
13          WITH BARRIERS TO EMPLOYMENT.—Of the amount  
14          reserved under paragraph (1) for a fiscal year, the  
15          Governor of a State shall reserve 15 percent to carry  
16          out statewide activities described in section  
17          134(a)(5).

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

23                 (2) by amending subsection (b) to read as fol-  
24                 lows:

25                 “(b) WITHIN STATE ALLOCATION.—

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

4           “(A) allocate the funds that are allotted to  
5 the State for employment and training activities  
6 and not reserved under subsection (a), in ac-  
7 cordance with paragraph (2)(A); and

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

12           “(2) FORMULA ALLOCATIONS FOR THE WORK-  
13 FORCE INVESTMENT FUND.—

14           “(A) ALLOCATION.—In allocating the  
15 funds described in paragraph (1)(A) to local  
16 areas, a State shall allocate—

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

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

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

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



1                   “(B) MINIMUM AND MAXIMUM PERCENT-  
2                   AGES.—

3                   “(i) MINIMUM PERCENTAGE.—The  
4                   State shall ensure that no local area shall  
5                   receive an allocation under this paragraph  
6                   for—

7                   “(I) each of fiscal years 2014  
8                   through 2016, that is less than 100  
9                   percent of the allocation percentage of  
10                  the local area for fiscal year 2012;  
11                  and

12                  “(II) fiscal year 2017 and each  
13                  succeeding fiscal year, that is less  
14                  than 90 percent of the allocation per-  
15                  centage of the local area for the pre-  
16                  ceding fiscal year.

17                  “(ii) MAXIMUM PERCENTAGE.—Sub-  
18                  ject to clause (i), the State shall ensure  
19                  that no local area shall receive an alloca-  
20                  tion for a fiscal year under this paragraph  
21                  for—

22                  “(I) each of fiscal years 2014  
23                  through 2016, that is more than 130  
24                  percent of the allocation percentage of

1 the local area for fiscal year 2012;  
2 and

3 “(II) fiscal year 2017 and each  
4 succeeding fiscal year, that is more  
5 than 130 percentage of the allocation  
6 percentage of the local area for the  
7 preceding fiscal year.

8 “(C) DEFINITIONS.—For the purpose of  
9 the formula specified in this paragraph, the  
10 term ‘allocation percentage’—

11 “(i) used with respect to fiscal year  
12 2012, means the percentage of the  
13 amounts allocated to local areas under title  
14 I of this Act, title V of the Older Ameri-  
15 cans Act of 1965 (42 U.S.C. 3056 et seq.),  
16 the Women in Apprenticeship and Non-  
17 traditional Occupations Act (29 U.S.C.  
18 2501 et seq.), sections 4103A and 4104 of  
19 title 38, United States Code, and sections  
20 1 through 14 of the Wagner-Peyser Act  
21 (29 U.S.C. 49 et seq.), as such provisions  
22 were in effect for fiscal year 2012, that is  
23 received under such provisions by the local  
24 area involved for fiscal year 2012; and

1                   “(ii) used with respect to fiscal year  
2                   2016 or a succeeding fiscal year, means  
3                   the percentage of the amounts allocated to  
4                   local areas for the fiscal year under this  
5                   paragraph that is received under this para-  
6                   graph by the local area involved for the fis-  
7                   cal year.”;

8                   (3) in subsection (c)—

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

11                  “(1) IN GENERAL.—The Governor, may in ac-  
12                  cordance with this subsection, reallocate to eligible  
13                  local areas within the State amounts that are allo-  
14                  cated under subsection (b) for employment and  
15                  training activities and that are available for realloca-  
16                  tion.”;

17                  (B) in paragraph (2), by striking “para-  
18                  graph (2)(A) or (3) of subsection (b) for such  
19                  activities” and inserting “subsection (b) for  
20                  such activities”;

21                  (C) by amending paragraph (3) to read as  
22                  follows:

23                  “(3) REALLOCATIONS.—In making reallocations  
24                  to eligible local areas of amounts available pursuant  
25                  to paragraph (2) for a program year, the Governor

1 shall allocate to each eligible local area within the  
 2 State an amount based on the relative amount allo-  
 3 cated to such local area under subsection (b)(2) for  
 4 such activities for such prior program year, as com-  
 5 pared to the total amount allocated to all eligible  
 6 local areas in the State under subsection (b)(2) for  
 7 such activities for such prior program year.”; and

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

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

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

18 **SEC. 113. USE OF FUNDS FOR EMPLOYMENT AND TRAINING**

19 **ACTIVITIES.**

20 Section 134 is amended—

21 (1) by amending subsection (a) to read as fol-  
 22 lows:

23 “(a) STATEWIDE EMPLOYMENT AND TRAINING AC-  
 24 TIVITIES.—

25 “(1) IN GENERAL.—

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

4                   “(i) shall be used to carry out the  
5                   statewide employment and training activi-  
6                   ties described in paragraph (2); and

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

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

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

22           “(2) REQUIRED STATEWIDE EMPLOYMENT AND  
23           TRAINING ACTIVITIES.—A State shall use funds re-  
24           served as described in section 133(a)(1) to carry out

1 statewide employment and training activities, which  
2 shall include—

3 “(A) disseminating the State list of eligible  
4 providers of training described in section  
5 122(d), information identifying eligible pro-  
6 viders of on-the-job training and customized  
7 training described in section 122(i), and per-  
8 formance information and program cost infor-  
9 mation described in section 122(b)(2);

10 “(B) supporting the provision of work  
11 ready services described in subsection (c)(2) in  
12 the one-stop delivery system;

13 “(C) implementing strategies and services  
14 that will be used in the State to assist at-risk  
15 youth and out-of-school youth in acquiring the  
16 education and skills, recognized postsecondary  
17 credentials, and employment experience to suc-  
18 ceed in the labor market;

19 “(D) conducting evaluations under section  
20 136(e) of activities authorized under this chap-  
21 ter in coordination with evaluations carried out  
22 by the Secretary under section 172;

23 “(E) providing technical assistance to local  
24 areas that fail to meet local performance meas-  
25 ures;

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

3           “(G) carrying out monitoring and over-  
4           sight of activities carried out under this chap-  
5           ter.

6           “(3) ALLOWABLE STATEWIDE EMPLOYMENT  
7           AND TRAINING ACTIVITIES.—A State may use funds  
8           reserved as described in section 133(a)(1) to carry  
9           out statewide employment and training activities  
10          which may include—

11           “(A) implementing innovative programs  
12           and strategies designed to meet the needs of all  
13           employers in the State, including small employ-  
14           ers, which may include incumbent worker train-  
15           ing programs, sectoral and industry cluster  
16           strategies and partnerships, career ladder pro-  
17           grams, micro-enterprise and entrepreneurial  
18           training and support programs, utilization of ef-  
19           fective business intermediaries, activities to im-  
20           prove linkages between the one-stop delivery  
21           system in the State and all employers (includ-  
22           ing small employers) in the State, and other  
23           business services and strategies that better en-  
24           gage employers in workforce investment activi-  
25           ties and make the workforce investment system

1 more relevant to the needs of State and local  
2 businesses, consistent with the objectives of this  
3 title;

4 “(B) providing incentive grants to local  
5 areas for regional cooperation among local  
6 boards (including local boards in a designated  
7 region as described in section 116(c)), for local  
8 coordination of activities carried out under this  
9 Act, and for exemplary performance by local  
10 areas on the local performance measures;

11 “(C) developing strategies for effectively  
12 integrating programs and services among one-  
13 stop partners;

14 “(D) carrying out activities to facilitate re-  
15 mote access to services provided through a one-  
16 stop delivery system, including facilitating ac-  
17 cess through the use of technology;

18 “(E) incorporating pay-for-performance  
19 contracting strategies as an element in funding  
20 activities under this section and providing tech-  
21 nical support to local areas and eligible pro-  
22 viders in order to carry out such strategy,  
23 which may provide assistance with data collec-  
24 tion and data entry requirements;



1           “(F) carrying out the State option under  
2 subsection (f)(8); and

3           “(G) carrying out other activities author-  
4 ized under this section that the State deter-  
5 mines to be necessary to assist local areas in  
6 carrying out activities described in subsection  
7 (c) or (d) through the statewide workforce in-  
8 vestment system.

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

13           “(A) provision of rapid response activities,  
14 carried out in local areas by the State or by an  
15 entity designated by the State, working in con-  
16 junction with the local boards and the chief  
17 elected officials in the local areas; and

18           “(B) provision of additional assistance to  
19 local areas that experience disasters, mass lay-  
20 offs or plant closings, or other events that pre-  
21 cipitate substantial increases in the number of  
22 unemployed individuals, carried out in local  
23 areas by the State or by an entity designated  
24 by the State, working in conjunction with the

1 local boards and the chief elected officials in the  
2 local areas.

3 “(5) STATEWIDE GRANTS FOR INDIVIDUALS  
4 WITH BARRIERS TO EMPLOYMENT.—

5 “(A) IN GENERAL.—Of the funds reserved  
6 as described in section 133(a)(3), the Governor  
7 of a State—

8 “(i) may reserve up to 5 percent to  
9 provide technical assistance to, and con-  
10 duct evaluations as described in section  
11 136(e), of the programs and activities car-  
12 ried out under this paragraph; and

13 “(ii) using the remainder, shall award  
14 grants on a competitive basis to eligible en-  
15 tities described in subparagraph (B) to  
16 carry out employment and training pro-  
17 grams authorized under this paragraph for  
18 individuals with barriers to employment  
19 that meet specific performance outcomes  
20 and criteria established by the Governor.

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

24 “(i) is a—

1                   “(I) local board or a consortium  
2                   of local boards;

3                   “(II) nonprofit entity, for-profit  
4                   entity, or a consortium of nonprofit or  
5                   for-profit entities; or

6                   “(III) consortium of the entities  
7                   described in subclauses (I) and (II);

8                   “(ii) has a demonstrated record of  
9                   placing individuals into unsubsidized em-  
10                  ployment and serving hard to serve individ-  
11                  uals; and

12                  “(iii) agrees to be reimbursed pri-  
13                  marily on the basis of achievement of spec-  
14                  ified performance outcomes and criteria es-  
15                  tablished by the Governor.

16                  “(C) GRANT PERIOD.—

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

20                  “(ii) GRANT RENEWAL.—A Governor  
21                  of a State may renew, for up to 4 addi-  
22                  tional 1-year periods, a grant awarded  
23                  under this paragraph.

24                  “(D) ELIGIBLE PARTICIPANTS.—To be eli-  
25                  gible to participate in activities under this para-

1 graph, an individual shall be a low-income indi-  
2 vidual age 16 or older or a member of a low-  
3 income family.

4 “(E) USE OF FUNDS.—An eligible entity  
5 receiving a grant under this paragraph shall use  
6 such funds for activities that are designed to  
7 assist eligible participants in obtaining employ-  
8 ment and acquiring the education and skills  
9 necessary to succeed in the labor market.

10 “(F) APPLICATIONS.—To be eligible to re-  
11 ceive a grant under this paragraph, an eligible  
12 entity shall submit an application to a State at  
13 such time, in such manner, and containing such  
14 information as the State may require, includ-  
15 ing—

16 “(i) a description of how the strate-  
17 gies and activities will be aligned with the  
18 State plan submitted under section 112  
19 and the local plan submitted under section  
20 118 with respect to the areas of the State  
21 that will be the focus of grant activities  
22 under this paragraph;

23 “(ii) a description of the educational  
24 and skills training programs and activities

1 the eligible entity will provide to eligible  
2 participants under this paragraph;

3 “(iii) how the eligible entity will col-  
4 laborate with State and local workforce in-  
5 vestment systems established under this  
6 title in the provision of such programs and  
7 activities;

8 “(iv) a description of the programs of  
9 demonstrated effectiveness on which the  
10 provision of such educational and skills  
11 training programs and activities are based,  
12 and a description of how such programs  
13 and activities will improve the education  
14 and skills training for eligible participants;

15 “(v) a description of the populations  
16 to be served and the skill needs of those  
17 populations, and the manner in which eligi-  
18 ble participants will be recruited and se-  
19 lected as participants;

20 “(vi) a description of the private, pub-  
21 lic, local, and State resources that will be  
22 leveraged, in addition to the grant funds  
23 provided for the programs and activities  
24 under this paragraph, and how the entity  
25 will ensure the sustainability of such pro-

1           grams and activities after grant funds are  
2           no longer available;

3           “(vii) a description of the extent of  
4           the involvement of employers in such pro-  
5           grams and activities;

6           “(viii) a description of the levels of  
7           performance the eligible entity expects to  
8           achieve with respect to the indicators of  
9           performance for all individuals specified in  
10          section in 136(b)(2);

11          “(ix) a detailed budget and a descrip-  
12          tion of the system of fiscal controls, and  
13          auditing and accountability procedures  
14          that will be used to ensure fiscal soundness  
15          for the programs and activities provided  
16          under this paragraph; and

17          “(x) any other criteria the Governor  
18          may require.”;

19          (2) by amending subsection (b) to read as fol-  
20          lows:

21          “(b) LOCAL EMPLOYMENT AND TRAINING ACTIVI-  
22          TIES.—Funds allocated to a local area under section  
23          133(b)—

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

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

3           (3) by striking subsection (c);

4           (4) by redesignating subsections (d) and (e), as  
5 subsections (c) and (d), respectively;

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

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

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

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

13           “(B) to provide the work ready services de-  
14 scribed in paragraph (2) through the one-stop  
15 delivery system in accordance with such para-  
16 graph; and

17           “(C) to provide training services described  
18 in paragraph (4) in accordance with such para-  
19 graph.”;

20           (B) in paragraph (2)—

21           (i) in the heading, by striking “CORE  
22 SERVICES” and inserting “WORK READY  
23 SERVICES”;

24           (ii) in the matter preceding subpara-  
25 graph (A)—

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

3 (II) by striking “core services”  
4 and inserting “work ready services”;  
5 and

6 (III) by striking “who are adults  
7 or dislocated workers”;

8 (iii) by redesignating subparagraph  
9 (K) as subparagraph (V);

10 (iv) by redesignating subparagraphs  
11 (B) through (J) as subparagraphs (C)  
12 through (K), respectively;

13 (v) by inserting after subparagraph  
14 (A) the following:

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

24 (vi) by amending subparagraph (E),  
25 as so redesignated, to read as follows:



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

1 (ix) in subparagraph (H), as so redesi-  
2 gnated, by inserting “under section 136”  
3 after “local performance measures”;

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

9 (xi) by amending subparagraph (K),  
10 as so redesignated, to read as follows:

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

16 (xii) by inserting the following new  
17 subparagraphs after subparagraph (K), as  
18 so redesignated:

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

1           “(M) comprehensive and specialized assess-  
2           ments of the skill levels and service needs of  
3           workers, which may include—

4                   “(i) diagnostic testing and use of  
5                   other assessment tools; and

6                   “(ii) in-depth interviewing and evalua-  
7                   tion to identify employment barriers and  
8                   appropriate employment goals;

9           “(N) development of an individual employ-  
10           ment plan, to identify the employment goals,  
11           appropriate achievement objectives, and appro-  
12           priate combination of services for the partici-  
13           pant;

14                   “(O) group counseling;

15                   “(P) individual counseling and career plan-  
16           ning;

17                   “(Q) case management;

18                   “(R) short-term pre-career services, includ-  
19           ing development of learning skills, communica-  
20           tions skills, interviewing skills, punctuality, per-  
21           sonal maintenance skills, and professional con-  
22           duct, to prepare individuals for unsubsidized  
23           employment or training;

24                   “(S) internships and work experience;

1           “(T) literacy activities relating to basic  
2 work readiness, information and communication  
3 technology literacy activities, and financial lit-  
4 eracy activities, if such activities are not avail-  
5 able to participants in the local area under pro-  
6 grams administered under the Adult Education  
7 and Family Literacy Act (20 U.S.C. 2901 et  
8 seq.);

9           “(U) out-of-area job search assistance and  
10 relocation assistance; and”;

11           (C) by amending paragraph (3) to read as  
12 follows:

13           “(3) DELIVERY OF SERVICES.—The work ready  
14 services described in paragraph (2) shall be provided  
15 through the one-stop delivery system and may be  
16 provided through contracts with public, private for-  
17 profit, and private nonprofit service providers, ap-  
18 proved by the local board.”;

19           (D) in paragraph (4)—

20           (i) by amending subparagraph (A) to  
21 read as follows:

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

1           “(i) after an interview, evaluation, or  
2           assessment, and case management, have  
3           been determined by a one-stop operator or  
4           one-stop partner, as appropriate, to—

5                   “(I) be in need of training serv-  
6                   ices to obtain or retain employment;  
7                   and

8                   “(II) have the skills and quali-  
9                   fications to successfully participate in  
10                  the selected program of training serv-  
11                  ices;

12           “(ii) select programs of training serv-  
13           ices that are directly linked to the employ-  
14           ment opportunities in the local area in-  
15           volved or in another area in which the indi-  
16           vidual receiving such services are willing to  
17           commute or relocate; and

18           “(iii) who meet the requirements of  
19           subparagraph (B).”; and

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

1 (iii) by amending subparagraph (D) to  
2 read as follows:

3 “(D) TRAINING SERVICES.—Training serv-  
4 ices authorized under this paragraph may in-  
5 clude—

6 “(i) occupational skills training;

7 “(ii) on-the-job training;

8 “(iii) skill upgrading and retraining;

9 “(iv) entrepreneurial training;

10 “(v) education activities leading to a  
11 regular secondary school diploma or its  
12 recognized equivalent in combination with,  
13 concurrently or subsequently, occupational  
14 skills training;

15 “(vi) adult education and literacy ac-  
16 tivities provided in conjunction with other  
17 training authorized under this subpara-  
18 graph;

19 “(vii) workplace training combined  
20 with related instruction;

21 “(viii) occupational skills training that  
22 incorporates English language acquisition;

23 “(ix) customized training conducted  
24 with a commitment by an employer or  
25 group of employers to employ an individual

1 upon successful completion of the training;

2 and

3 “(x) training programs operated by  
4 the private sector.”;

5 (iv) by striking subparagraph (E) and  
6 redesignating subparagraphs (F) and (G)  
7 as subparagraphs (E) and (F), respec-  
8 tively; and

9 (v) in subparagraph (E) (as so redес-  
10 igned)—

11 (I) in clause (ii)—

12 (aa) in the matter preceding  
13 subclause (I), by striking “sub-  
14 section (c)” and inserting “sec-  
15 tion 121”;

16 (bb) in subclause (I), by  
17 striking “section 122(e)” and in-  
18 serting “section 122(d)” and by  
19 striking “section 122(h)” and in-  
20 serting “section 122(i)”;

21 (cc) in subclause (II), by  
22 striking “subsections (e) and  
23 (h)” and inserting “subsection  
24 (i)”;

1 (II) by striking clause (iii) and  
2 inserting the following:

3 “(iii) CAREER ENHANCEMENT AC-  
4 COUNTS.—An individual who seeks train-  
5 ing services and who is eligible pursuant to  
6 subparagraph (A), may, in consultation  
7 with a case manager, select an eligible pro-  
8 vider of training services from the list or  
9 identifying information for providers de-  
10 scribed in clause (ii)(I). Upon such selec-  
11 tion, the one-stop operator involved shall,  
12 to the extent practicable, refer such indi-  
13 vidual to the eligible provider of training  
14 services, and arrange for payment for such  
15 services through a career enhancement ac-  
16 count.

17 “(iv) COORDINATION.—Each local  
18 board may, through one-stop centers, co-  
19 ordinate career enhancement accounts with  
20 other Federal, State, local, or private job  
21 training programs or sources to assist the  
22 individual in obtaining training services.

23 “(v) ASSISTANCE.—Each local board  
24 may, through one-stop centers, assist indi-  
25 viduals receiving career enhancement ac-



1 counts in obtaining funds (in addition to  
2 the funds provided under this section)  
3 from other programs and sources that will  
4 assist the individual in obtaining training  
5 services.”; and

6 (vi) in subparagraph (F) (as so reded-  
7 igned)—

8 (I) in the subparagraph heading,  
9 by striking “INDIVIDUAL TRAINING  
10 ACCOUNTS” and inserting “CAREER  
11 ENHANCEMENT ACCOUNTS”;

12 (II) in clause (i) by striking “in-  
13 dividual training accounts” and in-  
14 serting “career enhancement ac-  
15 counts”;

16 (III) in clause (ii)—

17 (aa) by striking “an indi-  
18 vidual training account” and in-  
19 serting “a career enhancement  
20 account”;

21 (bb) by striking “subpara-  
22 graph (F)” and inserting “sub-  
23 paragraph (E)”;

24 (cc) in subclause (II), by  
25 striking “individual training ac-

1 counts” and inserting “career en-  
2 hancement accounts”;

3 (dd) in subclause (II) by  
4 striking “or” after the semicolon;

5 (ee) in subclause (III) by  
6 striking the period and inserting  
7 “; or”; and

8 (ff) by adding at the end the  
9 following:

10 “(IV) the local board determines  
11 that it would be most appropriate to  
12 award a contract to a postsecondary  
13 educational institution that has been  
14 identified as a priority eligible pro-  
15 vider under section 117(d)(5)(B) in  
16 order to facilitate the training of mul-  
17 tiple individuals in in-demand sectors  
18 or occupations, such contract may be  
19 used to enable the expansion of pro-  
20 grams provided by a priority eligible  
21 provider, and such contract does not  
22 limit customer choice.”;

23 (IV) in clause (iii), by striking  
24 “adult or dislocated worker” and in-  
25 serting “individual”; and

1 (V) in clause (iv)—

2 (aa) by redesignating sub-  
3 clause (IV) as subclause (V) and  
4 inserting after subclause (III) the  
5 following:

6 “(IV) Individuals with disabil-  
7 ities.”;

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

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

11 “(1) DISCRETIONARY ONE-STOP DELIVERY AC-  
12 TIVITIES.—

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

17 “(i) customized screening and referral  
18 of qualified participants in training serv-  
19 ices to employers;

20 “(ii) customized employment-related  
21 services to employers on a fee-for-service  
22 basis;

23 “(iii) customer supports, including  
24 transportation and childcare, to navigate  
25 among multiple services and activities for

1 special participant populations that face  
2 multiple barriers to employment, including  
3 individuals with disabilities;

4 “(iv) employment and training assist-  
5 ance provided in coordination with child  
6 support enforcement activities of the State  
7 agency carrying out subtitle D of title IV  
8 of the Social Security Act (42 U.S.C. 651  
9 et seq.);

10 “(v) incorporating pay-for-perform-  
11 ance contract strategies as an element in  
12 funding activities under this section;

13 “(vi) activities to facilitate remote ac-  
14 cess to services provided through a one-  
15 stop delivery system, including facilitating  
16 access through the use of technology; and

17 “(vii) activities to carry out business  
18 services and strategies that meet the work-  
19 force investment needs of local area em-  
20 ployers, as determined by the local board,  
21 consistent with the local plan under section  
22 118.”.

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

24 and

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

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

3           “(A) IN GENERAL.—The local board may  
4 use funds allocated to a local area under section  
5 133(b)(2) to carry out incumbent worker train-  
6 ing programs in accordance with this para-  
7 graph.

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

15           “(C) EMPLOYER MATCH REQUIRED.—

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

24           “(ii) CALCULATION OF MATCH.—The  
25 wages paid by an employer to a worker

1 while they are attending training may be  
2 included as part of the required payment  
3 of the employer.”; and

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

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

10 “(f) VETERAN EMPLOYMENT SPECIALIST.—

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

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

18 “(A) conduct outreach to employers in the  
19 local area to assist veterans, including disabled  
20 veterans, in gaining employment, including—

21 “(i) conducting seminars for employ-  
22 ers; and

23 “(ii) in conjunction with employers,  
24 conducting job search workshops, and es-  
25 tablishing job search groups; and

1           “(B) facilitate employment, training, sup-  
2           portive, and placement services furnished to  
3           veterans, including disabled and homeless vet-  
4           erans, in the local area.

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

15               “(A) To service-connected disabled vet-  
16               erans.

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

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

23               “(D) If no veteran described in subpara-  
24               graph (A), (B), or (C) is available, to any  
25               spouse of a veteran or a spouse of a member of

1 the Armed Forces transitioning out of military  
2 service.

3 “(E) If no veteran described in subpara-  
4 graph (A), (B), or (C) is available and no  
5 spouse described in paragraph (D) is available,  
6 to any other individuals with expertise in serv-  
7 ing veterans.

8 “(4) ADMINISTRATION AND REPORTING.—

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

19 “(i) principal duties and special serv-  
20 ices for veterans described in paragraph  
21 (2); and

22 “(ii) hiring preferences described in  
23 paragraph (3) for veterans and individuals  
24 with expertise in serving veterans.



1           “(B) REPORT TO SECRETARY.—Each  
2 State shall submit to the Secretary an annual  
3 report on the qualifications used by the local  
4 board in making hiring determinations for a  
5 veteran employment specialist and the salary  
6 structure under which such specialist is com-  
7 pensated.

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

19           “(5) PART-TIME EMPLOYEES.—A part-time vet-  
20 eran employment specialist shall perform the func-  
21 tions of a veteran employment specialist under this  
22 subsection on a halftime basis.

23           “(6) TRAINING REQUIREMENTS.—Each veteran  
24 employment specialist described in paragraph (2)  
25 shall satisfactorily complete training provided by the

1 National Veterans' Employment and Training Insti-  
2 tute during the three-year period that begins on the  
3 date on which the employee is so assigned.

4 “(7) SPECIALIST’S DUTIES.—A full-time vet-  
5 eran employment specialist shall perform only duties  
6 related to the employment, training, supportive, and  
7 placement services under this subsection, and shall  
8 not perform other non-veteran-related duties if such  
9 duties detract from the specialist’s ability to perform  
10 the specialist’s duties related to employment, train-  
11 ing, and placement services under this subsection.

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

18 **SEC. 114. PERFORMANCE ACCOUNTABILITY SYSTEM.**

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

20 (1) in subsection (b)—

21 (A) by amending paragraphs (1) and (2)

22 to read as follows:

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

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

3           “(ii) additional indicators of performance  
4 (if any) identified by the State under paragraph  
5 (2)(B); and

6           “(B) a State adjusted level of performance  
7 for each indicator described in subparagraph  
8 (A).

9           “(2) INDICATORS OF PERFORMANCE.—

10           “(A) CORE INDICATORS OF PERFORM-  
11 ANCE.—

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

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

6           “(II) The percentage and number  
7 of program participants who are in  
8 unsubsidized employment during the  
9 fourth full calendar quarter after exit  
10 from the program.

11           “(III) The median earnings of  
12 program participants who are in un-  
13 subsidized employment during the sec-  
14 ond full calendar quarter after exit  
15 from the program compared to the  
16 median earnings of such participants  
17 prior to the training received under  
18 such program.

19           “(IV) The percentage and num-  
20 ber of program participants who ob-  
21 tain a recognized postsecondary cre-  
22 dential, a registered apprenticeship,  
23 an industry-recognized credential, or a  
24 regular secondary school diploma or  
25 its recognized equivalent (subject to

1 clause (ii)), during participation in or  
2 within 1 year after exit from program.

3 “(V) The percentage and number  
4 of program participants who, during a  
5 program year—

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

16 “(bb) are achieving measur-  
17 able basic skill gains toward such  
18 a credential or employment.

19 “(VI) The percentage and num-  
20 ber of program participants who ob-  
21 tain unsubsidized employment in the  
22 field relating to the training services  
23 described in section 134(c)(4) that  
24 such participants received.

1           “(ii) INDICATOR RELATING TO CRE-  
2           DENTIAL.—For purposes of clause (i)(IV),  
3           program participants who obtain a regular  
4           secondary school diploma or its recognized  
5           equivalent shall be included in the percent-  
6           age counted as meeting the criterion under  
7           such clause only if such participants, in  
8           addition to obtaining such diploma or its  
9           recognized equivalent, have, within 1 year  
10          after exit from the program, obtained or  
11          retained employment, have been removed  
12          from public assistance, or are in an edu-  
13          cation or training program leading to a  
14          recognized postsecondary credential.

15          “(B) ADDITIONAL INDICATORS.—A State  
16          may identify in the State plan additional indica-  
17          tors for workforce investment activities author-  
18          ized under this subtitle.”; and

19                (B) in paragraph (3)—

20                   (i) in subparagraph (A)—

21                        (I) in the heading, by striking

22                           “AND CUSTOMER SATISFACTION INDI-  
23                           CATOR”;

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

4 (III) in clause (ii), by striking  
5 “and the customer satisfaction indi-  
6 cator of performance, for the first 3”  
7 and inserting “, for all 3”;

8 (IV) in clause (iii)—

9 (aa) in the heading, by  
10 striking “FOR FIRST 3 YEARS”;  
11 and

12 (bb) by striking “and the  
13 customer satisfaction indicator of  
14 performance, for the first 3 pro-  
15 gram years” and inserting “for  
16 all 3 program years”;

17 (V) in clause (iv)—

18 (aa) by striking “or (v)”;

19 (bb) by striking subclause  
20 (I) and redesignating subclauses  
21 (II) and (III) as subclauses (I)  
22 and (II), respectively; and

23 (cc) in subclause (I) (as so  
24 redesignated)—

1 (AA) by striking “tak-  
2 ing into account” and in-  
3 sserting “which shall be ad-  
4 justed based on”;

5 (BB) by inserting “,  
6 such as unemployment rates  
7 and job losses or gains in  
8 particular industries” after  
9 “economic conditions”; and

10 (CC) by inserting “,  
11 such as indicators of poor  
12 work experience, dislocation  
13 from high-wage employment,  
14 low levels of literacy or  
15 English proficiency, dis-  
16 ability status, including the  
17 number of veterans with dis-  
18 abilities, and welfare de-  
19 pendency” after “program”;

20 (VI) by striking clause (v) and  
21 redesignating clause (vi) as clause (v);  
22 and

23 (VII) in clause (v) (as so redesign-  
24 nated),



1 (aa) by striking “described  
2 in clause (iv)(II)” and inserting  
3 “described in clause (iv)(I)”; and

4 (bb) by striking “or (v)”;  
5 and

6 (ii) in subparagraph (B), by striking  
7 “paragraph (2)(C)” and inserting “para-  
8 graph (2)(B)”;

9 (2) in subsection (c)—

10 (A) by amending clause (i) of paragraph  
11 (1)(A) to read as follows: “(i) the core indica-  
12 tors of performance described in subsection  
13 (b)(2)(A) for activities described in such sub-  
14 sections, other than statewide workforce invest-  
15 ment activities; and”;

16 (B) in clause (ii) of paragraph (1)(A), by  
17 striking “(b)(2)(C)” and inserting “(b)(2)(B)”;  
18 and

19 (C) by amending paragraph (3) to read as  
20 follows:

21 “(3) DETERMINATIONS.—In determining such  
22 local levels of performance, the local board, the chief  
23 elected official, and the Governor shall ensure such  
24 levels are adjusted based on the specific economic  
25 characteristics (such as unemployment rates and job

1 losses or gains in particular industries), demographic  
2 characteristics, or other characteristics of the popu-  
3 lation to be served in the local area.”;

4 (3) in subsection (d)—

5 (A) in paragraph (1)—

6 (i) by striking “127 or”;

7 (ii) by striking “and the customer sat-  
8 isfaction indicator” each place it appears;  
9 and

10 (iii) in the last sentence, by inserting  
11 before the period the following: “, and on  
12 the amount and percentage of the State’s  
13 annual allotment under section 132 the  
14 State spends on administrative costs and  
15 on the amount and percentage of its an-  
16 nual allocation under section 133 each  
17 local area in the State spends on adminis-  
18 trative costs”;

19 (B) in paragraph (2)—

20 (i) by striking subparagraphs (A),  
21 (B), and (D);

22 (ii) by redesignating subparagraph  
23 (C) as subparagraph (A);

24 (iii) by redesignating subparagraph  
25 (E) as subparagraph (B);

1 (iv) in subparagraph (B), as so rededesignated—  
2

3 (I) by striking “(excluding participants who received only self-service  
4 and informational activities)”; and  
5

6 (II) by striking “and” at the end;

7 (v) by striking subparagraph (F);

8 (vi) by adding at the end the following:  
9

10 “(C) with respect to each local area in the  
11 State—

12 “(i) the number of individuals who received work ready services described under  
13 section 134(c)(2) and the number of individuals who received training services described under section 134(c)(4) during the  
14 most recent program year and fiscal year, and the preceding 5 program years, where  
15 the individuals received the training, disaggregated by the type of entity that  
16 provided the training, and the amount of funds spent on each type of service;  
17  
18  
19  
20  
21  
22

23 “(ii) the number of individuals who successfully exited out of work ready services described under section 134(c)(2) and  
24  
25

1 the number of individuals who exited out  
2 of training services described under section  
3 134(e)(4) during the most recent program  
4 year and fiscal year, and the preceding 5  
5 program years, and where the individuals  
6 received the training, disaggregated by the  
7 type of entity that provided the training;  
8 and

9 “(iii) the average cost per participant  
10 of those individuals who received work  
11 ready services described under section  
12 134(e)(2) and the average cost per partici-  
13 pant of those individuals who received  
14 training services described under section  
15 134(e)(4) during the most recent program  
16 year and fiscal year, and the preceding 5  
17 program years, and where the individuals  
18 received the training, disaggregated by the  
19 type of entity that provided the training;  
20 and

21 “(D) the amount of funds spent on train-  
22 ing services and discretionary one-stop delivery  
23 activities, disaggregated by the populations  
24 identified in the State and local plans.”;

1 (C) in paragraph (3)(A), by striking  
2 “through publication” and inserting “through  
3 electronic means”; and

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

5 “(4) DATA VALIDATION.—In preparing the re-  
6 ports described in this subsection, each State shall  
7 establish procedures, consistent with guidelines  
8 issued by the Secretary, to ensure the information  
9 contained in the report is valid and reliable.

10 “(5) STATE AND LOCAL POLICIES.—

11 “(A) STATE POLICIES.—Each State that  
12 receives an allotment under section 132 shall  
13 maintain a central repository of policies related  
14 to access, eligibility, availability of services, and  
15 other matters and plans approved by the State  
16 board and make such repository available to the  
17 public, including by electronic means.

18 “(B) LOCAL POLICIES.—Each local area  
19 that receives an allotment under section 133  
20 shall maintain a central repository of policies  
21 related to access, eligibility, availability of serv-  
22 ices, and other matters and plans approved by  
23 the local board and make such repository avail-  
24 able to the public, including by electronic  
25 means.”;

1 (4) in subsection (g)—

2 (A) in paragraph (1)(A), by striking “or  
3 (B)”;

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

7 (C) by striking paragraph (2) and insert-  
8 ing the following:

9 “(2) FUNDS RESULTING FROM REDUCED AL-  
10 LOTMENTS.—The Secretary shall return to the  
11 Treasury the amount retained, as a result of a re-  
12 duction in an allotment to a State made under para-  
13 graph (1)(B).”;

14 (5) in subsection (h)(1), by striking “or (B)”;

15 (6) in subsection (h)(2)—

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

18 “(A) IN GENERAL.—If such failure con-  
19 tinues for a second consecutive year, the Gov-  
20 ernor shall take corrective actions, including the  
21 development of a reorganization plan. Such  
22 plan shall—”;

23 (B) by redesignating subparagraphs (B)  
24 and (C) as subparagraphs (C) and (D), respec-  
25 tively;

1 (C) by inserting after subparagraph (A),  
2 the following:

3 “(B) REDUCTION IN THE AMOUNT OF  
4 GRANT.—If such failure continues for a third  
5 consecutive year, the Governor of a State shall  
6 reduce the amount of the grant that would (in  
7 the absence of this subparagraph) be payable to  
8 the local area under such program for the pro-  
9 gram year after such third consecutive year.  
10 Such penalty shall be based on the degree of  
11 failure to meet local levels of performance.”;

12 (D) in subparagraph (C)(i) (as so redesign-  
13 ated), by striking “a reorganization plan  
14 under subparagraph (A) may, not later than 30  
15 days after receiving notice of the reorganization  
16 plan, appeal to the Governor to rescind or re-  
17 vise such plan” and inserting “corrective ac-  
18 tions under subparagraphs (A) and (B) may,  
19 not later than 30 days after receiving notice of  
20 the actions, appeal to the Governor to rescind  
21 or revise such actions”; and

22 (E) in subparagraph (D) (as so redesign-  
23 ated), by striking “subparagraph (B)” each  
24 place it appears and inserting “subparagraph  
25 (C)”;

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

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

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

8           (10) in subsection (i)(3), by striking “described  
9           in paragraph (1) and in the activities described in  
10          section 502” and inserting “and activities described  
11          in this subsection”; and

12          (11) by adding at the end the following new  
13          subsections:

14          “(j) USE OF CORE INDICATORS FOR OTHER PRO-  
15          GRAMS.—In addition to the programs carried out under  
16          chapter 5, and consistent with the requirements of the ap-  
17          plicable authorizing laws, the Secretary shall use the core  
18          indicators of performance described in subsection  
19          (b)(2)(A) to assess the effectiveness of the programs de-  
20          scribed under section 121(b)(1)(B) that are carried out  
21          by the Secretary.

22          “(k) ESTABLISHING PAY-FOR-PERFORMANCE INCEN-  
23          TIVES.—

24                  “(1) IN GENERAL.—At the discretion of the  
25          Governor of a State, a State may establish an incen-



1       tive system for local boards to implement pay-for-  
2       performance contract strategies for the delivery of  
3       employment and training services in the local areas  
4       served by the local boards.

5           “(2) IMPLEMENTATION.—A State that estab-  
6       lishes a pay-for-performance incentive system shall  
7       reserve not more than 10 percent of the total  
8       amount allotted to the State under section 132(b)(2)  
9       for a fiscal year to provide funds to local areas in  
10      the State whose local boards have implemented a  
11      pay-for-performance contract strategy.

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

17 **SEC. 115. AUTHORIZATION OF APPROPRIATIONS.**

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

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

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

## 1                   **Subtitle C—Job Corps**

### 2   **SEC. 116. JOB CORPS PURPOSES.**

3           Paragraph (1) of section 141 (29 U.S.C. 2881(1))  
4 is amended to read as follows:

5                   “(1) to maintain a national Job Corps program  
6 for at-risk youth, carried out in partnership with  
7 States and communities, to assist eligible youth to  
8 connect to the workforce by providing them with in-  
9 tensive academic, career and technical education,  
10 and service-learning opportunities, in residential and  
11 nonresidential centers, in order for such youth to ob-  
12 tain regular secondary school diplomas and recog-  
13 nized postsecondary credentials leading to successful  
14 careers in in-demand industries that will result in  
15 opportunities for advancement;”.

### 16   **SEC. 117. JOB CORPS DEFINITIONS.**

17           Section 142 (29 U.S.C. 2882) is amended—

18                   (1) in paragraph (2)—

19                           (A) in the paragraph heading, by striking  
20                           “APPLICABLE ONE-STOP” and inserting “ONE-  
21                           STOP”;

22                           (B) by striking “applicable”;

23                           (C) by striking “customer service”; and

24                           (D) by striking “intake” and inserting “as-  
25                           sessment”;

1           (2) in paragraph (4), by striking “before com-  
2           pleting the requirements” and all that follows and  
3           inserting “prior to becoming a graduate.”; and

4           (3) in paragraph (5), by striking “has com-  
5           pleted the requirements” and all that follows and in-  
6           serting the following: “who, as a result of participa-  
7           tion in the Job Corps program, has received a reg-  
8           ular secondary school diploma, completed the re-  
9           quirements of a career and technical education and  
10          training program, or received, or is making satisfac-  
11          tory progress (as defined under section 484(c) of the  
12          Higher Education Act of 1965 (20 U.S.C. 1091(c)))  
13          toward receiving, a recognized postsecondary creden-  
14          tial, including an industry-recognized credential that  
15          prepares individuals for employment leading to eco-  
16          nomic self-sufficiency.”.

17 **SEC. 118. INDIVIDUALS ELIGIBLE FOR THE JOB CORPS.**

18          Section 144 (29 U.S.C. 2884) is amended—

19                 (1) by amending paragraph (1) to read as fol-  
20                 lows:

21                         “(1) not less than age 16 and not more than  
22                         age 24 on the date of enrollment;”;

23                 (2) in paragraph (3)(B), by inserting “sec-  
24                 ondary” before “school”; and

1           (3) in paragraph (3)(E), by striking “voca-  
2           tional” and inserting “career and technical edu-  
3           cation and”.

4 **SEC. 119. RECRUITMENT, SCREENING, SELECTION, AND AS-**  
5 **SIGNMENT OF ENROLLEES.**

6           Section 145 (29 U.S.C. 2885) is amended—

7           (1) in subsection (a)—

8                   (A) in paragraph (2)(C)(i) by striking “vo-  
9                   cational” and inserting “career and technical  
10                   education and training”; and

11                   (B) in paragraph (3)—

12                           (i) by striking “To the extent prac-  
13                           ticable, the” and inserting “The”;

14                           (ii) in subparagraph (A)—

15                                   (I) by striking “applicable”; and

16                                   (II) by inserting “and” after the  
17                           semicolon;

18                           (iii) by striking subparagraphs (B)  
19                           and (C); and

20                           (iv) by adding at the end the fol-  
21                           lowing:

22                                   “(B) organizations that have a dem-  
23                           onstrated record of effectiveness in placing at-  
24                           risk youth into employment.”;

25           (2) in subsection (b)—

1 (A) in paragraph (1)—

2 (i) in subparagraph (B), by inserting  
3 “and agrees to such rules” after “failure  
4 to observe the rules”; and

5 (ii) by amending subparagraph (C) to  
6 read as follows:

7 “(C) the individual has passed a back-  
8 ground check conducted in accordance with pro-  
9 cedures established by the Secretary, which  
10 shall include—

11 “(i) a search of the State criminal  
12 registry or repository in the State where  
13 the individual resides and each State where  
14 the individual previously resided;

15 “(ii) a search of State-based child  
16 abuse and neglect registries and databases  
17 in the State where the individual resides  
18 and each State where the individual pre-  
19 viously resided;

20 “(iii) a search of the National Crime  
21 Information Center;

22 “(iv) a Federal Bureau of Investiga-  
23 tion fingerprint check using the Integrated  
24 Automated Fingerprint Identification Sys-  
25 tem; and

1           “(v) a search of the National Sex Of-  
2           fender Registry established under the  
3           Adam Walsh Child Protection and Safety  
4           Act of 2006 (42 U.S.C. 16901 et seq.)”;  
5           and

6           (B) by adding at the end the following new  
7           paragraph:

8           “(3) INDIVIDUALS CONVICTED OF A CRIME.—  
9           An individual shall be ineligible for enrollment if the  
10          individual—

11           “(A) makes a false statement in connection  
12          with the criminal background check described in  
13          paragraph (1)(C);

14           “(B) is registered or is required to be reg-  
15          istered on a State sex offender registry or the  
16          National Sex Offender Registry established  
17          under the Adam Walsh Child Protection and  
18          Safety Act of 2006 (42 U.S.C. 16901 et seq.);  
19          or

20           “(C) has been convicted of a felony con-  
21          sisting of—

22           “(i) homicide;

23           “(ii) child abuse or neglect;

24           “(iii) a crime against children, includ-  
25          ing child pornography;

1           “(iv) a crime involving rape or sexual  
2 assault; or

3           “(v) physical assault, battery, or a  
4 drug-related offense, committed within the  
5 past 5 years.”;

6           (3) in subsection (c)—

7           (A) in paragraph (1)—

8           (i) by striking “2 years” and inserting  
9 “year”; and

10           (ii) by striking “an assignment” and  
11 inserting “a”; and

12           (B) in paragraph (2)—

13           (i) in the matter preceding subpara-  
14 graph (A), by striking “, every 2 years,”;

15           (ii) in subparagraph (B), by striking  
16 “and” at the end; and

17           (iii) in subparagraph (C)—

18           (I) by inserting “the education  
19 and training” after “including”; and

20           (II) by striking the period at the  
21 end and inserting “; and”; and

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

24           “(D) the performance of the Job Corps  
25 center relating to the indicators described in

1 paragraphs (1) and (2) in section 159(c), and  
2 whether any actions have been taken with re-  
3 spect to such center pursuant to section  
4 159(f).”; and

5 (4) in subsection (d)—

6 (A) in paragraph (1)—

7 (i) in the matter preceding subpara-  
8 graph (A), by striking “is closest to the  
9 home of the enrollee, except that the” and  
10 inserting “offers the type of career and  
11 technical education and training selected  
12 by the individual and, among the centers  
13 that offer such education and training, is  
14 closest to the home of the individual. The”;

15 (ii) by striking subparagraph (A); and

16 (iii) by redesignating subparagraphs  
17 (B) and (C) as subparagraphs (A) and  
18 (B), respectively; and

19 (B) in paragraph (2), by inserting “that  
20 offers the career and technical education and  
21 training desired by” after “home of the en-  
22 rollee”.

23 **SEC. 120. JOB CORPS CENTERS.**

24 Section 147 (29 U.S.C. 2887) is amended—

25 (1) in subsection (a)—



1 (A) in paragraph (1)(A), by striking “voca-  
2 tional” both places it appears and inserting  
3 “career and technical”; and

4 (B) in paragraph (2)—

5 (i) in subparagraph (A)—

6 (I) by striking “subsections (c)  
7 and (d) of section 303 of the Federal  
8 Property and Administrative Services  
9 Act of 1949 (41 U.S.C. 253)” and in-  
10 sserting “subsections (a) and (b) of  
11 section 3304 of title 41, United States  
12 Code”; and

13 (II) by striking “industry coun-  
14 cil” and inserting “workforce coun-  
15 cil”;

16 (ii) in subparagraph (B)(i)—

17 (I) by amending subclause (II) to  
18 read as follows:

19 “(II) the ability of the entity to  
20 offer career and technical education  
21 and training that the workforce coun-  
22 cil proposes under section 154(c);”;

23 (II) in subclause (III), by strik-  
24 ing “is familiar with the surrounding  
25 communities, applicable” and insert-

1 ing “demonstrates relationships with  
2 the surrounding communities, employ-  
3 ers, workforce boards,” and by strik-  
4 ing “and” at the end;

5 (III) by amending subclause (IV)  
6 to read as follows:

7 “(IV) the performance of the en-  
8 tity, if any, relating to operating or  
9 providing activities described in this  
10 subtitle to a Job Corps center, includ-  
11 ing the entity’s demonstrated effec-  
12 tiveness in assisting individuals in  
13 achieving the primary and secondary  
14 indicators of performance described in  
15 paragraphs (1) and (2) of section  
16 159(c); and”;

17 (IV) by adding at the end the fol-  
18 lowing new subclause:

19 “(V) the ability of the entity to  
20 demonstrate a record of successfully  
21 assisting at-risk youth to connect to  
22 the workforce, including by providing  
23 them with intensive academic, and ca-  
24 reer and technical education and  
25 training.”;

1 (iii) in subparagraph (B)(ii), by strik-  
2 ing “, as appropriate”;

3 (2) in subsection (b), by striking “In any year,  
4 no more than 20 percent of the individuals enrolled  
5 in the Job Corps may be nonresidential participants  
6 in the Job Corps.”;

7 (3) by amending subsection (c) to read as fol-  
8 lows:

9 “(c) CIVILIAN CONSERVATION CENTERS.—

10 “(1) IN GENERAL.—The Job Corps centers may  
11 include Civilian Conservation Centers, operated  
12 under an agreement between the Secretary of Labor  
13 and the Secretary of Agriculture, that are located  
14 primarily in rural areas. Such centers shall adhere  
15 to all the provisions of this subtitle, and shall pro-  
16 vide, in addition to education, career and technical  
17 education and training, and workforce preparation  
18 skills training described in section 148, programs of  
19 work experience to conserve, develop, or manage  
20 public natural resources or public recreational areas  
21 or to develop community projects in the public inter-  
22 est.

23 “(2) SELECTION PROCESS.—The Secretary  
24 shall select an entity that submits an application  
25 under subsection (d) to operate a Civilian Conserva-

1 tion Center on a competitive basis, as provided in  
2 subsection (a).”; and

3 (4) by striking subsection (d) and inserting the  
4 following:

5 “(d) APPLICATION.—To be eligible to operate a Job  
6 Corps center under this subtitle, an entity shall submit  
7 an application to the Secretary at such time, in such man-  
8 ner, and containing such information as the Secretary may  
9 require, including—

10 “(1) a description of the program activities that  
11 will be offered at the center, including how the ca-  
12 reer and technical education and training reflect  
13 State and local employment opportunities, including  
14 in in-demand industries;

15 “(2) a description of the counseling, placement,  
16 and support activities that will be offered at the cen-  
17 ter, including a description of the strategies and pro-  
18 cedures the entity will use to place graduates into  
19 unsubsidized employment upon completion of the  
20 program;

21 “(3) a description of the demonstrated record  
22 of effectiveness that the entity has in placing at-risk  
23 youth into employment, including past performance  
24 of operating a Job Corps center under this subtitle;

1           “(4) a description of the relationships that the  
2           entity has developed with State and local workforce  
3           boards, employers, State and local educational agen-  
4           cies, and the surrounding communities in an effort  
5           to promote a comprehensive statewide workforce in-  
6           vestment system;

7           “(5) a description of the strong fiscal controls  
8           the entity has in place to ensure proper accounting  
9           of Federal funds, and a description of how the entity  
10          will meet the requirements of section 159(a);

11          “(6) a description of the strategies and policies  
12          the entity will utilize to reduce participant costs;

13          “(7) a description of the steps taken to control  
14          costs in accordance with section 159(a)(3);

15          “(8) a detailed budget of the activities that will  
16          be supported using funds under this subtitle;

17          “(9) a detailed budget of the activities that will  
18          be supported using funds from non-Federal re-  
19          sources;

20          “(10) an assurance the entity will comply with  
21          the administrative cost limitation included in section  
22          151(c);

23          “(11) an assurance the entity is licensed to op-  
24          erate in the State in which the center is located; and

1           “(12) an assurance the entity will comply with  
2           and meet basic health and safety codes, including  
3           those measures described in section 152(b).

4           “(e) LENGTH OF AGREEMENT.—The agreement de-  
5           scribed in subsection (a)(1)(A) shall be for not longer than  
6           a 2-year period. The Secretary may renew the agreement  
7           for 3 one-year periods if the entity meets the requirements  
8           of subsection (f).

9           “(f) RENEWAL.—

10           “(1) IN GENERAL.—Subject to paragraph (2),  
11           the Secretary may renew the terms of an agreement  
12           described in subsection (a)(1)(A) for an entity to op-  
13           erate a Job Corps center if the center meets or ex-  
14           ceeds each of the indicators of performance de-  
15           scribed in section 159(c)(1).

16           “(2) RECOMPETITION.—

17           “(A) IN GENERAL.—Notwithstanding para-  
18           graph (1), the Secretary shall not renew the  
19           terms of the agreement for an entity to operate  
20           a Job Corps center if such center is ranked in  
21           the bottom quintile of centers described in sec-  
22           tion 159(f)(2) for any program year. Such enti-  
23           ty may submit a new application under sub-  
24           section (d) only if such center has shown sig-  
25           nificant improvement on the indicators of per-

1 formance described in section 159(c)(1) over  
2 the last program year.

3 “(B) VIOLATIONS.—The Secretary shall  
4 not select an entity to operate a Job Corps cen-  
5 ter if such entity or such center has been found  
6 to have a systemic or substantial material fail-  
7 ure that involves—

8 “(i) a threat to the health, safety, or  
9 civil rights of program participants or  
10 staff;

11 “(ii) the misuse of funds received  
12 under this subtitle;

13 “(iii) loss of legal status or financial  
14 viability, loss of permits, debarment from  
15 receiving Federal grants or contracts, or  
16 the improper use of Federal funds;

17 “(iv) failure to meet any other Fed-  
18 eral or State requirement that the entity  
19 has shown an unwillingness or inability to  
20 correct, after notice from the Secretary,  
21 within the period specified; or

22 “(v) an unresolved area of noncompli-  
23 ance.

24 “(g) CURRENT GRANTEES.—Not later than 60 days  
25 after the date of enactment of the SKILLS Act and not-

1 withstanding any previous grant award or renewals of  
2 such award under this subtitle, the Secretary shall require  
3 all entities operating a Job Corps center under this sub-  
4 title to submit an application under subsection (d) to carry  
5 out the requirements of this section.”.

6 **SEC. 121. PROGRAM ACTIVITIES.**

7 Section 148 (29 U.S.C. 2888) is amended—

8 (1) by amending subsection (a) to read as fol-  
9 lows:

10 “(a) **ACTIVITIES PROVIDED THROUGH JOB CORPS**  
11 **CENTERS.—**

12 “(1) **IN GENERAL.—**Each Job Corps center  
13 shall provide enrollees with an intensive, well-orga-  
14 nized, and supervised program of education, career,  
15 and technical education and training, work experi-  
16 ence, recreational activities, physical rehabilitation  
17 and development, and counseling. Each Job Corps  
18 center shall provide enrollees assigned to the center  
19 with access to work-ready services described in sec-  
20 tion 134(c)(2).

21 “(2) **RELATIONSHIP TO OPPORTUNITIES.—**

22 “(A) **IN GENERAL.—**The activities pro-  
23 vided under this subsection shall be targeted to  
24 helping enrollees, on completion of their enroll-  
25 ment—



1 “(i) secure and maintain meaningful  
2 unsubsidized employment;

3 “(ii) complete secondary education  
4 and obtain a regular secondary school di-  
5 ploma;

6 “(iii) enroll in and complete postsec-  
7 ondary education or training programs, in-  
8 cluding obtaining recognized postsecondary  
9 credentials, industry-recognized creden-  
10 tials, and registered apprenticeships; or

11 “(iv) satisfy Armed Forces require-  
12 ments.

13 “(B) LINK TO EMPLOYMENT OPPORTUNI-  
14 TIES.—The career and technical education and  
15 training provided shall be linked to the employ-  
16 ment opportunities in in-demand industries in  
17 the State in which the Job Corps center is lo-  
18 cated.”; and

19 (2) in subsection (b)—

20 (A) in the subsection heading, by striking  
21 “EDUCATION AND VOCATIONAL” and inserting  
22 “ACADEMIC AND CAREER AND TECHNICAL  
23 EDUCATION AND”;

24 (B) by striking “may” after “The Sec-  
25 retary” and inserting “shall”; and

1 (C) by striking “vocational” each place it  
2 appears and inserting “career and technical”;  
3 and

4 (3) by amending paragraph (3) of subsection  
5 (c) to read as follows:

6 “(3) DEMONSTRATION.—Each year, any oper-  
7 ator seeking to enroll additional enrollees in an ad-  
8 vanced career training program shall demonstrate,  
9 before the operator may carry out such additional  
10 enrollment, that—

11 “(A) participants in such program have  
12 achieved a satisfactory rate of completion and  
13 placement in training-related jobs; and

14 “(B) such operator has met or exceeded  
15 the indicators of performance described in para-  
16 graphs (1) and (2) of section 159(c) for the  
17 previous year.”.

18 **SEC. 122. COUNSELING AND JOB PLACEMENT.**

19 Section 149 (29 U.S.C. 2889) is amended—

20 (1) in subsection (a), by striking “vocational”  
21 and inserting “career and technical education and”;

22 (2) in subsection (b), by striking “make every  
23 effort to arrange to”; and

24 (3) by striking subsection (d).

1 **SEC. 123. SUPPORT.**

2 Subsection (b) of section 150 (29 U.S.C. 2890) is  
3 amended to read as follows:

4 “(b) **TRANSITION ALLOWANCES AND SUPPORT FOR**  
5 **GRADUATES.**—The Secretary shall arrange for a transi-  
6 tion allowance to be paid to graduates. The transition al-  
7 lowance shall be incentive-based to reflect a graduate’s  
8 completion of academic, career and technical education or  
9 training, and attainment of a recognized postsecondary  
10 credential, including an industry-recognized credential.”.

11 **SEC. 124. OPERATIONS.**

12 Section 151 (29 U.S.C. 2891) is amended—

13 (1) in the header, by striking “**OPERATING**  
14 **PLAN.**” and inserting “**OPERATIONS.**”;

15 (2) in subsection (a), by striking “**IN GEN-**  
16 **ERAL.—**” and inserting “**OPERATING PLAN.—**”;

17 (3) by striking subsection (b) and redesignating  
18 subsection (c) as subsection (b);

19 (4) by amending subsection (b) (as so redesign-  
20 nated)—

21 (A) in the heading by inserting “**OF OPER-**  
22 **ATING PLAN**” after “**AVAILABILITY**”; and

23 (B) by striking “subsections (a) and (b)”  
24 and inserting “subsection (a)”; and

25 (5) by adding at the end the following new sub-  
26 section:

1       “(c) ADMINISTRATIVE COSTS.—Not more than 10  
2 percent of the funds allotted under section 147 to an enti-  
3 ty selected to operate a Job Corps center may be used  
4 by the entity for administrative costs under this subtitle.”.

5 **SEC. 125. COMMUNITY PARTICIPATION.**

6       Section 153 (29 U.S.C. 2893) is amended to read as  
7 follows:

8 **“SEC. 153. COMMUNITY PARTICIPATION.**

9       “The director of each Job Corps center shall encour-  
10 age and cooperate in activities to establish a mutually ben-  
11 efiticial relationship between Job Corps centers in the State  
12 and nearby communities. Such activities may include the  
13 use of any local workforce development boards established  
14 under section 117 to provide a mechanism for joint discus-  
15 sion of common problems and for planning programs of  
16 mutual interest.”.

17 **SEC. 126. WORKFORCE COUNCILS.**

18       Section 154 (29 U.S.C. 2894) is amended to read as  
19 follows:

20 **“SEC. 154. WORKFORCE COUNCILS.**

21       “(a) IN GENERAL.—Each Job Corps center shall  
22 have a workforce council appointed by the Governor of the  
23 State in which the Job Corps center is located.

24       “(b) WORKFORCE COUNCIL COMPOSITION.—

1           “(1) IN GENERAL.—A workforce council shall  
2 be comprised of—

3           “(A) business members of the State board  
4 described in section 111(b)(1)(B)(i);

5           “(B) business members of the local boards  
6 described in section 117(b)(2)(A) located in the  
7 State;

8           “(C) a representative of the State board  
9 described in section 111(f); and

10           “(D) such other representatives and State  
11 agency officials as the Governor may designate.

12           “(2) MAJORITY.—A  $\frac{2}{3}$  majority of the mem-  
13 bers of the workforce council shall be representatives  
14 described in paragraph (1)(A).

15           “(c) RESPONSIBILITIES.—The responsibilities of the  
16 workforce council shall be—

17           “(1) to review all the relevant labor market in-  
18 formation, including related information in the State  
19 plan described in section 112, to—

20           “(A) determine the in-demand industries  
21 in the State in which enrollees intend to seek  
22 employment after graduation;

23           “(B) determine the skills and education  
24 that are necessary to obtain the employment

1 opportunities described in subparagraph (A);  
2 and

3 “(C) determine the type or types of career  
4 and technical education and training that will  
5 be implemented at the center to enable the en-  
6 rollees to obtain the employment opportunities;  
7 and

8 “(2) to meet at least once a year to reevaluate  
9 the labor market information, and other relevant in-  
10 formation, to determine any necessary changes in  
11 the career and technical education and training pro-  
12 vided at the center.”.

13 **SEC. 127. TECHNICAL ASSISTANCE.**

14 Section 156 (29 U.S.C. 2896) is amended to read as  
15 follows:

16 **“SEC. 156. TECHNICAL ASSISTANCE TO CENTERS.**

17 “(a) IN GENERAL.—From the funds reserved under  
18 section 132(a)(3), the Secretary shall provide, directly or  
19 through grants, contracts, or other agreements or ar-  
20 rangements as the Secretary considers appropriate, tech-  
21 nical assistance and training for the Job Corps program  
22 for the purposes of improving program quality.

23 “(b) ACTIVITIES.—In providing training and tech-  
24 nical assistance and for allocating resources for such as-  
25 sistance, the Secretary shall—

1           “(1) assist entities, including those entities not  
2           currently operating a Job Corps center, in devel-  
3           oping the application described in section 147(d);

4           “(2) assist Job Corps centers and programs in  
5           correcting deficiencies and violations under this sub-  
6           title;

7           “(3) assist Job Corps centers and programs in  
8           meeting or exceeding the indicators of performance  
9           described in paragraph (1) and (2) of section 159(e);  
10          and

11          “(4) assist Job Corps centers and programs in  
12          the development of sound management practices, in-  
13          cluding financial management procedures.”.

14 **SEC. 128. SPECIAL PROVISIONS.**

15          Section 158(c)(1) (29 U.S.C. 2989(c)(1)) is amended  
16          by striking “title II of the Federal Property and Adminis-  
17          trative Services Act of 1949 (40 U.S.C. 481 et seq.)” and  
18          inserting “chapter of 5 title 40, United States Code,”.

19 **SEC. 129. PERFORMANCE ACCOUNTABILITY MANAGEMENT.**

20          Section 159 (29 U.S.C. 2899) is amended—

21                 (1) in the section heading, by striking “**MAN-**  
22                 **AGEMENT INFORMATION**” and inserting “**PER-**  
23                 **FORMANCE ACCOUNTABILITY AND MANAGE-**  
24                 **MENT**”;

1           (2) in subsection (a)(3), by inserting before the  
2           period at the end the following: “, or operating costs  
3           for such centers result in a budgetary shortfall”;

4           (3) by striking subsections (c) through (g); and

5           (4) by inserting after subsection (b) the fol-  
6           lowing:

7           “(c) INDICATORS OF PERFORMANCE.—

8           “(1) PRIMARY INDICATORS.—The annual pri-  
9           mary indicators of performance for Job Corps cen-  
10          ters shall include—

11           “(A) the percentage and number of enroll-  
12          ees who graduate from the Job Corps center;

13           “(B) the percentage and number of grad-  
14          uates who entered unsubsidized employment re-  
15          lated to the career and technical education and  
16          training received through the Job Corps center,  
17          except that such calculation shall not include  
18          enrollment in education, the military or volun-  
19          teer service;

20           “(C) the percentage and number of grad-  
21          uates who obtained a recognized postsecondary  
22          credential, including an industry-recognized cre-  
23          dential or a registered apprenticeship; and

24           “(D) the cost per successful performance  
25          outcome, which is calculated by comparing the



1 number of graduates who were placed in unsub-  
2 subsidized employment or obtained a recognized  
3 credential, including an industry-recognized cre-  
4 dential, to total program costs, including all op-  
5 erations, construction, and administration costs  
6 at each Job Corp center.

7 “(2) SECONDARY INDICATORS.—The annual  
8 secondary indicators of performance for Job Corps  
9 centers shall include—

10 “(A) the percentage and number of grad-  
11 uates who entered unsubsidized employment not  
12 related to the career and technical education  
13 and training received through the Job Corps  
14 center;

15 “(B) the percentage and number of grad-  
16 uates who entered into postsecondary education;

17 “(C) the percentage and number of grad-  
18 uates who entered into the military;

19 “(D) the average wage of graduates who  
20 are in unsubsidized employment—

21 “(i) on the first day of employment;

22 and

23 “(ii) 6 months after the first day;

24 “(E) the number and percentage of grad-  
25 uates who entered unsubsidized employment

1 and were retained in the unsubsidized employ-  
2 ment—

3 “(i) 6 months after the first day of  
4 employment; and

5 “(ii) 12 months after the first day of  
6 employment;

7 “(F) the percentage and number of enroll-  
8 ees compared to the percentage and number of  
9 enrollees the Secretary has established targets  
10 in section 145(c)(1);

11 “(G) the cost per training slot, which is  
12 calculated by comparing the program’s max-  
13 imum number of students that can be enrolled  
14 in a Job Corps center at any given time during  
15 the program year to the number of enrollees in  
16 the same program year; and

17 “(H) the number and percentage of former  
18 enrollees, including the number dismissed under  
19 the zero tolerance policy described in section  
20 152(b).

21 “(3) INDICATORS OF PERFORMANCE FOR RE-  
22 CRUITERS.—The annual indicators of performance  
23 for recruiters shall include the measurements de-  
24 scribed in subparagraph (A) of paragraph (1) and  
25 subparagraphs (F), (G), and (H) of paragraph (2).

1           “(4) INDICATORS OF PERFORMANCE OF CAREER  
2           TRANSITION SERVICE PROVIDERS.—The annual indi-  
3           cators of performance of career transition service  
4           providers shall include the measurements described  
5           in subparagraphs (B) and (C) of paragraph (1) and  
6           subparagraphs, (B), (C), (D), and (E) of paragraph  
7           (2).

8           “(d) ADDITIONAL INFORMATION.—The Secretary  
9           shall collect, and submit in the report described in sub-  
10          section (f), information on the performance of each Job  
11          Corps center, and the Job Corps program, regarding—

12           “(1) the number and percentage of former en-  
13          rollees who obtained a regular secondary school di-  
14          ploma;

15           “(2) the number and percentage of former en-  
16          rollees who entered unsubsidized employment;

17           “(3) the number and percentage of former en-  
18          rollees who obtained a recognized postsecondary cre-  
19          dential, including an industry-recognized credential;

20           “(4) the number and percentage of former en-  
21          rollees who entered into military service; and

22           “(5) any additional information required by the  
23          Secretary.

24           “(e) METHODS.—The Secretary shall collect the in-  
25          formation described in subsections (c) and (d), using

1 methods described in section 136(i)(2) and consistent with  
2 State law, by entering into agreements with the States to  
3 access such data for Job Corps enrollees, former enrollees,  
4 and graduates.

5 “(f) TRANSPARENCY AND ACCOUNTABILITY.—

6 “(1) REPORT.—The Secretary shall collect and  
7 annually submit to the Committee on Education and  
8 the Workforce of the House of Representatives and  
9 the Committee on Health, Education, Labor and  
10 Pensions of the Senate, and make available to the  
11 public by electronic means, a report containing—

12 “(A) information on the performance of  
13 each Job Corps center, and the Job Corps pro-  
14 gram, on the performance indicators described  
15 in paragraphs (1) and (2) of subsection (c);

16 “(B) a comparison of each Job Corps cen-  
17 ter, by rank, on the performance indicators de-  
18 scribed in paragraphs (1) and (2) of subsection  
19 (c);

20 “(C) a comparison of each Job Corps cen-  
21 ter, by rank, on the average performance of all  
22 primary indicators described in paragraph (1)  
23 of subsection (c);

24 “(D) information on the performance of  
25 the service providers described in paragraphs

1 (3) and (4) of subsection (c) on the perform-  
2 ance indicators established under such para-  
3 graphs; and

4 “(E) a comparison of each service pro-  
5 vider, by rank, on the performance of all service  
6 providers described in paragraphs (3) and (4)  
7 of subsection (c) on the performance indicators  
8 established under such paragraphs.

9 “(2) ASSESSMENT.—The Secretary shall con-  
10 duct an annual assessment of the performance of  
11 each Job Corps center which shall include informa-  
12 tion on the Job Corps centers that—

13 “(A) are ranked in the bottom 10 percent  
14 on the performance indicator described in para-  
15 graph (1)(C); or

16 “(B) have failed a safety and health code  
17 review described in subsection (g).

18 “(3) PERFORMANCE IMPROVEMENT.—With re-  
19 spect to a Job Corps center that is identified under  
20 paragraph (2) or reports less than 50 percent on the  
21 performance indicators described in subparagraph  
22 (A), (B), or (C) of subsection (c)(1), the Secretary  
23 shall develop and implement a 1 year performance  
24 improvement plan. Such a plan shall require action  
25 including—

1           “(A) providing technical assistance to the  
2 center;

3           “(B) changing the management staff of  
4 the center;

5           “(C) replacing the operator of the center;

6           “(D) reducing the capacity of the center;

7 or

8           “(E) closing the center.

9           “(4) CLOSURE OF JOB CORPS CENTERS.—Job  
10 Corps centers that have been identified under para-  
11 graph (2) for more than 4 consecutive years shall be  
12 closed. The Secretary shall ensure—

13           “(A) that the proposed decision to close  
14 the center is announced in advance to the gen-  
15 eral public through publication in the Federal  
16 Register and other appropriate means; and

17           “(B) the establishment of a reasonable  
18 comment period, not to exceed 30 days, for in-  
19 terested individuals to submit written comments  
20 to the Secretary.

21           “(g) PARTICIPANT HEALTH AND SAFETY.—The Sec-  
22 retary shall enter into an agreement with the General  
23 Services Administration or the appropriate State agency  
24 responsible for inspecting public buildings and safe-  
25 guarding the health of disadvantaged students, to conduct

1 an in-person review of the physical condition and health-  
2 related activities of each Job Corps center annually. Such  
3 review shall include a passing rate of occupancy under  
4 Federal and State ordinances.”.

## 5 **Subtitle D—National Programs**

### 6 **SEC. 130. TECHNICAL ASSISTANCE.**

7 Section 170 (29 U.S.C. 2915) is amended—

8 (1) by striking subsection (b);

9 (2) by striking:

10 “(a) GENERAL TECHNICAL ASSISTANCE.—”;

11 (3) by redesignating paragraphs (1), (2), and  
12 (3) as subsections (a), (b), and (c) respectively, and  
13 moving such subsections 2 ems to the left, and con-  
14 forming the casing style of the headings of such sub-  
15 sections to the casing style of the heading of sub-  
16 section (d), as added by paragraph (7) of this sec-  
17 tion;

18 (4) in subsection (a) (as so redesignated)—

19 (A) by inserting “the training of staff pro-  
20 viding rapid response services, the training of  
21 other staff of recipients of funds under this  
22 title, assistance regarding accounting and pro-  
23 gram operation practices (when such assistance  
24 would not be duplicative to assistance provided  
25 by the State), technical assistance to States

1 that do not meet State performance measures  
2 described in section 136,” after “localities,”;  
3 and

4 (B) by striking “from carrying out activi-  
5 ties” and all that follows up to the period and  
6 inserting “to implement the amendments made  
7 by the SKILLS Act”;

8 (5) in subsection (b) (as so redesignated)—

9 (A) by striking “paragraph (1)” and in-  
10 sserting “subsection (a)”;

11 (B) by striking “, or recipient of financial  
12 assistance under any of sections 166 through  
13 169,”; and

14 (C) by striking “or grant recipient”;

15 (6) in subsection (c) (as so redesignated), by  
16 striking “paragraph (1)” and inserting “subsection  
17 (a)”;

18 (7) by inserting, after subsection (c) (as so re-  
19 designated), the following:

20 “(d) BEST PRACTICES COORDINATION.—The Sec-  
21 retary shall—

22 “(1) establish a system through which States  
23 may share information regarding best practices with  
24 regard to the operation of workforce investment ac-  
25 tivities under this Act; and



1           “(2) evaluate and disseminate information re-  
2           garding best practices and identify knowledge  
3           gaps.”.

4 **SEC. 131. EVALUATIONS.**

5           Section 172 (29 U.S.C. 2917) is amended—

6           (1) in subsection (a), by striking “the Secretary  
7           shall provide for the continuing evaluation of the  
8           programs and activities, including those programs  
9           and activities carried out under section 171” and in-  
10          serting “the Secretary, through grants, contracts, or  
11          cooperative agreements, shall conduct, at least once  
12          every 5 years, an independent evaluation of the pro-  
13          grams and activities funded under this Act”;

14          (2) in subsection (a)(4) is amended to read as  
15          follows:

16               “(4) the impact of receiving services and not re-  
17               ceiving services under such programs and activities  
18               on the community, businesses, and individuals;”;

19          (3) in subsection (c) is amended to read as fol-  
20          lows:

21               “(c) **TECHNIQUES.**—Evaluations conducted under  
22               this section shall utilize appropriate and rigorous method-  
23               ology and research designs, including the use of control  
24               groups chosen by scientific random assignment methodolo-  
25               gies, quasi-experimental methods, impact analysis and the

1 use of administrative data. The Secretary shall conduct  
2 an impact analysis, as described in subsection (a)(4), of  
3 the formula grant program under subtitle B not later than  
4 2015, and thereafter shall conduct such an analysis not  
5 less than once every four years.”;

6 (4) in subsection (e) is amended by striking  
7 “the Committee on Labor and Human Resources of  
8 the Senate” and inserting “the Committee on  
9 Health, Education, Labor, and Pensions of the Sen-  
10 ate”;

11 (5) by redesignating subsection (f) as sub-  
12 section (g) and inserting after subsection (e) the fol-  
13 lowing:

14 “(f) REDUCTION OF AMOUNTS AUTHORIZED TO BE  
15 APPROPRIATED FOR LATE REPORTING.—If a report re-  
16 quired to be transmitted to Congress under this section  
17 is not transmitted on or before the time period specified  
18 for that report, amounts authorized to be appropriated  
19 under this title shall be reduced by 10 percent for the fis-  
20 cal year that begins after the date on which the final re-  
21 port required under this section is required to be trans-  
22 mitted and reduced by an additional 10 percent each sub-  
23 sequent fiscal year until each such report is transmitted  
24 to Congress.”.

25 (6) by adding at the end, the following:

1 “(h) PUBLIC AVAILABILITY.—The results of the eval-  
2 uations conducted under this section shall be made pub-  
3 licly available, including by posting such results on the De-  
4 partment’s website.”.

## 5 **Subtitle E—Administration**

### 6 **SEC. 132. REQUIREMENTS AND RESTRICTIONS.**

7 Section 181 (29 U.S.C. 2931) is amended—

8 (1) in subsection (b)(6), by striking “, including  
9 representatives of businesses and of labor organiza-  
10 tions”;

11 (2) in subsection (c)(2)(A), in the matter pre-  
12 ceding clause (i), by striking “shall” and inserting  
13 “may”;

14 (3) in subsection (e)—

15 (A) by striking “training for” and insert-  
16 ing “the entry into employment, retention in  
17 employment, or increases in earnings of”;

18 (B) by striking “subtitle B” and inserting  
19 “this Act”;

20 (4) in subsection (f)(4), by striking  
21 “134(a)(3)(B)” and inserting “134(a)(6)”; and

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

23 “(g) SALARY AND BONUS LIMITATION.—No funds  
24 provided under this title shall be used by a recipient or  
25 subrecipient of such funds to pay the salary and bonuses

1 of an individual, either as direct costs or indirect costs,  
2 at a rate in excess of Level II of the Federal Executive  
3 Pay Schedule (5 U.S.C. 5313). This limitation shall not  
4 apply to vendors providing goods and services as defined  
5 in OMB Circular A-133. Where States are recipients of  
6 such funds, States may establish a lower limit for salaries  
7 and bonuses of those receiving salaries and bonuses from  
8 subrecipients of such funds, taking into account factors  
9 including the relative cost-of-living in the State, the com-  
10 pensation levels for comparable State or local government  
11 employees, and the size of the organizations that admin-  
12 ister the programs.

13 “(h) GENERAL AUTHORITY.—

14 “(1) IN GENERAL.—The Employment and  
15 Training Administration of the U.S. Department of  
16 Labor (hereinafter in this Act referred to as the ‘Ad-  
17 ministration’) shall administer all programs author-  
18 ized under title I and III of this Act. The Adminis-  
19 tration shall be headed by an Assistant Secretary  
20 appointed by the President by and with the advice  
21 and consent of the Senate. Except for titles II and  
22 IV, the Administration shall be the principal agency,  
23 and the Assistant Secretary shall be the principal of-  
24 ficer, of such Department for carrying out this Act.

1           “(2) QUALIFICATIONS.—The Assistant Sec-  
2           retary shall be an individual with substantial experi-  
3           ence in workforce development and in workforce de-  
4           velopment management. The Assistant Secretary  
5           shall also, to the maximum extent possible, possess  
6           knowledge and have worked in or with the State or  
7           local workforce investment system or have been a  
8           member of the business community. In the perform-  
9           ance of the functions of the office, the Assistant Sec-  
10          retary shall be directly responsible to the Secretary  
11          or the Under Secretary as designed by the Sec-  
12          retary. The functions of the Assistant Secretary  
13          shall not be delegated to any officer not directly re-  
14          sponsible, both with respect to program operation  
15          and administration, to the Assistant Secretary. Any  
16          reference in this Act to duties to be carried out by  
17          the Assistant Secretary shall be considered to be a  
18          reference to duties to be carried out by the Secretary  
19          acting through the Assistant Secretary.”.

20 **SEC. 133. PROMPT ALLOCATION OF FUNDS.**

21           Section 182 (29 U.S.C. 2932) is amended—

22                   (1) in subsection (c), by striking “127 or”; and

23                   (2) in subsection (e)—

24                           (A) by striking “sections 128 and 133”

25                           and inserting “section 133”; and

1 (B) by striking “127 or”.

2 **SEC. 134. FISCAL CONTROLS; SANCTIONS.**

3 Section 184(a)(2) (29 U.S.C. 2934(a)(2)) is amend-  
4 ed—

5 (1) by striking “(A)” and all that follows  
6 through “Each” and inserting “Each”; and

7 (2) by striking subparagraph (B).

8 **SEC. 135. REPORTS TO CONGRESS.**

9 Section 185 (29 U.S.C. 2935) is amended—

10 (1) in subsection (c)—

11 (A) in paragraph (2), by striking “and”  
12 after the semicolon;

13 (B) in paragraph (3), by striking the pe-  
14 riod and inserting “; and”; and

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

16 “(4) shall have the option to submit or dissemi-  
17 nate electronically any reports, records, plans, or any  
18 other data that are required to be collected or dis-  
19 seminated under this title.”; and

20 (2) in subsection (e)(2), by inserting “and the  
21 Secretary shall submit to the Committee on Edu-  
22 cation and the Workforce of the House of Rep-  
23 resentatives and the Committee on Health, Edu-  
24 cation, Labor, and Pensions of the Senate,” after  
25 “Secretary,”.

1 **SEC. 136. ADMINISTRATIVE PROVISIONS.**

2 Section 189 (29 U.S.C. 2939) is amended—

3 (1) in subsection (g)—

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

6 “(1) IN GENERAL.—Appropriations for any fis-  
7 cal year for programs and activities carried out  
8 under this title shall be available for obligation only  
9 on the basis of a program year. The program year  
10 shall begin on October 1 in the fiscal year for which  
11 the appropriation is made.”; and

12 (B) in paragraph (2)—

13 (i) by striking “each State” and in-  
14 serting “each recipient”; and

15 (ii) by striking “171 or”;

16 (2) in subsection (i)—

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

18 (B) by redesignating paragraph (4) as  
19 paragraph (2);

20 (C) by amending paragraph (2)(A), as so  
21 redesignated—

22 (i) by striking “requirements of sub-  
23 paragraph (B)” and all that follows  
24 through “any of the statutory or regu-  
25 latory requirements of subtitle B” and in-  
26 serting “requirements of subparagraph (B)

1 or (D), any of the statutory or regulatory  
2 requirements of subtitle B”;

3 (ii) by striking clause (ii); and

4 (iii) in clause (i), by striking “; and”

5 and inserting a period at the end; and

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

7 “(D) EXPEDITED PROCESS FOR EXTEND-  
8 ING APPROVED WAIVERS TO ADDITIONAL  
9 STATES.—In lieu of the requirements of sub-  
10 paragraphs (B) and (C), the Secretary may es-  
11 tablish an expedited procedure for the purpose  
12 of extending to additional States the waiver of  
13 statutory or regulatory requirements that have  
14 been approved for a State pursuant to a request  
15 under subparagraph (B). Such procedure shall  
16 ensure that the extension of such waivers to ad-  
17 ditional States are accompanied by appropriate  
18 conditions relating the implementation of such  
19 waivers.

20 “(E) EXTERNAL CONDITIONS.—The Sec-  
21 retary shall not require or impose new or addi-  
22 tional requirements, which are not specified  
23 under this Act, on a State in exchange for pro-  
24 viding a waiver to the State or a local area in  
25 the State under this paragraph.”.



1 **SEC. 137. STATE LEGISLATIVE AUTHORITY.**

2 Section 191(a) (29 U.S.C. 2941(a)) is amended—

3 (1) by striking “consistent with the provisions  
4 of this title” and inserting “consistent with State  
5 law and the provisions of this title”; and

6 (2) by striking “consistent with the terms and  
7 conditions required under this title” and inserting  
8 “consistent with State law and the terms and condi-  
9 tions required under this title”.

10 **SEC. 138. GENERAL PROGRAM REQUIREMENTS.**

11 Section 195 (29 U.S.C. 2945) is amended—

12 (1) in paragraph (7), by inserting at the end  
13 the following:

14 “(D) Funds received by a public or private non-  
15 profit entity that are not described in subparagraph  
16 (B), such as funds privately raised from philan-  
17 thropic foundations, businesses, or other private en-  
18 tities, shall not be considered to be income under  
19 this title and shall not be subject to the require-  
20 ments of this section.”; and

21 (2) by adding at the end the following new  
22 paragraphs:

23 “(14) Funds provided under this title shall not  
24 be used to establish or operate stand-alone fee-for-  
25 service enterprises that compete with private sector  
26 employment agencies within the meaning of section

1 701(c) of the Civil Rights Act of 1964 (42 U.S.C.  
2 2000e(e)), except that for purposes of this para-  
3 graph, such an enterprise does not include one-stop  
4 centers.

5 “(15) Any report required to be submitted to  
6 Congress, or to a Committee of Congress, under this  
7 title shall be submitted to both the chairmen and  
8 ranking minority members of the Committee on  
9 Education and the Workforce of the House of Rep-  
10 resentatives and the Committee on Health, Edu-  
11 cation, Labor, and Pensions of the Senate.”.

12 **SEC. 139. FEDERAL AGENCY STAFF AND RESTRICTIONS ON**  
13 **POLITICAL AND LOBBYING ACTIVITIES.**

14 Subtitle E of title I (29 U.S.C. 2931 et seq.) is  
15 amended by adding at the end the following new sections:

16 **“SEC. 196. FEDERAL AGENCY STAFF.**

17 “The Director of the Office of Management and  
18 Budget shall—

19 “(1) not later than 60 days after the date of  
20 the enactment of the SKILLS Act—

21 “(A) identify the number of Federal gov-  
22 ernment employees who work on or administer  
23 each of the programs authorized under this Act  
24 or repealed under section 401 of the SKILLS

1 Act, as such programs were in effect on the day  
2 before such date of enactment; and

3 “(B) identify the number of full-time  
4 equivalent employees who work on or admin-  
5 ister each of the programs authorized under  
6 this Act or repealed under section 401 of the  
7 SKILLS Act, as such programs were in effect  
8 on the day before such date of enactment, and  
9 that have been repealed or consolidated on or  
10 after such date of enactment;

11 “(2) not later than 90 after such date of enact-  
12 ment, publish the information described in para-  
13 graph (1) on the Office of Management and Budget  
14 website; and

15 “(3) not later than 1 year after such date of en-  
16 actment—

17 “(A) reduce the workforce of the Federal  
18 Government by the number of full-time equiva-  
19 lent employees identified under paragraph  
20 (1)(B); and

21 “(B) submit to Congress a report on how  
22 the Director carried out the requirements of  
23 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, as in effect on the day be-  
12       fore the date of enactment of the SKILLS Act.

13           (2) Title V of the Older Americans Act of 1965  
14       (42 U.S.C. 3056 et seq.).

15           (3) Sections 1 through 14 of the Wagner-  
16       Peyser Act (29 U.S.C. 49 et seq.).

17           (4) Twenty-First Century Workforce Commis-  
18       sion Act (29 U.S.C. 2701 note).

19           (5) Public Law 91–378, 16 U.S.C. 1701 et seq.  
20       (popularly known as the “Youth Conservation Corps  
21       Act of 1970”).

22           (6) Section 821 of the Higher Education  
23       Amendments of 1998 (20 U.S.C. 1151) (Grants to  
24       States for workplace and community transition  
25       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 train-  
22                 ing activities under section 6(d)(4), a State board as  
23                 defined in section 101 of the Workforce Investment  
24                 Act of 1998 (29 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—” and all that follows through “in a man-  
12 ner” and inserting “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 “victims  
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 subsections (d), (e),  
24 (f), and (g) as subsections (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 redesign-  
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.
- “See. 197. Restrictions on lobbying and political activities.

“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;”;
- 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.



1           **TITLE VI—STUDIES BY THE**  
2           **COMPTROLLER GENERAL**

3   **SEC. 601. STUDY BY THE COMPTROLLER GENERAL ON EX-**  
4                   **HAUSTING FEDERAL PELL GRANTS BEFORE**  
5                   **ACCESSING WIA FUNDS.**

6           Not later than 12 months after the date of enactment  
7 of this Act, the Comptroller General of the United States  
8 shall complete and submit to the Committee on Education  
9 and the Workforce of the House of Representatives and  
10 the Committee on Health, Education, Labor, and Pen-  
11 sions of the Senate a report that—

12                   (1) evaluates the effectiveness of subparagraph  
13                   (B) of section 134(d)(4) of the Workforce Invest-  
14                   ment Act of 1998 (29 U.S.C. 2864(d)(4)(B)) (as  
15                   such subparagraph was in effect on the day before  
16                   the date of enactment of this Act), including—

17                           (A) a review of the regulations and guid-  
18                           ance issued by the Secretary of Labor to State  
19                           and local areas on how to comply with such  
20                           subparagraph;

21                           (B) a review of State policies to determine  
22                           how local areas are required to comply with  
23                           such subparagraph;

1 (C) a review of local area policies to deter-  
2 mine how one-stop operators are required to  
3 comply with such subparagraph; and

4 (D) a review of a sampling of individuals  
5 receiving training services under section  
6 134(d)(4) of the Workforce Investment Act of  
7 1998 (29 U.S.C. 2864(d)(4)) to determine if,  
8 before receiving such training services, such in-  
9 dividuals have exhausted funds received through  
10 the Federal Pell Grant program under title IV  
11 of the Higher Education Act of 1965 (20  
12 U.S.C. 1070 et seq.); and

13 (2) makes appropriate recommendations with  
14 respect to the matters evaluated under paragraph  
15 (1).

16 **SEC. 602. STUDY BY THE COMPTROLLER GENERAL ON AD-**  
17 **MINISTRATIVE COST SAVINGS.**

18 (a) STUDY.—Not later than 12 months after the date  
19 of the enactment of this Act, the Comptroller General of  
20 the United States shall complete and submit to the Com-  
21 mittee on Education and the Workforce of the House of  
22 Representatives and the Committee on Health, Education,  
23 Labor, and Pensions of the Senate a report that—

24 (1) determines the amount of administrative  
25 costs at the Federal and State levels for the most re-

1 cent fiscal year for which satisfactory data are avail-  
2 able for—

3 (A) each of the programs authorized under  
4 the Workforce Investment Act of 1998 (29  
5 U.S.C. 2801 et seq.) or repealed under section  
6 401 of this Act, as such programs were in ef-  
7 fect for such fiscal year; and

8 (B) each of the programs described in sub-  
9 paragraph (A) that have been repealed or con-  
10 solidated on or after the date of enactment of  
11 this Act;

12 (2) determines the amount of administrative  
13 cost savings at the Federal and State levels as a re-  
14 sult of repealing and consolidating programs by cal-  
15 culating the differences in the amount of administra-  
16 tive costs between subparagraph (A) and subpara-  
17 graph (B) of paragraph (1); and

18 (3) estimates the administrative costs savings  
19 at the Federal and State levels for a fiscal year as  
20 a result of States consolidating funds under section  
21 501(e) of the Workforce Investment Act of 1998 (20  
22 U.S.C. 9271(e)) to reduce inefficiencies in the ad-  
23 ministration of federally-funded State and local em-  
24 ployment and training programs.

1           (b) DEFINITION.—For purposes of this section, the  
2 term “administrative cost” has the meaning given the  
3 term in section 101 of the Workforce Investment Act of  
4 1998 (29 U.S.C. 2801).

          Passed the House of Representatives March 15,  
2013.

Attest:

*Clerk.*



113<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# **H. R. 803**

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## **AN ACT**

To reform and strengthen the workforce investment system of the Nation to put Americans back to work and make the United States more competitive in the 21st century.