Mr. MCNERNEY. Madam Speaker, I ask my colleagues to join me today in recognizing the Medal of Honor Day, as well as honoring Master Sergeant Richard Pittman, a veteran who served more than 20 years in the Marines. Mr. Pittman earned the Medal of Honor, the Defense Distinguished Service Medal, the Vietnam Service Medal, and the Republic of Vietnam Campaign Medal, along with others.

Mr. Pittman was born in Stockton, California, and attended local schools. After graduating from Franklin High School in Stockton, he enlisted in the United States Marine Corps. During the Vietnam War, he was assigned as a rifleman to the First Platoon, Company I, Third Battalion, Fifth Marines, and would later become squad leader.

While on assignment near the demilitarized zone, his leading company came under enemy fire at close range. Mr. Pittman risked his life to save many of his comrades while he exchanged fire and destroyed many enemy forces.

I've been fortunate to get to know Mr. Pittman over the last several years and know that he cares deeply for this country. I ask my colleagues to join me in honoring Master Sergeant Richard Pittman and all the Nation's other veterans for their bravery and service to the United States.

HEALTH CARE CONSCIENCE RIGHTS ACT

(Mr. FLEMING asked and was given permission to address the House for 1 minute.)

Mr. FLEMING. Madam Speaker, the Obama administration's assault on religious freedom must stop. The so-called HHS mandate established under ObamaCare forces individuals, charities, and businesses to buy health insurance that includes coverage for drugs which may destroy human life.

This week a Federal judge stopped the enforcement of the HHS mandate against the founder of Domino's Pizza, the former founder. Like many other companies, Domino's Farms Corporation, the company which was granted this injunction, offers health insurance to its employees, but not coverage for drugs that could destroy human life. To do so would violate the religious rights and beliefs of the company's owners.

That injunction is a victory, but no one should have to battle the Federal Government in court to stop it from infringing on religious values. That's why I am proud to introduce with my colleagues, DIANE BLACK and JEFF FORTENBERRY, the Health Care Conscience Rights Act, a bill that rests on the bedrock principle that our government must not force people to violate their religious and moral beliefs.

I ask everyone to sign on today and support this bill.

HONORING YOANI SANCHEZ

(Mr. GARCIA asked and was given permission to address the House for 1 minute.)

Mr. GARCIA. Madam Speaker, I rise to recognize a courageous woman whose work on behalf of the advancement of human rights has inspired millions throughout the world and continues to shine a light on the cause of freedom just 90 miles away.

For over 10 years, Yoani Sanchez has documented the realities of life in Cuba through her blog, Generation Y, and drawn worldwide attention to Cuba's civil society. Her riveting accounts detailing human rights violations and other injustices have earned her praise and recognition throughout the world. Yoani stands as a beacon of hope for Cuba's future, and her strength in the face of incredible odds has earned our community's profound admiration and respect.

If my colleagues would indulge me, I would like to say a few words in Spanish.

> It's a great honor to recognize the courage of Yoani Sanchez who serves as a source of inspiration for the millions around the world who seek freedom and human rights.

Yoani will be here next week. I invite my colleagues to take the opportunity to meet this very courageous woman.

The SPEAKER pro tempore (Mr. FLEMING). The gentleman will provide a translation to the Official Reporters.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

SUPPORTING KNOWLEDGE AND INVESTING IN LIFELONG SKILLS ACT

GENERAL LEAVE

Mr. KLINE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 803.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 113 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 803.

The Chair appoints the gentlewoman from Florida (Ms. ROS-LEHTINEN) to preside over the Committee of the Whole.

□ 0917

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 803) 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, with Ms. ROS-LEHTINEN in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Minnesota (Mr. KLINE) and the gentleman from California (Mr. GEORGE MILLER) each will control 30 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. KLINE. Madam Chair, I rise in strong support of H.R. 803, the Supporting Knowledge and Investing in Lifelong Skills Act, the SKILLS Act, and yield myself as much time as I may consume.

Despite an increase in hiring last month, our Nation is still experiencing a jobs crisis. Twelve million Americans are searching for work. Nearly 5 million of these unemployed workers have been without a job for 6 months or longer. For many Americans, the hope of a new job grows more desperate the longer they are unemployed.

Jack Walerius has not had full-time work for more than 3 years and has lost count of the number of times he has applied for a job. He recently told CBS News:

> From my perspective, from my eyes, I still see that we're in a deep recession.

Today, we have an opportunity to advance reforms that will give workers like Jack a better chance to succeed. Our economy is extremely competitive and constantly changing. Unfortunately, the workforce training system has failed to keep up. It's not surprising when you consider the size of the bureaucracy that now exists.

This chart is a snapshot of the current job training system. It includes more than 50 programs spread across nine Federal agencies. President Obama described it as a ''maze of confusing training programs.'' I completely agree.

□ 0920

The current system is inefficient and ineffective. For individuals served through the Workforce Investment Act, less than one in five completed training. Fewer than half of those who received employment assistance such as job searches and resume writing were able to find work.

To make matters worse, Federal mandates stifle the engagement and innovation of employers and State and local leaders. Onerous rules prevent workers from accessing the training they need when they need it. And taxpayer dollars are being spent with little accountability.

A bloated bureaucracy is standing between workers and the support they need. We've tried the Washington-knows-best approach, and it isn't working. It's time to move in a new direction. It is time for a workforce training system that empowers job creators to meet the demands of a dynamic economy. It is time to give State and local leaders greater freedom to serve their communities. It is time for a workforce training system that spends taxpayer money wisely. It is time to invest less

in bureaucracy and more in workers and training.

The SKILLS Act will help us reach these goals. The legislation replaces 35 ineffective and duplicative programs with a new Workforce Investment Fund. No more maze of programs. Instead, workers will get help through one simple and flexible source of employment support.

The bill strengthens the role of job creators, as well as State and local leaders, who know best the needs of their workforce. Doing so will ensure the skills workers receive can be applied to the jobs of today and the future, not the past.

The legislation also makes sure our most vulnerable workers—including veterans, disadvantaged youth and individuals with disabilities—are being served. Finally, the SKILLS Act provides accountability over the use of taxpayer dollars. If a program demonstrates a pattern of failure, then taxpayers will know about it.

Madam Chair, for 10 years, Congress has talked about job training reform but has failed to make reform a reality. It is time to fix the broken job training system and help put more Americans back to work.

I urge my colleagues to support the SKILLS Act, and I reserve the balance of my time.

Mr. GEORGE MILLER of California. I yield myself 4 minutes.

Madam Chair, the House today is considering Republican legislation that reauthorizes the Workforce Investment Act. Rewriting the Workforce Investment Act is an important task, and it should be taken seriously. It should be an opportunity to address some significant challenges in our economy, including how to educate and train a diverse workforce with the skills required to compete in a global market.

For 40 years, this task has been taken seriously by Members of both parties. Job training legislation was generally bipartisan. So I wish we were here to present a bipartisan bill on the floor. I wish we were here to discuss the product of months of bipartisan negotiations. I wish we were here to consider getting something done for the American people.

But that's not the point of today's exercise. Today, we are here to meet a deadline set by the majority leader as part of a rebranding strategy. This bill is a political product. It puts ideology over practical solutions and evidence-based reforms. It fails to take a thoughtful approach to what our workers and businesses need. It decisively walks away from the program's mission of helping our most disadvantaged workers. That is why I oppose this bill.

First, the bill eliminates and consolidates programs simply for the sake of elimination and consolidation. The populations served by these programs often face daunting challenges in the job market. Youth, older workers, farm workers, workers with disabilities, English-language learners, veterans and low-income workers are among those who face the greatest barriers to employment. Yet, programs that serve these populations are the very programs targeted by the Republicans.

Even worse, the bill eliminates the directive requiring these poorest workers to be given priority of service. With limited money, hard-to-serve populations will be left out in the cold. And we have yet to hear any credible evidence that eliminating these programs will save taxpayer money. We have yet to hear any credible evidence that these programs are duplicative, nor have we heard credible evidence that this approach will make the system work better.

In fact, the Government Accountability Office warned that this one-size-fits-all approach may make services less accessible to the many groups considered hard to serve. Second, the bill restructures the workforce system in a way that locks out key stakeholders and leaves the system vulnerable to favoritism.

The legislation arbitrarily mandates that workforce boards increase business participation of the board from 51 percent to 67 percent. This will allow people in power to lock out key stakeholders, including labor, community-based organizations, community colleges, or people who work with youth or workers with disabilities. These stakeholders know how to get training to the people. And they provide a voice for the very people who need training and the very people looking for work.

The Republican bill will also allow Governors to remove local control so that local communities won't be able to direct their own workforce systems. Yet local communities working with local businesses, workers, and other organizations know best how to respond to their economic needs.

Finally, the Republican bill essentially turns funding into a block grant and freezes authorization levels for 6 years. We all know that this is a code word for cutting funding. That's what the Republicans have been doing in the CR, and that's what the Republicans have been doing in sequestration.

The Democrats have a different version. We agree that the current system is in need of significant reform. So don't believe the other side who falsely say that we want the status quo. The system should be improved in ways to maintain our Nation's commitment to expand opportunity for all Americans. We want to make job training programs more efficient and more effective. This can be accomplished by requiring unified plans that streamline and coordinate these services. Democrats want to ensure real accountability so everyone knows which programs work and which programs don't work.

Finally, we want to promote innovation in the workforce system by fully engaging community colleges. This can be done by ensuring that there are resources for community colleges to effectively respond to economic challenges and to meet future industry needs.

This should be Congress' way forward to strengthen the workforce investment system. Congress should not be dismantling the system and leaving those who need help the most at the back of the line. I'm disappointed that we have reached this point on this very important topic. For months, the Democrats have extended a hand to work together with the Republican majority.

I reserve the balance of my time.

Mr. KLINE. Madam Chair, I'm very pleased now to yield 3 minutes to the gentleman from Tennessee, the chairman of the Health Subcommittee, Dr. ROE.

Mr. ROE of Tennessee. I thank the chairman.

Madam Chair, today, there are more than 12 million Americans who are out of work. These lives are on hold until the economy gets better—provided that we here in Washington can stop ourselves from taxing, borrowing, spending, and regulating it to a standstill. But even in this time of economic uncertainty, there are 3.6 million job openings in this country that remain unfilled—unbelievable when you have 12 million people out of work.

I support the bill on the floor today, H.R. 803, the SKILLS Act, because it will help give some of our neighbors the sense of dignity and satisfaction that only comes from a hard day's work done well.

This legislation will help to bridge the gap between unemployment and work in three significant ways. First, the SKILLS Act will ensure that workers can access job training programs immediately, eliminating the need to navigate a complicated bureaucracy. By cutting through the red tape, we can get workers trained and back into the workforce more quickly.

At the same time, this bill removes some of the burdens on State and local officials by repealing 19 mandates that impact who can serve on workforce training boards, the entities that oversee local job training programs.

Second, the SKILLS Act will require State and local leaders to use common performance measures to measure the quality of services offered to workers. This will ensure that there's accountability in workforce training programs, ensuring a good return on taxpayer dollars.

The bill also empowers job creators by requiring that two-thirds of workforce board members are from the business community. Giving more say to the people who know the needs of their businesses and the local economy is just plain good common sense.

Finally, the SKILLS Act will ensure that taxpayers are seeing a good return on investment by eliminating or streamlining 35 ineffective or duplicative Federal programs. It also gives Governors additional flexibility to further consolidate any additional employment and job training programs at

the State and local level to ensure efficiency and cut waste.

Let me just, Madam Chair, go through a few of these. We talk about duplicative programs. This will help consolidate some of these. These are the names of the programs: Reintegration of Ex Offenders; Grants to States for Training for Incarcerated Individuals; Second Chance Act Prisoner Reentry Initiative. It looks to me like we could have one program for all of these.

Let me read a few more: Refugee and Entrant Assistance—Targeted Assistance Grants; Refugee and Entrant Assistance—Social Services Program; Refugee and Entrant Assistance—Targeted Assistance. And I could go on and on with 35 programs. We heard our chairman speak that one in five actually completes one of these programs here.

Let me just tell you what happens in our State of Tennessee. Every Tennessean is within 1 hour of a technology center. These are all across our State. Even in today's economy, with the economy being what it is and hard to find a job, 90 percent of these people get a job, are hired right now today, not one in five.

The CHAIR. The time of the gentleman has expired.

Mr. KLINE. I yield the gentleman an additional 30 seconds.

Mr. ROE of Tennessee. I thank the chairman for yielding.

I wanted to finish by saying there are things that work today out here—today—that we can emulate. And we need to streamline this. You should read all these 35. I agree with Ranking Member Miller. We do need to reform these, and that's what this is an attempt to do. I want to commend Dr. FOXX and Chairman KLINE for the leadership on this issue, and I encourage my colleagues to support this bill.

□ 0930

Mr. GEORGE MILLER of California. I yield 3 minutes to the gentleman from Texas (Mr. HINOJOSA), the ranking member on a subcommittee of the Education and the Workforce Committee.

Mr. HINOJOSA. Madam Chair, I rise today to oppose H.R. 803, a fatally flawed and highly partisan bill that would weaken our Nation's current public workforce training and adult education system at a time when millions of Americans continue to struggle to find good, family-sustaining jobs in our Nation's economy.

Simply put, H.R. 803 would take our Nation in the wrong direction, making it more difficult for individuals with barriers to employment to receive the education and training services they need to get back on track.

The SKILLS Act repeals and consolidates 35 WIA programs that provide invaluable training to adults, youth, veterans, farm workers, dislocated workers, and many others.

This fatally flawed bill eliminates the priority of service delivery for low-income adults and out-of-school youth, despite the high levels of unemployment rates for youth of color and low-skilled workers.

This fatally flawed legislation strikes State and local board representation for unions, community colleges, and community-based organizations, moving away from some of the key tenets of WIA. It was set up so that 51 percent of the seats on that board of directors would be represented for the business community and 49 percent for those who are not the employers and businesses, but those that I mentioned. That type of diversity is very necessary, such as collaboration, inclusion, strategic partnerships that work to improve people's lives.

Finally, this fatally flawed bill freezes program funding authorization for fiscal years 2014–2020. I must underscore that job training and unemployment services for WIA have already been cut 50 percent since 2011.

How can Congress freeze funding for WIA the next 6 years when we have millions of men and women year after year who need training? How can WIA boards do their job if the inflation costs and the increase of operating costs like utilities, wages, insurance of properties and for health insurance continue to increase?

For these reasons, it is no surprise that at least 50 organizations strongly oppose or have concerns about this misguided legislation, including the U.S. Conference of Mayors, the National League of Cities, the National Council of La Raza, the Leadership Conference on Civil and Human Rights, the National Skills Coalition, the Association of Farmworker Opportunity Programs, the Consortium for Citizens with Disabilities, Easter Seals, the AFL–CIO, the National Coalition for Literacy, National Youth Employment. They go on and on.

I urge my colleagues on both sides of the aisle to vote against H.R. 803.

Mr. KLINE. Madam Chair, I'm pleased to yield 2 minutes to the gentlewoman from Alabama (Mrs. ROBY).

Mrs. ROBY. Madam Chair, I thank the gentleman.

I rise today in support of H.R. 803, the Supporting Knowledge and Investing in Lifelong Skills Act, of which I'm a proud cosponsor.

This bill reforms and streamlines our Nation's critical job-training programs.

Currently, over 30 different agencies are involved in workforce development or unemployment services. Why? Because Washington loves creating a bureaucracy, but rarely ever ends one.

The SKILLS Act changes that by consolidating these myriad departments into one workforce development platform tasked with equipping unemployed or underemployed workers with the skills that they need to land a good job.

This bill also enhances flexibility by giving States more authority to direct resources based on their individual needs. It empowers State workforce development agencies to collaborate more with community colleges by removing bureaucratic red tape. In addition, it repeals 19 Federal mandates that previously dictated who was even able to serve on these State workforce boards.

Also, I'm pleased that the legislation that we're debating today also reflects an amendment that I offered in the markup last week to strengthen the underlying bill. My colleagues accepted my amendment that prohibits any State or local agency from using Federal workforce funds authorized by the SKILLS Act to turn around and lobby for more funding or to engage in political activities.

We can all agree that Federal funds provided to State and local areas should be used to provide workers the training and support they need to find a job, especially when there are 12 million Americans searching for work.

Workforce development agencies need to be using precious Federal resources to help their unemployed workers land jobs, not to lobby Congress for more funds and certainly not to advance political beliefs.

I am proud to vote in favor of H.R. 803. I encourage my colleagues on both sides of the aisle to support this bill so we can streamline government spending, eliminate duplication, and allow States to build more effective workforce development programs.

Mr. GEORGE MILLER of California. I now yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. I thank my friend for giving me the time.

It is a vexing problem that at a time of high unemployment we have a lot of jobs unfilled in our country because we don't have sufficient training for our people to fill those jobs. This is not a partisan problem; it's a commonsense problem.

I believe it's a commonsense problem we could have solved if the parties had worked together here, but Mr. MILLER, Mr. HINOJOSA, Mr. TIERNEY, and many others on our side reached out to negotiate a consensus on this bill, and those negotiations never happened. I believe they should happen in the future and will happen in the future to give us a better work product.

Here's what I think is wrong with the bill that's before us today. We absolutely have to do a better job at training our own people to fill the jobs that are vacant in this economy, but if you leave that decision as to how to do that up to State politics and State capitals, I think the evidence is pretty clear that people get left out of that job-training situation.

Let's take a worker who's worked in an oil refinery or a factory and his or her job has been outsourced to another country and at the age of 50 or 55 they have to start all over again. If you

leave the decision up to State politics as to whether or not that worker gets training, I think it's pretty likely that he or she won't get the training because people like that don't have a whole lot of clout in State legislatures as far as I know.

We have teenagers, 17-, 18-, 19-years-old, that dropped out of high school for reasons of having a child or having some criminal problem, and they need to get back on their feet and back into the workforce. They need a youth job-training program. These are people who don't have lobbyists in the State legislature or much political clout at State capitals, and they could be forgotten.

You have women that are the victims of domestic violence who are nearly beaten to death by their husbands or boyfriends, and they need to get back into the workforce so they can be self-supporting and self-sustaining for themselves and their children.

But if you leave it to the State legislature, I'm not sure that those citizens will get the job training that they need because they don't have a whole lot of clout in the State legislatures across our country.

We should be sure that that displaced worker has the funds to get the training for a new job. We should be sure that that teenager who needs to be trained to lift himself or herself up has training for that new job. We should be sure that the person who's a victim of domestic violence has that kind of training that is needed to lift themselves and their families up.

The fundamental division here is whether we guarantee that funds will be available for the people I just described or whether we do not.

The right thing to do is to negotiate those kinds of guarantees into this bill. When we do, I believe that we will go forward with a bill that reforms and improves our job-training system.

Let's not waste any more time. Let's vote ''no,'' but then start the negotiation today.

Mr. KLINE. Madam Chair, I am very pleased to yield 3 minutes to the gentleman from Virginia (Mr. GOODLATTE).

□ 0940

Mr. GOODLATTE. I want to thank the gentleman from Minnesota, the chairman of the Education and the Workforce Committee, for his outstanding work on this.

I want to say to all of us that we should be sure that the people who are needing job training in this country are being trained and prepared for the jobs of the future, the jobs of opportunity, the jobs that are being created in the communities; and whether people are teenagers or women who have been the victims of domestic violence or anyone else, they can be sure that, with the kind of flexibility and creativity in this legislation, they will have the best opportunity to be trained for those jobs.

As we stand here today, there are approximately 12 million Americans without jobs. The numbers get worse the closer you look at them. Over 40 percent of these Americans have been unemployed for more than 6 months, and the percentage of Americans participating in the workforce has recently fallen to under 64 percent, which is the lowest number since 1981. The situation is even bleaker for America's youth, who should be at the dawn of their careers. For people between the ages of 18 and 29, the unemployment rate is a shocking 12.5 percent. This is simply unconscionable.

It is time for Congress and the President to take steps to address both the high unemployment and unsustainable debt that is shackling this country. The SKILLS Act is an important first step. This bill streamlines duplicative Federal programs related to job training, and it reduces bureaucracy so that more funds and support can go to the people who need it—and not to Washington bureaucrats.

Specifically, the bill requires increased coordination among Federal, State, local, and tribal agencies to ensure that money is well spent, including on the Federal reentry programs that are focused on helping prisoners reintegrate back into society. Also, within the Judiciary Committee's jurisdiction, the bill ensures that employment and training services for refugees are provided through the streamlined system set up in the Workforce Investment Act as opposed to through several different systems.

I would like to thank the gentleman from Minnesota again for working with the Judiciary Committee on these provisions; and I support this commonsense legislation that seeks to solve a serious problem by making better use of the limited resources that we have, an approach that I hope can be applied more broadly.

I commend the gentlewoman from North Carolina (Ms. FOXX) as well as Chairman KLINE for their leadership on this issue, and I urge my colleagues to support the bill.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentleman from Massachusetts (Mr. TIERNEY), one of the primary cosponsors of the Democratic alternative.

Mr. TIERNEY. I thank the gentleman for yielding.

We could have had a bipartisan bill, and that seems to be the real shame here. This has been historically a bill that has not been hyperpartisan as the one that's before us today, the one by which the parties have generally sat down together and considered each other's opinions in order to come to the best solution, but it didn't happen.

The underlying bill arbitrarily eliminates and consolidates all the programs and collapses them into one. It tries to substitute that, I guess, for an analysis of what ought to be done. It relies on the comments of a GAO report that said some of the programs may have overlapped somewhat, but it did not reach the conclusion that they were duplicative or that they didn't serve necessary and unique populations.

Instead, the majority has seized on that to collapse all of the programs together and to freeze the funding instead of doing what our bill would do, which is to provide for data and analysis in consideration of what programs ought to be sustained; to make them justify how they're improving and serving the populations; and to determine whether or not there need to be changes or whether some do, in fact, need to be terminated or consolidated. That process has been avoided and ignored throughout.

It's interesting to note that the administration is invoked from time to time as being opposed not just to this year's version but to last year's version, which was fairly identical and that it indicates that it doesn't meet the administration's goals set out for training in this country.

The underlying bill would dissolve youth training programs. I've heard comments about the seriousness of being involved with youths who are out of work, but the underlying bill dissolves youth training dedicated funds and other service delivery priorities, like to veterans and the disabled. It also has virtually no support amongst all of the people who are really involved in workforce development in this country. There was very little, if any, consideration of their views and their input into that despite the labor they put in and the policy decisions that they help make day in and day out. The substitute has broad support. It did go out and listen to the stakeholders on that, and it did get their opinions and incorporated them, and that's why a bipartisan discussion amongst Members would have benefited the bills on that.

We have better accountability. The main bill abdicates to the Governors who have taken Federal policy responsibility here where it's deserved. There are many, many, many other reasons to oppose this bill that we will get into when we talk about the substitute.

Mr. KLINE. I now yield 2 minutes to the chairman of the Workforce Protections Subcommittee, the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. I thank the chairman.

Madam Chair, our country's job training program often stands, sadly, as a barrier between workers and the employers who want to hire them. In December 2012, employers reported 3.6 million job openings all across our country despite the 12 million Americans searching for work. The challenge is that today's job hunters are getting increasingly frustrated by bureaucratic inefficiencies in their getting the specific skills they need to fill many of these jobs.

The SKILLS Act would reform the Nation's workforce development system and better equip job seekers with the abilities they need for today's

economy. It just makes good sense that reducing the size, cost, and scope of Big Government expands the greatness and success of America's industry and workforce.

H.R. 803 ensures that local employers are given more of a say in these programs, helping to ensure that they are qualified and recognized for today's most in-demand jobs. It also includes reforms that allow States to determine what standards will be required for providers, which will streamline the bureaucracy that has limited many workforce development providers, such as community colleges, in their goals to succeed.

My congressional district is fortunate enough to have a number of talented, hardworking individuals and community colleges that are committed to helping reinvent Michigan and its workers through these programs. It's time to give both workers and employers more ability in providing smart, commonsense solutions and tools to strengthen our workforce and to put Americans back to work.

For, really, isn't that the reason that our government is set in place—to ensure the opportunity for life, liberty and the pursuit of happiness, and to ensure that that liberty will allow people choices that only Americans really can make. Please join me in passing H.R. 803.

Mr. GEORGE MILLER of California. I yield 3 minutes to the gentleman from New Jersey (Mr. HOLT), a member of the committee.

Mr. HOLT. Madam Chair, I thank the ranking member, my friend from California, and I rise in opposition to the SKILLS Act.

Workforce investment has an important role in Congress, and it could and should be done in a bipartisan way. The government has a role to play in setting standards to preserve fairness and to expand access. The so-called SKILLS Act seeks to combine and reduce vital programs. It takes 35 programs and identifies them for elimination, and it says the Federal Government will leave a bushel basket full of money on the steps of each State capitol. This is an abdication of our responsibility to think hard, to work hard, to set standards.

What some on the other side might call ''red tape'' or ''overregulation'' I would call ''standards'' in order to see that the workforce investment programs really address the needs of individuals with disabilities or the needs of identifiable groups, such as veterans and youth, who deserve our help, and that it will provide good services for those who need the help most, not the easiest cases: say, single parents, whose daily struggles with food and housing and transportation and child care make job training difficult.

We had good ideas, the Democrats, ideas that were similar to what went into the original Workforce Investment Act—ways to improve these programs and make them serve all of these Americans. H.R. 803, for example, does not support library resource centers. It ignores individuals with disabilities and incumbent workers. The bill doesn't allow libraries to partner fully in the workforce investment programs.

Last year, I introduced an amendment to authorize libraries to engage in statewide employment and training activities. No such this year. Many low-wage workers, often single mothers, struggling, need special help. My home State of New Jersey had online learning for low-income workers. By creating grants for online learning, such as laptops at home, we could provide many of these workers who have to stay at home and raise families the opportunity to improve their skills and enter the new economy. Yes, that should be in this program for the Nation.

□ 0950

The Rehabilitation Act is intended to aid individuals with disabilities. The amendments to the Rehabilitation Act in this bill before us today would reduce significantly the services for individuals with disabilities by eliminating programs and eliminating those dedicated funding streams, and saying instead: Well, you can do it if you want to.

Incumbent workers do not get the help they need here. This act does nothing to improve those people in low-level positions who have the opportunity, with help, to move upward.

We need to work together to provide our Nation's job seekers the resources and training they need. And we here in the Federal Government have a responsibility to set the standards to see that people of all sorts who need the help have the access.

Mr. KLINE. Madam Chair, I yield 3 minutes to the gentleman from Nevada, a member of the committee, Dr. HECK.

Mr. HECK of Nevada. Madam Chair, I thank my colleague, Ms. FOXX, for her leadership in bringing this important bill to the floor. I was pleased to work with Ms. FOXX and Mr. MCKEON in the last Congress on similar legislation, and I've enjoyed working with my colleagues on this bill.

I rise in support of the SKILLS Act because back in my district, the biggest concerns of my constituents are still jobs and the economy. Southern Nevada was hit hard by the recession due to our economy relying heavily on the travel and tourism industries and the construction industry. We lost a lot of jobs in those sectors, and, in fact, unemployment is just under 10 percent in our State today.

Madam Chair, the SKILLS Act is exactly what southern Nevada needs to foster our recovery. Our State is identifying and attracting new, in-demand industries that will come to Nevada and create jobs and economic opportunities. Now we need to train our workers to do these jobs, the jobs that do and will exist, not the jobs that did exist. The SKILLS Act will help us do that because it strengthens the role of employers in workforce development decisions by requiring that two-thirds of the workforce board members be local employers, and focuses training on in-demand occupations.

The SKILLS Act will also improve job-training programs by eliminating and streamlining 35 ineffective and duplicative programs, and creating a flexible workforce investment fund to serve as a single source of support for workers, employers, and job seekers. To think that our State and local elected leaders are not concerned with helping all of their unemployed, whether they be victims of domestic violence, veterans, those unable to complete high school, or the single mom, is a slap in the face to those local elected leaders, elected by their constituents.

Finally, the SKILLS Act increases accountability and transparency for workforce investment boards and their performance measures, ensuring taxpayer dollars are spent responsibly. The SKILLS Act will certainly improve workforce development efforts across the country, getting more Nevadans and more Americans connected with the jobs of today and the jobs of tomorrow, not the jobs of yesterday. I urge my colleagues to support this important legislation.

Mr. GEORGE MILLER of California. Madam Chair, I yield 3 minutes to the gentlewoman from Oregon (Ms. BONAMICI), a member of the committee.

Ms. BONAMICI. Madam Chair, I thank Ranking Member MILLER for yielding me this time.

Today I rise in opposition to the SKILLS Act. This partisan bill, unfortunately, takes a one-size-fits-all approach, freezing funding, eliminating programs that help veterans, the disabled, young workers, and older Americans find work, and ending the requirement that community colleges serve on workforce investment boards. As a graduate of a community college, I take that very seriously.

This bill also fails to address the skills gap issue. When I'm out in my district talking to businesses large and small, especially in the high-tech sector in Oregon's Silicon Forest, they often say there are job openings but not enough qualified workers.

There's a substitute bill, the Workforce Investment Act, sponsored by Mr. MILLER, Mr. HINOJOSA, and Mr. TIERNEY. Unlike the substitute bill, the SKILLS Act doesn't include the WISE Investment Act language that I authored to address the skills gap problem. The WISE Investment Act helps connect the needs of small businesses and other stakeholders with the training programs available through community colleges and elsewhere.

It's time to set ideology aside and work together so that the best ideas rise to the top. Unfortunately, this bill does the opposite. I urge my colleagues to oppose this bill, and let's start working together to get a bill with

broad support. I urge my colleagues to support real workforce reforms that we need, that are bipartisan, and that address the skills gap issue as well as the other important issues that are included in the Workforce Investment Act, but unfortunately not in the partisan SKILLS Act.

Mr. KLINE. Madam Chair, I yield 3 minutes to the gentleman from Indiana (Mr. ROKITA), the chairman of the Early Childhood, Elementary, and Secondary Education Subcommittee on the committee.

Mr. ROKITA. Madam Chair, I thank Chairman KLINE and Representative FOXX for their work and their leadership on this bill.

The Workforce Investment Act is long overdue for reauthorization, especially given the monumental changes to our economy over the past 10 years since the law was last authorized. There are many important reasons to do so, including cutting waste and improving efficiency, but the most important reason to me is the moral one. Quite simply, the existing maze of Federal workforce training programs is failing those whom it is intended to be serving. By trying to be all things to all people, the Federal workforce training program is serving no one well, and that's a problem.

The Federal Government's footprint has gotten far too large, and our national debt has grown with it. As a result, it is failing to serve the workforce of today, and it's piling up ever-larger bills for the children of tomorrow, people who don't even exist yet.

What the SKILLS Act does is to consolidate and eliminate many unnecessary and duplicative programs, not simply for the sake of downsizing, but to improve the quality of the workforce training, and that's what we all should be about, Republicans and Democrats alike.

Business owners understand this. They understand the importance of streamlining and efficiency. They also understand the importance of getting a good return on their investment, and we aren't getting that right now. We have to make sure that the Federal Government abides by those same principles. In addition to consolidating existing programs, which the SKILLS Act does, it's important for us to make sure that we are actually recovering savings and reducing the deficit as well. We can do both things at once, my friends.

I'm thankful for the opportunity to work with Ms. FOXX and the chairman to include an important provision that will take the next step and reduce the amount of employees at the Department of Labor in line with reducing the programs.

The bill gives the director of OMB 60 days to identify how many full-time equivalent employees work on or administer programs that have been eliminated or consolidated. The director would then have a year to reduce the Federal Government's workforce by that same number.

Jobs that have the most value are jobs in the private sector, the productive sector, and to the extent we need jobs in the public sector, they should be to truly support and grow the private sector in a responsible way.

Quite simply, if the programs no longer exist, then there is no reason for extra Federal Government bureaucrats. While many of these Federal employees are not doubt very committed to their work, it is immoral for us to borrow more money from our children and grandchildren to pay for unnecessary expenses today. The Department of Labor may exist to serve our workforce, but it is not supposed to be a jobs program in and of itself. The legislation before us is a strong step in the right direction and will not only shrink the Federal Government and reduce our debt, but will ensure that we are delivering better results for America's workforce. By actually reducing the Federal Government's employment rolls, we will be restoring more local control. And, perhaps more importantly, will be making smarter use of America's tax dollars. So I encourage my colleagues to support this legislation for that, and also the common performance measures that are included in this.

One of my constituents, a small business owner, Jim Cramp, serves on one of the workforce investment boards.

The CHAIR. The time of the gentleman has expired.

Mr. KLINE. I yield the gentleman an additional 30 seconds.

Mr. ROKITA. He says that these common performance measures are absolutely critical. Even the simple difference of committing someone to a job for, and measuring their performance in that job, from 6 months to a year makes all the difference in how we really gauge whether or not these programs are successful and whether or not our economy is really growing.

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Mr. GEORGE MILLER of California. Madam Chair, I yield 2 minutes to the gentleman from Nevada (Mr. HORSFORD).

Mr. HORSFORD. Thank you to the ranking member for his leadership and the committee members, as well, for working so hard to try to find a balanced approach and a bipartisan approach to a very important bill, which is job training and developing America's workforce.

The latest employment report for Nevada came out this morning, and while we added 6,600 seasonally adjusted jobs, and are on the right path, we cannot shortchange our workers at this critical time. I've heard from my local elected officials who serve on workforce boards, and they don't support the approach of H.R. 803, and that's why I strongly oppose the bill as well.

Before coming to Congress, I ran a joint labor management training academy in Las Vegas that helped train thousands of Nevadans—youth, adults and dislocated workers—to find careers in the hospitality industry each and every year, so I know the value of quality training for prospective workers.

I'm opposing the so-called SKILLS Act because it's a partisan bill that's dressed up as a workforce investment act legislation. It would block-grant 35 work programs, pitting youth, older workers, and workers with disabilities against each other for funding, and it would freeze job-training investment for 7 years, even though funding for workforce programs has already been cut in half since 2001, this at a time when there's a growing demand for training and placement of workers.

The Democratic alternative to this bill builds partnerships with the private sector, with labor, with community colleges. It evaluates the efficiency of workforce programs, and it expands the use of on-the-job training and incumbent worker training.

The CHAIR. The time of the gentleman has expired.

Mr. GEORGE MILLER of California. I yield the gentleman an additional 1 minute.

Mr. HORSFORD. I will work with anyone from any party who has a good idea for how we can get the American people back to work. Unfortunately, H.R. 803 is not that bill.

Mr. KLINE. Madam Chair, at this time I'm very pleased and honored to yield 1 minute to the distinguished House majority leader, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. Madam Chair, I want to thank the gentleman from Minnesota, the chairman of the Education and Workforce Committee, for bringing this bill forward, and his leadership on so many issues affecting working families across this country.

Madam Chair, I rise this morning to speak in favor of the SKILLS Act. Today, there are 20 million Americans unemployed or underemployed. And I want to take a moment and speak about the individual that's looking for their next job and explain how the SKILLS Act will actually help them.

First of all, the SKILLS Act streamlines the complicated maze of existing Federal programs. Rather than spending time figuring out which one of 30 different programs you're supposed to go to, this bill creates a one-stop shop and creates a one-stop workforce investment fund.

Second, if you need job training, the SKILLS Act eliminates bureaucratic hurdles, such as first requiring you to work on your resume and develop an individual employment plan so that you can access the training that you need right away.

Third, by emphasizing the role of local employers on your local workforce training board, the SKILLS Act helps ensure that the training you receive is related to the jobs actually available in your area.

And, finally, the SKILLS Act makes sure that you receive quality training by making it easier for community colleges and technical schools to actually

participate in these workforce training programs.

What does all this mean? Better, more accessible job training to help more people who are unemployed find jobs faster.

Yesterday, I had the opportunity to tour an automotive workshop at the Northern Virginia Community College and saw firsthand the need to train skilled workers.

I want to thank Chairman KLINE, who went with me to that community college, Congresswoman VIRGINIA FOXX, and Congresswoman SUSAN BROOKS, for their leadership on this important issue.

The SKILLS Act has been endorsed by numerous employers, community colleges, and community college systems, and a number of Governors because they all recognize that a broken workforce training system hurts those in need of assistance. We have a chance to fix that broken system with this bill, and I urge my colleagues to support the SKILLS Act.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. I want to thank the gentleman for yielding time and thank him for his leadership on the committee and what he has done for education in this country.

Madam Chair, never have job-training and educational opportunities been so crucial for so many people as they are during this challenging economic time. Our country's economic situation is getting better. Last month we added 236,000 jobs, and the unemployment rate fell to 7.7 percent, the lowest rate in 4 years.

But the unemployment rate in my home State of North Carolina is 9.4 percent; and in my First District, one in four people is below the poverty level.

The SKILLS Act, Madam Chair, will stall our delicate economic recovery at a time when we must invest in our workforce to ensure hardworking people are able to access the training they need to achieve the American Dream.

The SKILLS Act kills workforce development as we know it. It would turn 35 important workforce development programs into a block-grant system and force effective programs targeted to help disadvantaged populations to compete against each other for funding.

The bill would subject workforce development programs to partisan politics by putting funding in the hands of Governors and would remove seats reserved for community interest groups and community colleges on local workforce investment boards and, instead, leave the decision of where to invest the money in the hands of who? Big business.

H.R. 803 would devastate the innovative partnerships the Workforce Investment Act has created in my district. The bill would jeopardize the partnership between Lenoir Community College and Spirit Aerosystems in Kinston, where students gain technical experience for careers in aerospace.

It would endanger YouthBuild, which helps disadvantaged youth find employment in Goldsboro and Wilson and Elizabeth City, and a workforce development and training center run by Edgecombe Community College, which helps retrain dislocated workers in Rocky Mount, North Carolina.

For these reasons, Madam Chair, and more, I urge my colleagues to oppose H.R. 803 and support the Democratic alternative.

Mr. KLINE. Madam Chair, can I inquire as to the time remaining on each side.

The CHAIR. The gentleman from Minnesota has 9½ minutes remaining, and the gentleman from California has 8¾ minutes remaining.

Mr. KLINE. Madam Chair, I am pleased to yield 3 minutes to the gentleman from Kentucky (Mr. GUTHRIE), a member of the committee.

Mr. GUTHRIE. Madam Chair, I thank the gentleman for yielding.

I rise today in support of the SKILLS Act. This legislation is a key tool to improve employee skills, and, in turn, strengthen our Nation's workforce.

Jobs and growing our Nation's economy must be our top priority. There has never been a more critical time to make sure that our workforce has the opportunity to find new jobs or receive additional education.

The bill includes a number of positive changes to the workforce system. Creating a flexible workforce investment fund to give local workforce investment boards additional flexibility is an important step to get more workers through the system.

This bill also does away with the antiquated sequence of services which delays access to training. In addition, the bill enhances adult literacy, a cause that is particularly important to me.

Today, approximately 12 million Americans are without work; yet jobs are open in many industries, especially in manufacturing. When I travel around my district, I continue to hear that employers are actively looking for workers but have difficulty finding the skilled workforce they need.

Technology will always be advancing. We must ensure our workforce is armed with the skillset to perform the tasks that are required today and tomorrow. This bill will address this problem head-on and allow for the education these individuals need.

These high-skilled, high-wage, and high-demand jobs are the pathways to the American Dream. I've seen firsthand, at my family's manufacturing facility, how lives can be transformed through additional skills and investing in our workforce.

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There are countless benefits to better educating our workforce as our economy continues to rebuild from the recession. We must do everything we can to put Americans back to work. I hope my colleagues will join me in supporting this effort for our Nation's workforce.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the gentleman from California for yielding.

I rise today in strong opposition to the so-called SKILLS Act, H.R. 803, a bill that would fail to live up to our responsibility to job seekers, businesses, and working men and women across our country. I served as mayor of the city of Providence for 8 years and saw closely what excellent workforce boards do in my home State.

Right now, we should be doing everything we can to put our Nation back to work and offer assistance to folks who are struggling to find employment; but, unfortunately, this highly partisan bill does just the opposite. It would block-grant and effectively eliminate 35 programs, including programs that help dislocated workers, veterans, disabled workers, and other disadvantaged populations, putting these individuals at high risk of losing access to services. And even though funding for the Workforce Investment Act has been cut in half since 2001, this radical proposal would freeze investments in job training and other workforce investment services for 7 years.

Mr. HINOJOSA, Mr. MILLER, and Mr. TIERNEY have offered a commonsense alternative that will create strategic partnerships with employers, community colleges, labor unions, and nonprofits to find new jobs and careers for working families. The Democratic alternative would expand the central role of community colleges in job training by authorizing $8 billion for President Obama's Community College to Career Fund to help community colleges recognize credentials so that students will graduate with job training that meets the needs of employers. It would also better serve high-poverty areas with effective services by creating innovation funds to expand the use of promising strategies for adults and young people.

Ladies and gentlemen, our country is facing serious economic challenges, and we need a serious solution like that offered in the Workforce Investment Act. I urge my colleagues to oppose H.R. 803 and support the Democratic alternative to enact real workforce reform that will put Americans back to work.

Mr. KLINE. I see our last speaker hasn't arrived on the floor, and I don't know that he will. So in the interest of keeping this moving, I'll reserve the balance of my time.

Mr. GEORGE MILLER of California. I yield myself 30 seconds.

In closing, I think what's clear from the speakers on the Democratic side who spoke this morning is that it was really quite possible to have a bipartisan bill come to the floor of the

House out of our committee. We offered to enter into Member-to-Member negotiations. That offer was not taken up.

This bill was introduced 1 week in a hearing and reported the next. And the fact of the matter is I think there's a great desire on both sides of the aisle to make this a well-run, well-functioning program for the people who need it so they can get back into the workforce in the American economy. But, unfortunately, that didn't happen, and we're now left with a partisan bill, much like we were last year. I think, unfortunately, it's going to make it very difficult to get a good job-training bill to the President's desk for his signature.

I yield back the balance of my time.

Mr. KLINE. I yield myself such time as I may consume.

We believe that the SKILLS Act is genuine, commonsense reform addressing a real problem that our Nation has faced for years. This authorization expired in 2003; and so under Republicans and Democrats, we've been unable to get legislation passed into law through the committee, through the House, and move it forward. There have been all sorts of reasons for this. Sometimes it was just recognized that it's too hard; but in any case, we haven't been able to move it. And that includes, frankly, under 4 years when the other side had the majority, chaired this committee, and in fact had a majority in the House and the Senate and the White House and were unable to move legislation forward.

So I appreciate the calls for bipartisanship. I'm not entirely sure why walking out of a markup engenders further bipartisan support. Nevertheless, that's what we're faced with.

This legislation was thoughtfully developed after the committee convened multiple hearings over the last 3 years, examined the testimony of dozens of witnesses, including Governors and State and local workforce investment leaders. This ongoing debate has been open and fair.

When we had this bill in the committee last year, amendments were offered by Republicans and Democrats. Amendments passed, as offered by Republicans and Democrats. We have to move this legislation forward. We can no longer afford the failed status quo that wastes taxpayer dollars and prevents people from getting the skills they need to get the jobs that are available today.

The SKILLS Act will strengthen the workforce training system, make our Nation more competitive in the 21st century, and help put Americans back to work.

I urge my colleagues to vote ''yes'' on H.R. 803, and I yield back the balance of my time.

Mr. CONNOLLY. Madam Chair, the demand for employment services and skills training continues to grow. In my Northern Virginia district, the local Workforce Investment Board fielded nearly 90,000 requests for job search assistance last year, and those requests have increased 170% since 2007. During my tenure as Chairman of the Fairfax County Board of Supervisors, I served as the Chief Local Elected Official on the Workforce Investment Board and witnessed firsthand the collaboration among local businesses, community colleges, universities, nonprofits, governments and other community organizations to offer valuable skills training and workforce support in our community.

The federal Workforce Investment Act was enacted 15 years ago, and its authorization expired 10 years ago. Thankfully Congress has continued to fund these vital services to help job-seekers access the training they need to find work and help employers find the skilled workers they need to operate. While the Workforce Investment Act is long overdue for modernization, the bill before the House today, H.R. 803, falls short of the mark. Under the guise of efficiency, it eliminates 35 workforce programs currently serving low-income adults, seniors, veterans, individuals with disabilities, and youth. By converting to block grant funding, it shifts too much authority to the states at the expense of local jurisdictions. That is why organizations like the U.S. Conference of Mayors, the National Association of Counties, the National League of Cities, and the National Association of Workforce Boards oppose H.R. 803. In fact, my local workforce board estimates that local governments will face an additional financial burden under this legislation at a time when their budgets can least afford it. In addition, this bill sets an arbitrarily low level of funding and freezes it for the next six years. These investments are creating a more skilled and productive workforce. We ought to be investing more not less in this effort, yet workforce funding has been cut in half over the past decade. And lastly, this bill unnecessarily changes the makeup of local workforce board membership at the expense of local community organizations, which is why groups like the Easter Seals, Goodwill, the National Disability Rights Network, the National Coalition for Literacy, the United Way, and others oppose it.

The Workforce Investment Act has until recently been a bipartisan effort, and I urge my colleagues to pursue reforms that will renew that tradition to better serve those seeking work assistance in our communities.

Mr. BUCSHON. Madam Chair, we are here today to discuss the positive reforms within the SKILLS Act. Our Nation's current job training system is broken. The SKILLS Act will give state and local governments more flexibility by consolidating 35 existing federal employment and training programs into a single Workforce Investment Fund. This will end the long line of bureaucratic red tape, lower costs, and increase the representation of employers on local workforce boards.

I have received numerous letters from Hoosier small business owners asking me to support the SKILLS Act. The reason? This bill unites the local small business community by enhancing their involvement in career development programs, closing the skills gap, and providing more job opportunities in this struggling economy, which saw the GDP decline in the fourth quarter of 2012.

Our founding fathers believed that reducing the size and scope of the federal government and restoring power back to the states and this bill matches that theme.

The Indiana Department of Workforce Development echoes our message that states need the flexibility to rein in bureaucracy and provide our workers with a more dynamic, flexible, and efficient network of job training services. Currently, Indiana uses their funds on programs like: A youth summer program that combines in-the-class training and internships, or the state funded Western Governors University . . . Indiana's nursing program. These programs apply funding where it is needed most—helping Hoosiers find jobs.

These are just a few, in a long line, of positive impacts upon which the SKILLS Act could improve. Empowering state governors to consolidate additional employment and training programs and services at the state level provides the flexibility that governors need to distinguish well planned and broad reaching initiatives that are best for their states.

The SKILLS Act helps put Americans back to work. I, and the majority of the members of the Education and Workforce committee, stand committed to advance job training reforms that are fiscally responsible and produce a positive ''return on investment'' of taxpayer dollars. Walking out, as the minority chose to do during our committee markup, simply casts a cold shoulder on much needed reform in our workforce training programs. I urge my colleagues to support the SKILLS Act, to give hardworking Americans the training and education they so badly need.

Ms. JACKSON LEE. Madam Chair, I rise today in opposition to H.R. 803, the ''Supporting Knowledge and Investing in Lifelong Skills Act, or SKILLS Act.''

While H.R. 803 rightfully reauthorizes the Work Force Investment Act (WIA), it does so while adding destructive provisions that undermine the very core goals of the legislation. As an alternative, we ought to consider H.R. 798.

Moreover, despite some of the rhetoric coming from the proponents of H.R. 803, one need only read the Congressional Budget Office (CBO) Report to know that this bill does not save the American taxpayers anything.

The Workforce Investment Act was signed into law by President Clinton in 1998, and provides a framework for our nation's workforce preparation and employment system. It was designed to help American workers advance their careers while satisfying the needs of U.S. businesses. The idea was a simple yet effective one: to train American workers for the jobs that businesses demand.

Despite partisan resistance nearly every step of the way, our current economic policies have put us on the right path toward economic growth, with 260,000 jobs added and unemployment falling to 7.7% during the month of February.

Today, while the American people are demanding that Congress act to facilitate the creation of even more new jobs, H.R. 803 would take us in the opposite direction by freezing investment in job training and other WIA programs for seven years, from Fiscal Year 2014 through Fiscal Year 2020.

It is inconceivable that at a time when millions of Americans are looking for work, this bill proposes to cut funding from the very programs that would help give the Americans the skills they need to secure jobs in our changing economy.

Moreover, WIA funding has already been cut in half since 2001. After more than a decade of placing funding for WIA on the backburner, now more than ever is the

time to invest in American workers to assist them in securing their economic futures.

Worse still, H.R. 803 effectively consolidates 35 programs under the WIA into a single block grant, despite the lack of any independent evaluation of whether such a consolidation would be beneficial. Currently, the programs are individually tailored to meet the needs of different types of workers, including adults, youth, farmworkers, dislocated workers, and other disadvantaged populations.

However, by consolidating these programs into one lump sum block grant, diverse groups of workers with different skills and different needs would be forced to compete with one another for the same resources.

The youth employment rate remains unacceptably high, and the SKILLS Act would force young aspiring workers to compete with adults for the resources of a single fund focused on serving the needs of adults.

If enacted, H.R. 803 would allow state officials to choose to reduce or eliminate programs that support some of our nation's most vulnerable populations who derive the most benefit from the programs.

H.R. 803, if enacted would have a disparate impact on youth, persons living in high-poverty communities, minorities, women, seniors, persons with disabilities, those recently incarcerated, single parents, veterans, those who lack English proficiency or do not have a high school diploma or GED.

Perhaps the most appalling part of H.R. 803 is that it eliminates the Disabled Veterans Outreach Program, which is specifically tailored to help disabled veterans.

Veterans who return home to the country that they sacrificed for deserve to have a program dedicated to helping them overcome their challenges in obtaining employment as a result of injuries sustained while serving.

Eliminating the program without providing disabled veterans with an alternative that contains accountability measures that preserve their unique interests is categorically unacceptable.

I urge Members to alternatively consider H.R. 798, the ''Workforce Investment Act of 2013,'' which modernizes the Workforce Investment Act to improve the nation's workforce investment infrastructure.

H.R. 798 is focused on focusing on finding workers jobs and careers via strategic partnerships with in-demand sector employers, community colleges, labor organizations, and nonprofits.

The American people want tangible solutions; not another ideologically partisan bill that harms the very people who can least afford it during an economic recovery.

Mr. BLUMENAUER. Madam Chair, I am voting against H.R. 803, ''The SKILLS Act,'' because it significantly limits the important role that community colleges, labor unions, and local community leaders play in assessing workforce needs and delivering important workforce development resources. It also ignores the unique needs of many individuals who are disadvantaged in the workforce and represents a step backward from current policy.

Effectively investing in workforce development programs that train workers to compete in an ever changing and increasingly technology-based job market is essential to improving quality of life, rebuilding our fragile economy, and bolstering our competiveness over the long-term. Decisions about the best way to channel resources to ensure success should represent a wide variety of perspectives. While industry and local elected officials have an essential role to play in these conversations, this legislation favors the private sector while unnecessarily limiting the participation of institutions that offer workforce training programs, of groups representing workers rights, and of organizations advocating for minority and underrepresented groups.

The legislation also consolidates workforce and training programs into state-level block grants designed to serve everyone. There are many groups that face unique challenges to obtaining employment, such as veterans, minorities, workers with disabilities, and young people. It is important that we ensure these groups have access to Workforce Investment Act programs, and consolidating programs into a block grant runs the risk of overlooking these unique needs.

Many of my colleagues on both sides of the aisle agree that the Workforce Investment Act needs reform. This is why I support H.R. 798, which would reauthorize the Workforce Investment Act while strengthening partnerships between employers, community colleges, labor unions, and other stakeholder groups. It also streamlines and coordinates workforce programs without eliminating the important focus on disadvantaged groups.

Unemployment remains stubbornly high across the country. As we slowly continue to recover from the economic recession, it is essential that we make smart investments in workforce development. In Portland, Oregon, our region saw 155,900 people use workforce services in 2012, with 68,000 completing workforce programs, and 35,400 being placed for work. Under the guise of streamlining programs, H.R. 803 runs the risk of reducing these numbers, limiting access and limiting the effectiveness of our investments in Oregon and around the country at the exact time we should be increasing access to and enrollment in workforce training programs.

Mr. DINGELL. Madam Chair, I rise in strong opposition to H.R. 803, the SKILLS Act.

What we have before us today is another sorry excuse at legislating dressed up as compassionate conservatism. The SKILLS Act will ensure that disadvantaged populations, like youth, minorities, older workers, and the disabled, continue to suffer disproportionately in hard economic times. These are precisely the jobseekers whom the workforce investment system was designed to serve, but the practical effect of the SKILLS Act would be to reduce their access to programs meant to help them find meaningful employment.

Madam CHAIR, the SKILLS Act's justification as a rationalization of worker training programs is nothing more than lip service to the real needs of chronically unemployed Americans. It consolidates 35 separate programs into block grants and attaches few, if any, strings to their use by state governors. In point of fact, the SKILLS Act is an extension of House Republicans' plans for Medicare and Medicaid, which would amount to a decrease in disadvantaged Americans' access to important services. Moreover, the SKILLS Act freezes the Workforce Investment Act's authorization level through 2020, an amount already demonstrated to be woefully inadequate to the needs of the unemployed.

It also grieves me that H.R. 803 eliminates separate training funds for youth programs, eliminates the Disabled Veterans Outreach Program, and eliminates the priority of service delivery for low-income adults or out-of-school youth. These people should be at the front of the line, yet the SKILLS Act cuts them out completely.

Finally, the SKILLS Act severely restricts the participation of unions, community-based organizations, and community colleges on state and local workforce investment boards. Collectively, these organizations have nearly unparalleled experience in proper workforce development and must be a part of any worker training plan.

Madam Chair, H.R. 803 is a dangerous step in the wrong direction. It will not prevent the further erosion of our labor force. The SKILLS Act is another expression of Republican indifference to the crumbling infrastructure that once made this country great. Some things are worth substantial investment, and that includes our workforce. If we don't heed this call, our country will become a second-rate economic power at best.

I urge my colleagues to vote down the SKILLS Act. I further encourage my colleagues to support the Democratic alternative to this bill, the Workforce Investment Act of 2013, and in so doing demonstrate a clear commitment to getting our workforce in shape for the 21st century.

Mr. GINGREY of Georgia. Madam Chair, I rise today in support of H.R. 803, the SKILLS Act, and urge my colleagues to support its passage.

Our current workforce development system is broken. Each year, the federal government spends billions on job training programs, but only a fraction of workers receive and complete the training necessary to get a job. Roughly 12 million Americans are unemployed

and looking for work, yet the Bureau of Labor Statistics reports millions of job openings are unfilled, with a large number of people giving up the search for employment completely.

Madam Chair, the SKILLS Act works to correct these problems. This bill eliminates and streamlines 35 ineffective and duplicative programs and gives state and local governments more flexibility to consolidate employment and training programs at the state level. Additionally, H.R. 803 increases employer involvement in local training boards, which ensures that training can be adapted to local demands.

Madam Chair, the SKILLS Act protects taxpayer dollars and provides workers with more effective job training services, while further empowering state and local governments. I urge my colleagues to join me in supporting H.R. 803.

Ms. KAPTUR. Madam Chair, I rise in opposition to H.R. 803, the Supporting Knowledge and Investing in Lifelong Skills (SKILLS) Act. This bill does not position our workers to complete in the new economy.

Despite what Wall Street and some economists think, America is still in a recession and plowing our way forward to full recovery. This nation has a jobs crisis that should be the number one priority for this Congress.

According to the U.S. Bureau of Labor Statistics, when you consider persons marginally attached to the workforce, the real unemployment rate is over 14 percent, not 7.7 percent.

The unemployment rate for construction workers is 15.7 percent, for teenagers it is 25.1 percent, and for transportation and production the unemployment rate is 10 percent.

There are over 12 million people unemployed in this country with 4.8 million considered long-term unemployed. That means over 40 percent of the unemployed individuals in the United States have been jobless for 27 weeks or more.

Madam Chair, I agree with my Republican colleagues that we need to reform our Workforce Investment Act (WIA) job training programs to meet the challenges of today's labor market. However, the bill before us fails to make the needed reforms to help the 12 million unemployed individuals in this country.

The underlying bill creates a one-size-fits-all Workforce Investment Fund that will ultimately disadvantage workers with disabilities, youth, older workers, women and disabled veterans.

H.R. 803 freezes job training funding levels through fiscal year 2020. These programs have been cut in half already and this bill makes those cuts permanent. We should be closing corporate tax loopholes to invest in our workers, not penalizing workers even more. One balances budgets when people go back to work. This bill should be written to that end.

I'm also particularly concerned that the bill eliminates the requirements that community colleges and non-profits be represented on local Workforce Investment Boards. What is stopping local Boards from being dominated by some business interests and turning into another form of corporate welfare? Education and training are the roads forward to the future. America cannot afford to ignore those most able to teach and train to the future.

I urge my colleagues to join me in opposing this bill.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Chair, I rise today in opposition to H.R. 803, the Supporting Knowledge and Investing in Lifelong Skills (SKILLS) Act. H.R. 803 is a poor alternative to the critical reauthorization of the Workforce Investment Act (WIA), and would ultimately limit access to employment resources and occupational training for the most vulnerable segments of the population.

Numerous organizations, as well as Members of Congress, have come out in overwhelming opposition to H.R. 803 for its unsystematic approach to consolidate government programs and reduce costs. This legislation would collapse 35 federal job training programs and convert these targeted programs into a single indiscriminate fund administered through the states. H.R. 803 works counter to the original intent of the law, which was specifically tailored to support America's veterans, youth, seniors, disabled, and underprivileged workers.

Instead of H.R. 803, I support H.R. 798, proposed by Representative John TIERNEY. H.R. 798 would preserve these important programs for workers, while taking reasonable and deliberate steps to streamline government operations without ignoring the original intent behind WIA. I am a proud cosponsor of this bill, and will only support legislation that is genuine in its intent, and does not discriminate in terms of how it apportions benefits.

Madam Chair, H.R. 803 would dismantle critical support structures that have helped develop the U.S. workforce since WIA's inception in 1998. Despite steady progress, our economy remains fragile, and we must do everything within our power to ensure that workers have the resources and support they need to excel in an increasingly competitive environment. I urge my colleagues to oppose H.R. 803 in favor of a balanced approach that keeps the best interests of the American worker at its core focus.

Mr. MCKEON. Madam Chair, I rise today to speak briefly about one of the programs that is being consolidated in the SKILLS Act: YouthBuild. While I support the overall bill on the floor today and look forward to an eventual reauthorization of WIA, I am concerned about the fate of YouthBuild. Let there be no doubt that with the GAO findings on our workforce training system there needed to be some consolidation, but not all programs are created equal. Some work better than others. Some work well in some districts while not so well in others.

Mr. Speaker, I had the great privilege of visiting the local YouthBuild center in my congressional district just a couple weeks ago. The Antelope Valley YouthBuild center is molding teens and young adults into model citizens. The staff works with youth ages 16–24 to help them build the confidence and skills needed to thrive in their communities. Participants work toward acquiring marketable skills to launch them into their careers while ensuring they complete their high school education. Participants give back to their community by building affordable housing in the Antelope Valley.

YouthBuild leverages public dollars as well as private dollars. Community and faith-based non-profit organizations sponsor most of the programs and the staff work tirelessly to make the program well-rounded for the participants and respected in the community.

I spoke to several young people during my visit whose lives had been completely transformed by the program. Instead of dreaming for even a sub-par life, these young people now have the confidence to not just survive in our world, but to thrive. The skills they learned, the bonds they made, and the good they did in their communities is shown through their great pride in what they have accomplished. They are finally feeling hopeful for the future.

I do not want the rug to be pulled out from under them by consolidating this program. At least in my district, this program has a significant impact on many lives and the community at large. I understand that not all programs are best run from Washington. Bureaucrats often don't understand what local communities need and how they operate, so operating every program at the national level is bad policy. But Mr. Speaker, some programs deserve a second look and I believe YouthBuild is one of those programs.

In 2011 alone, nearly 18,000 young people were turned away due to a lack of funds. The program has served over 110,000 young people since 1992 and since 2006 the Deparment of Labor has had twice as many applicants than it can fund.

Madam Chair, this is a popular program that has proven results. It is a program that has changed lives for the better in my district and many other districts across our country. I would urge Chairman KLINE and Subcommittee Chairman Foxx to reconsider consolidation of YouthBuild if WIA gets to a conference committee.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–4. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 803

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Supporting Knowledge and Investing in Lifelong Skills Act'' or the ''SKILLS Act''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

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

TITLE I—AMENDMENTS TO THE WORKFORCE INVESTMENT ACT OF 1998

Subtitle A—Workforce Investment Definitions

Sec. 101. Definitions.

Subtitle B—Statewide and Local Workforce Investment Systems

Sec. 102. Purpose.
Sec. 103. State workforce investment boards.
Sec. 104. State plan.
Sec. 105. Local workforce investment areas.
Sec. 106. Local workforce investment boards.
Sec. 107. Local plan.
Sec. 108. Establishment of one-stop delivery system.

Sec. 109. Identification of eligible providers of training services.
Sec. 110. General authorization.
Sec. 111. State allotments.
Sec. 112. Within State allocations.
Sec. 113. Use of funds for employment and training activities.
Sec. 114. Performance accountability system.
Sec. 115. Authorization of appropriations.

Subtitle C—Job Corps

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

Subtitle D—National Programs

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

Subtitle E—Administration

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

Subtitle F—State Unified Plan

Sec. 140. State unified plan.

TITLE II—ADULT EDUCATION AND FAMILY LITERACY EDUCATION

Sec. 201. Amendment.

TITLE III—AMENDMENTS TO THE WAGNER-PEYSER ACT

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

TITLE IV—REPEALS AND CONFORMING AMENDMENTS

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

TITLE V—AMENDMENTS TO THE REHABILITATION ACT OF 1973

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

SEC. 3. REFERENCES.

Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the amendment or repeal shall be considered to be made to a section or other provision of the Workforce Investment Act of 1998 (29 U.S.C. 9201 et seq.).

SEC. 4. EFFECTIVE DATE.

Except as otherwise provided, this Act and the amendments made by this Act shall be effective with respect to fiscal year 2014 and succeeding fiscal years.

TITLE I—AMENDMENTS TO THE WORKFORCE INVESTMENT ACT OF 1998

Subtitle A—Workforce Investment Definitions

SEC. 101. DEFINITIONS.

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

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

(2) by redesignating paragraphs (1) through (12) as paragraphs (3) through (14), and paragraphs (14) through (23) as paragraphs (15) through (24), respectively;

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

(4) by inserting after ''In this title:'' the following new paragraphs:

''(1) ACCRUED EXPENDITURES.—The term 'accrued expenditures' means charges incurred by recipients of funds under this title for a given period requiring the provision of funds for goods or other tangible property received; services performed by employees, contractors, subgrantees, subcontractors, and other payees; and other amounts becoming owed under programs assisted under this title for which no current services or performance is required, such as annuities, insurance claims, and other benefit payments.

''(2) ADMINISTRATIVE COSTS.—The term 'administrative costs' means expenditures incurred by State and local workforce investment boards, direct recipients (including State grant recipients under subtitle B and recipients of awards under subtitles C and D), local grant recipients, local fiscal agents or local grant subrecipients, and one-stop operators in the performance of administrative functions and in carrying out activities under this title which are not related to the direct provision of workforce investment services (including services to participants and employers). Such costs include both personnel and non-personnel and both direct and indirect.'';

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

(6) by amending paragraph (5) (as so redesignated) to read as follows:

''(5) AREA CAREER AND TECHNICAL EDUCATION SCHOOL.—The term 'area career and technical education school' has the meaning given the term in section 3(3) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302(3)).'';

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

(8) in paragraph (10)(C) (as so redesignated), by striking ''not less than 50 percent of the cost of the training'' and inserting ''a significant portion of the cost of training, as determined by the local board (or, in the case of an employer in multiple local areas in the State, as determined by the Governor), taking into account the size of the employer and such other factors as the local board determines to be appropriate'';

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

(A) in subparagraph (A)(ii)(II), by striking ''section 134(c)'' and inserting ''section 121(e)'';

(B) in subparagraph (B)(iii)—

(i) by striking ''134(d)(4)'' and inserting ''134(c)(4)''; and

(ii) by striking ''intensive services described in section 134(d)(3)'' and inserting ''work ready services described in section 117(d)(5)(C)'';

(C) in subparagraph (C), by striking ''or'' after the semicolon;

(D) in subparagraph (D), by striking the period and inserting ''; or''; and

(E) by adding at the end the following:

''(E)(i) is the spouse of a member of the Armed Forces on active duty for a period of more than 30 days (as defined in section 101(d)(2) of title 10, United States Code) who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member; or

''(ii) is the spouse of a member of the Armed Forces on active duty who meets the criteria described in paragraph (12)(B).'';

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

(A) by striking ''and'' after the semicolon and inserting ''or'';

(B) by striking ''(A)'' and inserting ''(A)(i)''; and

(C) by adding at the end the following:

''(ii) is the spouse of a member of the Armed Forces on active duty for a period of more than 30 days (as defined in section 101(d)(2) of title 10, United States Code) whose family income is significantly reduced because of a deployment (as defined in section 991(b) of title 10, United States Code, or pursuant to paragraph (4) of such section), a call or order to active duty pursuant to a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code, a permanent change of station, or the service-connected (as defined in section 101(16) of title 38, United States Code) death or disability of the member; and'';

(11) in paragraph (13) (as so redesignated), by inserting ''or regional'' after ''local'' each place it appears;

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

(A) in subparagraph (A), by striking ''section 122(e)(3)'' and inserting ''section 122'';

(B) by striking subparagraph (B), and inserting the following:

''(B) work ready services, means a provider who is identified or awarded a contract as described in section 117(d)(5)(C); or'';

(C) by striking subparagraph (C); and

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

(13) in paragraph (15) (as so redesignated), by striking ''adult or dislocated worker'' and inserting ''individual'';

(14) in paragraph (25)—

(A) in subparagraph (B), by striking ''higher of—'' and all that follows through clause (ii) and inserting ''poverty line for an equivalent period;'';

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

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

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

(15) in paragraph (32), by striking ''the Republic of the Marshall Islands, the Federated States of Micronesia,'';

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

''(33) OUT-OF-SCHOOL YOUTH.—The term 'out-of-school youth' means—

''(A) an at-risk youth who is a school dropout; or

''(B) an at-risk youth who has received a secondary school diploma or its recognized equivalent but is basic skills deficient, unemployed, or underemployed.''.

(17) in paragraph (38), by striking ''134(a)(1)(A)'' and inserting ''134(a)(1)(B)'';

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

''(49) VETERAN.—The term 'veteran' has the same meaning given the term in section 2108(1) of title 5, United States Code.'';

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

''(50) CAREER AND TECHNICAL EDUCATION.—The term 'career and technical education' has the meaning given the term in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).'';

(20) in paragraph (51) by striking '', and a youth activity''; and

(21) by adding at the end the following:

''(52) AT-RISK YOUTH.—Except as provided in subtitle C, the term 'at-risk youth' means an individual who—

''(A) is not less than age 16 and not more than age 24;

''(B) is a low-income individual; and

''(C) is an individual who is one or more of the following:

''(i) a secondary school dropout;

''(ii) a youth in foster care (including youth aging out of foster care);

''(iii) a youth offender;

''(iv) a youth who is an individual with a disability; or

''(v) a migrant youth.

''(53) INDUSTRY OR SECTOR PARTNERSHIP.—The term 'industry or sector partnership' means a partnership of a State or local board and one or more industries and other entities that have the capability to help the State or local board determine the immediate and long term skilled workforce needs of in-demand industries and other occupations important to the State or local economy, respectively.

''(54) INDUSTRY-RECOGNIZED CREDENTIAL.—The term 'industry-recognized credential' means a credential that is sought or accepted by companies within the industry sector involved, across multiple States, as recognized, preferred, or required for recruitment, screening, or hiring.

''(55) RECOGNIZED POSTSECONDARY CREDENTIAL.—The term 'recognized postsecondary credential' means a credential awarded by a training provider or postsecondary educational institution based on completion of all requirements for a program of study, including coursework or tests or other performance evaluations. The term includes an industry-recognized credential, a certificate of completion of an apprenticeship, or an associate or baccalaureate degree.

''(56) PAY-FOR-PERFORMANCE CONTRACT STRATEGY.—The term 'pay-for-performance contract strategy' means a strategy in which a contract to provide a program of employment and training activities incorporates—

''(A) the performance outcome described in subclauses (I) through (IV) of section 136(b)(2)(A)(i);

''(B) a fixed amount that will be paid to a provider of such employment and training activities for each program participant who achieves the agreed to levels of performance based upon the outcome measures described in subparagraph (A), within a defined timetable, and may include a bonus payment to such provider which may be used to expand the capacity of such provider;

''(C) the ability for a provider to recoup the costs of training a participant who has not met such outcome measures, but for whom the provider is able to demonstrate that such participant gained specific competencies required for education and career advancement that are, where feasible, tied to industry-recognized credentials and related standards, or State licensing requirements; and

''(D) the ability for a provider that does not meet the requirements under section 122(a)(2) to participate in such pay-for-performance contract and to not be required to report on the performance and cost information required under section 122(d).''.

Subtitle B—Statewide and Local Workforce Investment Systems

SEC. 102. PURPOSE.

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

SEC. 103. STATE WORKFORCE INVESTMENT BOARDS.

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

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking subparagraph (B);

(ii) by redesignating subparagraph (C) as subparagraph (B); and

(iii) in subparagraph (B) (as so redesignated)—

(I) by amending clause (i)(I), by striking ''section 117(b)(2)(A)(i)'' and inserting ''section 117(b)(2)(A)'';

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

''(II) represent businesses, including large and small businesses, with immediate and long-term employment opportunities in in-demand industries and other occupations important to the State economy; and'';

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

''(iii) a State agency official responsible for economic development; and'';

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

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

''(vii) such other representatives and State agency officials as the Governor may designate, including—

''(I) members of the State legislature;

''(II) representatives of individuals and organizations that have experience with respect to youth activities;

''(III) representatives of individuals and organizations that have experience and expertise in the delivery of workforce investment activities, including chief executive officers of community colleges and community-based organizations within the State;

''(IV) representatives of the lead State agency officials with responsibility for the programs and activities that are described in section 121(b) and carried out by one-stop partners; or

''(V) representatives of veterans service organizations.''; and

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

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

''(3) MAJORITY.—A ⅔ majority of the members of the board shall be representatives described in paragraph (1)(B)(i).'';

(2) in subsection (c), by striking ''(b)(1)(C)(i)'' and inserting ''(b)(1)(B)(i)'';

(3) by amending subsection (d) to read as follows:

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

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

''(2) STATEWIDE WORKFORCE DEVELOPMENT SYSTEM.—Review and develop statewide policies and programs in the State in a manner that supports a comprehensive Statewide workforce development system that will result in meeting the workforce needs of the State and its local areas. Such review shall include determining whether the State should consolidate additional programs into the Workforce Investment Fund in accordance with section 501(e).

''(3) WORKFORCE AND LABOR MARKET INFORMATION SYSTEM.—Develop a statewide workforce and labor market information system described in section 15(e) of the Wagner-Peyser Act, which may include using existing information conducted by the State economic development entity or related entity in developing such system.

''(4) EMPLOYER ENGAGEMENT.—Develop strategies across local areas that meet the needs of employers and support economic growth in the State by enhancing communication, coordination, and collaboration among employers, economic development entities, and service providers.

''(5) DESIGNATION OF LOCAL AREAS.—Designate local areas as required under section 116.

''(6) ONE-STOP DELIVERY SYSTEM.—Identify and disseminate information on best practices for effective operation of one-stop centers, including use of innovative business outreach, partnerships, and service delivery strategies.

''(7) PROGRAM OVERSIGHT.—Conduct the following program oversight:

''(A) Reviewing and approving local plans under section 118.

''(B) Ensuring the appropriate use and management of the funds provided for State employment and training activities authorized under section 134.

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

''(8) DEVELOPMENT OF PERFORMANCE MEASURES.—Develop and ensure continuous improvement of comprehensive State performance measures, including State adjusted levels of performance, as described under section 136(b).'';

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

(5) in subsection (e) (as so redesignated), by inserting ''or participate in any action taken'' after ''vote'';

(6) by inserting after subsection (e) (as so redesignated), the following:

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

(7) in subsection (g), by inserting ''electronic means and'' after ''on a regular basis through''.

SEC. 104. STATE PLAN.

Section 112 (29 U.S.C. 2822)—

(1) in subsection (a)—

(A) by striking ''127 or''; and

(B) by striking ''5-year strategy'' and inserting ''3-year strategy'';

(2) in subsection (b)—

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

''(4) information describing—

''(A) the economic conditions in the State;

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

''(C) the knowledge and skills of the workforce in the State; and

''(D) workforce development activities (including education and training) in the State;'';

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

''(7) a description of the State criteria for determining the eligibility of training providers in accordance with section 122, including how the State will take into account the performance of providers and whether the training programs relate to occupations that are in-demand;'';

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

''(8)(A) a description of the procedures that will be taken by the State to assure coordination of, and avoid duplication among, the programs and activities identified under section 501(b)(2); and

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

''(i) assurances that such processes use quarterly wage records for performance measures described in section 136(b)(2)(A) that are applicable to such programs or activities; or

''(ii) if such wage records are not being used for the performance measures, an identification of the barriers to using such wage records and a description of how the State will address such barriers within one year of the approval of the plan;'';

(D) in paragraph (9), by striking '', including comment by representatives of businesses and representatives of labor organizations,'';

(E) in paragraph (11), by striking ''under sections 127 and 132'' and inserting ''under section 132'';

(F) by striking paragraph (12);

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

(H) in paragraph (12) (as so redesignated), by striking ''111(f)'' and inserting ''111(e)'';

(I) in paragraph (13) (as so redesignated), by striking ''134(c)'' and inserting ''121(e)'';

(J) in paragraph (14) (as so redesignated), by striking ''116(a)(5)'' and inserting ''116(a)(4)'';

(K) in paragraph (16) (as so redesignated)—

(i) in subparagraph (A)—

(I) in clause (ii), by striking ''to dislocated workers'';

(II) in clause (iii), by striking ''134(d)(4)'' and inserting ''134(c)(4)'';

(III) by striking ''and'' at the end of clause (iii);

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

''(iv) how the State will serve the employment and training needs of dislocated workers (including displaced homemakers), low-income individuals (including recipients of public assistance such as supplemental nutrition assistance program benefits pursuant to the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.)), long-term unemployed individuals (including individuals who have exhausted entitlement to State and Federal unemployment compensation), English learners, homeless individuals, individuals training for nontraditional employment, youth (including out-of-school youth and at-risk youth), older workers, ex-offenders, migrant and seasonal farmworkers, refugee and entrants, veterans (including disabled and homeless veterans), and Native Americans; and''; and

(V) by adding at the end the following new clause:

''(v) how the State will—

''(I) consistent with section 188 and Executive Order 13217 (42 U.S.C. 12131 note), serve the employment and training needs of individuals with disabilities; and

''(II) consistent with sections 504 and 508 of the Rehabilitation Act of 1973, include the provision of outreach, intake, assessments, and service delivery, the development of performance measures, the training of staff, and other aspects of accessibility to programs and services under this subtitle;''; and

(ii) in subparagraph (B), by striking ''to the extent practicable'' and inserting ''in accordance with the requirements of the Jobs for Veterans Act (Public Law 107–288) and the amendments made by such Act''; and

(L) by striking paragraph (17) (as so redesignated) and inserting the following:

''(17) a description of the strategies and services that will be used in the State—

''(A) to more fully engage employers, including small businesses and employers in in-demand industries and occupations important to the State economy;

''(B) to meet the needs of employers in the State; and

''(C) to better coordinate workforce development programs with economic development activities;

''(18) a description of how the State board will convene (or help to convene) industry or sector partnerships that lead to collaborative planning, resource alignment, and training efforts across multiple firms for a range of workers employed or potentially employed by a targeted industry cluster—

''(A) to encourage industry growth and competitiveness and to improve worker training, retention, and advancement in targeted industry clusters;

''(B) to address the immediate and long-term skilled workforce needs of in-demand industries and other occupations important to the State economy, and

''(C) to address critical skill gaps within and across industries;

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

''(20) a description of the State strategy and assistance to be provided for encouraging regional cooperation within the State and across State borders, as appropriate;

''(21) a description of the actions that will be taken by the State to foster communication, coordination, and partnerships with non-profit organizations (including public libraries, community, faith-based, and philanthropic organizations) that provide employment-related, training, and complementary services, to enhance the quality and comprehensiveness of services available to participants under this title;

''(22) a description of the process and methodology for determining—

''(A) one-stop partner program contributions for the cost of the infrastructure of one-stop centers under section 121(h)(1); and

''(B) the formula for allocating such infrastructure funds to local areas under section 121(h)(3);

''(23) a description of the strategies and services that will be used in the State to assist at-risk youth and out-of-school youth in acquiring the education and skills, credentials (including recognized postsecondary credentials and industry-recognized credentials), and employment experience to succeed in the labor market, including—

''(A) training and internships in in-demand industries or occupations important to the State and local economy;

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

''(C) activities combining remediation of academic skills, work readiness training, and work experience, and including linkages to postsecondary education and training and career-ladder employment; and

''(24) a description of—

''(A) how the State will furnish employment, training, supportive, and placement services to veterans, including disabled and homeless veterans;

''(B) the strategies and services that will be used in the State to assist and expedite reintegration of homeless veterans into the labor force; and

''(C) the veteran population to be served in the State.'';

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

(4) in subsection (d), by striking ''5-year'' and inserting ''3-year''.

SEC. 105. LOCAL WORKFORCE INVESTMENT AREAS.

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

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking ''Except as provided in subsection (b), and consistent with paragraphs (2), (3), and (4), in'' and inserting ''In''; and

(II) by striking ''127 or''; and

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

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

''(i) The extent to which such local areas are consistent with labor market areas.

''(ii) The extent to which labor market areas align with economic development regions.

''(iii) Whether such local areas have the appropriate education and training providers to meet the needs of the local workforce.

''(iv) The distance that individuals will need to travel to receive services provided in such local areas.'';

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

''(2) TECHNICAL ASSISTANCE.—The Secretary shall, if requested by the Governor of a State, provide the State with technical assistance in making the determinations required under paragraph (1). The Secretary shall not issue regulations governing determinations to be made under paragraph (1).'';

(C) by striking paragraph (3) and inserting the following:

''(3) DESIGNATION ON RECOMMENDATION OF STATE BOARD.—The Governor may approve a request from any unit of general local government (including a combination of such units) for designation as a local area under paragraph (1) if the State board determines, taking into account the factors described in clauses (i) through (iv) of paragraph (1)(B), and recommends to the Governor, that such area shall be so designated.'';

(D) by striking paragraph (4); and

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

(2) by amending subsection (b) to read as follows:

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

(3) in subsection (c)—

(A) in paragraph (1), by adding at the end the following: ''The State may require the local boards for the designated region to prepare a single regional plan that incorporates the elements of the local plan under section 118 and that is submitted and approved in lieu of separate local plans under such section.''; and

(B) in paragraph (2), by striking ''employment statistics'' and inserting ''workforce and labor market information''.

SEC. 106. LOCAL WORKFORCE INVESTMENT BOARDS.

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

(1) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''include—'' and all that follows through ''representatives'' and inserting ''include representatives'';

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

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

(IV) by striking clause (ii) (as so redesignated) and inserting the following:

''(ii) represent businesses, including large and small businesses, with immediate and long-term employment opportunities in in-demand industries and other occupations important to the local economy; and''; and

(V) by striking the semicolon at the end of clause (iii) (as so redesignated) and inserting ''; and''; and

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

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

''(i) a superintendent of the local secondary school system, the president or chief executive officer of a postsecondary educational institution (including a community college, where such an entity exists), or an administrator of local entities providing adult education and literacy activities;

''(ii) representatives of community-based organizations (including organizations representing individuals with disabilities and veterans, for a local area in which such organizations are present); or

''(iii) representatives of veterans service organizations.'';

(B) in paragraph (4)—

(i) by striking ''A majority'' and inserting ''A ⅔ majority''; and

(ii) by striking ''(2)(A)(i)'' and inserting ''(2)(A)''; and

(C) in paragraph (5) by striking ''(2)(A)(i)'' and inserting ''(2)(A)'';

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

(3) by amending subsection (d) to read as follows:

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

''(1) LOCAL PLAN.—Consistent with section 118, each local board, in partnership with the chief elected official for the local area involved, shall develop and submit a local plan to the Governor.

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

''(A) IN GENERAL.—The local board shall—

''(i) conduct, and regularly update, an analysis of—

''(I) the economic conditions in the local area;

''(II) the immediate and long-term skilled workforce needs of in-demand industries and other occupations important to the local economy;

''(III) the knowledge and skills of the workforce in the local area; and

''(IV) workforce development activities (including education and training) in the local area; and

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

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

''(3) EMPLOYER ENGAGEMENT.—The local Board shall meet the needs of employers and support economic growth in the local area by enhancing communication, coordination, and collaboration among employers, economic development entities, and service providers.

''(4) BUDGET AND ADMINISTRATION.—

''(A) BUDGET.—

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

''(ii) TRAINING RESERVATION.—In developing a budget under clause (i), the local board shall reserve a percentage of funds to carry out the activities specified in section 134(c)(4). The local board shall use the analysis conducted under paragraph (2)(A)(i) to determine the appropriate percentage of funds to reserve under this clause.

''(B) ADMINISTRATION.—

''(i) GRANT RECIPIENT.—

''(I) IN GENERAL.—The chief elected official in a local area shall serve as the local grant recipient for, and shall be liable for any misuse of, the grant funds allocated to the local area under section 133, unless the chief elected official reaches an agreement with the Governor for the Governor to act as the local grant recipient and bear such liability.

''(II) DESIGNATION.—In order to assist in administration of the grant funds, the chief elected official or the Governor, where the Governor serves as the local grant recipient for a local area, may designate an entity to serve as a local grant subrecipient for such funds or as a local fiscal agent. Such designation shall not relieve the chief elected official or the Governor of the liability for any misuse of grant funds as described in subclause (I).

''(III) DISBURSAL.—The local grant recipient or an entity designated under subclause (II) shall disburse the grant funds for workforce investment activities at the direction of the local board, pursuant to the requirements of this title. The local grant recipient or entity designated under subclause (II) shall disburse the funds immediately on receiving such direction from the local board.

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

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

''(5) SELECTION OF OPERATORS AND PROVIDERS.—

''(A) SELECTION OF ONE-STOP OPERATORS.—Consistent with section 121(d), the local board, with the agreement of the chief elected official—

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

''(ii) may terminate for cause the eligibility of such operators.

''(B) IDENTIFICATION OF ELIGIBLE TRAINING SERVICE PROVIDERS.—Consistent with this subtitle, the local board shall identify eligible providers of training services described in section 134(c)(4) in the local area, annually review the outcome of individual training providers using the criteria under section 122(b)(2), and designate providers in the local area who have demonstrated the highest level of success with respect to such indicators as priority providers for the following program year.

''(C) IDENTIFICATION OF ELIGIBLE PROVIDERS OF WORK READY SERVICES.—If the one-stop operator does not provide the services described in section 134(c)(2) in the local area, the local board shall identify eligible providers of such services in the local area by awarding contracts.

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

''(A) ensuring the appropriate use and management of the funds provided for local employment and training activities authorized under section 134(b); and

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

''(7) NEGOTIATION OF LOCAL PERFORMANCE MEASURES.—The local board, the chief elected official, and the Governor shall negotiate and reach agreement on local performance measures as described in section 136(c).

''(8) TECHNOLOGY IMPROVEMENTS.—The local board shall develop strategies for technology improvements to facilitate access to services authorized under this subtitle and carried out in the local area, including in remote areas.'';

(4) in subsection (e)—

(A) by inserting ''electronic means and'' after ''regular basis through''; and

(B) by striking ''and the award of grants or contracts to eligible providers of youth activities,'';

(5) in subsection (f)—

(A) in paragraph (1)(A), by striking ''section 134(d)(4)'' and inserting ''section 134(c)(4)''; and

(B) by striking paragraph (2) and inserting the following:

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

(6) in subsection (g)(1), by inserting ''or participate in any action taken'' after ''vote''; and

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

SEC. 107. LOCAL PLAN.

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

(1) in subsection (a), by striking ''5-year'' and inserting ''3-year'';

(2) by amending subsection (b) to read as follows:

''(b) CONTENTS.—The local plan shall include—

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

''(2) a description of the one-stop delivery system in the local area, including—

''(A) a description of how the local board will ensure—

''(i) the continuous improvement of eligible providers of services through the system; and

''(ii) that such providers meet the employment needs of local businesses and participants; and

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

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

''(A) to more fully engage employers, including small businesses and employers in in-demand industries and occupations important to the local economy;

''(B) to meet the needs of employers in the local area;

''(C) to better coordinate workforce development programs with economic development activities; and

''(D) to better coordinate workforce development programs with employment, training, and literacy services carried out by nonprofit organizations, including public libraries, as appropriate;

''(4) a description of how the local board will convene (or help to convene) industry or sector partnerships that lead to collaborative planning, resource alignment, and training efforts across multiple firms for a range of workers employed or potentially employed by a targeted industry cluster—

''(A) to encourage industry growth and competitiveness and to improve worker training, retention, and advancement in targeted industry clusters;

''(B) to address the immediate and long-term skilled workforce needs of in-demand industries, small businesses, and other occupations important to the local economy; and

''(C) to address critical skill gaps within and across industries;

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

''(6) a description of how the local board will coordinate workforce investment activities carried out in the local area with statewide activities, as appropriate;

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

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

''(B) consistent with section 188 and Executive Order 13217 (42 U.S.C. 12131 note), serve the employment and training needs of individuals with disabilities; and

''(C) consistent with sections 504 and 508 of the Rehabilitation Act of 1973, include the provision of outreach, intake, assessments, and service delivery, the development of performance measures, the training of staff, and other aspects of accessibility to programs and services under this subtitle;

''(8) a description of the local levels of performance negotiated with the Governor and chief elected official pursuant to section 136(c), to be—

''(A) used to measure the performance of the local area; and

''(B) used by the local board for measuring performance of the local fiscal agent (where appropriate), eligible providers, and the one-stop delivery system, in the local area;

''(9) a description of the process used by the local board, consistent with subsection (c), to provide an opportunity for public comment prior to submission of the plan;

''(10) a description of how the local area will serve the employment and training needs of dislocated workers (including displaced homemakers), low-income individuals (including recipients of public assistance such as the Supplemental Nutrition Assistance Program), long-term unemployed individuals (including individuals who have exhausted entitlement to State and Federal unemployment compensation), English learners, homeless individuals, individuals

training for nontraditional employment, youth (including out-of-school youth and at-risk youth), older workers, ex-offenders, migrant and seasonal farmworkers, refugee and entrants, veterans (including disabled veterans and homeless veterans), and Native Americans;

''(11) an identification of the entity responsible for the disbursal of grant funds described in subclause (III) of section 117(d)(4)(B)(i), as determined by the chief elected official or the Governor under such section;

''(12) a description of the strategies and services that will be used in the local area to assist at-risk youth and out-of-school youth in acquiring the education and skills, credentials (including recognized postsecondary credentials and industry-recognized credentials), and employment experience to succeed in the labor market, including—

''(A) training and internships in in-demand industries or occupations important to the local economy;

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

''(C) activities combining remediation of academic skills, work readiness training, and work experience, and including linkages to postsecondary education and training and career-ladder employment;

''(13) a description of—

''(A) how the local area will furnish employment, training, supportive, and placement services to veterans, including disabled and homeless veterans;

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

''(C) the veteran population to be served in the local area;

''(14) a description of—

''(A) the duties assigned to the veteran employment specialist consistent with the requirements of section 134(f);

''(B) the manner in which the veteran employment specialist is integrated into the One-Stop Career System described in section 121;

''(C) the date on which the veteran employment specialist was assigned; and

''(D) whether the veteran employment specialist has satisfactorily competed such training by the National Veterans' Employment and Training Services Institute; and

''(15) such other information as the Governor may require.'';

(3) in subsection (c)(1), by striking ''such means'' and inserting ''electronic means such''; and

(4) in subsection (c)(2), by striking '', including representatives of business and representatives of labor organizations,''.

SEC. 108. ESTABLISHMENT OF ONE-STOP DELIVERY SYSTEM.

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

(1) in subsection (b)—

(A) by striking subparagraph (A) of paragraph (1) and inserting the following:

''(A) ROLES AND RESPONSIBILITIES OF ONE-STOP PARTNERS.—Each entity that carries out a program or activities described in subparagraph (B) shall—

''(i) provide access through the one-stop delivery system to the program and activities carried out by the entity, including making the work ready services described in section 134(c)(2) that are applicable to the program of the entity available at one-stop centers (in addition to any other appropriate locations);

''(ii) use a portion of the funds available to the program of the entity to maintain the one-stop delivery system, including payment of the infrastructure costs of one-stop centers in accordance with subsection (h);

''(iii) enter into a local memorandum of understanding with the local board relating to the operation of the one-stop delivery system that meets the requirements of subsection (c); and

''(iv) participate in the operation of the one-stop delivery system consistent with the terms of the memorandum of understanding, the requirements of this title, and the requirements of the Federal laws authorizing the programs carried out by the entity.'';

(B) in paragraph (1)(B)—

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

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

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

(iv) in clause (viii), as so redesignated, by striking ''and'' at the end;

(v) in clause (ix), as so redesignated, by striking the period and inserting ''; and''; and

(vi) by adding at the end the following:

''(x) subject to subparagraph (C), programs authorized under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).'';

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

''(C) DETERMINATION BY THE GOVERNOR.—Each entity carrying out a program described in subparagraph (B)(x) shall carry out the required partner activities described in subparagraph (A) unless the Governor of the State in which the local area is located provides the Secretary and Secretary of Health and Human Services written notice of a determination by the Governor that such entities shall not carry out such required partner activities.''; and

(D) in paragraph (2)—

(i) in subparagraph (A)(i), by striking ''section 134(d)(2)'' and inserting ''section 134(c)(2)''; and

(ii) in subparagraph (B)—

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

(II) in clause (iv), by striking ''and'' at the end;

(III) by redesignating clauses (iii) and (iv) as clauses (i) and (ii), respectively; and

(IV) by adding at the end the following:

''(iii) employment and training programs administered by the Commissioner of the Social Security Administration;

''(iv) employment and training programs carried out by the Administrator of the Small Business Administration;

''(v) employment, training, and literacy services carried out by public libraries; and

''(vi) other appropriate Federal, State, or local programs, including programs in the private sector.'';

(2) in subsection (c)(2), by amending subparagraph (A) to read as follows:

''(A) provisions describing—

''(i) the services to be provided through the one-stop delivery system consistent with the requirements of this section, including the manner in which the services will be coordinated through such system;

''(ii) how the costs of such services and the operating costs of such system will be funded, through cash and in-kind contributions, to provide a stable and equitable funding stream for ongoing one-stop system operations, including the funding of the infrastructure costs of one-stop centers in accordance with subsection (h);

''(iii) methods of referral of individuals between the one-stop operator and the one-stop partners for appropriate services and activities, including referrals for nontraditional employment; and

''(iv) the duration of the memorandum of understanding and the procedures for amending the memorandum during the term of the memorandum, and assurances that such memorandum shall be reviewed not less than once every 3-year period to ensure appropriate funding and delivery of services; and'';

(3) in subsection (d)—

(A) in the heading for paragraph (1), by striking ''DESIGNATION AND CERTIFICATION'' and inserting ''LOCAL DESIGNATION AND CERTIFICATION'';

(B) in paragraph (2)—

(i) by striking ''section 134(c)'' and inserting ''subsection (e)'';

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

''(A) shall be designated or certified as a one-stop operator through a competitive process; and''; and

(iii) in subparagraph (B), by striking clause (ii) and redesignating clauses (iii) through (vi) as clauses (ii) through (v), respectively; and

(C) in paragraph (3), by striking ''vocational'' and inserting ''career and technical'';

(4) by amending subsection (e) to read as follows:

''(e) ESTABLISHMENT OF ONE-STOP DELIVERY SYSTEM.—

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

''(A) provide the work ready services described in section 134(c)(2);

''(B) provide access to training services as described in section 134(c)(4), including serving as the point of access to career enhancement accounts for training services to participants in accordance with paragraph (4)(F) of such section;

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

''(D) provide access to programs and activities carried out by one-stop partners that are described in subsection (b) of this section; and

''(E) provide access to the information described in section 15(e) of the Wagner-Peyser Act (29 U.S.C. 49l–2(e)).

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

''(A) shall make each of the programs, services, and activities described in paragraph (1) accessible at not less than one physical center in each local area of the State; and

''(B) may also make programs, services, and activities described in paragraph (1) available—

''(i) through a network of affiliated sites that can provide one or more of the programs, services, and activities to individuals; and

''(ii) through a network of eligible one-stop partners—

''(I) in which each partner provides one or more of the programs, services, and activities to such individuals and is accessible at an affiliated site that consists of a physical location or an electronically- or technologically-linked access point; and

''(II) that assures individuals that information on the availability of the work ready services will be available regardless of where the individuals initially enter the statewide workforce investment system, including information made available through an access point described in subclause (I).

''(3) SPECIALIZED CENTERS.—The centers and sites described in paragraph (2) may have a specialization in addressing special needs.''; and

(5) by adding at the end the following:

''(g) CERTIFICATION OF ONE-STOP CENTERS.—

''(1) IN GENERAL.—

''(A) IN GENERAL.—The State board shall establish objective procedures and criteria for certifying, at least once every 3 years, one-stop centers for the purpose of awarding the one-stop infrastructure funding described in subsection (h).

''(B) CRITERIA.—The criteria for certification under this subsection shall include—

''(i) meeting all of the expected levels of performance for each of the core indicators of performance as outlined in the State plan under section 112;

''(ii) meeting minimum standards relating to the scope and degree of service integration achieved by the centers involving the programs provided by the one-stop partners; and

''(iii) meeting minimum standards relating to how the centers ensure that eligible providers meet the employment needs of local employers and participants.

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

''(2) LOCAL BOARDS.—Consistent with the criteria developed by the State, the local board may develop additional criteria of higher standards to respond to local labor market and demographic conditions and trends.

''(h) ONE-STOP INFRASTRUCTURE FUNDING.—

''(1) PARTNER CONTRIBUTIONS.—

''(A) PROVISION OF FUNDS.—Notwithstanding any other provision of law, as determined under subparagraph (B), a portion of the Federal funds provided to the State and areas within the State under the Federal laws authorizing the one-stop partner programs described in subsection (b)(1)(B) and participating additional partner programs described in (b)(2)(B) for a fiscal year shall be provided to the Governor by such programs to carry out this subsection.

''(B) DETERMINATION OF GOVERNOR.—

''(i) IN GENERAL.—Subject to subparagraph (C), the Governor, in consultation with the State board, shall determine the portion of funds to be provided under subparagraph (A) by each one-stop partner and in making such determination shall consider the proportionate use of the one-stop centers by each partner, the costs of administration for purposes not related to one-stop centers for each partner, and other relevant factors described in paragraph (3).

''(ii) SPECIAL RULE.—In those States where the State constitution places policy-making authority that is independent of the authority of the Governor in an entity or official with respect to the funds provided for adult education and literacy activities authorized under title II of this Act and for postsecondary career education activities authorized under the Carl D. Perkins Career and Technical Education Act, the determination described in clause (i) with respect to such programs shall be made by the Governor with the appropriate entity or official with such independent policy-making authority.

''(iii) APPEAL BY ONE-STOP PARTNERS.—The Governor shall establish a procedure for the one-stop partner administering a program described in subsection (b) to appeal a determination regarding the portion of funds to be contributed under this paragraph on the basis that such determination is inconsistent with the criteria described in the State plan or with the requirements of this paragraph. Such procedure shall ensure prompt resolution of the appeal.

''(C) LIMITATIONS.—

''(i) PROVISION FROM ADMINISTRATIVE FUNDS.—The funds provided under this paragraph by each one-stop partner shall be provided only from funds available for the costs of administration under the program administered by such partner, and shall be subject to the limitations with respect to the portion of funds under such programs that may be used for administration.

''(ii) FEDERAL DIRECT SPENDING PROGRAMS.—Programs that are Federal direct spending under section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(8)) shall not, for purposes of this paragraph, be required to provide an amount in excess of the amount determined to be equivalent to the proportionate use of the one-stop centers by such programs in the State.

''(2) ALLOCATION BY GOVERNOR.—From the funds provided under paragraph (1), the Governor shall allocate funds to local areas in accordance with the formula established under paragraph (3) for the purposes of assisting in paying the costs of the infrastructure of one-stop centers certified under subsection (g).

''(3) ALLOCATION FORMULA.—The State board shall develop a formula to be used by the Governor to allocate the funds described in paragraph (1). The formula shall include such factors as the State board determines are appropriate, which may include factors such as the number of centers in the local area that have been certified, the population served by such centers, and the performance of such centers.

''(4) COSTS OF INFRASTRUCTURE.—For purposes of this subsection, the term 'costs of infrastructure' means the nonpersonnel costs that are necessary for the general operation of a one-stop center, including the rental costs of the facilities, the costs of utilities and maintenance, and equipment (including assistive technology for individuals with disabilities).

''(i) OTHER FUNDS.—

''(1) IN GENERAL.—In addition to the funds provided to carry out subsection (h), a portion of funds made available under Federal law authorizing the one-stop partner programs described in subsection (b)(1)(B) and participating additional partner programs described in subsection (b)(2)(B), or the noncash resources available under such programs shall be used to pay the costs relating to the operation of the one-stop delivery system that are not paid for from the funds provided under subsection (h), to the extent not inconsistent with the Federal law involved including—

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

''(B) common costs that are in addition to the costs of infrastructure; and

''(C) the costs of the provision of work ready services applicable to each program.

''(2) DETERMINATION AND GUIDANCE.—The method for determining the appropriate portion of funds and noncash resources to be provided by each program under paragraph (1) shall be determined as part of the memorandum of understanding under subsection (c). The State board shall provide guidance to facilitate the determination of appropriate allocation of the funds and noncash resources in local areas.''.

SEC. 109. IDENTIFICATION OF ELIGIBLE PROVIDERS OF TRAINING SERVICES.

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

''SEC. 122. IDENTIFICATION OF ELIGIBLE PROVIDERS OF TRAINING SERVICES.

''(a) ELIGIBILITY.—

''(1) IN GENERAL.—The Governor, after consultation with the State board, shall establish criteria and procedures regarding the eligibility of providers of training services described in section 134(c)(4) to receive funds provided under section 133(b) for the provision of such training services.

''(2) PROVIDERS.—Subject to the provisions of this section, to be eligible to receive the funds provided under section 133(b) for the provision of training services, the provider shall be—

''(A) a postsecondary educational institution that—

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

''(ii) provides a program that leads to a recognized postsecondary credential;

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

''(C) another public or private provider of a program of training services.

''(3) INCLUSION IN LIST OF ELIGIBLE PROVIDERS.—A provider described in subparagraph (A) or (C) of paragraph (2) shall comply with the criteria and procedures established under this section to be included on the list of eligible providers of training services described in subsection (d). A provider described in paragraph (2)(B) shall be included on the list of eligible providers of training services described in subsection (d) for so long as the provider remains certified by the Secretary of Labor to carry out the programs described in paragraph (2)(B).

''(b) CRITERIA.—

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

''(A) the performance of providers of training services with respect to the performance measures described in section 136 and other matters for which information is required under paragraph (2) and other appropriate measures of performance outcomes for those participants receiving training services under this subtitle;

''(B) whether the training programs of such providers relate to occupations that are in demand;

''(C) the need to ensure access to training services throughout the State, including in rural areas;

''(D) the ability of providers to offer programs that lead to a recognized postsecondary credential;

''(E) the information such providers are required to report to State agencies with respect to other Federal and State programs (other than the program carried out under this subtitle), including one-stop partner programs; and

''(F) such other factors as the Governor determines are appropriate.

''(2) INFORMATION.—The criteria established by the Governor shall require that a provider of training services submit appropriate, accurate, and timely information to the State for purposes of carrying out subsection (d), with respect to participants receiving training services under this subtitle in the applicable program, including—

''(A) information on recognized postsecondary credentials received by such participants;

''(B) information on costs of attendance for such participants;

''(C) information on the program completion rate for such participants; and

''(D) information on the performance of the provider with respect to the performance measures described in section 136 for such participants.

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

''(4) LOCAL CRITERIA.—A local board in the State may establish criteria in addition to the criteria established by the Governor, or may require higher levels of performance than required under the criteria established by the Governor, for purposes of determining the eligibility of providers of training services to receive funds described in subsection (a) to provide the services in the local area involved.

''(5) LIMITATION.—In carrying out the requirements of this subsection, no personally identifiable information regarding a student, including Social Security number, student identification number, or other identifier, may be disclosed without the prior written consent of the parent or eligible student in compliance with section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

''(c) PROCEDURES.—The procedures established under subsection (a) shall—

''(1) identify—

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

''(B) the respective roles of the State and local areas in receiving and reviewing applications and in making determinations of eligibility based on the criteria established under this section; and

''(2) establish a process for a provider of training services to appeal a denial or termination of eligibility under this section that includes an opportunity for a hearing and prescribes appropriate time limits to ensure prompt resolution of the appeal.

''(d) INFORMATION TO ASSIST PARTICIPANTS IN CHOOSING PROVIDERS.—In order to facilitate and assist participants under chapter 5 in choosing providers of training services, the Governor shall ensure that an appropriate list or lists of providers determined eligible under this section in the State, including information provided under subsection (b)(2) with respect to such providers, is provided to the local boards in

the State and is made available to such participants and to members of the public through the one-stop delivery system in the State.

''(e) ENFORCEMENT.—

''(1) IN GENERAL.—The criteria and procedures established under this section shall provide the following:

''(A) INTENTIONALLY SUPPLYING INACCURATE INFORMATION.—Upon a determination, by an individual or entity specified in the criteria or procedures, that a provider of training services, or individual providing information on behalf of the provider, intentionally supplied inaccurate information under this section, the eligibility of such provider to receive funds under chapter 5 shall be terminated for a period of time that is not less than 2 years.

''(B) SUBSTANTIAL VIOLATIONS.—Upon a determination, by an individual or entity specified in the criteria or procedures, that a provider of training services substantially violated any requirement under this title, the eligibility of such provider to receive funds under the program involved shall be terminated for a period of time that is not less than 10 years.

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

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

''(f) AGREEMENTS WITH OTHER STATES.—States may enter into agreements, on a reciprocal basis, to permit eligible providers of training services to accept career enhancement accounts provided in another State.

''(g) RECOMMENDATIONS.—In developing the criteria, procedures, and information required under this section, the Governor shall solicit and take into consideration the recommendations of local boards and providers of training services within the State.

''(h) OPPORTUNITY TO SUBMIT COMMENTS.—During the development of the criteria, procedures, requirements for information, and the list of eligible providers required under this section, the Governor shall provide an opportunity for interested members of the public to submit comments regarding such criteria, procedures, and information.

''(i) ON-THE-JOB TRAINING OR CUSTOMIZED TRAINING EXCEPTION.—

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

''(2) COLLECTION AND DISSEMINATION OF INFORMATION.—A one-stop operator in a local area shall collect such performance information from on-the-job training and customized training providers as the Governor may require, determine whether the providers meet such performance criteria as the Governor may require, and disseminate information identifying providers that meet the criteria as eligible providers, and the performance information, through the one-stop delivery system. Providers determined to meet the criteria shall be considered to be identified as eligible providers of training services.''.

SEC. 110. GENERAL AUTHORIZATION.

Chapter 5 of subtitle B of title I is amended—

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

(2) in section 131 (29 U.S.C. 2861)—

(A) by striking ''paragraphs (1)(B) and (2)(B) of''; and

(B) by striking ''adults, and dislocated workers,'' and inserting ''individuals''.

SEC. 111. STATE ALLOTMENTS.

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

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—The Secretary shall—

''(1) reserve ½ of 1 percent of the total amount appropriated under section 137 for a fiscal year, of which—

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

''(B) 50 percent shall be used for evaluations under section 172;

''(2) reserve not more than 1 percent of the total amount appropriated under section 137 for a fiscal year to make grants to, and enter into contracts or cooperative agreements with Indian tribes, tribal organizations, Alaska-Native entities, Indian-controlled organizations serving Indians, or Native Hawaiian organizations to carry out employment and training activities;

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

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

''(A) make grants to State or local boards to provide employment and training assistance to workers affected by major economic dislocations, such as plant closures, mass layoffs, or closures and realignments of military installations; and

''(B) provide assistance to Governors of States with an area that has suffered an emergency or a major disaster (as such terms are defined in paragraphs (1) and (2), respectively, of section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) to provide disaster relief employment in the area.

''(5) from the remaining amount appropriated under section 137 for a fiscal year (after reserving funds under paragraphs (1) through (4)), make allotments in accordance with subsection (b) of this section.''; and

(2) by amending subsection (b) to read as follows:

''(b) WORKFORCE INVESTMENT FUND.—

''(1) RESERVATION FOR OUTLYING AREAS.—

''(A) IN GENERAL.—From the amount made available under subsection (a)(5) for a fiscal year, the Secretary shall reserve not more than ¼ of 1 percent to provide assistance to the outlying areas.

''(B) RESTRICTION.—The Republic of Palau shall cease to be eligible to receive funding under this subparagraph upon entering into an agreement for extension of United States educational assistance under the Compact of Free Association (approved by the Compact of Free Association Amendments Act of 2003 (Public Law 99–658)) after the date of enactment of the SKILLS Act.

''(2) STATES.—

''(A) IN GENERAL.—After determining the amount to be reserved under paragraph (1), the Secretary shall allot the remainder of the amount referred to in subsection (a)(5) for a fiscal year to the States pursuant to subparagraph (B) for employment and training activities and statewide workforce investment activities.

''(B) FORMULA.—Subject to subparagraphs (C) and (D), of the remainder—

''(i) 25 percent shall be allotted on the basis of the relative number of unemployed individuals in areas of substantial unemployment in each State, compared to the total number of unemployed individuals in areas of substantial unemployment in all States;

''(ii) 25 percent shall be allotted on the basis of the relative number of individuals in the civilian labor force in each State, compared to the total number of such individuals in all States;

''(iii) 25 percent shall be allotted on the basis of the relative number of individuals in each State who have been unemployed for 15 weeks or more, compared to the total number of individuals in all States who have been unemployed for 15 weeks or more; and

''(iv) 25 percent shall be allotted on the basis of the relative number of disadvantaged youth in each State, compared to the total number of disadvantaged youth in all States.

''(C) MINIMUM AND MAXIMUM PERCENTAGES.—

''(i) MINIMUM PERCENTAGE.—The Secretary shall ensure that no State shall receive an allotment under this paragraph for—

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

''(II) fiscal year 2017 and each succeeding fiscal year, that is less than 90 percent of the allotment percentage of the State for the preceding fiscal year.

''(ii) MAXIMUM PERCENTAGE.—Subject to clause (i), the Secretary shall ensure that no State shall receive an allotment under this paragraph for—

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

''(II) fiscal year 2017 and each succeeding fiscal year, that is more than 130 percent of the allotment percentage of the State for the preceding fiscal year.

''(D) SMALL STATE MINIMUM ALLOTMENT.—Subject to subparagraph (C), the Secretary shall ensure that no State shall receive an allotment under this paragraph for a fiscal year that is less than ⅕ of 1 percent of the remainder described in subparagraph (A) for the fiscal year.

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

''(i) ALLOTMENT PERCENTAGE.—The term 'allotment percentage'—

''(I) used with respect to fiscal year 2012, means the percentage of the amounts allotted to States under title I of this Act, title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.), the Women in Apprenticeship and Nontraditional Occupations Act (29 U.S.C. 2501 et seq.), sections 4103A and 4104 of title 38, United States Code, and sections 1 through 14 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.), as such provisions were in effect for fiscal year 2012, that is received under such provisions by the State involved for fiscal year 2012; and

''(II) used with respect to fiscal year 2016 or a succeeding fiscal year, means the percentage of the amounts allotted to States under this paragraph for the fiscal year that is received under this paragraph by the State involved for the fiscal year.

''(ii) DISADVANTAGED YOUTH.—The term 'disadvantaged youth' means an individual who is not less than age 16 and not more than age 24 who receives an income, or is a member of a family that received a total family income, that in relation to family size, does not exceed the higher of—

''(I) the poverty line; or

''(II) 70 percent of the lower living standard income level.

''(iii) INDIVIDUAL.—The term 'individual' means an individual who is age 16 or older.''.

SEC. 112. WITHIN STATE ALLOCATIONS.

Section 133 is amended—

(1) by amending subsection (a) to read as follows:

''(a) RESERVATIONS FOR STATEWIDE WORKFORCE INVESTMENT ACTIVITIES.—

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

''(2) STATEWIDE RAPID RESPONSE ACTIVITIES.—Of the amount reserved under paragraph (1) for a fiscal year, the Governor of the State shall reserve not more than 25 percent for statewide rapid response activities described in section 134(a)(4).

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

''(4) STATE ADMINISTRATIVE COST LIMIT.—Not more than 5 percent of the funds reserved under

paragraph (1) may be used by the Governor of a State for administrative costs of carrying out the statewide activities described in section 134(a).'';

(2) by amending subsection (b) to read as follows:

''(b) WITHIN STATE ALLOCATION.—

''(1) METHODS.—The Governor, acting in accordance with the State plan, and after consulting with chief elected officials in the local areas, shall—

''(A) allocate the funds that are allotted to the State for employment and training activities and not reserved under subsection (a), in accordance with paragraph (2)(A); and

''(B) award the funds that are reserved by the State under subsection (a)(3) through competitive grants to eligible entities, in accordance with section 134(a)(1)(C).

''(2) FORMULA ALLOCATIONS FOR THE WORKFORCE INVESTMENT FUND.—

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

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

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

''(iii) 25 percent on the basis described in section 132(b)(2)(B)(iii); and

''(iv) 25 percent on the basis described in section 132(b)(2)(B)(iv).

''(B) MINIMUM AND MAXIMUM PERCENTAGES.—

''(i) MINIMUM PERCENTAGE.—The State shall ensure that no local area shall receive an allocation under this paragraph for—

''(I) each of fiscal years 2014 through 2016, that is less than 100 percent of the allocation percentage of the local area for fiscal year 2012; and

''(II) fiscal year 2017 and each succeeding fiscal year, that is less than 90 percent of the allocation percentage of the local area for the preceding fiscal year.

''(ii) MAXIMUM PERCENTAGE.—Subject to clause (i), the State shall ensure that no local area shall receive an allocation for a fiscal year under this paragraph for—

''(I) each of fiscal years 2014 through 2016, that is more than 130 percent of the allocation percentage of the local area for fiscal year 2012; and

''(II) fiscal year 2017 and each succeeding fiscal year, that is more than 130 percentage of the allocation percentage of the local area for the preceding fiscal year.

''(C) DEFINITIONS.—For the purpose of the formula specified in this paragraph, the term 'allocation percentage'—

''(i) used with respect to fiscal year 2012, means the percentage of the amounts allocated to local areas under title I of this Act, title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.), the Women in Apprenticeship and Nontraditional Occupations Act (29 U.S.C. 2501 et seq.), sections 4103A and 4104 of title 38, United States Code, and sections 1 through 14 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.), as such provisions were in effect for fiscal year 2012, that is received under such provisions by the local area involved for fiscal year 2012; and

''(ii) used with respect to fiscal year 2016 or a succeeding fiscal year, means the percentage of the amounts allocated to local areas for the fiscal year under this paragraph that is received under this paragraph by the local area involved for the fiscal year.'';

(3) in subsection (c)—

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

''(1) IN GENERAL.—The Governor, may in accordance with this subsection, reallocate to eligible local areas within the State amounts that are allocated under subsection (b) for employment and training activities and that are available for reallocation.'';

(B) in paragraph (2), by striking ''paragraph (2)(A) or (3) of subsection (b) for such activities'' and inserting ''subsection (b) for such activities'';

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

''(3) REALLOCATIONS.—In making reallocations to eligible local areas of amounts available pursuant to paragraph (2) for a program year, the Governor shall allocate to each eligible local area within the State an amount based on the relative amount allocated to such local area under subsection (b)(2) for such activities for such prior program year, as compared to the total amount allocated to all eligible local areas in the State under subsection (b)(2) for such activities for such prior program year.''; and

(D) in paragraph (4), by striking ''paragraph (2)(A) or (3) of''; and

(4) by adding at the end the following new subsection:

''(d) LOCAL ADMINISTRATIVE COST LIMIT.—Of the amounts allocated to a local area under this section for a fiscal year, not more than 10 percent of the amount may be used by the local board involved for the administrative costs of carrying out local workforce investment activities in the local area under this chapter.''.

SEC. 113. USE OF FUNDS FOR EMPLOYMENT AND TRAINING ACTIVITIES.

Section 134 is amended—

(1) by amending subsection (a) to read as follows:

''(a) STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—

''(1) IN GENERAL.—

''(A) DISTRIBUTION OF STATEWIDE ACTIVITIES.—Funds reserved by a Governor for a State as described in section 133(a)(1)—

''(i) shall be used to carry out the statewide employment and training activities described in paragraph (2); and

''(ii) may be used to carry out any of the statewide employment and training activities described in paragraph (3).

''(B) STATEWIDE RAPID RESPONSE ACTIVITIES.—Funds reserved by a Governor for a State as described in section 133(a)(2) shall be used to carry out the statewide rapid response activities described in paragraph (4).

''(C) STATEWIDE GRANTS FOR INDIVIDUALS WITH BARRIERS TO EMPLOYMENT.—Funds reserved by a Governor for a State as described in section 133(a)(3) shall be used to carry out the Statewide Grants for Individuals with Barriers to Employment competition described in paragraph (5).

''(2) REQUIRED STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—A State shall use funds reserved as described in section 133(a)(1) to carry out statewide employment and training activities, which shall include—

''(A) disseminating the State list of eligible providers of training described in section 122(d), information identifying eligible providers of on-the-job training and customized training described in section 122(i), and performance information and program cost information described in section 122(b)(2);

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

''(C) implementing strategies and services that will be used in the State to assist at-risk youth and out-of-school youth in acquiring the education and skills, recognized postsecondary credentials, and employment experience to succeed in the labor market;

''(D) conducting evaluations under section 136(e) of activities authorized under this chapter in coordination with evaluations carried out by the Secretary under section 172;

''(E) providing technical assistance to local areas that fail to meet local performance measures;

''(F) operating a fiscal and management accountability system under section 136(f); and

''(G) carrying out monitoring and oversight of activities carried out under this chapter.

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

''(A) implementing innovative programs and strategies designed to meet the needs of all employers in the State, including small employers, which may include incumbent worker training programs, sectoral and industry cluster strategies and partnerships, career ladder programs, micro-enterprise and entrepreneurial training and support programs, utilization of effective business intermediaries, activities to improve linkages between the one-stop delivery system in the State and all employers (including small employers) in the State, and other business services and strategies that better engage employers in workforce investment activities and make the workforce investment system more relevant to the needs of State and local businesses, consistent with the objectives of this title;

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

''(C) developing strategies for effectively integrating programs and services among one-stop partners;

''(D) carrying out activities to facilitate remote access to services provided through a one-stop delivery system, including facilitating access through the use of technology;

''(E) incorporating pay-for-performance contracting strategies, as defined in section 101(56), as an element in funding activities under this section and providing technical support to local areas and providers in order to carry out such strategy, which may provide assistance with data collection and data entry requirements;

''(F) carrying out the State option under subsection (f)(8); and

''(G) carrying out other activities authorized under this section that the State determines to be necessary to assist local areas in carrying out activities described in subsection (c) or (d) through the statewide workforce investment system.

''(4) STATEWIDE RAPID RESPONSE ACTIVITIES.—A State shall use funds reserved as described in section 133(a)(2) to carry out statewide rapid response activities, which shall include—

''(A) provision of rapid response activities, carried out in local areas by the State or by an entity designated by the State, working in conjunction with the local boards and the chief elected officials in the local areas; and

''(B) provision of additional assistance to local areas that experience disasters, mass layoffs or plant closings, or other events that precipitate substantial increases in the number of unemployed individuals, carried out in local areas by the State or by an entity designated by the State, working in conjunction with the local boards and the chief elected officials in the local areas.

''(5) STATEWIDE GRANTS FOR INDIVIDUALS WITH BARRIERS TO EMPLOYMENT.—

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

''(i) may reserve up to 5 percent to provide technical assistance to, and conduct evaluations as described in section 136(e), of the programs and activities carried out under this paragraph; and

''(ii) using the remainder, shall award grants on a competitive basis to eligible entities described in subparagraph (B) to carry out employment and training programs authorized under this paragraph for individuals with barriers to employment that meet specific performance outcomes and criteria established by the Governor.

''(B) ELIGIBLE ENTITY DEFINED.—For purposes of this paragraph, the term 'eligible entity' means an entity that—

''(i) is a—

''(I) local board or a consortium of local boards;

''(II) nonprofit entity, for-profit entity, or a consortium of nonprofit or for-profit entities; or

''(III) consortium of the entities described in subclauses (I) and (II);

''(ii) has a demonstrated record of placing individuals into unsubsidized employment and serving hard to serve individuals; and

''(iii) agrees to be reimbursed primarily on the basis of achievement of specified performance outcomes and criteria established by the Governor.

''(C) GRANT PERIOD.—

''(i) IN GENERAL.—A grant under this paragraph shall be awarded for a period of 1 year.

''(ii) GRANT RENEWAL.—A Governor of a State may renew, for up to 4 additional 1-year periods, a grant awarded under this paragraph.

''(D) ELIGIBLE PARTICIPANTS.—To be eligible to participate in activities under this paragraph, an individual shall be a low-income individual age 16 or older or a member of a low-income family.

''(E) USE OF FUNDS.—An eligible entity receiving a grant under this paragraph shall use such funds for activities that are designed to assist eligible participants in obtaining employment and acquiring the education and skills necessary to succeed in the labor market.

''(F) APPLICATIONS.—To be eligible to receive a grant under this paragraph, an eligible entity shall submit an application to a State at such time, in such manner, and containing such information as the State may require, including—

''(i) a description of how the strategies and activities will be aligned with the State plan submitted under section 112 and the local plan submitted under section 118 with respect to the areas of the State that will be the focus of grant activities under this paragraph;

''(ii) a description of the educational and skills training programs and activities the eligible entity will provide to eligible participants under this paragraph;

''(iii) how the eligible entity will collaborate with State and local workforce investment systems established under this title in the provision of such programs and activities;

''(iv) a description of the programs of demonstrated effectiveness on which the provision of such educational and skills training programs and activities are based, and a description of how such programs and activities will improve the education and skills training for eligible participants;

''(v) a description of the populations to be served and the skill needs of those populations, and the manner in which eligible participants will be recruited and selected as participants;

''(vi) a description of the private, public, local, and State resources that will be leveraged, in addition to the grant funds provided for the programs and activities under this paragraph, and how the entity will ensure the sustainability of such programs and activities after grant funds are no longer available;

''(vii) a description of the extent of the involvement of employers in such programs and activities;

''(viii) a description of the levels of performance the eligible entity expects to achieve with respect to the indicators of performance for all individuals specified in section in 136(b)(2);

''(ix) a detailed budget and a description of the system of fiscal controls, and auditing and accountability procedures that will be used to ensure fiscal soundness for the programs and activities provided under this paragraph; and

''(x) any other criteria the Governor may require.'';

(2) by amending subsection (b) to read as follows:

''(b) LOCAL EMPLOYMENT AND TRAINING ACTIVITIES.—Funds allocated to a local area under section 133(b)—

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

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

(3) by striking subsection (c);

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

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

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

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

''(A) to establish a one-stop delivery system as described in section 121(e);

''(B) to provide the work ready services described in paragraph (2) through the one-stop delivery system in accordance with such paragraph; and

''(C) to provide training services described in paragraph (4) in accordance with such paragraph.'';

(B) in paragraph (2)—

(i) in the heading, by striking ''CORE SERVICES'' and inserting ''WORK READY SERVICES'';

(ii) in the matter preceding subparagraph (A)—

(I) by striking ''(1)(A)'' and inserting ''(1)(B)'';

(II) by striking ''core services'' and inserting ''work ready services''; and

(III) by striking ''who are adults or dislocated workers'';

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

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

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

''(B) assistance in obtaining eligibility determinations under the other one-stop partner programs through activities, where appropriate and consistent with the authorizing statute of the one-stop partner program, such as assisting in the submission of applications, the provision of information on the results of such applications, and the provision of intake services and information;'';

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

''(E) labor exchange services, including—

''(i) job search and placement assistance, and where appropriate, career counseling;

''(ii) appropriate recruitment services for employers, including small employers, in the local area, which may include services described in this subsection, including information and referral to specialized business services not traditionally offered through the one-stop delivery system; and

''(iii) reemployment services provided to unemployment claimants, including claimants identified as in need of such services under the worker profiling system established under section 303(j) of the Social Security Act (42 U.S.C. 503(j));'';

(vii) in subparagraph (F), as so redesignated, by striking ''employment statistics'' and inserting ''workforce and labor market'';

(viii) in subparagraph (G), as so redesignated, by striking ''and eligible providers of youth activities described in section 123,'';

(ix) in subparagraph (H), as so redesignated, by inserting ''under section 136'' after ''local performance measures'';

(x) in subparagraph (J), as so redesignated, by inserting ''and the administration of the work test for the unemployment compensation system'' after ''compensation'';

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

''(K) assistance in establishing eligibility for programs of financial aid assistance for training and education programs that are not funded under this Act and are available in the local area;''; and

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

''(L) the provision of information from official publications of the Internal Revenue Service regarding Federal tax credits available to individuals relating to education, job training and employment;

''(M) comprehensive and specialized assessments of the skill levels and service needs of workers, which may include—

''(i) diagnostic testing and use of other assessment tools; and

''(ii) in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals;

''(N) development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant;

''(O) group counseling;

''(P) individual counseling and career planning;

''(Q) case management;

''(R) short-term pre-career services, including development of learning skills, communications skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct, to prepare individuals for unsubsidized employment or training;

''(S) internships and work experience;

''(T) literacy activities relating to basic work readiness, information and communication technology literacy activities, and financial literacy activities, if such activities are not available to participants in the local area under programs administered under the Adult Education and Family Literacy Act (20 U.S.C. 2901 et seq.);

''(U) out-of-area job search assistance and relocation assistance; and''; and

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

''(3) DELIVERY OF SERVICES.—The work ready services described in paragraph (2) shall be provided through the one-stop delivery system and may be provided through contracts with public, private for-profit, and private nonprofit service providers, approved by the local board.'';

(D) in paragraph (4)—

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

''(A) IN GENERAL.—Funds described in paragraph (1)(C) shall be used to provide training services to individuals who—

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

''(I) be in need of training services to obtain or retain employment; and

''(II) have the skills and qualifications to successfully participate in the selected program of training services;

''(ii) select programs of training services that are directly linked to the employment opportunities in the local area involved or in another area in which the individual receiving such services are willing to commute or relocate; and

''(iii) who meet the requirements of subparagraph (B);''; and

(ii) in subparagraph (B)(i), by striking ''Except'' and inserting ''Notwithstanding section 479B of the Higher Education Act of 1965 (20 U.S.C. 1087uu) and except'';

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

''(D) TRAINING SERVICES.—Training services authorized under this paragraph may include—

''(i) occupational skills training;

''(ii) on-the-job training;

''(iii) skill upgrading and retraining;

''(iv) entrepreneurial training;

''(v) education activities leading to a regular secondary school diploma or its recognized equivalent in combination with, concurrently or subsequently, occupational skills training;

''(vi) adult education and literacy activities provided in conjunction with other training authorized under this subparagraph;

''(vii) workplace training combined with related instruction;

''(viii) occupational skills training that incorporates English language acquisition;

''(ix) customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training; and

''(x) training programs operated by the private sector.'';

(iv) by striking subparagraph (E) and redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively; and

(v) in subparagraph (E) (as so redesignated)—

(I) in clause (ii)—

(aa) in the matter preceding subclause (I), by striking ''subsection (c)'' and inserting ''section 121'';

(bb) in subclause (I), by striking ''section 122(e)'' and inserting ''section 122(d)'' and by striking ''section 122(h)'' and inserting ''section 122(i)''; and

(cc) in subclause (II), by striking ''subsections (e) and (h)'' and inserting ''subsection (i)''; and

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

''(iii) CAREER ENHANCEMENT ACCOUNTS.—An individual who seeks training services and who is eligible pursuant to subparagraph (A), may, in consultation with a case manager, select an eligible provider of training services from the list or identifying information for providers described in clause (ii)(I). Upon such selection, the one-stop operator involved shall, to the extent practicable, refer such individual to the eligible provider of training services, and arrange for payment for such services through a career enhancement account.

''(iv) COORDINATION.—Each local board may, through one-stop centers, coordinate career enhancement accounts with other Federal, State, local, or private job training programs or sources to assist the individual in obtaining training services.

''(v) ASSISTANCE.—Each local board may, through one-stop centers, assist individuals receiving career enhancement accounts in obtaining funds (in addition to the funds provided under this section) from other programs and sources that will assist the individual in obtaining training services.''; and

(vi) in subparagraph (F) (as so redesignated)—

(I) in the subparagraph heading, by striking ''INDIVIDUAL TRAINING ACCOUNTS'' and inserting ''CAREER ENHANCEMENT ACCOUNTS'';

(II) in clause (i) by striking ''individual training accounts'' and inserting ''career enhancement accounts'';

(III) in clause (ii)—

(aa) by striking ''an individual training account'' and inserting ''a career enhancement account'';

(bb) by striking ''subparagraph (F)'' and inserting ''subparagraph (E)'';

(cc) in subclause (II), by striking ''individual training accounts'' and inserting ''career enhancement accounts'';

(dd) in subclause (II) by striking ''or'' after the semicolon;

(ee) in subclause (III) by striking the period and inserting ''; or''; and

(ff) by adding at the end the following:

''(IV) the local board determines that it would be most appropriate to award a contract to an institution of higher education that has been identified as a priority provider under section 117(d)(5)(B) in order to facilitate the training of multiple individuals in in-demand sectors or occupations, and which may be used to enable the expansion of programs provided by a priority provider, if such contract does not limit customer choice.'';

(IV) in clause (iii), by striking ''adult or dislocated worker'' and inserting ''individual''; and

(V) in clause (iv)—

(aa) by redesignating subclause (IV) as subclause (V) and inserting after subclause (III) the following:

''(IV) Individuals with disabilities.'';

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

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

''(1) DISCRETIONARY ONE-STOP DELIVERY ACTIVITIES.—

''(A) IN GENERAL.—Funds allocated to a local area under section 133(b)(2) may be used to provide, through the one-stop delivery system—

''(i) customized screening and referral of qualified participants in training services to employers;

''(ii) customized employment-related services to employers on a fee-for-service basis;

''(iii) customer supports, including transportation and childcare, to navigate among multiple services and activities for special participant populations that face multiple barriers to employment, including individuals with disabilities;

''(iv) employment and training assistance provided in coordination with child support enforcement activities of the State agency carrying out subtitle D of title IV of the Social Security Act (42 U.S.C. 651 et seq.);

''(v) incorporating pay-for-performance contract strategies, as defined in section 101(56), as an element in funding activities under this section;

''(vi) activities to facilitate remote access to services provided through a one-stop delivery system, including facilitating access through the use of technology; and

''(vii) activities to carry out business services and strategies that meet the workforce investment needs of local area employers, as determined by the local board, consistent with the local plan under section 118.''.

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

(C) by adding at the end the following:

''(2) INCUMBENT WORKER TRAINING PROGRAMS.—

''(A) IN GENERAL.—The local board may use funds allocated to a local area under section 133(b)(2) to carry out incumbent worker training programs in accordance with this paragraph.

''(B) TRAINING ACTIVITIES.—The training programs for incumbent workers under this paragraph shall be carried out by the local area in conjunction with the employers of such workers for the purpose of assisting such workers in obtaining the skills necessary to retain employment and avert layoffs.

''(C) EMPLOYER MATCH REQUIRED.—

''(i) IN GENERAL.—Employers participating in programs under this paragraph shall be required to pay a proportion of the costs of providing the training to the incumbent workers of the employers. The local board shall establish the required portion of such costs, which may include in-kind contributions.

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

(7) by adding at the end the following:

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

''(f) VETERAN EMPLOYMENT SPECIALIST.—

''(1) IN GENERAL.—Subject to paragraph (8), a local board shall hire and employ one or more veteran employment specialist to carry out employment, training, and placement services under this subsection in the local area served by the local board.

''(2) PRINCIPAL DUTIES.—A veteran employment specialist in a local area shall—

''(A) conduct outreach to employers in the local area to assist veterans, including disabled veterans, in gaining employment, including—

''(i) conducting seminars for employers; and

''(ii) in conjunction with employers, conducting job search workshops, and establishing job search groups; and

''(B) facilitate employment, training, supportive, and placement services furnished to veterans, including disabled and homeless veterans, in the local area.

''(3) HIRING PREFERENCE FOR VETERANS AND INDIVIDUALS WITH EXPERTISE IN SERVING VETERANS.—Subject to paragraph (8), a local board shall, to the maximum extent practicable, employ veterans or individuals with expertise in serving veterans to carry out the services described in paragraph (2) in the local area served by the local board. In hiring an individual to serve as a veteran employment specialist, a local board shall give preference to veterans and other individuals in the following order:

''(A) To service-connected disabled veterans.

''(B) If no veteran described in subparagraph (A) is available, to veterans.

''(C) If no veteran described in subparagraph (A) or (B) is available, to any member of the Armed Forces transitioning out of military service.

''(D) If no veteran described in subparagraph (A), (B), or (C) is available, to any spouse of a veteran or a spouse of a member of the Armed Forces transitioning out of military service.

''(E) If no veteran described in subparagraph (A), (B), or (C) is available and no spouse described in paragraph (D) is available, to any other individuals with expertise in serving veterans.

''(4) ADMINISTRATION AND REPORTING.—

''(A) IN GENERAL.—Each veteran employment specialist shall be administratively responsible to the manager of the one-stop delivery center in the local area and shall provide, at a minimum, quarterly reports to the manager of such center and to the Director for Veterans' Employment and Training for the State on the performance and compliance by the specialist with Federal law and regulations with respect to the—

''(i) principal duties and special services for veterans described in paragraph (2); and

''(ii) hiring preferences described in paragraph (3) for veterans and individuals with expertise in serving veterans.

''(B) REPORT TO SECRETARY.—Each State shall submit to the Secretary an annual report on the qualifications used by the local board in making hiring determinations for a veteran employment specialist and the salary structure under which such specialist is compensated.

''(C) REPORT TO CONGRESS.—The Secretary shall submit to the Committee on Education and the Workforce and the Committee on Veterans' Affairs of the House of Representatives and the Committee on Health, Education, Labor, and Pensions and the Committee on Veterans' Affairs of the Senate an annual report summarizing the reports submitted under subparagraph (B), including summaries of outcomes achieved by participating veterans disaggregated by local areas.

''(5) PART-TIME EMPLOYEES.—A part-time veteran employment specialist shall perform the functions of a veteran employment specialist under this subsection on a halftime basis.

''(6) TRAINING REQUIREMENTS.—Each veteran employment specialist described in paragraph (2) shall satisfactorily complete training provided by the National Veterans' Employment and Training Institute during the three-year period that begins on the date on which the employee is so assigned.

''(7) SPECIALIST'S DUTIES.—A full-time veteran employment specialist shall perform only duties related to the employment, training, supportive, and placement services under this subsection, and shall not perform other non-veteran-related duties if such duties detract from the specialist's ability to perform the specialist's duties related to employment, training, and placement services under this subsection.

''(8) STATE OPTION.—At the request of a local board, a State may assume the duties assigned to the local board under paragraphs (1) and (3), including the hiring and employment of one or more veteran employment specialist for placement in the local area served by the local board.''.

SEC. 114. PERFORMANCE ACCOUNTABILITY SYSTEM.

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

(1) in subsection (b)—

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

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

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

''(ii) additional indicators of performance (if any) identified by the State under paragraph (2)(B); and

''(B) a State adjusted level of performance for each indicator described in subparagraph (A).

''(2) INDICATORS OF PERFORMANCE.—

''(A) CORE INDICATORS OF PERFORMANCE.—

''(i) IN GENERAL.—The core indicators of performance for the program of employment and training activities authorized under sections 132(a)(2) and 134, the program of adult education and literacy activities authorized under title II, and the program authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741), shall consist of the following indicators of performance, each disaggregated by the populations identified in the State and local plans:

''(I) The percentage and number of program participants who are in unsubsidized employment during the second full calendar quarter after exit from the program.

''(II) The percentage and number of program participants who are in unsubsidized employment during the fourth full calendar quarter after exit from the program.

''(III) The median earnings of program participants who are in unsubsidized employment during the second full calendar quarter after exit from the program compared to the median earnings of such participants prior to the training received under such program.

''(IV) The percentage and number of program participants who obtain a recognized postsecondary credential, a registered apprenticeship, an industry-recognized credential, or a regular secondary school diploma or its recognized equivalent (subject to clause (ii)), during participation in or within 1 year after exit from program.

''(V) The percentage and number of program participants who, during a program year—

''(aa) are in an education or training program that leads to a recognized postsecondary credential, a registered apprenticeship or on-the-job training program, an industry-recognized credential, a regular secondary school diploma or its recognized equivalent, or unsubsidized employment; and

''(bb) are achieving measurable basic skill gains toward such a credential or employment.

''(VI) The percentage and number of program participants who obtain unsubsidized employment in the field relating to the training services described in section 134(c)(4) that such participants received.

''(ii) INDICATOR RELATING TO CREDENTIAL.—For purposes of clause (i)(IV), program participants who obtain a regular secondary school diploma or its recognized equivalent shall be included in the percentage counted as meeting the criterion under such clause only if such participants, in addition to obtaining such diploma or its recognized equivalent, have, within 1 year after exit from the program, obtained or retained employment, have been removed from public assistance, or are in an education or training program leading to a recognized postsecondary credential.

''(B) ADDITIONAL INDICATORS.—A State may identify in the State plan additional indicators for workforce investment activities authorized under this subtitle.''; and

(B) in paragraph (3)—

(i) in subparagraph (A)—

(I) in the heading, by striking ''AND CUSTOMER SATISFACTION INDICATOR'';

(II) in clause (i), by striking ''and the customer satisfaction indicator described in paragraph (2)(B)'';

(III) in clause (ii), by striking ''and the customer satisfaction indicator of performance, for the first 3'' and inserting '', for all 3'';

(IV) in clause (iii)—

(aa) in the heading, by striking ''FOR FIRST 3 YEARS''; and

(bb) by striking ''and the customer satisfaction indicator of performance, for the first 3 program years'' and inserting ''for all 3 program years'';

(V) in clause (iv)—

(aa) by striking ''or (v)'';

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

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

(AA) by striking ''taking into account'' and inserting ''which shall be adjusted based on'';

(BB) by inserting '', such as unemployment rates and job losses or gains in particular industries'' after ''economic conditions''; and

(CC) by inserting '', such as indicators of poor work experience, dislocation from high-wage employment, low levels of literacy or English proficiency, disability status, including the number of veterans with disabilities, and welfare dependency'' after ''program'';

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

(VII) in clause (v) (as so redesignated),

(aa) by striking ''described in clause (iv)(II)'' and inserting ''described in clause (iv)(I)''; and

(bb) by striking ''or (v)''; and

(ii) in subparagraph (B), by striking ''paragraph (2)(C)'' and inserting ''paragraph (2)(B)'';

(2) in subsection (c)(1)(A)—

(A) by amending clause (i) to read as follows: ''(i) the core indicators of performance described in subsection (b)(2)(A) for activities described in such subsections, other than statewide workforce investment activities; and'';

(B) in clause (ii), by striking ''(b)(2)(C)'' and inserting ''(b)(2)(B)''; and

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

''(3) DETERMINATIONS.—In determining such local levels of performance, the local board, the chief elected official, and the Governor shall ensure such levels are adjusted based on the specific economic characteristics (such as unemployment rates and job losses or gains in particular industries), demographic characteristics, or other characteristics of the population to be served in the local area.'';

(3) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''127 or'';

(ii) by striking ''and the customer satisfaction indicator'' each place it appears; and

(iii) in the last sentence, by inserting before the period the following: '', and on the amount and percentage of the State's annual allotment under section 132 the State spends on administrative costs and on the amount and percentage of its annual allocation under section 133 each local area in the State spends on administrative costs'';

(B) in paragraph (2)—

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

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

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

(iv) in subparagraph (B), as so redesignated—

(I) by striking ''(excluding participants who received only self-service and informational activities)''; and

(II) by striking ''and'' at the end;

(v) by striking subparagraph (F);

(vi) by adding at the end the following:

''(C) with respect to each local area in the State—

''(i) the number of individuals who received work ready services described under section 134(c)(2) and the number of individuals who received training services described under section 134(c)(4) during the most recent program year and fiscal year, and the preceding 5 program years, where the individuals received the training, disaggregated by the type of entity that provided the training, and the amount of funds spent on each type of service;

''(ii) the number of individuals who successfully exited out of work ready services described under section 134(c)(2) and the number of individuals who exited out of training services described under section 134(c)(4) during the most recent program year and fiscal year, and the preceding 5 program years, and where the individuals received the training, disaggregated by the type of entity that provided the training; and

''(iii) the average cost per participant of those individuals who received work ready services described under section 134(c)(2) and the average cost per participant of those individuals who received training services described under section 134(c)(4) during the most recent program year and fiscal year, and the preceding 5 program years, and where the individuals received the training, disaggregated by the type of entity that provided the training; and

''(E) the amount of funds spent on training services and discretionary one-stop delivery activities, disaggregated by the populations identified in the State and local plans.'';

(C) in paragraph (3)(A), by striking ''through publication'' and inserting ''through electronic means''; and

(D) by adding at the end the following:

''(4) DATA VALIDATION.—In preparing the reports described in this subsection, each State shall establish procedures, consistent with guidelines issued by the Secretary, to ensure the information contained in the report is valid and reliable.

''(5) STATE AND LOCAL POLICIES.—

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

''(B) LOCAL POLICIES.—Each local area that receives an allotment under section 133 shall maintain a central repository of policies related to access, eligibility, availability of services, and other matters and plans approved by the local board and make such repository available to the public, including by electronic means.'';

(4) in subsection (g)—

(A) in paragraph (1)(A), by striking ''or (B)'';

(B) in paragraph (1)(B), by striking ''may reduce by not more than 5 percent,'' and inserting ''shall reduce''; and

(C) by striking paragraph (2) and inserting the following:

''(2) FUNDS RESULTING FROM REDUCED ALLOTMENTS.—The Secretary shall return to the Treasury the amount retained, as a result of a reduction in an allotment to a State made under paragraph (1)(B).'';

(5) in subsection (h)(1), by striking ''or (B)'';

(6) in subsection (h)(2)—

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

''(A) IN GENERAL.—If such failure continues for a second consecutive year, the Governor shall take corrective actions, including the development of a reorganization plan. Such plan shall—'';

(B) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively;

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

''(B) REDUCTION IN THE AMOUNT OF GRANT.—If such failure continues for a third consecutive year, the Governor of a State shall reduce the amount of the grant that would (in the absence of this subparagraph) be payable to the local area under such program for the program year

after such third consecutive year. Such penalty shall be based on the degree of failure to meet local levels of performance.'';

(D) in subparagraph (C)(i) (as so redesignated), by striking ''a reorganization plan under subparagraph (A) may, not later than 30 days after receiving notice of the reorganization plan, appeal to the Governor to rescind or revise such plan'' and inserting ''corrective actions under subparagraphs (A) and (B) may, not later than 30 days after receiving notice of the actions, appeal to the Governor to rescind or revise such actions''; and

(E) in subparagraph (D) (as so redesignated), by striking ''subparagraph (B)'' each place it appears and inserting ''subparagraph (C)'';

(7) in subsection (i)(1)(B), by striking ''subsection (b)(2)(C)'' and inserting ''subsection (b)(2)(B)'';

(8) in subsection (i)(1)(C), by striking ''(b)(3)(A)(vi)'' and inserting ''(b)(3)(A)(v)'';

(9) in subsection (i)(2), by striking ''the activities described in section 502 concerning'';

(10) in subsection (i)(3), by striking ''described in paragraph (1) and in the activities described in section 502'' and inserting ''and activities described in this subsection''; and

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

''(j) USE OF CORE INDICATORS FOR OTHER PROGRAMS.—In addition to the programs carried out under chapter 5, and consistent with the requirements of the applicable authorizing laws, the Secretary shall use the core indicators of performance described in subsection (b)(2)(A) to assess the effectiveness of the programs described under section 121(b)(1)(B) that are carried out by the Secretary.

''(k) ESTABLISHING PAY-FOR-PERFORMANCE INCENTIVES.—

''(1) IN GENERAL.—At the discretion of the Governor of a State, a State may establish an incentive system for local boards to implement pay-for-performance contract strategies for the delivery of employment and training services in the local areas served by the local boards.

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

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

SEC. 115. AUTHORIZATION OF APPROPRIATIONS.

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

''SEC. 137. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out the activities described in section 132, $6,245,318,000 for fiscal year 2014 and each of the 6 succeeding fiscal years.''.

Subtitle C—Job Corps

SEC. 116. JOB CORPS PURPOSES.

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

''(1) to maintain a national Job Corps program for at-risk youth, carried out in partnership with States and communities, to assist eligible youth to connect to the workforce by providing them with intensive academic, career and technical education, and service-learning opportunities, in residential and nonresidential centers, in order for such youth to obtain regular secondary school diplomas and recognized postsecondary credentials leading to successful careers in in-demand industries that will result in opportunities for advancement;''.

SEC. 117. JOB CORPS DEFINITIONS.

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

(1) in paragraph (2)—

(A) in the paragraph heading, by striking ''APPLICABLE ONE-STOP'' and inserting ''ONE-STOP'';

(B) by striking ''applicable'';

(C) by striking ''customer service''; and

(D) by striking ''intake'' and inserting ''assessment'';

(2) in paragraph (4), by striking ''before completing the requirements'' and all that follows and inserting ''prior to becoming a graduate.''; and

(3) in paragraph (5), by striking ''has completed the requirements'' and all that follows and inserting the following: ''who, as a result of participation in the Job Corps program, has received a regular secondary school diploma, completed the requirements of a career and technical education and training program, or received, or is making satisfactory progress (as defined under section 484(c) of the Higher Education Act of 1965 (20 U.S.C. 1091(c)) toward receiving, a recognized postsecondary credential, including an industry-recognized credential that prepares individuals for employment leading to economic self-sufficiency.''.

SEC. 118. INDIVIDUALS ELIGIBLE FOR THE JOB CORPS.

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

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

''(1) not less than age 16 and not more than age 24 on the date of enrollment;'';

(2) in paragraph (3)(B), by inserting ''secondary'' before ''school''; and

(3) in paragraph (3)(E), by striking ''vocational'' and inserting ''career and technical education and''.

SEC. 119. RECRUITMENT, SCREENING, SELECTION, AND ASSIGNMENT OF ENROLLEES.

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

(1) in subsection (a)—

(A) in paragraph (2)(C)(i) by striking ''vocational'' and inserting ''career and technical education and training''; and

(B) in paragraph (3)—

(i) by striking ''To the extent practicable, the'' and inserting ''The'';

(ii) in subparagraph (A)—

(I) by striking ''applicable''; and

(II) by inserting ''and'' after the semicolon;

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

(iv) by adding at the end the following:

''(B) organizations that have a demonstrated record of effectiveness in placing at-risk youth into employment.'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (B), by inserting ''and agrees to such rules'' after ''failure to observe the rules''; and

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

''(C) the individual has passed a background check conducted in accordance with procedures established by the Secretary, which shall include—

''(i) a search of the State criminal registry or repository in the State where the individual resides and each State where the individual previously resided;

''(ii) a search of State-based child abuse and neglect registries and databases in the State where the individual resides and each State where the individual previously resided;

''(iii) a search of the National Crime Information Center;

''(iv) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and

''(v) a search of the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.).''; and

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

''(3) INDIVIDUALS CONVICTED OF A CRIME.—An individual shall be ineligible for enrollment if the individual—

''(A) makes a false statement in connection with the criminal background check described in paragraph (1)(C);

''(B) is registered or is required to be registered on a State sex offender registry or the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.); or

''(C) has been convicted of a felony consisting of—

''(i) homicide;

''(ii) child abuse or neglect;

''(iii) a crime against children, including child pornography;

''(iv) a crime involving rape or sexual assault; or

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

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''2 years'' and inserting ''year''; and

(ii) by striking ''an assignment'' and inserting ''a''; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking '', every 2 years,'';

(ii) in subparagraph (B), by striking ''and'' at the end; and

(iii) in subparagraph (C)—

(I) by inserting ''the education and training'' after ''including''; and

(II) by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(D) the performance of the Job Corps center relating to the indicators described in paragraphs (1) and (2) in section 159(c), and whether any actions have been taken with respect to such center pursuant to section 159(f).''; and

(4) in subsection (d)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''is closest to the home of the enrollee, except that the'' and inserting ''offers the type of career and technical education and training selected by the individual and, among the centers that offer such education and training, is closest to the home of the individual. The'';

(ii) by striking subparagraph (A); and

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

(B) in paragraph (2), by inserting ''that offers the career and technical education and training desired by'' after ''home of the enrollee''.

SEC. 120. JOB CORPS CENTERS.

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

(1) in subsection (a)—

(A) in paragraph (1)(A), by striking ''vocational'' both places it appears and inserting ''career and technical''; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''subsections (c) and (d) of section 303 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253)'' and inserting ''subsections (a) and (b) of section 3304 of title 41, United States Code''; and

(II) by striking ''industry council'' and inserting ''workforce council'';

(ii) in subparagraph (B)(i)—

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

''(II) the ability of the entity to offer career and technical education and training that the workforce council proposes under section 154(c);'';

(II) in subclause (III), by striking ''is familiar with the surrounding communities, applicable'' and inserting ''demonstrates relationships with the surrounding communities, employers, workforce boards,'' and by striking ''and'' at the end;

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

''(IV) the performance of the entity, if any, relating to operating or providing activities described in this subtitle to a Job Corps center, including the entity's demonstrated effectiveness in assisting individuals in achieving the primary and secondary indicators of performance described in paragraphs (1) and (2) of section 159(c); and''; and

(IV) by adding at the end the following new subclause:

''(V) the ability of the entity to demonstrate a record of successfully assisting at-risk youth to connect to the workforce, including by providing them with intensive academic, and career and technical education and training.''; and

(iii) in subparagraph (B)(ii), by striking '', as appropriate'';

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

(3) by amending subsection (c) to read as follows:

''(c) CIVILIAN CONSERVATION CENTERS.—

''(1) IN GENERAL.—The Job Corps centers may include Civilian Conservation Centers, operated under an agreement between the Secretary of Labor and the Secretary of Agriculture, that are located primarily in rural areas. Such centers shall adhere to all the provisions of this subtitle, and shall provide, in addition to education, career and technical education and training, and workforce preparation skills training described in section 148, programs of work experience to conserve, develop, or manage public natural resources or public recreational areas or to develop community projects in the public interest.

''(2) SELECTION PROCESS.—The Secretary shall select an entity that submits an application under subsection (d) to operate a Civilian Conservation Center on a competitive basis, as provided in subsection (a).''; and

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

''(d) APPLICATION.—To be eligible to operate a Job Corps center under this subtitle, an entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including—

''(1) a description of the program activities that will be offered at the center, including how the career and technical education and training reflect State and local employment opportunities, including in in-demand industries;

''(2) a description of the counseling, placement, and support activities that will be offered at the center, including a description of the strategies and procedures the entity will use to place graduates into unsubsidized employment upon completion of the program;

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

''(4) a description of the relationships that the entity has developed with State and local workforce boards, employers, State and local educational agencies, and the surrounding communities in an effort to promote a comprehensive statewide workforce investment system;

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

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

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

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

''(9) a detailed budget of the activities that will be supported using funds from non-Federal resources;

''(10) an assurance the entity will comply with the administrative cost limitation included in section 151(c);

''(11) an assurance the entity is licensed to operate in the State in which the center is located; and

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

''(e) LENGTH OF AGREEMENT.—The agreement described in subsection (a)(1)(A) shall be for not longer than a 2-year period. The Secretary may renew the agreement for 3 one-year periods if the entity meets the requirements of subsection (f).

''(f) RENEWAL.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary may renew the terms of an agreement described in subsection (a)(1)(A) for an entity to operate a Job Corps center if the center meets or exceeds each of the indicators of performance described in section 159(c)(1).

''(2) RECOMPETITION.—

''(A) IN GENERAL.—Notwithstanding paragraph (1), the Secretary shall not renew the terms of the agreement for an entity to operate a Job Corps center if such center is ranked in the bottom quintile of centers described in section 159(f)(2) for any program year. Such entity may submit a new application under subsection (d) only if such center has shown significant improvement on the indicators of performance described in section 159(c)(1) over the last program year.

''(B) VIOLATIONS.—The Secretary shall not select an entity to operate a Job Corps center if such entity or such center has been found to have a systemic or substantial material failure that involves—

''(i) a threat to the health, safety, or civil rights of program participants or staff;

''(ii) the misuse of funds received under this subtitle;

''(iii) loss of legal status or financial viability, loss of permits, debarment from receiving Federal grants or contracts, or the improper use of Federal funds;

''(iv) failure to meet any other Federal or State requirement that the entity has shown an unwillingness or inability to correct, after notice from the Secretary, within the period specified; or

''(v) an unresolved area of noncompliance.

''(g) CURRENT GRANTEES.—Not later than 60 days after the date of enactment of the SKILLS Act and notwithstanding any previous grant award or renewals of such award under this subtitle, the Secretary shall require all entities operating a Job Corps center under this subtitle to submit an application under subsection (d) to carry out the requirements of this section.''.

SEC. 121. PROGRAM ACTIVITIES.

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

(1) by amending subsection (a) to read as follows:

''(a) ACTIVITIES PROVIDED THROUGH JOB CORPS CENTERS.—

''(1) IN GENERAL.—Each Job Corps center shall provide enrollees with an intensive, well-organized, and supervised program of education, career, and technical education and training, work experience, recreational activities, physical rehabilitation and development, and counseling. Each Job Corps center shall provide enrollees assigned to the center with access to work-ready services described in section 134(c)(2).

''(2) RELATIONSHIP TO OPPORTUNITIES.—

''(A) IN GENERAL.—The activities provided under this subsection shall be targeted to helping enrollees, on completion of their enrollment—

''(i) secure and maintain meaningful unsubsidized employment;

''(ii) complete secondary education and obtain a regular secondary school diploma;

''(iii) enroll in and complete postsecondary education or training programs, including obtaining recognized postsecondary credentials, industry-recognized credentials, and registered apprenticeships; or

''(iv) satisfy Armed Forces requirements.

''(B) LINK TO EMPLOYMENT OPPORTUNITIES.—The career and technical education and training provided shall be linked to the employment opportunities in in-demand industries in the State in which the Job Corps center is located.''; and

(2) in subsection (b)—

(A) in the subsection heading, by striking ''EDUCATION AND VOCATIONAL'' and inserting ''ACADEMIC AND CAREER AND TECHNICAL EDUCATION AND'';

(B) by striking ''may'' after ''The Secretary'' and inserting ''shall''; and

(C) by striking ''vocational'' each place it appears and inserting ''career and technical''; and

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

''(3) DEMONSTRATION.—Each year, any operator seeking to enroll additional enrollees in an advanced career training program shall demonstrate, before the operator may carry out such additional enrollment, that—

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

''(B) such operator has met or exceeded the indicators of performance described in paragraphs (1) and (2) of section 159(c) for the previous year.''.

SEC. 122. COUNSELING AND JOB PLACEMENT.

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

(1) in subsection (a), by striking ''vocational'' and inserting ''career and technical education and'';

(2) in subsection (b), by striking ''make every effort to arrange to''; and

(3) by striking subsection (d).

SEC. 123. SUPPORT.

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

''(b) TRANSITION ALLOWANCES AND SUPPORT FOR GRADUATES.—The Secretary shall arrange for a transition allowance to be paid to graduates. The transition allowance shall be incentive-based to reflect a graduate's completion of academic, career and technical education or training, and attainment of a recognized postsecondary credential, including an industry-recognized credential.''.

SEC. 124. OPERATIONS.

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

*(1) in the header, by striking ''**OPERATING PLAN**.'' and inserting ''**OPERATIONS**.'';*

(2) in subsection (a), by striking ''IN GENERAL.—'' and inserting ''OPERATING PLAN.—'';

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

(4) by amending subsection (b) (as so redesignated)—

(A) in the heading by inserting ''OF OPERATING PLAN'' after ''AVAILABILITY''; and

(B) by striking ''subsections (a) and (b)'' and inserting ''subsection (a)''; and

(5) by adding at the end the following new subsection:

''(c) ADMINISTRATIVE COSTS.—Not more than 10 percent of the funds allotted under section 147 to an entity selected to operate a Job Corps center may be used by the entity for administrative costs under this subtitle.''.

SEC. 125. COMMUNITY PARTICIPATION.

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

''SEC. 153. COMMUNITY PARTICIPATION.

''The director of each Job Corps center shall encourage and cooperate in activities to establish a mutually beneficial relationship between Job Corps centers in the State and nearby communities. Such activities may include the use of any local workforce development boards established under section 117 to provide a mechanism for joint discussion of common problems and for planning programs of mutual interest.''.

SEC. 126. WORKFORCE COUNCILS.

Section 154 (29 U.S.C. 2894) is amended to read as follows:

"SEC. 154. WORKFORCE COUNCILS.

''(a) IN GENERAL.—Each Job Corps center shall have a workforce council appointed by the Governor of the State in which the Job Corps center is located.

''(b) WORKFORCE COUNCIL COMPOSITION.—

''(1) IN GENERAL.—A workforce council shall be comprised of—

''(A) business members of the State board described in section 111(b)(1)(B)(i);

''(B) business members of the local boards described in section 117(b)(2)(A) located in the State;

''(C) a representative of the State board described in section 111(f); and

''(D) such other representatives and State agency officials as the Governor may designate.

''(2) MAJORITY.—A ⅔ majority of the members of the workforce council shall be representatives described in paragraph (1)(A).

''(c) RESPONSIBILITIES.—The responsibilities of the workforce council shall be—

''(1) to review all the relevant labor market information, including related information in the State plan described in section 112, to—

''(A) determine the in-demand industries in the State in which enrollees intend to seek employment after graduation;

''(B) determine the skills and education that are necessary to obtain the employment opportunities described in subparagraph (A); and

''(C) determine the type or types of career and technical education and training that will be implemented at the center to enable the enrollees to obtain the employment opportunities; and

''(2) to meet at least once a year to reevaluate the labor market information, and other relevant information, to determine any necessary changes in the career and technical education and training provided at the center.''.

SEC. 127. TECHNICAL ASSISTANCE.

Section 156 (29 U.S.C. 2896) is amended to read as follows:

"SEC. 156. TECHNICAL ASSISTANCE TO CENTERS.

''(a) IN GENERAL.—From the funds reserved under section 132(a)(3), the Secretary shall provide, directly or through grants, contracts, or other agreements or arrangements as the Secretary considers appropriate, technical assistance and training for the Job Corps program for the purposes of improving program quality.

''(b) ACTIVITIES.—In providing training and technical assistance and for allocating resources for such assistance, the Secretary shall—

''(1) assist entities, including those entities not currently operating a Job Corps center, in developing the application described in section 147(d);

''(2) assist Job Corps centers and programs in correcting deficiencies and violations under this subtitle;

''(3) assist Job Corps centers and programs in meeting or exceeding the indicators of performance described in paragraph (1) and (2) of section 159(c); and

''(4) assist Job Corps centers and programs in the development of sound management practices, including financial management procedures.''.

SEC. 128. SPECIAL PROVISIONS.

Section 158(c)(1) (29 U.S.C. 2989(c)(1)) is amended by striking ''title II of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481 et seq.)'' and inserting ''chapter of 5 title 40, United States Code,''.

SEC. 129. PERFORMANCE ACCOUNTABILITY MANAGEMENT.

Section 159 (29 U.S.C. 2899) is amended—

*(1) in the section heading, by striking ''**MANAGEMENT INFORMATION**'' and inserting ''**PERFORMANCE ACCOUNTABILITY AND MANAGEMENT**'';*

(2) in subsection (a)(3), by inserting before the period at the end the following: '', or operating costs for such centers result in a budgetary shortfall'';

(3) by striking subsections (c) through (g); and

(4) by inserting after subsection (b) the following:

''(c) INDICATORS OF PERFORMANCE.—

''(1) PRIMARY INDICATORS.—The annual primary indicators of performance for Job Corps centers shall include—

''(A) the percentage and number of enrollees who graduate from the Job Corps center;

''(B) the percentage and number of graduates who entered unsubsidized employment related to the career and technical education and training received through the Job Corps center, except that such calculation shall not include enrollment in education, the military or volunteer service;

''(C) the percentage and number of graduates who obtained a recognized postsecondary credential, including an industry-recognized credential or a registered apprenticeship; and

''(D) the cost per successful performance outcome, which is calculated by comparing the number of graduates who were placed in unsubsidized employment or obtained a recognized credential, including an industry-recognized credential, to total program costs, including all operations, construction, and administration costs at each Job Corp center.

''(2) SECONDARY INDICATORS.—The annual secondary indicators of performance for Job Corps centers shall include—

''(A) the percentage and number of graduates who entered unsubsidized employment not related to the career and technical education and training received through the Job Corps center;

''(B) the percentage and number of graduates who entered into postsecondary education;

''(C) the percentage and number of graduates who entered into the military;

''(D) the average wage of graduates who are in unsubsidized employment—

''(i) on the first day of employment; and

''(ii) 6 months after the first day;

''(E) the number and percentage of graduates who entered unsubsidized employment and were retained in the unsubsidized employment—

''(i) 6 months after the first day of employment; and

''(ii) 12 months after the first day of employment;

''(F) the percentage and number of enrollees compared to the percentage and number of enrollees the Secretary has established targets in section 145(c)(1);

''(G) the cost per training slot, which is calculated by comparing the program's maximum number of students that can be enrolled in a Job Corps center at any given time during the program year to the number of enrollees in the same program year; and

''(H) the number and percentage of former enrollees, including the number dismissed under the zero tolerance policy described in section 152(b).

''(3) INDICATORS OF PERFORMANCE FOR RECRUITERS.—The annual indicators of performance for recruiters shall include the measurements described in subparagraph (A) of paragraph (1) and subparagraphs (F), (G), and (H) of paragraph (2).

''(4) INDICATORS OF PERFORMANCE OF CAREER TRANSITION SERVICE PROVIDERS.—The annual indicators of performance of career transition service providers shall include the measurements described in subparagraphs (B) and (C) of paragraph (1) and subparagraphs, (B), (C), (D), and (E) of paragraph (2).

''(d) ADDITIONAL INFORMATION.—The Secretary shall collect, and submit in the report described in subsection (f), information on the performance of each Job Corps center, and the Job Corps program, regarding—

''(1) the number and percentage of former enrollees who obtained a regular secondary school diploma;

''(2) the number and percentage of former enrollees who entered unsubsidized employment;

''(3) the number and percentage of former enrollees who obtained a recognized postsecondary credential, including an industry-recognized credential;

''(4) the number and percentage of former enrollees who entered into military service; and

''(5) any additional information required by the Secretary.

''(e) METHODS.—The Secretary shall collect the information described in subsections (c) and (d), using methods described in section 136(i)(2) and consistent with State law, by entering into agreements with the States to access such data for Job Corps enrollees, former enrollees, and graduates.

''(f) TRANSPARENCY AND ACCOUNTABILITY.—

''(1) REPORT.—The Secretary shall collect and annually submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education. Labor and Pensions of the Senate, as well as make available to the public by electronic means, a report containing—

''(A) information on the performance of each Job Corps center, and the Job Corps program, on the performance indicators described in paragraphs (1) and (2) of subsection (c);

''(B) a comparison of each Job Corps center, by rank, on the performance indicators described in paragraphs (1) and (2) of subsection (c);

''(C) a comparison of each Job Corps center, by rank, on the average performance of all primary indicators described in paragraph (1) of subsection (c);

''(D) information on the performance of the service providers described in paragraphs (3) and (4) of subsection (c) on the performance indicators established under such paragraphs; and

''(E) a comparison of each service provider, by rank, on the performance of all service providers described in paragraphs (3) and (4) of subsection (c) on the performance indicators established under such paragraphs.

''(2) ASSESSMENT.—The Secretary shall conduct an annual assessment of the performance of each Job Corps center which shall include information on the Job Corps centers that—

''(A) are ranked in the bottom 10 percent on the performance indicator described in paragraph (1)(C); or

''(B) have failed a safety and health code review described in subsection (g).

''(3) PERFORMANCE IMPROVEMENT.—With respect to a Job Corps center that is identified under paragraph (2) or reports less than 50 percent on the performance indicators described in subparagraphs (A), (B), or (C) of subsection (c)(1), the Secretary shall develop and implement a 1 year performance improvement plan. Such a plan shall require action including—

''(A) providing technical assistance to the center;

''(B) changing the management staff of the center;

''(C) replacing the operator of the center;

''(D) reducing the capacity of the center; or

''(E) closing the center.

''(4) CLOSURE OF JOB CORPS CENTERS.—Job Corps centers that have been identified under paragraph (2) for more than 4 consecutive years shall be closed. The Secretary shall ensure—

''(A) that the proposed decision to close the center is announced in advance to the general public through publication in the Federal Register and other appropriate means; and

''(B) the establishment of a reasonable comment period, not to exceed 30 days, for interested individuals to submit written comments to the Secretary.

''(g) PARTICIPANT HEALTH AND SAFETY.—The Secretary shall enter into an agreement with the General Services Administration or the appropriate State agency responsible for inspecting public buildings and safeguarding the health of disadvantaged students, to conduct an in-person review of the physical condition and health-related activities of each Job Corps center annually. Such review shall include a passing rate of

occupancy under Federal and State ordinances.''.

Subtitle D—National Programs

SEC. 130. TECHNICAL ASSISTANCE.

Section 170 (29 U.S.C. 2915) is amended—

(1) by striking subsection (b);

(2) by striking:

''(a) GENERAL TECHNICAL ASSISTANCE.—'';

(3) by redesignating paragraphs (1), (2), and (3) as subsections (a), (b), and (c) respectively, and moving such subsections 2 ems to the left;

(4) in subsection (a) (as so redesignated)—

(A) by inserting ''the training of staff providing rapid response services, the training of other staff of recipients of funds under this title, assistance regarding accounting and program operation practices (when such assistance would not be duplicative to assistance provided by the State), technical assistance to States that do not meet State performance measures described in section 136,'' after ''localities,''; and

(B) by striking ''from carrying out activities'' and all that follows up to the period and inserting ''to implement the amendments made by the SKILLS Act'';

(5) in subsection (b) (as so redesignated)—

(A) by striking ''paragraph (1)'' and inserting ''subsection (a)'';

(B) by striking '', or recipient of financial assistance under any of sections 166 through 169,''; and

(C) by striking ''or grant recipient'';

(6) in subsection (c) (as so redesignated), by striking ''paragraph (1)'' and inserting ''subsection (a)''; and

(7) by inserting, after subsection (c) (as so redesignated), the following:

''(d) BEST PRACTICES COORDINATION.—The Secretary shall—

''(1) establish a system through which States may share information regarding best practices with regard to the operation of workforce investment activities under this Act; and

''(2) evaluate and disseminate information regarding best practices and identify knowledge gaps.''.

SEC. 131. EVALUATIONS.

Section 172 (29 U.S.C. 2917) is amended—

(1) in subsection (a), by striking ''the Secretary shall provide for the continuing evaluation of the programs and activities, including those programs and activities carried out under section 171'' and inserting ''the Secretary, through grants, contracts, or cooperative agreements, shall conduct, at least once every 5 years, an independent evaluation of the programs and activities funded under this Act'';

(2) in subsection (a)(4) is amended to read as follows:

''(4) the impact of receiving services and not receiving services under such programs and activities on the community, businesses, and individuals;'';

(3) in subsection (c) is amended to read as follows:

''(c) TECHNIQUES.—Evaluations conducted under this section shall utilize appropriate and rigorous methodology and research designs, including the use of control groups chosen by scientific random assignment methodologies, quasi-experimental methods, impact analysis and the use of administrative data. The Secretary shall conduct an impact analysis, as described in subsection (a)(4), of the formula grant program under subtitle B not later than 2015, and thereafter shall conduct such an analysis not less than once every four years.'';

(4) in subsection (e) is amended by striking ''the Committee on Labor and Human Resources of the Senate'' and inserting ''the Committee on Health, Education, Labor, and Pensions of the Senate''; and

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

''(g) PUBLIC AVAILABILITY.—The results of the evaluations conducted under this section shall be made publicly available, including by posting such results on the Department's website.''.

Subtitle E—Administration

SEC. 132. REQUIREMENTS AND RESTRICTIONS.

Section 181 (29 U.S.C. 2931) is amended—

(1) in subsection (b)(6), by striking '', including representatives of businesses and of labor organizations'';

(2) in subsection (c)(2)(A), in the matter preceding clause (i), by striking ''shall'' and inserting ''may'';

(3) in subsection (e)—

(A) by striking ''training for'' and inserting ''the entry into employment, retention in employment, or increases in earnings of''; and

(B) by striking ''subtitle B'' and inserting ''this Act'';

(4) in subsection (f)(4), by striking ''134(a)(3)(B)'' and inserting ''134(a)(6)''; and

(5) by adding at the end the following:

''(g) SALARY AND BONUS LIMITATION.—No funds provided under this title shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Level II of the Federal Executive Pay Schedule (5 U.S.C. 5313). This limitation shall not apply to vendors providing goods and services as defined in OMB Circular A–133. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer the programs.

''(h) GENERAL AUTHORITY.—

''(1) IN GENERAL.—The Employment and Training Administration of the U.S. Department of Labor (hereinafter in this Act referred to as the 'Administration') shall administer all programs authorized under title I and III of this Act. The Administration shall be headed by an Assistant Secretary appointed by the President by and with the advice and consent of the Senate. Except for titles II and IV, the Administration shall be the principal agency, and the Assistant Secretary shall be the principal officer, of such Department for carrying out this Act.

''(2) QUALIFICATIONS.—The Assistant Secretary shall be an individual with substantial experience in workforce development and in workforce development management. The Assistant Secretary shall also, to the maximum extent possible, possess knowledge and have worked in or with the State or local workforce investment system or have been a member of the business community. In the performance of the functions of the office, the Assistant Secretary shall be directly responsible to the Secretary or the Under Secretary as designed by the Secretary. The functions of the Assistant Secretary shall not be delegated to any officer not directly responsible, both with respect to program operation and administration, to the Assistant Secretary. Any reference in this Act to duties to be carried out by the Assistant Secretary shall be considered to be a reference to duties to be carried out by the Secretary acting through the Assistant Secretary.''.

SEC. 133. PROMPT ALLOCATION OF FUNDS.

Section 182 (29 U.S.C. 2932) is amended—

(1) in subsection (c), by striking ''127 or''; and

(2) in subsection (e)—

(A) by striking ''sections 128 and 133'' and inserting ''section 133''; and

(B) by striking ''127 or''.

SEC. 134. FISCAL CONTROLS; SANCTIONS.

Section 184(a)(2) (29 U.S.C. 2934(a)(2)) is amended—

(1) by striking ''(A)'' and all that follows through ''Each'' and inserting ''Each''; and

(2) by striking subparagraph (B).

SEC. 135. REPORTS TO CONGRESS.

Section 185 (29 U.S.C. 2935) is amended—

(1) in subsection (c)—

(A) in paragraph (2), by striking ''and'' after the semicolon;

(B) in paragraph (3), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(4) shall have the option to submit or disseminate electronically any reports, records, plans, or any other data that are required to be collected or disseminated under this title.''; and

(2) in subsection (e)(2), by inserting ''and the Secretary shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate,'' after ''Secretary,''.

SEC. 136. ADMINISTRATIVE PROVISIONS.

Section 189 (29 U.S.C. 2939) is amended—

(1) in subsection (g)—

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

''(1) IN GENERAL.—Appropriations for any fiscal year for programs and activities carried out under this title shall be available for obligation only on the basis of a program year. The program year shall begin on October 1 in the fiscal year for which the appropriation is made.''; and

(B) in paragraph (2)—

(i) by striking ''each State'' and inserting ''each recipient''; and

(ii) by striking ''171 or'';

(2) in subsection (i)—

(A) by striking paragraphs (2) and (3);

(B) by redesignating paragraph (4) as paragraph (2);

(C) by amending paragraph (2)(A), as so redesignated—

(i) by striking ''requirements of subparagraph (B)'' and all that follows through ''any of the statutory or regulatory requirements of subtitle B'' and inserting ''requirements of subparagraph (B) or (D), any of the statutory or regulatory requirements of subtitle B'';

(ii) by striking clause (ii); and

(iii) in clause (i), by striking ''; and'' and inserting a period at the end; and

(D) by adding at the end the following:

''(D) EXPEDITED PROCESS FOR EXTENDING APPROVED WAIVERS TO ADDITIONAL STATES.—In lieu of the requirements of subparagraphs (B) and (C), the Secretary may establish an expedited procedure for the purpose of extending to additional States the waiver of statutory or regulatory requirements that have been approved for a State pursuant to a request under subparagraph (B). Such procedure shall ensure that the extension of such waivers to additional States are accompanied by appropriate conditions relating the implementation of such waivers.

''(E) EXTERNAL CONDITIONS.—The Secretary shall not require or impose new or additional requirements, which are not specified under this Act, on a State in exchange for providing a waiver to the State or a local area in the State under this paragraph.''.

SEC. 137. STATE LEGISLATIVE AUTHORITY.

Section 191(a) (29 U.S.C. 2941(a)) is amended—

(1) by striking ''consistent with the provisions of this title'' and inserting ''consistent with State law and the provisions of this title''; and

(2) by striking ''consistent with the terms and conditions required under this title'' and inserting ''consistent with State law and the terms and conditions required under this title''.

SEC. 138. GENERAL PROGRAM REQUIREMENTS.

Section 195 (29 U.S.C. 2945) is amended—

(1) in paragraph (7), by inserting at the end the following:

''(D) Funds received by a public or private nonprofit entity that are not described in paragraph (B), such as funds privately raised from philanthropic foundations, businesses, or other private entities, shall not be considered to be income under this title and shall not be subject to the requirements of this section.''; and

(2) by adding at the end the following new paragraphs:

''(14) Funds provided under this title shall not be used to establish or operate stand-alone fee-

for-service enterprises that compete with private sector employment agencies within the meaning of section 701(c) of the Civil Rights Act of 1964 (42 U.S.C. 2000e(c)), except that for purposes of this paragraph, such an enterprise does not include one-stop centers.

''(15) Any report required to be submitted to Congress, or to a Committee of Congress, under this title shall be submitted to both the chairmen and ranking minority members of the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.''.

SEC. 139. FEDERAL AGENCY STAFF.

Subtitle E of title I (29 U.S.C. 2931 et seq.) is amended by adding at the end the following new sections:

''SEC. 196. FEDERAL AGENCY STAFF.

''The Director of the Office of Management and Budget shall—

''(1) not later than 60 days after the date of the enactment of the SKILLS Act—

''(A) identify the number of Federal government employees who work on or administer each of the programs authorized under this Act or repealed under section 401 of the SKILLS Act, as such programs were in effect on the day before such date of enactment; and

''(B) identify the number of full-time equivalent employees who work on or administer each of the programs authorized under this Act or repealed under section 401 of the SKILLS Act, as such programs were in effect on the day before such date of enactment, and that have been eliminated or consolidated on or after such date of enactment;

''(2) not later than 90 after such date of enactment, publish the information described in paragraph (1) on the Office of Management and Budget website;

''(3) not later than 1 year after such date of enactment—

''(A) reduce the workforce of the Federal Government by the number of full-time equivalent employees identified under paragraph (1)(B); and

''(B) submit to Congress a report on how the Director carried out the requirements of subparagraph (A).

''SEC. 197. RESTRICTIONS ON LOBBYING AND POLITICAL ACTIVITIES.

''(a) LOBBYING RESTRICTIONS.—

''(1) PUBLICITY RESTRICTIONS.—

''(A) IN GENERAL.—Subject to subparagraph (B), no funds provided under this Act shall be used or proposed for use, for—

''(i) publicity or propaganda purposes; or

''(ii) the preparation, distribution, or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation designed to support or defeat the enactment of legislation before the Congress or any State or local legislature or legislative body.

''(B) EXCEPTION.—Subparagraph (A) shall not apply to—

''(i) normal and recognized executive-legislative relationships;

''(ii) the preparation, distribution, or use of the materials described in subparagraph (A)(ii) in presentation to the Congress or any State or local legislature (except that this subparagraph does not apply with respect to such preparation, distribution, or use in presentation to the executive branch of any State or local government); or

''(iii) if such materials are designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any State or local government.

''(2) SALARY PAYMENT RESTRICTION.—No funds provided under this Act shall be used, or proposed for use, to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulations, administrative action, or executive order proposed or pending before the Congress or any State government, or State legislature or local legislature or legislative body, other than for normal and recognized executive-legislative relationships or participation by an agency or officer of a State, local, or tribal government in policymaking and administrative processes within the executive branch of that government.

''(b) POLITICAL RESTRICTIONS.—

''(1) IN GENERAL.—No funds received by a participant of a program or an activity under this Act shall be used for—

''(A) any partisan or nonpartisan political activity or any other political activity associated with a candidate, or contending faction or group, in an election for public or party office; or

''(B) any activity to provide voters with transportation to the polls or similar assistance in connection with any such election.

''(2) DEFINITION.—For the purposes of this subsection, the term 'participant' includes any State, local area, or governmental, nonprofit, or for-profit entity receiving funds under this Act.

''(3) RESTRICTION ON VOTER REGISTRATION ACTIVITIES.—No funds under this Act shall be used to conduct voter registration activities.''.

Subtitle F—State Unified Plan

SEC. 140. STATE UNIFIED PLAN.

Section 501 (20 U.S.C. 9271) is amended—

(1) by amending subsection (a) to read as follows:

''(a) GENERAL AUTHORITY.—The Secretary shall receive and approve State unified plans developed and submitted under this section.'';

(2) by amending subsection (b) to read as follows:

''(b) STATE UNIFIED PLAN.—

''(1) IN GENERAL.—A State may develop and submit to the Secretary a State unified plan for 2 or more of the activities or programs set forth in paragraph (2). The State unified plan shall cover one or more of the activities set forth in subparagraphs (A) and (B) of paragraph (2) and may cover one or more of the activities set forth in subparagraphs (C) through (N) of paragraph (2). For purposes of this paragraph, the activities and programs described in subparagraphs (A) and (B) of paragraph (2) shall not be considered to be 2 or more activities or programs for purposes of the unified plan. Such activities or programs shall be considered to be 1 activity or program.

''(2) ACTIVITIES AND PROGRAMS.—The activities and programs referred to in paragraph (1) are as follows:

''(A) Programs and activities authorized under title I.

''(B) Programs and activities authorized under title II.

''(C) Programs authorized under the Rehabilitation Act of 1973.

''(D) Secondary career education programs authorized under the Carl D. Perkins Career and Applied Technology Education Act.

''(E) Postsecondary career education programs authorized under the Carl D. Perkins Career and Applied Technology Education Act.

''(F) Programs and activities authorized under title II of the Trade Act of 1974.

''(G) National Apprenticeship Act of 1937.

''(H) Programs authorized under the Community Services Block Grant Act.

''(I) Programs authorized under the part A of title IV of the Social Security Act.

''(J) Programs authorized under State unemployment compensation laws (in accordance with applicable Federal law).

''(K) Work programs authorized under section 6(o) of the Food Stamp Act of 1977.

''(L) Programs and activities authorized title I of the Housing and Community Development Act of 1974.

''(M) Programs and activities authorized under the Public Workers and Economic Development Act of 1965.

''(N) Activities as defined under chapter 41 of title 38, United States Code.'';

(3) by amending subsection (d) to read as follows:

''(d) APPROVAL.—

''(1) JURISDICTION.—In approving a State unified plan under this section, the Secretary shall—

''(A) submit the portion of the State unified plan covering an activity or program described in subsection (b)(2) to the head of the Federal agency who exercises administrative authority over the activity or program for the approval of such portion by such Federal agency head; or

''(B) coordinate approval of the portion of the State unified plan covering an activity or program described in subsection (b)(2) with the head of the Federal agency who exercises administrative authority over the activity or program.

''(2) TIMELINE.—A State unified plan shall be considered to be approved by the Secretary at the end of the 90-day period beginning on the day the Secretary receives the plan, unless the Secretary makes a written determination, during the 90-day period, that details how the plan is not consistent with the requirements of the Federal statute authorizing an activity or program described in subsection (b)(2) and covered under the plan or how the plan is not consistent with the requirements of subsection (c)(3).''; and

(4) by adding at the end the following:

''(e) ADDITIONAL EMPLOYMENT AND TRAINING FUNDS.—

''(1) PURPOSE.—It is the purpose of this subsection to reduce inefficiencies in the administration of federally-funded State and local employment and training programs.

''(2) IN GENERAL.—In developing a State unified plan for the activities or programs described in subsection (b)(2) and subject to paragraph (4) and the State plan approval process under subsection (d), a State may propose to consolidate the amount, in whole or part, provided for the activities or programs dedicated to employment and training into the Workforce Investment Fund under section 132(b) to improve the administration of State and local employment and training programs.

''(3) REQUIREMENTS.—A State with a State unified plan approved under subsection (d) for purposes of consolidation under paragraph (2) and that is carrying out such consolidation shall—

''(A) continue to meet the program requirements, limitations, and prohibitions of any Federal statute authorizing the activity or program consolidated into the Workforce Investment Fund;

''(B) meet the intent and purpose of the activity or program consolidated into the Workforce Investment Fund; and

''(C) continue to make reservations and allotments under subsections (a) and (b) of section 133.

''(4) EXCEPTIONS.—A State may not consolidate funds under paragraph (2) that are allocated to the State under—

''(A) the Carl D. Perkins Career and Technical Education Act of 2006; or

''(B) the Rehabilitation Act of 1973.''.

TITLE II—ADULT EDUCATION AND FAMILY LITERACY EDUCATION

SEC. 201. AMENDMENT.

Title II (20 U.S.C. 2901 et seq.) is amended to read as follows:

''TITLE II—ADULT EDUCATION AND FAMILY LITERACY EDUCATION

''SEC. 201. SHORT TITLE.

''This title may be cited as the 'Adult Education and Family Literacy Education Act'.

''SEC. 202. PURPOSE.

''It is the purpose of this title to provide instructional opportunities for adults seeking to improve their literacy skills, including their basic reading, writing, speaking, and math

skills, and support States and local communities in providing, on a voluntary basis, adult education and family literacy education programs, in order to—

''(1) increase the literacy of adults, including the basic reading, writing, speaking, and math skills, to a level of proficiency necessary for adults to obtain employment and self-sufficiency and to successfully advance in the workforce;

''(2) assist adults in the completion of a secondary school education (or its equivalent) and the transition to a postsecondary educational institution;

''(3) assist adults who are parents to enable them to support the educational development of their children and make informed choices regarding their children's education including, through instruction in basic reading, writing, speaking, and math skills; and

''(4) assist adults who are not proficient in English in improving their reading, writing, speaking, listening, comprehension, and math skills.

"SEC. 203. DEFINITIONS.

''In this title:

''(1) ADULT EDUCATION AND FAMILY LITERACY EDUCATION PROGRAMS.—The term 'adult education and family literacy education programs' means a sequence of academic instruction and educational services below the postsecondary level that increase an individual's ability to read, write, and speak English and perform mathematical computations leading to a level of proficiency equivalent to at least a secondary school completion that is provided for individuals—

''(A) who are at least 16 years of age;

''(B) who are not enrolled or required to be enrolled in secondary school under State law; and

''(C) who—

''(i) lack sufficient mastery of basic reading, writing, speaking, and math skills to enable the individuals to function effectively in society;

''(ii) do not have a secondary school diploma or its equivalent and have not achieved an equivalent level of education; or

''(iii) are English learners.

''(2) ELIGIBLE AGENCY.—The term 'eligible agency'—

''(A) means the primary entity or agency in a State or an outlying area responsible for administering or supervising policy for adult education and family literacy education programs in the State or outlying area, respectively, consistent with the law of the State or outlying area, respectively; and

''(B) may be the State educational agency, the State agency responsible for administering workforce investment activities, or the State agency responsible for administering community or technical colleges.

''(3) ELIGIBLE PROVIDER.—The term 'eligible provider' means an organization of demonstrated effectiveness which is—

''(A) a local educational agency;

''(B) a community-based or faith-based organization;

''(C) a volunteer literacy organization;

''(D) an institution of higher education;

''(E) a public or private educational agency;

''(F) a library;

''(G) a public housing authority;

''(H) an institution that is not described in any of subparagraphs (A) through (G) and has the ability to provide adult education, basic skills, and family literacy education programs to adults and families; or

''(I) a consortium of the agencies, organizations, institutions, libraries, or authorities described in any of subparagraphs (A) through (H).

''(4) ENGLISH LANGUAGE ACQUISITION PROGRAM.—The term 'English language acquisition program' means a program of instruction—

''(A) designed to help English learners achieve competence in reading, writing, speaking, and comprehension of the English language; and

''(B) that may lead to—

''(i) attainment of a secondary school diploma or its recognized equivalent;

''(ii) transition to success in postsecondary education and training; and

''(iii) employment or career advancement.

''(5) FAMILY LITERACY EDUCATION PROGRAM.—The term 'family literacy education program' means an educational program that—

''(A) assists parents and students, on a voluntary basis, in achieving the purposes of this title as described in section 202; and

''(B) is of sufficient intensity in terms of hours and of sufficient quality to make sustainable changes in a family, is evidence-based, and, for the purpose of substantially increasing the ability of parents and children to read, write, and speak English, integrates—

''(i) interactive literacy activities between parents and their children;

''(ii) training for parents regarding how to be the primary teacher for their children and full partners in the education of their children;

''(iii) parent literacy training that leads to economic self-sufficiency; and

''(iv) an age-appropriate education to prepare children for success in school and life experiences.

''(6) GOVERNOR.—The term 'Governor' means the chief executive officer of a State or outlying area.

''(7) INDIVIDUAL WITH A DISABILITY.—

''(A) IN GENERAL.—The term 'individual with a disability' means an individual with any disability (as defined in section 3 of the Americans with Disabilities Act of 1990).

''(B) INDIVIDUALS WITH DISABILITIES.—The term 'individuals with disabilities' means more than one individual with a disability.

''(8) ENGLISH LEARNER.—The term 'English learner' means an adult or out-of-school youth who has limited ability in reading, writing, speaking, or understanding the English language, and—

''(A) whose native language is a language other than English; or

''(B) who lives in a family or community environment where a language other than English is the dominant language.

''(9) INTEGRATED EDUCATION AND TRAINING.—The term 'integrated education and training' means services that provide adult education and literacy activities contextually and concurrently with workforce preparation activities and workforce training for a specific occupation or occupational cluster. Such services may include offering adult education services concurrent with postsecondary education and training, including through co-instruction.

''(10) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 101 of the Higher Education Act of 1965.

''(11) LITERACY.—The term 'literacy' means an individual's ability to read, write, and speak in English, compute, and solve problems at a level of proficiency necessary to obtain employment and to successfully make the transition to postsecondary education.

''(12) LOCAL EDUCATIONAL AGENCY.—The term 'local educational agency' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965.

''(13) OUTLYING AREA.—The term 'outlying area' has the meaning given the term in section 101 of this Act.

''(14) POSTSECONDARY EDUCATIONAL INSTITUTION.—The term 'postsecondary educational institution' means—

''(A) an institution of higher education that provides not less than a 2-year program of instruction that is acceptable for credit toward a bachelor's degree;

''(B) a tribally controlled community college; or

''(C) a nonprofit educational institution offering certificate or apprenticeship programs at the postsecondary level.

''(15) SECRETARY.—The term 'Secretary' means the Secretary of Education.

''(16) STATE.—The term 'State' means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

''(17) STATE EDUCATIONAL AGENCY.—The term 'State educational agency' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965.

''(18) WORKPLACE LITERACY PROGRAM.—The term 'workplace literacy program' means an educational program that is offered in collaboration between eligible providers and employers or employee organizations for the purpose of improving the productivity of the workforce through the improvement of reading, writing, speaking, and math skills.

"SEC. 204. HOME SCHOOLS.

''Nothing in this title shall be construed to affect home schools, whether or not a home school is treated as a home school or a private school under State law, or to compel a parent engaged in home schooling to participate in adult education and family literacy education activities under this title.

"SEC. 205. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this title, $606,294,933 for fiscal years 2014 and for each of the 6 succeeding fiscal years.

"Subtitle A—Federal Provisions

"SEC. 211. RESERVATION OF FUNDS; GRANTS TO ELIGIBLE AGENCIES; ALLOTMENTS.

''(a) RESERVATION OF FUNDS.—From the sums appropriated under section 205 for a fiscal year, the Secretary shall reserve 2.0 percent to carry out section 242.

''(b) GRANTS TO ELIGIBLE AGENCIES.—

''(1) IN GENERAL.—From the sums appropriated under section 205 and not reserved under subsection (a) for a fiscal year, the Secretary shall award a grant to each eligible agency having a State plan approved under section 224 in an amount equal to the sum of the initial allotment under subsection (c)(1) and the additional allotment under subsection (c)(2) for the eligible agency for the fiscal year, subject to subsections (f) and (g).

''(2) PURPOSE OF GRANTS.—The Secretary may award a grant under paragraph (1) only if the eligible agency involved agrees to expend the grant in accordance with the provisions of this title.

''(c) ALLOTMENTS.—

''(1) INITIAL ALLOTMENTS.—From the sums appropriated under section 205 and not reserved under subsection (a) for a fiscal year, the Secretary shall allot to each eligible agency having a State plan approved under section 224—

''(A) $100,000, in the case of an eligible agency serving an outlying area; and

''(B) $250,000, in the case of any other eligible agency.

''(2) ADDITIONAL ALLOTMENTS.—From the sums appropriated under section 205, not reserved under subsection (a), and not allotted under paragraph (1), for a fiscal year, the Secretary shall allot to each eligible agency that receives an initial allotment under paragraph (1) an additional amount that bears the same relationship to such sums as the number of qualifying adults in the State or outlying area served by the eligible agency bears to the number of such adults in all States and outlying areas.

''(d) QUALIFYING ADULT.—For the purpose of subsection (c)(2), the term 'qualifying adult' means an adult who—

''(1) is at least 16 years of age;

''(2) is beyond the age of compulsory school attendance under the law of the State or outlying area;

''(3) does not have a secondary school diploma or its recognized equivalent; and

''(4) is not enrolled in secondary school.

''(e) SPECIAL RULE.—

''(1) IN GENERAL.—From amounts made available under subsection (c) for the Republic of

Palau, the Secretary shall award grants to Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or the Republic of Palau to carry out activities described in this title in accordance with the provisions of this title as determined by the Secretary.

''(2) TERMINATION OF ELIGIBILITY.—Notwithstanding any other provision of law, the Republic of Palau shall be eligible to receive a grant under this title until an agreement for the extension of United States education assistance under the Compact of Free Association for the Republic of Palau becomes effective.

''(f) HOLD-HARMLESS PROVISIONS.—

''(1) IN GENERAL.—Notwithstanding subsection (c) and subject to paragraph (2), for—

''(A) fiscal year 2014, no eligible agency shall receive an allotment under this title that is less than 90 percent of the allotment the eligible agency received for fiscal year 2012 under this title; and

''(B) fiscal year 2015 and each succeeding fiscal year, no eligible agency shall receive an allotment under this title that is less than 90 percent of the allotment the eligible agency received for the preceding fiscal year under this title.

''(2) RATABLE REDUCTION.—If, for any fiscal year the amount available for allotment under this title is insufficient to satisfy the provisions of paragraph (1), the Secretary shall ratable reduce the payments to all eligible agencies, as necessary.

''(g) REALLOTMENT.—The portion of any eligible agency's allotment under this title for a fiscal year that the Secretary determines will not be required for the period such allotment is available for carrying out activities under this title, shall be available for reallotment from time to time, on such dates during such period as the Secretary shall fix, to other eligible agencies in proportion to the original allotments to such agencies under this title for such year.

"SEC. 212. PERFORMANCE ACCOUNTABILITY SYSTEM.

''Programs and activities authorized under this title are subject to the performance accountability provisions described in paragraph (2)(A) and (3) of section 136(b) and may, at a State's discretion, include additional indicators identified in the State plan approved under section 224.

"Subtitle B—State Provisions

"SEC. 221. STATE ADMINISTRATION.

''Each eligible agency shall be responsible for the following activities under this title:

''(1) The development, submission, implementation, and monitoring of the State plan.

''(2) Consultation with other appropriate agencies, groups, and individuals that are involved in, or interested in, the development and implementation of activities assisted under this title.

''(3) Coordination and avoidance of duplication with other Federal and State education, training, corrections, public housing, and social service programs.

"SEC. 222. STATE DISTRIBUTION OF FUNDS; MATCHING REQUIREMENT.

''(a) STATE DISTRIBUTION OF FUNDS.—Each eligible agency receiving a grant under this title for a fiscal year—

''(1) shall use an amount not less than 82.5 percent of the grant funds to award grants and contracts under section 231 and to carry out section 225, of which not more than 10 percent of such amount shall be available to carry out section 225;

''(2) shall use not more than 12.5 percent of the grant funds to carry out State leadership activities under section 223; and

''(3) shall use not more than 5 percent of the grant funds, or $65,000, whichever is greater, for the administrative expenses of the eligible agency.

''(b) MATCHING REQUIREMENT.—

''(1) IN GENERAL.—In order to receive a grant from the Secretary under section 211(b), each eligible agency shall provide, for the costs to be incurred by the eligible agency in carrying out the adult education and family literacy education programs for which the grant is awarded, a non-Federal contribution in an amount that is not less than—

''(A) in the case of an eligible agency serving an outlying area, 12 percent of the total amount of funds expended for adult education and family literacy education programs in the outlying area, except that the Secretary may decrease the amount of funds required under this subparagraph for an eligible agency; and

''(B) in the case of an eligible agency serving a State, 25 percent of the total amount of funds expended for adult education and family literacy education programs in the State.

''(2) NON-FEDERAL CONTRIBUTION.—An eligible agency's non-Federal contribution required under paragraph (1) may be provided in cash or in kind, fairly evaluated, and shall include only non-Federal funds that are used for adult education and family literacy education programs in a manner that is consistent with the purpose of this title.

"SEC. 223. STATE LEADERSHIP ACTIVITIES.

''(a) IN GENERAL.—Each eligible agency may use funds made available under section 222(a)(2) for any of the following adult education and family literacy education programs:

''(1) The establishment or operation of professional development programs to improve the quality of instruction provided pursuant to local activities required under section 231(b).

''(2) The provision of technical assistance to eligible providers of adult education and family literacy education programs, including for the development and dissemination of evidence based research instructional practices in reading, writing, speaking, math, and English language acquisition programs.

''(3) The provision of assistance to eligible providers in developing, implementing, and reporting measurable progress in achieving the objectives of this title.

''(4) The monitoring and evaluation of the quality of, and the improvement in, adult education and literacy activities.

''(5) The provision of technology assistance, including staff training, to eligible providers of adult education and family literacy education programs, including distance education activities, to enable the eligible providers to improve the quality of such activities.

''(6) The development and implementation of technology applications or distance education, including professional development to support the use of instructional technology.

''(7) Coordination with other public programs, including programs under title I of this Act, and other welfare-to-work, workforce development, and job training programs.

''(8) Coordination with existing support services, such as transportation, child care, and other assistance designed to increase rates of enrollment in, and successful completion of, adult education and family literacy education programs, for adults enrolled in such activities.

''(9) The development and implementation of a system to assist in the transition from adult basic education to postsecondary education.

''(10) Activities to promote workplace literacy programs.

''(11) Other activities of statewide significance, including assisting eligible providers in achieving progress in improving the skill levels of adults who participate in programs under this title.

''(12) Integration of literacy, instructional, and occupational skill training and promotion of linkages with employees.

''(b) COORDINATION.—In carrying out this section, eligible agencies shall coordinate where possible, and avoid duplicating efforts, in order to maximize the impact of the activities described in subsection (a).

''(c) STATE-IMPOSED REQUIREMENTS.—Whenever a State or outlying area implements any rule or policy relating to the administration or operation of a program authorized under this title that has the effect of imposing a requirement that is not imposed under Federal law (including any rule or policy based on a State or outlying area interpretation of a Federal statute, regulation, or guideline), the State or outlying area shall identify, to eligible providers, the rule or policy as being imposed by the State or outlying area.

"SEC. 224. STATE PLAN.

''(a) 3-YEAR PLANS.—

''(1) IN GENERAL.—Each eligible agency desiring a grant under this title for any fiscal year shall submit to, or have on file with, the Secretary a 3-year State plan.

''(2) STATE UNIFIED PLAN.—The eligible agency may submit the State plan as part of a State unified plan described in section 501.

''(b) PLAN CONTENTS.—The eligible agency shall include in the State plan or any revisions to the State plan—

''(1) an objective assessment of the needs of individuals in the State or outlying area for adult education and family literacy education programs, including individuals most in need or hardest to serve;

''(2) a description of the adult education and family literacy education programs that will be carried out with funds received under this title;

''(3) an assurance that the funds received under this title will not be expended for any purpose other than for activities under this title;

''(4) a description of how the eligible agency will annually evaluate and measure the effectiveness and improvement of the adult education and family literacy education programs funded under this title using the indicators of performance described in section 136, including how the eligible agency will conduct such annual evaluations and measures for each grant received under this title;

''(5) a description of how the eligible agency will fund local activities in accordance with the measurable goals described in section 231(d);

''(6) an assurance that the eligible agency will expend the funds under this title only in a manner consistent with fiscal requirements in section 241;

''(7) a description of the process that will be used for public participation and comment with respect to the State plan, which—

''(A) shall include consultation with the State workforce investment board, the State board responsible for administering community or technical colleges, the Governor, the State educational agency, the State board or agency responsible for administering block grants for temporary assistance to needy families under title IV of the Social Security Act, the State council on disabilities, the State vocational rehabilitation agency, and other State agencies that promote the improvement of adult education and family literacy education programs, and direct providers of such programs; and

''(B) may include consultation with the State agency on higher education, institutions responsible for professional development of adult education and family literacy education programs instructors, representatives of business and industry, refugee assistance programs, and faith-based organizations;

''(8) a description of the eligible agency's strategies for serving populations that include, at a minimum—

''(A) low-income individuals;

''(B) individuals with disabilities;

''(C) the unemployed;

''(D) the underemployed; and

''(E) individuals with multiple barriers to educational enhancement, including English learners;

''(9) a description of how the adult education and family literacy education programs that will be carried out with any funds received under this title will be integrated with other adult education, career development, and employment and training activities in the State or outlying area served by the eligible agency;

''(10) a description of the steps the eligible agency will take to ensure direct and equitable access, as required in section 231(c)(1), including—

''(A) how the State will build the capacity of community-based and faith-based organizations to provide adult education and family literacy education programs; and

''(B) how the State will increase the participation of business and industry in adult education and family literacy education programs;

''(11) an assessment of the adequacy of the system of the State or outlying area to ensure teacher quality and a description of how the State or outlying area will use funds received under this subtitle to improve teacher quality, including evidence-based professional development to improve instruction; and

''(12) a description of how the eligible agency will consult with any State agency responsible for postsecondary education to develop adult education that prepares students to enter postsecondary education without the need for remediation upon completion of secondary school equivalency programs.

''(c) PLAN REVISIONS.—When changes in conditions or other factors require substantial revisions to an approved State plan, the eligible agency shall submit the revisions of the State plan to the Secretary.

''(d) CONSULTATION.—The eligible agency shall—

''(1) submit the State plan, and any revisions to the State plan, to the Governor, the chief State school officer, or the State officer responsible for administering community or technical colleges, or outlying area for review and comment; and

''(2) ensure that any comments regarding the State plan by the Governor, the chief State school officer, or the State officer responsible for administering community or technical colleges, and any revision to the State plan, are submitted to the Secretary.

''(e) PLAN APPROVAL.—The Secretary shall—

''(1) approve a State plan within 90 days after receiving the plan unless the Secretary makes a written determination within 30 days after receiving the plan that the plan does not meet the requirements of this section or is inconsistent with specific provisions of this subtitle; and

''(2) not finally disapprove of a State plan before offering the eligible agency the opportunity, prior to the expiration of the 30-day period beginning on the date on which the eligible agency received the written determination described in paragraph (3), to review the plan and providing technical assistance in order to assist the eligible agency in meeting the requirements of this subtitle.

''SEC. 225. PROGRAMS FOR CORRECTIONS EDUCATION AND OTHER INSTITUTIONALIZED INDIVIDUALS.

''(a) PROGRAM AUTHORIZED.—From funds made available under section 222(a)(1) for a fiscal year, each eligible agency shall carry out corrections education and education for other institutionalized individuals.

''(b) USES OF FUNDS.—The funds described in subsection (a) shall be used for the cost of educational programs for criminal offenders in correctional institutions and for other institutionalized individuals, including academic programs for—

''(1) basic skills education;

''(2) special education programs as determined by the eligible agency;

''(3) reading, writing, speaking, and math programs;

''(4) secondary school credit or diploma programs or their recognized equivalent; and

''(5) integrated education and training.

''(c) PRIORITY.—Each eligible agency that is using assistance provided under this section to carry out a program for criminal offenders within a correctional institution shall give priority to serving individuals who are likely to leave the correctional institution within 5 years of participation in the program.

''(d) DEFINITIONS.—For purposes of this section:

''(1) CORRECTIONAL INSTITUTION.—The term 'correctional institution' means any—

''(A) prison;

''(B) jail;

''(C) reformatory;

''(D) work farm;

''(E) detention center; or

''(F) halfway house, community-based rehabilitation center, or any other similar institution designed for the confinement or rehabilitation of criminal offenders.

''(2) CRIMINAL OFFENDER.—The term 'criminal offender' means any individual who is charged with, or convicted of, any criminal offense.

''Subtitle C—Local Provisions

''SEC. 231. GRANTS AND CONTRACTS FOR ELIGIBLE PROVIDERS.

''(a) GRANTS AND CONTRACTS.—From grant funds made available under section 222(a)(1), each eligible agency shall award multi-year grants or contracts, on a competitive basis, to eligible providers within the State or outlying area that meet the conditions and requirements of this title to enable the eligible providers to develop, implement, and improve adult education and family literacy education programs within the State.

''(b) LOCAL ACTIVITIES.—The eligible agency shall require eligible providers receiving a grant or contract under subsection (a) to establish or operate—

''(1) programs that provide adult education and literacy activities;

''(2) programs that provide integrated employment and training activities; or

''(3) credit-bearing postsecondary coursework.

''(c) DIRECT AND EQUITABLE ACCESS; SAME PROCESS.—Each eligible agency receiving funds under this title shall ensure that—

''(1) all eligible providers have direct and equitable access to apply for grants or contracts under this section; and

''(2) the same grant or contract announcement process and application process is used for all eligible providers in the State or outlying area.

''(d) MEASURABLE GOALS.—The eligible agency shall require eligible providers receiving a grant or contract under subsection (a) to demonstrate—

''(1) the eligible provider's measurable goals for participant outcomes to be achieved annually on the core indicators of performance described in section 136(b)(2)(A);

''(2) the past effectiveness of the eligible provider in improving the basic academic skills of adults and, for eligible providers receiving grants in the prior year, the success of the eligible provider receiving funding under this title in exceeding its performance goals in the prior year;

''(3) the commitment of the eligible provider to serve individuals in the community who are the most in need of basic academic skills instruction services, including individuals with disabilities and individuals who are low-income or have minimal reading, writing, speaking, and math skills, or are English learners;

''(4) the program is of sufficient intensity and quality for participants to achieve substantial learning gains;

''(5) educational practices are evidence-based;

''(6) the activities of the eligible provider effectively employ advances in technology, and delivery systems including distance education;

''(7) the activities provide instruction in real-life contexts, including integrated education and training when appropriate, to ensure that an individual has the skills needed to compete in the workplace and exercise the rights and responsibilities of citizenship;

''(8) the activities are staffed by well-trained instructors, counselors, and administrators who meet minimum qualifications established by the State;

''(9) the activities are coordinated with other available resources in the community, such as through strong links with elementary schools and secondary schools, postsecondary educational institutions, local workforce investment boards, one-stop centers, job training programs, community-based and faith-based organizations, and social service agencies;

''(10) the activities offer flexible schedules and support services (such as child care and transportation) that are necessary to enable individuals, including individuals with disabilities or other special needs, to attend and complete programs;

''(11) the activities include a high-quality information management system that has the capacity to report measurable participant outcomes (consistent with section 136) and to monitor program performance;

''(12) the local communities have a demonstrated need for additional English language acquisition programs, and integrated education and training programs;

''(13) the capacity of the eligible provider to produce valid information on performance results, including enrollments and measurable participant outcomes;

''(14) adult education and family literacy education programs offer rigorous reading, writing, speaking, and math content that are evidence based; and

''(15) applications of technology, and services to be provided by the eligible providers, are of sufficient intensity and duration to increase the amount and quality of learning and lead to measurable learning gains within specified time periods.

''(e) SPECIAL RULE.—Eligible providers may use grant funds under this title to serve children participating in family literacy programs assisted under this part, provided that other sources of funds available to provide similar services for such children are used first.

''SEC. 232. LOCAL APPLICATION.

''Each eligible provider desiring a grant or contract under this title shall submit an application to the eligible agency containing such information and assurances as the eligible agency may require, including—

''(1) a description of how funds awarded under this title will be spent consistent with the requirements of this title;

''(2) a description of any cooperative arrangements the eligible provider has with other agencies, institutions, or organizations for the delivery of adult education and family literacy education programs; and

''(3) each of the demonstrations required by section 231(d).

''SEC. 233. LOCAL ADMINISTRATIVE COST LIMITS.

''(a) IN GENERAL.—Subject to subsection (b), of the amount that is made available under this title to an eligible provider—

''(1) at least 95 percent shall be expended for carrying out adult education and family literacy education programs; and

''(2) the remaining amount shall be used for planning, administration, personnel and professional development, development of measurable goals in reading, writing, speaking, and math, and interagency coordination.

''(b) SPECIAL RULE.—In cases where the cost limits described in subsection (a) are too restrictive to allow for adequate planning, administration, personnel development, and interagency coordination, the eligible provider may negotiate with the eligible agency in order to determine an adequate level of funds to be used for non-instructional purposes.

''Subtitle D—General Provisions

''SEC. 241. ADMINISTRATIVE PROVISIONS.

''Funds made available for adult education and family literacy education programs under this title shall supplement and not supplant other State or local public funds expended for adult education and family literacy education programs.

"SEC. 242. NATIONAL ACTIVITIES.

''The Secretary shall establish and carry out a program of national activities that may include the following:

''(1) Providing technical assistance to eligible entities, on request, to—

''(A) improve their fiscal management, research-based instruction, and reporting requirements to carry out the requirements of this title;

''(B) improve its performance on the core indicators of performance described in section 136;

''(C) provide adult education professional development; and

''(D) use distance education and improve the application of technology in the classroom, including instruction in English language acquisition for English learners.

''(2) Providing for the conduct of research on national literacy basic skill acquisition levels among adults, including the number of adult English learners functioning at different levels of reading proficiency.

''(3) Improving the coordination, efficiency, and effectiveness of adult education and workforce development services at the national, State, and local levels.

''(4) Determining how participation in adult education, English language acquisition, and family literacy education programs prepares individuals for entry into and success in postsecondary education and employment, and in the case of prison-based services, the effect on recidivism.

''(5) Evaluating how different types of providers, including community and faith-based organizations or private for-profit agencies measurably improve the skills of participants in adult education, English language acquisition, and family literacy education programs.

''(6) Identifying model integrated basic and workplace skills education programs, including programs for English learners coordinated literacy and employment services, and effective strategies for serving adults with disabilities.

''(7) Initiating other activities designed to improve the measurable quality and effectiveness of adult education, English language acquisition, and family literacy education programs nationwide.''.

TITLE III—AMENDMENTS TO THE WAGNER-PEYSER ACT

SEC. 301. AMENDMENTS TO THE WAGNER-PEYSER ACT.

The Wagner-Peyser Act (29 U.S.C. 49 et seq.) is amended by amending section 15 to read as follows:

"SEC. 15. WORKFORCE AND LABOR MARKET INFORMATION SYSTEM.

''(a) SYSTEM CONTENT.—

''(1) IN GENERAL.—The Secretary of Labor, in accordance with the provisions of this section, shall oversee the development, maintenance, and continuous improvement of a nationwide workforce and labor market information system that includes—

''(A) statistical data from cooperative statistical survey and projection programs and data from administrative reporting systems that, taken together, enumerate, estimate, and project employment opportunities and conditions at national, State, and local levels in a timely manner, including statistics on—

''(i) employment and unemployment status of national, State, and local populations, including self-employed, part-time, and seasonal workers;

''(ii) industrial distribution of occupations, as well as current and projected employment opportunities, wages, benefits (where data is available), and skill trends by occupation and industry, with particular attention paid to State and local conditions;

''(iii) the incidence of, industrial and geographical location of, and number of workers displaced by, permanent layoffs and plant closings; and

''(iv) employment and earnings information maintained in a longitudinal manner to be used for research and program evaluation;

''(B) information on State and local employment opportunities, and other appropriate statistical data related to labor market dynamics, which—

''(i) shall be current and comprehensive;

''(ii) shall meet the needs identified through the consultations described in subparagraphs (A) and (B) of subsection (e)(2); and

''(iii) shall meet the needs for the information identified in section 121;

''(C) technical standards (which the Secretary shall publish annually) for data and information described in subparagraphs (A) and (B) that, at a minimum, meet the criteria of chapter 35 of title 44, United States Code;

''(D) procedures to ensure compatibility and additivity of the data and information described in subparagraphs (A) and (B) from national, State, and local levels;

''(E) procedures to support standardization and aggregation of data from administrative reporting systems described in subparagraph (A) of employment-related programs;

''(F) analysis of data and information described in subparagraphs (A) and (B) for uses such as—

''(i) national, State, and local policymaking;

''(ii) implementation of Federal policies (including allocation formulas);

''(iii) program planning and evaluation; and

''(iv) researching labor market dynamics;

''(G) wide dissemination of such data, information, and analysis in a user-friendly manner and voluntary technical standards for dissemination mechanisms; and

''(H) programs of—

''(i) training for effective data dissemination;

''(ii) research and demonstration; and

''(iii) programs and technical assistance.

''(2) INFORMATION TO BE CONFIDENTIAL.—

''(A) IN GENERAL.—No officer or employee of the Federal Government or agent of the Federal Government may—

''(i) use any submission that is furnished for exclusively statistical purposes under the provisions of this section for any purpose other than the statistical purposes for which the submission is furnished;

''(ii) disclose to the public any publication or media transmittal of the data contained in the submission described in clause (i) that permits information concerning an individual subject to be reasonably inferred by either direct or indirect means; or

''(iii) permit anyone other than a sworn officer, employee, or agent of any Federal department or agency, or a contractor (including an employee of a contractor) of such department or agency, to examine an individual submission described in clause (i),

without the consent of the individual, agency, or other person who is the subject of the submission or provides that submission.

''(B) IMMUNITY FROM LEGAL PROCESS.—Any submission (including any data derived from the submission) that is collected and retained by a Federal department or agency, or an officer, employee, agent, or contractor of such a department or agency, for exclusively statistical purposes under this section shall be immune from the legal process and shall not, without the consent of the individual, agency, or other person who is the subject of the submission or provides that submission, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding.

''(C) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to provide immunity from the legal process for such submission (including any data derived from the submission) if the submission is in the possession of any person, agency, or entity other than the Federal Government or an officer, employee, agent, or contractor of the Federal Government, or if the submission is independently collected, retained, or produced for purposes other than the purposes of this Act.

''(b) SYSTEM RESPONSIBILITIES.—

''(1) IN GENERAL.—The workforce and labor market information system described in subsection (a) shall be planned, administered, overseen, and evaluated through a cooperative governance structure involving the Federal Government and States.

''(2) DUTIES.—The Secretary, with respect to data collection, analysis, and dissemination of workforce and labor market information for the system, shall carry out the following duties:

''(A) Assign responsibilities within the Department of Labor for elements of the workforce and labor market information system described in subsection (a) to ensure that all statistical and administrative data collected is consistent with appropriate Bureau of Labor Statistics standards and definitions.

''(B) Actively seek the cooperation of other Federal agencies to establish and maintain mechanisms for ensuring complementarity and nonduplication in the development and operation of statistical and administrative data collection activities.

''(C) Eliminate gaps and duplication in statistical undertakings, with the systemization of wage surveys as an early priority.

''(D) In collaboration with the Bureau of Labor Statistics and States, develop and maintain the elements of the workforce and labor market information system described in subsection (a), including the development of consistent procedures and definitions for use by the States in collecting the data and information described in subparagraphs (A) and (B) of subsection (a)(1).

''(E) Establish procedures for the system to ensure that—

''(i) such data and information are timely;

''(ii) paperwork and reporting for the system are reduced to a minimum; and

''(iii) States and localities are fully involved in the development and continuous improvement of the system at all levels.

''(c) NATIONAL ELECTRONIC TOOLS TO PROVIDE SERVICES.—The Secretary is authorized to assist in the development of national electronic tools that may be used to facilitate the delivery of work ready services described in section 134(c)(2) and to provide workforce information to individuals through the one-stop delivery systems described in section 121 and through other appropriate delivery systems.

''(d) COORDINATION WITH THE STATES.—

''(1) IN GENERAL.—The Secretary, working through the Bureau of Labor Statistics and the Employment and Training Administration, shall regularly consult with representatives of State agencies carrying out workforce information activities regarding strategies for improving the workforce and labor market information system.

''(2) FORMAL CONSULTATIONS.—At least twice each year, the Secretary, working through the Bureau of Labor Statistics, shall conduct formal consultations regarding programs carried out by the Bureau of Labor Statistics with representatives of each of the Federal regions of the Bureau of Labor Statistics, elected (pursuant to a process established by the Secretary) from the State directors affiliated with State agencies that perform the duties described in subsection (e)(2).

''(e) STATE RESPONSIBILITIES.—

''(1) IN GENERAL.—In order to receive Federal financial assistance under this section, the Governor of a State shall—

''(A) be responsible for the management of the portions of the workforce and labor market information system described in subsection (a) that comprise a statewide workforce and labor market information system and for the State's participation in the development of the annual plan;

''(B) establish a process for the oversight of such system;

''(C) consult with State and local employers, participants, and local workforce investment boards about the labor market relevance of the data to be collected and disseminated through

the statewide workforce and labor market information system;

''(D) consult with State educational agencies and local educational agencies concerning the provision of employment statistics in order to meet the needs of secondary school and postsecondary school students who seek such information;

''(E) collect and disseminate for the system, on behalf of the State and localities in the State, the information and data described in subparagraphs (A) and (B) of subsection (a)(1);

''(F) maintain and continuously improve the statewide workforce and labor market information system in accordance with this section;

''(G) perform contract and grant responsibilities for data collection, analysis, and dissemination for such system;

''(H) conduct such other data collection, analysis, and dissemination activities as will ensure an effective statewide workforce and labor market information system;

''(I) actively seek the participation of other State and local agencies in data collection, analysis, and dissemination activities in order to ensure complementarity, compatibility, and usefulness of data;

''(J) participate in the development of the annual plan described in subsection (c); and

''(K) utilize the quarterly records described in section 136(f)(2) to assist the State and other States in measuring State progress on State performance measures.

''(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as limiting the ability of a Governor to conduct additional data collection, analysis, and dissemination activities with State funds or with Federal funds from sources other than this section.

''(f) NONDUPLICATION REQUIREMENT.—None of the functions and activities carried out pursuant to this section shall duplicate the functions and activities carried out under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.).

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $63,473,000 for fiscal year 2014 and each of the 6 succeeding fiscal years.

''(h) DEFINITION.—In this section, the term 'local area' means the smallest geographical area for which data can be produced with statistical reliability.''.

TITLE IV—REPEALS AND CONFORMING AMENDMENTS

SEC. 401. REPEALS.

The following provisions are repealed:

(1) Chapter 4 of subtitle B of title I, and sections 123, 155, 166, 167, 168, 169, 171, 173, 173A, 174, 192, 194, 502, 503, and 506 of the Workforce Investment Act of 1998.

(2) Title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.).

(3) Sections 1 through 14 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.).

(4) Twenty-First Century Workforce Commission Act (29 U.S.C. 2701 note).

(5) Youth Conservation Corps Act of 1970 (16 U.S.C. 1701 et seq.).

(6) Section 821 of the Higher Education Amendments of 1998 (20 U.S.C. 1151) (Grants to States for workplace and community transition training for incarcerated individuals).

(7) The Women in Apprenticeship and Nontraditional Occupations Act (29 U.S.C. 2501 et seq.).

(8) Sections 4103A and 4104 of title 38, United States Code.

SEC. 402. AMENDMENT TO THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT OF 1980.

Section 104(k)(6) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604) is amended by striking '', training,''.

SEC. 403. AMENDMENTS TO THE FOOD AND NUTRITION ACT OF 2008.

(a) DEFINITION.—Section 3(t) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(t)) is amended—

(1) by striking ''and (2)'' and inserting ''(2)'', and

(2) by inserting before the period at the end the following:

'', and (3) when referencing employment and training activities under section 6(d)(4), a State board as defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801)''.

(b) ELIGIBLE HOUSEHOLDS.—Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in subsection (d)(14) by striking ''section 6(d)(4)(I)'' and inserting ''section 6(d)(4)(C)'', and

(2) in subsection (g)(3) by striking ''constitutes adequate participation in an employment and training program under section 6(d)'' and inserting ''allows the individual to participate in employment and training activities under section 6(d)(4)''.

(c) ELIGIBILITY DISQUALIFICATIONS.—Section 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)(4)) is amended to read as follows:

''(4) EMPLOYMENT AND TRAINING.—

''(A) IMPLEMENTATION.—Each State agency shall provide employment and training services authorized under section 134 of the Workforce Investment Act of 1998 (29 U.S.C. 2864) to eligible members of households participating in the supplemental nutrition assistance program in gaining skills, training, work, or experience that will increase their ability to obtain regular employment.

''(B) STATEWIDE WORKFORCE DEVELOPMENT SYSTEM.—Consistent with subparagraph (A), employment and training services shall be provided through the statewide workforce development system, including the One-Stop delivery system, authorized by the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.).

''(C) REIMBURSEMENTS.—

''(i) ACTUAL COSTS.—The State agency shall provide payments or reimbursement to participants served under this paragraph for—

''(I) the actual costs of transportation and other actual costs (other than dependent care costs) that are reasonably necessary and directly related to the individual participating in employment and training activities; and

''(II) the actual costs of such dependent care expenses that are determined by the State agency to be necessary for the individual to participate in employment and training activities (other than an individual who is the caretaker relative of a dependent in a family receiving benefits under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) in a local area where an employment, training, or education program under title IV of such Act is in operation), except that no such payment or reimbursement shall exceed the applicable local market rate.

''(ii) SERVICE CONTRACTS AND VOUCHERS.—In lieu of providing reimbursements or payments for dependent care expenses under clause (i), a State agency may, at its option, arrange for dependent care through providers by the use of purchase of service contracts or vouchers or by providing vouchers to the household.

''(iii) VALUE OF REIMBURSEMENTS.—The value of any dependent care services provided for or arranged under clause (ii), or any amount received as a payment or reimbursement under clause (i), shall—

''(I) not be treated as income for the purposes of any other Federal or federally assisted program that bases eligibility for, or the amount of benefits on, need; and

''(II) not be claimed as an employment-related expense for the purposes of the credit provided under section 21 of the Internal Revenue Code of 1986 (26 U.S.C. 21).''.

(d) ADMINISTRATION.—Section 11(e)(19) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)(11) is amended to read as follows:

''(19) the plans of the State agency for providing employment and training services under section 6(d)(4);''.

(e) ADMINISTRATIVE COST-SHARING AND QUALITY CONTROL.—Section 16(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A) by striking ''carry out employment and training programs'' and inserting ''provide employment and training services to eligible households under section 6(d)(4)'', and

(B) in subparagraph (D) by striking ''operating an employment and training program'' and inserting ''providing employment and training services consistent with section 6(d)(4)'',

(2) in paragraph (3) by striking ''related to participation in an employment and training program'' and inserting ''the individual participating in employment and training activities'',

(3) in paragraph (4) by striking ''for operating an employment and training program'' and inserting ''to provide employment and training services'', and

(4) by amending paragraph (5) to read as follows:

''(5) MONITORING.—The Secretary, in conjunction with the Secretary of Labor, shall monitor each State agency responsible for administering employment and training services under section 6(d)(4) to ensure funds are being spent effectively and efficiently. Each program of employment and training receiving funds under section 6(d)(4) shall be subject to the requirements of the performance accountability system, including having to meet the state performance measures included in section 136 of the Workforce Investment Act (29 U.S.C. 2871).''.

(f) RESEARCH, DEMONSTRATION, AND EVALUATIONS.—Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026) is amended—

(1) in subsection (b) by striking paragraph (3), and

(2) in subsection (g)—

(A) by inserting '', in conjunction with the Secretary of Labor,'' after ''Secretary'', and

(B) by striking ''programs established'' and inserting ''activities provided to eligible households''.

(g) MINNESOTA FAMILY INVESTMENT PROJECT.—Section 22(b)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2031(b)(4)) is amended by striking ''equivalent to those offered under the employment and training program''.

SEC. 404. AMENDMENTS TO SECTION 412 OF THE IMMIGRATION AND NATIONALITY ACT.

(a) CONDITIONS AND CONSIDERATIONS.—Section 412(a) of the Immigration and Nationality Act (8 U.S.C. 1522(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)(i), by striking ''make available sufficient resources for employment training and placement'' and inserting ''provide refugees with the opportunity to access employment and training services, including job placement,''; and

(B) in subparagraph (B)(ii), by striking ''services;'' and inserting ''services provided through the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.);'';

(2) in paragraph (2)(C)(iii)(II), by inserting ''and training'' after ''employment'';

(3) in paragraph (6)(A)(ii)—

(A) by striking ''insure'' and inserting ''ensure'';

(B) by inserting ''and training'' after ''employment''; and

(C) by inserting after ''available'' the following: ''through the one-stop delivery system under section 121 of the Workforce Investment Act of 1998 (29 U.S.C. 2841)''; and

(4) in paragraph (9), by inserting ''the Secretary of Labor,'' after ''Education,''.

(b) PROGRAM OF INITIAL RESETTLEMENT.—Section 412(b)(2) of such Act (8 U.S.C. 1522(b)(2)) is amended—

(1) by striking ''orientation, instruction'' and inserting ''orientation and instruction''; and

(2) by striking '', and job training for refugees, and such other education and training of refugees, as facilitates'' and inserting ''for refugees to facilitate''.

(c) PROJECT GRANTS AND CONTRACTS FOR SERVICES FOR REFUGEES.—Section 412(c) of such Act (8 U.S.C. 1522(c)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)(i), by inserting ''and training'' after ''employment''; and

(B) by striking subparagraph (C);

(2) in paragraph (2)(B), by striking ''paragraph—'' through ''in a manner'' and inserting ''paragraph in a manner''; and

(3) by adding at the end the following:

''(3) In carrying out this section, the Director shall ensure that employment and training services are provided through the statewide workforce development system, as appropriate, authorized by the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.). Such action may include—

''(A) making employment and training services as described under section 134 of such Act (29 U.S.C. 2864) available to refugees; and

''(B) providing refugees with access to a one-stop delivery system under section 121 of such Act (29 U.S.C. 2841).''.

(d) CASH ASSISTANCE AND MEDICAL ASSISTANCE TO REFUGEES.—Section 412(e) of such Act (8 U.S.C. 1522(e)) is amended—

(1) in paragraph (2)(A)(i), by inserting ''and training'' after ''providing employment''; and

(2) in paragraph (3), by striking ''The'' and inserting ''Consistent with subsection (c)(3), the''.

SEC. 405. AMENDMENTS RELATING TO THE SECOND CHANCE ACT OF 2007.

(a) FEDERAL PRISONER REENTRY INITIATIVE.—Section 231 of the Second Chance Act of 2007 (42 U.S.C. 17541) is amended—

(1) in subsection (a)(1)(E)—

(A) by inserting ''the Department of Labor and'' before ''other Federal agencies''; and

(B) by inserting ''State and local workforce investment boards,'' after ''community-based organizations,'';

(2) in subsection (c)—

(A) in paragraph (2), by striking at the end ''and'';

(B) in paragraph (3), by striking at the end the period and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(4) to coordinate reentry programs with the employment and training services provided through the statewide workforce investment system under subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.).''; and

(3) in subsection (d), by adding at the end the following new paragraph:

''(6) INTERACTION WITH THE WORKFORCE INVESTMENT SYSTEM.—

''(A) IN GENERAL.—In carrying out this section, the Director shall ensure that employment and training services, including such employment and services offered through reentry programs, are provided, as appropriate, through the statewide workforce investment system under subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.). Such action may include—

''(i) making employment and training services available to prisoners prior to and immediately following the release of such prisoners; or

''(ii) providing prisoners with access by remote means to a one-stop delivery system under section 121 of the Workforce Investment Act of 1998 (29 U.S.C. 2841) in the State in which the prison involved is located.

''(B) SERVICE DEFINED.—In this paragraph, the term 'employment and training services' means those services described in section 134 of the Workforce Investment Act of 1998 (29 U.S.C. 2864) offered by the Bureau of Prisons, including—

''(i) the skills assessment described in subsection (a)(1)(A);

''(ii) the skills development plan described in subsection (a)(1)(B); and

''(iii) the enhancement, development, and implementation of reentry and skills development programs.''.

(b) DUTIES OF THE BUREAU OF PRISONS.—Section 4042(a)(5)(E) of title 18, United States Code, is amended—

(1) in clause (ii), by striking ''Employment'' and inserting ''Employment and training services (as defined in paragraph (6) of section 231(d) of the Second Chance Act of 2007), including basic skills attainment, consistent with such paragraph'';

(2) by striking clause (iii); and

(3) by redesignating clauses (iv), (v), (vi), and (vii) as clauses (iii), (iv), (v), and (vi), respectively.

SEC. 406. AMENDMENTS TO THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968.

Section 2976 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''vocational'' and inserting ''career and technical education (as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)) and training'';

(B) by redesignating each of paragraphs (4) through (7) as paragraphs (5) through (8), respectively; and

(C) by inserting after paragraph (3) the following new paragraph:

''(4) coordinating employment and training services provided through the statewide workforce investment system under subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.), including a one-stop delivery system under section 121 of such Act (29 U.S.C. 2841), for offenders upon release from prison, jail, or a juvenile facility, as appropriate;'';

(2) in subsection (d)(2), by inserting '', including local workforce investment boards established under section 117 of the Workforce Investment Act of 1998 (29 U.S.C. 2832),'' after ''nonprofit organizations'';

(3) in subsection (e)—

(A) in paragraph (3), by striking ''victim services, and employment services'' and inserting ''and victim services'';

(B) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(C) by inserting after paragraph (3) the following new paragraph:

''(4) provides employment and training services through the statewide workforce investment system under subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.), including a one-stop delivery system under section 121 of such Act (29 U.S.C. 2841); and'';

(4) in subsection (k)—

(A) in paragraph (1)(A), by inserting '', in accordance with paragraph (2)'' after ''under this section'';

(B) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(C) by inserting after paragraph (1) the following new paragraph:

''(2) EMPLOYMENT AND TRAINING.—The Attorney General shall require each grantee under this section to measure the core indicators of performance as described in section 136(b)(2)(A) of the Workforce Investment Act of 1998 (29 U.S.C. 2871(b)(2)(A)) with respect to the program of such grantee funded with a grant under this section.''.

SEC. 407. CONFORMING AMENDMENTS TO THE UNITED STATES CODE.

Title 38, United States Code, is amended—

(1) by striking the item relating to section 4103A and section 4104 in the table of sections at the beginning of chapter 41 of such title;

(2) in section 4102A—

(A) in subsection (b)—

(i) by striking paragraphs (5), (6), and (7);

(ii) by redesignating paragraph (8) as paragraph (5);

(B) by striking subsections (c) and (h);

(C) by redesignating subsection (d), (e), (f), and (g) as subsection (c), (d), (e), and (f);

(D) in subsection (e)(1) (as so redesignated)—

(i) by striking '', including disabled veterans' outreach program specialists and local veterans' employment representatives providing employment, training, and placement services under this chapter in a State''; and

(ii) by striking ''for purposes of subsection (c)''.

(3) in section 4109(a), by striking ''disabled veterans' outreach program specialists and local veterans' employment representative'' and inserting ''veteran employment specialists appointed under section 134(f) of the Workforce Investment Act of 1998'';

(4) in section 4109(d)(1), by striking ''disabled veterans' outreach program specialists and local veterans' employment representatives'' and inserting ''veteran employment specialists appointed under section 134(f) of the Workforce Investment Act of 1998'';

(5) in section 4112(d)—

(A) in paragraph (1), by striking ''disabled veterans' outreach program specialist'' and inserting ''veteran employment specialist appointed under section 134(f) of the Workforce Investment Act of 1998''; and

(B) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);

(6) in section 3672(d)(1), by striking ''disabled veterans' outreach program specialists under section 4103A'' and inserting ''veteran employment specialists appointed under section 134(f) of the Workforce Investment Act of 1998''; and

(7) in section 4104A—

(A) in subsection (b)(1), by striking subparagraph (A) and inserting the following:

''(A) the appropriate veteran employment specialist (in carrying out the functions described in section 134(f) of the Workforce Investment Act of 1998);''; and

(B) in subsection (c)(1), by striking subparagraph (A) and inserting the following:

''(A) collaborate with the appropriate veteran employment specialist (as described in section 134(f)) and the appropriate State boards and local boards (as such terms are defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801));''.

SEC. 408. CONFORMING AMENDMENT TO TABLE OF CONTENTS.

The table of contents in section 1(b) is amended to 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.
''Sec. 147. Job Corps centers.
''Sec. 148. Program activities.
''Sec. 149. Counseling and job placement.
''Sec. 150. Support.
''Sec. 151. Operations.
''Sec. 152. Standards of conduct.
''Sec. 153. Community participation.
''Sec. 154. Workforce councils.
''Sec. 155. [Repealed].
''Sec. 156. Technical assistance to centers.
''Sec. 157. Application of provisions of Federal law.
''Sec. 158. Special provisions.
''Sec. 159. Performance accountability and management.
''Sec. 160. General provisions.
''Sec. 161. Authorization of appropriations.

''Subtitle D—National Programs

''Sec. 166. [Repealed].
''Sec. 167. [Repealed].
''Sec. 168. [Repealed].
''Sec. 169. [Repealed].
''Sec. 170. Technical assistance.
''Sec. 171. [Repealed].
''Sec. 172. Evaluations.
''Sec. 173. [Repealed].
''Sec. 173A. [Repealed].
''Sec. 174. [Repealed].

''Subtitle E—Administration

''Sec. 181. Requirements and restrictions.
''Sec. 182. Prompt allocation of funds.
''Sec. 183. Monitoring.
''Sec. 184. Fiscal controls; sanctions.
''Sec. 185. Reports; recordkeeping; investigations.
''Sec. 186. Administrative adjudication.
''Sec. 187. Judicial review.
''Sec. 188. Nondiscrimination.
''Sec. 189. Administrative provisions.
''Sec. 190. References.
''Sec. 191. State legislative authority.
''Sec. 192. [Repealed].
''Sec. 193. Transfer of Federal equity in State employment security real property to the States.
''Sec. 194. [Repealed].
''Sec. 195. General program requirements.
''Sec. 196. Federal agency staff.

''Subtitle F—Repeals and Conforming Amendments

''Sec. 199. Repeals.
''Sec. 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.''.

TITLE V—AMENDMENTS TO THE REHABILITATION ACT OF 1973

SEC. 501. FINDINGS.

Section 2(a) of the Rehabilitation Act of 1973 (29 U.S.C. 701(a)) is amended—

(1) in paragraph (5), by striking ''and'' at the end;

(2) in paragraph (6), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(7) there is a substantial need to improve and expand services for students with disabilities under this Act.''.

SEC. 502. REHABILITATION SERVICES ADMINISTRATION.

(a) REHABILITATION SERVICES ADMINISTRATION.—The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) is amended—

(1) in section 3(a) (29 U.S.C. 702(a))—

(A) by striking ''Office of the Secretary'' and inserting ''Department of Education'';

(B) by striking ''President by and with the advice and consent of the Senate'' and inserting ''Secretary''; and

(C) by striking '', and the Commissioner shall be the principal officer,'';

(2) by striking ''Commissioner'' each place it appears (except in section 21) and inserting ''Director'';

(3) in section 12(c) (29 U.S.C. 709), by striking ''Commissioner's'' and inserting ''Director's'';

(4) in the heading for subparagraph (B) of section 100(d)(2), by striking ''COMMISSIONER'' and inserting ''DIRECTOR'';

(5) in the heading for section 706, by striking ''**COMMISSIONER**'' and inserting ''**DIRECTOR**'';

(6) in the heading for paragraph (3) of section 723(a), by striking ''COMMISSIONER'' and inserting ''DIRECTOR''; and

(7) in section 21 (29 U.S.C. 718)—

(A) in subsection (b)(1)—

(i) by striking ''Commissioner'' the first place it appears and inserting ''Director of the Rehabilitation Services Administration'';

(ii) by striking ''(referred to in this subsection as the 'Director')''; and

(iii) by striking ''The Commissioner and the Director'' and inserting ''Both such Directors''; and

(B) by striking ''the Commissioner and the Director'' each place it appears and inserting ''both such Directors''.

(b) EFFECTIVE DATE; APPLICATION.—The amendments made by subsection (a) shall—

(1) take effect on the date of the enactment of this Act; and

(2) apply with respect to the appointments of Directors of the Rehabilitation Services Administration made on or after the date of enactment of this Act, and the Directors so appointed.

SEC. 503. DEFINITIONS.

Section 7 of the Rehabilitation Act of 1973 (29 U.S.C. 705) is amended—

(1) by redesignating paragraphs (35) through (39) as paragraphs (36) through (40), respectively;

(2) in subparagraph (A)(ii) of paragraph (36) (as redesignated by paragraph (1)), by striking ''paragraph (36)(C)'' and inserting ''paragraph (37)(C)''; and

(3) by inserting after paragraph (34) the following:

''(35)(A) The term 'student with a disability' means an individual with a disability who—

''(i) is not younger than 16 and not older than 21;

''(ii) has been determined to be eligible under section 102(a) for assistance under this title; and

''(iii)(I) is eligible for, and is receiving, special education under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.); or

''(II) is an individual with a disability, for purposes of section 504.

''(B) The term 'students with disabilities' means more than 1 student with a disability.''.

SEC. 504. STATE PLAN.

Section 101(a) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)) is amended—

(1) in paragraph (10)(B) by striking ''on the eligible individuals'' and all that follows through ''section 136(d)(2)'' and inserting ''of information necessary to assess the State's performance on the core indicators of performance described in section 136(b)(2)(A)'';

(2) in paragraph (11)—

(A) in subparagraph (D)(i), by inserting before the semicolon the following: '', which may be provided using alternative means of meeting participation (such as video conferences and conference calls)''; and

(B) by adding at the end the following:

''(G) COORDINATION WITH ASSISTIVE TECHNOLOGY PROGRAMS.—The State plan shall include an assurance that the designated State unit and the lead agency or implementing entity

responsible for carrying out duties under the Assistive Technology Act of 1998 (29 U.S.C. 3001 et seq.) have developed working relationships and coordinate their activities.'';

(3) in paragraph (15)—

(A) in subparagraph (A)—

(i) in clause (i)—

(I) in subclause (II), by striking ''and'' at the end;

(II) in subclause (III), by adding ''and'' at the end; and

(III) by adding at the end the following:

''(IV) students with disabilities, including their need for transition services;'';

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

(iii) by inserting after clause (i) the following:

''(ii) include an assessment of the transition services provided under this Act, and coordinated with transition services under the Individuals with Disabilities Education Act, as to those services meeting the needs of individuals with disabilities;''; and

(B) in subparagraph (D)—

(i) by redesignating clauses (iii), (iv), and (v) as clauses (iv), (v), and (vi), respectively; and

(ii) by inserting after clause (ii) the following:

''(iii) the methods to be used to improve and expand vocational rehabilitation services for students with disabilities, including the coordination of services designed to facilitate the transition of such students from the receipt of educational services in school to the receipt of vocational rehabilitation services under this title or to postsecondary education or employment;'';

(4) in paragraph (22)—

(A) by striking ''carrying out part B of title VI, including''; and

(B) by striking ''that part to supplement funds made available under part B of'';

(5) in paragraph (24)(A), by striking ''part A of title VI'' and inserting ''section 109A''; and

(6) by adding at the end the following:

''(25) COLLABORATION WITH INDUSTRY.—The State plan shall describe how the designated State agency will carry out the provisions of section 109A, including—

''(A) the criteria such agency will use to award grants under such section; and

''(B) how the activities carried out under such grants will be coordinated with other services provided under this title.

''(26) SERVICES FOR STUDENTS WITH DISABILITIES.—The State plan shall provide an assurance satisfactory to the Secretary that the State—

''(A) has developed and implemented strategies to address the needs identified in the assessment described in paragraph (15), and achieve the goals and priorities identified by the State, to improve and expand vocational rehabilitation services for students with disabilities on a statewide basis in accordance with paragraph (15); and

''(B) from funds reserved under section 110A, shall carry out programs or activities designed to improve and expand vocational rehabilitation services for students with disabilities that—

''(i) facilitate the transition of students with disabilities from the receipt of educational services in school, to the receipt of vocational rehabilitation services under this title, including, at a minimum, those services specified in the interagency agreement required in paragraph (11)(D);

''(ii) improve the achievement of post-school goals of students with disabilities, including improving the achievement through participation (as appropriate when career goals are discussed) in meetings regarding individualized education programs developed under section 614 of the Individuals with Disabilities Education Act (20 U.S.C. 1414);

''(iii) provide career guidance, career exploration services, job search skills and strategies, and technical assistance to students with disabilities;

''(iv) support the provision of training and technical assistance to State and local educational agencies and designated State agency personnel responsible for the planning and provision of services to students with disabilities; and

''(v) support outreach activities to students with disabilities who are eligible for, and need, services under this title.''.

SEC. 505. SCOPE OF SERVICES.

Section 103 of the Rehabilitation Act of 1973 (29 U.S.C. 723) is amended—

(1) in subsection (a), by striking paragraph (15) and inserting the following:

''(15) transition services for students with disabilities, that facilitate the achievement of the employment outcome identified in the individualized plan for employment, including services described in clauses (i) through (iii) of section 101(a)(26)(B);'';

(2) in subsection (b), by striking paragraph (6) and inserting the following:

''(6)(A)(i) Consultation and technical assistance services to assist State and local educational agencies in planning for the transition of students with disabilities from school to post-school activities, including employment.

''(ii) Training and technical assistance described in section 101(a)(26)(B)(iv).

''(B) Services for groups of individuals with disabilities who meet the requirements of clauses (i) and (iii) of section 7(35)(A), including services described in clauses (i), (ii), (iii), and (v) of section 101(a)(26)(B), to assist in the transition from school to post-school activities.''; and

(3) in subsection (b) by inserting at the end, the following:

''(7) The establishment, development, or improvement of assistive technology demonstration, loan, reutilization, or financing programs in coordination with activities authorized under the Assistive Technology Act of 1998 (29 U.S.C. 3001) to promote access to assistive technology for individuals with disabilities and employers.''.

SEC. 506. STANDARDS AND INDICATORS.

Section 106 of the Rehabilitation Act of 1973 (29 U.S.C. 726(a)) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) STANDARDS AND INDICATORS.—The performance standards and indicators for the vocational rehabilitation program carried out under this title—

''(1) shall be subject to paragraphs (2)(A) and (3) of section 136(b) of the Workforce Investment Act of 1998; and

''(2) may, at a State's discretion, include additional indicators identified in the State plan submitted under section 101.''; and

(2) in subsection (b)(2)(B), by striking clause (i) and inserting the following:

''(i) on a biannual basis, review the program improvement efforts of the State and, if the State has not improved its performance to acceptable levels, as determined by the Director, direct the State to make revisions to the plan to improve performance; and''.

SEC. 507. COLLABORATION WITH INDUSTRY.

The Rehabilitation Act of 1973 is amended by inserting after section 109 (29 U.S.C. 729) the following:

''SEC. 109A. COLLABORATION WITH INDUSTRY.

''(a) AUTHORITY.—A State shall use not less than one-half of one percent of the payment the State receives under section 111 for a fiscal year to award grants to eligible entities to create practical job and career readiness and training programs, and to provide job placements and career advancement.

''(b) APPLICATION.—To receive a grant under this section, an eligible entity shall submit an application to a designated State agency at such time, in such manner, and containing such information as such agency shall require. Such application shall include, at a minimum—

''(1) a plan for evaluating the effectiveness of the program;

''(2) a plan for collecting and reporting the data and information described under subparagraphs (A) through (C) of section 101(a)(10), as determined appropriate by the designated State agency; and

''(3) a plan for providing for the non-Federal share of the costs of the program.

''(c) ACTIVITIES.—An eligible entity receiving a grant under this section shall use the grant funds to carry out a program that provides one or more of the following:

''(1) Job development, job placement, and career advancement services for individuals with disabilities.

''(2) Training in realistic work settings in order to prepare individuals with disabilities for employment and career advancement in the competitive market.

''(3) Providing individuals with disabilities with such support services as may be required in order to maintain the employment and career advancement for which the individuals have received training.

''(d) AWARDS.—Grants under this section shall—

''(1) be awarded for a period not to exceed 5 years; and

''(2) be awarded competitively.

''(e) ELIGIBLE ENTITY DEFINED.—For the purposes of this section, the term 'eligible entity' means a for-profit business, alone or in partnership with one or more of the following:

''(1) Community rehabilitation program providers.

''(2) Indian tribes.

''(3) Tribal organizations.

''(f) FEDERAL SHARE.—The Federal share of a program under this section shall not exceed 80 percent of the costs of the program.

''(g) ELIGIBILITY FOR SERVICES.—An individual shall be eligible for services provided under a program under this section if the individual is determined under section 102(a)(1) to be eligible for assistance under this title.''.

SEC. 508. RESERVATION FOR EXPANDED TRANSITION SERVICES.

The Rehabilitation Act of 1973 is amended by inserting after section 110 (29 U.S.C. 730) the following:

''SEC. 110A. RESERVATION FOR EXPANDED TRANSITION SERVICES.

''Each State shall reserve not less than 10 percent of the funds allotted to the State under section 110(a) to carry out programs and activities under sections 101(a)(26)(B) and 103(b)(6).''.

SEC. 509. CLIENT ASSISTANCE PROGRAM.

Section 112(e)(1) of the Rehabilitation Act of 1973 (29 U.S.C. 732(e)(1)) is amended by redesignating subparagraph (D) as subparagraph (E) and inserting after subparagraph (C) the following:

''(D) The Secretary shall make grants to the protection and advocacy system serving the American Indian Consortium to provide services in accordance with this section. The amount of such grants shall be the same as provided to territories under this subsection.''.

SEC. 510. TITLE III AMENDMENTS.

Title III of the Rehabilitation Act of 1973 (29 U.S.C. 771 et seq.) is amended—

(1) in section 301(a)—

(A) in paragraph (2), by inserting ''and'' at the end;

(B) by striking paragraphs (3) and (4); and

(C) by redesignating paragraph (5) as paragraph (3);

(2) in section 302(g)—

(A) in the heading, by striking ''AND IN-SERVICE TRAINING''; and

(B) by striking paragraph (3);

(3) in section 303(c)—

(A) in paragraph (4)—

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

''(ii) to coordinate and work closely with the parent training and information centers established pursuant to section 671 of the Individuals with Disabilities Education Act, the community parent resource centers established pursuant to

section 672 of such Act, and the eligible entities receiving awards under section 673 of such Act; and''; and

(ii) in subparagraph (C), by inserting '', and demonstrate the capacity for serving,'' after ''serve''; and

(B) by adding at the end the following:

''(8) RESERVATION.—From the amount appropriated to carry out this subsection for a fiscal year, 20 percent of such amount or $500,000, whichever is less, shall be reserved to carry out paragraph (6).'';

(4) by striking sections 304 and 305; and

(5) by redesignating section 306 as section 304.

SEC. 511. REPEAL OF TITLE VI.

The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) is amended by repealing title VI.

SEC. 512. CHAIRPERSON.

Section 705(b)(5) of the Rehabilitation Act of 1973 (29 U.S.C. 796d(b)(5)) is amended to read as follows:

''(5) CHAIRPERSON.—The Council shall select a chairperson from among the voting membership of the Council.''.

SEC. 513. AUTHORIZATIONS OF APPROPRIATIONS.

The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) is further amended—

(1) in section 100(b)(1) (29 U.S.C. 720(b)(1)), by striking ''such sums as may be necessary for fiscal years 1999 through 2003'' and inserting ''$3,121,712,000 for fiscal year 2014 and each of the 6 succeeding fiscal years'';

(2) in section 110(c) (29 U.S.C. 730(c)), by amending paragraph (2) to read as follows:

''(2) The sum referred to in paragraph (1) shall be, as determined by the Secretary, not less than 1 percent and not more than 1.5 percent of the amount referred to in paragraph (1) for each of fiscal years 2014 through 2020.'';

(3) in section 112(h) (29 U.S.C. 732(h)) by striking ''such sums as may be necessary for fiscal years 1999 through 2003'' and inserting ''$12,240,000 for fiscal year 2014 and each of the 6 succeeding fiscal years'';

(4) by amending subsection (a) of section 201 (29 U.S.C. 761(a)) to read as follows: ''(a) There are authorized to be appropriated $108,817,000 for fiscal year 2014 and each of the 6 succeeding fiscal years to carry out this title.'';

(5) in section 302(i) (29 U.S.C. 772(i)) by striking ''such sums as may be necessary for each of the fiscal years 1999 through 2003'' and inserting ''$35,515,000 for fiscal year 2014 and each of the 6 succeeding fiscal years'';

(6) in section 303(e) (29 U.S.C. 773(e)) by striking ''such sums as may be necessary for each of the fiscal years 1999 through 2003'' and inserting ''$5,325,000 for fiscal year 2014 and each of the 6 succeeding fiscal years'';

(7) in section 405 (29 U.S.C. 785) by striking ''such sums as may be necessary for each of the fiscal years 1999 through 2003'' and inserting ''$3,258,000 for fiscal year 2014 and each of the 6 succeeding fiscal years'';

(8) in section 502(j) (29 U.S.C. 792(j)) by striking ''such sums as may be necessary for each of the fiscal years 1999 through 2003'' and inserting ''$7,400,000 for fiscal year 2014 and each of the 6 succeeding fiscal years'';

(9) in section 509(l) (29 U.S.C. 794e(l)) by striking ''such sums as may be necessary for each of the fiscal years 1999 through 2003'' and inserting ''$18,031,000 for fiscal year 2014 and each of the 6 succeeding fiscal years'';

(10) in section 714 (29 U.S.C. 796e–3), by striking ''such sums as may be necessary for each of the fiscal years 1999 through 2003'' and inserting ''$23,359,000 for fiscal year 2014 and each of the 6 succeeding fiscal years'';

(11) in section 727 (29 U.S.C. 796f–6), by striking ''such sums as may be necessary for each of the fiscal years 1999 through 2003'' and inserting ''$79,953,000 for fiscal year 2014 and each of the 6 succeeding fiscal years''; and

(12) in section 753 (29 U.S.C. 7961), by striking ''such sums as may be necessary for each of the fiscal years 1999 through 2003'' and inserting ''$34,018,000 for fiscal year 2014 and each of the 6 succeeding fiscal years''.

SEC. 514. CONFORMING AMENDMENTS.

Section 1(b) of the Rehabilitation Act of 1973 is amended—

(1) by inserting after the item relating to section 109 the following:

''Sec. 109A. Collaboration with industry.'';

(2) by inserting after the item relating to section 110 the following:

''Sec. 110A. Reservation for expanded transition services.'';

(3) by striking the item related to section 304 and inserting the following:

''Sec. 304. Measuring of project outcomes and performance.'';

(4) by striking the items related to sections 305 and 306; and

(5) by striking the items related to title VI.

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 113–16. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MS. FOXX

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 113–16.

Ms. FOXX. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In the table of contents in section 2, strike the item relating to section 139 and insert the following:

Sec. 139. Federal agency staff and restrictions on political and lobbying activities.

In the table of contents in section 2, add at the end the following:

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.

Page 12, line 8, insert ''pay-for-performance'' before ''contract''.

Page 12, line 11, strike ''performance outcome'' and insert ''core indicators of performance''.

Page 12, beginning line 14, strike ''a provider'' and insert ''an eligible provider''.

Page 12, line 16, insert after ''who'' the following: '', within a defined timetable,''.

Page 12, line 18, strike ''outcome measures'' and insert ''core indicators of performance''.

Page 12, line 19, strike '', within a defined timetable''.

Page 12, line 23, strike ''a provider'' and insert ''an eligible provider''.

Page 12, line 24, insert ''program'' before ''participant''.

Page 12, line 25, strike ''outcome measures'' and insert ''core indicators of performance''.

Page 13, line 7, strike ''a provider'' and insert ''an eligible provider''.

Page 27, line 6, insert ''and'' before ''all that follows''.

Page 27, beginning line 14, amend subparagraph (A) to read as follows:

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

''(1) IN GENERAL.—

''(A) PROCESS.—In order to receive an allotment under section 132, a State, through the State board, shall establish a process to designate local workforce investment areas within the State. Such process shall—

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

''(ii) include prior consultation with chief elected officials;

''(iii) consider comments received through the public comment process as described in section 112(b)(9); and

''(iv) require the submission of an approved application under subparagraph (B).

''(B) APPLICATION.—To be designated as a local area under this paragraph, a local or regional board (or consortiums of local or regional boards) shall submit an application to a State board at such time, in such manner, and containing such information as the State board may require, including—

''(i) a description of the local area, including the population that will be served by the local area, and the education and training needs of its employers and workers;

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

''(I) service delivery areas;

''(II) labor market areas; and

''(III) economic development regions;

''(iii) a description of the eligible providers of education and training, including postsecondary educational institutions such as community colleges, located in the local area available to meet the needs of the local workforce;

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

''(v) any other criteria that the State board may require.

''(C) PRIORITY.—In designating local areas under this paragraph, a State board shall give priority consideration to applicants demonstrating that a designation as a local area under this paragraph will result in the reduction of overlapping service delivery areas, local market areas, or economic development regions.

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

Page 28, beginning line 22, strike ''and inserting the following:''.

Page 28, line 24, through page 29, line 7, strike paragraph (3).

Page 29, line 8, strike ''and''.

Page 29, beginning line 9, amend subparagraph (E) to read as follows:

''(E) by redesignating paragraph (5) as paragraph (3); and''.

Page 29, after line 10, insert the following:

(F) in paragraph (3) (as so redesignated), by striking ''(2) or (3)'' both places it appears and inserting ''(1)'';

Page 29, line 14, strike ''(a)(1)(B), the Governor may designate a State'' and insert ''(a), the State board of a State may designate the State''.

Page 36, line 25, strike ''individual training providers'' and insert ''each such eligible provider''.

Page 37, line 2, insert ''eligible'' before ''providers''.

Page 37, line 4, strike ''indicators as priority'' and insert ''criteria as priority eligible''.

Page 42, line 9, insert '', with a focus on employment that fosters independence and integration'' after ''disabilities''.

Page 55, line 23, insert ''subsection'' before ''(b)(2)(B)''.

Page 70, line 24, strike the period and insert ''; and''.

Page 86, beginning line 12, strike '', as defined in section 101(56),''.

Page 86, line 15, insert ''eligible'' before ''providers''.

Page 99, line 12, strike ''(B);'' and insert ''(B).''.

Page 104, beginning line 3, strike ''an institution of higher education'' and insert ''a postsecondary educational institution''.

Page 104, line 5, insert ''eligible'' before ''provider''.

Page 104, line 9, strike ''and which'' and insert ''such contract''.

Page 104, line 11, insert ''eligible'' before ''provider''.

Page 104, line 11, strike ''if'' and insert ''and''.

Page 106, beginning line 4, strike '', as defined in section 101(56),''.

Page 118, line 24, strike ''(1)(A)''.

Page 119, line 1, insert ''of paragraph (1)(A)'' after ''clause (i)''.

Page 119, line 6, insert ''of paragraph (1)(A)'' after ''clause (ii)''.

Page 122, line 10, strike ''(E)'' and insert ''(D)''.

Page 128, line 25, strike ''1091(c))'' and insert ''1091(c)))''.

Page 154, line 2, strike ''Education.'' and insert ''Education,''.

Page 154, line 3, strike ''as well as'' and insert ''and''.

Page 157, line 9, insert before the semicolon the following: '', and conforming the casing style of the headings of such subsections to the casing style of the heading of subsection (d), as added by paragraph (7) of this section''.

Page 166, line 18, strike ''paragraph'' and insert ''subparagraph''.

Page 167, line 16, insert after ''**STAFF**'' the following: ''**AND RESTRICTIONS ON POLITICAL AND LOBBYING ACTIVITIES**''.

Page 168, line 11, strike ''eliminated'' and insert ''repealed''.

Page 168, line 16, insert ''and'' at the end.

Page 221, line 11, insert before the period the following: '', as in effect on the day before the date of enactment of the SKILLS Act''.

Page 221, beginning line 18, amend paragraph (5) to read as follows:

(5) Public Law 91-378, 16 U.S.C. 1701 et seq. (popularly known as the ''Youth Conservation Corps Act of 1970'').

Page 222, beginning line 21, move the quoted matter so that it appears in-line with ''following:'' on line 20 of such page.

Page 230, line 11, insert ''and all that follows'' before ''through''.

Page 235, line 7, strike ''victim'' and insert ''victims''.

Page 236, line 23, strike ''subsection'' and insert ''subsections''.

Page 236, line 24, strike ''subsection'' and insert ''subsections''.

Page 240, after the item relating to section 196, insert the following:

''Sec. 197. Restrictions on lobbying and political activities.''.

Add at the end of the bill, the following new title:

TITLE VI—STUDIES BY THE COMPTROLLER GENERAL

SEC. 601. STUDY BY THE COMPTROLLER GENERAL ON EXHAUSTING FEDERAL PELL GRANTS BEFORE ACCESSING WIA FUNDS.

Not later than 12 months after the date of enactment of this Act, the Comptroller General of the United States shall complete and submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report that—

(1) evaluates the effectiveness of subparagraph (B) of section 134(d)(4) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(d)(4)(B)) (as such subparagraph was in effect on the day before the date of enactment of this Act), including—

(A) a review of the regulations and guidance issued by the Secretary of Labor to State and local areas on how to comply with such subparagraph;

(B) a review of State policies to determine how local areas are required to comply with such subparagraph;

(C) a review of local area policies to determine how one-stop operators are required to comply with such subparagraph; and

(D) a review of a sampling of individuals receiving training services under section 134(d)(4) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(d)(4)) to determine if, before receiving such training services, such individuals have exhausted funds received through the Federal Pell Grant program under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.); and

(2) makes appropriate recommendations with respect to the matters evaluated under paragraph (1).

SEC. 602. STUDY BY THE COMPTROLLER GENERAL ON ADMINISTRATIVE COST SAVINGS.

(a) STUDY.—Not later than 12 months after the date of the enactment of this Act, the Comptroller General of the United States shall complete and submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report that—

(1) determines the amount of administrative costs at the Federal and State levels for the most recent fiscal year for which satisfactory data are available for—

(A) each of the programs authorized under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.) or repealed under section 401 of this Act, as such programs were in effect for such fiscal year; and

(B) each of the programs described in subparagraph (A) that have been repealed or consolidated on or after the date of enactment of this Act;

(2) determines the amount of administrative cost savings at the Federal and State levels as a result of repealing and consolidating programs by calculating the differences in the amount of administrative costs between subparagraph (A) and subparagraph (B) of paragraph (1); and

(3) estimates the administrative costs savings at the Federal and State levels for a fiscal year as a result of States consolidating funds under section 501(e) of the Workforce Investment Act of 1998 (20 U.S.C. 9271(e)) to reduce inefficiencies in the administration of federally-funded State and local employment and training programs.

(b) DEFINITION.—For purposes of this section, the term ''administrative cost'' has the meaning given the term in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801).

The CHAIR. Pursuant to House Resolution 113, the gentlewoman from North Carolina (Ms. FOXX) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from North Carolina.

Ms. FOXX. I rise in support of the manager's amendment for H.R. 803, the Supporting Knowledge and Investing in Lifelong Skills Act, and I yield myself such time as I may consume.

The issue before us can no longer be ignored. Last week, we received encouraging news as the Nation's unemployment rate dropped to 7.7 percent; but the reality remains that millions of Americans are still searching for work, and too often they cannot access the support they need to compete for in-demand jobs.

Each year, hardworking taxpayers spend $18 billion to fund more than 50 Federal workforce development programs administered by nine different agencies. Many of the programs overlap or are duplicative and few have ever been evaluated for efficacy. Our Nation's economy is only as strong as its workforce. Right now, the need to reform our broken workforce development system could not be more critical. As Friday's job report illustrated, 12 million Americans are still searching for full-time work; yet employers reported another month with more than 3 million unfilled job openings, in part because there aren't enough qualified workers to fill them.

We know the jumbled state of today's workforce development system is unimaginable, as well as the ineffective maze of programs each of today's workers has to navigate in order to receive assistance or education to help in their job hunt. I have a chart that shows this. Americans deserve a system that is more efficient, more accountable, and more responsive than that. What we propose today will take care of that, and this is the chart that shows where we will go with this system.

Today, many of my colleagues have discussed how the SKILLS Act would foster an employer-driven system that prepares job seekers for a successful career in the 21st-century economy. I would like to highlight a few technical changes included in the manager's amendment that will enhance efforts to eliminate waste, safeguard taxpayer dollars, and provide education and support to American workers.

□ 1020

First, the manager's amendment will improve accountability and ensure officials aren't wasting taxpayer dollars by requiring the Government Accountability Office to evaluate the administrative savings that will occur at the Federal and State levels due to the streamlining of workforce development programs.

Second, we recognize that local leaders are much better informed and equipped to serve the needs of local job seekers than we are in Washington. That is why our approach relies on a bottom-up approach when designating local workforce investment areas. Local leaders will submit applications for designation and establish the processes needed to align their areas with other service delivery and labor market areas in their region. In doing so, the designation process will be more effective and transparent, and will naturally serve the priorities of local communities.

Finally, the manager's amendment requires State and local workforce development leaders, when serving individuals with disabilities, to detail how they will focus on employment opportunities that foster independence and integration. These commonsense changes help build a more dynamic and inclusive system that will provide maximum support for workers and employers.

In his 2012 State of the Union address, President Obama urged Congress to cut ''through the maze of confusing training programs.'' Today we have the opportunity to do just that.

We cannot encourage economic growth or put Americans back to work without reforming an antiquated system that fails to meet the fundamental needs of today's job creators and workers. We cannot continue to defend the outdated policies of the past. It is time we reform these programs to create an efficient and effective system that supports the true backbone of our economy: the American people.

Madam Chairman, I strongly urge my colleagues to support the SKILLS Act, and I reserve the balance of my time.

Mr. TIERNEY. Madam Chairwoman, I rise to claim time in opposition to the amendment.

The CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. TIERNEY. Thank you very much.

I understand that much in the manager's amendment is technical and clarifying corrections, but it does make one notable substantive change to the underlying bill as it pertains to the designation of local workforce investment areas.

Current law calls for automatic designation of a local workforce area with a population of 500,000 or more. It also ensures that the voices of local elected officials, businesses, and workforce development officials, among others, are heard. That's a good thing.

Now, the underlying bill—the so-called SKILLS Act—radically changed this. It repealed the automatic designation that I just mentioned, and it essentially empowered the Governor to designate an entire State as one local workforce area if that Governor chose to do so. This is not viewed as sound policy.

Two days ago, the Conference of Mayors, the National Association of Counties, the National League of Cities, and the National Association of Workforce Boards sent a letter to the House leadership that expressed concerns with this particular provision. Specifically, they wrote:

> H.R. 803 undermines existing governance structures by virtually eliminating the input of local elected officials in the decision-making process.

They also said:

> H.R. 803 fails to promote intergovernmental collaboration between State and local officials by eliminating prior provisions relating to automatic designation of local workforce development areas, effectively allowing State boards to designate local areas in consultation with the Governor, without considering input from local stakeholders.

Now, I think this mistake has been recognized, and we can see that by this manager's amendment where there is an attempt to try and address this situation. But it is further evidence of the deficiencies of a hyperpartisan bill that neglects the opportunity to sit down with others and work through these issues so that we can come up with the best solution on that. Now they're trying to get out of this hole they created by proposing a sort of solution in the manager's amendment that is still inadequate and certainly is worse than current law.

The manager's amendment provides an application process for local boards. So instead of being automatically designated if there are 500,000 in the population or more, they have to apply to be designated as a local workforce area. But that application still has to be approved by the State, which could totally reject it. And that's only for a period of 3 years, so they have to keep going through this process periodically. If I were a mayor or a business person who is chairing a local board, I don't think I would be very pleased with this provision—and in fact they're not.

I'm not sure how creating an unnecessary and bureaucratic process where locals would have to reapply continuously for their designation every 3 years squares with my Republican colleagues' supposed concern about duplication in the workforce.

Later this morning, we will be offering a substitute amendment that retains current law and protects the local individuals' role in the workforce system. Certainly, if we had the opportunity for a bipartisan bill, we could have worked through this issue and come up with what would be the best solution. This is just one example of the important policy provisions in this bill that could have been addressed in that way. This could have been a bipartisan bill, and we could have got the best product, and we didn't.

I reserve the balance of my time.

Ms. FOXX. Madam Chairman, I appreciate my colleague reading the letter that he read. But as he well knows, that letter was written before the manager's amendment came out, and the manager's amendment actually corrects what the letter was talking about.

We are making the system better. Current law allows the Governor of the State to designate local areas in consultation, and our colleagues are advocating to keep the status quo. My amendment makes it a better situation, and I appreciate his acknowledging that the manager's amendment does do that.

I reserve the balance of my time.

Mr. TIERNEY. I yield myself such time as I may consume.

This is an attempt to deal with the problem that was in the underlying bill, as pointed out by that letter, but an attempt that mirrors the process for the last session and this session. They didn't consult anybody. They didn't talk to anybody. They didn't say what would be the solution. They just went out and arbitrarily decided that, again, having once messed up, they thought they were the repository for all knowledge on this subject and went about setting on a course that still falls short.

Yes, current law allows for Governors to work with the consultation of others to set local designated areas, but areas of 500,000 population or more are already designated, and that's the point at issue here.

I think we've seen an example of the process—just deciding that all knowledge is reposited in one section; not wanting to discuss with others. We understand.

This could have been a good bill. This could have been a bill that went through the House, was taken up by the Senate, and then went on to the President's desk—a bill that the public could have been proud of, a bill that everybody could have got behind, but we didn't. We see a failed process, so we end up with a failed part of the provision of the original bill, and another failed attempt to fix it because there's no reaching out and no attempt.

Last time we had some hearings, very brief. Then we had a vote where partisan votes went all the way down the line. This time we have one hearing the day that the bill was filed, two out of three witnesses say they didn't read the bill, an immediate markup, where we chose not to go through the same faux hearing process of having all of the amendments just shot down on a partisan vote.

We're here. We always have been here. We want to work this through. This was not a hyperpartisan issue—it's just been made to be one.

I reserve the balance of my time.

The CHAIR. The gentlewoman from North Carolina has 30 seconds remaining, and the gentleman from Massachusetts has 15 seconds remaining.

Ms. FOXX. Madam Chair, a failed process is when you're in control of the House, the Senate, and the Presidency and you do nothing to fix the situation.

We offered our colleagues on the other side of the aisle for the opportunity to offer amendments; they walked out of the meeting. Their substitute does not fix the situation in the way that they say they want it fixed. Madam Chairman, we have allowed them to offer amendments; they walked away. We've given them extra time today to discuss their substitute. Even their substitute does not take care of the problem.

I yield back the balance of my time.

Mr. TIERNEY. No normal person would confuse being given an opportunity to have your amendment shot down on a party-line vote as a bipartisan process.

I remind the gentlewoman that it was her party, Mr. MCKEON, who correctly stated it's the majority's obligation to reach across the aisle and seek compromise on that because they're the ones with the gavel on that.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. GALLEGO

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 113–16.

Mr. GALLEGO. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 26, line 20, insert ''including training in advanced manufacturing,'' after ''training,''.

Page 44, line 24, insert ''including training in advanced manufacturing,'' after ''training,''.

The CHAIR. Pursuant to House Resolution 113, the gentleman from Texas (Mr. GALLEGO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. GALLEGO. Madam Chairman, I would like to thank Chairman KLINE and the ranking member, Mr. MILLER, for their work on the Education and Workforce Committee, as well as for consideration of my amendment today.

My amendment is very simple and common sense. It accelerates job training skills for veterans. Specifically, the amendment would promote advanced manufacturing within State and local plans for veterans.

□ 1030

Assisting veterans and employers in translating their military skills into advanced manufacturing does two things:

First, it addresses 600,000 advanced manufacturing jobs that remain open in our Nation. More than 82 percent of manufacturers report that they cannot find people to fill their skilled jobs.

Second, over the next 4 years, 1 million veterans—1 million veterans—are expected to exit the Armed Forces and transition into our workforce. This amendment creates cohesion between filling our advanced manufacturing jobs, such as technology, aerospace, pharmaceutical, and other cutting-edge products with capable, talented veterans.

There are close to 900,000 veterans who are unemployed in our Nation. Often these veterans obtain advanced manufacturing skills while they're serving our country. Unfortunately, they have a hard time obtaining employment once they leave their service.

Although unemployment for veterans has fallen from 12.1 percent to 9.9 percent in the last year, it still outpaces the Nation's overall rate. Today, there are more than 1.6 million veterans who live in my home State of Texas. In the reaches of the southwest congressional district that I represent, some 64,000 veterans reside there.

So this amendment is for America's heroes who return from their service to afford them training in advanced manufacturing jobs, a sector that has added 500,000 jobs in the past 26 months.

Lastly, this amendment doesn't present any budgetary issues. It doesn't impact direct spending, so there are no CutGo violations. It doesn't impact discretionary authorization, so it doesn't run afoul of any of the House protocols.

I would ask your support of a very commonsense amendment. Let's all work together to get our veterans back to work.

Thank you, Madam Chair, and I yield back the balance of my time.

Mr. KLINE. Madam Chair, I rise to claim time in opposition, but I do not intend to oppose the amendment.

The CHAIR. Without objection, the gentleman from Minnesota is recognized for 5 minutes.

There was no objection.

Mr. KLINE. Thank you, Madam Chair. I appreciate the involvement of the gentleman. He's brought forward a good amendment. It will help veterans translate and hone their wartime skills to civilian use in an important and growing sector. A focus on advanced manufacturing training for veterans will allow our Nation's heroes to get relevant and important training while increasing their earnings potential, so we support this amendment.

Madam Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. GALLEGO).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. YOUNG OF ALASKA

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 113–16.

Mr. YOUNG of Alaska. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 69, line 21, strike ''not more than''.

The CHAIR. Pursuant to House Resolution 113, the gentleman from Alaska (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alaska.

Mr. YOUNG of Alaska. Madam Chair, I rise today to offer an amendment to H.R. 803, which would ensure vital funding for workforce training programs utilized by Alaska Natives, Native Americans, and Native Hawaiians.

H.R. 803, as reported, contains a provision which establishes a 1 percent cap on the amount that each State can designate for Native employment and training grants out of their total funding allotment.

My amendment would instead require that each State provide exactly 1 percent for each program. This change is important because H.R. 803, as it currently stands, gives States the discretion to drastically reduce or virtually eliminate Native work-training funds.

Alaska Native, American Indian, and Native Hawaiian populations often rank at the bottom of labor-related categories like income, education, and unemployment rate. Since 1998, America's Native peoples have relied crucially on funding from the Workforce Investment Act to provide the necessary resources to educate their workforce to help reverse these trends. My amendment would guarantee that tribal funding continues.

I urge a ''yes'' vote on the amendment and reserve the balance of my time.

Mr. TIERNEY. Madam Chair, I rise to claim time in opposition, but will not be opposing the amendment.

The CHAIR. Without objection, the gentleman from Massachusetts is recognized for 5 minutes.

There was no objection.

Mr. TIERNEY. Thank you, Madam Chair.

Essentially, I would like to reserve some time for someone we are expecting down to talk on that. But I do make note that in the gentleman, Mr. YOUNG's, Dear Colleague letter regarding this particular matter, he makes note that the underlying bill does not accommodate the needs of this particular population, and that's why the necessity existed for him to bring this amendment that we support to the floor. But it's another example of how the process should have improved this bill all along had it been done in a bipartisan, consultative manner, as we had all hoped it would be.

With that, I reserve the balance of my time.

Mr. YOUNG of Alaska. Madam Chair, at this time, I yield 1 minute to the gentleman from Oklahoma (Mr. COLE).

Mr. COLE. I thank the gentleman.

Madam Chair, I want to thank my good friend, Mr. YOUNG, for bringing this amendment. Nobody has worked harder or worked longer for Native peoples in this Chamber than my good friend from Alaska. And the fact that we would guarantee this, I think, is an important recognition of how difficult the circumstances are for much of the Native population in the country.

The Bureau of Labor Statistics does not actually keep statistics on Native American unemployment, but anybody that has ever been to a reservation knows that we have plenty of them in the middle of States with very low unemployment rates where the unemployment rate on a reservation will be 75 percent or more.

So, again, I want to thank my friend for making sure that important resources are directed toward an often neglected population. I want to thank him for his many years of work in this area and look forward to working with him as we move forward.

Mr. TIERNEY. Madam Chairman, I yield myself 30 seconds.

I would like to make the point that obviously there are certain populations within our society that deserve particular attention because they have unique needs. You don't accomplish that by arbitrarily taking all the programs and lumping them together without a full analysis and determination of which ones would be better served on that basis and which ones wouldn't. I think it further establishes our point that we made throughout.

I congratulate the gentleman on his amendment and support it fully.

With that, I yield back the balance of my time.

Mr. YOUNG of Alaska. At this time, I would like to yield 1½ minutes to my good friend from South Dakota (Mrs. NOEM).

Mrs. NOEM. I thank the gentleman for yielding and for his work on this particular issue.

Madam Chair, we face some specific challenges in Indian Country in South Dakota, and this amendment ensures that 1 percent of the funds within the Workforce Investment Fund would be dedicated towards meeting those needs.

Madam Chair, the three most impoverished counties in the Nation are located in South Dakota. Each of these counties is located on or near reservations, and the poverty rate in these counties hovers around 50 percent.

Life in Indian Country certainly has its challenges, and among those is chronically high unemployment. While some of our tribes face an unemployment rate of around 10 percent, we have one of them, the Rosebud Reservation in Todd County, and the Pine Ridge Reservation in Shannon County, which face almost 80 percent unemployment. Again, this is challenging for Indian Country and needs to be dealt with.

It is very clear that we can and must do better for Indian Country, and making our job-training programs work better through legislation like the SKILLS Act is an effective way to do that. Guaranteeing the set-aside money for Native Americans with this amendment is going to make sure that that is available to them.

I've toured Lakota Foods on the Lower Brule Reservation where they make some of the world's best popcorn. Lakota Foods has over 12 full-time and part-time employees right now. With the right training, they can employ around 50 people.

Also, there is a similar success story in Pine Ridge, where Native American Natural Foods produces Tanka Bars. It is a healthy snack made out of buffalo meat and cranberries inspired by traditional Lakota food. Tanka Bars caught on and are sold in over 3,000 stores now nationwide. With the right training and workforce development, they could expand to over 20 full-time employees.

We need to ensure that tribal businesses like this have an opportunity to survive, and that's the type that we want to have in Indian Country.

I ask for support on this amendment.

Mr. TIERNEY. I ask unanimous consent to reclaim the balance of my time to a Member having arrived to speak on the amendment.

The CHAIR. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. TIERNEY. I yield the remaining time to the gentlelady from Hawaii, Representative GABBARD.

Ms. GABBARD. Madam Chair, I would like to give thanks to Representatives DON YOUNG, TOM COLE, and Representative NOEM for offering this very important amendment. The Hawaii Members have had a long relationship with Alaska on Native issues, and I look forward to that great relationship continuing.

This amendment would require that each State provide exactly 1 percent of their total allotment for Native grants. As the bill stands, Native grants are capped at 1 percent, which could result in major funding reductions or no funding at all.

□ 1040

With this amendment, we can ensure our native populations are guaranteed at least 1 percent. This is a critical provision to ensure that our native populations are not forgotten or left behind.

In my home State of Hawaii, for example, ALU LIKE is able to take critical workforce investment funds and help Native Hawaiians as well as Alaska Natives and Native American Indians advance their academic or occupational skills and put them on a path to personal and economic self-sufficiency.

Mr. YOUNG of Alaska. Madam Chair, again I urge a ''yes'' vote. This amendment does solve some problems.

And I'd like to address the issue of training. We've been very fortunate in Alaska. We've used these dollars in training for our Alaskan Natives very successfully. We have aircraft training programs. We have carpenter training programs. We're training a group of Alaskan Natives to do the jobs that they can do not only in their tribal areas, but in the State itself. It makes for a sound economy.

On the reservation Mr. COLE mentioned, we still have that high rate. I hope we understand that I'm going to seek a new empowerment act for the American Indians to make sure that they don't have that high rate through training, availability, utilization of their land for the benefit of themselves so, in fact, we can continue to raise their standard instead of keeping 80 percent unemployment.

Again I urge a ''yes'' vote, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Alaska (Mr. YOUNG).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MRS. BLACK

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 113–16.

Mrs. BLACK. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 127, line 10, strike ''There'' and insert ''(a) IN GENERAL.—There''.

Page 127, after line 13, insert the following:

''(b) SENSE OF CONGRESS RELATING TO ADMINISTRATIVE COSTS.—It is the sense of Congress that when funds are appropriated pursuant to the amendment made by subsection (a), the amount necessary to cover all administrative costs under title I of the Workforce Investment Act of 1998 should be offset by funds from the account for the Office for Advocacy and Outreach of the Department of Agriculture.''.

The CHAIR. Pursuant to House Resolution 113, the gentlewoman from Tennessee (Mrs. BLACK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACK. Madam Chairman, I rise today in support of reaffirming our commitment to upward mobility and greater opportunity for all Americans.

My amendment would express the sentiment of the House that the funding for the United States Department of Agriculture, USDA, marketing and outreach program currently used to increase participation in the Supplemental Nutrition Assistance Program, SNAP, better known as ''food stamps,'' would instead be used to fund job training programs contained in the SKILLS Act. These precious taxpayer dollars should be used to facilitate upward mobility and employment, not dependence.

The USDA created an aggressive outreach program that has grown under the Obama administration, particularly through the President's stimulus package. These expanded initiatives include the collaboration between the USDA and Mexican Government officials to promote participation in targeted communities, which teaches recruiters how to convince working class families into public assistance and dependence.

The Obama administration has conducted over 30 meetings with the Mexican Government personnel since he took office. Since this program began in 2004, the United States taxpayer has funded this participation with the Mexican Government to promote the SNAP program by holding 29 health fairs and traveling to 19 cities.

The USDA, in coordination with the Mexican Government, has conducted an aggressive campaign issuing guidance to State and local agencies with a record 91 meetings focusing on growing the outreach program to expand enrollment in SNAP. None of these new meetings were used to point them in the direction of jobs training programs or employment searches that would offer much greater opportunity than whatever the Federal Government would have to offer.

I recently read through this 55-page document put out by the USDA, entitled, ''SNAP, Guidance on Non-Citizen

Eligibility,'' that essentially explains every possible scenario for avenues of going about receiving SNAP assistance. These policies are in plain conflict with the financial health of the United States, and it fails to recognize that welfare reform is guided by the moral principle that good policy helps more people live better lives.

USDA has also used these outreach dollars to hand out a Hunger Champions award in 2011 to certain workers, which translated to a 10 percent increase in food stamp recipients in just one year.

Under the Obama administration, the number of food stamp recipients has jumped 46 percent, with one in six Americans living in poverty, and the administration still continues to undermine work requirements and effective job training.

We need to reaffirm our belief that we are a Nation of opportunity and not dependence. The government should not be promoting food stamps. The government should be using hard-earned taxpayer dollars to help those who are out of work to acquire skills for jobs that they want and to achieve the American Dream that they have for them and their families.

I would now like to enter into a colloquy with the gentleman that is the chairman of the Committee on Agriculture, Mr. LUCAS.

Mr. LUCAS. Will the gentlewoman yield?

Mrs. BLACK. I yield to the gentleman.

Mr. LUCAS. I appreciate the gentlelady from Tennessee's attempt at reform here. In fact, the farm bill passed by the Agriculture Committee last Congress accomplished the goal of her amendment by preventing USDA from promoting the SNAP program.

Our goal in Congress should not be getting more people on the SNAP rolls. Instead, we should be providing opportunities through increased economic growth and programs that facilitate upward movement, upward mobility to get people off the rolls.

I pledge to work with the gentlelady to include language in the farm bill we intend to bring to the floor later this year to accomplish her goals.

I thank her for her efforts.

Mrs. BLACK. I thank the chairman. I so appreciate your earnestness in working together in making sure that we do have upward mobility rather than dependence.

Madam Chair, I want to again thank the chairman for being willing to work with me on what I think is a very important issue of making sure that we help people with upward mobility.

With that, Madam Chair, I ask unanimous consent to withdraw my amendment.

The CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 5 OFFERED BY MR. GARRETT

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 113–16.

Mr. GARRETT. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 160, line 2, strike ''and'' and after such line insert the following:

(5) by redesignating subsection (f) as subsection (g) and inserting after subsection (e) the following:

''(f) REDUCTION OF AMOUNTS AUTHORIZED TO BE APPROPRIATED FOR LATE REPORTING.—If a report required to be transmitted to Congress under this section is not transmitted on or before the time period specified for that report, amounts authorized to be appropriated under this title shall be reduced by 10 percent for the fiscal year that begins after the date on which the final report required under this section is required to be transmitted and reduced by an additional 10 percent each subsequent fiscal year until each such report is transmitted to Congress.''.

Page 160, line 3, strike ''(5)'' and insert ''(6)''.

Page 160, line 4, strike ''(g)'' and insert ''(h)''.

The CHAIR. Pursuant to House Resolution 113, the gentleman from New Jersey (Mr. GARRETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GARRETT. Madam Chair, I want to thank the chairman, and I also want to thank the gentlelady from North Carolina—I'm not sure if she's here right now—for her efforts to make necessary and meaningful changes and reforms to the SKILLS Act.

The Federal Government spends literally billions and billions of dollars on workforce training programs every single year. But in 2011, there was a study done by the GAO, the Government Accountability Office. They found that very little is actually known about the effectiveness of a lot of these programs.

So when we're here at a time of constrained spending and constrained budgets, we have to do everything we can from both sides of the aisle to ensure that taxpayer dollars are spent wisely and that the recipients of these dollars or the programs actually get an effective program at the end of the day. So the SKILLS Act that's before us now includes provisions mandating—this is good—meaningful evaluations of these very same programs.

But simply mandating that evaluations be done doesn't really guarantee that they will actually be conducted. For example, back in 1998, there was the Workforce Investment Act legislation, and it mandated that the Department of Labor conduct what they called then the gold standard, if you will, of studies, of job training programs, and required that those studies be done by 2005. But here as we stand here now in 2013, those studies still aren't done. In actuality, we checked into it, and they said they will not be completed until the year 2015. That's 10 years later than when the studies were supposed to be completed.

Look, Congress can no longer tolerate the neglect of report deadlines, especially concerning the effectiveness of Federal programs that cost us billions of dollars. And when they're not being done effectively, the people who should be getting the affected programs are not getting the services they perform.

My amendment simply provides an incentive to the Department of Labor to conduct these evaluations on time so we can have the information and the authorizing committees can have the information to do their job, as well. It does neither the taxpayer nor the job seeker any good at all if Congress is funding something that is ineffective.

This amendment will put the executive branch on notice, and Congress is keeping an eye on their performance, and the authorizing committees can also have more information to do their jobs.

With that, I urge support of this amendment, and I reserve the balance of my time.

□ 1050

Mr. HINOJOSA. I rise in opposition to the gentleman's amendment.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HINOJOSA. I yield 2 minutes to the gentlewoman from Texas, SHEILA JACKSON LEE.

Ms. JACKSON LEE. I thank the distinguished ranking member of this committee, and I thank the floor managers. I particularly thank Mr. HINOJOSA for his long service on workforce issues and about higher education issues to the proponent of the amendment. Certainly, we know that reporting is important.

What I want to focus on, Madam Chairwoman, is what America is all about. We are, in fact, the land of opportunity and dreams. We are the richest country in the world, and our benefit and our success has come because we have invested in people. As we watched the Depression and the era of World War II and our soldiers coming home, prosperity began when we gave them the GI Bill; and here we are today, trying to undermine under H.R. 803 the very opportunity in States for those people who are still seeking to climb the ladder.

By block-granting these 35 programs and shifting to our State governments individual programs that are to serve our adults and youth and farm workers and dislocated workers, we are going down a road of no return. We are eliminating the priority of service delivery for low-income adults and out-of-school youth. We are eliminating the thought processes that are necessary to know what rural neighborhoods or communities and urban communities need.

Texas is one of the largest States in the Union, and I can assure you that eliminating separate training funds for youth programs is devastating. It was devastating when we lost the summer youth job program, which I'd always said would have been a more effective

program if you'd joined it with training. In our local communities, that's what we did—we joined summer youth jobs with training. Now you're telling us that we will be eliminated from doing that.

Rather than suggesting that the problems of this deficit are always on the least, it would be best for us to chronicle how we got here—billions of dollars in the Iraq war, the Afghanistan war, Medicare part D, the bailout.

The CHAIR. The time of the gentlewoman has expired.

Mr. HINOJOSA. I yield an additional 20 seconds to the gentlelady.

Ms. JACKSON LEE. I thank the gentleman.

It is important to support the Democratic alternative, which streamlines and improves the coordination of training programs, which puts the dollars in community associations that are there on the ground.

Madam Chair, America is not good with this bill, H.R. 803, but it is good with the Democratic alternative, which invests in people and makes America great.

Mr. GARRETT. I begin by saying I associate myself with the words of the gentlelady over there in that we should not put the burden on the least in this country, and that's why we support this legislation before us and this amendment.

I now yield 20 seconds to the chairman of the committee, the gentleman from Minnesota (Mr. KLINE).

Mr. KLINE. I thank the gentleman for yielding, and I thank him for bringing forward this very solid amendment.

We know that, under Republican administrations and Democrat administrations, departments are required by law to submit all kinds of reports, but there are no consequences, so they don't do it, and we have to do our job in the dark. I appreciate his recognizing this shortfall and for taking this step, and I support the amendment.

Mr. HINOJOSA. We oppose the amendment, and I yield back the balance of my time.

Mr. GARRETT. I just want to reiterate that we are on the exact same page with our colleagues from the other side of the aisle.

We understand the burdens that the Americans across this country are suffering right now. We understand that the burden and the cuts that we may have to consider in going forward in this country should not fall on the least among us, that they should not fall on those who are without jobs, and that they should not fall on those who are struggling at the bottom and who are trying to get up to the middle class and to an even higher rung after that. We have to work together to make sure that they do not suffer like that, and that's why we have this amendment.

It is to make sure that every single dollar that we pass in this Congress and that every single penny that we spend on a program is an effective dollar, is an effective penny that gets the job done and that lets them rise out of the depths of despair that they are in to a higher level, and we want to make sure that we have effective programs. That's exactly what our amendment would do, and I encourage both sides of the aisle to join in the support of this legislation.

With that, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. TIERNEY

The CHAIR. It is now in order to consider amendment No. 6 printed in House Report 113–16.

Mr. TIERNEY. Madam Chairwoman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Workforce Investment Act of 2013''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.
Sec. 2. Purposes and principles.

TITLE I—WORKFORCE INVESTMENT SYSTEMS

Subtitle A—Definitions

Sec. 101. Definitions.

Subtitle B—Statewide and Local Workforce Investment Systems

Sec. 111. State workforce investment boards and requirements for State plans.
Sec. 112. State unified plan.
Sec. 113. Local workforce investment areas and boards.
Sec. 114. Additional one-stop programs and activities.
Sec. 115. Providers of training services.
Sec. 116. Youth activities.
Sec. 117. Adult and dislocated worker training activities.
Sec. 118. Unified performance accountability system.
Sec. 119. Authorization of funding for one-stop infrastructure.

Subtitle C—Job Corps

Sec. 131. Purposes.
Sec. 132. Definitions.
Sec. 133. Individuals eligible for the Job Corps.
Sec. 134. Recruitment, screening, selection, and assignment of enrollees.
Sec. 135. Enrollment.
Sec. 136. Job Corps centers.
Sec. 137. Program activities.
Sec. 138. Support.
Sec. 139. Community participation.
Sec. 140. Industry councils.
Sec. 141. Experimental, research, and demonstration projects and College Corps program.
Sec. 142. Technical amendment.
Sec. 143. Performance accountability and management.
Sec. 144. Authorization of appropriations.

Subtitle D—National Programs

Sec. 151. Native American programs.
Sec. 152. Migrant and seasonal farmworker programs.
Sec. 153. Veterans workforce investment programs.
Sec. 154. Repeal.
Sec. 155. Technical assistance.
Sec. 156. Innovation projects.
Sec. 157. Workforce and youth innovation and best practices grants.
Sec. 158. Evaluations.
Sec. 159. National dislocated worker grants.
Sec. 160. Youthbuild program.
Sec. 161. Authorization of appropriations.
Sec. 162. Transition grants to States.
Sec. 163. Interagency agreement.

Subtitle E—Administration

Sec. 171. Requirements and restrictions.
Sec. 172. Fiscal controls or sanctions.
Sec. 173. Reports, recordkeeping, investigations.
Sec. 174. Administrative provisions.
Sec. 175. Repeals.
Sec. 176. General program requirements.
Sec. 177. Office of Disability Employment Policy.
Sec. 178. Independent evaluation of the efficiency and effectiveness of the Federal Workforce Investment System.

Subtitle F—Community College to Career Fund

Sec. 181. Community College to Career Fund.

TITLE II—ADULT EDUCATION AND LITERACY

Sec. 201. Purposes, definitions, and miscellaneous provisions.
Sec. 202. Amendments to subtitle A.
Sec. 203. Amendments to subtitle B.
Sec. 204. Amendments to subtitle C.
Sec. 205. Amendments to subtitle D.

TITLE III—AMENDMENTS TO THE WAGNER-PEYSER ACT

Sec. 301. Employment service offices.
Sec. 302. Definitions.
Sec. 303. Federal and State employment service offices.
Sec. 304. Allotment of sums.
Sec. 305. Use of sums.
Sec. 306. State plan.
Sec. 307. Performance accountability measures.
Sec. 308. Pilot projects.
Sec. 309. Labor market information system.

TITLE IV—AMENDMENTS TO THE REHABILITATION ACT OF 1973

Subtitle A—Introductory Provisions

Sec. 401. References.
Sec. 402. Findings, purpose, policy.
Sec. 403. Rehabilitation Services Administration.
Sec. 404. Definitions.
Sec. 405. Administration of the Act.
Sec. 406. Reports.
Sec. 407. Evaluation.
Sec. 408. Carryover.
Sec. 409. Traditionally underserved populations.

Subtitle B—Vocational Rehabilitation Services

Sec. 411. Declaration of policy; authorization of appropriations.
Sec. 412. State plans.
Sec. 413. Eligibility and individualized plan for employment.
Sec. 414. Vocational rehabilitation services.
Sec. 415. State Rehabilitation Council.
Sec. 416. Performance accountability measures.
Sec. 417. Monitoring and review.
Sec. 418. Training and services for employers.
Sec. 419. State allotments.
Sec. 420. Client Assistance Program.
Sec. 421. Technical assistance for quality services.
Sec. 422. Pre-employment transition services.

Sec. 423. American Indian vocational rehabilitation services.

Subtitle C—Research and Training

Sec. 431. Purpose.
Sec. 432. Authorization of appropriations.
Sec. 433. National Institute on Disability and Rehabilitation Research.
Sec. 434. Interagency Committee.
Sec. 435. Research and other covered activities.
Sec. 436. Rehabilitation Research Advisory Council.
Sec. 437. Definition of covered school.

Subtitle D—Professional Development and Special Projects and Demonstration

Sec. 441. Training.
Sec. 442. Demonstration and training programs.
Sec. 443. Migrant and seasonal farmworkers.
Sec. 444. Recreational programs.

Subtitle E—National Council on Disability

Sec. 451. Report.
Sec. 452. Authorization of appropriations.

Subtitle F—Rights and Advocacy

Sec. 456. Board and Council.
Sec. 457. Protection and advocacy of individual rights.
Sec. 458. Standards for accessible medical diagnostic equipment.

Subtitle G—Employment Opportunities for Individuals With Disabilities

Sec. 461. Projects with industry.
Sec. 462. Authorization of appropriations.
Sec. 463. Supported employment services.

Subtitle H—Independent Living Services and Centers for Independent Living

CHAPTER 1—GENERAL PROVISIONS

Sec. 471. Purpose.
Sec. 472. Independent Living Administration.
Sec. 473. Definitions.
Sec. 474. State plan.
Sec. 475. Statewide Independent Living Council.
Sec. 476. Responsibilities of the ILA Director.

CHAPTER 2—INDEPENDENT LIVING SERVICES

Sec. 477. Administration.

CHAPTER 3—CENTERS FOR INDEPENDENT LIVING

Sec. 481. Program authorization.
Sec. 482. Centers.
Sec. 483. Standards and assurances.
Sec. 484. Authorization of appropriations.

CHAPTER 4—INDEPENDENT LIVING SERVICES FOR OLDER INDIVIDUALS WHO ARE BLIND

Sec. 486. Independent living services for older individuals who are blind.
Sec. 487. Program of grants.
Sec. 488. Independent living services for older individuals who are blind authorization of appropriations.

Subtitle I—Increasing Employment Opportunities for Individuals With Disabilities

Sec. 491. Disability employment.
Sec. 492. Table of contents.

SEC. 2. PURPOSES AND PRINCIPLES.

The purposes of this Act include the following:

(1) To increase economic growth by improving the education and skills of American workers.

(2) To ensure middle class prosperity through strong investment in talent and workforce development.

(3) To prepare the unemployed, the underemployed, and those most disadvantaged with skills to match up with employer needs.

(4) To provide individuals streamlined access to in-demand skills training and employment services by aligning education, training and workforce investment programs.

(5) To strengthen engagement with employers in in-demand industries and all sectors to meet the needs of employers.

(6) To improve the competitiveness and dynamism of the Nation's future workforce by investing in college and career-ready pathways for young adults.

(7) To ensure accountability and efficiency through system performance measures that incentivize continuous improvement in services for workers and employers.

(8) To encourage private sector partnerships connecting employers, labor unions, community colleges, workforce boards and related stakeholders to develop workforce skills that meet employer needs, including career pathways, recognized postsecondary credentials, and regional planning.

TITLE I—WORKFORCE INVESTMENT SYSTEMS

Subtitle A—Definitions

SEC. 101. DEFINITIONS.

Section 101 is amended—

(1) by striking paragraph (24) and by redesignating—

(A) paragraphs (52) and (53) as paragraphs (60) and (61), respectively;

(B) paragraphs (40) through (51) as paragraphs (47) through (58), respectively;

(C) paragraphs (25) through (39) as paragraphs (31) through (45), respectively;

(D) paragraphs (18) through (23) as paragraphs (25) through (30), respectively;

(E) paragraph (17) as paragraph (22);

(F) paragraphs (12) through (16) as paragraphs (16) through (20), respectively;

(G) paragraphs (8) through (11), as paragraphs (11) through (14), respectively; and

(H) paragraphs (5) through (7) as paragraphs (6) through (8), respectively;

(2) by inserting after paragraph (4) the following:

''(5) CAREER PATHWAY.—

''(A) IN GENERAL.—The term 'career pathway' means a sequence of education, training, and other supportive services, clearly articulated from one level of instruction to the next, that are designed to prepare individuals to meet a set of career-related objectives as referenced in subparagraph (C).

''(B) SERVICES.—The services referred to in subparagraph (A) shall be—

''(i) aligned with the skill needs of industries in the State or regional economy involved;

''(ii) designed to increase an individual's educational and skill attainment, and improve the individual's employment outcomes and ability to meet career-related objectives, by—

''(I) preparing individuals for the full range of secondary or postsecondary education options, including apprenticeships registered under the Act of August 16, 1937 (commonly known as the 'National Apprenticeship Act'; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.) (referred to individually in this Act as an 'apprenticeship', except in section 273);

''(II) including supportive services and counseling to support individuals in achieving their education and career goals;

''(III) including, as appropriate for an individual, education offered concurrently with and in the context of workforce preparation activities and training for a specific occupation or occupational cluster; and

''(IV) when participants are adults, organizing courses to meet adult participants' needs including flexible scheduling, multiple entry and exit points (that may correspond with work and stackable credentials), giving credit for learning toward credentials and adopting other strategies that accelerate the educational and career advancement of the participant to the extent practicable; and

''(iii) at a minimum, provided through the alignment of core programs authorized under this Act with postsecondary education and training programs, consistent with descriptions included in the State and local plans.

''(C) OBJECTIVES.—The objectives referred to in subparagraph (A) include—

''(i) enabling an individual to attain a secondary school diploma or its recognized equivalent, and at least 1 recognized postsecondary credential; and

''(ii) helping a worker enter or advance within a specific occupation or occupational cluster.'';

(3) by inserting after paragraph (8) (as so redesignated), the following:

''(9) CORE PROGRAM.—The term 'core programs' means—

''(A) chapter 4 and 5 of subtitle B of title I (relating to youth workforce investment activities and adult and dislocated worker employment and training activities);

''(B) title II (relating to adult education and literacy activities);

''(C) sections 1 through 13 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.) (relating to employment services); and

''(D) title I of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741) (relating to vocational rehabilitation services).

''(10) COSTS OF INFRASTRUCTURE.—The term 'costs of infrastructure', used with respect to a one-stop center, means the nonpersonnel costs that are necessary for the operation of the one-stop center, including the rental costs of the facilities, the costs of utilities and maintenance, equipment (including assessment-related products and adaptive technology for individuals with disabilities), and technology to facilitate access to the one-stop center.'';

(4) by inserting after paragraph (14) (as so redesignated), the following:

''(15) ECONOMIC SELF-SUFFICIENCY.—The term 'economic self-sufficiency' means, with respect to a worker, earning a wage sufficient to support a family adequately and, over time, to save for emergency expenses and adequate retirement income, based on factors such as—

''(A) family size;

''(B) the cost of living in the worker's community; and

''(C) other factors that may vary by region.'';

(5) by inserting after paragraph (20) (as so redesignated), the following:

''(21) IN-DEMAND INDUSTRY SECTOR OR OCCUPATION.—

''(A) IN GENERAL.—The term 'in-demand industry sector or occupation' means—

''(i) an industry sector that—

''(I) has a substantial current or forecasted impact on the regional economy overall, including attracting, expanding or retaining businesses or jobs (including, at a minimum, jobs that lead to economic self-sufficiency and opportunities for advancement) in the region;

''(II) contributes to the growth of other supporting businesses, or the growth of other industry sectors within the region;

''(III) provides workers with jobs that have competitive, family-sustaining wages and benefits; and

''(IV) includes occupations that provide opportunities for career advancement; or

''(ii) an occupation that—

''(I) has a significant presence in an industry sector;

''(II) has a shortage of available skilled workers;

''(III) pays competitive, family-sustaining wages and benefits that enable workers to

achieve economic self-sufficiency, or can reasonably be expected to lead to a position with such wages and benefits;

''(IV) provides opportunities for career advancement; and

''(V) has a significant impact in a region's economy.

''(B) DETERMINATION.—The determination of whether an industry sector or occupation is an in-demand industry sector or occupation under this paragraph shall be made using national, State, or regional labor market information.'';

(6) by inserting after paragraph (22) (as so redesignated), the following:

''(23) INDIVIDUAL WITH BARRIERS TO EMPLOYMENT.—The term 'individual with barriers to employment' means an individual with any characteristic that substantially limits an individual's ability to obtain employment, including indicators of poor work history, lack of work experience or access to employment in nontraditional occupations, long-term unemployment, lack of educational or occupational skills attainment, dislocation from high-wage and high-benefit employment, low levels of literacy or English proficiency, disability status, homelessness, ex-offender status, or receipt of welfare.

''(24) INDUSTRY OR SECTOR PARTNERSHIP.—The term 'industry or sector partnership' means a workforce collaborative that—

''(A) organizes key stakeholders in an industry cluster into a working group that focuses on the workforce needs of the industry cluster and that includes, at the appropriate stage of development of the partnership—

''(i) representatives of multiple businesses or other employers in the industry cluster, including small and medium-sized employers when practicable;

''(ii) representatives of a recognized State labor organization or central labor council, a union representing employees in the industry or sector and another labor representative, as appropriate;

''(iii) 1 or more representatives of an institution of higher education with, or another provider of, education or training programs that support the industry cluster, including career and technical education providers; and

''(iv) the State workforce agency providing labor market information and employment services under the Wagner-Peyser Act; and

''(B) may include representatives of—

''(i) State or local government;

''(ii) State or local economic development agencies;

''(iii) State boards or local boards, as appropriate;

''(iv) any local board that has established through its local plan a concentration of an industry cluster within its area;

''(v) business or trade associations;

''(vi) nonprofit organizations, community-based organizations, or intermediaries;

''(vii) philanthropic organizations; and

''(viii) other organizations, as determined to be necessary by the members comprising the industry or sector partnership.''.

(7) in paragraph (36) (as so redesignated), by striking ''as appropriate to the occupation for which the participant is being trained'' and inserting ''to a period not in excess of that generally required for acquisition of skills needed for the position with a particular occupation and'';

(8) by inserting after paragraph (44) (as so redesignated), the following:

''(45) RECOGNIZED POSTSECONDARY CREDENTIAL.—The term 'recognized postsecondary credential' means a credential awarded by a training provider or educational institution based on completion of all requirements for a program of study, including coursework or tests or other performance evaluations. The term includes an industry-recognized certificate, a certificate of completion of an apprenticeship, or an associate or baccalaureate degree.''; and

(9) by inserting after paragraph (57) (as so redesignated), the following:

''(58) WORKPLACE LEARNING ADVISOR.—The term 'workplace learning advisor' means an individual employed by an organization who has the knowledge and skill necessary to advise other employees of that organization about the education, skill development, job training, career counseling services, and credentials, including services provided through the workforce investment system, required to progress toward career goals of such employees in order to meet employer requirements related to job openings and career advancements that support economic self-sufficiency.''.

Subtitle B—Statewide and Local Workforce Investment Systems

SEC. 111. STATE WORKFORCE INVESTMENT BOARDS AND REQUIREMENTS FOR STATE PLANS.

(a) SIZE AND FUNCTIONS OF THE STATE BOARDS.—Section 111 is amended—

(1) in subsection (b)—

(A) in paragraph (1)(C)—

(i) by amending clause (i)(I), by striking ''including'' and inserting ''shall include''; and

(ii) by amending clause (vi) to read as follows:

''(vi)(I) lead State officials with primary responsibility for the program and activities that are described in section 121(b)(2)(B)(1) (i) through (iv); and

''(II) the State agency officials responsible for economic development;''; and

(B) by adding at the end the following:

''(4) WORKER REPRESENTATION.—Not less than 20 percent of the Board shall be comprised of representatives of the workforce within the State, and—

''(A) shall include representatives described in clause (iii) of section 117(b)(2)(A);

''(B) may include representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including organizations that provide or support competitive, integrated employment for individuals with disabilities; and

''(C) may include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth.''.

(2) in subsection (d)—

(A) in paragraph (8), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (9), by striking the period and inserting a semicolon; and

(C) by adding at the end the following:

''(10) promotion in the development of guidance on career pathways by aligning workforce investment programs for the purpose of providing individuals with barriers to employment, including low-skilled adults and youth, with the employment, training, education, and supportive services the individuals need to attain the necessary credentials to secure and advance in employment;

''(11) promotion in the development of sector initiatives such as industry or sector partnerships relating to in-demand industry sectors and occupations;

''(12) provision of guidance on the alignment and delivery of services between the local boards, one-stop operator, and State entities carrying out relevant State-administered programs;

''(13) provision of technical assistance to local boards, one-stop partners, one-stop operators, and providers, as appropriate, in local areas concerning planning and delivering services; and

''(14) staff training and education across programs supported under workforce investment systems in local areas.''.

(b) REQUIRED CONTENT OF STATE PLANS.—Section 112 is amended—

(1) in subsection (a), by striking ''a single State plan (referred to in this title as the 'State plan')'' and inserting ''a single State plan (referred to in this title as the 'State plan') that shall include the State plans of all core program and'';

(2) in subsection (b)—

(A) in paragraph (4)—

(i) in subparagraph (C), by striking ''; and'' and inserting a semicolon; and

(ii) by adding at the end the following new subparagraphs:

''(E) the State's strategic vision and goals for preparing an educated and skilled workforce (including preparing youth and individuals with barriers to employment) and for meeting the skilled workforce needs of employers, including the workforce needs for civilian occupations important to military installations and including goals relating to performance accountability measures based on primary indicators of performance described in section 136(b)(2), in order to support economic growth and economic self-sufficiency; and

''(F) a strategy not inconsistent with the program requirements of the core programs for aligning the core programs, as well as other resources available to the State, to achieve the strategic vision and goals described in subparagraph (E), including how the State will meet performance accountability measures based on the system-wide indicators described in section 136(b)(2)(A) in order to support program alignment.'';

(B) in paragraph (8)(A)—

(i) in clauses (ix) and (x), respectively, by striking ''; and'' and inserting a semicolon; and

(ii) by adding at the end the following:

''(xi) apprenticeship programs registered under the National Apprenticeship Act (50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.);

''(xii) State labor certification activities for employment-based immigration programs authorized under the Immigration and Nationality Act; and

''(xiii) employment, training, and literacy services carried out by public libraries.'';

(C) in paragraph (12)(B), by inserting before the semicolon the following: '', and, after consultation with the local boards, specifying the minimum amount of Federal assistance under section 133(b) (2) and (3) provided to each local area that is to be spent on training'';

(D) in paragraph (17)(B), by striking ''; and'' and inserting a semicolon;

(E) in paragraph (18)(D), by striking the period and inserting a semicolon; and

(F) by adding at the end the following:

''(19) a process for providing guidance to local areas and conducting oversight to ensure implementation of priority of service for adult employment and training activities; in accordance with section 134(d)(4)(E);

''(20) a description of how the State will develop and implement career pathways and career and technical education by aligning workforce investment programs for the purpose of providing individuals, including low-skill adults and youth, with the employment, training, education, and supportive services the individuals need to attain the necessary credentials to secure and advance in employment;

''(21) an objective assessment of the needs of individuals in the State or outlying area for adult education and literacy activities, including individuals with barriers to employment;

''(22) a description of how the eligible agency will develop program strategies for populations that include, at a minimum—

''(A) low-income students;

''(B) individuals with disabilities;

''(C) single parents and displaced homemakers; and

''(D) individuals with multiple barriers to educational enhancement, including individuals with limited English proficiency; and

''(23) a description of how the adult education and literacy activities that will be carried out with any funds received under this subtitle will be integrated with other adult education, career development, and employment and training activities in the State or outlying area served by the eligible agency.''; and

(3) in subsection (c), by striking ''Secretary of'' and inserting ''appropriate Secretary of each core program''.

SEC. 112. STATE UNIFIED PLAN.

The Workforce Investment Act of 1998 is further amended—

(1) by striking section 501; and

(2) by inserting after section 112 the following:

''SEC. 113. STATE UNIFIED PLAN.

''(a) PURPOSE.—The purpose of the State unified plan required by this section is to align education, training, and workforce development programs in support of a comprehensive workforce investment system.

''(b) DEFINITION OF APPROPRIATE SECRETARY.—In this section, the term 'appropriate Secretary' means the head of the Federal agency who exercises administrative authority over an activity or program described in subsection (c).

''(c) STATE UNIFIED PLAN.—

''(1) IN GENERAL.—A State shall develop and submit to the appropriate Secretaries a State unified plan for the core programs and may develop and submit one or more of the program and activities described in paragraph (2) in lieu of submitting two or more plans, for the programs and activities and the core programs.

''(2) PROGRAMS.—The programs and activities referred to in paragraph (1) are as follows:

''(A) Career and technical education programs at the secondary and postsecondary level authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.).

''(B) Programs authorized under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

''(C) Programs authorized under section 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)(4)).

''(D) Work programs authorized under section 6(o) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(o)).

''(E) Activities authorized under chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.).

''(F) Activities authorized under chapter 41 of title 38, United States Code.

''(G) Programs authorized under State unemployment compensation laws (in accordance with applicable Federal law).

''(H) Programs authorized under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.).

''(I) Employment and training activities carried out by the Department of Housing and Urban Development.

''(J) Employment and training activities carried out under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.).

''(K) Programs authorized under section 212 of the Second Chance Act of 2007 (42 U.S.C. 17532).

''(d) REQUIREMENTS.—

''(1) IN GENERAL.—The portion of a unified plan covering the core programs shall be subject to the requirements of section 112 and to the additional requirements contained in the authorizing statute of the core program, if any. The portion of such plan covering a program or activity described in subsection (b)(2) shall be subject to the requirements, if any, applicable to a plan or application for assistance for that program or activity.

''(2) ADDITIONAL SUBMISSION NOT REQUIRED.—A State that submits a State unified plan covering an activity or program described in subsection (b) that is approved under subsection (d) shall not be required to submit any other plan or application in order to receive Federal funds to carry out the activity or program.

''(3) COORDINATION.—A State unified plan shall include—

''(A) a description of the methods used for joint planning and coordination of the programs and activities included in the unified plan; and

''(B) an assurance that the methods included an opportunity for the entities responsible for planning or administering such programs and activities to review and comment on all portions of the unified plan.

''(e) APPROVAL BY THE APPROPRIATE SECRETARIES.—

''(1) JURISDICTION.—The appropriate Secretary shall have the authority to approve the portion of the State unified plan relating to the activity or program over which the appropriate Secretary exercises administrative authority. On the approval of the appropriate Secretary, the portion of the plan relating to the activity or program shall be implemented by the State pursuant to the applicable portion of the State unified plan.

''(2) APPROVAL OF CORE PROGRAMS.—No portion of the plan relating to a core program shall be implemented until the appropriate Secretary approves the corresponding portions of the plan for all core programs. Other core programs may continue in operation while new plan provisions are revised or are awaiting approval.

''(3) TIMING OF APPROVAL.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), a portion of the State unified plan covering the core programs or a program or activity described in subsection (a)(2) shall be considered to be approved by the appropriate Secretary at the end of the 90-day period beginning on the day the plan is submitted.

''(B) PLAN APPROVED BY 3 OR MORE APPROPRIATE SECRETARIES.—If an appropriate Secretary other than the Secretary of Labor or the Secretary of Education has authority to approve a portion of a unified plan, that portion of the unified plan shall be considered to be approved by the appropriate Secretary at the end of the 90-day period beginning on the day the plan is submitted.

''(C) DISAPPROVAL.—The portion shall not be considered to be approved if the appropriate Secretary makes a written determination, during the 90-day period, that the portion is not consistent with the requirements of the Federal law authorizing or applicable to the program or activity involved, including the criteria for approval of a plan or application, if any, under such law, or the plan is not consistent with the requirements of this section.

''(4) LOCAL JURISDICTION.—The appropriate local board shall approve the portion of the State unified plan relating to the activity or program over which the appropriate local board exercises administrative authority. On the approval of the appropriate local board, the portion of the plan relating to the activity or program shall be implemented by the State pursuant to the applicable portion of the State unified plan.''.

SEC. 113. LOCAL WORKFORCE INVESTMENT AREAS AND BOARDS.

(a) PLANNING PROCESS FOR DIFFERENT TYPES OF REGIONS.—Section 116(c)(1) is amended—

(1) by striking ''As part of'' and inserting: ''(A) As part of'';

(2) by striking ''may'' each place it appears and inserting ''shall''; and

(3) by adding at the end the following:

''(B) PLANNING FOR COOPERATIVE INITIATIVES AND ARRANGEMENTS.—In the regions comprised of 2 or more local areas, the State shall, in consultation with local boards, require regional planning, and service delivery, by local boards in those regions. For the purpose of administrative efficiency, the State shall require the local boards in a planning region to participate in a regional planning process for cooperative initiatives and arrangements that result in—

''(i) the establishment and implementation of regional service strategies and activities, including service delivery cooperative arrangements and regional approaches to address the employment and training needs of the region, including strategies that meet the need of individuals with barriers to employment;

''(ii) as appropriate, the development and implementation of initiatives involving in-demand industry sectors or occupations;

''(iii) the collection and analysis of regional labor market data (in conjunction with the State); and

''(iv) the establishment of administrative and infrastructural cost sharing, as appropriate.

''(C) REGIONAL PLANS.—The State, after consultation with the local boards and chief elected officials for the planning region, shall require the local boards and officials to collaborate in order to prepare, submit, and obtain approval of a single regional plan. Such plan shall include a description of the cooperative initiatives and arrangements developed pursuant to clause (iii) and incorporate local plans for each of the local areas in the planning region, which shall contain strategies that are consistent and aligned with each other.''.

(b) COMPOSITION OF THE BOARD AND INCLUSION OF PUBLIC LIBRARIES.—Section 117(b)(2)(A)(iv) is amended by striking ''individuals with disabilities and'' and inserting ''public libraries, individuals with disabilities, and''.

(c) WORKER REPRESENTATION.—Section 117(b) is further amended by adding at the end the following:

''(5) WORKER REPRESENTATION.—Not less than 20 percent of the Board shall be comprised of representatives of the workforce within the local area, and—

''(A) shall include representatives described in clause (iii) of paragraph (2)(A);

''(B) may include representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including organizations that provide or support competitive, integrated employment for individuals with disabilities; and

''(C) may include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth.''.

(d) REQUIRED FUNCTIONS OF THE LOCAL BOARDS.—Section 117(d) is amended—

(1) in the matter preceding paragraph (1), by striking ''The functions'' and inserting ''Consistent with section 118, the functions'';

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

''(1) LOCAL PLAN.—The local board, in partnership with the chief elected official for the local area involved, shall develop and submit a local plan to the Governor that meets the requirements in section 118. If the local area is part of a planning region that includes other local areas, the local board shall collaborate with the other local boards and chief elected officials from such other local areas in the development and submission of the local plan as described in section 116(c)(1)(A).''; and

(3) in paragraph (3)(B)(i)—

(A) in subclause (II), by inserting ''or the local board'' after ''entity'';

(B) in subclause (III), by inserting ''adult education, literacy and employment services'' after ''workforce investment activities'';

(C) in subclause (III)(ii), by adding at the end the following: ''which staff, including staff of a one-stop center, report to and are responsible to the local board and not the chief elected official'';

(4) in paragraph (4) by striking ''with respect'' through ''in local area'' and inserting ''in its local area over the core programs as described in this Act'';

(5) in paragraph (8)—

(A) in the paragraph heading, by striking ''CONNECTING'' and inserting ''CONVENING'';

(B) by striking ''connecting'' and inserting ''convening''; and

(C) by adding at the end the following: ''and to link youth, dislocated workers and others to opportunities for employment, internships, registered apprenticeships, or work-based learning''; and

(6) by adding at the end the following new paragraphs:

''(9) CAREER PATHWAYS DEVELOPMENT.—The local board, in consultation with the State board and with representatives of secondary, postsecondary, career and technical education, and adult education programs, shall lead efforts in the local area to develop and implement career pathways within the local area by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment.

''(10) WORKFORCE RESEARCH AND REGIONAL LABOR MARKET ANALYSIS.—In order to assist in the development and implementation of the local plan, the local board shall coordinate with the State public employment services under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) to—

''(A) utilize analyses of the economic conditions in the region, the needed knowledge and skills for the region, the workforce in the region, and workforce development activities (including education and training) in the region described in section 118(b)(1), and regularly update such information;

''(B) assist the Governor in developing the statewide labor market information system described in section 15(e) of the Wagner-Peyser Act (29 U.S.C. 491–2(e)), specifically in the collection, analysis, and utilization of labor market information for the region; and

''(C) assemble and utilize such other research, data collection, and analysis related to the workforce needs of the regional economy as the board, after receiving input from a wide array of stakeholders, determines to be necessary to carry out its functions, including consideration of the workforce needs for civilian occupations important to military installations developing strategies across local areas that will enhance civilian employment opportunities on local installations.

''(11) PROVEN AND PROMISING PRACTICES.—The local board shall lead efforts in the local area to—

''(A) identify and promote proven and promising strategies and initiatives for meeting the needs of employers, and workers and job seekers (including individuals with barriers to employment) in the local workforce investment system, including providing physical and programmatic accessibility, in accordance with section 288 and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), to the one-stop delivery system; and

''(B) identify and disseminate information, in coordination with the Department of Labor and the State board, on proven and promising practices carried out in other local areas for meeting such needs.

''(12) TECHNOLOGY.—The local board shall develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce investment system for employers, and workers and job seekers, by—

''(A) facilitating connections among the reporting systems of the one-stop partner programs to support a comprehensive workforce investment system in the local area;

''(B) facilitating access to services provided throughout the one-stop delivery system involved, including facilitating the access in remote areas;

''(C) identifying strategies for better meeting the needs of individuals with barriers to employment, including strategies that augment traditional service delivery and technologies that increase access to services and programs of the one-stop delivery system for individuals with disabilities and other barriers to employment; and

''(D) leveraging resources and capacity within the local workforce investment system, including resources and capacity for services for individuals with barriers to employment.

''(13) ADVERTISING.—The local board shall plan for advertising one-stop services throughout the local area.

''(14) TRANSITION.—The local board shall develop strategies to ensure that services provided in the local area are coordinated with and meet the transition goals and services developed for children with disabilities under section 614(d)(1)(A)(i)(VIII) of the Individuals with Disabilities Education Act.

''(15) LITERACY.—The local board shall ensure that one-stop operators in the local area develop and implement policies to ensure that the literacy and English language skills of an adult or eligible youth are not barriers to accessing services, including training services, that are available to assist individuals obtain and maintain employment.

''(16) SECTOR INITIATIVES.—The local board shall develop and expand sector initiatives in the local area or region which may include the convening of industry or sector partnerships relating to in-demand industry sectors and occupations.''.

(e) CONTENTS OF THE LOCAL PLAN.—Section 118(b) is amended—

(1) in paragraph (1), by striking ''an identification of—'' and inserting ''based on a labor market study and input solicited from local businesses, an identification of—''

(2) by redesignating paragraphs (7) through (10) as paragraphs (8) through (11), respectively, and by inserting after paragraph (6) the following:

''(7) a description of how the local board will coordinate workforce investment activities carried out in the local area with apprenticeship programs registered under the National Apprenticeship Act (50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.);''; and

(3) by adding at the end the following:

''(12) a description of the procedure or process for implementing a priority of service for adult employment and training activities in accordance with section 134(d)(4)(E); and

''(13) a description of how the local board will coordinate workforce investment activities carried out in the local area with employment, training, and literacy services carried out by public libraries.''.

SEC. 114. ADDITIONAL ONE-STOP PROGRAMS AND ACTIVITIES.

Section 121 is amended—

(1) in subsection (b)—

(A) in paragraph (1)(B)—

(i) in clause (xi), by striking ''; and'' and inserting a semicolon;

(ii) in clause (xii), by striking the period and inserting a semicolon; and

(iii) by adding at the end the following:

''(xiii) programs authorized under section 212 of the Second Chance Act of 2007 (42 U.S.C. 17532); and

''(xiv) programs authorized under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), subject to subparagraph (C).

''(A) DETERMINATION BY THE GOVERNOR.—

''(i) IN GENERAL.—An entity that carries out a program referred to in subparagraph (B)(xiv) shall be included in the one-stop partners for the local area, as a required partner, for purposes of this Act and the other core program provisions that are not part of this Act, unless the Governor provides the notification described in clause (ii).

''(ii) NOTIFICATION.—The notification referred to in clause (i) is a notification that—

''(I) is made in writing of a determination by the Governor not to include such entity in the one-stop partners described in clause (i); and

''(II) is provided to the Secretary and the Secretary of Health and Human Services.''; and

(B) in paragraph (2)(B), by striking clause (i) and redesignating clauses (ii) through (v) as clauses (i) through (iv), respectively; and

(2) in subsection (e)—

(A) by striking ''If a one-stop'' and inserting:

''(1) EXISTING SYSTEMS.—If a one-stop''; and

(B) by adding at the end the following:

''(2) COLLOCATION OF WAGNER-PEYSER SERVICES.—Consistent with section 3(d) of the Wagner-Peyser Act (29 U.S.C. 49b(d)), and in order to improve service delivery, avoid duplication of services, and enhance coordination of services, the employment service offices in each State and the one-stop centers established under this title shall be collocated to the extent practicable.

''(3) USE OF COMMON ONE-STOP DELIVERY SYSTEM IDENTIFIER.—Each one-stop delivery system shall include in the identification of products, programs, activities, services, facilities, and related property and materials, a common one-stop delivery identifier. The identifier shall be developed by the Secretary of Labor, in consultation with heads of other appropriate departments and agencies, and representatives of State boards and local boards and of other stakeholders in the one-stop delivery system, not later than the beginning of the second full program year after the date of enactment of this Act. Such common identifier may consist of a logo, phrase, or other identifier that informs users of the one-stop delivery system that such product, programs, activities, services, facilities, property, or materials are being provided through such system. Nothing in this paragraph shall be construed to prohibit one-stop partners, States, or local areas from having additional identifiers.''.

SEC. 115. PROVIDERS OF TRAINING SERVICES.

Section 122 is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (A)(ii), by striking ''or certificate'' and inserting ''recognized postsecondary credential''; and

(ii) in subparagraph (C), by inserting '', which may include joint labor-management

organizations, sector partnerships, and eligible providers of adult education and literacy activities under title II if such activities are provided in combination with occupational skills training'' before the period; and

(B) by adding at the end the following:

''(3) INCLUSION ON LIST OF ELIGIBLE PROVIDERS.—A private provider described in subparagraph (C) of paragraph (2) shall comply with the criteria, information requirements, and procedures established under this section to be included on the list of eligible training services described in paragraph (3). A public provider described in subparagraph (A) and a provider described in subparagraph (B) of paragraph (2) shall be included and maintained on the list of eligible providers of training services described in subsection (d) for so long as they comply with the requirements of this section and for so long as a provider described in subparagraph (B) remains registered as described in such subparagraph.'';

(2) in subsection (d)(1)(A) is amended by adding at the end the following:

''(iii) information on the performance of the provider with respect to the performance accountability measures described in section 136 for such participants (taking into consideration the characteristics of the population served and relevant economic conditions), and information specifying the percentage of such participants who entered unsubsidized employment in an occupation related to the program, to the extent practicable; and

''(iv) information on secondary or postsecondary diploma or its recognized equivalent, or recognized postsecondary credentials received by such participants; and'';

(3) in subsection (e), by inserting after the first sentence the following: ''The list of providers shall also be based on the identified labor market needs of employers in the local area based on input solicited from local business and identified in the local plan pursuant to section 118(b)(1).''; and

(4) in subsection (h)—

(A) in the subsection heading, by striking ''OR CUSTOMIZED TRAINING'' and inserting ''INCUMBENT WORKER TRAINING, CUSTOMIZED TRAINING, AND OTHER TRAINING EXCEPTIONS''; and

(B) in paragraph (1), by striking ''or customized training'' and inserting ''incumbent worker training, customized training, internships, and paid or unpaid work experience opportunities, or transitional employment''.

SEC. 116. YOUTH ACTIVITIES.

(a) DEFINITION OF DISADVANTAGED YOUTH AND STATE ALLOTMENTS.—Section 127 is amended—

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—The Secretary shall use the amount appropriated under section 137(a) for a fiscal year to make allotments and grants in accordance with subparagraphs (A) and (B) of subsection (b)(1) and make funds available for use under section 166 (relating to Native American programs).'';

(2) in subsection (b)—

(A) in paragraph (1), by striking subparagraph (A) and redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively; and

(B) in paragraph (2) by amending subparagraph (C) to read as follows:

''(C) DISADVANTAGED YOUTH.—Subject to paragraph (3), the term 'disadvantaged youth' means an individual who—

''(i) is age 16 through 24; and

''(ii) received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed 150 percent of the poverty line.''; and

(3) in subsection (c), by amending paragraph (2) to read as follows:

''(2) AMOUNT.—The amount available for reallotment for a program year is equal to the amount by which the unobligated balance from State allotments to the State at the end of the program year prior to the program year for which the determination is made, exceeds 10 percent of the total amount of funds available to the State for that prior program year, consisting of the State allotment to the State for such prior program year (including amounts from State allotments to the State, for all program years before that prior program year) that remained available.''.

(b) WITHIN STATE ALLOCATIONS.—Section 128(c)(2) is amended to read as follows:

''(2) AMOUNT.—

''(A) IN GENERAL.—The amount available for allocation for a program year is equal to the amount by which the balance that is unobligated and unencumbered for training services at the end of the program year prior to the program year for which the determination is made, exceeds 10 percent of the total amount of funds available to the local area for that prior program year, consisting of the local allocation to the local area for such prior program year (including amounts from local allocations to the local area, for all program years before that prior program year) that remained available.

''(B) BALANCE OF FUNDS.—For purposes of this paragraph, the balance that is unobligated and unencumbered for training services is the amount that is the difference between—

''(i) the total amount of funds available to the local area under this section for that prior program year consisting of the local allocation to the local area for such prior program year (including amounts from local allocations to the local area for all program years before that prior program year) that remained available; and

''(ii) the amount, from that total amount of available funds, that is obligated or encumbered (in accordance with generally accepted accounting principles) for training services during such prior program year, except that for purposes of this paragraph the amount included as encumbered for raining services shall not exceed 10 percent of the total amount of available funds described in clause (i).''.

(c) REQUIRED STATEWIDE YOUTH ACTIVITIES.—Section 129(b)(2) is amended—

(1) in subparagraph (C)—

(A) by inserting '', or that fail to meet local performance accountability measures,'' after ''concentrations of eligible youth''; and

(B) by striking the period at the end and inserting ''; and''; and

(2) by adding at the end the following new subparagraph:

''(D) providing technical assistance to, as appropriate, local boards, one-stop operators, and eligible providers, including support for the training or staff in evidence-based practices for serving eligible youth (including joint training) and facilitating remote access to services provided through the one-stop delivery system.''.

(d) LOCAL ELEMENTS AND REQUIREMENTS.—Section 129(c) is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking ''shall identify an'' and inserting ''shall identify career pathways that include education and employment goals''; and

(B) in subparagraph (C)—

(i) in clause (i), by striking '', in appropriate cases'';

(ii) in clause (ii), by striking ''strong linkages between academic and occupational learning'' and inserting ''activities leading to the attainment of a secondary school diploma or its recognized equivalent, or a recognized postsecondary credential''; and

(iii) in clause (iv)—

(I) by inserting ''employers, including small employers, and in-demand occupations'' after ''effective connections to''; and

(II) by striking subclauses (I) and (II);

(2) in paragraph (2)—

(A) by striking subparagraph (C) and redesignating subparagraphs (D) through (J) as subparagraphs (C) through (I), respectively;

(B) in subparagraph (C) (as so redesignated)—

(i) by striking ''work experiences as appropriate,'' and inserting ''work experiences that include academic, area career and technical education or occupational education to ensure youth are college and career ready,''; and

(ii) after ''including internships,'' by inserting ''summer employment, pre-apprenticeships programs, on-the-job training,'';

(C) in subparagraph (E) (as so redesignated), by inserting ''such as youth service and conservation corps,'' after ''include community service'';

(D) in subparagraph (F) (as so redesignated), by inserting '', financial literacy education, and entrepreneurial skills training'' after ''supportive services''; and

(E) in subparagraph (I) (as so redesignated), after ''which'', by inserting ''shall include career counseling and career exploration services, as appropriate, and'';

(3) in paragraph (3)(C), by inserting ''and family members, mentors,'' after ''parents''; and

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

''(A) IN GENERAL.—For any program year, not less than 60 percent of the funds described in paragraph (1) shall be used to provide youth workforce investment activities for out-of-school youth.''.

SEC. 117. ADULT AND DISLOCATED WORKER TRAINING ACTIVITIES.

(a) DEFINITION OF DISADVANTAGED ADULT.—Section 132(b)(1)(v)(IV) is amended by striking ''does not exceed and all that follow'' and inserting ''150 percent of the poverty line.''.

(b) REALLOTMENT.—Section 132(c)(2) is amended to read as follows:

''(2) AMOUNT.—The amount available for reallotment for a program year is equal to the amount by which the unobligated balance from State allotments to the State at the end of the program year prior to the program year for which the determination is made, exceeds 10 percent of the total amount of funds available to the State for that prior program year, consisting of the State allotment to the State for such prior program year (including amounts from State allotments to the State, for all program years before that prior program year) that remained available.''.

(c) TRANSFER AUTHORITY.—Section 133(b)(4) is amended by striking ''20 percent'' both places it appears and inserting ''30 percent''.

(d) WITHIN STATE REALLOCATION.—Section 133(c) 2 is amended to read as follows:

''(2) AMOUNT.—

''(A) IN GENERAL.—The amount available for allocation for a program year is equal to the amount by which the balance that is unobligated and unencumbered for training services at the end of the program year prior to the program year for which the determination is made, exceeds 10 percent of the total amount of funds available to the local area for that prior program year, consisting of the local allocation to the local area for such prior program year (including amounts from local allocations to the local area, for all program years before that prior program year) that remained available.

''(B) BALANCE OF FUNDS.—For purposes of this paragraph, the balance that is unobligated and unencumbered for training services is the amount that is the difference between—

''(i) the total amount of funds available to the local area under this section for that prior program year consisting of the local allocation to the local area for such prior program year (including amounts from local allocations to the local area for all program years before that prior program year) that remained available; and

''(ii) the amount, from that total amount of available funds, that is obligated or encumbered (in accordance with generally accepted accounting principles) for training services during such prior program year, except that for purposes of this paragraph the amount included as encumbered for raining services shall not exceed 10 percent of the total amount of available funds described in clause (i).''.

(e) USE OF UNOBLIGATED RAPID-RESPONSE FUNDS.—Section 134(a)(2) is amended—

(1) in subparagraph (A)—

(A) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively;

(B) by striking ''A State shall use'' and inserting:

''(i) IN GENERAL.—A State shall use''; and

(C) by adding at the end the following:

''(ii) USE OF UNOBLIGATED FUNDS.—Funds reserved by a Governor under section 133(a)(2) to carry out this subparagraph that remain unobligated after the first program year for which such funds were allotted may be used by the Governor to carry out statewide activities authorized under subparagraph (B) or paragraph (3)(A), in addition to activities under this subparagraph.''; and

(2) in subparagraph (B)—

(A) in clause (v), by striking ''; and'' and inserting a semicolon;

(B) in clause (vi), by striking the period and inserting ''; and''; and

(C) by adding at the end the following new clause:

''(vii) developing, implementing, and using layoff aversion strategies in collaboration with appropriate economic development and private sector entities, for implementation of strategies that may include early identification of firms at risk of layoffs, use of feasability studies to assess the needs of and options for at-risk firms and the delivery of employment, training, economic development, investment and financial restructuring activities to address identified risk factors.''.

(f) SHARED SERVICES.—Section 134(d)(1)(B) is amended—

(1) by striking ''A portion'' and inserting the following:

''(i) IN GENERAL.—A portion''; and

(2) by adding at the end the following:

''(ii) ADDITIONAL COSTS OF ONE-STOP.—Subject to the memorandum of understanding described in section 121(c) for the one-stop delivery system involved, in addition to the funds provided for one-stop infrastructure described in section 137(d), a portion of funds made available under Federal law authorizing the programs described in section 121(b) and administered by one-stop partners, or the noncash resources available under such programs, shall be used to pay the additional costs relating to the operation of the one-stop delivery system that are not paid from the funds provided under section 137(d), as determined in accordance with clause (iv), to the extent not inconsistent with the Federal law involved. Such costs shall include the costs of the provision of core services described in section 134(d)(2) applicable to each program and may include common costs that are not paid from the funds provided under section 137(d).

''(iii) SHARED SERVICES.—Costs of shared services may include costs of services that are authorized for and may be commonly provided through the one-stop partner programs to any individuals, such as initial intake, assessment of needs, appraisal of basic skills, identification of appropriate services to meet such needs, referrals to other one-stop partners, and other similar services.

''(iv) DETERMINATION AND GUIDANCE.—The method for determining the appropriate portion of funds and noncash resources to be provided by the one-stop partner for each program for a one-stop center shall be determined as part of the development of the memorandum or understanding under subsection (c) for the one-stop center and shall be stated in the memorandum. The State board shall provide guidance to facilitate the determination, for purposes of the memorandum of understanding, of an appropriate allocation of the funds and noncash resources in local areas.''.

(g) TRAINING SERVICES.—Section 134(d)(4) is amended—

(1) in subparagraph (B), by adding at the end the following:

''(iii) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to require an individual to receive core or intensive services under paragraphs (2) or (3), respectively, prior to receiving training services under this paragraph.'';

(2) in subparagraph (D)—

(A) in clause (ix), by striking ''; and'' and inserting a semicolon; and

(B) by adding at the end the following:

''(x) education, training, and skill upgrading for individuals to work and maintain proficiency as workplace learning advisors in programs sponsored by employers or joint labor-management partnerships.'';

(3) in subparagraph (E)—

(A) by striking ''In the event'' through ''priority'' and inserting ''With respect to funds allocated to a local area for adult employment and training activities, priority'';

(B) by inserting ''individuals with barriers to employment'' after ''public assistance and other''; and

(C) by striking ''making determination related to'' and inserting ''implementing'';

(4) by striking subparagraph (G) and inserting the following:

''(G) USE OF INDIVIDUAL TRAINING ACCOUNTS.—

''(i) IN GENERAL.—Except as provided in clause (ii), training services provided under this paragraph shall be provided through the use of individual training accounts in accordance with this paragraph, and shall be provided to eligible individuals through the one-stop delivery system.

''(ii) TRAINING CONTRACTS.—Training services authorized under this paragraph may be provided pursuant to a contract for services in lieu of an individual training account if—

''(I) the requirements of subparagraph (F) are met;

''(II) such services are on-the-job training, registered apprenticeships, customized training, incumbent worker training, entrpreneurial skills training, or transitional employment;

''(III) the local board determines there are an insufficient number of eligible providers of training services in the local area involved (such as in a rural area) to accomplish the purposes of a system of individual training accounts;

''(IV) the local board determines that there is a training services program of demonstrated effectiveness offered in the local area by a community-based organization or another private organization to serve individuals with barriers to employment; or

''(V) the local board determines that it would be most appropriate to award a contract to an institution of higher education or other eligible provider of training services, including area career and technical education centers in order to facilitate the training of multiple individuals in in-demand industry sectors or occupations and that such contract does not limit customer choice.

''(iii) LINKAGE TO OCCUPATIONS IN DEMAND.—Training services provided under this paragraph shall be directly linked to an in-demand industry sector or occupation in the local area or region, or in another area to which an adult or dislocated worker receiving such services is willing to relocate, except that a local board may approve training services for occupations determined by the local board to be in sectors of the economy that have a high potential for sustained demand or growth in the local area.

''(iv) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to preclude the combined use of individual training accounts and contracts in the provision of training services, including arrangements that allow individuals receiving individual training accounts to obtain training services that are contracted for under clause (ii).''; and

(5) by adding at the end the following:

''(H) REIMBURSEMENT FOR ON-THE-JOB TRAINING.—

''(i) REIMBURSEMENT LEVEL.—For purposes of the provision of on-the-job training under this paragraph, the Governor or local board involved may increase the amount of the reimbursement described in section 101(31) to an amount of up to 75 percent of the wage rate of a participant for a program carried out under this chapter, if, respectively—

''(I) the Governor approves the increase with respect to a program carried out with funds reserved by the State under that chapter, taking into account the factors described in clause (ii); or

''(II) the local board approves the increase with respect to a program carried out with funds allocated to a local area under such chapter, taking into account those factors.

''(ii) FACTORS.—For purposes of clause (i), the Governor or local board, respectively, shall take into account factors consisting of—

''(I) the characteristics of the participants;

''(II) the size and resources of the employer;

''(III) the likely employment opportunities available to workers who complete an on-the-job training program; and

''(IV) such other factors as the Governor or local board, respectively, may determine to be appropriate, which may include the number of employees participating in the training, wage and benefit levels of those employees (at present and anticipated upon completion of the training), relation of the training to the competitiveness of a participant, and other employer-provided training and advancement opportunities.''.

(h) INCUMBENT WORKER TRAINING PROGRAMS AND TRANSITIONAL JOBS.—Section 134(e) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking ''; and'' and inserting a semicolon;

(B) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(C) work support activities designed to assist low-wage workers in retaining and enhancing employment, such as the provision of activities described in this section during nontraditional hours and the provision of child care while such activities are being provided.''; and

(2) by adding at the end the following new paragraphs:

''(4) INCUMBENT WORKER TRAINING PROGRAMS.—

''(A) IN GENERAL.—

''(i) STANDARD RESERVATION OF FUNDS.—Except as provided in clause (ii), the local board may reserve and use not more than 15 percent of the funds allocated to the local area involved under section 133(b) to pay for the Federal share of the cost of providing training through a training program for incumbent workers, carried out in accordance with this paragraph.

''(ii) INCREASED RESERVATION OF FUNDS.—If the local board determines that there is sufficient evidence that use of the funds reserved under clause (i) led to employee retention by and contributed to creation of new jobs with employers that participated in incumbent worker training programs, the local board may reserve and use not more than a total of 20 percent of such funds to pay for the Federal share of such costs.

''(iii) DETERMINATION OF ELIGIBILITY.—For the purpose of determining the eligibility of an employer to receive funding under clause (i), the local board shall take into account factors consisting of—

''(I) the characteristics of the participants in the program;

''(II) the relationship of the training to the competitiveness of a participant and the employer; and

''(III) such other factors as the local board may determine to be appropriate, which may include the number of employees participating in the training, the wage and benefit levels of those employees (at present and anticipated upon completion of the training), and the existence of other training and advancement opportunities provided by the employer.

''(iv) STATEWIDE IMPACT.—The Governor or State board involved may make recommendations to the local board for providing incumbent worker training that has statewide impact.

''(B) TRAINING ACTIVITIES.—The training program for incumbent workers carried out under this paragraph shall be carried out by the local board in conjunction with the employers or groups of employers of such workers, or a labor-management partnership, including joint registered apprenticeship programs, for the purpose of assisting such workers in obtaining the skills necessary to retain employment or avert layoffs.

''(C) EMPLOYER PAYMENT OF NON-FEDERAL SHARE.—Employers participating in the program carried out under this paragraph shall be required to pay for the non-Federal share of the cost of providing the training to incumbent workers of the employers.

''(D) NON-FEDERAL SHARE.—

''(i) FACTORS.—Subject to clause (ii), the local board shall establish the non-Federal share of such cost (taking into consideration such other factors as the number of employees participating in the training, the wage and benefit levels of the employees (at the beginning and anticipated upon completion of the training), the relationship of the training to the competitiveness of the employer and employees, and the availability of other employer-provided training and advancement opportunities).

''(ii) LIMITS.—The non-Federal share shall not be less than—

''(I) 10 percent of the cost for employers with not more than 50 employees;

''(II) 25 percent of the cost, for employers with more than 50 employees but not more than 100 employees; and

''(III) 50 percent of the cost, for employers with more than 100 employees.

''(iii) CALCULATION OF EMPLOYER SHARE.—The non-Federal share provided by an employer participating in the program may include the amount of the wages paid by the employer to a worker while the worker is attending a training program under this paragraph.

''(E) WORKER PROTECTIONS.—If an incumbent worker training program is proposed for an employer whose workers are covered by a collective bargaining agreement, the union representing those workers will be consulted regarding the incumbent worker training program and concur prior to the start of the program.

''(5) TRANSITIONAL JOBS.—The local board may use not more than 15 percent of the funds allocated to the local area involved under section 133(b) to provide transitional jobs under subsection (c)(4) that—

''(A) are time-limited work experiences in integrated settings that are subsidized and are in the public, private, or nonprofit sectors for individuals with barriers to employment who are chronically unemployed, have no employment experience or have an inconsistent work history;

''(B) are combined with comprehensive employment and supportive services;

''(C) are designed to assist the individuals described in subparagraph (A) to establish a work history, demonstrate success in the workplace, and develop the skills that lead to entry into and retention in unsubsidized employment; and

''(D) assist in placement or hiring to an unsubsidized job.''.

SEC. 118. UNIFIED PERFORMANCE ACCOUNTABILITY SYSTEM.

Section 136 is amended to read as follows:

''SEC. 136. UNIFIED PERFORMANCE ACCOUNTABILITY SYSTEM.

''(a) PURPOSE.—The purpose of this section is to establish shared performance accountability measures that apply across the core programs to assess the effectiveness of States and local areas in achieving positive outcomes for individuals served by those programs.

''(b) STATE UNIFIED PERFORMANCE ACCOUNTABILITY MEASURES.—

''(1) IN GENERAL.—For each State, the unified performance accountability measures for the core programs shall consist of—

''(A)(i) the primary indicators of performance described in paragraph (2)(A); and

''(ii) the additional indicators of performance (if any) identified by the State under paragraph (2)(B); and

''(B) A State adjusted level of performance for each indicator described in subparagraph (A).

''(2) INDICATORS OF PERFORMANCE.—

''(A) PRIMARY INDICATORS OF PERFORMANCE.—

''(i) IN GENERAL.—The State primary indicators of performance for activities provided under the adult and dislocated worker programs authorized under chapter 6 of subtitle B of title I, the program of adult education and literacy activities authorized under title II, the employment services program authorized under sections 1 through 13 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.) (except that subclauses (IV) and (V) shall not apply to such program), and the program authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741), shall consist of—

''(I) the percentage and number of program participants who are in unsubsidized employment during the second quarter after exit from the program;

''(II) the percentage and number of program participants who are in unsubsidized employment during the fourth quarter after exit from the program;

''(III) the median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program compared to the median earnings of such participants prior to the training;

''(IV) the percentage of program participants who obtain a recognized postsecondary credential, including in a registered apprenticeship or on-the-job training program, or a secondary school diploma or its recognized equivalent (subject to clause (iii)), during participation in or within 1 year after exit from the program;

''(V) the percentage of program participants who, during a program year, are in an education or training program, including a registered apprenticeship or on-the-job training program, that leads to a recognized postsecondary credential or a secondary school diploma or its recognized equivalent, or employment and who are achieving measurable basic skill gains toward such a credential or employment; and

''(VI) the indicators of effectiveness in serving employers established pursuant to clause (iv).

''(ii) PRIMARY INDICATORS OF PERFORMANCE FOR ELIGIBLE YOUTH.—The primary indicators of performance for the youth program authorized under chapter 4 of this subtitle shall consist of—

''(I) the percentage and number of program participants who are in education or training activities, or in unsubsidized employment during the second quarter after exit from the program;

''(II) the percentage and number of program participants who are in education or training activities, or in unsubsidized employment, during the fourth quarter after exit from the program;

''(III) the median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program compared to the median earnings of such participants prior to the training;

''(IV) the percentage of program participants who obtain a recognized postsecondary credential described in clause (i)(IV), or a secondary school diploma or its recognized equivalent subject to clause (iii) during participation in or within 1 year after exit from the program;

''(V) the percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or a secondary school diploma or its recognized equivalent, or employment and who are achieving measurable basic skill gains toward such a secondary credential or employment; and

''(VI) the indicators of effectiveness in serving employers established pursuant to clause (iv).

''(iii) INDICATOR RELATING TO CREDENTIAL.—For purposes of clause (i)(IV) or (ii)(IV), program participants who obtain a secondary school diploma or its recognized equivalent shall be included in the percentage counted as meeting the criterion under such clause only if such participants, in addition to obtaining such diploma or its recognized equivalent, have obtained or retained employment, have been removed from public assistance, or are in an education or training program leading to a recognized postsecondary credential described in clause (i)(IV) within 1 year after exit from the program.

''(iv) INDICATOR FOR SERVICES TO EMPLOYERS.—Prior to the commencement of the second full program year after the date of enactment of this Act, for purposes of clauses (i)(VI) and (ii)(V), the Secretary of Labor and the Secretary of Education after consultation with the representatives described in subsection (h)(2), shall jointly develop and establish, for purposes of this subparagraph, 1 or more primary indicators of performance

that indicate the effectiveness of the core programs in serving employers.

''(B) ADDITIONAL INDICATORS.—A State may identify in the State plan additional performance accountability indicators.

''(3) LEVELS OF PERFORMANCE.—

''(A) STATE ADJUSTED LEVELS OF PERFORMANCE FOR PRIMARY INDICATORS.—

''(i) IN GENERAL.—For each State submitting a State plan, there shall be established, in accordance with this subparagraph, levels of performance for each of the corresponding primary indicators of performance described in paragraph (2) for each of the programs described in clause (ii).

''(ii) INCLUDED PROGRAMS.—The programs included under clause (i) are—

''(I) the youth program authorized under chapter 4 of this subtitle;

''(II) the adult program authorized under chapter 5 of this subtitle;

''(III) the dislocated worker program authorized under chapter 5 of this subtitle;

''(IV) the program of adult education and literacy activities authorized under title II;

''(V) the employment services program authorized under sections 1 through 13 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.); and

''(VI) the program authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741).

''(iii) IDENTIFICATION OF STATE PLAN.—Each State shall identify, in the State plan, expected levels of performance for each of the corresponding primary indicators of performance for each of the programs described in clause (ii) for the first 2 program years covered by the State plan.

''(iv) AGREEMENT OF STATE ADJUSTED LEVELS OF PERFORMANCE.—

''(I) FIRST 2 YEARS.—The State shall reach agreement with the Secretary of Labor and the Secretary of Education on levels of performance for each indicator described in clause (iii) for each of the programs described in clause (ii) for each of the first 2 program years covered by the State plan. In reaching the agreement, the State and Secretaries shall take into account the levels identified in the State plan under clause (iii) and the factors described in clause (v). The levels agreed to shall be considered to be the State adjusted levels of performance for the State for such program years and shall be incorporated into the State plan prior to the approval of such plan.

''(II) THIRD AND FOURTH YEAR.—The State and the Secretaries shall reach agreement, prior to the third program year covered by the State plan, on levels of performance for each indicator described in clause (iii) for each of the programs described in clause (ii) for each of the third and fourth program years covered by the State plan. In reaching the agreement, the State and Secretaries shall take into account the factors described in clause (v). The levels agreed to shall be considered to be the State adjusted levels of performance for the State for such program years and shall be incorporated into the State plan as a modification to the plan.

''(v) FACTORS.—In reaching the agreements described in clause (iv), the State and Secretaries shall—

''(I) take into account how the levels involved compare with the State adjusted levels of performance established for other States;

''(II) ensure that the levels involved are adjusted, using the objective statistical model established by the Secretaries pursuant to clause (viii), based on the difference among States in economic conditions (including differences in unemployment rates and job losses or gains in particular industries) and the characteristics of participants when the participants entered the program involved, including indicators of poor work history, lack of work experience, lack of educational or occupational skills attainment, dislocation from high-wage and high-benefit employment, low levels of literacy or English proficiency, disability status, homelessness, ex-offender status, and welfare dependency;

''(III) take into account the extent to which the levels involved promote continuous improvement in performance accountability on the performance accountability measures by such State and ensure optimal return on the investment of Federal funds; and

''(IV) take into account the extent to which the levels involved will assist the State in meeting the goals described in clause (vi).

''(vi) GOALS.—In order to promote enhanced performance outcomes and to facilitate the process of reaching agreements with the States under clause (iv), the Secretary of labor and the Secretary of Education shall establish performance goals for the core programs, in accordance with the Government Performance and Results Act of 1993 and in consultation with States and other appropriate parties. Such goals shall be long-term goals for the adjusted levels of performance to be achieved by each of the programs described in clause (ii) regarding the corresponding primary indicators of performance described in paragraph (2)(A).

''(vii) REVISIONS BASED ON ECONOMIC CONDITIONS AND INDIVIDUALS SERVED DURING THE PROGRAM YEAR.—The Secretary of Labor and the Secretary of Education shall, in accordance with the objective statistical model developed pursuant to clause (viii), revise the State adjusted levels of performance applicable for each of the programs described in clause (ii), for a program year and a State, to reflect the economic conditions and characteristics of participants (as described in clause (v)(II)) in that program during such program year in a such State.

''(viii) STATISTICAL ADJUSTMENT MODEL.—The Secretary of Labor and the Secretary of Education, after consultation with the representatives described in subsection (h)(2), shall develop and disseminate an objective statistical model that will be used to make the adjustments in the State adjusted levels of performance for economic conditions and characteristics of participants under clauses (v) and (vii).

''(B) LEVELS OF PERFORMANCE FOR ADDITIONAL INDICATORS.—The State may identify, in the State plan, State levels of performance for each of the additional indicators identified under paragraph (2)(B). Such levels shall be considered to be State adjusted levels of performance for purposes of this section.

''(C) ALTERNATE GUIDELINES FOR MEASURING PERFORMANCE FOR ENTREPRENEURIAL TRAINING SERVICES.—The Secretary of Labor shall establish alternate guidelines for measuring the progress of State and local performance for entrepreneurial training services, as authorized in section 134(d)(4)(D)(vi) and provide the State and local Workforce Investment Boards with specific guidance on successful approaches to collecting performance information on entrepreneurial self employment. In determining the alternate guidelines, the Secretary shall consider utilizing a State's waiver authority, as authorized in section 189(i)(4).

''(c) LOCAL PERFORMANCE ACCOUNTABILITY MEASURES.—

''(1) IN GENERAL.—For each local area in a State designated under section 116, the local performance accountability measures for each of the program described in subclauses (I) through (III) of subsection (b)(3)(A)(ii) shall consist of—

''(A)(i) the primary indicators of performance described in subsection (b)(2)(A) that are applicable to such programs; and

''(ii) additional indicators of performance, if any, identified by the State for such programs under subsection (b)(2)(B); and

''(B) the local level of performance for each indicator described in subparagraph (A).

''(2) LOCAL LEVEL OF PERFORMANCE.—The local board, the chief elected official, and the Governor shall negotiate and reach agreement on local levels of performance based on the State adjusted levels of performance established under subsection (b)(3)(A).

''(3) ADJUSTMENT FACTORS.—In negotiating the local levels of performance, the local board, the chief elected official, and the Governor shall make adjustments for the expected economic conditions and the expected characteristics of participants to be served in the local area, using the statistical adjustment model developed pursuant to subsection (b)(3)(A)(viii). In addition, the negotiated local levels of performance applicable to a program year shall be revised to reflect the economic conditions experienced and the characteristics of the populations served in the local area during such program year using the statistical adjustment model.

''(d) PERFORMANCE ACCOUNTABILITY REPORTS.—

''(1) IN GENERAL.—Not later than 6 months after the date of enactment of the Workforce Investment Act of 2012, the Secretary of Labor and the Secretary of Education shall jointly develop a template for performance reports that shall be used by States, local boards, and eligible providers of training services under section 122 to report on outcomes achieved by the core programs, and to report on quantifiable benchmarks established in the State plan as described in section 112 or the State unified plan described in section 113 that demonstrate annual improvement with respect to each of the system-wide performance indicators established under subsection (j)(2) of this section.

''(2) CONTENTS OF STATE PERFORMANCE REPORTS.—The performance report for a State shall include, subject to paragraph (5)(C)—

''(A) information specifying the levels of performance achieved with respect to the primary indicators of performance described in subsection (b)(2)(A) for each of the programs described in subsection (b)(3)(A)(ii) and the State adjusted levels of performance with respect to such indicators for each program;

''(B) information specifying the levels of performance achieved with respect to the primary indicators of performance described in subsection (b)(2)(A) for each of the programs described in subsection (b)(3)(A)(ii) with respect to individuals with barriers to employment, disaggregated by each subpopulation of such individuals;

''(C) the total number of participants served by each type of service of the programs described in subsection (b)(3)(A)(ii), and the types of core, intensive, and training services provided;

''(D) the number of individuals with barriers to employment served by each type of service by each of the programs described in subsection (b)(3)(A)(ii), disaggregated by each subpopulation of such individuals;

''(E) the number of participants who are enrolled in more than 1 of the programs described in subsection (b)(3)(A)(ii); and

''(F) other information that facilitates comparisons of programs with programs in other States.

''(3) CONTENTS OF LOCAL AREA PERFORMANCE REPORTS.—The performance reports for a local area shall include, subject to paragraph (5)(C)—

''(A) information specifying the levels of performance achieved with respect to the

primary indicators of performance described in subsection (b)(2)(A) for each of the programs described in subclauses (I) through (III) of subsection (b)(3)(A)(ii), and the local adjusted levels of performance with respect to such indicators for each program;

''(B) information specifying the levels of performance achieved with respect to the primary indicators of performance described in subsection (b)(2)(A) for each of the programs described in subclauses (I) through (III) of subsection (b)(3)(A)(ii) with respect to individuals with barriers to employment, disaggregated by each subpopulation of such individuals;

''(C) the total number of participants served by each of the programs described in subclauses (I) through (III) of subsection (b)(3)(A)(ii), and the types of core, intensive, and training services provided;

''(D) the number of individuals with barriers to employment served by each of the programs described in subclauses (I) through (III) of subsection (b)(3)(A)(ii), disaggregated by each subpopulation of such individuals;

''(E) the number of participants who are enrolled in any of the programs described in subclauses (I) through (III) of subsection (b)(3)(A)(ii) who are enrolled in more than 1 program described in subsection (b)(3)(A)(ii); and

''(F) other information that facilitates comparisons of programs with programs in other local areas (or planning regions, as appropriate).

''(4) CONTENTS OF ELIGIBLE TRAINING PROVIDERS PERFORMANCE REPORTS.—The performance report for an eligible provider of training services under section 122 shall include, subject to paragraph (5)(C), with respect to each program of training services, including core, intensive, and training services, of such provider—

''(A) information specifying the levels of performance achieved with respect to the primary indicators of performance described in subclauses (I) through (IV) of subsection (b)(2)(A)(i) with respect to participants served under the adult and dislocated worker programs under chapter 5 of this subtitle; and

''(B) the number of participants served under each of the adult and dislocated worker programs under chapter 5 of this subtitle and the number of individuals with barriers to employment served under each of such programs, disaggregated by each subpopulation of such individuals.

''(5) PUBLICATION.—

''(A) STATE PERFORMANCE REPORTS.—The Secretary of Labor and the Secretary of Education shall annually make publically available, including by electronic means, the performance reports for States and local areas containing the information described in paragraph (2).

''(B) LOCAL AREA AND ELIGIBLE TRAINING PROVIDER PERFORMANCE REPORTS.—The State shall make publically available, including by electronic means, the performance reports for the local areas containing the information described in paragraph (3) and the performance reports for eligible providers of training services containing the information described in paragraph (4).

''(C) RULES FOR REPORTING OF DATA.—The disaggregation of data under this subsection shall not be required when the number of participants in a category is insufficient to yield statistically reliable information or when the results would reveal personally identifiable information about an individual participant.

''(e) EVALUATION OF STATE PROGRAMS.—

''(1) IN GENERAL.—Using funds authorized under a core program and made available to carry out this section, the State, in coordination with local boards in the State and the State agencies responsible for the administration of the core programs, shall conduct ongoing evaluations of activities carried out in the State under such programs and in accordance with the State unified plan. The State, local boards, and State agencies shall conduct the evaluations in order to promote, establish, implement, and utilize methods for continuously improving core program activities in order to achieve high-level performance within, and high-level outcomes from, the workforce investment system. To the maximum extent practicable, the State shall coordinate the valuations with the evaluations provided for the Secretary of Labor and Secretary of Education under section 172, section 343(b)(3)(E), section 10(b) of the Wagner-Peyser Act (29 U.S.C. 49i(b)), and sections 12(a)(5), 14, and 107 of the Rehabilitation Act of 1973 (29 U.S.C. 709(a)(5), 711, 727) (applied with respect to programs carried out under title I of that Act).

''(2) DESIGN.—The evaluations conducted under this subsection shall be designed in conjunction with the State board, State agencies responsible for the administration of the core programs, and local boards and shall include analysis of customer feedback and outcome and process measures in the statewide workforce investment system. The evaluations may include the use of control groups.

''(3) RESULTS.—The State shall periodically prepare, submit to the State board and local boards in the State, and make available to the public, including by electronic means, reports containing the results of evaluations conducted under this subsection, to promote the efficiency and effectiveness of the workforce investment system.

''(f) SANCTIONS FOR STATE FAILURE TO MEET STATE PERFORMANCE ACCOUNTABILITY MEASURES.—

''(1) STATES.—

''(A) TECHNICAL ASSISTANCE.—If a State fails to meet the State adjusted levels of performance relating to indicators described in subsection (b)(2)(A) for a program for any program year, the Secretary of Labor and the Secretary of Education shall, upon request, provide technical assistance, including assistance in the development of a performance improvement plan.

''(B) REDUCTION IN AMOUNT OF GRANT.—If such failure continues for a second consecutive year, or if a State fails to submit a report under subsection (d) for any program year, the Secretary of Labor or the Secretary of Education, as appropriate, may reduce by not more than 5 percent, the amount of the allotment that would (in the absence of this paragraph) be payable to the State under such program for the immediately succeeding program year. Such penalty shall be based on the degree of failure to meet State adjusted levels of performance.

''(2) FUNDS RESULTING FROM REDUCED ALLOTMENTS.—The Secretary of Labor or the Secretary of Education, as appropriate, shall use any amount retained, as a result of a reduction in an allotment to a State made under paragraph (1)(B), to provide technical assistance to the States the Secretaries determine to be appropriate to improve the performance of their core programs.

''(g) SANCTIONS FOR LOCAL AREA FAILURE TO MEET LOCAL PERFORMANCE ACCOUNTABILITY MEASURES.—

''(1) TECHNICAL ASSISTANCE.—If a local area fails to meet local performance accountability measures established under subsection (c) for the youth, adult, or dislocated worker program authorized under chapter 2 or 3 of subtitle B of title I for a program described in subsection (d)(2)(A) for any program year, the Governor, or upon request by the Governor, the Secretary of Labor, shall provide technical assistance, which may include assistance in the development of a performance improvement plan, or the development of a modified local plan or regional plan.

''(2) CORRECTIVE ACTIONS.—

''(A) IN GENERAL.—If such failure continues for a second consecutive year, the Governor shall take corrective actions, which may include development of a reorganization plan through which the Governor may—

''(i) require the appointment and certification of a new local board, consistent with the criteria established under section 117(b)(1);

''(ii) prohibit the use of eligible providers and one-stop partners identified as achieving a poor level of performance;

''(iii) redesignate the local area in accordance with section 116; or

''(iv) take such other actions as the Governor determines are appropriate.

''(B) APPEAL BY LOCAL AREA.—

''(i) APPEAL TO GOVERNOR.—The local board and chief elected official for a local area that is subject to a reorganization plan under subparagraph (A) may, not later than 30 days after receiving notice of the reorganization plan, appeal to the Governor to rescind or revise such plan. In such case, the Governor shall make a final decision not later than 30 days after the receipt of the appeal.

''(ii) SUBSEQUENT ACTION.—The local board and chief elected official for a local area may, not later than 30 days after receiving a decision from the Governor pursuant to clause (i), appeal such decision to the Secretary of Labor. In such case, the Secretary shall make a final decision not later than 30 days after the receipt of the appeal.

''(C) EFFECTIVE DATE.—The decision made by the Governor under subparagraph (B)(i) shall become effective at the time the Governor issues the decision pursuant to such clause. Such decision shall remain effective unless the Secretary of Labor rescinds or revises such plan pursuant to subparagraph (B)(ii).

''(h) DEFINITIONS OF INDICATORS OF PERFORMANCE.—

''(1) IN GENERAL.—In order to ensure nationwide comparability of performance data, the Secretary of Labor and the Secretary of Education, after consultation with representatives described in paragraph (2), shall issue definitions for the indicators described in this section.

''(2) REPRESENTATIVES.—The representatives referred to in paragraph (1) are representatives of States and political subdivisions, business and industry, employees, eligible providers of activities carried out through the core programs, educators, researchers, participants, the lead State agency officials with responsibility for the programs carried out through the core programs, individuals with expertise in service individuals with barriers to employment, and other interested parties.

''(i) FISCAL AND MANAGEMENT ACCOUNTABILITY INFORMATION SYSTEMS.—

''(1) WAGE RECORDS.—In measuring the progress of the State across all core programs as identified in section 136(b)(2)(A) on State and local performance accountability measures, a State shall utilize quarterly wage records, consistent with State law. The Secretary of Labor shall make arrangements, consistent with State law, to ensure that the wage records of any State are available to any other State to the extent that such wage records are required by the State in carrying out the State plan of the State or completing the annual report described in subsection (d).

''(2) CONFIDENTIALITY.—In carrying out the requirements of this Act, the State shall comply with section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

''(j) SYSTEM-WIDE IMPROVEMENTS.—

''(1) PURPOSE.—The purpose of this subsection is to establish system-wide improvements across all programs to enhance data collection, ensure accountability and increase administrative efficiencies in employment and training programs that will expand the capacity and improve the performance of the workforce system.

''(2) DEVELOPMENT AND IMPLEMENTATION.—

''(A) IN GENERAL.—The Secretary of Labor and the Secretary of Education, after consultation with the representatives described in subsection (h)(2), shall develop system-wide performance measures across the one-stop partner programs described in section 121(b) to measure the collective effectiveness of the workforce investment system in aligning and coordinating the core programs and other one-stop partner programs, employers as a meaningful system partner to address businesses and other employer immediate and long-term skilled workforce needs in in-demand, high-growth, and other occupations important to a State, regional, or local economy, expanding access to education and training for participants (including participants with barriers to employment), and establishing or strengthening credential attainment and measurement strategies. Not later than the beginning of the third program year, the Secretary of Labor and the Secretary of Education after consultation with the representatives described in subsection (h)(2), shall develop system-wide performance accountability measures.

''(B) BENCHMARKS.—Not later than the beginning of the third program year, each State shall include in the State plan described in section 112 or the State unified plan described in section 113 quantifiable benchmarks that demonstrate annual improvement with respect to each of the system-wide performance indicators established under this section.

''(C) REQUIREMENTS.—For each State, the system-wide performance accountability measures shall consist of—

''(i) the indicators of performance described in paragraph (3) (A) through (D);

''(ii) any other indicators established by the Secretary of Labor and the Secretary of Education in consultation with the representatives described in subsection (h)(2); and

''(iii) a State adjusted level of performance for each indicator described in paragraph (3).

''(3) INDICATORS OF PERFORMANCE.—The indicators of system-wide performance shall be measured from baseline data collected in the first year after the date of enactment of this subsection and shall consist of the following:

''(A) INDICATORS OF EFFECTIVENESS IN ENGAGING EMPLOYERS AS A SYSTEM PARTNER.—The State indicators of effectiveness in serving employers shall at a minimum consist of—

''(i) the number and percentage of employers in the State using one-stops;

''(ii) the total number of returning employers in the State using one-stops and one-stop partner program services, including training;

''(iii) the number of training modules created for specific employers or groups of employers; and

''(iv) the size of each employer in the State using one-stops and one-stop partner programs services.

''(B) INDICATORS OF EXPANDED ACCESS TO TRAINING SERVICES.—The State indicators of expanded access to training services shall at a minimum consist of—

''(i) the number and percentage of participants who received training or education services under a one-stop partner program;

''(ii) the number and percentage of participants and youth with barriers to employment who received services from a one-stop partner program resulting in entry into an education and training program that leads to employment or a recognized postsecondary credential;

''(iii) the total number and percentage of participants concurrently enrolled in two or more core programs, or in at least one other one-stop partner program;

''(iv) the number and percentage of participants engaged in career pathways; and

''(v) the total number and percentage of participants who are enrolled and whose training is co-funded by Pell grants or other sources of financial aid.

''(C) INDICATORS OF CREDENTIAL ATTAINMENT AND MEASUREMENT.—The State indicators of credential attainment and measurement shall at a minimum consist of the total number and percentage of recognized postsecondary credentials earned during the program year by, or awarded to, participants of programs described in section 136(b)(3)(A)(i).

''(D) ADDITIONAL INDICATORS.—A State may identify in a State plan additional system-wide performance accountability indicators.

''(4) LEVELS OF PERFORMANCE.—

''(A) STATE ADJUSTED LEVELS OF PERFORMANCE FOR SYSTEM-WIDE PERFORMANCE ACCOUNTABILITY INDICATORS.—

''(i) IN GENERAL.—For each State submitting a State plan under section 112 or section 113, there shall be established, in accordance with this paragraph, levels of performance for each of the system-wide performance accountability indicators that shall measure aggregate performance for the programs referred to in section 121(b)(1)(B), and which may include data from programs referred to in section 121(b)(2)(B).

''(ii) IDENTIFICATION IN STATE PLAN.—Prior to the third program year after enactment of this Act, each State shall identify, in the State plan, expected levels of performance for each of the corresponding system-wide performance accountability indicators under subsection (j)(2) for each of the third and fourth program years covered by the State plan.

''(iii) AGREEMENT ON STATE ADJUSTED LEVELS OF PERFORMANCE.—The State shall reach agreement with the Secretary of Labor and the Secretary of Education on levels of performance for each indicator under subsection (j)(2) for each of the third and fourth program years covered by the State plan. In reaching the agreement, the State and Secretaries shall take into account the levels identified in the State plan under clause (ii), and may take into account the factors described in subsection (c)(3)(A)(v).

''(B) LEVELS OF PERFORMANCE FOR ADDITIONAL INDICATORS.—The State may identify, in the State plan, State levels of performance for each of the additional indicators identified under subsection (j)(2)(E). Such levels shall be considered the State adjusted levels of performance for purposes of this section.

''(C) FAILURE TO MEET SYSTEM-WIDE PERFORMANCE ACCOUNTABILITY MEASURES.—If a State fails to meet State adjusted levels of performance relating to indicators described in paragraph (3) for any program year the Secretary of Labor and the Secretary of Education shall, upon request, provide technical assistance, including assistance in the development of a performance improvement plan.

''(5) REPORTS.—Not later than 1 year after the date of the enactment of the Workforce Investment Act of 2012, the Secretary of Labor shall report to the Committee on Education and the Workforce on the indicators described in paragraph (2) of this section and provide recommendations to the Committee on improving coordination and increasing efficiencies in one-stop partner programs.''.

SEC. 119. AUTHORIZATION OF FUNDING FOR ONE-STOP INFRASTRUCTURE.

Section 137 is amended by adding at the end the following:

''(d) ONE-STOP INFRASTRUCTURE.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to the funds authorized under subsections (a), (b), and (c), there is authorized to be appropriated an additional amount equal to 3 percent of the total of amounts appropriated under such subsections, for costs of infrastructure including rental costs and other expenses associated with establishing and maintaining one-stop centers in accordance with section 121.

''(2) ALLOTMENT.—The Secretary shall allot the funds appropriated pursuant to paragraph (1) for each fiscal year among the States as follows:

''(A) Two-thirds of such sums shall be allotted on the basis of the relative number of individuals in the civilian labor force in each State as compared to the total number of such individuals in all States.

''(B) One-third of such sums shall be allotted on the basis of the relative number of unemployed individuals in each State as compared to the total number of such individuals in all States.

For purposes of this paragraph, the number of individuals in the civilian labor force and the number of unemployed individuals shall be based on data for the most recent calendar year available, as determined by the Secretary.''.

Subtitle C—Job Corps

SEC. 131. PURPOSES.

Section 141(1) is amended to read as follows:

''(1) to maintain a national Job Corps program, carried out in partnership with States and communities, to—

''(A) assist eligible youth to connect to the labor force by providing them with intensive social, academic, career and technical education, and service-learning opportunities, in primarily residential centers, in order for such youth to obtain secondary school diplomas or recognized postsecondary credentials leading to—

''(i) successful careers, in in-demand industry sectors or occupations or the Armed Forces, that will result in economic self-sufficiency and opportunities for advancement; or

''(ii) enrollment in postsecondary education; and

''(B) support responsible citizenship;''.

SEC. 132. DEFINITIONS.

Section 142 is amended—

(1) in paragraph (2)—

(A) by striking ''customer service'';

(B) by striking ''intake'' and inserting ''assessment''; and

(C) by striking ''a Jobs Corps center'' and inserting ''support the purposes of the Jobs Corps'';

(2) in paragraph (4), by striking ''before completing the requirements'' and all that follows and inserting ''prior to becoming a graduate.'';

(3) in paragraph (5), by striking ''has completed the requirements'' and all that follows and inserting the following: ''who, as a result of participation in the Job Corps program, has received a secondary school diploma or recognized equivalent or completed the requirements of a career and technical education and training program that prepares individuals for employment leading to economic self-sufficiency or entrance into postsecondary education or training.'';

(4) in paragraph (9), by striking ''area served by a regional office of the Employment and Training Administration'' and inserting ''defined by the Secretary''; and

(5) by adding at the end the following:

''(11) STATE.—The term 'State' means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and American Samoa.''.

SEC. 133. INDIVIDUALS ELIGIBLE FOR THE JOB CORPS.

Section 144 is amended by adding at the end the following:

''(4) SPECIAL RULE FOR VETERANS.—Notwithstanding the requirement of paragraph (2), a veteran of the Armed Forces shall be eligible to become an enrollee under this section if the individual—

''(A) meets the requirements of paragraphs (1) and (3); and

''(B) does not meet the requirement of paragraph (2) because the military income earned by such individual within the 6-month period prior to the individual's application for Job Corps prevents the individual from meeting such requirement.''.

SEC. 134. RECRUITMENT, SCREENING, SELECTION, AND ASSIGNMENT OF ENROLLEES.

Section 145 is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (C)(i), by striking ''vocational'' and inserting ''career and technical education and training''; and

(B) by amending subparagraph (E) to read as follows:

''(E) assure appropriate representation of enrollees from urban areas and from rural areas.'';

(2) in subsection (a)(3)—

(A) in subparagraph (B), by striking ''; and'' and inserting a semicolon;

(B) in subparagraph (C), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(D) child welfare agencies that are responsible for children in foster care and children eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677).'';

(3) in subsection (b)(1)(B), by inserting ''and agrees to such rules'' after ''failure to observe the rules'';

(4) in subsection (c)—

(A) in paragraph (1) in the matter preceding subparagraph (A), by striking ''an assignment'' and inserting ''a'';

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking ''the Secretary shall, every 2 years, analyze, for the Job Corps center—'' and inserting ''every 2 years the Secretary, in consultation with operators of Job Corps centers, shall analyze relevant factors relating to each Job Corps center, including—'';

(C) in subparagraph (B), by striking ''; and'' and inserting a semicolon;

(D) in subparagraph (C)—

(i) by inserting ''the education, training, and supportive'' after ''including''; and

(ii) by adding ''and'' after the semicolon; and

(E) by adding at the end the following:

''(D) the performance of the Job Corps center relating to the expected levels of performance for the indicators described in section 159(c)(1), and whether any actions have been taken with respect to such center pursuant to paragraphs (2) and (3) of section 159(f).''; and

(5) in subsection (d)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''is closest to the home of the enrollee, except that the'' and inserting ''offers the type of career and technical education and training selected by the individual and, among the centers that offer such education and training, is closest to the home of the individual. The''; and

(ii) by striking subparagraph (A) and redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively; and

(B) in paragraph (2), by striking ''to the home of'' and inserting ''to the home of that offers the career and technical education and training desired by''.

SEC. 135. ENROLLMENT.

Section 146(b) is amended—

(1) in paragraph (1), by striking ''or''; and

(2) by redesignating paragraph (2) as paragraph (4) and inserting after paragraph (1) the following:

''(2) in the case of an individual with a disability who would reasonably be expected to meet the standards for a Job Corps graduate, as defined under section 142(5), if allowed to participate in the Job Corps for not more than 1 additional year;

''(3) in the case of an individual who participates in national service, as authorized by a Civilian Conservation Center program, who would be granted an enrollment extension in the Job Corps for the amount of time equal to the period of national service; or''.

SEC. 136. JOB CORPS CENTERS.

Section 147 is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''vocational'' both places it appears and inserting ''career and technical''; and

(ii) in subparagraph (B), by inserting '', or other entity with the necessary capacity,'' after ''local entity''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''subsections (c) and (d) of section 303 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253)'' and inserting ''subsections (a) and (b) of section 3304 of title 41, United States Code,''; and

(ii) in subparagraph (B)(i)—

(I) in subclause (II), by striking ''vocational'' and inserting ''career and technical education and'';

(II) in subclause (III), by striking ''is familiar with the surrounding communities,'' and inserting ''demonstrates relationships with the surrounding communities, employers, labor organizations, workforce boards,''; and

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

''(IV) the performance of the entity, if any, relating to operating or providing activities described in this subtitle to a Job Corps center, including the entity's demonstrated effectiveness in assisting individuals in achieving the primary indicators of performance for eligible youth described in section 136(b)(2)(A)(ii).''; and

(2) by amending subsection (c) to read as follows:

''(c) CIVILIAN CONSERVATION CENTERS.—

''(1) IN GENERAL.—The Job Corps centers may include Civilian Conservation Centers, operated under an agreement between the Secretary of Labor and the Secretary of Agriculture, that are located primarily in rural areas. Such centers shall provide, in addition to academics, career and technical education and training, and workforce preparation skills training, programs of work experience to conserve, develop, or manage public natural resources or public recreational areas or to develop community projects in the public interest.

''(2) ASSISTANCE DURING DISASTERS.—Enrollees in Civilian Conservation Centers may provide assistance in addressing national, State, and local disasters, consistent with current child labor laws and regulations. The Secretary of Agriculture shall ensure that with respect to the provision of such assistance the enrollees are properly trained, equipped, supervised, and dispatched consistent with standards for the conservation and rehabilitation of wildlife established under the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.).

''(3) NATIONAL LIAISON.—The Secretary of Agriculture shall designate a Job Corps National Liaison to support the agreement under this section between the Departments of Labor and Agriculture.''.

SEC. 137. PROGRAM ACTIVITIES.

Section 148 is amended—

(1) by amending subsection (a) to read as follows:

''(a) ACTIVITIES PROVIDED BY JOB CORPS CENTERS.—

''(1) IN GENERAL.—Each Job Corps center shall provide enrollees with an intensive, organized, and supervised program of education, including English language acquisition programs, career and technical education and training, work experience, work-based learning, recreational activities, physical rehabilitation and development, and counseling, which may include information about financial literacy. Each Job Corps center shall provide enrollees assigned to the center with access to core services described in section 134(c)(2) and the intensive services described in section 134(c)(3).

''(2) RELATIONSHIP TO OPPORTUNITIES.—

''(A) IN GENERAL.—The activities provided under this subsection shall be targeted to helping enrollees, on completion of their enrollment—

''(i) secure and maintain meaningful unsubsidized employment;

''(ii) enroll in and complete secondary education or postsecondary education or training programs, including other suitable career and technical education and training, and registered apprenticeship programs; or

''(iii) satisfy Armed Forces requirements.

''(3) LINK TO EMPLOYMENT OPPORTUNITIES.—The career and technical education and training provided shall be linked to the employment opportunities in the local area in which the enrollee intends to seek employment after graduation.'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''EDUCATION AND VOCATIONAL'' and inserting ''ACADEMIC AND CAREER AND TECHNICAL EDUCATION AND'';

(B) by striking ''education and vocational'' and inserting ''career and technical education'';

(C) by striking ''vocational educational'' and inserting ''career and technical educational''; and

(D) by striking ''or technical institutes'' and inserting ''technical institutes, or national service providers'';

(3) in subsection (c)—

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

''(2) BENEFITS.—During the period of participation in an advanced career training program, an enrollee shall be eligible for full Job Corps benefits, or a monthly stipend equal to the average value of the residential support, food, allowances, and other benefits provided to enrollees assigned to residential Job Corps centers.''; and

(B) in paragraph (3), by striking ''Each year,'' and inserting ''The Secretary shall develop standards by which''; and

(4) by amending subsection (d) to read as follows:

''(d) GRADUATE SERVICES.—In order to promote the retention of graduates in employment or postsecondary education, the Secretary shall arrange for the provision of job placement and support services to graduates for up to 12 months after the date of graduation. One-stop partners, may support the provision of these services, including services from the State vocational rehabilitation agency to supplement job placement and job

development efforts for Job Corps graduates who are individuals with disabilities.''.

SEC. 138. SUPPORT.

Section 150(b) is amended—

(1) in the subsection heading, by striking ''READJUSTMENT ALLOWANCES'' and inserting ''TRANSITION ALLOWANCES AND SUPPORT'';

(2) in paragraph (1)—

(A) in the paragraph heading, by striking ''GRADUATES'' and inserting ''ALLOWANCES FOR GRADUATES'';

(B) in the first sentence, by striking ''readjustment'' and inserting ''transition''; and

(C) by striking the second and third sentences, and inserting the following: ''The transition allowance shall be incentive-based to reflect a graduate's completion of academic, career and technical education or training, and attainment of recognized postsecondary credentials.''; and

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

''(2) TRANSITION SUPPORT FOR FORMER ENROLLEES.—The Secretary may arrange for the provision of 3 months of employment services for former enrollees.''.

SEC. 139. COMMUNITY PARTICIPATION.

Section 153 is amended—

(1) by amending subsections (a) and (b) to read as follows:

''(a) BUSINESS AND COMMUNITY PARTICIPATION.—The director of each Job Corps center shall ensure the establishment and development of the business and community networks described in subsection (b) in order to enhance the effectiveness of such centers. At centers where a national training contractor provides career and technical education training, and has direct and long-standing linkages to registered apprenticeship programs or affiliated national employer groups, the national training contractor shall have the lead in maintaining networks with the programs described in clauses (ii) and (iii) of subsections (b)(1)(C).

''(b) NETWORKS.—The activities carried out by each Job Corps center under this section shall include—

''(1) establishing and developing relationships and networks with—

''(A) local and distant employers, to the extent practicable, in coordination with other Federal and non-Federal programs that conduct similar outreach to employers;

''(B) applicable one-stop centers and applicable local boards, for the purpose of providing—

''(i) information to, and referral of, potential enrollees; and

''(ii) job opportunities for Job Corps graduates; and

''(C)(i) youth programs;

''(ii) registered apprenticeship programs, labor-management organizations and local labor organizations;

''(iii) employers and contractors that support national training contractor programs; and

''(iv) community-based organizations, nonprofit organizations, and intermediaries providing workforce development-related services; and

''(2) establishing and developing relationships with members of the community in which the Job Corps center is located, informing members of the community about the projects of the Job Corps center and changes in the rules, procedures, or activities of the center that may affect the community, and planning events of mutual interest to the community and the Job Corps center.''; and

(2) in subsection (c)—

(A) by striking ''Liaison for'' and inserting ''director of a''; and

(B) by striking ''establish and develop'' and inserting ''ensure the establishment and development of''.

SEC. 140. INDUSTRY COUNCILS.

Section 154 is amended—

(1) in subsection (a), by striking ''after consultation with the Liaison''; and

(2) in subsection (b)—

(A) in paragraph (1)(A)(ii), by striking ''area'' and inserting ''areas in which enrollees will be seeking employment'';

(B) by adding after paragraph (2) the following:

''(3) EMPLOYERS OUTSIDE OF LOCAL AREA.—The industry council for a Job Corps center may include, or otherwise provide for consultation with, employers from outside the local area who are likely to hire a significant number of enrollees from the Job Corps center.

''(4) SPECIAL RULE FOR SINGLE STATE LOCAL AREAS.—In the case of a single State local area designated under section 116(b), the industry council shall include a representative of the State Board.''; and

(C) in subsection (c), by striking ''vocational'' each place it appears and inserting ''career and technical education and''.

SEC. 141. EXPERIMENTAL, RESEARCH, AND DEMONSTRATION PROJECTS AND COLLEGE CORPS PROGRAM.

(a) MISCELLANEOUS AMENDMENTS.—Section 156 is amended—

(1) by striking ''The Secretary'' and inserting ''(a) IN GENERAL.—The Secretary'';

(2) by striking ''program and may waive'' and inserting ''program. The Secretary may waive''; and

(3) by inserting before the period the following: ''if the Secretary informs the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives, in writing, not less than 90 days in advance of issuing such waiver.''.

(b) COLLEGE CORPS.—Section 156 is further amended by adding at the end the following new subsection:

''(b) COLLEGE CORPS.—

''(1) ESTABLISHMENT.—The Secretary of Labor and the Secretary of Education shall jointly establish a demonstration project under this section to be known as the 'College Corps' that provide at-risk youth intensive education and skills training in order to prepare such youth for college and for high-skilled employment that can only be achieved with a college degree.

''(2) SELECTION OF SITES.—The Secretary of Labor and the Secretary of Education shall jointly select sites to participate, on a competitive basis, from among underperforming Jobs Corps centers in areas with low levels of college attainment.

''(3) ELIGIBLE OPERATORS.—The Secretary shall select College Corps center operators on a competitive basis from among nonprofit organizations with prior success operating high-performing, college and career-ready education residential programs for at-risk young people.

''(4) ADMINISTRATION PROJECTS.—

''(A) IN GENERAL.—The Secretary shall administer the College Corps sites in collaboration with the Secretary of Education with the development of an interagency agreement that identifies the duties and responsibilities of the Departments under these projects.

''(B) PARTNERSHIPS.—As part of the interagency agreement, the Secretary of Education will be responsible for partnering with a State or local education agency for the purposes of granting a high school diploma that adheres to college and career ready standards and accessing State and local education dollars.

''(C) DEADLINE.—A grant, contract, or cooperative agreement to operate at least one center shall be awarded to an eligible operative within 1 year from enactment.

''(5) ELIGIBLE PARTICIPANTS.—Individuals eligible to participate in College Corps projects under this subsection shall be low-income youth who are in 6th or 7th grade at the time they begin participation who meet at least two of the following criteria:

''(A) Have a record of suspensions, office referrals, or chronic truancy.

''(B) Have failed to achieve proficiency on State assessment in mathematics, reading, or both.

''(C) Live in a household that is headed by a single parent or non-custodial parent.

''(D) Is homeless or is a foster child.

''(E) Live in a household that is public housing or receives public housing assistance.

''(F) Have an immediate family member who is or has been incarcerated.''.

SEC. 142. TECHNICAL AMENDMENT.

Section 158(c)(1) is amended by striking ''title II of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481 et seq.)'' and inserting ''chapter 5 of title 40, United States Code,''.

SEC. 143. PERFORMANCE ACCOUNTABILITY AND MANAGEMENT.

Section 159 is amended—

(1) in the section heading, by striking ''**MANAGEMENT INFORMATION**'' and inserting ''**PERFORMANCE ACCOUNTABILITY AND MANAGEMENT**''; and

(2) by striking subsections (c) through (f), redesignating subsection (g) as subsection (j), and inserting after subsection (b) the following:

''(c) INFORMATION ON INDICATORS OF PERFORMANCE.—

''(1) LEVELS OF PERFORMANCE AND INDICATORS.—The Secretary shall annually establish expected levels of performance for Job Corps centers and the Job Corps program relating to each of the primary indicators of performance for eligible youth activities described in section 136(b)(2)(A)(ii).

''(2) PERFORMANCE OF RECRUITERS.—The Secretary shall also establish performance indicators, and expected performance levels on the performance indicators, for recruitment service providers serving the Job Corps program. The performance indicators shall relate to the number of enrollees recruited, compared to the established goals for such recruitment, and the number of enrollees who remain committed to the program for 90 days after enrollment.

''(3) PERFORMANCE OF CAREER TRANSITION SERVICE PROVIDERS.—The Secretary also shall establish performance indicators, and expected levels of performance for such indicators, for local and national career transition service provides serving the Job Corps program. The performance indicators shall include the number of graduates and former enrollees—

''(A) who entered an unsubsidized employment related to the training they received at Job Corps and their average wage; and

''(B) who entered other types of unsubsidized employment, the military, postsecondary education, or advanced training programs, including registered apprenticeship programs, and their average wage, if applicable.

''(4) REPORT.—The Secretary shall collect, and annually submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives, a report containing—

''(A) information on the performance of each Job Corps center, and the Job Corps program, on the performance indicators described in paragraph (1), as compared to the expected level of performance established

under such paragraph for each performance accountability measure; and

''(B) information on the performance of the service providers described in paragraph (2) on the performance indicators established under such paragraph, as compared to the expected performance levels for the performance indicators.

''(d) ADDITIONAL INFORMATION.—

''(1) IN GENERAL.—The Secretary shall also collect, and submit in the report described in subsection (c), information on the performance of each Job Corps center, and the Job Corps program, regarding—

''(A) the number of enrollees entering and completing by field of education or training;

''(B) demographic information on the enrollees served, including age, race, gender, and education and income level;

''(C) the number of graduates who entered the Armed Forces;

''(D) the number of graduates who entered unsubsidized employment related to the career and technical education and training received through the Job Corps program and the number who entered unsubsidized employment not related to the education and training received;

''(E) the starting hourly wages of graduates and whether they receive other forms of compensation and benefits;

''(F) the number and percentage of former enrollees, including the number dismissed under the zero tolerance policy described in section 152(b); and

''(G) any additional information required by the Secretary.

''(2) RULES FOR REPORTING OF DATA.—The disaggregation of data under this subsection shall not be required when the number of individuals in a category is insufficient to yield statistically reliable information or when the results would reveal personally identifiable information about an individual.

''(e) METHODS.—The Secretary shall collect the information described in subsections (c) and (d), using methods described in section 136(i)(2) and consistent with State law, by entering into agreements with the States to access such data for Job Corps enrollees, former enrollees, and graduates.

''(f) PERFORMANCE ASSESSMENTS AND IMPROVEMENTS.—

''(1) ASSESSMENTS.—The Secretary shall conduct an annual assessment of the performance of each Job Corps center. Based on the assessment, the Secretary shall take measures to continuously improve the performance of the Job Corps program.

''(2) PERFORMANCE IMPROVEMENT.—With respect to a Job Corps center that fails to meet the expected levels of performance relating to the primary indicators of performance specified in subsection (c)(1), the Secretary shall develop and implement a performance improvement plan. Such a plan shall require action to be taken during a one-year period, including—

''(A) providing technical assistance to the center;

''(B) changing the career and technical education and training offered at the center;

''(C) changing the management staff of the center;

''(D) replacing the operator of the center;

''(E) reducing the capacity of the center;

''(F) relocating the center; or

''(G) closing the center.

''(3) ADDITIONAL PERFORMANCE IMPROVEMENT.—In addition to the performance improvement plans required under paragraph (2), the Secretary may develop and implement additional performance improvement plans. Such a plan shall require improvements, including the actions described in such paragraph, for a Job Corps center that fails to meet criteria established by the Secretary other than the expected levels of performance described in such paragraph.

''(4) CIVILIAN CONSERVATION CENTERS.—With respect to a Civilian Conservation Center that fails to meet the expected levels of performance relating to the primary indicators of performance specified in subsection (c)(1), or fails to improve performance as described in paragraph (2), the Secretary, in consultation with the Secretary of Agriculture, may select an entity to operate a Civilian Conservation Center on a competitive basis, in accordance with the requirements of section 147(a)(2)(B).

''(g) PARTICIPANT HEALTH AND SAFETY.—The Secretary shall require that an entity that has entered into a contract with a Job Corps operator to provide work-based learning activities for any Job Corps enrollee under this subtitle shall comply with the Occupational Safety and Health Act of 1970 (20 U.S.C. 651 et seq.) or, as appropriate, under the corresponding State Occupational Safety and Health Act of 1970 requirements in the State in which such activities occur.

''(h) BUILDINGS AND FACILITIES.—The Secretary shall collect, and submit in the report described in subsection (c), information regarding the state of Job Corps buildings and facilities. Such report shall include—

''(1) a review of requested construction, rehabilitation, and acquisition projects, by each Job Corps center; and

''(2) a review of new facilities under construction.

''(i) NATIONAL AND COMMUNITY SERVICE.—The Secretary shall include in the report described in subsection (c) available information regarding the national and community service activities of enrollees, particularly those enrollees at Civilian Conservation Centers.''.

SEC. 144. AUTHORIZATION OF APPROPRIATIONS.

Section 161 is amended by striking ''fiscal years 1999 through 2003'' and inserting ''fiscal years 2013 through 2017''.

Subtitle D—National Programs

SEC. 151. NATIVE AMERICAN PROGRAMS.

Section 166 is amended—

(1) in subsection (a)(1)(B), by inserting ''and to equip them with the entrepreneurial skills necessary for successful self-employment'' after ''workforce'';

(2) in subsection (c)(2), by adding at the end the following: ''The Secretary may exercise the waiver authority of the preceding sentence not more than once during any 4-year period with respect to any single recipient.'';

(3) in subsection (d)—

(A) in paragraph (1)(B)—

(i) by inserting ''Alaska Natives'' after ''Indians'';

(ii) by striking ''unsubsidized''; and

(iii) by inserting ''leading to self-sufficiency and the development of the academic, occupational, and literacy skills of such individuals'' before the period; and

(B) in paragraph (2)—

(i) in subparagraph (A)(i), by inserting '', including training on entrepreneurial skills'' before the semicolon; and

(ii) in subparagraph (A)(ii), by inserting ''Alaska Native'' after ''Indian'';

(4) in subsection (e)—

(A) in paragraph (3)—

(i) by striking ''unsubsidized''; and

(ii) by inserting ''leading to self-sufficiency'' before the semicolon; and

(B) in paragraph (5)—

(i) by inserting ''accountability'' after ''performance''; and

(ii) by inserting '', which shall include the primary indicators of performance described in section 136(b)(2)(A) and expected levels of performance for such indicators, in accordance with subsection (h)'' before the period;

(5) by redesignating subsections (h) through (j) as subsections (i) through (k), respectively, and inserting after subsection (g) the following new subsection:

''(h) PERFORMANCE ACCOUNTABILITY MEASURES.—

''(1) ADDITIONAL PERFORMANCE INDICATORS AND STANDARDS.—

''(A) DEVELOPMENT OF INDICATORS AND STANDARDS.—The Secretary, in consultation with the Native American Employment and Training Council, shall develop a set of performance indicators and standards that is in addition to the primary indicators of performance described in section 136(b)(2)(A) and that shall be applicable to programs under this section.

''(B) SPECIAL CONSIDERATIONS.—Such performance indicators and standards shall take into account—

''(i) the purpose of this section as described in subsection (a)(1);

''(ii) the needs of the groups served by this section, including the differences in needs among such groups in various geographic service areas; and

''(iii) the economic circumstances of the communities served, including differences in circumstances among various geographic service areas.

''(C) AGREEMENT ON ADJUSTED LEVELS OF PERFORMANCE.—The Secretary and the entity described in subsection (c) shall reach agreement on the levels of performance for each of the primary indicators of performance described in section 136(b)(2)(A), taking into account economic conditions, characteristics of the individuals served, and other appropriate factors and using, to the extent practicable, the statistical adjustment model under section 136(b)(3)(A)(viii). The levels agreed to shall be the adjusted levels of performance and shall be incorporated in the program plan.'';

(6) in subsection (i) (as so redesignated)—

(A) in paragraph (2)(A)—

(i) by striking ''performance measures'' and inserting ''regulations relating to the performance accountability measures''; and

(ii) by striking ''such subsection, taking into account the economic circumstances of such entities'' and inserting ''this section''; and

(B) in paragraph (4)(A), by inserting ''and to provide the advice described in subparagraph (C)'' before the period; and

(7) in subsection (k) (as so redesignated)—

(A) in paragraph (1) by striking ''American Samoans who reside in Hawaii for the co-location of federally funded and State-funded'' and inserting ''the Cook Inlet Tribal Council, Incorporated, and the University of Hawaii at Maui, for the unique populations who reside in Alaska or Hawaii, respectively, to improve job training and''; and

(B) in paragraph (2), by striking ''fiscal year 1999'' and inserting ''each of fiscal years 2013 through 2017''.

SEC. 152. MIGRANT AND SEASONAL FARMWORKER PROGRAMS.

Section 167 is amended—

(1) in subsection (b)—

(A) by inserting ''and deliver'' after ''administer''; and

(B) by inserting ''workforce investment'' after ''including youth'';

(2) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''identify'' and inserting ''describe the population to be served and identify''; and

(II) by inserting '', including upgraded employment in agriculture'' before the semicolon;

(ii) in subparagraph (B), by striking ''; and'' and inserting a semicolon;

(iii) in subparagraph (C)—

(I) by striking ''indicators of performance'' and inserting ''performance accountability measures''; and

(II) by inserting '', which shall include the expected levels of performance for the primary indicators of performance described in section 136(b)(2)(A)'' before the semicolon; and

(iv) by inserting after subparagraph (C) the following new subparagraphs:

''(D) describe the availability and accessibility of local resources such as supportive services, services provided through one-stop delivery systems, and education and training services, and how the resources can be made available to the population to be served; and

''(E) describe the plan for providing services under this section, including strategies and systems for outreach, career planning, assessment, and delivery through one-stop delivery systems.'';

(B) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively, and inserting after paragraph (2) the following new paragraph:

''(3) AGREEMENT ON ADJUSTED LEVELS OF PERFORMANCE.—The Secretary and the entity described in subsection (b) shall reach agreement on the levels of performance for each of the primary indicators of performance described in section 136(b)(2)(A), taking into account economic conditions, characteristics of the individuals served, and other appropriate factors, and using, to the extent practicable the statistical adjustment model under section 136(b)(3)(A)(viii). The levels agreed to shall be the adjusted levels of performance and shall be incorporated in the program plan.''; and

(C) in paragraph (5)(B) (as so redesignated)—

(i) by striking ''grant or contract'' the first place it appears and inserting ''grant, contract, or agreement'';

(ii) by striking ''under the terms of the grant agreement or contract'';

(iii) by striking ''requirement'' and inserting ''requirements'';

(iv) by striking ''plan described in paragraph (1)'' and inserting ''program plan''; and

(v) by striking ''grant or contract'' the second place it appears and inserting ''period of the grant, contract, or agreement'';

(3) by amending subsection (d) to read as follows:

''(d) AUTHORIZED ACTIVITIES.—Funds made available under this section and section 127 shall be used to carry out workforce investment activities (including youth workforce investment activities) and provide related assistance for eligible migrant and seasonal farmworkers, which may include—

''(1) outreach, employment, training, educational assistance, literacy assistance, English language and literacy instruction, pesticide and worker safety training, housing (including permanent housing), supportive services, and school dropout prevention activities;

''(2) followup services for those individuals placed in employment;

''(3) self-employment and related business or micro-enterprise development education as needed by eligible individuals as identified pursuant to the plan required by subsection (c);

''(4) customized career and technical education in occupations that will lead to higher wages, enhanced benefits, and long-term employment in agriculture or another area; and

''(5) technical assistance to improve coordination of services and implement best practices relating to service delivery through one-stop delivery systems.'';

(4) by amending subsection (f) to read as follows:

''(f) REGULATIONS.—The Secretary shall establish regulations to carry out this section, including regulations relating to how economic and demographic barriers to employment of eligible migrant and seasonal farmworkers should be considered and included in the negotiations leading to the adjusted levels of performance described in subsection (c).'';

(5) in subsection (g), by striking ''(enacted by the Single Audit Act of 1984)''; and

(6) by amending subsection (h) and deleting subsection (i) to read as follows:

''(h) FUNDING ALLOCATION.—From the funds appropriated and made available to carry out this section, the Secretary may reserve not more than 1 percent for national purposes, such as providing technical assistance to eligible entities.''.

SEC. 153. VETERANS WORKFORCE INVESTMENT PROGRAMS.

Section 168 is amended—

(1) in subsection (a)(3)(A), by inserting '', including services provided by one-stop operators and one-stop partners'' before the semicolon;

(2) in subsection (b)(2)(A), by inserting ''accountability'' after ''performance''; and

(3) by adding at the end of subsection (b) the following new paragraph:

''(3) PERFORMANCE ACCOUNTABILITY MEASURES.—In carrying out the responsibilities relating to performance accountability measures described in paragraph (2)(A), the Assistant Secretary for Veterans' Employment and Training shall, for each grant or contract under this section providing education, training, or employment services to veterans, include among such measures the primary indicators of performance described in section 136(b)(2)(A)(i) and adjusted levels of performance for each such indicator that are agreed to by the Assistant Secretary and the recipient of the grant or contract.''.

SEC. 154. REPEAL.

Section 169 is repealed.

SEC. 155. TECHNICAL ASSISTANCE.

Section 170 is amended by adding at the end the following new subsection:

''(c) PROMISING AND PROVEN PRACTICES COORDINATION.—Consistent with the identification and dissemination of promising and proven practices under subtitle B of title I, the Secretary shall—

''(1) establish a system through which States and local areas share information regarding promising and proven practices with regard to the operation of workforce investment activities under this Act;

''(2) evaluate and disseminate information regarding such promising and proven practices and identify knowledge gaps; and

''(3) commission research under section 170(c) to address knowledge gaps identified under paragraph (2).''.

SEC. 156. INNOVATION PROJECTS.

Section 171 is amended—

(1) in the section heading, by striking ''**DEMONSTRATION, PILOT, MULTI-SERVICE, RESEARCH AND MULTISTATE PROJECTS**'' and inserting ''**INNOVATION PROJECTS**'';

(2) by amending subsections (b) and (c) to read as follows:

''(b) INNOVATION PROJECTS.—

''(1) IN GENERAL.—The Secretary shall, through grants or contracts, carry out demonstration and pilot projects that are consistent with the priorities specified in the plan published under subsection (a) and that are for the purposes of developing and implementing techniques and approaches, and demonstrating the effectiveness of specialized methods, in addressing employment and training needs. Such projects shall—

''(A) include the provision of direct services to individuals;

''(B) be subject to measures of performance that include the primary indicators of performance described in section 136(b)(2)(A) as well as other appropriate indicators; and

''(C) include an evaluation component as appropriate to the program design.

''(2) TYPES OF PROJECTS.—Such projects may include—

''(A) projects that assist employers in connecting with the workforce investment system established under this Act in order to facilitate the recruitment, employment, and retention of workers for jobs with career pathways and to provide information to such system on skills and high-growth occupations;

''(B) projects that focus on opportunities for employment in industries and sectors of industries that are experiencing, or are likely to experience, high rates of growth, including health care and advanced manufacturing sectors, and have jobs with wages and benefits leading to economic self-sufficiency;

''(C) projects that focus on local partnerships of industry, labor, community colleges, area career and technical education centers community-based organizations, and economic development organizations, to promote opportunities for dislocated workers and long-term unemployed to receive training and related services for employment and access to career ladders in high-demand sectors;

''(D) projects to determine the feasibility of, and potential means to replicate, measuring the compensation, including the wages, benefits, and other incentives provided by an employer, received by program participants by using data other than or in addition to data available through wage records, for potential use as a performance indicator;

''(E) projects to develop and implement promising or proven approaches and technologies, including the use of distance education and activities to increase the digital literacy of older individuals, in order to deliver employment related, work-based training services and recognized postsecondary credentials;

''(F) projects that provide retention grants, which grants shall—

''(i) be provided to job training and apprenticeship programs that have demonstrated expertise in serving low-income individuals and that offer instruction, assessment, and professional coaching, for each low-income individual who is retained in such employment with such employer for a period of 1 year; and

''(ii) be provided taking into account the economic benefit received by the Federal Government from the employment and retention of the individual, including the economic benefit from tax revenue and decreased public subsidies;

''(G) projects utilizing a pay-for-performance approach for providers of education, training, and employment services to individuals with barriers to employment, including services targeted to addressing the specific challenges and conditions that have created barriers for participants in programs under this Act;

''(H) projects that provide comprehensive education and training services, and support services, in coordination with local boards, for populations in targeted high poverty areas where the greatest barriers to employment exist, including ex-offenders, out-of-school youth, and public assistance recipient populations; and

''(I) projects that seek to replicate exemplary youth programs that have demonstrated effectiveness in 2 or more noncontiguous local areas in preparing youth for success in the workforce.

''(3) CONDITIONS.—

''(A) COMPETITIVE AWARDS.—Grants or contracts awarded for carrying out demonstration and pilot projects under this subsection shall be awarded on a competitive basis and in accordance with generally applicable Federal requirements.

''(B) TIME LIMITS.—The Secretary shall establish appropriate time limits for carrying out demonstration and pilot projects under this subsection.'';

(3) in subsection (e)(7), by striking ''(Public Law 109–58)'' and inserting ''(42 U.S.C. 15852)''; and

(4) by adding at the end the following:

''(f) SMALL BUSINESS LIAISON PILOT PROGRAM.—

''(1) ESTABLISHMENT OF SMALL BUSINESS LIAISON PILOT PROGRAM.—The Secretary may award competitive grants to local boards, community colleges, postsecondary vocational institutions, community-based organizations, and apprenticeship programs, including joint labor-management training programs, in States and outlying areas to promote local economic growth and eliminate gaps between the workforce skills available and the workforce skills needed in local areas or regions.

''(2) APPLICATION.—To receive a grant under this subsection a local board, community college, or postsecondary vocational institution in a State or outlying area shall submit to the Secretary an application in such manner, at such time, and containing such information as the Secretary may require.

''(3) SPECIFICATIONS OF GRANTS.—

''(A) TIME PERIOD.—A grant shall be used over a 36-month period.

''(B) AMOUNT OF GRANT.—In determining the amount of a grant made under this subsection, the Secretary may consider—

''(i) the ability of the grant applicant to conduct outreach activities;

''(ii) the ability of the grant applicant to conduct skills gap assessments;

''(iii) the extent to which the grant applicant works with or, after implementing a strategic skills gap action plan, plans to work with small businesses within its local area or region; and

''(iv) any other factor that the Secretary deems appropriate.

''(C) LIMITATIONS.—

''(i) A recipient may not receive more than one grant under this subsection.

''(ii) No grant under this subsection may be for an amount more than $500,000.

''(iii) The Secretary shall, in determining whether to award a grant, consider the geographic diversity of grant recipients.

''(D) USE OF FUNDS.—

''(i) IN GENERAL.—A local board, community college, or postsecondary vocational institution that receives a grant under this subsection shall use the grant funds to pay for a new or current employee to serve as liaison to conduct activities described in clause (ii).

''(ii) SMALL & LOCAL BUSINESS LIAISON.—The liaison—

''(I) shall—

''(aa) prepare a strategic action skills gap assessment;

''(bb) develop a strategic skills gap action plan; and

''(cc) conduct any other activity that the Secretary deems appropriate for the purposes of this subsection; and

''(II) may—

''(aa) engage in outreach in the local area or region;

''(bb) conduct business site visits, interviews, and assessments;

''(cc) consult in the implementation of the skills action plan;

''(dd) complete more than 1 skills gap action plan; and

''(ee) consult with the local offices of the Small Business Administration.

''(iii) PROHIBITION.—A grant received under this subsection may not be used to supplant existing funding or efforts.

''(E) CONFIDENTIALITY OF INFORMATION.—The grant recipient may not disclose the name, address, or contact information of a business, employer, or other person that provided information to the grant recipient to compile information in the strategic skills gap assessment or strategic skills gap action plan without consent of such business, employer, or other person.

''(4) REPORTING.—Each year, the Secretary shall report to the Congress—

''(A) the number of grants awarded under this subsection;

''(B) the recipients of grants awarded under this subsection;

''(C) the activities carried out by each recipient under paragraph (3)(D); and

''(D) an assessment describing—

''(i) the success of the program to promote local economic growth and eliminate gaps between the workforce skills available and the workforce skills needed in local areas or regions; and

''(ii) any recommendations for reauthorization and expansion of the program that the Secretary may have.

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

''(A) COMMUNITY COLLEGE.—The term 'community college' has the meaning given the term in section 312(f) of the Higher Education Act of 1965 (20 U.S.C. 1058(f)).

''(B) LOCAL AREA.—The term 'local area' means the labor market immediately surrounding or affected by a local board, community college, or postsecondary vocational institution.

''(C) POSTSECONDARY VOCATIONAL INSTITUTION.—The term 'postsecondary vocational institution' has the meaning given the term in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002(c)).

''(D) REGION.—The term 'region' means 2 or more local areas that comprise a common labor market for an industry sector of related occupations.

''(E) STRATEGIC SKILLS GAP ASSESSMENT.—The term 'strategic skills gap assessment' means an assessment that—

''(i) identifies areas of current and expected demand for labor and skills in a specific industry sector of related occupations that is—

''(I) producing jobs in the local area or region involved;

''(II) developing emerging jobs in the local area or region involved; or

''(III) suffering chronic worker shortages;

''(ii) identifies the current and expected supply of labor and skills in that sector or group in the local area or region;

''(iii) identifies gaps between the current and expected demand and supply of labor and skills in that section or group in the local area or region;

''(iv) contains the results of a survey or focus group interviews of employers, labor organizations, and other relevant individuals and organizations in the local area or region; and

''(v) contains data regarding—

''(I) specific employment opportunities offered by industries in the local area or region;

''(II) specific skills desired for employment opportunities offered by industries in the local area or region;

''(III) occupations and positions in the local area or region that are difficult to fill;

''(IV) specific skills desired for occupations and positions in the local area or region that are difficult to fill;

''(V) areas of growth and decline among industries and occupations in the local area or region;

''(VI) specific skills desired for areas of growth among industries and occupations in the local area or region; and

''(VII) specific inventories of skills of unemployed or underemployed individuals in the local area or region.

''(F) STRATEGIC SKILLS GAP ACTION PLAN.—The term 'strategic skills gap action plan' means a plan based on the strategic skills gap assessment that—

''(i) identifies—

''(I) specific barriers to adequate supply of labor and skills in demand in a specific industry sector of related occupations that is producing jobs in the local area or region; and

''(II) activities that will remove or alleviate the barriers described in subclause (I) that could be undertaken by the local board, community college, or postsecondary vocational institution;

''(ii) specifies how the local board, community college, or postsecondary vocational institution may integrate the activities described in clause (i) within the local area or region; and

''(iii) identifies resources and strategies that may be used in the local area or region to address the skills gaps for both unemployed and employed workers in that industry sector.

''(6) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary such sums as may be necessary to carry out this subsection.''.

SEC. 157. WORKFORCE AND YOUTH INNOVATION AND BEST PRACTICES GRANTS.

The Workforce Investment Act of 1998 is further amended by inserting after section 171 the following new sections:

''SEC. 171A. WORKFORCE INNOVATION AND BEST PRACTICES GRANTS.

''(a) PURPOSE.—It is the purpose of this section to—

''(1) promote the development of comprehensive workforce investment systems at the State, regional, and local levels that reflect the alignment of strategies and activities across the core programs and, where appropriate, across other workforce development, education, economic development, and human services programs, to provide effective, high quality, and client-centered services to job seekers and workers, youth, and employers;

''(2) promote innovation and to improve, replicate, and expand models and service delivery strategies of demonstrated effectiveness in meeting the education, training, and employment needs of job seekers and workers, and youth, including such individuals with barriers to employment, and employers; and

''(3) establish and improve programs for youth that provide access to career pathways that include the attainment of a recognized postsecondary credential or employment that leads to economic self-sufficiency.

''(b) PROGRAM AUTHORIZED.—From amounts appropriated to carry out this section, the Secretary of Labor and the Secretary of Education, in accordance with section 176, shall—

''(1) for the first program year that begins after the date of enactment of the Workforce Investment Act of 2013, award transition grants in accordance with section 175; and

''(2) with funds not awarded for transition grants under paragraph (1) for the first program years that begins after the date of enactment of the Workforce Investment Act of 2013, and for subsequent years, award workforce innovation and best practices grants to eligible entities in accordance with subsection (c).

''(c) WORKFORCE INNOVATION AND BEST PRACTICES GRANTS TO ELIGIBLE ENTITIES.—

''(1) IN GENERAL.—From funds described in subsection (b)(1), the Secretary of Labor and the Secretary of Education shall award workforce innovation and replication grants on a competitive basis to eligible entities in accordance with paragraph (2) to be used for the purposes set forth in subsection (a).

''(2) ELIGIBLE ENTITIES.—

''(A) IN GENERAL.—To be eligible to receive a grant under this subsection, a State partnership or regional entity shall meet the requirements of this paragraph, submit an application in accordance with subsection (e), and be in partnership with one or more of the following:

''(i) A nonprofit organization with relevant expertise, including a community-based organization.

''(ii) An institution of higher education, including a community college.

''(iii) A joint labor-management partnership.

''(B) STATE PARTNERSHIP.—For a State partnership to be eligible for funding under this subsection, a Governor of a State shall—

''(i) submit the application in partnership with the State board and with 1 or more regional entities in the State described in subparagraph (C); and

''(ii) demonstrate that the State has—

''(I) aligned the core programs;

''(II) made significant progress towards aligning the core programs with other workforce investment programs; and

''(III) achieved the alignments described in subclauses (I) and (II) consistent with the State plan.

''(C) REGIONAL ENTITIES.—To be identified as a regional entity and to be eligible for funding under this subsection, a local board for a local area that is aligned with a region, or all of the local boards for local areas that comprise a planning region under section 116(c), shall demonstrate that—

''(i) the application has been developed in consultation with the State and is not duplicative of other applications under this subsection submitted by a State partnership; and

''(ii) the local board, or all of the local boards for the planning region, has—

''(I) worked with the core programs to achieve alignment of such programs in the region;

''(II) made significant progress towards aligning the core programs with other workforce investment programs in the region; and

''(III) achieved the alignments described in subclauses (I) and (II) consistent with the State plan.

''(d) TYPES OF GRANTS AUTHORIZED.—

''(1) IN GENERAL.—From amounts appropriated to carry out this section, the Secretary of Labor and the Secretary of Education shall award eligible entities one or more of the following:

''(A) PLANNING GRANT.—The Secretary of Labor and the Secretary of Education may award a planning grant under this section, not to exceed a total of $250,000 for a 1-year period, to an eligible entity that—

''(i) is preparing to establish an innovative workforce investment project; and

''(ii) has not received a grant under this section.

''(B) INNOVATION GRANT.—The Secretaries may award an innovation grant under this section, not to exceed a total of $3,000,000 for a 2-year period to an eligible entity that—

''(i) has already received a planning grant under this section; or

''(ii) has already established an innovative workforce investment project.

''(C) SUSTAINABILITY GRANT.—The Secretaries may award a sustainability grant, not to exceed a total of $2,000,000 for a 2-year period or $5,000,000 for a 5-year period, to an eligible entity that—

''(i) has established an innovative workforce investment project that has demonstrated measurable improvements as measured by the performance measures set forth in section 136; and

''(ii) seeks to expand or replicate that project on the State, local, or regional level.

''(2) FEDERAL AND NON-FEDERAL SHARE.—The Federal share for the grants described in paragraph (1) shall be—

''(A) for a planning grant described in paragraph (1)(A), 100 percent;

''(B) for an innovation grant described in paragraph (1)(B)—

''(i) 90 percent of the costs of the activities carried out under the grant, in the first year of the grant;

''(ii) 80 percent of such costs in the second year of the grant; and

''(iii) 70 percent of such costs in the third year of the grant; and

''(C) for a sustainability grant described in paragraph (1)(C)—

''(i) for an eligible entity that receives a 2-year grant—

''(I) not more than 50 percent of the costs of the activities carried out under the grant, in the first year of the grant; and

''(II) not more than 30 percent of such costs in the second year of the grant; and

''(ii) for an eligible entity that receives a 5-year grant—

''(I) not more than 70 percent of the costs of the activities carried out under the grant, in the first year of the grant;

''(II) not more than 60 percent of such costs in the second year of the grant;

''(III) not more than 50 percent of such costs in the third year of the grant;

''(IV) not more than 40 percent of such costs in the fourth year of the grant; and

''(V) not more than 30 percent of such costs in the fifth year of the grant.

''(3) NON-FEDERAL SHARE.—The non-Federal share of an innovation or sustainability grant under this section may be in cash or in-kind, and may come from State, local, philanthropic, private, or other resources.

''(4) FINANCIAL HARDSHIP WAIVER.—The Secretary of Labor and the Secretary of Education may waive or reduce the matching share of an eligible entity that has submitted an application under this subsection if such entity demonstrates a need for such waiver or reduction due to financial hardship as defined by the Secretary of Labor and the Secretary of Education.

''(5) FISCAL AGENT.—Each eligible entity that is a State consortia or partnership receiving a grant under this subsection shall designate an entity in the partnership as the fiscal agent for purposes of this grant.

''(6) SUPPLEMENT NOT SUPPLANT.—Federal funds awarded under this section shall be used to supplement, not supplant non-Federal resources that would be used to support activities carried out as part of the innovative workforce investment project.

''(7) GRANT PERIOD.—

''(A) PLANNING GRANTS.—Grants awarded under paragraph (1)(A) shall be made for a period of not longer than 1 year.

''(B) INNOVATION GRANT.—Grants awarded under paragraph (1)(B) shall be made for a period of no longer than 3 years.

''(C) SUSTAINABILITY GRANT.—Grants awarded under paragraph (1)(C) shall be made for a period of no longer than 5 years.

''(e) APPLICATION.—An eligible entity seeking a grant under this section shall submit an application to the Secretary of Labor and the Secretary of Education at such time, in such manner, and containing such information as the Secretary of Labor and the Secretary of Education may require. An application submitted under this paragraph may include the following:

''(1) A description of the eligible entity, evidence of the eligible entity's capacity to carry out activities in support of the strategic objectives identified in the application under paragraph (4), and, if the eligible entity is a partnership, a description of the expected participation and responsibilities of each of the partners.

''(2) A description of the industry or targeted industry cluster that will be served through the project, including a description of how the skilled workforce needs of small- and medium-sized employers connected with that industry or industries will be addressed.

''(3) A description of the target worker populations to be served through the project, including a description of target worker populations with significant barriers to employment and a description of strategies that will be used to help overcome such barriers.

''(4) A description of the strategic objectives that the eligible entity seeks to achieve through the funded project for—

''(A) implementing career pathways strategies, which may include—

''(i) providing clear linkages between remedial, academic and occupational programs within educational institutions, and articulation of credits across institutions;

''(ii) designing curricula in terms of competencies required for education and career advancement, and, where possible, tied to industry skill standards, certifications or licensing requirements including those developed by industry or sector partnerships;

''(iii) offering programs at times and places (including workplaces) convenient for working adults and structured in small modules or 'chunks', each leading to recognized credential;

''(iv) allowing flexibility to enter and exit education as participants' circumstances permit;

''(v) providing support services, including career assessment and counseling, case management, child care, transportation, financial aid and job placement;

''(vi) creating 'bridge programs' for educationally disadvantaged youths and adults that teach basic skills such as office communication, math and problem solving in the context of training for advancement to better jobs and postsecondary training; and

''(vii) aligning both public and private funding sources, such as the Carl D. Perkins Career and Technical Education Act, Workforce Investment Act, Adult Education and Family Literacy Act, Temporary Assistance to Needy Families, State and Federal financial aid, and employer tuition reimbursement;

''(B) implementing industry or sector partnerships, which may include–

''(i) recruiting key stakeholders in the targeted industry cluster, such as multiple businesses and employers, labor organizations, local boards, and education and training providers, and regularly convening the stakeholders in a collaborative structure that supports the sharing of information, ideas, and challenges common to the targeted industry cluster;

''(ii) identifying the training needs of multiple businesses, especially skill gaps critical to competitiveness and innovation in the targeted industry cluster;

''(iii) facilitating economies of scale by aggregating training and education needs of multiple employers;

''(iv) helping postsecondary educational institutions, training institutions, apprenticeship programs, area career and technical education centers, and all other training programs authorized under this Act, align curricula, entrance requirements and programs to industry demand and nationally portable,

recognized postsecondary credentials (or, if not available for the targeted industry, other credentials, as determined appropriate by the Secretary), particularly for higher skill, high-priority occupations validated by the industry;

''(v) ensuring that the State agency carrying out the State program under the Wagner-Peyser Act (29 U.S.C. 49 et seq.), including staff of the agency that provide services under such Act, shall inform recipients of unemployment insurance of the job and training opportunities that may result from the implementation of this grant;

''(vi) informing and collaborating with organizations such as youth councils, business-education partnerships, apprenticeship programs, secondary schools, and postsecondary educational institutions, and with parents and career counselors, for the purpose of addressing the challenges of connecting disadvantaged adults and disadvantaged youth as defined in section in this Act to careers;

''(vii) helping companies identify, and work together to address, common organizational and human resource challenges, such as—

''(I) recruiting new workers;

''(II) implementing effective workplace practices;

''(III) retraining dislocated and incumbent workers;

''(IV) implementing a high-performance work organization;

''(V) recruiting and retaining women in nontraditional occupation;

''(VI) adopting new technologies; and

''(VII) fostering experiential and contextualized on-the-job learning;

''(viii) developing and strengthening career ladders within and across companies, in order to enable dislocated, incumbent and entry-level workers to improve skills and advance to higher-wage jobs;

''(ix) improving job quality through improving wages, benefits, and working conditions;

''(x) helping partner companies, industry or sector partnerships to attract potential employees from a diverse job seeker base, including individuals with barriers to employment (such as job seekers who are low income, youth, older workers, and individuals who have completed a term of imprisonment), by identifying such barriers through analysis of the existing labor market and implementing strategies to help such workers overcome such barriers; and

''(xi) strengthening connections among businesses in the targeted industry cluster, leading to cooperation beyond workforce issues that will improve competitiveness and job quality, such as joint purchasing, market research, or centers for technology and innovation; and

''(C) implementing credential attainment and measurement strategies, which may include—

''(i) establishing a cross agency committee (such as the State workforce investment board, a legislative task force, a P–20 Council, or some other agreed upon group) that is specifically focused on low and middle skill education and training outcomes to measure credential attainment through the State's workforce investment and training programs, by—

''(I) tracking, counting, measuring and public reporting credential attainment rates for all programs providing education and training beyond a high school diploma but less than a 4-year degree;

''(II) measuring the result of workforce training programs leading to an recognized postsecondary credential, certificate of degree;

''(III) establishing statewide policies, goals, and guidelines for the collection of credential outcome data for all employment and training programs and related programs and services within the State;

''(IV) engaging other related departments and agencies that may have data or are involved in activities related to workforce development and job training;

''(V) establishing standards and data collection infrastructure to assess the number of industry-recognized middle skill credentials or certificates produced through Federal or State programs, and their relation to labor market needs;

''(VI) setting credential attainment goals in high demand industry sector then monitor and measure progress over time; and

''(VII) providing an annual assessment and report to the Governor and Legislature about the type of credential outcomes produced by programs and provide recommendations to better align efforts across agencies to meet employer demand;

''(ii) ensuring the collection of credential outcome data from a range of public workforce and education programs to ensure State agencies and programs are increasing the number of workers with the skills and credentials needed to fill the projected demand for middle and high skilled jobs;

''(iii) using the data in order to assess workforce system outcomes, establish credential attainment goals, measure progress, and hold agencies accountable to increase the skills of the workforce; and

''(iv) developing a comprehensive workforce system report that provides individual agency outcomes and statewide representation of the credential attainment outcomes of the State's workforce investment system.

''(5) A description of a pay-for-performance approach for providers of education, training, and employment services to individuals with barriers to employment, including services targeted to addressing the specific challenges and conditions that have created barriers for participants in programs under this Act.

''(f) AWARD BASIS.—

''(1) GEOGRAPHIC DISTRIBUTION.—The Secretary of Labor and the Secretary of Education shall award competitive grants under this section in a manner to ensure geographic diversity.

''(2) PRIORITIES.—In awarding grants under this section, the Secretaries shall give priority to eligible entities that—

''(A) provide evidence of past or current investments in workforce innovation projects that incorporate one or more of the priority strategies;

''(B) focus on addressing the skill needs of multiple employers, including small- and medium-sized businesses; or

''(C) target services to low-income individuals, low-skill individuals, long-term unemployed, and other populations with barriers to employment.

''(g) ACTIVITIES.—

''(1) IN GENERAL.—An eligible entity receiving a grant under this section shall carry out the activities necessary to meet the strategic objectives, including planning activities if applicable, described in the entity's application in a manner that—

''(A) integrates services and funding sources in a way that enhances the effectiveness of the activities; and

''(B) uses grant funds awarded under this section efficiently.

''(2) ADMINISTRATIVE COSTS.—An eligible entity may retain a portion of a grant awarded under this section for a fiscal year to carry out the administration of this section in an amount not to exceed 5 percent of the grant amount.

''(h) EVALUATION AND PROGRESS REPORTS.—

''(1) IN GENERAL.—Not later than 1 year after receiving a grant under this section, and annually thereafter during the grant period, an eligible entity shall report to the Secretary of Labor and the Secretary of Education, and to the Governor of the State that the eligible entity serves, on the spending and activities funded pursuant to a grant under this section, including an evaluation of the progress the eligible entity has made toward the strategic objectives identified in the application and measure the progress using the performance accountability measures identified in the application.

''(2) PUBLIC AVAILABILITY.—The Secretary shall transmit such reports to the Congress and make such reports available to the public.

''(i) ADMINISTRATION BY THE SECRETARIES.—

''(1) ADMINISTRATIVE COSTS.—The Secretaries may jointly retain a total of not more than 3 percent of the funds appropriated to carry out this section for each fiscal year to administer this section, including technical assistance and evaluation activities.

''(2) TECHNICAL ASSISTANCE AND OVERSIGHT.—The Secretaries shall provide technical assistance and oversight to assist the eligible entities in applying for and administering grants awarded under this section, including technical assistance and through the collection and dissemination of information on best practices.

''(3) PERFORMANCE ACCOUNTABILITY MEASURES.—The Secretaries shall issue a range of performance measures, with quantifiable benchmarks, and methodologies that eligible entities may use to evaluate the effectiveness of each type of activity in making progress toward the strategic objectives described in the application. Such measures shall consider the benefits of the innovative workforce development projects and its activities for workers, firms, industries, and communities.

''(4) DISSEMINATION.—The Secretaries shall—

''(A) coordinate the annual review of each eligible entity receiving a grant under this section and produce an overview report that, at a minimum, includes each funded project and best practices identified;

''(B) make resource materials, including all reports published and all data collected under this section, available on the Internet; and

''(C) conduct conferences and seminars to—

''(i) disseminate information on best practices developed by eligible entities receiving a grant under this section; and

''(ii) provide information to interested stakeholders.

''(5) REPORT TO CONGRESS.—Not later than 24 months after the date of enactment of the Workforce Investment Act of 2013 and on an annual basis thereafter, the Secretaries shall transmit a report to Congress on the grant program established by this section. The report shall include a description of—

''(A) the eligible entities receiving funding;

''(B) the spending and activities carried out by the eligible entities;

''(C) how the eligible entities were selected to receive funding under this section; and

''(D) an assessment of the results achieved by the grant program including findings from the annual reviews conducted under subsection (i).

''SEC. 171B. YOUTH INNOVATION AND BEST PRACTICES GRANTS.

''(a) PROGRAM AUTHORIZED.—

''(1) IN GENERAL.—The Secretary of Labor and the Secretary of Education, shall—

''(A) for the first program year that begins after the date of enactment of the Workforce Investment Act of 2012, award transition grants in accordance with section 176; and

''(B) with funds not awarded for transition grants under paragraph (1) for the first program year that begins after the date of enactment of the Workforce Investment Act of 2012, and with the funds reserved for each program year thereafter, award youth innovation and replication grants to eligible entities described in subsection (c) for the purposes described in subsection (b).

''(b) AUTHORIZATION AND PURPOSE OF GRANTS.—

''(1) IN GENERAL.—From funds appropriated pursuant to section 174, the Secretary of Labor and the Secretary of Education shall award youth innovation and replication grants on a competitive basis to eligible entities described in subsection (c).

''(2) USE OF FUNDS.—The grants awarded under this section shall be used to support the demonstration of innovative new strategies and activities, or the replication and expansion of effective evidence-based strategies and activities that are designed to substantially improve education and employment outcomes for eligible youth, including preparation for post secondary education and training and for careers. Such strategies and activities shall include—

''(A) establishing career pathways in in-demand industry sectors and occupations for eligible youth, in collaboration with other Federal, State, and local programs, and public and private entities;

''(B) developing and implementing a comprehensive strategy, for an area of high poverty, that provides education and training programs, resources, and other activities that prepare youth for postsecondary education and training and for employment that leads to economic self-sufficiency;

''(C) developing and implementing strategies and activities that provide opportunities for youth with disabilities to receive education, training, and employment services that lead to a recognized postsecondary credential or integrated, competitive employment, including through incorporating elements of the individualized education program and related services under the Individuals with Disabilities in Education Act;

''(D) developing and implementing evidence-based strategies and activities, such as—

''(i) education offered concurrently and contextually with workforce preparation and training for a specific occupation or occupational cluster;

''(ii) career academies;

''(iii) dropout prevention and recovery strategies;

''(iv) paid or unpaid work experience, including summer employment opportunities and employment opportunities available throughout the school year, combined with academic learning leading to a recognized postsecondary credential;

''(v) innovative programs for youth facing multiple barriers to employment that arrange for the provision of or provide supportive services combined with education, training, including preparation for postsecondary education and training, or employment activities; or

''(vi) to include youth service and conservation corps programs in which a project undertaken is credited as qualifying experience for higher education, job training, or careers in public service; or

''(E) other evidence-based strategies or activities designed to improve the education and employment outcomes for youth.

''(c) ELIGIBLE ENTITIES AND APPLICATION.—

''(1) ELIGIBLE ENTITIES.—An entity eligible to receive a grant under this section shall include—

''(A)(i) the Governor of a State in coordination with the State board and with a local board for a local area that is aligned with a region, or with all boards for local areas that comprise a planning region, under section 116(c); or

''(ii) a local board for a local area that is aligned with a region, or all local boards for local areas that comprise a planning region, under section 116(c), in consultation with the standing committee on youth associated with the local board; and

''(B) one or more of the following:

''(i) A State education agency.

''(ii) A local education agency.

''(iii) A nonprofit organization with expertise serving eligible youth, including a community-based organization, youth corps, or an intermediary.

''(iv) An institution of higher education, including a community college and an area career and technical education center.

''(v) A joint labor-management partnership.

''(2) APPLICATION.—To receive a grant under this subsection, an eligible entity shall submit an application to the Secretary of Labor and the Secretary of Education at such time, in such manner, and containing such information, consistent with this paragraph, as the Secretaries may require. Each such application shall describe the innovation and replication strategies and activities that the eligible entity will carry out to strengthen the workforce investment system in the State or region in order to substantially improve education and employment outcomes for youth, such as youth with disabilities, served by such system, and may include—

''(A) a description of the region in the State or the State, as applicable, that will be the focus of grant activities, including analyses of economic conditions, skill needs, the workforce, and the workforce development services (including the strengths and weaknesses of such services and the capacity to provide such services) that are relevant to the proposed strategies and activities that would be carried out under the grant;

''(B) a description of the youth populations to be served, including individuals with barriers to employment who are youth, and the skill needs of those populations;

''(C) a description of the promising strategies and activities the eligible entity is proposing to demonstrate, or the evidence-based strategies and activities that the eligible entity is proposing to expand or replicate;

''(D) a description of how the eligible entity will meaningfully involve youth in the design and implementation of the proposed strategies and activities;

''(E) a description of how, in carrying out such strategies and activities, the eligible entity will—

''(i) collaborate to leverage resources among strategic partners to achieve the purposes of the grant, and to provide the matching share described in subsection (d)(2); and

''(ii) ensure the sustainability of the programs and activities supported by the grant after grant funds are no longer available;

''(F) a description of how the strategies and activities will be aligned with the State plan and the local plans in the region of the State that will be the focus of grant activities;

''(G) a description of the outcomes, including outcomes for the performance accountability measures based on indicators of performance described in section 136(b)(2)(A)(ii), to be achieved by the proposed strategies and activities; and

''(H) a description of how the eligible entity will—

''(i) use technology;

''(ii) collect data;

''(iii) made data publicly available; and

''(iv) use technology and date to improve program delivery, activities, and administration.

''(d) MATCHING FUNDS REQUIREMENTS.—

''(1) INNOVATION FUND SHARE.—The amount of the share of the funds provided under this section shall be not greater than 50 percent of the cost of the programs and activities that are carried out under the grant.

''(2) MATCHING SHARE.—

''(A) IN GENERAL.—

''(i) AMOUNT.—The amount of the matching share under this subsection for a program year may not be less than 50 percent of the costs of the programs and activities that are carried out under the grant.

''(ii) IN CASH OR KIND.—The matching share may be in cash or in kind (fairly evaluated).

''(iii) SOURCES.—Not more than 50 percent of the matching share required under this subsection may be provided from Federal resources, of which not less than 50 percent shall be provided from Federal resources from the partner programs identified in the application other than resources provided under the core programs. Non-Federal sources for the matching share may include State resources, local resources, contributions from private organizations, or a combination of such resources and contributions.

''(B) FINANCIAL HARDSHIP WAIVER.—The Secretary of Labor and the Secretary of Education may waive or reduce the matching share of an eligible entity that has submitted an application under this subsection if such entity demonstrates a need for such waiver or reduction due to extreme financial hardship as defined by the Secretary of Labor and the Secretary of Education.

''(C) SUPPLEMENT NOT SUPPLANT.—The Federal and matching share required by this subsection shall be used to supplement and not supplant other Federal and State funds used to carry out activities described in this subsection.

''(e) GRANT PERIOD.—Grants awarded under this subsection shall be awarded for periods of not more than 3 years in duration and may not be renewed.

''(f) REPORTING.—The Secretary of Labor and the Secretary of Education are authorized to establish appropriate reporting requirements for grantees under this subsection.

''(g) TECHNICAL ASSISTANCE AND EVALUATION.—For each program year for which funds are available to carry out this section, the Secretary of Labor and the Secretary of Education may reserve a total of not more than 3 percent of the amount available to carry out this subsection to provide technical assistance to applicants and grantees under this subsection and to evaluate projects carried out under this subsection. The Secretaries shall ensure that the results of the evaluations are publicly available, including through electronic means.''.

SEC. 158. EVALUATIONS.

Section 172 is amended—

(1) in subsection (a)(2), by inserting ''accountability'' after ''performance'';

(2) in subsection (c)—

(A) by striking ''as least'' and inserting ''at least''; and

(B) by striking ''2005'' and inserting ''2016'';

(3) in subsection (e), by striking ''Labor and Human Resources'' and inserting ''Health, Education, Labor, and Pensions'';

(4) by redesignating subsection (f) as subsection (g) and inserting after subsection (e) the following new subsection:

''(f) PUBLICATION OF REPORTS.—If an entity that enters into a contract or other arrangement with the Secretary to conduct an evaluation of a program or activity under this section requests permission from the Secretary to publish a report resulting from the

evaluation, such entity may publish the report unless the Secretary denies the request during the 90-day period beginning on the date the Secretary receives such request.''.

SEC. 159. NATIONAL DISLOCATED WORKER GRANTS.

Section 173 is amended—

(1) in the section heading, by striking ''**EMERGENCY**'' and inserting ''**DISLOCATED WORKER**'';

(2) by striking subsection (b) and redesignating subsection (a) as subsection (b), and inserting before such redesignated subsection the following new subsection:

''(a) DEFINITIONS.—In this section—

''(1) the term 'emergency or disaster' means—

''(A) an emergency or a major disaster, as defined in paragraphs (1) and (2), respectively, of section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122 (1) and (2)); or

''(B) an emergency or disaster situation of national significance that could result in a potentially large loss of employment, as declared or otherwise recognized by the chief official of a Federal agency with authority for or jurisdiction over the Federal response to the emergency or disaster situation; and

''(2) the term 'disaster area' means an area that has suffered or in which has occurred an emergency or disaster.'';

(3) in subsection (b) (as so redesignated)—

(A) by striking paragraph (4) and redesignating paragraphs (1) through (3) and (4) as subparagraphs (A) through (C), respectively, and moving such subparagraphs (as so redesignated) 2 ems to the right;

(B) in the matter preceding subparagraph (A) (as so redesignated)—

(i) by striking ''The Secretary'' and inserting:

''(1) GRANTS.—The Secretary''; and

(ii) by striking ''emergency grants in a timely manner'' and inserting ''dislocated worker grants'';

(C) in subparagraph (A) (as so redesignated), by striking ''subsection (c)'' and inserting ''subsection (c)(1)(B)'';

(D) in subsection (B) (as so redesignated), by striking ''an area that has suffered'' and all that follows and insert ''a disaster area, to provide disaster relief employment in the disaster area'';

(E) in subparagraph (C) (as so redesignated), by striking ''paragraphs (1) and (2)'' and inserting ''subparagraphs (A) and (B)''; and

(F) by inserting after subparagraph (C) the following:

''(D) to provide additional assistance to a State board or local board serving an area where—

''(i) a higher-than-average demand for employment and training activities for dislocated members of the Armed Forces, spouses described in section 101(14)(E), or members of the Armed Forces described in subsection (c)(2)(A)(iv), exceeds State and local resources for providing such activities; and

''(ii) such activities are to be carried out in partnership with the Department of Defense and Department of Veterans Affairs transition assistance programs; and

''(E) from funds appropriated under section 174(c), to a State or entity described in subsection (c)(1)(B) to carry out—

''(i) subsection (e), including providing assistance to eligible individuals; and

''(ii) subsection (f), including providing assistance to eligible individuals.

''(2) DECISIONS AND OBLIGATIONS.—The Secretary shall issue a final decision on a complete application for a national dislocated worker grant under this subsection not later than 45 calendar days after receipt of the application.'';

(4) in subsection (c)—

(A) in paragraph (1)(A), by striking ''subsection (a)(1)'' and inserting ''subsection (b)(1)(B)''; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''emergency'' and inserting ''dislocated worker''; and

(ii) in subparagraph (C), by striking ''emergency'' and inserting ''dislocated worker'';

(5) in subsection (d)—

(A) by striking ''subsection (a)(2)'' each place it appears and inserting ''subsection (b)(1)(B)'';

(B) in paragraph (1)(A)—

(i) by inserting '', in coordination with the Administrator of the Federal Emergency Management Agency, as applicable,'' after ''shall be used''; and

(ii) by striking ''structures'' and inserting ''public structures'';

(C) in paragraph (2), by inserting ''emergency or'' after ''consequence of the'';

(D) in paragraph (3)—

(i) by striking ''No individual'' and inserting:

''(A) IN GENERAL.—Except as provided in subparagraph (B), no individual'';

(ii) by striking ''natural disaster'' and inserting ''emergency or disaster''; and

(iii) by adding at the end the following new subparagraph:

''(B) EXTENSION.—At the request of a State, the Secretary may extend such employment, related to recovery from a single emergency or disaster involving the State, for not more than an additional 6 months.''; and

(E) by adding at the end the following new paragraphs:

''(4) USE OF AVAILABLE FUNDS.—Funds made available under subsection (b)(1)(B) shall be available to assist workers described in paragraph (2) who are affected by an emergency or disaster, including workers who have relocated from an area in which an emergency or disaster has been declared or otherwise recognized, as appropriate. Under conditions determined by the Secretary and following notification to the Secretary, a State may use such funds, that are appropriated for any fiscal year and available for expenditure under any grant awarded to the State under this section, to provide any assistance authorized under this subsection. Funds used pursuant to the authority provided under this paragraph shall be subject to the liability and reimbursement requirements described in paragraph (5).

''(5) LIABILITY AND REIMBURSEMENT.—Nothing in this Act shall be construed to relieve liability, by a responsible party that is liable under Federal law, for any costs incurred by the United States under subsection (b)(1)(B) or this subsection, including the responsibility to provide reimbursement for such costs to the United States.'';

(6) by striking subsection (e) and redesignating subsections (f) and (g) as subsections (e) and (f), respectively;

(7) in subsection (e) (as so redesignated)—

(A) by striking ''paragraph (4)(A) of subsection (a)'' each place it appears and inserting ''subsection (b)(1)(E)(i)'';

(B) in paragraph (1)—

(i) in subparagraph (A), by striking ''clauses (i) through (v)'' and inserting ''clauses (i) through (iv)'';

(ii) in subparagraph (B)(iii), by striking ''enactment of this clause'' and inserting ''enactment of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5, 123 Stat. 115)''; and

(iii) in subparagraph (C), by striking ''subsection (g)'' and inserting ''subsection (f)'';

(C) in paragraph (2), by striking ''subsection (g)'' and inserting ''subsection (f)'';

(D) in paragraph (3)(A)(i), by striking ''not later than'' and inserting ''notwithstanding subsection (b)(2), not later than''; and

(E) in paragraph (7)(A)—

(i) in clause (i), by striking ''section 4980B'' and inserting ''section 4980B(f)(4)''; and

(ii) in clause (ii)(I), by striking ''clause (i), (ii), or (vi) of paragraph (2)(A))'' and inserting ''subparagraph (A), (B), or (F) of section 35(e)(1) of such Code)''; and

(8) in subsection (f), (as so redesignated)—

(A) by striking ''paragraph (4)(A) of subsection (a)'' each place it appears and inserting ''subsection (b)(1)(E)(i)'';

(B) in paragraph (1), by striking ''subsection (f)(1)(A)'' and inserting ''subsection (e)(1)(A)''; and

(C) in paragraph (4)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking ''this subsection'' and inserting ''subsection (b)(1)(E)(ii)''; and

(II) in clause (i), by striking ''not later than'' and inserting ''notwithstanding subsection (b)(2), not later than''; and

(ii) in subparagraph (B), by striking ''174(c)(1)(B)'' and inserting ''subsection (b)(1)(E)(ii)''.

SEC. 160. YOUTHBUILD PROGRAM.

Section 173A is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (4), by striking the period and inserting ''; and''; and

(C) by inserting after paragraph (4) the following new paragraph:

''(5) to improve the quality and energy efficiency of community and other nonprofit and public facilities, including those facilities that are used to serve homeless and low-income families.'';

(2) in subsection (b)—

(A) by striking paragraph (8) and redesignating paragraphs (9) through (13) as paragraphs (8) through (12), respectively;

(B) in paragraph (11) (as so redesignated), by striking ''means housing provided'' and all that follows and inserting ''has the meaning given the term in section 401(29) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(29)).''; and

(C) in paragraph (12) (as so redesignated), by striking ''or construction'' and inserting ''construction, or energy efficiency enhancement'';

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (A)(i), by striking ''or construction'' and inserting ''construction, or energy efficiency enhancement'';

(ii) in subparagraph (A)(iv)—

(I) in subclause (II), by striking ''individuals with limited English proficiency'' and inserting ''participants who are English language learners''; and

(II) in subclause (III), by striking ''General Education Development (GED) credential, or other State-recognized equivalent (including recognized alternative standard'' and inserting ''or its recognized equivalent including recognized certificates of attendance or similar documents'';

(iii) in subparagraph (A)(vii)—

(I) by striking ''supportive services''; and

(II) by inserting ''or training'' after ''post-secondary education'';

(iv) in subparagraph (B), by striking ''or construction'' and inserting ''construction, or energy efficiency enhancement'';

(v) in subparagraph (C)—

(I) by striking ''or construction'' and inserting ''construction, or energy efficiency enhancement''; and

(II) by striking ''10 percent'' and inserting ''15 percent''; and

(vi) in subparagraph (D), by inserting '', including recruitment and selection of participants,'';

(B) in paragraph (3)(B)—

(i) in clause (i), by inserting ''construction and'' after ''opportunities in'';

(ii) in clauses (iii) and (vi), by striking ''or construction'' each place it appears and inserting ''construction, or energy efficiency enhancement'';

(iii) in clause (x), by striking ''vocational education'' and inserting ''career and technical education and training'';

(iv) in clause (xii)—

(I) by striking ''results'' and inserting ''levels'';

(II) by striking ''common'' and inserting ''primary''; and

(III) by striking ''youth and lifelong learning, as identified by the Secretary'' and inserting ''eligible youth described in section 136(b)(2)(A)(ii)'';

(v) in clause (xvi)—

(I) in subclause (II), by inserting ''energy efficiency enhancement'' after ''construction''; and

(II) in subclause (III), by striking ''vocational education'' and inserting ''career and technical education and training''; and

(vi) in clause (xvii)(I), by inserting ''energy efficiency enhancement'' after ''construction''; and

(C) in paragraph (4)—

(i) in subparagraph (C)—

(I) by inserting ''community and'' after ''which the housing and''; and

(II) by striking ''or construction'' each place it appears and inserting ''construction, or energy efficiency enhancement''; and

(ii) in subparagraph (J)—

(I) in clause (ii), by inserting ''energy efficiency enhancement'' after ''construction''; and

(II) in clause (iii), by striking ''vocational education'' and inserting ''career and technical education and training'';

(4) in subsection (d), by striking ''or construction'' each place it appears and inserting ''construction, or energy efficiency enhancement'';

(5) in subsection (e)(1)—

(A) in subparagraph (A)(iii), by inserting '', or an individual who was a school dropout and has subsequently re-enrolled'' before the period; and

(B) in amending subparagraph (B)(i) to read as follows:

''(i) are basic skills deficient, despite attainment of a secondary school diploma or its recognized equivalent (including recognized certificates of attendance or similar documents for individuals with disabilities); or'';

(6) in subsection (f)(2)—

(A) in subparagraph (A), by inserting '', or to support pilot and demonstration projects or program evaluations with recipients of grants under subsection (c) as directed by the Secretary, including pilot or demonstration projects that create new career tracks for Youthbuild participants in areas such as health care and manufacturing'' before the period; and

(B) in subparagraph (B), by striking ''shall reserve'' and inserting ''shall reserve not less than 3 percent and not more than'';

(7) in subsection (g), by striking ''postsecondary educational institutions'' and inserting ''institutions of higher education''; and

(8) by amending subsection (h) to read as follows:

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each of fiscal years 2013 through 2017 such sums as may be necessary to carry out this section.''.

SEC. 161. AUTHORIZATION OF APPROPRIATIONS.

Subsections (a) and (b) of section 174 are amended to read as follows:

''(a) NATIVE AMERICAN PROGRAMS; MIGRANT AND SEASONAL FARMWORKER PROGRAMS; VETERANS' WORKFORCE INVESTMENT PROGRAMS.—

''(1) IN GENERAL.—Subject to paragraph (2), there are authorized to be appropriated to carry out sections 166 through 168 such sums as may be necessary for each of the fiscal years 2013 through 2017.

''(2) RESERVATIONS.—Of the amount appropriated pursuant to the authorization of appropriations under paragraph (1) for a fiscal year, the Secretary shall—

''(A) reserve not less than $55,000,000 for carrying out section 166;

''(B) reserve not less than $70,000,000 for carrying out section 167; and

''(C) reserve not less than $7,300,000 for carrying out section 168.

''(b) TECHNICAL ASSISTANCE; INNOVATION GRANTS.—There are authorized to be appropriated to carry out sections 169 through 171 such sums as may be necessary for each of the fiscal years 2013 through 2017.''.

SEC. 162. TRANSITION GRANTS TO STATES.

Subtitle D is further amended by adding at the end the following:

''SEC. 175. TRANSITION GRANTS TO STATES.

''(a) IN GENERAL.—For the program year described in section 171A, from the funds allocated for awards described in section 171A and section 171B, the Secretary of Labor and the Secretary of Education shall award, on a competitive basis, transition grants to States. The Secretaries, to the extent practicable and consistent with the purposes of the transition grants under this section, shall award transition grants in a manner that maximizes the number of States benefitting from such grants.

''(b) APPLICATION.—To be eligible to receive a grant under this section, the Governor of a State, in coordination with the State board and in consultation with the local boards, shall submit an application to the Secretary of Labor and the Secretary of Education, at such time, in a such manner, and containing such information, consistent with this subsection, as the Secretaries may require, including—

''(1) a description of how the grant funds will be used to carry out the transition activities described in subsection (d);

''(2) a description of the process by which the State will award funds to local areas in accordance with subsection (d)(2); and

''(3) assurances that all the entities carrying out core programs in the State will participate in the activities.

''(c) GRANT PERIOD.—Grants awarded under this subsection shall be awarded for periods of not more than 2 years in duration and may not be renewed.

''(d) USE OF FUNDS.—A State that receives a grant under this section—

''(1) may reserve not more than 40 percent of the grant funds for transition activities to assist in the development of the State plan under section 112 or 113; and

''(2) shall use not less than 60 percent of the grant funds to award subgrants to local areas for transition activities to assist in the development local and regional plans under section 116(c) and 118, with a priority in making such awards to local areas most in need of resources to make the transition to meeting the requirements of the Workforce Investment Act of 2012.

''(e) LIMITATIONS.—No State may—

''(1) receive more than 1 grant under this section; and

''(2) receive a grant under this section concurrently with a grant under section 171A or 171B for the first program year that commences after the date of enactment of the Workforce Investment Act of 2011.''.

SEC. 163. INTERAGENCY AGREEMENT.

Subtitle D is further amended by adding after section 175 (as added by section 112) the following:

''SEC. 176. INTERAGENCY AGREEMENT.

''(a) IN GENERAL.—The Secretary of Education and the Secretary of Labor shall jointly develop policies for the administration of this subtitle in accordance with such terms as the Secretaries shall set forth in an interagency agreement. Such interagency agreement, at a minimum, shall include a description of the respective roles and responsibilities of the Secretaries in carrying out this subtitle (both jointly and separately), including—

''(1) how the funds available under this subtitle will be obligated and disbursed and compliance with applicable laws (including regulations) will be ensured, as well as how the grantees will be selected and monitored, and a peer review process for selection of grantees that includes program practitioners and national experts will be carried out;

''(2) how evaluations and research will be conducted on the effectiveness of grants awarded under this subtitle in addressing the education and employment needs of job seekers and workers, youth, and employers;

''(3) how technical assistance will be provided to applicants and grant recipients;

''(4) how information will be disseminated, including through electronic means, on best practices and effective strategies and service delivery models for activities carried out under this subtitle; and

''(5) how policies and processes critical to the successful achievement of the education, training, and employment goals of this subtitle will be established.

''(b) TRANSFER AUTHORITY.—The Secretary of Labor and the Secretary of Education shall have the authority to transfer funds between the Department of Labor and the Department of Education to carry out this subtitle in accordance with the agreement described in subsection (a).

''(c) REPORTS.—The Secretary of Labor and the Secretary of Education shall jointly develop and submit a biennial report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Workforce of the House of Representatives, describing—

''(1) actions the Departments have taken to—

''(A) assess the effectiveness of the projects carried out under this subtitle; and

''(B) facilitate the coordination of the programs carried out through the grants awarded with other education, employment and training programs;

''(2) barriers that impede effectiveness of projects carried out under this subtitle;

''(3) the best practices and effective strategies and service delivery models that the Departments have identified pursuant to this subtitle and actions the Departments have taken to promptly disseminate information, including through electronic means, on such best practices, service delivery models, and effective strategies; and

''(4) the actions the Departments have taken to leverage resources provided under Federal law other than this subtitle and non-Federal resources, to improve the workforce investment system nationwide, including in States, regions, and local areas that have not received funds under this subtitle.''.

Subtitle E—Administration

SEC. 171. REQUIREMENTS AND RESTRICTIONS.

Section 181 is amended—

(1) in subsection (a), by amending subparagraph (B) of paragraph (1) to read as follows:

''(B) RULE OF CONSTRUCTION.—The reference in subparagraph (A) to section 6(a)(1) of the Fair Labor Standards Act of 1938 (29

U.S.C. 206(a)(1)) shall not be applicable for individuals in territorial jurisdictions in which section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206) does not apply.'';

(2) in subsection (b)(1) by striking ''investment'' and inserting ''development'';

(3) in subsection (c)(1), by inserting ''or allocation'' after ''an allotment'';

(4) in subsection (d)(2)—

(A) by striking ''employment and training activity'' and inserting ''employment or training activity'';

(B) by inserting ''incumbent worker training, transitional employment,'' after ''on-the-job training,''; and

(C) in paragraph (3), by inserting ''(or that has provided funding to an entity that has violated such paragraph)'' after ''violated such paragraph'';

(5) in subsection (e)—

(A) by inserting ''to carry out an activity'' after ''No funds available'';

(B) by striking ''and similar activities'' and inserting ''or similar activities''; and

(C) by striking ''title. No funds available under subtitle B'' and inserting ''or under subtitle C. No funds received to carry out an activity under subtitle B or C''; and

(6) in subsection (f), by inserting ''or subtitle C'' after ''subtitle B'' both places it appears.

SEC. 172. FISCAL CONTROLS OR SANCTIONS.

Section 184 is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (A), by striking ''the appropriate circulars'' and inserting ''appropriate circulars or rules''; and

(ii) in subparagraph (B)(ii), by striking ''administration of youth activities'' and inserting:

''(iii) administration of youth workforce investment activities.''; and

(B) in paragraphs (5)(A), (6)(C), and (7) (A) and (B), by inserting ''with the requirements'' afer ''compliance'' each place it appears;

(2) in subsection (b)(1)(B)(v), by inserting ''with the provision'' after ''compliance'';

(3) in subsection (c)—

(A) in paragraph (2)—

(i) by striking ''made available'' and inserting ''received'';

(ii) by striking ''offset repayment'' and inserting ''require payment by offsetting the amount''; and

(iii) by inserting ''under this title'' after ''may be entitled''; and

(B) in paragraph (4), by inserting ''(subsequent to the program year for which the determination was made)'' after ''allocations''; and

(4) in subsection (d)(1), by striking ''paragraphs (2) and (3) of''.

SEC. 173. REPORTS, RECORDKEEPING, INVESTIGATIONS.

Section 185(c) is amended—

(1) in paragraph (2), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (3), by striking the period and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(4) shall, to the extent practicable, submit or make available (including through electronic means) any reports, records, plans, or any other data that are required to be submitted or made available, respectively, under this title.''.

SEC. 174. ADMINISTRATIVE PROVISIONS.

Section 189 is amended—

(1) in subsection (a), by striking ''section 204 of the Intergovernmental Cooperation Act of 1968'' and inserting ''section 6504 of title 31, United States Code'';

(2) in subsection (g), by amending paragraph (2) to read as follows:

''(2) AVAILABILITY.—

''(A) IN GENERAL.—Funds obligated for any program year for a program or activity funded under subtitle B may be expended by each State receiving such funds during that program year and the 2 succeeding program years. Funds received by local areas from States under subtitle B during a program year may be expended during that program year and the succeeding program year.

''(B) CERTAIN NATIONAL ACTIVITIES.—

''(i) IN GENERAL.—Funds obligated for any program year for any program or activity carried out under section 170 or 171 shall remain available until expended.

''(ii) INCREMENTAL FUNDING BASIS.—A contract or arrangement entered into under the authority of section 170(c) (relating to research projects, studies and reports, and multistate projects) or section 171 (relating to evaluations), including a long-term, nonseverable services contract, may be funded on an incremental basis with annual appropriations or other available funds.

''(C) SPECIAL RULE.—No amount of the funds obligated for a program year for a program or activity funded under this title shall be deobligated on account of a rate of expenditure that is consistent with a State plan, an operating plan described in section 151, or a plan, grant agreement, contract, application, or other agreement described in subtitle D, as appropriate.''; and

(3) in subsection (i)—

(A) in paragraph (3), by inserting ''accountability'' after ''performance''; and

(B) in paragraph (4)—

(i) in subparagraph (A)(i)—

(I) by inserting ''the funding of infrastructure costs for one-stop centers,'' after ''functions of local areas and local boards''; and

(II) by inserting '', and other requirements relating to the basic purposes of this title'' before the period;

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i), by striking ''investment'' and inserting ''development''; and

(II) in clause (v), by striking '' an opportunity to comment on such request has been provided to the local board'' and inserting '', in the case of a waiver for a local area, an opportunity to comment on such request has been provided to the local board for the local area for which the waiver is requested'';

(iii) in subparagraph (C), by inserting ''for which the waiver was requested'' after ''ensure that the local area''; and

(iv) by adding at the end the following new subparagraph:

''(D) EXPEDITED DETERMINATION REGARDING PROVISION OF WAIVERS.—If the Secretary has approved a waiver of statutory or regulatory requirements for a State or local area pursuant to this subsection, the Secretary shall expedite the determination regarding the provision of that waiver, for another State or local area.''.

SEC. 175. REPEALS.

The Act is further amended by striking section 190, and redesignating sections 191 through 195 as sections 190 through 194, respectively.

SEC. 176. GENERAL PROGRAM REQUIREMENTS.

Section 194 (as redesignated by section 185) is amended by adding at the end the following new paragraphs:

''(14) Funds provided under this title shall not be used to establish or operate a standalone fee-for-service enterprise in a situation in which a private sector employment agency (as defined in section 701 of the Civil Rights Act of 1964 (42 U.S.C. 2000e)) is providing full access to similar or related services in such a manner as to fully meet the identified need. For purposes of this paragraph, such an enterprise does not include a one-stop delivery system described in section 121(e).

''(15)(A) None of the funds available under this title shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of the annual rate of basic pay prescribed for level II of the Executive Schedule under section 5313 of title 5, United States Code.

''(B) The limitation described in subparagraph (A) shall not apply to vendors providing goods and services as defined in Office of Management and Budget Circular A–133.

''(C) In a case in which a State is a recipient of such funds, the State may establish a lower limit than is provided in subparagraph (A) for salaries and bonuses of those receiving salaries and bonuses from a subrecipient of such funds, taking into account factors including the relative cost of living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer the Federal programs involved.''.

SEC. 177. OFFICE OF DISABILITY EMPLOYMENT POLICY.

Subtitle E is further amended by adding at the end the following:

''SEC. 195. OFFICE OF DISABILITY EMPLOYMENT POLICY.

''(a) PURPOSE.—The purpose of this section is to establish an Office of Disability Employment Policy—

''(1) to help develop and support national policies and practices that will increase employment and economic advancement opportunities for all individuals with disabilities; and

''(2) to ensure that such individuals are fully integrated into the 21st century workforce.

''(b) OFFICE.—There is established within the Department of Labor an Office of Disability Employment Policy (referred to in this section as the 'Office'). Except as otherwise specifically provided in this Act, such Office shall be the principal entity carrying out the functions described in this section.

''(c) ASSISTANT SECRETARY.—

''(1) IN GENERAL.—The Office shall be headed by an Assistant Secretary of Disability Employment Policy (referred to in this title as the 'Assistant Secretary') appointed by the President by and with the advice and consent of the Senate. Except as otherwise specifically provided in this Act, the Assistant Secretary shall be the principal officer carrying out the functions described in this section.

''(2) EXPERIENCE.—The Assistant Secretary shall be an individual with substantial experience in, and a thorough knowledge of, disability employment policy, training and educational opportunities for individuals with disabilities (including youth with disabilities), public benefit programs for individuals with disabilities, job development, and the barriers that may limit employment and economic advancement opportunities of individuals with disabilities.

''(3) GOALS AND DIRECTION.—In carrying out the functions of the Office, the Assistant Secretary shall be guided by the goals of achieving equal opportunity, full participation, economic self-sufficiency, and independent living for all individuals with disabilities, to the greatest extent possible. In the performance of the functions of the Office, the Assistant Secretary shall be directly responsible to the Secretary of Labor.

''(d) FUNCTIONS.—The Assistant Secretary shall provide national leadership, and encourage interagency collaboration, on increasing employment and training opportunities for individuals with disabilities

through the development of policies and initiatives (taking into account relevant information from other Federal agencies and including the awarding of grants as appropriate) that—

''(1) eliminate barriers to the employment and training of individuals with disabilities;

''(2) advance opportunities for employment, and identify strategies that increase employment opportunities in the private sector, for individuals with disabilities, including recruitment, retention, and promotion of such individuals;

''(3) identify and remove disincentives that limit or prevent the full employment of individuals with disabilities who are receiving benefits through Federal or State programs such as medical assistance under a State Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), disability insurance benefits under title II of the Social Security Act (42 U.S.C. 401 et seq.), or supplemental security income benefits under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.);

''(4) advise and assist the Department of Labor and other Federal agencies in the development of policies and practices that increase employment opportunities in the Federal Government for individuals with disabilities, including outreach to and recruitment, retention, and promotion of such individuals;

''(5) assist youth with disabilities, including such youth who are out-of-school youth, in successfully transitioning into the workforce;

''(6) increase access for individuals with disabilities seeking employment, education, and training services from a one-stop delivery system described in section 221(e) of the Workforce Investment Act of 2012, and other public and private providers of such services and supports;

''(7) increase coordination of activities between State vocational rehabilitation programs and the workforce development systems (as defined in section 101 of such Act), including the one-stop centers (as defined in such section 101), including assisting individuals with disabilities in maximizing the services available through such programs, systems, and centers;

''(8) leverage available public and system resources to address individual and systematic employment barriers for individuals with disabilities, and assist such individuals in navigating the process of coordinating their public benefits, including health care;

''(9) increase employment opportunities for individuals with significant disabilities in competitive integrated employment; and

''(10) meet other objectives, as specified by the Secretary of Labor, that will increase employment and training opportunities for individuals with disabilities.

''(e) REPORT.—For each fiscal year, beginning with the first full fiscal year following the date of enactment of the , the Secretary of Labor shall prepare a report and submit the report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, not later than 90 days after the end of that fiscal year. The report shall summarize the Office's progress in—

''(1) meeting the general objectives specified in paragraphs (1) and (2) of subsection (a);

''(2) meeting each of the 4 goals specified in subsection (c)(3); and

''(3) developing the specific policies and initiatives specified in subsection (d).

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2013 through 2017.''.

SEC. 178. INDEPENDENT EVALUATION OF THE EFFICIENCY AND EFFECTIVENESS OF THE FEDERAL WORKFORCE INVESTMENT SYSTEM.

(a) DEFINITIONS.—In this section—

(1) the term ''Federal job training program'' means any federally funded employment and training program; and

(2) the term ''individual with barriers to employment'' has the meaning given such term in section 101(23) of the Workforce Investment Act of 2013.

(b) EVALUATION BY THE GOVERNMENT ACCOUNTABILITY OFFICE.—

(1) EVALUATION.—The Comptroller General shall conduct an evaluation of the operations of federally funded job training programs in order to evaluate their efficiency and effectiveness in providing job training services to eligible participants, particularly individuals with barriers to employment. The evaluation shall consider—

(A) the findings of the January 2011 report of the Government Accountability Office entitled ''Multiple Employment and Training Programs: Providing Information, Co-locating Services and Consolidating Administrative Structures could Promote Efficiencies''(GAO–11–92);

(B) whether programs need to be enhanced in order to more effectively provide needed services;

(C) whether programs are effectively aligned to provide needed services to different eligible populations; and

(D) whether any programs provide duplicative services to their participants and, if so, why.

(2) CONSULTATION AND RECOMMENDATIONS.—The Comptroller General shall consult with the States, local workforce investment boards, businesses, labor organizations, workforce advocates and community organizations, and relevant education-related organizations in preparing its evaluation and may make any recommendations to improve the efficiency and effectiveness of training programs and attain needed levels of services and accessibility of services.

(3) SUBMISSION OF PLAN.—Not later than 12 months after the date of enactment of this Act, the Comptroller General shall submit the evaluation and any plan for improvement to the appropriate committees of Congress.

Subtitle F—Community College to Career Fund

SEC. 181. COMMUNITY COLLEGE TO CAREER FUND.

Title I is further amended by adding at the end the following:

''Subtitle F—Community College to Career Fund

''SEC. 199. COMMUNITY COLLEGE AND INDUSTRY PARTNERSHIPS PROGRAM.

''(a) GRANTS AUTHORIZED.—From funds appropriated under section 199D(1), the Secretary of Labor and the Secretary of Education, in accordance with the interagency agreement described in section 199E, shall award competitive grants to eligible entities described in subsection (b) for the purpose of developing, offering, improving or providing educational or career training programs for workers.

''(b) ELIGIBLE ENTITY.—

''(1) IN GENERAL.—Entities eligible for a grant under this section are any of the following (or a consortium of any of the following) in partnership with employers or an association of employers:

''(A) a junior or community college (as defined in section 312(f) of the Higher Education Act of 1965 (20 U.S.C. 1085(f)));

''(B) a four-year public institution of higher education (as defined in section 101 of the Higher Education Act of 1965) that offers two-year degrees, will use funds provided under this section for activities at the certificate and associate degree levels, and is not reasonably close, as determined by the Secretaries, to a community college;

''(C) a tribal college or university (as defined in section 316(b) of the Higher Education Act); or

''(D) at the discretion of the Secretaries, a private, not-for-profit, two-year institution of higher education in Puerto Rico, Guam, the United States Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau.

''(2) ADDITIONAL PARTNERSHIPS.—In addition to partnering with employers or an association of employers, the eligible entities described in paragraph (1) may partner with any of the organizations described in subparagraphs (A) through (D). Any such partnership shall collaborate with, and may include, the State or local workforce investment board.

''(A) An adult education provider or institution of higher education (as defined in section 101 of the Higher Education Act of 1965).

''(B) A community-based organization.

''(C) A joint-labor management partnership.

''(D) Any other organization that the Secretaries considers appropriate.

''(c) APPLICATION.—An eligible entity seeking a grant under this section shall submit a grant proposal to the Secretaries at such time and containing such information as the Secretaries determine is required, including a detailed description of—

''(1) the specific project for which the grant proposal is submitted, including the manner in which the grant will be used to develop, offer, improve, or provide an educational or career training program;

''(2) the extent to which the project will meet the educational or career training needs of workers in the area served by the eligible entity;

''(3) the extent to which the project will meet the needs of employers in the region for skilled workers in in-demand industry sectors and occupations;

''(4) the extent to which the project submitted fits within any overall strategic plan developed by an eligible entity; and

''(5) any previous experience of the eligible entity in providing educational or career training programs, the absence of which shall not automatically disqualify an eligible institution from receiving a grant under this section.

''(d) CRITERIA FOR AWARD.—

''(1) IN GENERAL.—Grants under this section shall be awarded based on criteria established by the Secretaries, that include the following:

''(A) A determination of the merits of the grant proposal submitted by the eligible entity to develop, offer, improve, or provide educational or career training programs to be made available to workers.

''(B) An assessment of the likely employment opportunities available in the region to individuals who complete an educational or career training program that the eligible entity proposes to develop, offer, improve, or provide.

''(C) An assessment of prior demand for training programs by individuals eligible for training served by the eligible entity as well as availability and capacity of existing training programs to meet future demand for training programs.

''(2) PRIORITY.—The Secretaries shall give priority to eligible entities that—

''(A) include a partnership with a business or industry or sector partnership that—

''(i) pays a portion of the costs of such programs; or

''(ii) agrees to hire individuals who have completed a particular postsecondary degree, certificate, or credential resulting from the training program of the eligible entity;

''(B) enter into a partnership with a labor organization or labor-management training program that provides technical expertise for occupationally specific education necessary for a recognized postsecondary credential leading to a skill occupation in an in-demand industry sector;

''(C) are focused on serving individuals with barriers to employment, low-income, non-traditional students as defined in section 803(j) of the Higher Education Act (20 U.S.C. 11561(c)(j)), students who are dislocated workers, students who are veterans, or students who are long-term unemployed;

''(D) are community colleges serving areas with high unemployment rates, including rural areas; and

''(E) are eligible entities that include an institution of higher education eligible for assistance under title III or V of the Higher Education Act of 1965.

''(e) USE OF FUNDS.—Grants awarded under this section shall be used for one or more of the following:

''(1) The development, offering, improvement, or provision of academic programs or training programs, that provide relevant job training for skilled occupations that will meet the needs of employers in in-demand industries sectors, and which may include registered apprenticeship programs, on-the-job training programs, and programs that support employers in upgrading the skills of their workforce.

''(2) The development and implementation of policies and programs to expand opportunities for students to earn a recognized postsecondary credential or degree in in-demand industry sectors and occupations, including by—

''(A) facilitating the transfer of academic credits between institutions of higher education, including the transfer of academic credits for courses in the same field of study;

''(B) expanding articulation agreements and policies that guarantee transfer between such institutions, including through common course numbering and general core curriculum; and

''(C) developing or enhancing student support services programs.

''(3) The creation of workforce programs that provide a sequence of education and occupational training that leads to a recognized postsecondary credential or degree, including programs that—

''(A) blend basic skills and occupational training;

''(B) facilitate means of transitioning from non-credit occupational, basic skills, or developmental coursework to for-credit coursework within and across institutions;

''(C) build or enhance linkages including the development of dual enrollment programs and early college high schools between secondary education or adult education programs (including programs established under the Carl D. Perkins Career and Technical Education Act of 2006 and title II of this Act);

''(D) implement other innovative programs designed to increase the provision of training for students, including students who are veteran members of the National Guard or Reserves, to enter skilled occupations in in-demand industry sectors; and

''(E) support paid internships that will allow students to simultaneously earn credit for work-based learning and gain relevant employment experience in an in-demand industry sector or occupation, which shall include opportunities that transition individuals into employment.

''(4) The support of regional or national in-demand industry sectors to develop skills consortia that will identify pressing workforce needs and develop solutions such as—

''(A) standardizing industry certifications;

''(B) developing new training technologies; and

''(C) collaborating with industry employers to define and describe how specific skills lead to particular jobs and career opportunities.

''SEC. 199A. PAY-FOR-PERFORMANCE AND PAY-FOR-SUCCESS JOB TRAINING PROJECTS.

''(a) AWARD GRANTS AUTHORIZED.—From funds appropriated under section 199D(2), the Secretary of Labor and the Secretary of Education, in accordance with the interagency agreement described in section 199E, shall award grants on a competitive basis to eligible entities described in subsection (b) who meet specific performance outcomes and criteria established by the Secretaries under subsection (c). Projects funded by grants under this section shall be referred to as either Pay-for-Performance or Pay-for-Success projects, as set forth in subsection (b).

''(b) ELIGIBLE ENTITY.—To be eligible to receive a grant under this section an entity shall be a State or local organization (which may be a local workforce organization) in partnership with entities such as community colleges and other training providers who—

''(1) in the case of Pay-for-Performance projects, agree to be reimbursed primarily on the basis of achievement of specified performance outcomes and criteria agreed upon by the Secretaries under subsection (c); or

''(2) in the case of Pay-for-Success projects, include partnerships with investors, such as philanthropic organizations that provide funding for a specific project or projects to address a clear and measurable job training need in the community or region and agree to be reimbursed under the grant only if the project or projects meet specified performance outcomes and criteria agreed to by the Secretaries under subsection (c).

''(c) PERFORMANCE OUTCOMES AND CRITERIA.—Not later than 6 months after the date of the enactment of this subtitle, the Secretary of Labor and the Secretary of Education shall establish and publish specific performance measures for the initial qualification of eligible entities to receive a grant under this section. At a minimum, to receive an award an eligible entity shall—

''(1) identify a particular program area and client population that is not achieving optimal outcomes;

''(2) provide evidence that the proposed strategy would achieve better results;

''(3) clearly articulate and quantify the improved outcomes of such new approach;

''(4) for Pay-for-Success projects, specify a monetary value that would need to paid to obtain such results and explain the basis for such value;

''(5) identify data that would be required to evaluate whether outcomes are being achieved for a target population and a comparison group;

''(6) identify estimated savings that would result from the improved outcomes, including to other programs or units of government;

''(7) demonstrate the capacity to collect required data, track outcomes, and validate those outcomes; and

''(8) any other criteria the Secretaries may require.

''(d) PERIOD OF AVAILABILITY FOR PAY-FOR-SUCCESS PROJECTS.—Funds appropriated to carry out Pay-for-Success projects pursuant to section 199D(2) shall, upon obligation, remain available for disbursement until expended, notwithstanding section 1552 of title 31, United States Code, and, if later deobligated, in whole or in part, be available until expended for additional Pay-for-Success grants under this section.

''SEC. 199B. BRING JOBS BACK TO AMERICA GRANTS.

''(a) GRANTS AUTHORIZED.—From funds appropriated under section 199D(3), the Secretary of Labor and the Secretary of Education, in accordance with the interagency agreement described in section 199E, shall award grants to State or local governments for job training and recruiting activities that can quickly provided businesses with skilled workers in order to encourage businesses to remain in or relocate to areas served by such governments. The Secretaries shall coordinate with the Secretary of Commerce in carrying out this section.

''(b) PURPOSE AND USE OF FUNDS.—Grants awarded under this section may be used by a State or local government to issue subgrants to eligible entities as designated by the Secretaries, including those described in section 199(b), to assist such eligible entities in providing training necessary to provide skilled workers for businesses that have relocated or are considering relocating operations outside the United States, and may instead relocate to the areas served by such governments.

''(c) APPLICATION.—A State or local government seeking a grant under the program established under subsection (a) shall submit an application to the Secretaries in such manner and containing such information as the Secretaries may require. At a minimum, each application shall include—

''(1) a description of the eligible entity or entities the State or local government proposes to assist in providing job training or recruiting activities;

''(2) a description of the proposed or existing business facility, including the number of jobs relating to such facility and the average wage or salary of those jobs; and

''(3) a description of any other resources that the State has committed to assisting such business in locating such facility, including tax incentives provided, bonding authority exercised, and land granted.

''(d) CRITERIA.—The Secretaries shall award grants to State and local governments that—

''(1) the Secretaries determine are most likely to succeed with a grant under the program in assisting an eligible entity in providing the training necessary to cause a business or businesses to remain in or relocate to areas served by such governments;

''(2) will fund training programs that will result in the greatest number and quality of jobs;

''(3) have committed State or other resources, to the extent of their ability as determined by the Secretaries, to assist a business or businesses to remain in or relocate to areas served by such governments; and

''(4) have met such other criteria as the Secretaries consider appropriate, including criteria relating to marketing plans, benefits to ongoing regional or State strategies for economic development and job growth.

''SEC. 199C. GRANTS FOR ENTREPRENEUR AND SMALL BUSINESS STARTUP TRAINING.

''(a) GRANTS AUTHORIZED.—From funds appropriated under section 199D(4), the Secretary of Labor and the Secretary of Education, in accordance with the interagency agreement described in section 199E, shall award competitive grants to eligible entities described in subsection (b) to provide training in starting a small business and entrepreneurship. The Secretaries shall coordinate with the Administrator of the Small Business Administration in carrying out this section including in the development of criteria and selection of proposals.

''(b) ELIGIBLE ENTITY.—

''(1) IN GENERAL.—Entities eligible for a grant under this section are any of the following (or a consortium of any of the following) in partnership with at least one local or regional economic development entity described in paragraph (2):

''(A) a junior or community college (as defined in section 312(f) of the Higher Education Act of 1965 (20 U.S.C. 1085(f)));

''(B) a four-year public institution of higher education (as defined in section 101 of the Higher Education Act of 1965) that offers two-year degrees, will use funds provided under this section for activities at the certificate and associate degree levels, and is not reasonably close, as determined by the Secretaries, to a community college;

''(C) a tribal college or university (as defined in section 316(b) of the Higher Education Act); or

''(D) at the discretion of the Secretaries, a private, not-for-profit, two-year institution of higher education in Puerto Rico, Guam, the United States Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau.

''(2) ADDITIONAL PARTNERSHIPS.—Local or regional economic development entities described in this paragraph are the following:

''(A) Small business development centers.

''(B) Women's business centers.

''(C) Regional innovation clusters.

''(D) Local accelerators or incubators.

''(E) State or local economic development agencies.

''(c) APPLICATION.—An eligible entity seeking a grant under this section shall submit a grant proposal in such manner and containing such information as the Secretaries and the Small Business Administrator shall require. Such information shall include the manner in which entrepreneurship training and education will be provided, the role of partners in such an arrangement, and the manner in which the proposal will integrate and partner with local economic development resources.

''(d) USE OF FUNDS.—Grants awarded under this section shall be used to provide training in entrepreneurship and starting a small business, including through online courses, intensive seminars, and comprehensive courses.

''SEC. 199D. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There is authorized to be appropriated $8,000,000,000 to carry out this subtitle, of which $4,000,000,000 is authorized to be appropriated to the Secretary of Labor and $4,000,000,000 is authorized to be appropriated to the Secretary of Education. Such amounts shall be used to carry out the programs authorized by this subtitle as follows:

''(1) $7,000,000,000 is authorized for the program established by section 199;

''(2) $500,000,000 is authorized for the program established by section 199A;

''(3) $250,000,000 is authorized for the program established by section 199B;

''(4) $250,000,000 is authorized for the program established by section 199C; and

''(5) Not more than 5 percent of the amounts authorized under paragraphs (1) through (4) may be used by the Secretaries to administer each respective program, including providing technical assistance and carrying out evaluations.

''(b) PERIOD OF AVAILABILITY.—Except as provided in section 199A(d), the funds appropriated pursuant to subsection (a) shall be available for Federal obligation for the fiscal year for which the funds are appropriated and the succeeding 2 fiscal years.

''SEC. 199E. INTERAGENCY AGREEMENT.

''(a) IN GENERAL.—The Secretary of Labor and the Secretary of Education shall jointly develop policies for the administration of this subtitle in accordance with such terms as the Secretaries shall set forth in an interagency agreement. Such interagency agreement, at a minimum, shall include a description of the respective roles and responsibilities of the Secretaries in carrying out this subtitle (both jointly and separately), including—

''(1) how the funds available under this subtitle will be obligated and disbursed and compliance with applicable laws (including regulations) will be ensured, as well as how the grantees will be selected and monitored;

''(2) how evaluations and research will be conducted on the effectiveness of grants awarded under this subtitle in addressing the education and employment needs of workers, and employers;

''(3) how technical assistance will be provided to applicants and grant recipients;

''(4) how information will be disseminated, including through electronic means, on best practices and effective strategies and service delivery models for activities carried out under this subtitle; and

''(5) how policies and processes critical to the successful achievement of the education, training, and employment goals of this subtitle will be established.

''(b) TRANSFER AUTHORITY.—The Secretary of Labor and the Secretary of Education shall have the authority to transfer funds between the Department of Labor and the Department of Education to carry out this subtitle in accordance with the agreement described in subsection (a). The Secretary of Labor and the Secretary of Education shall have the ability to transfer funds to the Secretary of Commerce and the Administrator of the Small Business Administration to carry out sections 199B and 199C, respectively.

''(c) REPORTS.—The Secretary of Labor and the Secretary of Education shall jointly develop and submit a biennial report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives, describing the activities carried out under this subtitle and the outcomes of such activities.''.

TITLE II—ADULT EDUCATION AND LITERACY

SEC. 201. PURPOSES, DEFINITIONS, AND MISCELLANEOUS PROVISIONS.

(a) PURPOSE.—Section 202 is amended to read as follows:

''SEC. 202. PURPOSE.

''It is the purpose of this title to create a partnership among the Federal Government, States, and localities to provide, on a voluntary basis, adult education and literacy activities, in order to—

''(1) assist adults to become literate and obtain the knowledge and skills necessary for employment and economic self-sufficiency;

''(2) assist adults who are parents to obtain the education and skills that—

''(A) are necessary to becoming full partners in the educational development of their children; and

''(B) lead to sustainable improvements in the economic opportunities for their family;

''(3) assist adults in attaining a secondary school diploma or its equivalent and in the transition to and success in postsecondary education and training, including through career pathways;

''(4) assist immigrants and other individuals who are English language learners in improving their reading, writing, speaking, and comprehension skills in English;

''(5) assist immigrants in acquiring an understanding of the American system of government and the responsibilities of citizenship;

''(6) assist States in expanding a 21st century delivery system for adult education, literacy, and workplace skills services that meet the needs of adults at all skill levels;

''(7) assist adults in developing technology literacy; and

''(8) enable more adults to complete adult education and enter and succeed in postsecondary education and employment.''.

(b) DEFINITIONS.—Section 203 is amended—

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

''(1) ADULT EDUCATION.—The term 'adult education' means academic instruction and services below the postsecondary level that increase an individual's ability to—

''(A) read, write, and speak in English and perform mathematics or other activities necessary for the attainment of a secondary school diploma or its recognized equivalent;

''(B) transition to and success in postsecondary education and training; or

''(C) obtain employment.'';

(2) in paragraph (2), by striking ''activities described in section 231(b)'' and inserting ''programs, activities, and services that include adult education, literacy, workplace adult education and literacy activities, family literacy activities, English language acquisition activities, workforce preparation activities, or integrated education and training' '';

(3) by striking paragraphs (3), (8), (9), (10), (13), (14), and (17) and redesignating paragraphs (4), (7), (11), (12), (15), (16), and (18) as paragraphs (3), (9), (10), (11), (13), (14), and (15), respectively;

(4) in paragraph (3) (as so redesignated), by inserting ''activities'' after ''literacy'';

(5) by inserting after paragraph (3) (as so redesignated) the following:

''(4) ELIGIBLE INDIVIDUAL.—The term 'eligible individual' means an individual—

''(A) who has attained 16 years of age;

''(B) who is not enrolled or required to be enrolled in secondary school under State law; and

''(C) who—

''(i) is unable to compute or solve problems, or read, write, or speak English at a level necessary to function on the job, in the individuals' family, or in society;

''(ii) does not have a secondary school diploma or its recognized equivalent, and has not achieved an equivalent level of education; or

''(iii) is an English language learner.'';

(6) in paragraph (5)—

(A) by striking ''means—'' and inserting ''means an organization that has demonstrated effectiveness in providing adult education and literacy activities that may include—'';

(B) in subparagraphs (B) and (C), by striking ''of demonstrated effectiveness'' both places it appears;

(C) in subparagraph (H), by striking ''literacy services'' and all that follows and inserting ''adult education and literacy activities to eligible individuals;'';

(D) in subparagraph (I), by striking the period at the end and inserting ''; and''; and

(E) by adding at the end the following:

''(J) a partnership between an employer and an entity described in any of subparagraphs (A) through (I).'';

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

''(6) ENGLISH LANGUAGE ACQUISITION PROGRAM.—The term 'English language acquisition program' means a program of instruction—

''(A) designed to help eligible individuals who are English language learners achieve

competence in reading, writing, speaking, and comprehension of the English language;

''(B) that may lead to—

''(i) attainment of a secondary school diploma or its recognized equivalent;

''(ii) transition to success in postsecondary education and training; and

''(iii) employment or career advancement; and

''(C) that such programs may be sequential, integrated, or concurrent in nature.'';

(8) by inserting after paragraph (6) the following:

''(7) ENGLISH LANGUAGE LEARNER.—The term 'English language learner' when used with respect to an eligible individual, means an eligible individual who has limited ability in reading, writing, speaking, or comprehending the English language, and—

''(A) whose native language is a language other than English; or

''(B) who lives in a family or community environment where a language other than English is the dominant language.

''(8) HIGH QUALITY LITERACY INSTRUCTION.—The term 'high quality literacy instruction' means developmentally appropriate, explicit, and systematic instruction that provides students with—

''(A) early development and grade-level mastery of oral language skills, both listening and speaking, phonological awareness, using a wide vocabulary, conventional forms of grammar, and academic language;

''(B) the ability to read regularly spelled words and high-frequency irregularly spelled words and to decode regularly spelled unfamiliar words accurately, using phonemic awareness, print awareness, alphabet knowledge, and knowledge of English spelling patterns;

''(C) the ability to read texts accurately, fluently, and with comprehension, relying on knowledge of the vocabulary in those texts and of the background information that the students possess;

''(D) the ability to read with a purpose and the capacity to differentiate purposes and to select and apply comprehension strategies appropriate to achieving the purpose;

''(E) an understanding of, and ability to adapt to, the varying demands of different genres, formats, and types of texts across the core content areas in order to comprehend texts of appropriate levels of complexity and content, including texts necessary for mastery of grade-level standards;

''(F) the ability to effectively access, critically evaluate, and appropriately synthesize information from a variety of sources and formats;

''(G) the development and maintenance of a motivation to read and write, as reflected in habits of reading and writing regularly and or discussing one's reading and writing with others; and

''(H) the ability to write clearly, accurately, and quickly so as to communicate ideas and deepen comprehension, in ways that fit purpose, audience, occasion, discipline, and format; adhere to conventions of spelling and punctuation; and benefit from revision so as to improve clarity, coherence, logical development, and the precise use of language.'';

(9) in paragraph (9)—

(A) in the paragraph heading, by striking ''SERVICES'' and inserting ''ACTIVITIES'';

(B) in the matter preceding subparagraph (A)—

(i) by striking ''services'' both places it appears and inserting ''activities''; and

(ii) by striking ''changes in a family'' and inserting ''improvements in the economic prospects for a family and that better enable parents to support their children's learning needs'';

(C) by striking subparagraph (C) and redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively; and

(D) by inserting before subparagraph (B) (as so redesignated) the following:

''(A) Parent adult education and literacy activities that lead to readiness for the attainment of a secondary school diploma or its recognized equivalent postsecondary education or training, employment, career advancement, and economic self-sufficiency.'';

(10) by inserting after paragraph (10) (as so redesignated) the following:

''(11) INTEGRATED EDUCATION AND TRAINING.—The term 'integrated education and training' means services that provide adult education and literacy activities contextually and concurrently with workforce preparation activities and workforce training for a specific occupation or occupational cluster. Such services may include offering adult education services concurrent with credit-bearing postsecondary education and training, including through co-instruction.

''(12) INTEGRATED ENGLISH LITERACY AND CIVICS EDUCATION.—The term 'integrated English literacy and civics education' means an integrated program of educational services for immigrant and other limited English proficient adults, including immigrant professionals with degrees and credentials in their native countries, that enables them to achieve competency in the English language and acquire the basic and more advanced skills needed to function effectively as parents, workers, and citizens. Such programs shall include instruction in literacy and English language acquisition and instruction on the rights and responsibilities of citizenship and civic participation, and may include workforce training.'';

(11) by amending paragraph (15) (as so redesignated) to read as follows:

''(15) WORKPLACE ADULT EDUCATION AND LITERACY ACTIVITIES.—The term 'workplace adult education and literacy activities' means adult education and literacy activities offered by an eligible provider in collaboration with an employer or employee organization at a workplace or an off-site location that is designed to improve the productivity of the workforce.''; and

(12) by adding at the end the following:

''(16) WORKFORCE PREPARATION ACTIVITIES.—The term 'workforce preparation activities' means activities, programs, or services designed to help an individual acquire a combination of basic academic skills, critical thinking skills, and self-management skills, including competencies in utilizing resources, using information, working with others, understanding systems, working with technology, and skills necessary for successful transition into and completion of postsecondary education or training, or employment.''.

(c) HOME SCHOOLS.—Section 204 is amended—

(1) by inserting ''whether a home school is treated as a home school or a private school under State law,'' after ''home schools,''; and

(2) by striking ''an English literacy program'' and all that follows and inserting ''adult education and literacy activities.''.

(d) RULE OF CONSTRUCTION.—Title II is further amended by redesignating section 205 as section 206 and inserting after section 204 the following:

''SEC. 205. RULE OF CONSTRUCTION REGARDING POSTSECONDARY TRANSITION AND CONCURRENT ENROLLMENT ACTIVITIES.

''Nothing in this title shall be construed to prohibit or discourage the use of funds provided under this title for adult education and literacy activities that help eligible individuals transition to and succeed in postsecondary education, including credit-bearing coursework, and training or employment, or for concurrent enrollment activities.''.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 206 (as so redesignated) is amended—

(1) by inserting ''$1,100,000,000 for fiscal year 2013 and'' after ''to carry out this title''; and

(2) by striking ''of the fiscal years 1999 through 2003'' and inserting ''succeeding fiscal year''.

(f) TECHNICAL AMENDMENT.—Title II is further amended—

(1) by striking subtitle B;

(2) by striking the subtitle A designation; and

(3) by redesignating chapters 1 through 4 as subtitles A through D, respectively.

SEC. 202. AMENDMENTS TO SUBTITLE A.

(a) RESERVATION OF FUNDS, ELIGIBLE AGENCIES, ALLOTMENTS.—Section 211 is amended—

(1) by amending subsection (a) to read as follows:

''(a) RESERVATION OF FUNDS.—From the sum appropriated under section 206 for a fiscal year, the Secretary—

''(1) shall reserve $250,000,000 to carry out section 242(c)(1)(E);

''(2) shall reserve 1.5 percent to carry out the remainder of section 242, except that the amount so reserved shall not exceed $15,000,000;

''(3) shall reserve 1.5 percent to carry out section 243, except that the amount so reserved shall not exceed $12,000,000; and

''(4) shall reserve 12 percent of the amount that remains after reserving funds under paragraphs (1) and (2) to carry out section 244.'';

(2) in subsection (b)—

(A) by striking ''section 205'' and inserting ''section 206''; and

(B) by striking ''section 224'' and inserting ''section 112 or a State unified plan approved under section 113''; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''section 205'' and inserting ''section 206'';

(ii) by striking ''section 224'' and inserting ''section 112 or a State unified plan approved under section 113''; and

(iii) in subparagraph (A)—

(I) by striking ''$100,000'' and inserting ''$250,000''; and

(II) by inserting ''except as provided in subsection (e)'' after ''outlying area''; and

(iv) in subparagraph (B), by striking ''$250,000'' and inserting ''$350,000''; and

(B) in paragraph (2), by striking ''section 205'' and inserting ''section 206'';

(4) by amending subsection (f) to read as follows:

''(f) HOLD-HARMLESS PROVISIONS.—

''(1) IN GENERAL.—Notwithstanding subsection (c), for fiscal year 2011 and each succeeding fiscal year, no eligible agency shall receive an allotment under this section that is less than 90 percent of the allotment the eligible agency received for the preceding fiscal year under this section.

''(2) 100 PERCENT ALLOTMENT.—Notwithstanding paragraph (1) of subsection (e), for a fiscal year for which an eligible agency receives only an initial allotment under subsection (c)(1) (and no additional allotment under subsection (c)(2)) the eligible agency shall receive an allotment under this section that is equal to 100 percent of the initial allotment under subsection (c)(1).

''(3) RATABLE REDUCTION.—If for any fiscal year the amount available for allotment under this title is insufficient to satisfy the provisions of paragraphs (1) and (2), the Secretary shall ratably reduce the payments to all eligible agencies, as necessary.''; and

(5) by adding at the end the following:

''(h) STUDY AND REPORT.—

''(1) STUDY.—The Comptroller General of the United States shall conduct a study concerning the formula described in this section and, in conducting the study, shall, at a minimum—

''(A) examine whether the formula results in a distribution of funds that sufficiently targets the entire population of individuals eligible for adult education and literacy activities under this title;

''(B) examine whether the data used to count qualified adults, for purposes of the formula, accurately identify the population of individuals eligible for the activities; and

''(C) develop recommendations, as necessary, for improving the formula so that the formula results in a distribution of funds that better serves that population and the data used to count qualified adults accurately measure that population.

''(2) REPORT.—Not later than 3 years after the date of enactment of the Workforce Investment Act of 2013, the Comptroller General shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a report containing the results of the study described in paragraph (1).''.

(b) PERFORMANCE ACCOUNTABILITY SYSTEM.—Section 212 is amended to read as follows:

''SEC. 212. PERFORMANCE ACCOUNTABILITY SYSTEM.

''Programs and activities authorized in this title are subject to the performance accountability provisions described in section 136. Additional indicators shall include the following:

''(1) Demonstrated improvements in literacy skill levels in reading, writing, and speaking the English language, numeracy, English language acquisition, and other literacy skills.

''(2) Receipt of a secondary school diploma or its equivalent.

''(3) Attainment of an industry-recognized workforce readiness credential or other recognized postsecondary credential, the attainment of which requires skills below the postsecondary level.

''(4) Placement in, retention in, or completion of a postsecondary education or training program.''.

SEC. 203. AMENDMENTS TO SUBTITLE B.

(a) STATE ADMINISTRATION.—Section 221 is amended—

(1) in paragraph (1), by striking ''submission, and implementation of the State plan'' and inserting ''implementation, and monitoring of the relevant components of the State unified plan in section 112 or the State unified plan in section 113''.

(b) STATE DISTRIBUTION AND MATCHING REQUIREMENT.—Section 222 is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking '' this subtitle'' and inserting ''section 211(b)'';

(B) in paragraph (1)—

(i) by striking ''82.5 percent'' and inserting ''80 percent'';

(ii) by striking ''10 percent'' and inserting ''not less than 10 percent''; and

(iii) by striking ''of the 82.5 percent'';

(C) in paragraph (2), by striking ''12.5 percent'' and inserting ''15 percent''; and

(D) in paragraph (3), by striking ''$65,000'' and inserting ''$75,000''; and

(2) in subsection (b)(1), by striking ''equal to—'' and inserting ''that is not less than—''.

(c) STATE LEADERSHIP ACTIVITIES.—Section 223 is amended by amending subsection (a) to read as follows:

''(a) ACTIVITIES.—

''(1) REQUIRED.—Each eligible agency shall use funds made available under section 222(a)(2) and from other funds available to the State for such purposes, for the following adult education and literacy activities to develop or enhance the adult education system of the State or outlying area:

''(A) The alignment of adult education and literacy activities with other core programs and one-stop partners, including eligible providers, to implement the strategy identified in the unified State plan under section 112 or the State unified plan under section 113, including the development of career pathways to provide access to employment and training services for individuals in adult education and literacy activities.

''(B) The establishment or operation of high-quality professional development programs to improve the instruction provided pursuant to local activities required under section 231(b), including instruction incorporating the essential components of reading, writing, and numeracy instruction and instruction for English language learners as such components relate to adults, instruction related to the specific needs of adult learners, instruction provided by volunteers or by personnel of a State or outlying area, and dissemination of information about models and promising practices related to such programs.

''(C) The provision of technical assistance to eligible providers of adult education and literacy activities, including technical assistance in—

''(i) the development and dissemination of instructional and programmatic practices based on available evidence-based research, where appropriate, in reading, writing, speaking, mathematics, English language acquisition programs, distance education, and staff training;

''(ii) the role of eligible providers as a one-stop partner in providing access to employment, education, and training services;

''(iii) the use of technology, including for staff training, to eligible providers, especially the use of technology to improve system efficiencies;

''(iv) the development of content and models for career pathways, including integrated education and training, career bridge programs or instruction, and postsecondary transition activities; and

''(v) the acquisition and implementation of technology tools, applications, and other resources that will—

''(I) help in enhancing or redesigning adult education, literacy, and workplace skills curricula to improve technology literacy for adult learners;

''(II) facilitate assessments for data analysis to enable individualized instruction; and

''(III) be employed in professional development activities.

''(D) The monitoring and evaluation of the quality of, and the improvement in, adult education and literacy activities and the dissemination of information about models and proven or promising practices within the State.

''(E) The assessment of the quality of the adult education teacher workforce in the State, which shall include taking actions to improve that quality, including by establishing a requirement that all paid professionals have at least a bachelor's degree and that volunteers be required to be supervised or supported by a paid professional with a bachelor's degree, and through such actions as working in partnership with colleges and universities to improve the quality of adult education teacher preparation and increase access to high-quality preparation programs.

''(F) The development of rigorous content standards and aligned assessments for their adult education programs that reflect accepted standards for college- and career-readiness that are aligned with the college- and career-ready standards the State develops and implements in compliance with section 14006(d)(4) of the American Recovery and Reinvestment Act of 2009.

''(2) PERMISSIBLE ACTIVITIES.—Each eligible agency may use funds made available under section 222(a)(2) for 1 or more of the following adult education and literacy activities:

''(A) The support of State or regional networks of literacy resource centers.

''(B) The development and implementation of technology applications, including online and on-air educational digital content, translation technology, or distance education, including professional development to support the use of instructional technology.

''(C) The development and dissemination of curricula, including curricula incorporating the essential components of reading instruction as such components relate to adults.

''(D) The dissemination of content and models for integrated education and training and career pathways, including the provision of technical assistance to eligible providers in the State administering such programs.

''(E) The provision of assistance to eligible providers in developing and implementing programs that achieve the objectives of this title and in measuring the progress of those programs in achieving such objectives, including meeting the State adjusted levels of performance described in section 136(b)(3).

''(F) The provision of assistance to eligible providers in the development of new data management systems required by the performance accountability system described in section 136(b).

''(G) The development and implementation of a system to assist in the transition from adult education to postsecondary education, including linkages with postsecondary educational institutions or institutions of higher education.

''(H) The integration of literacy and English language instruction with occupational skill training, including promoting linkages with employers.

''(I) Activities to promote workplace adult education and literacy activities.

''(J) Activities to promote and complement local outreach initiatives described in section 243(b)(3)(G).

''(K) In cooperation with efforts funded under sections 242 and 243, development and piloting of—

''(i) promising and proven assessment tools and strategies that—

''(I) are based on evidence-based research, where available and appropriate; and

''(II) identify the needs and capture the gains of students at all levels, with particular emphasis on—

''(aa) students at the lowest achievement level;

''(bb) students who are English language learners; and

''(cc) adults with learning disabilities;

''(ii) strategies for improving teacher quality and retention;

''(iii) assistance in converting evidence-based research into practice; and

''(iv) strategies in the use of technology, including online and on-air educational digital content to improve technology literacy for adult learners.

''(L) The development and implementation of programs and services to meet the needs of adult learners with learning disabilities who are English language learners.

''(M) Family literacy activities that promote adult education and help parents become their child's first teacher.

''(N) Support for recruitment and outreach for instructors, students, and employers.

''(O) Other activities of statewide significance that promote the purpose of this title.

''(3) DIGITAL LEARNING.—Each eligible agency may reserve up to 10 percent of the funds made available under section (222)(a)(2) for grants to an entity that owns and operates a television public broadcast station, as defined in section 397(6) of the Communications Act of 1934 (47 U.S.C. 397(6)) (including a partnership of such entities), in partnership with an eligible agency, State Board described in section 111, or institution of higher education to develop, disseminate, and provide online and on-air education and training services for adults, including:

''(A) the development, training and use of innovative, high-quality tools, products, and educational digital content and services for—

''(i) adult education and literacy, GED preparation, workforce training, and related outreach (including community and family) services;

''(ii) professional development; and

''(iii) English language education and services for non-English speakers;

''(B) the development and implementation of technology applications, including online and on-air education digital content, translation technology, or distance education, including professional development to support the use of instructional technology; and

''(C) developing and piloting strategies in the use of technology through online and on-air educational digital content, including to improve technology literacy for adult learners.''.

(d) STATE PLAN.—Section 224 is amended to read as follows:

''SEC. 224. STATE PLAN.

''Each State desiring to receive funds under this title for any fiscal year shall submit and have approved by the Secretary and the Secretary of Labor a State plan in accordance with section 112 or a State unified plan in accordance with section 113.''.

(e) PROGRAMS FOR CORRECTIONS EDUCATION AND OTHER INSTITUTIONALIZED INDIVIDUALS.—Section 225 is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''basic education'' and inserting ''adult education and literacy activities'';

(B) in paragraph (2), by striking ''education programs'' and inserting ''education,''; and

(C) by striking paragraphs (3) and (4) and inserting the following:

''(3) secondary school credit;

''(4) integrated education and training;

''(5) career pathways;

''(6) concurrent enrollment;

''(7) postsecondary correctional education linked to employment;

''(8) peer tutoring; and

''(9) transition to re-entry initiatives and other post-release services with the goal of reducing recidivism.''; and

(2) by striking subsection (d) and inserting the following:

''(d) REPORT.—In addition to any report required under section 136, each eligible agency that receives assistance provided under this section shall annually prepare and submit to the Secretary a report on the progress, as described in section 136, of the eligible agency with respect to the programs and activities carried out under this section, including the rate of recidivism for the criminal offenders served.

''(e) DEFINITIONS.—In this section:

''(1) CORRECTIONAL INSTITUTION.—The term 'correctional institution' means any—

''(A) prison;

''(B) jail;

''(C) reformatory;

''(D) work farm;

''(E) detention center; or

''(F) halfway house, community-based rehabilitation center, or any other similar institution designed for the confinement or rehabilitation of criminal offenders.

''(2) CRIMINAL OFFENDER.—The term 'criminal offender' means any individual who is charged with or convicted of any criminal offense.''.

SEC. 204. AMENDMENTS TO SUBTITLE C.

(a) GRANTS AND CONTRACTS FOR ELIGIBLE PROVIDERS.—Section 231 is amended—

(1) in subsection (b), by striking ''one or more programs that provide'' and all that follows and inserting ''programs that provide adult education and literacy activities, programs that provide such activities concurrently with postsecondary education or training or employment activities, and credit-bearing postsecondary coursework.'';

(2) in subsection (c)—

(A) by striking ''Each eligible'' and inserting:

''(1) IN GENERAL.—Each eligible'';

(B) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and moving such subparagraphs 2 ems to the right;

(C) in subparagraph (A) (as so redesignated), by inserting ''and compete'' after ''apply''; and

(D) by adding at the end the following:

''(2) GAO STUDY.—Not later than the second program year following the date of enactment of the , the Comptroller General shall conduct a study to determine how the provisions of paragraph (1) have been implemented and whether such provisions accomplished the purposes of such paragraph.'';

(3) in subsection (d)—

(A) by striking ''section 203(1)'' and inserting ''section 203(4)''; and

(B) by striking ''other than adult education activities'' and inserting ''other than activities for eligible individuals''; and

(4) in subsection (e)—

(A) in paragraph (1), by striking ''will establish measurable goals for participant outcomes'' and insert ''would be responsive to—

''(A) regional needs as identified in the local plan under section 118; and

''(B) serving individuals in the community who were identified in such plan as most in need of adult education and literacy activities, including individuals—

''(i) who have low levels of literacy skills;

''(ii) who have learning disabilities; or

''(iii) who are English language learners;'';

(B) by amending paragraphs (2) through (8) to read as follows:

''(2) capacity, including past effectiveness in improving the English language, reading, and mathematic skills of eligible individuals of the eligible provider, to meet and exceed State-adjusted levels of performance for the primary indicators of performance described in section 136 for eligible individuals, especially with respect to eligible individuals who have low levels of literacy;

''(3) the extent to which the eligible provider demonstrates alignment between proposed activities and services and the strategy and goals of the local plan under section 118, as well as with the activities and services of the one-stop partners;

''(4) whether the eligible provider's program uses instructional practices that include the essential components of reading instruction;

''(5) whether the eligible provider's activities are built on a strong foundation of evidence-based research on available and effective educational practices;

''(6) whether the eligible provider's activities effectively employ advances in technology and delivery systems, including distance education;

''(7) whether the eligible provider's activities provide learning in context, including through integrated education and training, so that an individual acquires the skills needed to transition to and success in completing postsecondary education and training programs, obtain and advance in employment leading to economic self-sufficiency, and exercise the rights and responsibilities of citizenship;

''(8) whether the eligible provider's activities are delivered by instructors, counselors, and administrators who meet minimum qualifications established by the State, and who have access to professional development, including through electronic means;'';

(C) in paragraph (9)—

(i) by inserting ''eligible provider's'' after ''whether the'';

(ii) by inserting ''education, training, and social service'' after ''other available'';

(iii) by inserting ''local workforce investment boards,'' after ''postsecondary educational institutions,''; and

(iv) by inserting '', business, industry, labor organizations, community-based organizations, nonprofit organizations, and intermediaries, for the development of career pathways'' before the semicolon;

(D) in paragraph (10)—

(i) by inserting ''eligible provider's'' after ''whether the'';

(ii) by inserting ''coordination with Federal, State, and local'' after ''schedules and''; and

(iii) by striking ''and transportation'' and inserting ''transportation, mental health services, and career planning''; and

(E) by striking paragraphs (11) and (12) and inserting the following:

''(11) the capacity of the eligible provider to provide integrated education and training;

''(12) whether the eligible provider maintains an information management system that has the capacity to report measurable participant outcomes (consistent with section 136) and monitor program performance;

''(13) the capacity of the eligible provider to offer or connect individuals with career pathways that will lead to economic self-sufficiency;

''(14) whether the local areas in which the eligible provider is located have demonstrated need for additional English language acquisition programs, integrated English literacy, and civics education programs; and

''(15) the capacity of the eligible provider to serve eligible individuals with disabilities, including individuals with learning disabilities.''.

(b) LOCAL APPLICATION.—Section 232 is amended—

(1) in the matter preceding paragraph (1), by striking ''under this subtitle'' and inserting ''from an eligible agency'';

(2) in paragraph (1), by striking ''; and'' and inserting ''consistent with the requirements of this title;''; and

(3) by striking the period at the end of paragraph (2) and inserting a semicolon, and after such paragraph inserting the following:

''(3) a description of how the eligible provider will provide services in alignment with the local plan under section 118, including how such provider will promote concurrent enrollment in programs and activities under titles I and II, as appropriate, to assist eligible individuals in accessing and succeeding in postsecondary education and job training services and how such provider will promote access to career pathways;

''(4) a description of how the eligible provider will meet the State adjusted levels of performance described in section 136(b)(3), including how such provider will collect data to report on such performance indicators;

''(5) a description of how the eligible provider will fulfill one-stop partner responsibilities as described in section 121(b)(1)(A), as appropriate;

''(6) a description of how the eligible provider will provide services in a manner that meets the needs of eligible individuals; and

''(7) information that addresses the considerations described under section 231(e), as applicable.''.

(c) LOCAL ADMINISTRATIVE COST LIMITS.—Section 233 is amended—

(1) in subsection (a)(2), by striking ''personnel development and interagency coordination'' and inserting ''(including carrying out the requirements of section 136), professional development, and the activities described in paragraphs (3) and (5) of section 232''; and

(2) in subsection (b), by striking ''adequate planning, administration, personnel development, and interagency coordination'' and inserting ''the eligible provider to carry out the activities described in subsection (a)(2)''.

SEC. 205. AMENDMENTS TO SUBTITLE D.

(a) ADMINISTRATIVE PROVISIONS.—Section 241(b) is amended—

(1) in paragraph (1)(A), by striking ''adult education and literacy activities'' and inserting ''activities under this title''; and

(2) in paragraph (4), by striking ''1 fiscal year only'' and inserting ''not more than 1 fiscal year''.

(b) NATIONAL INSTITUTE FOR ADULT EDUCATION AND LITERACY.—Section 242 is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting ''Adult Education and'' after ''Institute for'';

(B) in paragraph (1), by striking ''literacy'' and inserting ''effective adult education and literacy activities for adults and families, including the identification of research topics'';

(C) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively, and inserting after paragraph (1) the following:

''(2) supports the development and replication of promising and proven approaches to adult education and literacy activities and programs of demonstrated effectiveness;'';

(D) in paragraph (3) (as so redesignated), by striking ''literacy'' and inserting ''and disseminates information on adult education and literacy activities,''; and

(E) in paragraph (4) (as so redesignated), by striking ''programs by—'' and all that follows through subparagraph (A) and inserting ''activities by—

''(A) providing advice on the efforts of the Department of Education, Department of Labor, and the Department of Health and Human Services and other relevant agencies to achieve the goals of adult education and literacy programs and programs consistent with title I, within and across such agencies;

''(B) coordinating and participating in the Federal effort to identify, produce, and disseminate information on adult education and literacy activities that are derived from available evidence-based research and effective programs that serve adults and families, including individuals with learning disabilities; and

''(C) providing current information annually on effective practices and research in adult education and literacy activities to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives, and the relevant Federal agencies.'';

(2) in subsection (b)—

(A) in paragraph (1), by inserting ''Adult Education and'' after ''Institute for''; and

(B) in paragraph (2), by striking ''separate'' and inserting ''independent'';

(3) by amending subsection (c) to read as follows:

''(c) DUTIES.—

''(1) IN GENERAL.—In order to reinforce and support the alignment of activities and programs consistent with provisions under title I, the Institute is authorized—

''(A) to maintain a national electronic database of information that disseminates information to the broadest possible audience within the adult education and literacy field, and that includes—

''(i) best practices and research regarding the provision of adult education and literacy activities, including instruction in the essential components of reading instruction, integrated education and training, and the integration of English literacy and civics education;

''(ii) public and private adult education and literacy activities and programs, and Federal, State, and local policies, affecting the provision of adult education and literacy activities at the national, State, and local levels;

''(iii) opportunities for technical assistance, meetings, conferences, and other opportunities that lead to the improvement of adult education and literacy activities;

''(iv) a list of eligible providers; and

''(v) best practices in reading research, numeracy instruction, and service to English language learners;

''(B) to coordinate the support of promising and proven research, as defined by the Institute of Education Sciences, and development on adult education and literacy activities for adults and for employers across Federal agencies, and to carry out basic and applied research and development on topics that are not being investigated by other organizations or agencies, such as the special literacy needs of individuals with learning disabilities;

''(C) to provide policy and technical assistance to Federal, State, and local entities for the improvement of policy and programs relating to adult education and literacy activities;

''(D) to fund a network of State or regional adult education and literacy resource centers to assist State eligible agencies, eligible providers, and private nonprofit efforts to improve adult education and literacy activities by—

''(i) encouraging the coordination of adult education and literacy activities;

''(ii) enhancing the capacity of State eligible agencies and eligible providers to deliver adult education and literacy activities; and

''(iii) serving as a link between the Institute and eligible providers of adult education and literacy activities for the purpose of sharing information, data, research, expertise, and literacy resources, and for soliciting research needs;

''(E) to establish and maintain a national adult learning and technology resource center to—

''(i) develop frameworks for technology-based learning and professional development materials for adult education, literacy, and workplace skills;

''(ii) support distance education for professional development for eligible entities and eligible providers of adult education, literacy, and workplace skills services;

''(iii) coordinate and share information on the innovative uses of technology, such as the use of assistive technology to deliver digital content to adult learners; and

''(iv) be accessible to the public through the website of the center;

''(F) to advise Congress and Federal departments and agencies regarding the development of policy with respect to adult education and literacy activities;

''(G) to undertake other activities that lead to the improvement of the Nation's adult education and literacy delivery system and that complement other such efforts being undertaken by public and private agencies and organizations, including activities that relate to the acquisition of skills in reading, writing, English language acquisition, and mathematics;

''(H) to assist States that are pursuing the implementation of standards-based educational improvements and related standards-based assessment instruments for eligible providers through the dissemination of training, technical assistance, and related support; and

''(I) to develop and disseminate best practices on the education, training, professional development, certification, and credentialing of adult education instructors, including how the use of technology can contribute to such efforts.

''(2) GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS.—The Institute may award competitive grants to, or enter into contracts or cooperative agreements with, individuals, public or private institutions, agencies, organizations, or consortia of such institutions, agencies, or organizations to carry out the activities of the Institute.

''(3) COORDINATION.—In identifying and supporting promising and proven research the Institute shall use standards for research quality that are consistent with those of the Institute of Education Sciences.'';

(4) in subsection (d)(1), by striking ''research, or innovation'' and inserting ''or research'';

(5) in subsection (e)—

(A) in the subsection heading, by inserting ''ADULT EDUCATION AND'' after ''INSTITUTE FOR'';

(B) in paragraph (1)—

(i) in subparagraph (A), by inserting ''Adult Education and'' after ''Institute for'';

(ii) in subparagraph (B)(i)—

(I) by inserting ''adult education and'' after ''organizations and providers of''; and

(II) by striking ''English literacy'' and inserting ''English language acquisition'';

(iii) in subparagraph (B)(ii), by striking ''literacy programs'' and inserting ''or have participated in or partnered with workplace adult education and literacy activities'';

(iv) in subparagraph (B)(iii), by striking ''literacy'' both places it appears and inserting ''adult education and literacy'';

(v) in subparagraph (B)(iv), by inserting ''adult education and literacy research, including adult'' after ''area of'';

(vi) in subparagraph (B)(vi), by striking ''and'';

(vii) in subparagraph (B)(vii), by striking the period and inserting ''; and''; and

(viii) by adding at the end the following:

''(viii) institutions of higher education or postsecondary educational institutions.'';

(C) in paragraph (2)—

(i) in subparagraph (B), by striking ''and'';

(ii) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(D) review the biennial report submitted to Congress pursuant to subsection (k).''; and

(D) in paragraph (5)—

(i) by striking ''Any'' and inserting ''A''; and

(ii) by inserting ''at a meeting for which there is a quorum'' before the period;

(6) in subsection (k)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''The'' and inserting ; and

(ii) by striking ''Committee on Labor and Human Resources of the Senate'' and inserting ''Committee on Health, Education, Labor and Pensions of the Senate and the relevant agencies'';

(B) in paragraph (1), by inserting ''adult education and'' after ''field of''; and

(C) in paragraph (2), by striking ''adult education and'' after ''goals of the''; and

(7) by adding at the end the following:

''(m) NATIONAL INSTITUTE FOR LITERACY.—Any reference in any other Federal law, Executive order, rule, regulation, or delegation of authority, or any document of or pertaining to—

''(1) the head of the National Institute for Literacy shall be treated as a reference to the head of the National Institute for Adult Education and Literacy; and

''(2) the National Institute for Literacy shall be treated as a reference to the National Institute for Adult Education and Literacy.''.

(c) NATIONAL LEADERSHIP ACTIVITIES.—Section 243 is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking ''The Secretary'' and inserting:

''(a) IN GENERAL.—The Secretary'';

(B) by inserting ''and outcomes'' after ''the quality'';

(C) by striking ''programs'' and inserting ''activities and programs''; and

(D) by striking ''Such activities may include the following:'' and inserting:

''(b) ALLOWABLE ACTIVITIES.—The national leadership activities described in subsection (a) may include the following:'';

(2) in paragraph (1)—

(A) by redesignating subparagraphs (A) through (C) as subparagraphs (B) through (D), respectively and inserting before subparagraph (B) (as so redesignated) the following:

''(A) assistance to help States meet the requirements of section 136;'';

(B) in subparagraph (B) (as so redesignated)—

(i) by striking ''developing and using performance measures'' and inserting ''using performance accountability measures based on indicators described in section 136, and data systems''; and

(ii) by striking '', including family literacy services'';

(C) in subparagraph (C) (as so redesignated), by striking ''including family literacy services'' and all that follows and inserting ''utilizing evidence-based research where available;'';

(D) in subparagraph (D) (as so redesignated)—

(i) by striking ''learning'' and inserting ''education''; and

(ii) by striking the period and inserting the following: '', including through the use of instructional models that blend in-person and online instruction; and''; and

(E) by adding at the end the following:

''(E) assistance in the development and dissemination of promising and proven models for addressing the digital literacy needs of adults, including older adults.'';

(3) by redesignating paragraph (2) as paragraph (3), and inserting after paragraph (1) the following:

''(2) A program of grants, contracts, or cooperative agreements awarded on a competitive basis to national, regional, or local networks of private nonprofit organizations, public libraries, or institutions of higher education to build the capacity of such networks' members to—

''(A) meet the performance requirements, described in section 136, of eligible providers under this title; and

''(B) involve eligible individuals in program improvement.''; and

(4) in paragraph (3) (as so redesignated)—

(A) in the matter preceding subparagraph (A), by inserting ''institutions of higher education,'' after ''postsecondary educational institutions,'';

(B) in subparagraph (A), by striking ''phonemic awareness'' and all that follows through ''reading comprehension'' and inserting ''the essential components of reading instruction'';

(C) in subparagraph (B), by striking '', including family literacy services'';

(D) in subparagraph (C), by striking ''research, such as'' and inserting: ''research, including evidence-based research where available, on national literacy basic skill acquisition for adult learning, including'';

(E) in subparagraph (D)—

(i) in clause (i), by striking the semicolon and inserting '', which may include programs that—

''(I) accelerate learning outcomes for eligible individuals with the lowest literacy levels;

''(II) promote career pathways for eligible individuals;

''(III) promote concurrent enrollment programs in adult education and credit bearing postsecondary coursework; and

''(IV) develop high-quality professional development activities for eligible providers;''; and

(ii) in clause (ii), by striking ''such as the development'' and all that follows and inserting ''such as—

''(I) programs for skill certification;

''(II) the identification of effective strategies for working with adults with learning disabilities and with adults who are English language learners;

''(III) integrated education and training programs;

''(IV) programs providing adult education and literacy activities coordinated with employment services;

''(V) family literacy activities that promote adult education and help parents become their child's first teacher; and

''(VI) postsecondary education and training transition programs;'';

(F) in subparagraph (E)—

(i) in the matter preceding clause (i), by striking ''through studies and analyses conducted independently'';

(ii) in clause (i)—

(I) by inserting ''accountability'' after ''performance'';

(II) by inserting '', including interim measures connected to increasing advancement along a career pathway,'' after ''measures of accountability''; and

(III) by striking '', including family literacy services'';

(iii) in clause (ii)—

(I) by striking ''including family literacy services''; and

(II) by striking ''adults (and of children'' and all that follows through ''in such activities'' and inserting ''eligible individuals, lead'';

(iv) in clause (iii)—

(I) by striking ''adults'' and inserting ''eligible individuals'';

(II) by striking ''family''; and

(III) by striking ''programs'' and inserting ''activities''; and

(v) in clause (iv), by striking ''eligible agencies have distributed'' and all that follows and inserting ''different types of providers measurably improve the skills of eligible individuals in adult education and literacy activities;'';

(G) by redesignating subparagraphs (F), (G) and (H) as subparagraphs (G), (H), and (K), respectively;

(H) by inserting after subparagraph (E) the following:

''(F) carrying out research on the relationship between instructional quality, including education levels, certification status, and experience of instructors, and the performance outcomes of eligible providers consistent with section 136;'';

(I) in subparagraph (G) (as so redesignated)—

(i) by inserting ''of programs'' after ''building''; and

(ii) by striking ''subtitle'' and inserting ''title''; and

(J) in subparagraph (H) (as so redesignated), by striking ''; and'' and inserting a semicolon and inserting after such subparagraph the following:

''(I) supporting the development of an entity that would produce and distribute technology-based programs and materials for adult education and literacy activities using an interconnection system (as defined in section 397 of the Communications Act of 1934 (47 U.S.C. 397)) and expand the effective outreach and use of such programs and materials to eligible providers;

''(J) determining how participation in adult education and literacy activities prepares eligible individuals for entry into postsecondary education and employment and, in the case of programs carried out in correctional institutions, has an effect on recidivism; and''.

(d) INTEGRATED ENGLISH LITERACY AND CIVICS EDUCATION.—Subtitle D, as redesignated by section 201(f), is further amended by adding after section 243 the following new section:

''SEC. 244. INTEGRATED ENGLISH LITERACY AND CIVICS EDUCATION.

''(a) IN GENERAL.—From funds made available under section 211(a)(1)(C) for each fiscal year, the Secretary shall award grants to States, from allotments under subsection (b), for integrated English literacy and civics education.

''(b) ALLOTMENT.—

''(1) IN GENERAL.—Subject to paragraph (2), from amounts made available under section 211(a)(1)(C) for a fiscal year, the Secretary shall allocate—

''(A) 65 percent to the States on the basis of a State's need for integrated English literacy and civics education, as determined by calculating each State's share of a 10-year average of the data of the Office of Immigration Statistics of the Department of Homeland Security for immigrants admitted for legal permanent residence for the 10 most recent years; and

''(B) 35 percent to the States on the basis of whether the State experienced growth, as measured by the average of the 3 most recent years for which the data of the Office of Immigration Statistics of the Department of Homeland Security for immigrants admitted for legal permanent residence are available.

''(2) MINIMUM.—No State shall receive an allotment under paragraph (1) in an amount that is less than $60,000.

''(c) STUDY TO DETERMINE CONTINUED NEED.—Not later than 2 years after the date of the enactment of the Workforce Investment Act of 2012 and every 2 years thereafter, the Secretaries of Education, Labor, and Homeland Security shall submit a report to Congress about the English-language instruction needs of adult immigrants. It shall include changes in national, State and county-level approaches and requirements in English-language instruction; data on the composition of recent immigration flows and immigrant settlement patterns across States; and estimated instructional needs based on the English ability and educational attainment of recent immigrants from top immigrant-sending countries. Such study shall be commissioned by the Institute of Education Sciences, with its design conducted in collaboration with the Departments of Labor and Homeland Security.''.

TITLE III—AMENDMENTS TO THE WAGNER-PEYSER ACT

SEC. 301. EMPLOYMENT SERVICE OFFICES.

Section 1 of the Wagner-Peyser Act (29 U.S.C. 49) is amended by inserting ''service'' before ''offices''.

SEC. 302. DEFINITIONS.

Section 2 of the Wagner-Peyser Act (29 U.S.C. 49a) is amended—

(1) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively;

(2) by inserting after paragraph (1) the following:

''(2) the term 'employment service office' means a local office of a State agency;'';

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

(A) by striking ''investment board'' each place it appears and inserting ''development board''; and

(B) by striking ''of 1998'' and inserting ''of 2011'';

(4) in paragraph (4) (as so redesignated)—

(A) by striking ''134(c)'' and inserting ''221(e)''; and

(B) by striking ''1998'' and inserting ''2011'';

(5) in paragraph (6) (as so redesignated), by striking the period and inserting a semicolon; and

(6) by adding at the end the following:

''(7) except in section 15, the term 'State agency', used without further description, means an agency designated or authorized under section 4; and

''(8) the term 'workplace learning advisor', has the meaning given the terms in section 101 of the Workforce Investment Act of 1998.''.

SEC. 303. FEDERAL AND STATE EMPLOYMENT SERVICE OFFICES.

(a) COORDINATION.—Section 3(a) of the Wagner-Peyser Act (29 U.S.C. 49b(a)) is amended by striking ''services'' and inserting ''service offices''.

(b) PUBLIC LABOR EXCHANGE SERVICES SYSTEM.—Section 3(c)(2) of the Wagner-Peyser Act (29 U.S.C. 49b(c)(2)) is amended by inserting '', and identify and disseminate information on best practices for such system'' before the semicolon.

(c) ONE-STOP CENTERS.—Section 3 of the Wagner-Peyser Act (29 U.S.C. 49b) is amended by inserting after subsection (c) the following:

''(d) In order to improve service delivery, avoid duplication of services, and enhance coordination of services, the employment service offices in each State and the one-stop centers shall be collocated to the extent practicable.

''(e) The Secretary, in consultation with States, is authorized to assist the States in the development of national electronic tools that may be used to improve access to workforce information for individuals through—

''(1) the one-stop delivery systems established as described in section 121(e) of the Workforce Investment Act of 2012; and

''(2) such other delivery systems as the Secretary determines to be appropriate.''.

SEC. 304. ALLOTMENT OF SUMS.

Section 6 of the Wagner-Peyser Act (29 U.S.C. 49e) is amended—

(1) in subsection (a)—

(A) by striking ''From'' and inserting ''After making the reservation required by subsection (c), from''; and

(B) by striking ''amounts appropriated pursuant to section 5'' and inserting ''funds appropriated and (except for Guam) certified under section 5 and made available for allotments under this section''; and

(2) in subsection (b)(1)—

(A) in the matter preceding subparagraph (A)—

(i) by inserting before ''the Secretary'' the following ''after making the allotments required by subsection (a),''; and

(ii) by striking ''sums'' and all that follows through ''this Act'' and inserting ''funds described in subsection (a)'';

(B) in each of subparagraphs (A) and (B), by striking ''sums'' and inserting ''remainder''; and

(C) by adding at the end the following: ''For purposes of this paragraph, the term 'State' does not include Guam or the Virgin Islands.''.

SEC. 305. USE OF SUMS.

(a) RESOURCES FOR UNEMPLOYMENT INSURANCE CLAIMANTS.—Section 7(a)(3) of the Wagner-Peyser Act (29 U.S.C. 49f(a)(3)) is amended—

(1) by striking ''and'' at the end of subparagraph (E);

(2) by striking the period at the end of subparagraph (F) and inserting ''; and''; and

(3) by inserting after subparagraph (F) the following:

''(G) providing unemployment insurance claimants and other unemployed individuals with referrals to, and application assistance for, training and education resources and programs, including Federal Pell Grants under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.), educational assistance under chapter 30 of title 38, United States Code (commonly referred to as the Montgomery GI Bill), and chapter 33 of that title (Post-9/11 Veterans Educational Assistance), student assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), State student higher education assistance, and training and education programs provided under titles I and II of the Workforce Investment Act of 2012, and title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.).''.

(b) STATE ACTIVITIES.—Section 7(b) of the Wagner-Peyser Act (29 U.S.C. 49f(b)) is amended—

(1) in paragraph (1), by striking ''performance standards established by the Secretary'' and inserting ''the performance accountability measures that are based on indicators described in section 136(b)(2)(A)(i) of the Workforce Investment Act of 2012''; and

(2) in paragraph (2), by inserting ''offices'' after ''employment service''.

(c) PROVIDING ADDITIONAL FUNDS.—Section 7(c)(2) of the Wagner-Peyser Act (29 U.S.C. 49f(c)(2)) is amended by striking ''1998'' and inserting ''2011''.

(d) OTHER SERVICES AND ACTIVITIES.—Section 7(d) of the Wagner-Peyser Act (29 U.S.C. 49f(d)) is amended by striking ''1998'' and inserting ''2011''.

(e) CONFORMING AMENDMENT.—Section 7(e) of the Wagner-Peyser Act (29 U.S.C. 49f(e)) is amended by striking ''labor employment statistics'' and inserting ''labor market information''.

SEC. 306. STATE PLAN.

Section 8 of the Wagner-Peyser Act (29 U.S.C. 49g) is amended to read as follows:

''SEC. 8. Any State desiring to receive assistance under section 6 shall prepare and submit to, and have approved by, the Secretary and the Secretary of Education, a State plan in accordance with section 112 or 113 of the Workforce Investment Act of 2011.''.

SEC. 307. PERFORMANCE ACCOUNTABILITY MEASURES.

Section 13(a) of the Wagner-Peyser Act (29 U.S.C. 49l(a)) is amended to read as follows:

''(a) The activities carried out pursuant to section 7 shall be subject to the performance accountability measures that are based on indicators described in section 136(b)(2)(A)(i) of the Workforce Investment Act of 2011.''.

SEC. 308. PILOT PROJECTS.

The Wagner-Peyser Act is amended by inserting after section 13 (29 U.S.C. 49l) the following:

''SEC. 13A. PILOT PROJECTS.

''(a) GRANTS.—From funds appropriated under subsection (f), the Secretary, in consultation with the Secretary of Education, shall establish and carry out a pilot program. In carrying out the program, the Secretary shall annually make grants, on a competitive basis, to State agencies to cooperate in the administration of this Act by carrying out pilot projects that enhance the professional development and provision of services by the staff of such State agencies.

''(b) USE OF FUNDS.—Funds made available under this section may be used to enable a State agency to—

''(1) make available a broad range of career guidance services, including career planning, aptitude and interest assessments, provision of labor market information, job placement services, and evaluations of the outcomes for recipients of such services;

''(2) strengthen the capacity of the State agency to identify job openings through the use of technology, and through intensive outreach to small- and medium-size employers while using and enhancing the business and employer services authorized under this Act;

''(3) provide professional development and career advancement opportunities for staff of a State agency in order to upgrade their skills and competencies in the provision of career development activities, employer outreach, job placement, and other services authorized under this Act, including upgrading those skills and competencies through the training of such staff to improve their knowledge of, and ability to effectively interact with, staff and programs of one-stop partners and other entities administering workforce development programs;

''(4) identify and implement strategies for State agency staff to provide technical assistance and training to assist other providers of workforce development activities, including workplace learning advisors, in providing counseling and employment-related services to workers and job seekers, and employers; and

''(5) identify and implement new strategies for integrating counseling and technology to enhance the provision of employment-related services under this Act.

''(c) APPLICATIONS.—A State agency that seeks a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(d) PRIORITY.—In awarding grants under this section, the Secretary, in consultation with the Secretary of Education, shall—

''(1) give priority to a State agency that—

''(A) demonstrates participation by employees of the agency and their organized representatives in the planning of the proposed pilot project;

''(B) demonstrates participation by the employees, or provides an assurance that the employees will participate, in the implementation of the pilot project; and

''(C) demonstrates that the State agency has established a partnership, or provides an assurance that the agency will establish a partnership, with a relevant professional organization, or with an institution of higher education; and

''(2) ensure geographic diversity and diversity with respect to the population density of the States in which projects under this section will be carried out.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2013 through 2017.''.

SEC. 309. LABOR MARKET INFORMATION SYSTEM.

(a) HEADING.—The section heading for section 15 of the Wagner-Peyser Act (29 U.S.C. 49l–2) is amended by striking ''**EMPLOYMENT STATISTICS**'' and inserting ''**LABOR MARKET INFORMATION SYSTEM**''.

(b) NAME OF SYSTEM.—Section 15(a)(1) of the Wagner-Peyser Act (29 U.S.C. 49l–2(a)(1))

is amended by striking ''employment statistics system of employment statistics'' and inserting ''labor market information system''.

(c) SYSTEM RESPONSIBILITIES.—Section 15(b) of the Wagner-Peyser Act (29 U.S.C. 491–2(b)) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—

''(A) STRUCTURE.—The labor market information system described in subsection (a) shall be evaluated and improved by the Secretary, in consultation with the Workforce Information Advisory Council established in subsection (d).

''(B) GRANTS AND RESPONSIBILITIES.—

''(i) IN GENERAL.—The Secretary shall carry out the provisions of this section in a timely manner, through grants to or agreements with States.

''(ii) DISTRIBUTION OF FUNDS.—Using amounts appropriated under subsection (g), the Secretary shall provide funds through those grants and agreements. In distributing the funds (relating to labor market information funding) for fiscal years 2013 through 2017, the Secretary shall continue to distribute the funds to States in the manner in which the Secretary distributed funds to the States under this section for fiscal years 2004 through 2008.''; and

(2) by striking paragraph (2) and inserting the following:

''(2) DUTIES.—The Secretary, with respect to data collection, analysis, and dissemination of labor market information for the system, shall carry out the following duties:

''(A) Assign responsibilities within the Department of Labor for elements of the labor market information system described in subsection (a) to ensure that the statistical and administrative data collected is consistent with appropriate Bureau of Labor Statistics standards and definitions, and that the information is accessible and understandable to users of such data.

''(B) Actively seek the cooperation of heads of other Federal agencies to establish and maintain mechanisms for ensuring complementarity and nonduplication in the development and operation of statistical and administrative data collection activities.

''(C) Solicit, receive, and evaluate the recommendations from the Workforce Information Advisory Council established in subsection (d) concerning the evaluation and improvement of the labor market information system described in subsection (a) and respond in writing to the Council regarding the recommendations.

''(D) Through the Bureau of Labor Statistics and the Employment and Training Administration, and in collaboration with States, develop and maintain the elements of the labor market information system described in subsection (a), including the development of consistent procedures and definitions for use by the States in collecting the data and information described in subparagraphs (A) and (B) of subsection (a)(1).

''(E) Establish procedures for the system to ensure that—

''(i) such data and information are timely; and

''(ii) paperwork and reporting for the system are reduced to a minimum.''.

(d) TWO-YEAR PLAN.—Section 15 of the Wagner-Peyser Act (29 U.S.C. 491–2) is amended by striking subsection (c) and inserting the following:

''(c) TWO-YEAR PLAN.—The Secretary, acting through the Commissioner of Labor Statistics and the Assistant Secretary for Employment and Training, and in consultation with the Workforce Information Advisory Council described in subsection (d) and heads of other appropriate Federal agencies, shall prepare a 2-year plan for the labor market information system. The plan shall be developed and implemented in a manner that takes into account the activities described in State plans submitted by States under section 112 or 113 of the Workforce Investment Act of 2012 and shall be submitted to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate. The plan shall include—

''(1) a description of how the Secretary will work with the States to manage the nationwide labor market information system described in subsection (a) and the statewide workforce and labor market information systems that comprise the nationwide system;

''(2) a description of the steps to be taken in the following 2 years to carry out the duties described in subsection (b)(2);

''(3) an evaluation of the performance of the system, with particular attention to the improvements needed at the State and local levels;

''(4) a description of the involvement of States in the development of the plan, through consultation by the Secretary with the Workforce Information Advisory Council in accordance with subsection (d); and

''(5) a description of the written recommendations received from the Workforce Information Advisory Council established under subsection (d), and the extent to which those recommendations were incorporated into the plan.''.

(e) WORKFORCE INFORMATION ADVISORY COUNCIL.—Section 15 of the Wagner-Peyser Act (29 U.S.C. 491–2) is amended by striking subsection (d) and inserting the following:

''(d) WORKFORCE INFORMATION ADVISORY COUNCIL.—

''(1) IN GENERAL.—The Secretary, through the Commissioner of Labor Statistics and the Assistant Secretary of Labor for Employment and Training, shall formally consult at least twice annually with the Workforce Information Advisory Council established in accordance with paragraph (2). Such consultations shall address the evaluation and improvement of the nationwide labor market information system described in subsection (a) and the statewide labor market information systems that comprise the nationwide system and how the Department of Labor and the States will cooperate in the management of such systems. The Council shall provide written recommendations to the Secretary concerning the evaluation and improvement of the nationwide system, including any recommendations regarding the 2-year plan described in subsection (c).

''(2) ESTABLISHMENT OF COUNCIL.—

''(A) ESTABLISHMENT.—The Secretary shall establish an advisory council that shall be known as the Workforce Information Advisory Council (referred to in this section as the 'Council') to participate in the consultations and provide the recommendations described in paragraph (1).

''(B) MEMBERSHIP.—The Secretary shall appoint the members of the Council, which shall consist of—

''(i) 4 members who are representatives of lead State agencies with responsibility for workforce investment activities, or State agencies described in section 4, who have been nominated by such agencies or by a national organization that represents such agencies;

''(ii) 4 members who are representatives of the State labor market information directors affiliated with the State agencies that perform the duties described in subsection (e)(2), who have been nominated by the directors;

''(iii) 1 member who is a representative of providers of training services under section 122 of the Workforce Investment Act of 2012;

''(iv) 1 member who is a representative of economic development entities;

''(v) 1 member who is a representative of businesses, who has been nominated by national business organizations or trade associations;

''(vi) 1 member who is a representative of labor organizations, who has been nominated by a national labor federation;

''(vii) 1 member who is a representative of local workforce investment boards, who has been nominated by a national organization representing such boards; and

''(viii) 1 member who is a representative of research entities that utilize labor market information.

''(C) GEOGRAPHIC DIVERSITY.—The Secretary shall ensure that the membership of the Council is geographically diverse and that no 2 of the members appointed under clauses (i), (ii), and (vii) represent the same State.

''(D) PERIOD OF APPOINTMENT; VACANCIES.—

''(i) IN GENERAL.—Each member of the Council shall be appointed for a term of 3 years, except that the initial terms for members may be 1, 2, or 3 years in order to establish a rotation in which one-third of the members are selected each year. Any such member may be appointed for not more than 2 consecutive terms.

''(ii) VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office.

''(E) TRAVEL EXPENSES.—The members of the Council shall not receive compensation for the performance of services for the Council, but shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Council. Notwithstanding section 1342 of title 31, United States Code, the Secretary may accept the voluntary and uncompensated services of members of the Council.''.

(f) STATE RESPONSIBILITIES.—Section 15(e) of the Wagner-Peyser Act (29 U.S.C. 491–2(e)) is amended—

(1) by striking ''employment statistics'' each place it appears and inserting ''labor market information'';

(2) in paragraph (1)(A) by striking ''annual plan'' and inserting ''plan described in subsection (c)''; and

(3) in paragraph (2)—

(A) in subparagraph (G), by inserting ''and'' at the end;

(B) by striking subparagraph (H);

(C) in subparagraph (I), by striking ''section 136(f)(2) of the Workforce Investment Act of 1998'' and inserting ''section 131(i)(2) of the Workforce Investment Act of 2012''; and

(D) by redesignating subparagraph (I) as subparagraph (H).

(g) AUTHORIZATION OF APPROPRIATIONS.—Section 15(g) of the Wagner-Peyser Act (29 U.S.C. 491–2(g)) is amended by striking ''1999 through 2004'' and inserting ''2013 through 2017''.

TITLE IV—AMENDMENTS TO THE REHABILITATION ACT OF 1973

Subtitle A—Introductory Provisions

SEC. 401. REFERENCES.

Except as otherwise specifically provided, whenever in this title an amendment or repeal is expressed in terms of an amendment

to, or repeal of, a provision, the amendment or repeal shall be considered to be made to a provision of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.).

SEC. 402. FINDINGS, PURPOSE, POLICY.

(a) FINDINGS.—Section 2(a) is amended—

(1) in paragraph (5), by striking ''and'' at the end;

(2) in paragraph (6), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(7)(A) a high proportion of students are leaving secondary education without being employed in competitive integrated employment, or being enrolled in postsecondary education; and

''(B) there is a substantial need to support such students as they transition from school to postsecondary life.''.

(b) PURPOSE.—Section 2(b) (29 U.S.C. 701(b)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''with disabilities'' and all that follows through ''economic'' and inserting ''with disabilities, including individuals with the most significant disabilities, to maximize opportunities for competitive integrated employment and to achieve economic''; and

(B) at the end of subparagraph (F), by striking ''and'';

(2) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(3) to increase employment opportunities and employment outcomes for individuals with disabilities, including through encouraging meaningful involvement by employers and vocational rehabilitation service providers on successful and prospective employment and placement strategies; and

''(4) to ensure, to the greatest extent possible, that youth with disabilities and students with disabilities who are transitioning from receipt of special education services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) and receiving accommodations and supports consistent with section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) are either continuing their education or employed in competitive integrated employment.''.

SEC. 403. REHABILITATION SERVICES ADMINISTRATION.

Section 3 (29 U.S.C. 702) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking ''Office of the Secretary'' and inserting ''Office of Special Education and Rehabilitative Services'';

(B) in the second sentence, by striking ''IV and V'' and inserting ''IV, V, VII, and VIII''; and

(C) by striking the last 3 sentences and inserting ''The functions of the Commissioner shall not be delegated to any officer, unless the officer is directly responsible to the Assistant Secretary for Special Education and Rehabilitative Services.'';

(2) by redesignating subsection (b) as subsection (c);

(3) by inserting after subsection (a) the following:

''(b) The Secretary shall ensure that—

''(1) the Rehabilitation Services Administration provides oversight of, conducts monitoring of, and provides technical assistance to, the designated State agencies funded under this Act; and

''(2) the staff providing such oversight, monitoring, and technical assistance includes individuals who have training in and experience with the programs administered by the Rehabilitation Services Administration.''; and

(4) in subsection (c), as redesignated by paragraph (2), by striking ''for the programs'' and all that follows and insert ''in a manner that is consistent with the purposes of the program for which the funds are appropriated and of this Act, as enumerated in section 2(b)''.

SEC. 404. DEFINITIONS.

Section 7 (29 U.S.C. 705) is amended—

(1) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by inserting after ''means'' the following: ''an assessment that presumes the attainment of an employment outcome for all individuals with disabilities (including individuals with significant disabilities and individuals with the most significant disabilities), and that relies on''; and

(B) in subparagraph (B)—

(i) in clause (iii), by striking ''and'' at the end;

(ii) in clause (iv), by striking the semicolon and inserting ''; and''; and

(iii) by adding at the end the following:

''(v) to the maximum extent possible, relies on information obtained from experiences in integrated employment settings in the community, and other integrated community settings;'';

(2) in paragraph (5)—

(A) in the matter preceding subparagraph (A), by striking ''for employment, including career advancement'' and inserting ''for competitive integrated employment and for career advancement, including'';

(B) by redesignating subparagraphs (O) through (Q) as subparagraphs (P) through (R);

(C) by inserting after subparagraph (N) the following:

''(O) customized employment services;''; and

(D) in subparagraph (R), as redesignated by subparagraph (B) of this paragraph, by striking ''(P)'' and inserting ''(Q)'';

(3) by redesignating paragraphs (6) as paragraph (7) and inserting after paragraph (5) the following new paragraph:

''(6) COMPETITIVE INTEGRATED EMPLOYMENT.—

''(A) IN GENERAL.—The term 'competitive integrated employment' means work by an employee who is an individual with a disability—

''(i) that is compensated at a rate that—

''(I) is the same rate as the rate for other employees who are not individuals with disabilities, and who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills; and

''(II) shall be in accordance with the applicable law, but in no event less than the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or the applicable State or local minimum wage law;

''(ii) for which the employee receives health and employment benefits comparable to those of other employees;

''(iii) that is at a location typically found in the community where the employee interacts frequently with other employees and individuals who are not individuals with disabilities to the same extent that non-disabled employees in comparable positions interact with others; and

''(iv) that provides opportunities for advancement that are equivalent to those for other employees who are not individuals with disabilities and who have comparable positions.

''(B) INCLUSION OF CUSTOMIZED OR SUPPORTED EMPLOYMENT.—The term 'competitive integrated employment' includes integrated employment resulting from the provision of customized employment strategies or supported employment services, provided the work involved satisfies the criteria described in subparagraph (A).

''(C) INCLUSION OF SELF-EMPLOYMENT OR MICRO-ENTERPRISES.—The term 'competitive integrated employment' includes self-employment or micro-enterprises, as long as the work involved satisfies the criteria described in subparagraph (A).'';

(4) by redesignating paragraphs (8) through (28) as paragraphs (9) through (29), respectively, and inserting after paragraph (7) the following:

''(8) CUSTOMIZED EMPLOYMENT.—The term 'customized employment' means an employment outcome in competitive integrated employment, for an individual with a significant disability, that is based on an individualized determination of the strengths, needs, and interests of the individual with a significant disability, is designed to meet the specific abilities of the individual with a significant disability and the business needs of the employer, and is carried out through flexible strategies, such as—

''(A) job exploration by the individual; and

''(B) working with an employer to facilitate placement, including—

''(i) customizing a job description based on current employer needs or on previously unidentified and unmet employer needs;

''(ii) developing a set of job duties (including a work schedule) and specifics of supervision (including performance evaluation and review), and determining job location;

''(iii) representation by a professional chosen by the individual, or self-representation by the individual, in working with an employer to facilitate placement; and

''(iv) providing services and supports at the job location.'';

(5) in paragraph (12) (as so redesignated)—

(A) in subparagraph (A), by striking ''competitive employment in the integrated labor market'' and inserting ''competitive integrated employment''; and

(B) in subparagraph (C), by inserting ''customized employment,'' after ''outcome of'';

(6) in paragraph (18) (as so redesignated)—

(A) by striking the ''and'' at the end of subparagraph (C);

(B) in subparagraph (D), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(E) transition and prevention services that—

''(i) facilitate the transition of individuals with significant disabilities from nursing homes and other institutions to home and community-based residences, with the required supports and services;

''(ii) provide assistance to individuals with significant disabilities who are at risk of entering institutions so that the individuals may remain in the community; and

''(iii) facilitate the transition of youth (including students) who are individuals with significant disabilities, who were eligible for individualized education programs under section 614(d) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)), and who have completed their secondary education or otherwise left school, to postsecondary life, including employment; and

''(F) services to promote full access to community life.'';

(7) in paragraph (21)(B), by striking ''and VII'' and inserting ''VII, and VIII'';

(8) by redesignating paragraphs (29) through (34) as paragraphs (32) through (37), respectively;

(9) by inserting after paragraph (29) the following:

''(30) POST-EMPLOYMENT SERVICE.—The term 'post-employment service' means a service identified under section 103(a) that is—

''(A) provided subsequent to the achievement of an employment outcome; and

''(B) necessary for an individual to maintain or regain an employment outcome in competitive integrated employment, consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

''(31) PRE-EMPLOYMENT TRANSITION SERVICES.—

''(A) IN GENERAL.—The term 'pre-employment transition services' means a coordinated set activities for an eligible student with a disability, designed within an outcome-oriented process, that promotes movement from school to any of the following post-school activities: postsecondary education, vocational training, competitive integrated employment (including supported employment), adult education, adult services, independent living, or community participation.

''(B) SPECIFIC SERVICES.—The term 'pre-employment transition services' means a set of services, that is available to students with disabilities, and that makes available, at a minimum—

''(i) career counseling;

''(ii) work-based learning experience, including in-school and after school work experience, or work experience outside the traditional school setting (such as experience through job training or internships), that is provided in an integrated environment to the maximum extent possible;

''(iii) counseling on opportunities for enrollment in a comprehensive transition or postsecondary educational program at an institution of higher education;

''(iv) school-based preparatory employment experiences such as role playing, social skills development, and independent living training, coordinated with any transition services provided by the local educational agency under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.); and

''(v) training in self-advocacy, individual rights, self-determination skills, and the informed consent process, as well as peer mentoring.

''(C) COORDINATED SET OF ACTIVITIES.—For purposes of subparagraph (A), the coordinated set of activities shall be based on the individual student's needs, taking into account the student's preferences and interests, and shall include education and training, community experiences, the development of employment and other adult living objectives, and, when appropriate, acquisition of daily living skills and functional vocational evaluation.'';

(10) by redesignating paragraphs (35) through (39) as paragraphs (39) through (43), respectively, and inserting after paragraph (37) (as so redesignated) the following:

''(38) STUDENT WITH A DISABILITY.—

''(A) IN GENERAL.—The term 'student with a disability' means an individual with a disability who—

''(i) attends a secondary school;

''(ii)(I) is not younger than the earliest age for the provision of transition services under section 614(d)(1)(A)(i)(VIII) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)(1)(A)(i)(VIII)); and

''(II)(aa) is not older than 21 years of age; or

''(bb) if the State law for the State provides for a higher maximum age for receipt of services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), is not older than that maximum age; and

''(iii)(I) is eligible for, and receiving, special education or related services under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.); or

''(II) is an individual with a disability, for purposes of section 504.'';

(11) by striking paragraphs (38) and (39), as redesignated by paragraph (12), and inserting the following:

''(38) SUPPORTED EMPLOYMENT.—The term 'supported employment' means an employment outcome in competitive integrated employment, including customized employment, that is consistent with the strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individuals involved, for individuals with the most significant disabilities—

''(A)(i) for whom competitive integrated employment has not historically occurred; or

''(ii) for whom competitive integrated employment has been interrupted or intermittent as a result of a significant disability;

''(B) who, because of the nature and severity of their disability—

''(i) need intensive supported employment services for the period described in paragraph (39); and

''(ii) need extended services described in paragraph (13) in order to continue to perform in such work beyond the period described in paragraph (39); and

''(C) to the extent that on-going extended services, as described in paragraph (13) of this section, are needed, the designated State unit will assist the individual in identifying providers of those services.

''(39) SUPPORTED EMPLOYMENT SERVICES.—The term 'supported employment services' means ongoing support services, including customized employment, needed to support and maintain an individual with a most significant disability in an employment, outcome that—

''(A) are provided singly or in combination and organized and made available in such a way as to assist an eligible individual to succeed in competitive integrated employment;

''(B) are based on a determination of the needs of an eligible individual, as specified in an individualized plan for employment; and

''(C) are provided by the designated State unit for a period of not more than 24 months, except that the period may be extended, if necessary, in order to achieve the employment outcome identified in the individualized plan for employment.''; and

(12) by inserting after paragraph (43) (as so redesignated) the following:

''(44) YOUTH WITH A DISABILITY.—The term 'youth with a disability' means an individual with a disability who—

''(A) is not younger than 14 years of age; and

''(B) is not older than 24 years of age.''.

SEC. 405. ADMINISTRATION OF THE ACT.

Section 12(a)(1) (29 U.S.C. 709) is amended—

(1) by striking ''(1)'' and inserting ''(1)(A)''; and

(2) by adding at the end the following:

''(B) provide technical assistance to the designated State units on developing successful partnerships with local and multi-State businesses to increase the employment of individuals with disabilities; and

''(C) provide technical assistance to providers and organizations on developing self-employment opportunities and outcomes for individuals with disabilities.''.

SEC. 406. REPORTS.

Section 13 (29 U.S.C. 710) is amended—

(1) in section (c)—

(A) by striking ''(c)'' and inserting ''(c)(1)''; and

(B) by adding at the end the following:

''(2) The ILA Director described in section 701A shall include, in the annual report, information on the extent to which centers for independent living receiving funds under part C of title VII have complied with the standards and assurances set forth in section 725. The ILA Director may identify individual centers for independent living in the analysis contained in that information. The ILA Director shall include in the report the results of onsite compliance reviews, identifying individual centers for independent living and other recipients of assistance under part C of title VII.''; and

(2) by adding at the end the following:

''(d)(1)(A) The Commissioner shall ensure that the reports, information, and data described in subparagraph (B) are made publicly available in a timely and accessible manner, including through electronic means, in order to inform the public about the administration and performance of programs in each State under this Act.

''(B) The reports, information, and data referred to in subparagraph (A) shall consist of—

''(i) reports submitted by a designated State agency or designated State unit under this Act;

''(ii) accountability information, including State performance information relating to evaluation standards and performance indicators, and additional performance accountability indicators, under section 106, including information on compliance with such standards, indicators, and measures, relating to individuals with disabilities, submitted by a designated State agency or designated State unit under this Act, or submitted by a State to the Secretary of Labor or the Secretary of Education under section 136 of the Workforce Investment Act of 1998;

''(iii) data collected from each designated State unit under this Act; and

''(iv) reports from monitoring conducted under this Act, including relevant reports required under section 136 of the Workforce Investment Act of 1998 and other relevant reports, information, and data required under title I of such Act.

''(C)(i) The Commissioner shall ensure that the information described in clause (ii) is made publicly available in a timely and accessible manner, including through electronic means.

''(ii) The information referred to in clause (i) is—

''(I) the reports, information, and data required to be submitted by designated State units or designated State agencies under this Act;

''(II) evaluations, studies, and audits conducted by Federal agencies, concerning programs carried out under this Act; and

''(III) a list that specifies the designated State unit or designated State agency for each State, including a link to the website maintained by each such unit or agency.

''(2) The Commissioner shall maintain public use read-only access to the State and aggregated reports, and analyzed data, concerning programs carried out under this Act, that are filed and maintained in the Rehabilitation Services Administration management information system or a system maintained by the Department of Education.''.

SEC. 407. EVALUATION.

Section 14(f)(2) (29 U.S.C. 711(f)(2)) is amended by striking ''nonintegrated to integrated employment'' and inserting ''nonintegrated to competitive integrated employment''.

SEC. 408. CARRYOVER.

Section 19 (29 U.S.C. 716) is amended—

(1) in subsection (a), by striking ''part B of title I'' and all that follows through ''including'' and inserting ''part B of title I (except the client assistance program funded under section 112), part B of title VI, or chapter 2 and 4 of title VII including''; and

(2) by adding at the end the following:

''(c) CLIENT ASSISTANCE PROGRAM; PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS.—

''(1) APPROPRIATED AMOUNTS.—Notwithstanding any other provision of law, any

funds appropriated for a fiscal year to carry out a grant program under section 112 or 509 (except as provided in section 509(b)), including any funds reallotted during that fiscal year under such grant program, that are not obligated and expended by a recipient prior to the beginning of the succeeding fiscal year, shall remain available for obligation and expenditure by such recipient during such succeeding fiscal year.

''(2) PROGRAM INCOME.—Notwithstanding any other provision of law, any amount of program income received by a recipient under a grant program under section 112 or 509 in a fiscal year that is not obligated and expended by the recipient prior to the beginning of the succeeding fiscal year, shall remain available until expended.''.

SEC. 409. TRADITIONALLY UNDERSERVED POPULATIONS.

Section 21 (29 U.S.C. 718) is amended in subsection (a), by striking paragraphs (1) and (2) and inserting the following:

''(1) RACIAL PROFILE.—The demographic profile of the United States is changing at an unprecedented rate, with the population of the Nation becoming far more ethnically diverse than in the past. Within the United States, while the rate of increase from 2000 to 2010 for White Americans was 7.9 percent, the rate of increase during that period for racial and ethnic minorities was much higher: 42.0 percent for Latinos, 11.4 percent for African-Americans, and 34.9 percent for Asian-Americans.

''(2) RATE OF DISABILITY.—Ethnic and racial minorities tend to have disabling conditions at a disproportionately high rate. In 2005—

''(A) among Americans ages 25 through 64, the rate of disability was 17.3 percent;

''(B) among African-Americans in that age range, the disability rate was more than twice as high, at 21.3 percent; and

''(C) for American Indians in the same age range, the disability rate was 25.6 percent of the general population.''.

Subtitle B—Vocational Rehabilitation Services

SEC. 411. DECLARATION OF POLICY; AUTHORIZATION OF APPROPRIATIONS.

(a) FINDINGS; PURPOSE; POLICY.—Section 100(a) (29 U.S.C. 720(a)) is amended—

(1) in paragraph (1)(C), by striking ''gainful employment in integrated settings'' and inserting ''gainful employment in competitive integrated employment settings'';

(2) in paragraph (2)(B), by striking ''gainful employment'' and inserting ''high quality employment that will increase opportunities for economic self-sufficiency''; and

(3) in paragraph (3)—

(A) in subparagraph (B), by striking ''gainful employment in integrated settings'' and inserting ''competitive integrated employment'';

(B) in subparagraph (C)(ii), by striking ''for the individuals''; and

(C) in subparagraph (E), by inserting ''should'' before ''facilitate''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 100(b)(1) (29 U.S.C. 720(b)(1)) is amended by striking ''fiscal years 1999 through 2003'' and inserting ''fiscal years 2013 through 2017''.

SEC. 412. STATE PLANS.

(a) PLAN REQUIREMENTS.—Section 101(a) (29 U.S.C. 721(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking ''to participate'' and all that follows and inserting ''to receive funds under this title for a fiscal year, a State shall submit, and have approved by the Secretary and the Secretary of Labor a State plan in accordance with section 112, or a State unified plan in accordance with section 113. The State plan or State unified plan shall include the provisions of a State plan for vocational rehabilitation services, described in this subsection.'';

(B) in subparagraph (B)—

(i) by striking ''in the State plan for vocational rehabilitation services,'' and inserting ''as part of the vocational rehabilitation services portion of the State plan or State unified plan submitted in accordance with subparagraph (A),''; and

(ii) by striking ''Rehabilitation Act Amendments of 1998'' and inserting ''Workforce Investment Act of 2012''; and

(C) in subparagraph (C)—

(i) by striking ''The State plan shall remain in effect subject to the submission of such modifications'' and inserting ''The vocational rehabilitation services portion of the State plan or State unified plan submitted in accordance with subparagraph (A) shall remain in effect until the State is required to submit the plan in accordance with subparagraph (A) or until the submission of such modifications''; and

(ii) by striking '', until the State submits and receives approval of a new State plan'';

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''The State plan'' and inserting ''The State plan for vocational rehabilitation services'';

(B) in subparagraph (B)(ii)—

(i) in subclause (III), by striking ''and'' at the end;

(ii) in subclause (IV), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(V)(aa) has the authority and responsibility within the State to ensure that the funds appropriated under this title are expended only in a manner that is consistent with the purposes of this title; and

''(bb) the authority and responsibility described in subparagraph (aa) may not be delegated to or performed by another agency, including the designated State agency for the vocational rehabilitation program, and or individual.'';

(3) in paragraph (5)—

(A) in subparagraph (C), by striking ''and'' at the end;

(B) by redesignating subparagraph (D) as subparagraph (E); and

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

''(D) notwithstanding subparagraph (C), assure that the designated State unit may give priority for the provision of services to those eligible individuals who require specific services or equipment in accordance with an approved individualized plan for employment to maintain an employment outcome under the vocational rehabilitation program; and'';

(4) in paragraph (6)(B), by striking ''to employ and advance in employment'' and inserting ''to recruit, employ, and advance in competitive integrated employment'';

(5) in paragraph (7)(A)(v)—

(A) by striking subclause (I) and inserting the following:

''(I) a system for the continuing education of rehabilitation professionals and paraprofessionals within the designated State unit, particularly with respect to rehabilitation technology, including training implemented in coordination with entities carrying out State programs under section 4 of the Assistive Technology Act of 1998 (29 U.S.C. 3003); and'';

(6) in paragraph (8)—

(A) in subparagraph (A), by striking ''(5)(D)'' and inserting ''(5)(E)'';

(B) in subparagraph (B)—

(i) in the matter preceding clause (i) by striking ''(5)(D)'' and inserting ''(5)(E)''; and

(ii) in clause (iv), by striking ''(5)(D)'' and inserting ''(5)(E)''; and

(C) in subparagraph (C)(i), by striking ''(5)(D)'' and inserting ''(5)(E)'';

(7) in paragraph (10)—

(A) in subparagraph (B), by striking ''annual'' and all that follows through ''of 1998'' and inserting ''annual reporting of information, on eligible individuals receiving the services, that is necessary to assess the State's performance on those primary indicators of performance (described in section 136(b)(2)(A) of the Workforce Investment Act of 2012)'';

(B) in subparagraph (C)—

(i) in the matter preceding clause (i), by inserting '', from each individual State,'' after ''additional data'';

(ii) in clause (i)(II), by striking ''determined'' and all that follows and inserting ''determined to be ineligible for vocational rehabilitation services, and the reason for such determination of ineligibility (disaggregated by type of disability, and age);'';

(iii) in clause (ii)—

(I) in subclause (I), by striking ''(5)(D)'' and inserting ''(5)(E)'';

(II) in subclause (II), by striking ''and'' at the end; and

(III) by adding at the end the following:

''(IV) the total number of individuals with ongoing open cases (disaggregated by individuals who are in training settings, and individuals who are in postsecondary education), and the services individuals described in this subclause are receiving;

''(V) the total number of students with disabilities that are receiving pre-employment transition services, and the total cost for providing those services for each full fiscal year after the date of enactment of the Workforce Investment Act of 2012;

''(VI) the total number of students with disabilities that are receiving transition services, and the total cost for providing those services for each full fiscal year after the date of enactment of the Workforce Investment Act of 2012;

''(VII) the number of individuals referred to one-stop centers, as defined in section 134(c) of the Workforce Investment Act of 1998; and

''(VIII) the number of individuals referred from such one-stop centers to designated State units and the outcomes of such referrals;'';

(iv) by striking all of clause (iii) and inserting the following:

''(iii) the number of applicants and eligible recipients, including the numbers of individuals with significant disabilities, who exited the program carried out under this title and the number who achieved employment outcomes after receiving vocational rehabilitation services, including—

''(I) the number of youth with disabilities who—

''(aa) entered postsecondary education and the earnings of such youth who completed postsecondary education, by academic fields;

''(bb) attained academic levels and job skills needed for employment, such as a high school diploma, certificate, or other educational credential required for the employment outcome specified in the individual's individualized plan for employment;

''(cc) entered postsecondary training or programs for apprenticeships registered under the Act of August 16, 1937 (commonly known as the 'National Apprenticeship Act'; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.); and

''(dd) the number of youth with disabilities who entered employment;

''(II) for individuals who obtained an employment outcome with wages—

''(aa) the average length of time for obtaining employment;

''(bb) the average earnings of individuals who obtained an employment outcome;

''(cc) the number who earned the minimum wage rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or another wage level set by the Commissioner, during such employment; and

''(dd) the number who received employment benefits from an employer during such employment;

''(III) a comparison, among individuals who obtained employment, of the number of individuals who no longer used public benefits; and

''(IV) for those individuals who received supported employment services—

''(aa) the number of individuals who were employed 6 months after receiving such services;

''(bb) the number of individuals who were employed 12 months after receiving such services; and

''(cc) the number of individuals who earned wages at not less than the minimum wage rate determined under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) during their employment; and''; and

(v) by striking clause (iv) and inserting the following:

''(iv)(I) the transition from school to postsecondary life, including employment, and achievement of the postsecondary vocational goals, of students with disabilities served under the program carried out under this title; and

''(II) the provision of supported employment services; and'';

(C) in subparagraph (E)(ii), by striking ''of the State'' and all that follows and inserting ''of the State in meeting the standards and indicators established pursuant to section 106.''; and

(D) by adding at the end the following:

''(G) RULES FOR REPORTING OF DATA.—The disaggregation of data under this section shall not be required within a category if the number of participants in a category is insufficient to yield statistically reliable information, or required if the results would reveal personally identifiable information about an individual participant.

''(H) COMPREHENSIVE REPORT.—The State plan shall specify that the Commissioner will provide an annual comprehensive report that includes the reports and data required under this section, as well as a summary of the reports and data, for each fiscal year. The Commissioner shall submit the report to the Committee on Education and the Workforce of the House of Representatives, the Committee on Appropriations of the House of Representatives, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Appropriations of the Senate, not later than 180 days after the end of the fiscal year involved.'';

(8) in paragraph (11)—

(A) in subparagraph (A)(i)(II), by inserting ''(including programmatic accessibility and physical accessibility)'' after ''program accessibility'';

(B) in subparagraph (C)—

(i) by inserting ''the State programs carried out under section 4 of the Assistive Technology Act of 1998 (29 U.S.C. 3003),'' after ''including'';

(ii) by inserting ''noneducational agencies serving out-of-school youth,'' after ''Agriculture''; and

(iii) by striking ''such agencies and programs'' and inserting ''such Federal, State, and local agencies and programs'';

(C) in subparagraph (D)—

(i) in clause (ii), by striking ''completion'' and inserting ''implementation'';

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

(iii) by inserting after clause (ii) the following:

''(iii) identifying options for additional education and training, in order to facilitate the provision of services for youth with disabilities, including transition services for students with disabilities, such as services provided under section 114;'';

(D) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (H), respectively;

(E) by inserting after subparagraph (D) the following:

''(E) COORDINATION WITH EMPLOYERS.—The State plan shall contain plans, policies, and procedures for coordination between the designated State units, State workforce investment boards, local workforce investment boards, and employers that provide for building relationships with employers and identifying community-based competitive integrated employment opportunities and career exploration opportunities, in order to facilitate the provision of transition services for youth with disabilities and students with disabilities, such as services provided under section 114;'';

(F) in subparagraph (F), as redesignated by subparagraph (E) of this paragraph—

(i) by inserting ''chapter 1 of'' after ''part C of''; and

(ii) by inserting '', as appropriate'' before the period;

(G) by inserting after subparagraph (F), as redesignated by subparagraph (E) of this paragraph, the following:

''(G) COOPERATIVE AGREEMENT REGARDING INDIVIDUALS ELIGIBLE FOR HOME AND COMMUNITY-BASED WAIVER PROGRAMS.—The State plan shall include an assurance that the designated State unit has entered into a formal cooperative agreement with the State agency responsible for administering the State Medicaid plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) and the State designated agency described in section 125(d) of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15025) with respect to the delivery of vocational rehabilitation services, including extended services, for individuals with the most significant disabilities who have been determined to be eligible for home- and community-based services under a Medicaid waiver, Medicaid State plan amendment, or other authority related to a State Medicaid program. The agreement shall describe strategies for collaboration and coordination in providing vocational rehabilitation services to such individuals receiving Medicaid home- and community-based services in a manner consistent with the person-centered planning process required by Medicaid.'';

(H) in subparagraph (H), as redesignated by subparagraph (E) of this paragraph—

(i) in clause (ii)—

(I) by inserting ''on or'' before ''near''; and

(II) by striking ''and'' at the end;

(ii) by redesignating clause (iii) as clause (iv); and

(iii) by inserting after clause (ii) the following:

''(iii) strategies for the provision of transition planning, by personnel of the designated State unit, the State educational agency, and the recipient of funds under part C, that will facilitate the development and implementation of the individualized education programs under section 614(d) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)) and, as appropriate, the development and completion of the individualized plans for employment under section 102, in order to enable students with disabilities to achieve employment outcomes;''; and

(I) by adding at the end the following:

''(I) COORDINATION WITH ASSISTIVE TECHNOLOGY PROGRAMS.—The State plan shall include an assurance that the designated State unit, and the lead agency and implementing entity (if any) designated by the Governor of the State under section 4 of the Assistive Technology Act of 1998 (29 U.S.C. 3003), have developed working relationships and will enter into agreements for the coordination of their activities, including the referral of individuals with disabilities to programs and activities described in that section.

''(J) COORDINATION WITH TICKET TO WORK AND SELF-SUFFICIENCY PROGRAM.—The State plan shall include an assurance that the designated State unit will coordinate activities with any other State agency that is functioning as an employment network under the Ticket to Work and Self-Sufficiency Program established under section 1148 of the Social Security Act (42 U.S.C. 1320b–19).'';

(9) in paragraph (14)—

(A) in the paragraph header, by striking ''ANNUAL'' and inserting ''SEMIANNUAL'';

(B) in subparagraph (A)—

(i) by striking ''annual'' and inserting ''semiannual'';

(ii) by striking ''(and thereafter'' and all that follows through ''representative)'' and inserting '', and annually thereafter''; and

(iii) by striking ''to competitive'' and all that follows and inserting the following: ''to competitive integrated employment or training for competitive integrated employment;'';

(C) in subparagraph (B), by striking ''and'' at the end;

(D) in subparagraph (C), by striking ''the individuals described'' and all that follows and inserting ''individuals in attaining competitive integrated employment; and''; and

(E) by adding at the end the following:

''(D) an assurance that the State will report the information generated under subparagraphs (A), (B), and (C), for each of the individuals, to the Administrator of the Wage and Hour Division of the Department of Labor for each fiscal year, not later than 60 days after the end of the fiscal year.'';

(10) in paragraph (15)—

(A) in subparagraph (A)—

(i) in clause (i)—

(I) in subclause (II), by striking ''and'' at the end; and

(II) by adding at the end the following:

''(IV) individuals with disabilities receiving Medicaid home- and community-based waiver habilitation services (reference), including pre-vocational and supported employment services; and

''(V) youth with disabilities, and students with disabilities, including their need for pre-employment transition services described in section 114 or other transition services; and''; and

(ii) by striking clauses (ii) and (iii) and inserting the following:

''(ii) include an assessment of the needs of individuals with disabilities for transition services and pre-employment transition services provided under this Act, and coordinated with transition services provided under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), and an assessment as to whether the transition and pre-employment transition services provided under those Acts meet the needs of individuals with disabilities.'';

(B) in subparagraph (B)—

(i) by redesignating clause (iii) as clause (iv); and

(ii) by inserting after clause (ii) the following:

''(iii) the number of individuals who are eligible for services under this title, but are not receiving such services due to an order of selection; and''; and

(C) in subparagraph (D)—

(i) by redesignating clauses (iii) through (v) as clauses (iv) through (vi); and

(ii) by inserting after clause (ii) the following:

''(iii) the methods to be used to improve and expand vocational rehabilitation services for students with disabilities, including the coordination of services designed to facilitate the transition of such students from the receipt of educational services in school to postsecondary life (including the receipt of vocational rehabilitation services under this title, postsecondary education, employment, and pre-employment transition services under section 114);'';

(11) in paragraph (20)—

(A) by redesignating subparagraph (B) as subparagraph (C); and

(B) by inserting after subparagraph (A) the following:

''(B) INFORMATION ON ASSISTANCE FOR BENEFICIARIES OF ASSISTANCE UNDER TITLE II OR XVI OF THE SOCIAL SECURITY ACT.—The State plan shall include an assurance that the designated State unit will make available, to individuals entitled to benefits under title II or XVI of the Social Security Act (42 U.S.C. 401 et seq., 1381 et seq.) on the basis of a disability or blindness—

''(i) information on the availability of benefits and medical assistance authorized under the State Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) or under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), and medical assistance authorized under other federally funded programs;

''(ii) information on the availability of assistance through benefits planning and assistance programs authorized under section 1149 of the Social Security Act (42 U.S.C. 1320b–20) and services provided by the State protection and advocacy system and authorized under section 1150 of the Social Security Act (42 U.S.C. 1320b–21); and

''(iii) in the case of individuals who are also eligible for a ticket under the Ticket to Work and Self-Sufficiency Program established under section 1148 of the Social Security Act (42 U.S.C. 1320b–19), general information regarding the options for using the ticket and information on how to contact a program manager of the Ticket to Work and Self-Sufficiency Program to obtain information on approved employment networks, on providers for the benefits planning and assistance programs described in clause (ii) in the State, and on the services provided by the State protection and advocacy system and described in clause (ii).''; and

(12) by adding at the end the following:

''(25) SERVICES FOR STUDENTS WITH DISABILITIES.—The State plan shall provide an assurance satisfactory to the Secretary that, with respect to students with disabilities, the State—

''(A) has developed and will implement—

''(i) strategies to address the needs identified in the assessments described in paragraph (15); and

''(ii) strategies to achieve the goals and priorities identified by the State, in accordance with paragraph (15), to improve and expand vocational rehabilitation services for students with disabilities on a statewide basis; and

''(B) has developed and will implement a plan to carry out the provision of pre-employment transition services in accordance with section 114.

''(26) JOB GROWTH AND DEVELOPMENT.—The State plan shall provide an assurance describing how the State will utilize initiatives involving in-demand industry sectors or occupations as defined in section 101 of the Workforce Investment Act of 2012 to increase competitive integrated employment opportunities for individuals with disabilities.''.

(b) APPROVAL.—Section 101(b) (29 U.S.C. 721(b)) is amended to read as follows:

''(b) SUBMISSION; APPROVAL; MODIFICATION.—The State plan for vocational rehabilitation services shall be subject to—

''(1) section 112 of the Workforce Investment Act of 1998, in a case in which that plan is a portion of the State plan described in that section 112; and

''(2) section 113 of such Act in a case in which that State plan for vocational rehabilitation services is a portion of the State unified plan described in that section 113.''.

(c) CONSTRUCTION.—Section 101 (29 U.S.C. 721) is amended by adding at the end the following:

''(c) CONSTRUCTION.—Nothing in this part shall be construed to reduce the obligation of a local educational agency or any other agency to provide or pay for any transition services that are allowable under the programs of the respective agencies.''.

SEC. 413. ELIGIBILITY AND INDIVIDUALIZED PLAN FOR EMPLOYMENT.

(a) ELIGIBILITY.—Section 102(a) (29 U.S.C. 722(a)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A)—

(i) in the subparagraph header, by striking ''DEMONSTRATION'' and inserting ''APPLICANTS''; and

(ii) by striking '', unless'' and all that follows and inserting a period; and

(B) in subparagraph (B)—

(i) in the subparagraph header, by striking ''METHODS'' and inserting ''RESPONSIBILITIES'';

(ii) in the first sentence—

(I) by striking ''In making the demonstration required under subparagraph (A),'' and inserting ''Prior to determining under this subsection that an applicant described in subparagraph (A) is unable to benefit due to the severity of the individual's disability or that the individual is ineligible for vocational rehabilitation services,''; and

(II) by striking '', except under'' and all that follows and inserting a period; and

(iii) in the second sentence, by striking ''individual or to determine'' and all that follows and inserting ''individual. In providing the trial experiences, the designated State unit shall provide the individual with the opportunity to try different employment experiences, including supported employment, and the opportunity to become employed in competitive integrated employment.'';

(2) in paragraph (3)(A)(ii), by striking ''outcome from'' and all that follows and inserting ''outcome, including supported employment, from vocational rehabilitation services due to the current (as of the date of the determination) severity of the disability of the individual.'';

(3) in paragraph (5)—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''If an individual'' and inserting ''If, after the designated State unit carries out the activities described in paragraph (2)(B), a review of existing data, and, to the extent necessary, the assessment activities described in section 7(2)(A)(ii), an individual''; and

(ii) by striking ''is determined'' and all that follows through ''not to be'' and inserting ''is determined not to be'';

(B) by redesignating subparagraphs (A) through (D) as subparagraphs (B) through (E), respectively;

(C) by inserting before subparagraph (B) the following:

''(A) the ineligibility determination shall be an individualized one, based on the available data, and shall not be based on disability category;''; and

(D) in clause (i) of subparagraph (C), as redesignated by subparagraph (B) of this paragraph, by inserting after ''determination'' the following: '', including clear and convincing evidence that forms the basis for the determination of ineligibility''; and

(4) in paragraph (6), by striking ''60 days'' each place it appears and inserting ''45 days''.

(b) DEVELOPMENT OF AN INDIVIDUALIZED PLAN FOR EMPLOYMENT, AND RELATED INFORMATION.—Section 102(b) (29 U.S.C. 722(b))—

(1) in paragraph (1)—

(A) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (C), and (D), and (E), respectively; and

(B) by inserting after subparagraph (A) the following:

''(B) information on the availability of assistance from consumer organizations, as defined in section 106(a)(4) (including a listing of such organizations) that can assist an individual in the development of an individualized plan for employment;'';

(2) in paragraph (3), as redesignated by paragraph (2) of this subsection—

(A) in subparagraph (E)—

(i) in clause (i), by striking ''and'' at the end;

(ii) in clause (ii), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(iii) amended, as necessary, to include the post-employment services and service providers that are necessary for the individual to maintain or regain employment, consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.''; and

(B) by adding at the end the following:

''(F) TIMEFRAME FOR COMPLETING THE INDIVIDUALIZED PLAN FOR EMPLOYMENT.—The individualized plan for employment shall be developed as soon as possible, but not later than a deadline of 90 days after the date of the determination of eligibility described in paragraph (1), unless the designated State unit and the eligible individual agree to an extension of that deadline to a specific date by which the individualized plan for employment shall be completed.

''(G) FAILURE TO DEVELOP THE INDIVIDUALIZED PLAN FOR EMPLOYMENT WITHIN THE SPECIFIED TIMEFRAME.—In the event the individualized plan for employment is not completed by the deadline or extended deadline, as appropriate, under subparagraph (F), the eligible individual shall have the right to request both mediation and an impartial due process hearing according to the procedures described in subsection (c). At such hearing, the hearing officer shall have the authority to order the designated State unit to complete the individualized plan for employment within a specific period of time, not to exceed 60 days from the date of the decision, in addition to any other authority given to the officer under this section.''; and

(3) in paragraph (3)—

(A) in subparagraph (A), by striking ''choice of the'' and all that follows and inserting ''choice of the eligible individual, consistent with the employment outcome of competitive integrated employment (except that in the case of an eligible individual who is a student, the description may be a description of the student's projected employment outcome);'';

(B) in subparagraph (B)(i)—

(i) by redesignating subclause (II) as subclause (III); and

(ii) by striking subclause (I) and inserting the following:

''(I) needed to achieve the employment outcome, including, as appropriate—

''(aa) the provision of assistive technology devices and assistive technology services (including referrals described in section 103(a)(3) to the device reutilization programs and demonstrations described in subparagraphs (B) and (D) of section 4(e)(2) of the Assistive Technology Act of 1998 (29 U.S.C. 3003(e)(2))) through agreements developed under section 101(a)(11)(H); and

''(bb) personal assistance services (including training in the management of such services);

''(II) in the case of a plan for an eligible individual that is a student, the specific transition services and supports (including work experience, mentoring activities, and supported employment) needed to achieve the student's employment outcome or projected employment outcome; and'';

(C) in subparagraph (F), by striking ''and'' at the end;

(D) in subparagraph (G), by striking the period and inserting ''; and''; and

(E) by adding at the end the following:

''(H) for an individual who also is receiving assistance from an employment network under the Ticket to Work and Self-Sufficiency Program established under section 1148 of the Social Security Act (42 U.S.C. 1320b–19), a list of the services that are listed in the individual work plan that the individual developed with the employment network under subsection (g) of that section, and a description of how responsibility for service delivery will be divided between the employment network and the designated State unit in accordance with the agreement between the two parties required under the Ticket to Work and Self-Sufficiency Program.''.

(c) PROCEDURES.—Section 102(c) (29 U.S.C. 722(c)) is amended—

(1) in paragraph (1), by adding at the end the following: ''These procedures also shall allow for the review of any delay in the vocational rehabilitation process.'';

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) in clause (ii), by striking ''and'' at the end;

(ii) in clause (iii), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(iv) any applicable State limit on the time by which a request for mediation under paragraph (4) or a hearing under paragraph (5) shall be made, and any required procedure by which the request shall be made.''; and

(B) in subparagraph (B)(iii), by inserting ''the denial,'' before ''reduction,''; and

(3) in paragraph (5)—

(A) by striking subparagraph (A) and inserting the following:

''(A) OFFICER.—A due process hearing described in paragraph (2) shall be conducted by an impartial hearing officer who, on reviewing all the evidence presented, shall issue a written decision based on the provisions of the approved State plan, requirements specified in this Act (including regulations implementing this Act), and State regulations and policies that are consistent with the Federal requirements specified in this title. The officer shall provide the written decision to the applicant or eligible individual, or, as appropriate, the applicant's representative or individual's representative, and to the designated State unit. The impartial hearing officer shall have the authority to render a decision and require actions, consistent with the requirements specified in this title (including regulations implementing this title), regarding all aspects of the applicant's or eligible individual's vocational rehabilitation services under this title.''; and

(B) in subparagraph (B), by striking ''in laws (including regulations)'' and inserting ''about Federal and State laws (including regulations) and the approved State plan''.

SEC. 414. VOCATIONAL REHABILITATION SERVICES.

Section 103 (29 U.S.C. 723) is amended—

(1) in subsection (a)—

(A) by striking paragraph (15) and inserting the following:

''(15) transition services for students with disabilities, that facilitate the transition from school to postsecondary life, such as achievement of an employment outcome in competitive integrated employment, or pre-employment transition services described in section 114;'';

(B) by redesignating paragraphs (17) and (18) as paragraphs (18) and (19), respectively;

(C) by inserting after paragraph (16) the following:

''(17) customized employment services;'';

(D) in paragraph (18), as redesignated by subparagraph (C) of this paragraph, by striking the ''and'' at the end;

(E) in paragraph (19), as redesignated by subparagraph (C) of this paragraph, by striking the period and inserting ''; and''; and

(F) by adding at the end the following:

''(20) mentoring services.''; and

(2) in subsection (b)—

(A) in paragraph (2)(A), by striking the second sentence and inserting ''Such programs shall be used to provide services that promote integration into the community and that result in competitive integrated employment, including supported employment and customized employment.''; and

(B) by striking paragraph (6) and inserting the following:

''(6) Consultation and technical assistance services to assist State educational agencies and local educational agencies in planning for the transition of students with disabilities from school to postsecondary life, including employment.''.

SEC. 415. STATE REHABILITATION COUNCIL.

Section 105 (29 U.S.C. 725) is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (A)—

(i) by striking clause (ix) and inserting the following:

''(ix) in a State in which one or more projects are funded under section 121 and in which such services are provided through those projects, at least one representative of the directors of the projects located in such State;'';

(ii) in clause (x), by striking ''and'' at the end;

(iii) in clause (xi), by striking the period and inserting ''; and''; and

(iv) by adding at the end the following:

''(xii) the director of the State's comprehensive statewide program of technology-related assistance funded under section 4 of the Assistive Technology Act of 1998 (29 U.S.C. 3003).''; and

(B) in subparagraph (B)—

(i) in clause (xi), by striking ''and'' at the end;

(ii) in clause (xii), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(xiii) the director of the State's comprehensive statewide program of technology-related assistance funded under section 4 of the Assistive Technology Act of 1998 (29 U.S.C. 3003).''; and

(2) in subsection (c)(6), by striking ''Service Act'' and all that follows and inserting ''Service Act (42 U.S.C. 300x–3(a)) and the State workforce investment board, and with the activities of entities carrying out programs under the Assistive Technology Act of 1998 (29 U.S.C. 3001 et seq.);''.

SEC. 416. PERFORMANCE ACCOUNTABILITY MEASURES.

Section 106 (29 U.S.C. 726) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—

''(1) STANDARDS AND INDICATORS.—The evaluation standards and performance indicators for the vocational rehabilitation program carried out under this title shall be subject to the performance accountability provisions described in section 136(b) of the Workforce Investment Act of 2012.

''(2) ADDITIONAL PERFORMANCE ACCOUNTABILITY INDICATORS.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Commissioner may establish through regulation additional performance accountability indicators, which may include outcome and related measures of program performance.

''(B) COMMENT.—Such additional performance accountability indicators shall be developed with input from State vocational rehabilitation agencies, related professional and consumer organizations, recipients of vocational rehabilitation services, and other interested parties.

''(3) REPORTS.—Each State that receives funds under this title shall submit a report to the Commissioner containing information on any additional performance accountability indicators established under paragraph (2).

''(4) CONSUMER ORGANIZATION.—In this subsection, the term 'consumer organization' means a membership organization, or disability advocacy group, for which a majority of the members of the board of directors of the organization or group are individuals with disabilities or family members of individuals with disabilities.''; and

(2) in subsection (b)(2)(B), by striking clause (i) and inserting the following:

''(i) on a biannual basis, review the program improvement efforts of the State and, if the State has not improved its performance to acceptable levels, as determined by the Commissioner, direct the State to make revisions to the plan to improve performance; and''.

SEC. 417. MONITORING AND REVIEW.

(a) IN GENERAL.—Section 107(a) (29 U.S.C. 727(a)) is amended—

(1) in paragraph (3)(E), by inserting before the period the following: '', including personnel of a client assistance program under section 112, and past or current recipients of vocational rehabilitation services''; and

(2) in paragraph (4)—

(A) by striking subparagraphs (A) and (B) and inserting the following:

''(A)(i) the eligibility process to ensure compliance with the requirements set forth in section 102(a); and

''(ii) implementation of an order of selection, if applicable, to ensure compliance with the requirements set forth in section 101(a)(5); and

''(B) the provision of services to ensure compliance with section 103;'';

(B) in subparagraph (C), by striking ''and'' at the end;

(C) by redesignating subparagraph (D) as subparagraph (E); and

(D) by inserting after subparagraph (C) the following:

''(D) data on individuals determined to be ineligible for services due to severity of their disability, to determine if systematic changes could result in increased capacity to meet the needs of such individuals; and''.

(b) REVIEW.—Section 107(d) of the Rehabilitation Act of 1973 (29 U.S.C. 727(d)) is amended, in paragraphs (1) and (2), by striking ''a final determination of the Commissioner under section 101(b) or subsection (c)'' and inserting ''a final determination on a State plan for vocational rehabilitation services under the procedures referenced in section

101(b), or a final determination by the Commissioner under subsection (c)''.

SEC. 418. TRAINING AND SERVICES FOR EMPLOYERS.

Section 109 (29 U.S.C. 728a) is amended to read as follows:

''SEC. 109. TRAINING AND SERVICES FOR EMPLOYERS.

''A State may expend payments received under section 111 to educate and provide services to employers who have hired or are interested in hiring individuals with disabilities under programs carried out under this title, including—

''(1) providing training and technical assistance to employers regarding the employment of individuals with disabilities, including disability awareness, and the requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and other employment-related laws;

''(2) working with employers to—

''(A) provide opportunities for work-based learning experience (including internships, short-term employment, apprenticeships, and fellowships), such as opportunities in conjunction with pre-employment transition services;

''(B) recruit qualified applicants with disabilities;

''(C) train employees with disabilities; and

''(D) promote retention of employees who are at risk of losing a job due to disability-related barriers;

''(3) providing consultations, technical assistance, and support to employers on workplace accommodations, assistive technology, and facilities and workplace access;

''(4) assisting employers with utilizing available financial support, including tax credits and deductions available for hiring or accommodating individuals with disabilities; and

''(5) supporting the development of working relationships between State vocational rehabilitation agencies, the workforce investment system, their community partners, and employers on multi-State and national levels, including—

''(A) encouraging employers to recruit qualified individuals with disabilities for available employment opportunities;

''(B) facilitating such recruitment by disseminating information about specific available employment opportunities to qualified individuals who are recipients of vocational rehabilitation services under this subtitle, or who are applicants for such services;

''(C) matching qualified individuals who are recipients of vocational rehabilitation services under this subtitle, or who are applicants for such services, with employers that have available employment opportunities on the local, regional, or national level; and

''(D) providing support services, as appropriate, to employers to facilitate the hiring of qualified individuals who are recipients of vocational rehabilitation services under this subtitle, or who are applicants for such services.''.

SEC. 419. STATE ALLOTMENTS.

(a) IN GENERAL.—Section 110 (29 U.S.C. 730) is amended—

(1) in subsection (a)(1), by striking ''Subject to the provisions of subsection (c)'' and inserting ''Subject to the provisions of subsections (c), (d), and (e), and section 303(d)''; and

(2) by striking subsections (b) and (c) and inserting the following:

''(b)(1) Not later than 45 days prior to the end of the fiscal year, the Commissioner shall determine, after reasonable opportunity for the submission to the Commissioner of comments by the State agency administering or supervising the program established under this title, whether any amount from the payment of an allotment to a State under section 111(a) for any fiscal year will not be utilized by such State in carrying out the purposes of this title.

''(2)(A) As soon as practicable but not later than the end of the fiscal year, the Commissioner shall reallot the amount available under paragraph (1) to other States, consistent with subparagraphs (B) and (C), for carrying out the purposes of this title to the extent the Commissioner determines that another State will be able to use an additional amount, during that fiscal year or the subsequent fiscal year for carrying out such purposes.

''(B)(i) The Commissioner shall reallot a portion of the amount available under paragraph (1) for a fiscal year to each State whose allotment under subsection (a) for such fiscal year is less than such State's allotment under subsection (a) for the immediately preceding fiscal year, adjusted by the percentage change in the funds available for subsection (a) from the immediately preceding fiscal year.

''(ii)(I) Subject to subclause (II), a State that is eligible to receive a reallotment under clause (i) shall receive a portion for a fiscal year from the amount available for reallotment under paragraph (1) that is equal to the difference between—

''(aa) the amount such State was allotted under subsection (a) for such fiscal year; and

''(bb) the amount such State was allotted under subsection (a) for the immediately preceding fiscal year, adjusted by the percentage change in the funds available for subsection (a) from the immediately preceding fiscal year.

''(II) If the amount available for reallotment under paragraph (1) is insufficient to provide each State eligible to receive a reallotment under clause (i) with the portion described in subclause (I), the amount reallotted to each eligible State shall be determined by the Commissioner.

''(C) If there are funds remaining after each State eligible to receive a reallotment under subparagraph (B)(i) receives the portion described in subparagraph (B)(ii), the Commissioner shall reallot the remaining funds among the States requesting a reallotment.

''(3) The Commissioner shall reallot an amount to a State under this subsection only if the State will be able to make sufficient payments from non-Federal sources to pay for the non-Federal share of the cost of vocational rehabilitation services under the State plan for the fiscal year for which the amount was appropriated.

''(4) For the purposes of this part, any portion made available to a State for any fiscal year pursuant to this subsection shall be regarded as an increase of such State's allotment (as determined under the preceding provisions of this section) for such year.

''(c)(1) For fiscal year 2012 and for each fiscal year thereafter, the Commissioner shall reserve, from the funds appropriated under section 100(b)(1) for each fiscal year, an amount that is not less than 1.23 percent and not more than 1.5 percent of those funds in order to carry out section 121, provided that the minimum percentage that may be reserved shall increase by 0.01 percent for each succeeding fiscal year after fiscal year 2012.

''(2) Notwithstanding paragraph (1), there shall be no increase in the minimum percentage of funds reserved under paragraph (1) unless there is an equivalent increase in the funds appropriated under section 100(b)(1).''.

(b) RESERVATION FOR TRANSITION AND PRE-EMPLOYMENT TRANSITION SERVICES.—Section 110 (29 U.S.C. 730) is amended by adding at the end the following:

''(d) From any State allotment under subsection (a) for a fiscal year, the State shall reserve not less than 10 percent of the allotted funds for the provision of transition services to assist students with disabilities and youth with disabilities in transitioning from education or training to employment, which includes pre-employment transition services under section 114.''.

SEC. 420. CLIENT ASSISTANCE PROGRAM.

Section 112 (29 U.S.C. 732) is amended—

(1) in subsection (a), in the first sentence—

(A) by striking ''grants to States'' and inserting ''grants to agencies designated under subsection (c) (referred to individually in this section as a 'designated CAP agency')'';

(B) by inserting ''including under sections 114,'' after ''all available benefits under this Act,''; and

(C) by inserting ''and eligibility'' after ''to ensure the protection of the rights'';

(2) in subsection (b), by striking the matter preceding paragraph (1) and inserting ''Neither an agency within the State, nor the State, may receive payments from an allotment under subsection (e) in any fiscal year unless the State has designated under subsection (c) an agency that—'';

(3) in subsection (c)—

(A) in paragraph (2), by inserting ''(as defined in section 106(a))'' after ''consumer organizations''; and

(B) in paragraph (3), by striking ''agency designated under this subsection'' and inserting ''designated CAP agency'';

(4) in subsection (d), by striking ''agency designated under subsection (c) of this section'' and inserting ''designated CAP agency'';

(5) in subsection (e)—

(A) in paragraph (1)—

(i) by striking subparagraph (A) and inserting the following:

''(A) After reserving funds under subparagraphs (E) and (F), the Secretary shall allot the remainder of the sums appropriated for each fiscal year under this section among the designated CAP agencies within the States on the basis of relative population of each State, except that no such agency shall receive less than $50,000.'';

(ii) in subparagraph (B), by inserting ''the designated CAP agencies located in'' before ''American Samoa''; and

(iii) by striking subparagraph (D) and inserting the following:

''(D)(i) For any fiscal year for which the funds appropriated for such fiscal year under subsection (h) exceed $7,500,000, the minimum allotment under this subsection shall be $100,000 for the designated CAP agencies located in States and $45,000 for the designated CAP agencies located in territories.

''(ii) For any fiscal year for which the total amount appropriated under subsection (h) exceeds the total amount appropriated under such subsection (or the corresponding provision) for the preceding fiscal year, the Secretary shall increase each of the minimum allotments under clause (i) by a percentage that shall not exceed the percentage increase, calculated by dividing such total amount for the fiscal year involved by such total amount for the preceding fiscal year.

''(E)(i) For any fiscal year for which the amount appropriated under subsection (h) equals or exceeds $13,000,000, the Secretary shall reserve funds appropriated under subsection (h) to make a grant to the protection and advocacy system serving the American Indian Consortium, to provide designated CAP agency services in accordance with the requirements of this section. The amount of such a grant shall be the same amount as is provided to a territory under subparagraph (B), as increased under clauses (i) and, if applicable, (ii) of subparagraph (D).

''(ii) In this subparagraph:

''(I) The term 'American Indian Consortium' has the meaning given the term in section 102 of the Developmental Disabilities

Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002).

''(II) The term 'protection and advocacy system' means a protection and advocacy system established under subtitle C of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.).

''(F) For any fiscal year for which the amount appropriated under subsection (h) equals or exceeds $14,000,000, the Secretary shall reserve not less than 1.8 percent and not more than 2.2 percent of such amount to provide a grant for training and technical assistance for the programs established under this section. Such training and technical assistance shall be coordinated with activities provided under section 509(c)(1)(A).'';

(B) in paragraph (2)—

(i) except as provided in clause (ii), by striking ''State'' each place it appears and inserting ''designated CAP agency''; and

(ii) by striking ''States'' each place it appears and inserting ''designated CAP agencies''; and

(C) in paragraph (3), by striking ''agency designated'' and all that follows and inserting ''designated CAP agency the amount specified in the application approved under subsection (f).'';

(6) in subsection (f), by striking ''State'' and inserting ''designated CAP agency'';

(7) in paragraph (1) of subsection (g), by striking ''such programs'' and inserting ''the designated CAP agency of a State''; and

(8) in subsection (h), by striking ''1999 through 2003'' and inserting ''2013 through 2017''.

SEC. 421. TECHNICAL ASSISTANCE FOR QUALITY SERVICES.

Part B of title I (29 U.S.C. 730 et seq.), is amended by adding at the end the following:

''SEC. 113. ADDITIONAL TECHNICAL ASSISTANCE.

''The Commissioner shall provide technical assistance for programs provided under this title regarding improving the quality of vocational rehabilitation services provided through the programs, including—

''(1) consulting with the Department of Labor, the Small Business Administration, other appropriate Federal agencies, State and local workforce investment boards, and businesses or business-led intermediaries;

''(2) based on information obtained through the consultations, providing—

''(A) technical assistance that improves quality by enabling designated State units to develop successful partnerships with local and multi-State businesses in an effort to employ individuals with disabilities; and

''(B) technical assistance on developing self-employment opportunities and improving employment outcomes for individuals with disabilities; and

''(3) providing technical assistance to improve the quality of vocation rehabilitation services programs carried out under section 121.''.

SEC. 422. PRE-EMPLOYMENT TRANSITION SERVICES.

Part B of title I (29 U.S.C. 730 et seq.), as amended by section 521, is further amended by adding at the end the following:

''SEC. 114. PROVISION OF PRE-EMPLOYMENT TRANSITION SERVICES FOR STUDENTS WITH DISABILITIES.

''(a) IN GENERAL.—From the funds reserved under section 110(d), and funds made available from State, local, and private funding sources (consistent with requirements that apply to the acceptance and use of such funds), each State shall ensure that—

''(1) the designated State unit shall provide, or arrange for the provision of, pre-employment transition services for all students with disabilities who are in need of such services; and

''(2) the designated State unit will not expend more than 5 percent of the funds reserved to carry out this section to pay for the administrative costs associated with providing pre-employment transition services under this section.

''(b) LOCAL PRE-EMPLOYMENT TRANSITION COORDINATOR.—

''(1) COORDINATOR.—Each local office of a designated State unit shall designate at least 1 staff person to carry out the responsibilities of a Local Pre-Employment Transition Coordinator for students with disabilities, as well as appropriate staff to support the Coordinator in carrying out the responsibilities as described in paragraph (2).

''(2) RESPONSIBILITIES.—It shall be the responsibility of a Local Pre-Employment Transition Coordinator to—

''(A) attend individualized education program meetings, as appropriate, for students with disabilities;

''(B) work with the local workforce investment boards, one-stop centers, and employers to develop job opportunities for students with disabilities, including internships, summer employment opportunities and other employment opportunities available throughout the school year, and apprenticeships; and

''(C) work with schools, including those carrying out activities under section 614(d)(1)(A)(i)(VIII) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)(1)(A)(i)(VIII)), to coordinate and ensure the provision of pre-employment transition services for students with disabilities, including services described in clauses (i) through (v) of section 7(30)(B).

''(c) NATIONAL PRE-EMPLOYMENT TRANSITION COORDINATION.—

''(1) IN GENERAL.—The Secretary of Education and the Secretary of Labor shall each designate a lead staff person to fulfill the responsibilities of a National Pre-Employment Transition Coordinator for Students with Disabilities. The National Pre-Employment Transition Coordinators shall work cooperatively, and with other Federal agencies including the Corporation for National and Community Service, to develop and coordinate—

''(A) agency policies related to pre-employment transition services; and

''(B) resources to increase job opportunities for students with disabilities, including internships, summer employment opportunities and other employment opportunities available throughout the school year, and apprenticeships.

''(2) CONSTRUCTION.—Nothing in this subsection shall be construed to prohibit either Secretary from assigning additional responsibilities, other than the responsibilities described in this subsection, to a staff person designated under this subsection.''.

SEC. 423. AMERICAN INDIAN VOCATIONAL REHABILITATION SERVICES.

Section 121 (29 U.S.C. 741) is amended—

(1) in subsection (a), in the first sentence, by inserting before the period the following: ''(referred to in this section as 'eligible individuals'), consistent with such eligible individuals' strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice, so that such individuals may prepare for, and engage in, high quality employment that will increase opportunities for economic self-sufficiency'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking ''and'' at the end;

(ii) in subparagraph (C), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(D) contains assurances that—

''(i) all decisions affecting eligibility for vocational rehabilitation services, the nature and scope of available vocational rehabilitation services, and the provision of such services, will be made by a representative of the tribal vocational rehabilitation program funded through the grant; and

''(ii) such decisions will not be delegated to another agency or individual.''; and

(B) by striking paragraphs (3) and (4) and inserting the following:

''(3) If an application is approved under this part for a grant, the resulting grant shall be for 5 years, if the grant recipient complies with the program requirements for the program carried out under this part (including the regulations promulgated for the program). The grant shall be renewed for additional 5-year periods if the Commissioner determines that the grant recipient demonstrated acceptable past performance and the grant recipient submits, and obtains approval by the Commissioner, for a plan, including a proposed budget, that identifies future performance criteria, goals, and objectives. The State shall continue to provide vocational rehabilitation services under the State plan to American Indians residing on or near a reservation whenever such State includes any such American Indians in its State population under section 110(a)(1).

''(4) In allocating funds for grants under this part, the Secretary shall give priority to paying the continuation costs of projects in existence on the date of the allocation and may provide for increases in funding for such projects that the Secretary determines to be necessary.'';

(3) by redesignating subsection (c) as subsection (d); and

(4) by inserting after subsection (b) the following:

''(c)(1) From the funds appropriated and made available to carry out this part for any fiscal year, beginning with fiscal year 2012, the Commissioner shall first reserve not less than 1.8 percent and not more than 2 percent of the funds to provide training and technical assistance to governing bodies described in subsection (a) for such fiscal year.

''(2) From the funds reserved under paragraph (1), the Commissioner shall make grants to, and enter into contracts and other arrangements with, entities that have experience in the operation of vocational rehabilitation services programs under this section to provide such training and technical assistance with respect to developing, conducting, administering, and evaluating such programs.

''(3) The Commissioner shall conduct a survey of the governing bodies regarding training and technical assistance needs in order to determine funding priorities for such grants, contracts, or other arrangements.

''(4) To be eligible to receive a grant or enter into a contract or other arrangement under this section, such an entity shall submit an application to the Commissioner at such time, in such manner, and containing a proposal to provide such training and technical assistance, and containing such additional information as the Commissioner may require. The Commissioner shall provide for peer review of grant applications by panels that include persons who are not government employees and who have experience in the operation of vocational rehabilitation services programs under this section.''.

Subtitle C—Research and Training

SEC. 431. PURPOSE.

Section 200 (29 U.S.C. 760) is amended—

(1) in paragraph (1), by inserting ''technical assistance,'' after ''training,'';

(2) in paragraph (2), by inserting ''technical assistance,'' after ''training,'';

(3) in paragraph (3)—

(A) in the matter preceding subparagraph (A)—

(i) by inserting '', use, and adoption'' after ''transfer''; and

(ii) by inserting ''in a timely and efficient manner,'' after ''disabilities''; and

(B) in subparagraph (D), by inserting ''and dissemination of research findings to individuals with disabilities and other interested entities'' after ''technology'';

(4) in paragraph (5), by striking ''and'' after the semicolon;

(5) in paragraph (6), by striking the period and inserting ''; and''; and

(6) by adding at the end the following:

''(7) identify effective strategies for supporting the employment of individuals with disabilities in competitive integrated employment.''.

SEC. 432. AUTHORIZATION OF APPROPRIATIONS.

Section 201(a) (29 U.S.C. 761(a)) is amended—

(1) in paragraph (1), by striking ''1999 through 2003'' and inserting ''2013 through 2017''; and

(2) in paragraph (2), by striking ''1999 through 2003'' and inserting ''2013 through 2017''.

SEC. 433. NATIONAL INSTITUTE ON DISABILITY AND REHABILITATION RESEARCH.

Section 202 (29 U.S.C. 762) is amended—

(1) in subsection (a)(1)(A)—

(A) in clause (ii), by striking ''and training; and'' and inserting '', training, and technical assistance;'';

(B) by redesignating clause (iii) as clause (iv); and

(C) by inserting after clause (ii) the following:

''(iii) knowledge translation and dissemination; and'';

(2) in subsection (b)—

(A) in paragraph (3), by striking ''in rehabilitation'' and inserting ''on disability and rehabilitation'';

(B) in paragraph (4)—

(i) in the matter preceding subparagraph (A), by inserting ''education, health and health care,'' after ''independent living,''; and

(ii) by striking subparagraphs (A) through (D) and inserting the following:

''(A) public and private entities, including—

''(i) elementary schools and secondary schools (as defined in section 9101 of the Elementary and Secondary Education Act of 1965);

''(ii) institutions of higher education; and

''(iii) nongovernmental agencies and organizations;

''(B) rehabilitation practitioners;

''(C) employers and organizations representing employers with respect to employment-based educational materials or research;

''(D) individuals with disabilities (especially such individuals who are members of minority groups or of populations that are unserved or underserved by programs under this Act);

''(E) the individuals' representatives for the individuals described in subparagraph (D); and

''(F) the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Appropriations of the Senate, the Committee on Education and the Workforce of the House of Representatives, the Committee on Appropriations of the House of Representatives, and the National Council on Disability;''.

(C) in paragraph (6)—

(i) by inserting ''disability and'' after ''advances in''; and

(ii) by inserting ''education, health and health care,'' after ''independent living,'';

(D) in paragraph (7), by striking ''taking whatever action is necessary to keep the Congress fully and currently informed'' and inserting ''reporting to Congress on a continuing and yearly basis'';

(E) in paragraph (8), by striking ''health, income,'' and inserting ''health and health care, income, education,'';

(F) in paragraph (10), by striking ''and telecommuting; and'' and inserting '', supported employment (including customized employment), and telecommuting;'';

(G) in paragraph (11), by striking the period and inserting ''; and''; and

(H) by adding at the end the following:

''(12) ensuring that the research activities and findings, demonstration projects, reports, evaluations, studies, information described in this section, as well as information about any reports in progress, will be made publicly available in a timely manner, including through electronic means (such as the website of the Department of Education and other relevant government agency websites) in order to inform the public about the research and activities performed under this title.'';

(3) in subsection (d)(1), in the second sentence, by inserting before the period the following: '', and shall not be an employee of the Department of Education during the 90-day period before such appointment'';

(4) in subsection (f)(1), by striking the second sentence and inserting the following: ''The scientific peer review shall be conducted by individuals who are not Department of Education employees, who are scientists or other experts in the disability and rehabilitation field (including the independent living field), including individuals with disabilities and the individuals' representatives, and who have sufficient knowledge to review applications for the financial assistance. Such panel shall include a member of the covered school community (for any activity resulting in educational materials or a product to be used in a covered school), a member of the business community (for an activity resulting in a product to be used in an employment activity), a member of the assistive technology community (for an activity relating to assistive technology), and an accessible electronic and information technology vendor or manufacturer (for an activity relating to accessible electronic and information technology). The peer review panel shall include a director of a designated State unit for a panel that considers research related to the operation or administration of the vocational rehabilitation program.'';

(5) in subsection (h)—

(A) in paragraph (1)(A)—

(i) by inserting ''disability and'' after ''priorities for''; and

(ii) by inserting ''dissemination,'' after ''training,''; and

(B) in paragraph (2)(A), by striking '', especially in the area of employment'';

(6) by redesignating subsections (i), (j), and (k), as subsections (j), (k), and (l), respectively;

(7) by inserting after subsection (h) the following:

''(i)(1) The Director shall determine if entities that received financial assistance under this title are complying with the applicable requirements of this Act and achieving measurable goals, described in section 204(d)(2), that are consistent with the requirements of the programs under which the entities received the financial assistance.

''(2) To assist the Director in carrying out the responsibilities described in paragraph (1), the Director shall require recipients of financial assistance under this title to submit relevant information to evaluate program outcomes with respect to the measurable goals described in section 204(d)(2) pursuant to section 75.118 of title 34, Code of Federal Regulations.'';

(8) in subsection (k), as redesignated by paragraph (6), by striking paragraph (3); and

(9) by striking subsection (l), as redesignated by paragraph (6), and inserting the following:

''(l) The Director shall make grants to institutions of higher education for the training of rehabilitation researchers, including individuals with disabilities and traditionally underserved populations of individuals with disabilities, as described in section 21, with particular attention to research areas that—

''(1) support the implementation and objectives of this Act; and

''(2) improve the effectiveness of services authorized under this Act.

''(m)(1) Not later than December 31 of each year, the Director shall prepare, and submit to the Secretary, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Education and the Workforce of the House of Representatives, a report on the activities funded under this title.

''(2) The report under paragraph (1) shall include—

''(A) a compilation and summary of the information provided by recipients of financial assistance for such activities under this title;

''(B) a summary of recipients of financial assistance received under this title and the progress of the recipients of financial assistance in achieving the measurable goals described in section 204(d)(2); and

''(C) a summary of practical implications of research outcomes and anticipated next steps.

''(n)(1) If the Director determines that an entity that receives financial assistance under this title fails to comply with the applicable requirements of this Act, or to make progress toward achieving the measurable goals described in section 204(d)(2), with respect to the covered activities involved, the Director shall enact monitoring and enforcement measures pursuant to section 75.253 of title 34, Code of Federal Regulations.

''(2) As part of the annual report required under subsection (m), the Secretary shall describe each action taken by the Secretary under paragraph (1) and the outcomes of such action.''.

SEC. 434. INTERAGENCY COMMITTEE.

Section 203 (29 U.S.C. 763) is amended—

(1) in subsection (a)(1)—

(A) by striking ''and cooperation'' and inserting '', cooperation, and collaboration'';

(B) by inserting ''disability and'' after ''agencies conducting'';

(C) by inserting ''the Chairman of the National Council on Disability, the Assistant Secretary for Disability Employment Policy, the Secretary of Defense, the Director of the Office on Disability of the Department of Health and Human Services,'' after ''Assistant Secretary for Special Education and Rehabilitative Services,''; and

(D) by striking ''and the Director of the National Science Foundation.'' and inserting ''the Director of the National Science Foundation, the Secretary of Commerce, and the Administrator of the Small Business Administration.'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''from targeted individuals'' and inserting ''individuals with disabilities and their representatives''; and

(B) in paragraph (2)—

(i) by striking subparagraphs (A) and (B) and inserting the following:

''(A) share information regarding the range of assistive technology research, rehabilitation research, and research that incorporates

the principles of universal design, that is being carried out by members of the Committee and other Federal departments and organizations;

''(B) identify and make efforts to address, gaps in assistive technology research, rehabilitation research, and research that incorporates the principles of universal design, that are not being adequately addressed;'';

(ii) in subparagraph (D)—

(I) by striking ''and research that incorporates the principles of universal design'' and inserting '', rehabilitation research, and research that incorporates the principles of universal design''; and

(II) by striking ''and'' after the semicolon; and

(iii) in subparagraph (E), by striking ''and research that incorporates the principles of universal design.'' and inserting '', rehabilitation research, and research that incorporates the principles of universal design; and'';

(3) by striking subsection (d);

(4) by redesignating subsection (c) as subsection (d);

(5) by inserting after subsection (b) the following:

''(c)(1) Not later than 2 years after the date of enactment of the Workforce Investment Act of 2012, and periodically thereafter, the Committee shall host a disability and rehabilitation research summit, for the purposes of establishing a research agenda to ensure projects are relevant and applicable, bringing together policymakers, representatives from Federal agencies conducting disability and rehabilitation research, nongovernmental funders of rehabilitation research, and organizations representing individuals with disabilities, researchers, and providers.

''(2) Based on the proceedings of the summit described in paragraph (1), the Committee shall develop a comprehensive Government-wide strategic plan for disability and rehabilitation research. The strategic plan shall include measurable goals and objectives, action-oriented measures, timetables, budgets, and assignment of responsible individuals and agencies for carrying out research activities. At a minimum, the strategic plan shall include—

''(A) research priorities and recommendations;

''(B) the development of a searchable Government-wide inventory of disability and rehabilitation research for trend and data analysis across Federal agencies;

''(C) a set of guiding principles and policies and procedures for conducting and administering disability and rehabilitation research across Federal agencies; and

''(D) a summary of underemphasized and of duplicative areas of research.

''(3) Not later than 90 days after the conclusion of the summit described in paragraph (1), the strategic plan described in paragraph (2) shall be submitted to the President and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives.

''(4) The annual report prepared by the Committee under subsection (d) shall include an annual accounting of the progress made in implementing the strategic plan described in paragraph (2), including achievement of measurable goals and objectives, timetables, budgets, and the assignment of responsible individuals and agencies.

''(5) The Committee shall have the authority to facilitate collaborative projects among Federal agencies by receiving the transfer of funds from such agencies.'';

(6) in subsection (d), as redesignated by paragraph (4), by striking paragraph (1) and inserting the following:

''(1) describes the progress of the Committee in fulfilling the duties described in subsections (b) and (c), and including specifically for subsection (c)—

''(A) a report of the progress made in implementing the strategic plan;

''(B) a description of the achievement of measurable goals, objectives, and timetables;

''(C) detailed budgetary information; and

''(D) the assignment of responsible individuals and agencies.''; and

(7) in subsection (e)—

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

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(3) the term 'rehabilitation research' means research on issues and topics related to attaining maximum self sufficiency and function by individuals with disabilities, including research on assistive technology and universal design, employment, education, health and function, and community integration and participation.''.

SEC. 435. RESEARCH AND OTHER COVERED ACTIVITIES.

Section 204 (20 U.S.C. 764) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting ''have practical real life applications and'' before ''maximize''; and

(ii) by striking ''employment, independent living,'' and inserting ''employment, education, independent living, health and health care,'';

(B) in paragraph (2)—

(i) in subparagraph (A), by inserting ''and from which the research findings can be transferred to practice'' after ''State agencies''; and

(ii) in subparagraph (B)—

(I) by striking clause (ii) and inserting the following:

''(ii) studies and analysis of policies and the interaction of how particular factors (industrial, vocational, educational, employment, social, recreational, psychiatric, psychological, economic, and health and health care), including for traditionally underserved populations as described in section 21, affect the rehabilitation of individuals with disabilities;'';

(II) in clause (iii), by striking ''are homebound'' and inserting ''have significant challenges attempting to engage with community life outside of their homes'';

(III) in clause (iv), by inserting '', including the principles of universal design and the interoperability of products and services'' after ''disabilities'';

(IV) in clause (v), by inserting '', and to promote employment opportunities in competitive integrated employment'' after ''employment'';

(V) in clause (vi), by striking ''and'' after the semicolon;

(VI) in clause (vii), by striking ''and assistive technology.'' and inserting '', assistive technology, and communications technology; and''; and

(VII) by adding at the end the following:

''(viii) studies, analyses, and other activities affecting employment outcomes as defined in section 7(11), including self-employment and telecommuting, of individuals with disabilities.''; and

(C) by adding at the end the following:

''(3) In carrying out this section, the Director shall emphasize covered activities that include plans for—

''(A) dissemination of high quality materials, scientifically valid research results, or findings, conclusions, and recommendations resulting from covered activities, including through electronic means (such as the website of the Department of Education), so that such information is available in a timely manner to the general public; or

''(B) the commercialization of marketable products, research results, or findings, resulting from the covered activities.'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''(18)'' both places the term appears and inserting ''(17)'';

(B) in paragraph (2)—

(i) in subparagraph (A), by striking clauses (i) and (ii) and inserting the following:

''(i) be operated in collaboration with institutions of higher education or providers of rehabilitation services, developers or providers of assistive technology devices, assistive technology services, or information technology devices or services, or providers of other appropriate services; and

''(ii) serve as centers of national excellence and national or regional resources for individuals with disabilities, as well as providers, educators, and researchers.'';

(ii) in subparagraph (B)—

(I) in clause (i), by striking ''alleviate or stabilize'' and all that follows through the semicolon and inserting ''maximize health and function (including alleviating or stabilizing conditions, or preventing secondary conditions), and promote maximum social and economic independence of individuals with disabilities, including promoting the ability of the individuals to prepare for, secure, retain, regain, or advance in employment;'';

(II) in clause (iii), by striking ''and'' after the semicolon; and

(III) by striking clause (iv) and inserting the following:

''(iv) serving as an informational and technical assistance resource to individuals with disabilities, as well as to providers, educators, and researchers, through conferences, workshops, public education programs, in-service training programs, and similar activities and providing knowledge translation to promote the use of research findings through training, technical assistance, and dissemination, including identifying potential new areas of research; and

''(v) developing practical applications for the findings of the research of the Centers.''; and

(iii) in subparagraph (C)—

(I) in clause (i), by inserting '', including research on assistive technology devices, assistive technology services, and accessible electronic and information technology devices'' after ''research'';

(II) in clause (ii), by striking ''and social'' and inserting '', social, and economic'';

(III) by striking clauses (iii) through (vi) and inserting the following:

''(iii) improving the evaluation process for determining the assistive technology needs of individuals with disabilities;

''(iv) research related to vocational rehabilitation, including the use of assistive technology devices and accessible electronic and information technology devices in employment;

''(v) continuation of research that promotes the emotional, social, educational, and functional growth of children who are individuals with disabilities, as well as their integration in school, employment, and community activities;

''(vi) continuation of research to develop and evaluate interventions, policies, and services that support families of children and adults who are individuals with disabilities;

''(vii) continuation of research that will improve services and policies that foster the independence and social integration of individuals with disabilities, and enable individuals with disabilities, including individuals with intellectual disabilities and other developmental disabilities, to live in their communities; and

''(viii) research, dissemination, and technical assistance on best practices in supported employment and other strategies to promote competitive integrated employment for persons with the most significant disabilities.'';

(IV) by striking subparagraph (D) and inserting the following:

''(D) Training of students preparing to be rehabilitation personnel or to provide rehabilitative, assistive, or supportive services (such as rehabilitation counseling, personal care services, direct care, job coaching, aides in school based setting, or advice or assistance in utilizing assistive technology devices, assistive technology services, and accessible electronic and information technology devices and services) shall be an important priority for each such Center.'';

(V) by striking subparagraph (I); and

(VI) by redesignating subparagraphs (J) through (O) as subparagraphs (I) through (N), respectively;

(C) in paragraph (3)—

(i) in subparagraph (B)—

(I) in clause (ii)(II), by striking ''employment'' and inserting ''educational, employment,''; and

(II) in clause (iii)(II), by striking ''employment'' and inserting ''educational, employment,'';

(ii) in subparagraph (D)(ii), by adding at the end the following: ''Each such Center conducting an activity relating to assistive technology or relating to accessible electronic and information technology shall include in the advisory committee a member of the assistive technology or accessible electronic and information technology community, respectively. Each such Center conducting an activity resulting in educational materials or a product to be used in a covered school, or resulting in a product to be used in an employment activity, shall include in the advisory committee a member of the covered school community, or a member of the business community, respectively.''; and

(iii) in subparagraph (G)(ii), by inserting ''the success of any commercialized product researched or developed through the Center,'' after ''individuals with disabilities,'';

(D) in paragraph (4)(B)—

(i) in clause (i)—

(I) by striking ''special'' and inserting ''unique''; and

(II) by inserting ''social and functional needs, and'' before ''acute care''; and

(ii) in clause (iv), by inserting ''education, health and health care,'' after ''employment,'';

(E) in paragraph (8)—

(i) by striking ''Veteran's Administration'' and inserting ''Department of Veterans Affairs, the Department of Defense, the Substance Abuse and Mental Health Services Administration, the Federal Communications Commission,''; and

(ii) by inserting ''the Department of Commerce, the Small Business Administration, the Department of Labor,'' after ''Space Administration,'';

(F) by striking paragraphs (9) and (11);

(G) by redesignating paragraphs (10), (12), (13), (14), (15), (16), (17), and (18), as paragraphs (9), (10), (11), (12), (13), (14), (15), and (16), respectively;

(H) in paragraph (11), as redesignated by subparagraph (G)—

(i) in the matter preceding subparagraph (A), by striking ''employment needs of individuals with disabilities,'' and inserting ''employment needs, opportunities, and outcomes (including those relating to self-employment, supported employment, and telecommuting) of individuals with disabilities, including older individuals with disabilities, students with disabilities who are transitioning from school to postsecondary life, including employment, and out of school youth with disabilities,'';

(ii) in subparagraph (B), by inserting ''and employment related'' after ''the employment'';

(iii) in subparagraph (E), by striking ''and'' after the semicolon;

(iv) in subparagraph (F), by striking the period at the end and inserting ''; and''; and

(v) by adding at the end the following:

''(G) develop models and alternatives to help transition sheltered workshops for individuals with disabilities to competitive integrated employment for such individuals, and develop recommendations for decreasing reliance on the special minimum wage certificate program under section 14(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 214(c)).'';

(I) in paragraph (14), as redesignated by subparagraph (G), by striking ''and access to gainful employment.'' and inserting '', full participation, equal opportunity, and economic self-sufficiency.''; and

(J) by adding at the end the following:

''(17) Research grants may be used to provide for research and training concerning the delivery of vocational rehabilitation services. Such projects and activities may include projects and activities designed to—

''(A) identify, develop, and evaluate evidence-based practices or policies that are effective in improving employment outcomes for individuals with disabilities;

''(B) conduct research related to improving the provision of services for underserved or special populations, such as strategies to enhance employment services and outcomes for middle-aged and older workers with disabilities or American Indians with disabilities;

''(C) conduct research on the delivery of vocational rehabilitation services to rural areas;

''(D) demonstrate innovative models of service delivery or testing methods of service delivery that have the potential to improve the effectiveness of programs authorized under this Act, including the use of assistive technology devices and accessible electronic and information technology devices in employment;

''(E) conduct research on ways to improve the performance of State vocational rehabilitation agencies;

''(F) disseminate and promote the implementation of evidence-based practices identified through these activities; and

''(G) conduct rigorous evaluations of programs and activities administered by the Rehabilitation Services Administration or supported under this Act.''; and

(3) by adding at the end the following:

''(d)(1) The Director shall award the grants, contracts, or other financial assistance under this title on a competitive basis.

''(2)(A) To be eligible to receive financial assistance under this section for a covered activity, an entity shall submit an application to the Director at such time, in such manner, and containing such information as the Director may require.

''(B) The application shall include information describing—

''(i) measurable goals, as established through section 1115 of title 31, United States Code, and a timeline and specific plan for meeting the goals, that the applicant has set for addressing priorities related to—

''(I) commercialization of a marketable product (including a marketable curriculum or research) resulting from the covered activity;

''(II) in the case of a covered activity relating to technology, technology transfer;

''(III) in the case of research, dissemination of research results to, as applicable, Government entities, individuals with disabilities, covered schools, the business community, the assistive technology community, and the accessible electronic and information technology community; and

''(IV) other priorities as required by the Director; and

''(ii) how the applicant will quantifiably measure the goals to determine whether the goals have been accomplished.

''(3)(A) In the case of an application for financial assistance under this section to carry out a covered activity that results in the development of a marketable product, the application shall also include a commercialization and dissemination plan, as appropriate, containing commercialization and marketing strategies for the product involved, and strategies for disseminating information about the product. The financial assistance shall not be used to carry out the commercialization and marketing strategies.

''(B) In the case of any other application for financial assistance to carry out a covered activity under this section, the application shall also include a dissemination plan, containing strategies for disseminating educational materials, research results, or findings, conclusions, and recommendations, resulting from the covered activity.''.

SEC. 436. REHABILITATION RESEARCH ADVISORY COUNCIL.

Section 205 (29 U.S.C. 765) is amended—

(1) in subsection (a), by inserting ''not less than'' after ''composed of''; and

(2) by striking subsection (c) and inserting the following:

''(c) QUALIFICATIONS.—Members of the Council shall include representatives of rehabilitation professionals, rehabilitation researchers, the directors of community rehabilitation programs, the business community (including a representative of the small business community) that has experience with the system of vocational rehabilitation services carried out under this Act and with hiring individuals with disabilities, assistive technology developers and manufacturers, information technology vendors and manufacturers, entities carrying out programs under the Assistive Technology Act of 1998 (29 U.S.C. 3001 et seq.), covered school professionals, individuals with disabilities, and the individuals' representatives. At least one-half of the members shall be individuals with disabilities or the individuals' representatives.''.

SEC. 437. DEFINITION OF COVERED SCHOOL.

Title II (29 U.S.C. 760) is amended by adding at the end the following:

''SEC. 206. DEFINITION OF COVERED SCHOOL.

''In this title, the term 'covered school' means an elementary school or secondary school (as such terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) or an institution of higher education.''.

Subtitle D—Professional Development and Special Projects and Demonstration

SEC. 441. TRAINING.

Section 302 (29 U.S.C. 772) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (E)—

(I) by striking all after ''deliver'' and inserting ''supported employment services and customized employment services to individuals with the most significant disabilities''; and

(II) by striking ''and'' after the semicolon;

(ii) in subparagraph (F), by striking ''and'' after the semicolon;

(iii) in subparagraph (G), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(H) personnel trained in providing assistive technology services.'';

(2) in subsection (b)(1)(B)(i), by striking ''or prosthetics and orthotics'' and inserting ''prosthetics and orthotics, rehabilitation teaching for the blind, or orientation and mobility instruction'';

(3) in subsection (g)—

(A) in paragraph (1), by adding after the period the following: ''Any technical assistance provided to community rehabilitation programs shall be focused on the employment outcome of competitive integrated employment for individuals with disabilities.''; and

(B) in paragraph (3)—

(i) in subparagraph (A), by striking clause (iv) and inserting the following:

''(iv) for the 2 years following the date of enactment of the Workforce Investment Act of 2012, to provide training regarding the amendments made to this Act.''; and

(ii) in subparagraph (B), by striking ''on the date of enactment of the Rehabilitation Act Amendments of 1998'' and inserting ''on the date of enactment of the Workforce Investment Act of 2012''; and

(4) in subsection (i), by striking ''fiscal years 1999 through 2003'' and inserting ''fiscal years 2013 through 2017''.

SEC. 442. DEMONSTRATION AND TRAINING PROGRAMS.

Section 303 (29 U.S.C. 773) is amended—

(1) in subsection (b)—

(A) in paragraph (5)—

(i) in subparagraph (A)—

(I) by striking clause (i) and inserting the following:

''(i) special projects and demonstration programs focused on improving transition from education to competitive integrated employment for youth who are individuals with significant disabilities;''; and

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

''(iii) increasing competitive integrated employment for individuals with significant disabilities.''; and

(B) by striking paragraph (6);

(2) in subsection (c)(2)—

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

(B) by redesignating subparagraph (F) as subparagraph (G); and—

(C) by inserting after subparagraph (E) the following:

''(F) to provide support and guidance in helping individuals with significant disabilities, including students with disabilities, transition to competitive integrated employment; and''; and

(3) by amending subsection (e) to read as follows:

''(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section (other than subsections (c) and (e)), there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2013 through 2017.''.

SEC. 443. MIGRANT AND SEASONAL FARMWORKERS.

Section 304(b) (29 U.S.C. 774(b)) is amended by striking ''fiscal years 1999 through 2003'' and inserting ''fiscal years 2013 through 2017''.

SEC. 444. RECREATIONAL PROGRAMS.

Section 305 (29 U.S.C. 776) is amended—

(1) in subsection (a)(1)(B), by striking ''construction of facilities for aquatic rehabilitation therapy,''; and

(2) in subsection (b), by striking ''fiscal years 1999 through 2003'' and inserting ''fiscal years 2013 through 2017''.

Subtitle E—National Council on Disability

SEC. 451. REPORT.

Section 401 (29 U.S.C. 781) is amended by striking subsection (c).

SEC. 452. AUTHORIZATION OF APPROPRIATIONS.

Section 405 (29 U.S.C. 785) is amended by striking ''fiscal years 1999 through 2003'' and inserting ''fiscal years 2013 through 2017''.

Subtitle F—Rights and Advocacy

SEC. 456. BOARD AND COUNCIL.

(a) ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD.—Section 502(j) (29 U.S.C. 792(j)) is amended by striking ''1999 through 2003'' and inserting ''2013 through 2017''.

(b) PROGRAM OR ACTIVITY.—Section 504(b)(2)(B) (29 U.S.C. 794(b)(2)(B)) is amended by striking ''vocational education'' and inserting ''career and technical education''.

(c) INTERAGENCY DISABILITY COORDINATING COUNCIL.—Section 507(a) (29 U.S.C. 794c(a)) is amended by inserting ''the Chairperson of the National Council on Disability,'' before ''and such other''.

SEC. 457. PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS.

Section 509 (29 U.S.C. 794e) is amended—

(1) in subsection (c)(1)(A), by inserting ''a grant or contract for'' before ''training'';

(2) in subsection (f)—

(A) in paragraph (2)—

(i) by striking ''general'' and all that follows through ''records'' and inserting ''general authorities (including rights and remedies), including the authority to access records''; and

(ii) by inserting ''of title I'' after ''subtitle C''; and

(B) in paragraph (3), by striking ''authority'' and inserting ''authority (including the right)'';

(3) in subsection (g)(2), by striking ''was paid'' and all that follows and inserting ''was paid, except that program income generated from the amount paid to an eligible system for a fiscal year shall remain available to such system in accordance with section 19 of this Act.'';

(4) in subsection (l), by striking ''1999 through 2003'' and inserting ''2013 through 2017'';

(5) by redesignating subsections (l) and (m) as subsections (m) and (n), respectively; and

(6) by inserting after subsection (k) the following:

''(l) SYSTEM AUTHORITY.—For purposes of serving persons eligible for services under this section, an eligible system shall have the same general authorities, including access to records, as the system is afforded under subtitle C of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.), as determined by the Commissioner of the Administration on Developmental Disabilities.''.

SEC. 458. STANDARDS FOR ACCESSIBLE MEDICAL DIAGNOSTIC EQUIPMENT.

Section 510 (29 U.S.C. 794f) is amended—

(1) by redesignating subsection (c) as subsection (d);

(2) by inserting after subsection (b) the following:

''(c) REGULATIONS.—Not later than 6 months after the date of the issuance of the standards under subsection (a), each appropriate Federal agency authorized to promulgate regulations under section 504 or the Americans with Disabilities Act of 1990 shall prescribe regulations in an accessible format, to the extent necessary to carry out the provisions of this section, section 504, and the Americans with Disabilities Act of 1990, as applicable, that include accessibility standards that are consistent with the standards issued under subsection (a).''; and

(3) in subsection (d), as redesignated by paragraph (1), by adding at the end the following: ''Not later than 6 months after the date of the issuance of such amended standards, each Federal agency covered by subsection (c) shall prescribe revised regulations, in an accessible format, that are consistent with the amended standards.''.

Subtitle G—Employment Opportunities for Individuals With Disabilities

SEC. 461. PROJECTS WITH INDUSTRY.

Section 611 (29 U.S.C. 795) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''in the competitive'' and inserting ''in competitive integrated employment in the''; and

(ii) by inserting ''locally'' after ''career advancement'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A)—

(I) by inserting ''local and national'' after ''jointly financed''; and

(II) by inserting ''in competitive integrated employment'' after ''career opportunities'';

(ii) in subparagraph (A)—

(I) by striking clause (ii) and inserting the following:

''(ii) identify job and career availability within the community in consultations with local workforce investment boards, consistent with the existing and emerging in-demand industry sectors and occupations as defined in section 101 of the Workforce Investment Act of 2012, and the employment needs of employers in those industry sectors and occupations;'';

(II) in clause (iii), by striking ''and'' after the semicolon;

(III) in clause (iv), by inserting ''and'' after the semicolon; and

(IV) by adding at the end the following:

''(v) coordinate such training and job placement activities with the local workforce investment boards described in clause (ii) as appropriate, and with the Job Corps center industry councils established under section 154 of the Workforce Investment Act of 2012.''; and

(iii) in subparagraph (C)—

(I) in clause (i), by striking ''and'' after the semicolon;

(II) by redesignating clause (ii) as clause (iii); and

(III) by inserting after clause (i) the following:

''(ii) internship programs for individuals with disabilities who seek employment; and'';

(2) in subsection (e)(2), by striking ''in States, portions of States, Indian tribes, or tribal organizations'' and inserting ''nationally or in States, in portions of States, across multiple States, or in Indian tribes or tribal organizations''; and

(3) by adding at the end the following:

''(i) PROHIBITED USE OF FUNDS.—Grant funds awarded under this section shall not be used to support services in sheltered workshops or segregated settings.''.

SEC. 462. AUTHORIZATION OF APPROPRIATIONS.

Section 612 (29 U.S.C. 795a) is amended by striking ''fiscal years 1999 through 2003'' and inserting ''fiscal years 2013 through 2017''.

SEC. 463. SUPPORTED EMPLOYMENT SERVICES.

Part B of title VI (29 U.S.C. 795g) is amended to read as follows:

''PART B—SUPPORTED EMPLOYMENT SERVICES

''SEC. 621. PURPOSE.

''It is the purpose of this part to authorize allotments, in addition to grants for vocational rehabilitation services under title I, to assist States in developing collaborative programs with appropriate entities to provide supported employment services for individuals with the most significant disabilities, including youth with the most significant disabilities, to enable such individuals to achieve an employment outcome of supported employment in competitive integrated employment.

"SEC. 622. ALLOTMENTS.

''(a) IN GENERAL.—

''(1) STATES.—The Secretary shall allot the sums appropriated for each fiscal year to carry out this part among the States on the basis of relative population of each State, except that—

''(A) no State shall receive less than $250,000, or ⅓ of 1 percent of the sums appropriated for the fiscal year for which the allotment is made, whichever amount is greater; and

''(B) if the sums appropriated to carry out this part for the fiscal year exceed the sums appropriated to carry out this part for fiscal year 1992 by $1,000,000 or more, no State shall receive less than $300,000, or ⅓ of 1 percent of the sums appropriated for the fiscal year for which the allotment is made, whichever amount is greater.

''(2) CERTAIN TERRITORIES.—

''(A) IN GENERAL.—For the purposes of this subsection, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands shall not be considered to be States.

''(B) ALLOTMENT.—Each jurisdiction described in subparagraph (A) shall be allotted not less than ⅛ of 1 percent of the amounts appropriated for the fiscal year for which the allotment is made.

''(b) REALLOTMENT.—Whenever the Commissioner determines that any amount of an allotment to a State for any fiscal year will not be expended by such State for carrying out the provisions of this part, the Commissioner shall make such amount available for carrying out the provisions of this part to one or more of the States that the Commissioner determines will be able to use additional amounts during such year for carrying out such provisions. Any amount made available to a State for any fiscal year pursuant to the preceding sentence shall, for the purposes of this section, be regarded as an increase in the allotment of the State (as determined under the preceding provisions of this section) for such year.

''(c) LIMITATIONS ON ADMINISTRATIVE COSTS.—A State that receives an allotment under this part shall not use more than 5 percent of the funds made available through the allotment to pay for administrative costs.

''(d) SERVICES FOR YOUTH WITH THE MOST SIGNIFICANT DISABILITIES.—A State that receives an allotment under this part shall expend half of the allotment for the provision of supported employment services, including extended services, to youth with the most significant disabilities in order to assist those youth to achieve an employment outcome in supported employment.

"SEC. 623. AVAILABILITY OF SERVICES.

''(a) SUPPORTED EMPLOYMENT SERVICES.—Funds provided under this part may be used to provide supported employment services to individuals who are eligible under this part.

''(b) EXTENDED SERVICES.—Except as provided in paragraph (c), funds provided under this part, or title I, may not be used to provide extended services to individuals who are eligible under this part or title I.

''(c) EXTENDED SERVICES FOR YOUTH WITH THE MOST SIGNIFICANT DISABILITIES.—Funds allotted under this part, or title I, and used for the provision of services under this part to youth with the most significant disabilities pursuant to section 622(d) of this part, may be used to provide extended services to youth with the most significant disabilities for a period not to exceed four years.

"SEC. 624. ELIGIBILITY.

''An individual, including a youth with a disability, shall be eligible under this part to receive supported employment services authorized under this part if—

''(1) the individual, including a youth with a disability, is eligible for vocational rehabilitation services under title I;

''(2) the individual, including a youth, is determined to be an individual with a most significant disability; and

''(3) a comprehensive assessment of rehabilitation needs of the individual or youth described in section 7(2)(B), including an evaluation of rehabilitation, career, and job needs, identifies supported employment as the appropriate employment outcome for the individual or youth.

"SEC. 625. STATE PLAN.

''(a) STATE PLAN SUPPLEMENTS.—To be eligible for an allotment under this part, a State shall submit to the Commissioner, as part of the State plan under section 101, a State plan supplement for providing supported employment services authorized under this Act to individuals, including youth with the most significant disabilities, who are eligible under this Act to receive the services. Each State shall make such annual revisions in the plan supplement as may be necessary.

''(b) CONTENTS.—Each such plan supplement shall—

''(1) indicate each designated State agency as the agency to administer the program assisted under this part;

''(2) summarize the results of the comprehensive, statewide assessment conducted under section 101(a)(15)(A)(i), with respect to the rehabilitation needs of individuals, including youth, with significant disabilities and the need for supported employment services, including needs related to coordination;

''(3) describe the quality, scope, and extent of supported employment services authorized under this Act to be provided to individuals, including youth with the most significant disabilities, who are eligible under this Act to receive the services and specify the goals and plans of the State with respect to the distribution of funds received under section 622;

''(4) demonstrate evidence of the efforts of the designated State agency to identify and make arrangements (including entering into cooperative agreements) with other State agencies and other appropriate entities to assist in the provision of supported employment services;

''(5) demonstrate evidence of the efforts of the designated State agency to identify and make arrangements (including entering into cooperative agreements) with other public or nonprofit agencies or organizations within the State, employers, natural supports, and other entities with respect to the provision of extended services;

''(6) a description of the activities to be conducted under this part, using the funds specified in section 622(d) of this title, for providing supported employment services to youth with the most significant disabilities, including—

''(A) the provision of extended services for a period not to exceed four years; and

''(B) how the State will use the funds specified in section 622(d) to leverage other public and private funds to increase resources for extended services and expand supported employment opportunities for youth with the most significant disabilities;

''(7) provide assurances that—

''(A) funds made available under this part will only be used to provide supported employment services authorized under this Act to individuals, including youth, who are eligible under this part to receive the services;

''(B) the comprehensive assessments of individuals with significant disabilities, including youth with the most significant disabilities, conducted under section 102(b)(1) and funded under title I will include consideration of supported employment as an appropriate employment outcome;

''(C) an individualized plan for employment, as required by section 102, will be developed and updated using funds under title I in order to—

''(i) specify the supported employment services to be provided, including as appropriate for youth with the most significant disabilities, transition services and pre-employment transition services provided in accordance with sections 101(a)(25) and 114;

''(ii) specify the expected extended services needed, including the extended services that may be provided to youth with the most significant disabilities under this part, in accordance with an approved individualized plan for employment, for a period not to exceed four years; and

''(iii) identify, as appropriate, the source of extended services, which may include natural supports, or to the extent that it is not possible to identify the source of extended services at the time the individualized plan for employment is developed;

''(D) the State will use funds provided under this part only to supplement, and not supplant, the funds provided under title I, in providing supported employment services specified in the individualized plan for employment;

''(E) services provided under an individualized plan for employment will be coordinated with services provided under other individualized plans established under other Federal or State programs;

''(F) to the extent jobs skills training is provided, the training will be provided onsite;

''(G) supported employment services will include placement in an integrated setting based on the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of individuals with the most significant disabilities;

''(H) the State agencies designated under paragraph (1) will expend not more than 5 percent of the allotment of the State under this part for administrative costs of carrying out this part; and

''(I) with respect to supported employment services provided to youth with the most significant disabilities with the funds described in section 622(d), the designated State agency will provide, directly or indirectly through public or private entities, non-Federal contributions towards the grant award in an amount that is not less than 10 percent of such costs; and

''(8) contain such other information and be submitted in such manner as the Commissioner may require.

"SEC. 626. RESTRICTION.

''Each State agency designated under section 625(b)(1) shall collect the information required by section 101(a)(10) separately for eligible—

''(1)(A) individuals receiving supported employment services under this part; and

''(B) individuals receiving supported employment services under title I; and

''(2)(A) youth receiving supported employment services under this part; and

''(B) youth receiving supported employment services under title I.

"SEC. 627. SAVINGS PROVISION.

''(a) SUPPORTED EMPLOYMENT SERVICES.—Nothing in this Act shall be construed to prohibit a State from providing supported employment services in accordance with the State plan submitted under section 101 by using funds made available through a State allotment under section 110.

''(b) POST-EMPLOYMENT SERVICES.—Nothing in this part shall be construed to prohibit a State from providing discrete post-employment services in accordance with the

State plan submitted under section 101 by using funds made available through a State allotment under section 110 to an individual who is eligible under this subpart.

"SEC. 628. AUTHORIZATION OF APPROPRIATIONS.

''There is authorized to be appropriated to carry out this part, including for technical assistance, such sums as may be necessary for each of the fiscal years 2013 through 2017.''.

Subtitle H—Independent Living Services and Centers for Independent Living

CHAPTER 1—GENERAL PROVISIONS

SEC. 471. PURPOSE.

Section 701 (29 U.S.C. 796) is amended, in paragraph (3), by inserting before the period the following: '', with the goal of improving the independence of and equal opportunity for individuals with disabilities''.

SEC. 472. INDEPENDENT LIVING ADMINISTRATION.

Title VII (29 U.S.C. 796 et seq.) is amended by inserting after section 701 the following:

"SEC. 701A. INDEPENDENT LIVING ADMINISTRATION.

''(a) ESTABLISHMENT.—In order to promote the philosophy and purpose of section 701, there is established within the Department of Education an Independent Living Administration, independent of the Rehabilitation Services Administration.

''(b) DIRECTOR.—The Independent Living Administration shall be headed by a Director (referred to in this title as the 'ILA Director') appointed by the Secretary. The ILA Director shall not have been an employee of the Department of Education during the 90-day period before such appointment, and shall have substantial knowledge of independent living services. The Independent Living Administration shall be the principal agency, and the ILA Director shall be the principal officer, of the Department for carrying out this title. The ILA Director shall have the same reporting relationship as is outlined in section 202(a)(2), and shall be a different individual than the Commissioner.

''(c) GENERAL COUNSEL.—The Office of the General Counsel of the Department of Education shall designate 1 or more individuals, with substantial background in and knowledge of independent living services and centers for independent living under this title, to provide advice, support, and technical assistance to the ILA Director.

''(d) INPUT.—The ILA Director shall have the authority to seek such input and advice, including convening meetings, as the ILA Director determines to be appropriate with respect to the policies and conduct of the Independent Living Administration.

''(e) STAFF.—The Secretary shall ensure that—

''(1) the Independent Living Administration has sufficient staff to provide oversight of, conduct auditing of, and provide technical assistance to, the centers for independent living and Statewide Independent Living Councils funded under this Act; and

''(2) such staff includes qualified individuals who have significant experience with centers for independent living or Statewide Independent Living Councils described in section 705.''.

SEC. 473. DEFINITIONS.

Section 702 (29 U.S.C. 796a) is amended—

(1) in paragraph (1)—

(A) in the matter before subparagraph (A), by inserting ''for individuals with significant disabilities (regardless of age or income)'' before ''that—'';

(B) in subparagraph (A), by striking ''and'' at the end;

(C) in subparagraph (B), by striking the period and inserting '', including, at a minimum, independent living core services as defined in section 7(17); and''; and

(D) by adding at the end the following:

''(C) has sufficient staff to provide the services described in subparagraph (B).''; and

(2) in paragraph (2), by striking the period and inserting the following: '', both in terms of—

''(A) the management, staffing, decision-making, and operation of the center; and

''(B) the center's establishment of policies, direction, and provision of services.''.

SEC. 474. STATE PLAN.

Section 704 (29 U.S.C. 796c) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting after ''State plan'' the following: ''developed and signed in accordance with paragraph (2),''; and

(ii) by striking ''Commissioner'' each place it appears and inserting ''ILA Director'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''developed and signed by''; and

(ii) by striking subparagraphs (A) and (B) and inserting the following:

''(A) developed by the chairperson of the Statewide Independent Living Council, the director of the designated State entity described in subsection (c), and the directors of the centers for independent living in the State, after receiving public input from individuals with disabilities throughout the State; and

''(B) signed by—

''(i) the chairperson of the Statewide Independent Living Council, acting on behalf of and at the direction of the Council;

''(ii) the director of the designated State entity described in subsection (c); and

''(iii) not less than 51 percent of the directors of the centers for independent living in the State.'';

(C) in paragraph (3)—

(i) in subparagraph (A), by striking ''State independent living services'' and inserting ''independent living services in the State'';

(ii) in subparagraph (B), by striking ''and'' at the end; and

(iii) by striking subparagraph (C) and inserting the following:

''(C) working relationships and collaboration between—

''(i) centers for independent living; and

''(ii)(I) entities carrying out programs that provide independent living services, including those serving older individuals;

''(II) other community-based organizations that provide or coordinate the provision of housing, transportation, employment, information and referral assistance, services, and supports for individuals with significant disabilities; and

''(III) entities carrying out the vocational rehabilitation program established under title I, and other programs providing services for individuals with disabilities; and

''(D) cooperative agreements and partnerships to provide a seamless model for provision of services to individuals with disabilities and to avoid duplication of services.'';

(D) in paragraph (4), by striking ''Commissioner'' each place it appears and inserting ''ILA Director''; and

(E) by adding at the end the following:

''(5) STATEWIDE BASIS.—The State plan shall provide for the provision of independent living services on a statewide basis, to the greatest extent possible, including through the establishment of additional centers for independent living or focused outreach to serve underserved populations.'';

(2) in subsection (b), by striking the period and inserting the following: '', as well as a plan for funding the administrative costs of the Council.'';

(3) in subsection (c)—

(A) in the subsection heading, by striking ''UNIT'' and inserting ''ENTITY'';

(B) in the matter preceding paragraph (1), by striking ''the designated State unit of such State'' and inserting ''a State entity of such State (referred to in this title as the 'designated State entity'), which may be the designated State unit, an entity within the designated State agency, or an entity within a different State agency,'';

(C) in paragraphs (3) and (4), by striking ''Commissioner'' each place it appears and inserting ''ILA Director'';

(D) in paragraph (3), by striking ''and'' at the end; and

(E) in paragraph (4), by striking the period and inserting ''; and'';

(4) in subsection (i), by striking paragraphs (1) and (2) and inserting the following:

''(1) the Statewide Independent Living Council;

''(2) centers for independent living;

''(3) the designated State entity; and

''(4) other State agencies or entities represented on the Council, other councils that address the needs and issues of specific disability populations, and other public and private entities determined to be appropriate by the Council.'';

(5) in subsection (m)—

(A) in paragraph (4), by striking ''Commissioner'' each place it appears and inserting ''ILA Director''; and

(B) in paragraph (5), by striking ''Commissioner'' each place it appears and inserting ''ILA Director''; and

(6) by adding at the end the following:

''(o) PROMOTING FULL ACCESS TO COMMUNITY LIFE.—

''(1) IN GENERAL.—The plan shall describe how the State will provide independent living services that promote full access to community life for individuals with significant disabilities.

''(2) SERVICES.—The services shall include—

''(A) facilitating transitions of individuals with significant disabilities from nursing homes and other institutions, to home- and community-based residences, with the requisite supports and services;

''(B) providing assistance to individuals with significant disabilities that are at risk of entering institutions so that the individuals may remain in the community; and

''(C) facilitating transitions of youth (including students) who are individuals with significant disabilities, who were eligible for individualized education programs under section 614(d) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)), and who have completed their secondary education or otherwise left school, to postsecondary life, including employment.''.

SEC. 475. STATEWIDE INDEPENDENT LIVING COUNCIL.

Section 705 (29 U.S.C. 796d) is amended—

(1) in subsection (b)—

(A) by striking paragraph (2) and inserting the following:

''(2) COMPOSITION.—The Council shall include—

''(A) among its voting members, at least 1 director of a center for independent living chosen by the directors of centers for independent living within the State;

''(B) among its voting members, for a State in which 1 or more centers are funded under section 721(c)(4), at least 1 representative of the directors of the centers; and

''(C) as ex officio, nonvoting members, a representative of the designated State entity, and representatives from State agencies that provide services for individuals with disabilities.'';

(B) in paragraph (3)—

(i) by redesignating subparagraphs (C) through (F) as subparagraphs (D) through (G), respectively;

(ii) in subparagraph (B), by striking ''parents and guardians of''; and

(iii) by inserting after paragraph (B) the following:

''(C) parents and guardians of individuals with disabilities;''; and

(C) in paragraph (5)(B), by striking ''paragraph (3)'' and inserting ''paragraph (1)'';

(2) by striking subsection (c) and inserting the following:

''(c) FUNCTIONS.—

''(1) DUTIES.—The Council shall—

''(A) in conjunction with the directors of the centers for independent living in the State, and the designated State entity, jointly develop and sign the State plan as provided in section 704(a)(2);

''(B) monitor, review, and evaluate the implementation of the State plan;

''(C) have at least 4 regularly scheduled meetings per year, and ensure that such meetings of the Council are open to the public and sufficient advance notice of such meetings is provided;

''(D) submit to the ILA Director such periodic reports as the ILA Director may reasonably request, and keep such records, and afford such access to such records, as the ILA Director finds necessary to verify the information in such reports; and

''(E) as appropriate, coordinate activities with the State Rehabilitation Council established under section 105, if the State has such a Council, or the commission described in section 101(a)(21)(A), if the State has such a commission, and councils that address the needs of specific disability populations and issues under other Federal law.

''(2) AUTHORITIES.—The Council may, consistent with the State plan described in section 704, unless prohibited by State law—

''(A) facilitate the improvement and coordination of services provided to individuals with disabilities by centers for independent living, the designated State unit, other government agencies, and community organizations;

''(B) conduct resource development activities to obtain funding from public and private resources to support the activities described in this subsection or to support the provision of independent living services by centers for independent living; and

''(C) perform such other functions, consistent with the purpose of this chapter and comparable to other functions described in this subsection, as the Council determines to be appropriate.

''(3) LIMITATION.—The Council shall not provide independent living services directly to individuals with significant disabilities or manage such services.'';

(3) in subsection (e)—

(A) in paragraph (1), in the first sentence, by striking ''prepare'' and all that follows through ''a plan'' and inserting ''prepare, in conjunction with the designated State entity, a plan''; and

(B) in paragraph (3), by striking ''agency'' and inserting ''entity''; and

(4) in subsection (f)—

(A) by striking ''such resources'' and inserting ''available resources''; and

(B) by striking ''(including'' and all that follows through ''compensation'' and inserting ''(such as personal assistance services), and to pay reasonable compensation''.

SEC. 476. RESPONSIBILITIES OF THE ILA DIRECTOR.

Section 706 (29 U.S.C. 796d–1) is amended—

(1) by striking the title of the section and inserting the following:

''SEC. 706. RESPONSIBILITIES OF THE ILA DIRECTOR.'';

(2) in subsection (a)—

(A) in paragraph (1), by striking ''Commissioner'' each place it appears and inserting ''ILA Director''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''Commissioner'' each place it appears and inserting ''ILA Director''; and

(ii) in subparagraph (B)—

(I) in clause (i)—

(aa) by striking ''Secretary'' and inserting ''Secretary or the Commissioner''; and

(bb) by striking ''to the Commissioner; and'' and inserting ''to the ILA Director;'';

(II) by redesignating clause (ii) as clause (iii); and

(III) by inserting after clause (i) the following:

''(ii) to the State agency shall be deemed to be references to the designated State entity; and'';

(3) by striking subsection (b) and inserting the following:

''(b) INDICATORS.—Not later than 1 year after the date of enactment of the Workforce Investment Act of 2012, the ILA Director shall develop and publish in the Federal Register indicators of minimum compliance for centers for independent living (consistent with the standards set forth in section 725), and indicators of minimum compliance for Statewide Independent Living Councils.'';

(4) in subsection (c)—

(A) by striking paragraph (1) and inserting the following:

''(1) REVIEWS.—

''(A) TYPES OF REVIEWS.—The ILA Director shall annually conduct—

''(i) onsite compliance reviews of at least 15 percent of the centers for independent living that receive funds under section 722 and shall periodically conduct such a review of each such center;

''(ii) onsite compliance reviews of at least one-third of the designated State units that receive funding under section 723, and, to the extent necessary to determine the compliance of such a State unit with subsections (f) and (g) of section 723, centers that receive funding under section 723 in such State; and

''(iii) onsite compliance reviews for at least 10 percent of the Statewide Independent Living Councils established in each State under section 705.

''(B) SELECTIONS.—The ILA Director shall select the centers, State units, and Councils described in this paragraph for review on a random basis.''; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''Commissioner'' and inserting ''ILA Director'';

(ii) in subparagraph (A), by striking ''such a review'' and inserting ''a review described in paragraph (1)''; and

(iii) in subparagraphs (A) and (B), by striking ''Department'' each place it appears and inserting ''Independent Living Administration''; and

(5) by striking subsection (d).

CHAPTER 2—INDEPENDENT LIVING SERVICES

SEC. 477. ADMINISTRATION.

(a) ALLOTMENTS.—Section 711 (29 U.S.C. 796e) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(A)—

(i) by striking ''Except'' and inserting ''After the reservation required by section 711A is made, and except''; and

(ii) by inserting ''the remainder of the'' before ''sums appropriated''; and

(B) in paragraph (2)(B), by striking ''amounts made available for purposes of this part'' and inserting ''remainder described in paragraph (1)(A)'';

(2) in subsections (a), (b), and (c), by striking ''Commissioner'' each place it appears and inserting ''ILA Director''; and

(3) by adding at the end the following:

''(d) ADMINISTRATION.—Funds allotted or made available to a State under this section shall be administered by the designated State entity, in accordance with the approved State plan, except for States covered by section 723.''.

(b) TRAINING AND TECHNICAL ASSISTANCE.—Part B of title VII is amended by inserting after section 711 (29 U.S.C. 796e) the following:

''SEC. 711A. TRAINING AND TECHNICAL ASSISTANCE.

''(a) IN GENERAL.—From the funds appropriated to carry out this part for any fiscal year, beginning with fiscal year 2012, the ILA Director shall first reserve not less than 1.8 percent and not more than 2 percent of the funds to provide training and technical assistance to Statewide Independent Living Councils for such fiscal year.

''(b) ALLOCATION.—From the funds reserved under subsection (a), the ILA Director shall make grants to, and enter into contracts and other arrangements with, entities that have experience in the operation of Statewide Independent Living Councils to provide such training and technical assistance with respect to developing, conducting, administering, and evaluating Statewide Independent Living Councils.

''(c) FUNDING PRIORITIES.—The ILA Director shall conduct a survey of Statewide Independent Living Councils regarding training and technical assistance needs in order to determine funding priorities for such grants, contracts, or other arrangements.

''(d) REVIEW.—To be eligible to receive a grant or enter into a contract or other arrangement under this section, such an entity shall submit an application to the ILA Director at such time, in such manner, and containing a proposal to provide such training and technical assistance, and containing such additional information as the ILA Director may require. The ILA Director shall provide for peer review of grant applications by panels that include persons who are not government employees and who have experience in the operation of Statewide Independent Living Councils.''.

(c) PAYMENTS.—Section 712(a) (29 U.S.C. 796e–1(a)) is amended by striking ''Commissioner'' and inserting ''ILA Director.''

(d) AUTHORIZED USES OF FUNDS.—Section 713 (29 U.S.C. 796e–2) is amended—

(1) by striking the matter preceding paragraph (1) and inserting the following:

''(a) IN GENERAL.—The State may use funds received under this part (but not more than 30 percent of the funds paid to the State under section 712) to provide the resources described in section 705(e), relating to the Statewide Independent Living Council, may retain funds under section 704(c)(5), and shall distribute the remainder of the funds received under this part in a manner consistent with the approved State plan under section 704 for the activities described in subsection (b).

''(b) ACTIVITIES.—The State may use the remainder of the funds described in subsection (a)—''; and

(2) in paragraph (1), by inserting '', particularly those in unserved areas of the State'' after ''disabilities''.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 714 (29 U.S.C. 796e–3) is amended by striking ''1999 through 2003'' and inserting ''2013 through 2017''.

CHAPTER 3—CENTERS FOR INDEPENDENT LIVING

SEC. 481. PROGRAM AUTHORIZATION.

Section 721 (29 U.S.C. 796f) is amended—

(1) in subsection (a)—

(A) by striking ''1999'' and inserting ''2012'';

(B) by striking ''Commissioner shall allot'' and inserting ''ILA Director shall make available''; and

(C) by inserting '', centers for independent living,'' after ''States'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''For'' and all that follows through ''Commissioner'' and inserting ''From the funds appropriated to carry out this part for any fiscal year, beginning with fiscal year 2012, the ILA Director'';

(ii) by inserting ''not less than 1.8 percent and not more than 2 percent of the funds'' after ''reserve''; and

(iii) by striking ''eligible agencies'' and all that follows and inserting ''centers for independent living and eligible agencies for such fiscal year.'';

(B) in paragraph (2)—

(i) by striking ''Commissioner'' and inserting ''ILA Director''; and

(ii) by inserting ''fiscal management of,'' before ''planning,'';

(C) in paragraphs (3), (4), and (5), by striking ''Commissioner'' each place it appears and inserting ''ILA Director''; and

(D) in paragraph (3), by striking ''Statewide Independent Living Councils and'';

(3) by striking subsection (c) and inserting the following:

''(c) ALLOTMENTS TO STATES.—

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

''(A) ADDITIONAL APPROPRIATION.—The term 'additional appropriation' means the amount (if any) by which the appropriation for a fiscal year exceeds the total of—

''(i) the amount reserved under subsection (b) for that fiscal year; and

''(ii) the appropriation for fiscal year 2008.

''(B) APPROPRIATION.—The term 'appropriation' means the amount appropriated to carry out this part.

''(C) BASE APPROPRIATION.—The term 'base appropriation' means the portion of the appropriation for a fiscal year that is equal to the lesser of—

''(i) an amount equal to 100 percent of the appropriation, minus the amount reserved under subsection (b) for that fiscal year; or

''(ii) the appropriation for fiscal year 2008.

''(2) ALLOTMENTS TO STATES FROM BASE APPROPRIATION.—After the reservation required by subsection (b) has been made, the ILA Director shall allot to each State whose State plan has been approved under section 706 an amount that bears the same ratio to the base appropriation as the amount the State received under this subsection for fiscal year 2008 bears to the total amount that all States received under this subsection for fiscal year 2008.

''(3) ALLOTMENTS TO STATES OF ADDITIONAL APPROPRIATION.—From the portion of any additional appropriation for each fiscal year that remains after the application of paragraph (4), the ILA Director shall allot to each State whose State plan has been approved under section 706 an amount equal to the sum of—

''(A) an amount that bears the same ratio to 50 percent of the portion as the population of the State bears to the population of all States; and

''(B) 1/56 of 50 percent of that portion.

''(4) GRANTS FOR CENTERS FOR AMERICAN INDIANS.—

''(A) GRANTS.—The ILA Director may reserve not more than 5 percent of the additional appropriation for any fiscal year. The ILA Director shall use the reserved funds to make individual grants to support new or existing centers for independent living run by, or in conjunction with, the governing bodies of American Indian tribes located on Federal or State reservations (including consortia of such governing bodies). A governing body that receives such a grant shall use the grant funds for such a center that serves American Indians who are individuals with disabilities residing on or near such a reservation.

''(B) APPLICATIONS.—

''(i) IN GENERAL.—To be eligible to receive a grant under this paragraph for an independent living center, a governing body, or a governing body in conjunction with a center for independent living, shall submit an application to the ILA Director at such time, in such manner and containing such information as the ILA Director may require, and obtain approval for the application.

''(ii) CONTENTS.—At a minimum, the application shall contain an assurance that the center—

''(I) will meet the definition of a center for independent living under section 702;

''(II) will provide independent living core services (as defined in section 7(17)) to American Indians described in subparagraph (A) and, in appropriate cases, may provide to such American Indians services traditionally used by Indian tribes;

''(III) will have sufficient staff to provide the services described in subclause (II); and

''(IV) will comply with the standards and provide and comply with the assurances for centers for independent living under section 725.

''(C) CARRYOVER AUTHORITY.—Notwithstanding any other provision of law, any funds provided through a grant made under subparagraph (A) to an individual grant recipient for a fiscal year that are not obligated or expended by the recipient prior to the beginning of the succeeding fiscal year shall remain available for obligation and expenditure by such recipient during that succeeding fiscal year and the subsequent fiscal year.

''(D) RESERVATION.—In this paragraph, the term 'reservation' has the meaning given the term in section 121(d).'';

(4) in subsection (d), by striking ''Commissioner'' each place it appears and inserting ''ILA Director''; and

(5) by adding at the end the following:

''(e) CARRYOVER AUTHORITY.—Notwithstanding any other provision of law—

''(1) any funds appropriated for a fiscal year to carry out a grant program under section 722 or 723, that are not obligated and expended by the recipients prior to the beginning of the succeeding fiscal year shall remain available for obligation and expenditure by such recipients during that succeeding fiscal year and the subsequent fiscal year; and

''(2) any amounts of program income received by recipients under a grant program under section 722 or 723 in a fiscal year, that are not obligated and expended by the recipients prior to the beginning of the succeeding fiscal year, shall remain available for obligation and expenditure by such recipients during that succeeding fiscal year and the subsequent fiscal year.''.

SEC. 482. CENTERS.

(a) CENTERS IN STATES IN WHICH FEDERAL FUNDING EXCEEDS STATE FUNDING.—Section 722 (29 U.S.C. 796f–1) is amended—

(1) in subsections (a), (b), and (c), by striking ''Commissioner'' each place it appears and inserting ''ILA Director'';

(2) in subsection (c)—

(A) by striking ''grants'' and inserting ''grants for a fiscal year''; and

(B) by striking ''by September 30, 1997'' and inserting ''for the preceding fiscal year'';

(3) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''Commissioner'' and inserting ''ILA Director''; and

(ii) by striking ''region, consistent'' and all that follows and inserting ''region. The ILA Director's determination of the most qualified applicant shall be consistent with the provisions in the State plan setting forth the design of the State for establishing a statewide network of centers for independent living.''; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''Commissioner'' and inserting ''ILA Director''; and

(ii) by striking subparagraph (A) and inserting the following:

''(A) shall consider comments regarding the application—

''(i) by individuals with disabilities and other interested parties within the new region proposed to be served;

''(ii) if any, by the Statewide Independent Living Council in the State in which the applicant is located;''; and

(iii) in subparagraph (C), by inserting '', and consistent with the other objectives of this title'' before the period; and

(4) in subsections (e) and (g) by striking ''Commissioner'' each place it appears and inserting ''ILA Director.''.

(b) CENTERS IN STATES IN WHICH STATE FUNDING EXCEEDS FEDERAL FUNDING.—Section 723 (29 U.S.C. 796f–2) is amended—

(1) in subsections (a), (b), (g), (h), and (i), by striking ''Commissioner'' each place it appears and inserting ''ILA Director'';

(2) in subsection (a), in the header of paragraph (3), by striking ''COMMISSIONER'' and inserting ''ILA DIRECTOR''; and

(3) in subsection (c)—

(A) by striking ''grants'' and inserting ''grants for a fiscal year''; and

(B) by striking ''by September 30, 1997'' and inserting ''for the preceding fiscal year''.

(c) CENTERS OPERATED BY STATE AGENCIES.—Section 724 (29 U.S.C. 796f–3) is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking ''1993'' and inserting ''2012'';

(B) by striking ''Rehabilitation Act Amendments of 1998'' and inserting ''Workforce Investment Act of 2012''; and

(C) by striking ''1994'' and inserting ''2012''; and

(2) by striking ''Commissioner'' each place it appears and inserting ''ILA Director''.

SEC. 483. STANDARDS AND ASSURANCES.

Section 725 (29 U.S.C. 796f–4) is amended—

(1) in subsection (b)—

(A) in paragraph (1)(D), by striking ''to society'' and inserting '', both within the community and throughout the United States,''; and

(B) in paragraph (5)—

(i) by inserting ''(as defined in section 7(17))'' after ''core services''; and

(ii) by inserting before the period the following: ''to eligible individuals, to promote full access to community life''; and

(2) in subsection (c), by striking ''Commissioner'' each place it appears and inserting ''ILA Director''.

SEC. 484. AUTHORIZATION OF APPROPRIATIONS.

Section 727 (29 U.S.C. 796f–6) is amended by striking ''fiscal years 1999 through 2003'' and inserting ''fiscal years 2013 through 2017''.

CHAPTER 4—INDEPENDENT LIVING SERVICES FOR OLDER INDIVIDUALS WHO ARE BLIND

SEC. 486. INDEPENDENT LIVING SERVICES FOR OLDER INDIVIDUALS WHO ARE BLIND.

Chapter 2 of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796j et seq.) is amended—

(1) by redesignating sections 752 and 753 as sections 753 and 754, respectively; and

(2) by inserting after section 751 the following:

''SEC. 752. TRAINING AND TECHNICAL ASSISTANCE.

''(a) GRANTS; CONTRACTS; OTHER ARRANGEMENTS.—For any fiscal year for which the funds appropriated to carry out this chapter exceed the funds appropriated to carry out this chapter for fiscal year 2008, the Commissioner shall first reserve from such excess, to

provide training and technical assistance to designated State agencies, or other providers of independent living services for older individuals who are blind, that are funded under this chapter for such fiscal year, not less than 1.8 percent, and not more than 2 percent, of the funds appropriated to carry out this chapter for the fiscal year involved.

''(b) ALLOCATION.—From the funds reserved under subsection (a), the Commissioner shall make grants to, and enter into contracts and other arrangements with, entities that demonstrate expertise in the provision of services to older individuals who are blind, to provide training and technical assistance with respect to planning, developing, conducting, administering, and evaluating independent living programs for older individuals who are blind.

''(c) FUNDING PRIORITIES.—The Commissioner shall conduct a survey of designated State agencies that receive grants under section 753 regarding training and technical assistance needs in order to determine funding priorities for grants, contracts, and other arrangements under this section.

''(d) APPLICATION.—To be eligible to receive a grant or enter into a contract or other arrangement under this section, an entity shall submit an application to the Commissioner at such time, in such manner, containing a proposal to provide such training and technical assistance, and containing such additional information as the Commissioner may require.

''(e) PROHIBITION ON COMBINED FUNDS.—No funds reserved by the Commissioner under this section may be combined with funds appropriated under any other Act or portion of this Act if the purpose of combining funds is to make a single discretionary grant or a single discretionary payment, unless such reserved funds are separately identified in the agreement for such grant or payment and are used for the purposes of this chapter.''.

SEC. 487. PROGRAM OF GRANTS.

Section 753 of the Rehabilitation Act of 1973 (29 U.S.C. 796k), as redesignated by section 586, is amended—

(1) by striking subsection (h);

(2) by redesignating subsections (i) and (j) as subsections (h) and (i), respectively;

(3) in subsection (b), by striking ''section 753'' and inserting ''section 754'';

(4) in subsection (c)—

(A) in paragraph (1), by striking ''section 753'' and inserting ''section 754''; and

(B) in paragraph (2)—

(i) by striking ''subsection (j)'' and inserting ''subsection (i)''; and

(ii) by striking ''subsection (i)'' and inserting ''subsection (h)'';

(5) in subsection (g), by inserting '', or contracts with,'' after ''grants to'';

(6) in subsection (h), as redesignated by paragraph (2)—

(A) in paragraph (1), by striking ''subsection (j)(4)'' and inserting ''subsection (i)(4)''; and

(B) in paragraph (2)—

(i) in subparagraph (A)(vi), by adding ''and'' after the semicolon;

(ii) in subparagraph (B)(ii)(III), by striking ''; and'' and inserting a period; and

(iii) by striking subparagraph (C); and

(7) in subsection (i), as redesignated by paragraph (2)—

(A) by striking paragraph (2) and inserting the following:

''(2) MINIMUM ALLOTMENT.—

''(A) STATES.—In the case of any of the several States, the District of Columbia, or the Commonwealth of Puerto Rico, the amount referred to in paragraph (1)(A) for a fiscal year is the greater of—

''(i) $350,000;

''(ii) an amount equal to the amount the State, the District of Columbia, or the Commonwealth of Puerto Rico received to carry out this chapter for fiscal year 2008; or

''(iii) an amount equal to ⅓ of 1 percent of the amount appropriated under section 754, and not reserved under section 752, for the fiscal year and available for allotments under subsection (a).

''(B) CERTAIN TERRITORIES.—In the case of Guam, American Samoa, the United States Virgin Islands, or the Commonwealth of the Northern Mariana Islands, the amount referred to in paragraph (1)(A) for a fiscal year is $60,000.'';

(B) in paragraph (3)(A), by striking ''section 753'' and inserting ''section 754, and not reserved under section 752,''; and

(C) in paragraph (4)(B)(i), by striking ''subsection (i)'' and inserting ''subsection (h)''.

SEC. 488. INDEPENDENT LIVING SERVICES FOR OLDER INDIVIDUALS WHO ARE BLIND AUTHORIZATION OF APPROPRIATIONS.

Section 754 of the Rehabilitation Act of 1973 (29 U.S.C. 7961), as redesignated by section 586, is amended by striking ''fiscal years 1999 through 2003'' and inserting ''fiscal years 2013 through 2017''.

Subtitle I—Increasing Employment Opportunities for Individuals With Disabilities

SEC. 491. DISABILITY EMPLOYMENT.

The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) is amended by adding at the end the following:

''TITLE VIII—INCREASING EMPLOYMENT OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES

''SEC. 801. PUBLIC EDUCATION CAMPAIGNS ABOUT HIRING INDIVIDUALS WITH DISABILITIES.

''(a) IN GENERAL.—Not later than 120 days after the date of enactment of the Workforce Investment Act of 2012, the Secretary of Labor, acting through the Assistant Secretary and in coordination with the Commissioner of the Rehabilitation Services Administration, the Commissioner of Social Security, the Commissioner of the Internal Revenue Service, and the heads of other relevant Federal agencies and divisions of Federal agencies, shall develop and carry out public education campaigns that educate employers (including small businesses), employees (including individuals with disabilities), and members of the general public (including young adults) on the benefits of hiring individuals with disabilities. The public education campaign for employers (including small businesses) shall include information on—

''(1) the work opportunity credit under section 51 of the Internal Revenue Code of 1986; and

''(2) tax incentives available to businesses to help cover the cost of improving accessibility, including—

''(A) the disabled access credit under section 44 of the Internal Revenue Code of 1986; and

''(B) the tax deduction available under section 190 of the Internal Revenue Code of 1986, for expenses for architectural barrier removal.

''(b) EDUCATIONAL MATERIALS.—The public education campaigns described in subsection (a) shall include, as necessary, different educational materials in order to adequately target and educate, small businesses, employers generally, employees, and members of the general public, including educational materials on work incentives that may assist individuals with disabilities in leaving programs of public benefits, entering the workforce, advancing their economic status, and contributing to and participating more fully in their communities.''.

SEC. 492. TABLE OF CONTENTS.

The table of contents in section 1(b) is amended—

(1) by striking the item relating to section 109 and inserting the following:

''Sec. 109. Training and services for employers.'';

(2) by inserting after the item relating to section 112 the following:

''Sec. 113. Additional technical assistance.

''Sec. 114. Pre-employment transition services.'';

(3) by inserting after the item relating to section 205 the following:

''Sec. 206. Definition of covered school.'';

(4) by inserting after the item relating to section 509 the following:

''Sec. 510. Establishment of standards for accessible medical diagnostic equipment.'';

(5) by striking the items relating to part B of title VI and inserting the following:

''PART B—SUPPORTED EMPLOYMENT SERVICES

''Sec. 620. Authorization of appropriations.'';

(6) in the items relating to title VII—

(A)(i) by inserting after the item relating to section 701 the following:

''Sec. 701A. Independent Living Administration.'';

and

(ii) by striking the item relating to section 706 and inserting the following:

''Sec. 706. Responsibilities of the ILA Director.'';

(B) by inserting after the item relating to section 711 the following:

''Sec. 711A. Training and technical assistance.'';

and

(C) by striking the items relating to sections 752 and 753 and inserting the following:

''Sec. 752. Training and technical assistance.

''Sec. 753. Program of grants.

''Sec. 754. Authorization of appropriations.'';

and

(7) by adding at the end the following:

''TITLE VIII—INCREASING EMPLOYMENT OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES

''Sec. 801. Public education campaigns about hiring individuals with disabilities.''.

The CHAIR. Pursuant to House Resolution 113, the gentleman from Massachusetts (Mr. TIERNEY) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. TIERNEY. Madam Chairwoman, I yield myself 3 minutes.

This amendment is offered in its entirety as a substitute for the underlying bill and the manager's amendment to it. I do it because I strongly believe that this is, in fact, a better proposal than the existing one, but would have preferred what could have been the best result in this bill, which would have been one where all of the Members had had consultation and where all of the negotiations had occurred and we were able to bring forth a bill with concessions by both sides to get a bill that would have been assured of passage in the Senate, or close to that, assured the President's signature and assured the support of the broad public.

Instead, just as in the last session, we end up with a proposal that ignores sound proposals from both sides and that goes with a hyper-partisan approach, and that's not going to serve the country or this process at all. Having a chance to present 18 amendments,

as was done in the last session, and having them all essentially shot down on a party-line vote is not an excuse or a substitute for having a process in which we really try to work out our differences and make reasonable concessions.

This bill that's before us today by the majority party was filed on February 25. A so-called ''hearing'' occurred on February 26, the very next day, at which two of the three Republican witnesses admitted they had never read the bill. Instead, of programs that exist right now, this bill proceeded with their arbitrary consolidation or elimination without any evaluation of their efficacy, of their effectiveness, of whether or not they ought to be consolidated or changed or terminated or kept intact as they are.

Reliance was made on the GAO report, which did not say anything about consolidating. All it said was that some of the programs duplicate some aspects and that only five programs had had a full evaluation, which would have begged the question for more hearings, more thorough evaluation, more data, and more consultation with the people involved—the stakeholders—to, in fact, come to a conclusion of just how, and if, consolidation should have happened.

We've seen from some of the amendments made today, even by Members of the majority, that they thought that some of the populations should have gotten more attention than the base bill gives them. Essentially, here, we have a public policy that is dictated, not by Washington in the underlying bill, but is advocated to Governors so that instead of being accountable for the decisions we make of who we think needs job training in this country and what the national needs are, the Republican bill would just abdicate that to Governors, and they could decide to serve or not serve entire populations and afford them an opportunity to get the training that we believe as legislators they need.

This bill, as amended by the manager's amendment, creates a one-size-fits-all: it eliminates separate training funds for youth; it silences the voices of the community colleges, labor, economic development groups, and community-based organizations; it eliminates supported employment programs, like the Disabled Veterans' Outreach Program; it eliminates the priority of service delivery for low-income adults and out-of-school youth.

Perhaps that's why so many groups have expressed serious concern about this underlying bill. Groups like the United States Conference of Mayors, the National Association of Counties, the National League of Cities, the National Association of Workforce Boards, Corporation for a Skilled Workforce, Goodwill Industries International, and so many others have expressed concern for this underlying bill or have expressed approval for the substitute that we offer. It's why the administration has filed a statement opposing this bill, just as it did last year, saying it doesn't meet the administration's goals and urging the Republicans to work with us to make a better bill on that.

Mr. Chairman, we could have had the best of all alternatives. We could have had a good bill for the American people. We could have had a bill that took the best aspects of all the proposals and put them together with consultation and presented that for the approval of this House, then had a signed signature by the President, and then had the support of the American people. Unfortunately, that process was not followed, and the arbitrary process was endured by all of us on that part.

I ask that the Members support this substitute as being better than the underlying bill; and then hopefully, we could get back to getting the best bill, which would be one done by collaboration and cooperation.

I reserve the balance of my time.

□ 1100

Mr. KLINE. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR (Mr. CAMPBELL). The gentleman from Minnesota is recognized for 10 minutes.

Mr. KLINE. Mr. Chairman, I yield myself such time as I may consume.

Despite the extraordinary mischaracterization of the bill and some pretty amazing straw men that have been put forward today, let's look at what we really have here. This chart shows the situation that we've got today. This myriad of programs, I would call this bureaucracy run amok. I might call it red tape, as one of the colleagues from the other side suggested I might call it. It is confusing at best.

And this is what the President had to say about it. He said: It's a maze of confusing training programs. He said that last year. I thought he meant it. I'm not sure about his statement today. Maybe he has changed his mind, but he called it a maze.

So what are we going to do about this maze, this red tape, this bureaucracy? We recommend simplifying it, making it easier to use, helping people get the training they need, not the bureaucracy for them to wade through. So we took the information from the Government Accountability Office. We looked at the statements coming from the administration and departments. We looked at programs that even the administration had recommended to stop funding, and we said: Let's make this simple. Let's make this easier. Let's let the local workforce boards who know their communities, with the employers in their communities, make it easier for people to get work, and we put together a bill that has one workforce investment fund. Not a maze, not confusing, less red tape, easier to use, something that the people who need work can use so that you don't have less than one in five who show up to that maze actually getting the training they need.

And what have the Democrats proposed? Well, let's take a look at that chart. They took the current system and they boldly eliminated one program that hasn't been funded since 2003, and they added six more. I don't see how that helps us get where we need to go. I don't see how that helps get the millions of unemployed back to work. I don't see how that helps employers who have 3.6 million openings get those jobs filled.

We need action here. That's what we believe our bill does. This is what their bill does. I recommend that we support the SKILLS Act and reject this amendment.

I reserve the balance of my time.

Mr. TIERNEY. At this time I would like to yield 3 minutes to the gentleman from Texas (Mr. HINOJOSA), a coauthor of the substitute amendment.

Mr. HINOJOSA. Mr. Chairman, I rise today in strong support of the Tierney, Hinojosa, and Miller amendment in the nature of a substitute because the Congress has a responsibility to modernize our Nation's public workforce training and adult educational system.

Putting America back to work must be a top priority for Congress and the Nation. This Tierney-Hinojosa-Miller amendment would bolster the role of community colleges in job training by authorizing President Obama's $8 billion Community College to Career Fund. It would develop a 21st century system for adult education literacy and workplace services. It would engage our Nation's youth through multiple pathways to success. It would create competitive employment services and opportunities for individuals with disabilities. And yes, it would improve accountability and transparency through performance measures and reporting.

Importantly, the Democratic substitute bill would strengthen rather than eliminate the priority for low skilled and low-income adults under WIA.

Today, our current public workforce and adult education system provides an invaluable range of services, including education, occupational skills training, career counseling, job search assistance, adult education, English language literacy, and civics education. And yes, it provides job placement services to populations with unique barriers to employment.

These populations include migrant and seasonal farm workers, Native Americans, people with disabilities, veterans, older workers, people who are homeless, low-income youth, low-skilled workers, English learners, ex-offenders, and women seeking non-traditional employment opportunities.

In the 12-month period ending September 30, 2012, WIA programs provided services to 32.8 million people, as well as hundreds of thousands of employers across the country, according to the U.S. Department of Labor.

While our current WIA system is providing much-needed education and

training and reemployment services, the Tierney-Hinojosa-Miller amendment would modernize our current WIA system. It would prepare greater numbers of unemployed and underemployed Americans for jobs in health care, advanced manufacturing, and high-growth industries and sectors that require specialized skills for these positions, and it would ensure that our most vulnerable populations are served.

In closing, Mr. Chairman, I urge my colleagues on both sides of the aisle to join me in voting for the Tierney-Hinojosa-Miller amendment in the nature of a substitute and do what is right for the millions of unemployed individuals.

Mr. KLINE. Mr. Chairman, I yield 3 minutes to the gentlewoman from North Carolina (Ms. FOXX), the author of the SKILLS Act.

Ms. FOXX. Mr. Chair, I thank the chairman of the Education Committee for his leadership, and I want to give special thanks to the staff for their hard work on this bill. They've done phenomenal work.

Mr. Chair, I am also opposed to this substitute amendment. This amendment blatantly ignores the President's call to ''cut through the confusing maze of training programs'' by creating a number of new redundant programs. In addition to the 50-plus programs already in existence, the amendment reauthorizes programs that President Obama eliminated in his FY '13 budget proposal and funds programs that have not been funded in years.

Unfortunately, this substitute amendment gives priorities to bureaucrats instead of un- and under-employed Americans who are hurting. More than 20 million Americans are struggling to find work and turn to their government for answers and assistance. This amendment adds to the confusion of the dizzying maze of existing programs.

We should be streamlining our Nation's workforce development system, not making it more complicated for workers and job seekers. This week, several of the North Carolina workforce administrators were in town and shared with me their frustration in filling local workforce boards with members Washington mandates, rather than the partners they know who understand the needs of their local communities and workforce. This proposal does nothing to address these Federal mandates, and instead adds to the burden by mandating that 20 percent of board members be Big Labor. This is unacceptable. State and local leadership should be deciding who is best equipped to meet the needs of their communities.

Finally, the amendment dramatically increases the amount of hard-earned taxpayer dollars spent on administrative costs rather than direct services. Our Nation's debt will reach $17 trillion very soon, and taking more money from hardworking taxpayers to spend on bureaucrats is unconscionable. The Democrat proposal asks us to double down on the status quo that is failing our country in this time of high unemployment and record debt.

Mr. Chair, the numbers tell the story: 12 million unemployed; 8 million working part-time who want to work full time; 3.6 million jobs unfilled. Obviously, the current system is broken. I urge my colleagues to oppose this amendment and support the SKILLS Act.

Mr. TIERNEY. Mr. Chairman, at this time I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the minority whip.

The Acting CHAIR. The gentleman from Maryland is recognized for 3 minutes. That is the balance of the gentleman from Massachusetts' time.

Mr. HOYER. I thank the gentleman for yielding, and I rise in support of his substitute and in opposition to the so-called SKILLS Act.

Mr. Chairman, there was an opportunity to do this in a bipartisan fashion. As we so often do, unfortunately, in this body, we choose to do it in a partisan fashion, which almost predictably will mean its defeat. This bill is a partisan-sponsored version which is opposed by most stakeholders, including the National Skills Coalition. It's a partisan bill because, unfortunately, Republicans refused Democrats' request to negotiate a bipartisan version.

We need a bill like the Democratic alternative introduced by the gentleman from Massachusetts (Mr. TIERNEY), who wrote a bill that enhances career pathways into training programs for advanced manufacturing and other industries.

□ 1110

Our alternative would work to enhance partnerships with industry, maintain a role for all stakeholders in workforce investment, and protect services for those facing significant barriers to finding work. This is the type of approach that House Democrats' Make It in America plan has endorsed.

Unfortunately, the Republican bill, on the other hand, would eliminate and/or consolidate 35 programs into a single Workforce Investment Fund. That may sound good, but it lacks any priority of service for those facing the highest barriers to employment. These include low-income individuals and those with poor work histories.

It ends the requirement that State and local Workforce Investment Boards include representation of workers, labor representation, and it removes much-needed funding for low-income youth, other than Job Corps.

Mr. Chairman, this is not the Workforce Investment Act Reauthorization that the American people expect nor the one that Congress should pass. We need one that invests in competitiveness, jobs, and the growth of our manufacturing sector. We need the alternative offered by the gentleman from Massachusetts.

I hope my Republican friends will set partisanship aside and work with us to enact legislation that helps all of our people find jobs and pursue the opportunities that make our country great. We have had some success in this Congress when we acted in a bipartisan fashion. We had it just a few days ago on the Violence Against Women Act.

But when we act in a partisan fashion, we fail—and this country is sick of failure, sick of this Congress' inability to work together—and this is an example, a bill that has historically been passed in a bipartisan fashion comes to this floor in a very partisan fashion. What a shame. What a shame for America. What a shame for Americans. What a shame for workforce development. What a shame for our ability to compete and to grow and create jobs.

Let's pass this alternative that the gentleman from Massachusetts has offered.

Mr. TIERNEY. I thank the Chair, first of all, for having the discussion on time. Apparently, the time was a little bit confused on that.

I ask unanimous consent that both sides be awarded an additional minute.

The Acting CHAIR. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. KLINE. Mr. Chairman, can I now inquire as to how much time is remaining on each side?

The Acting CHAIR. The gentleman from Minnesota has 6 minutes remaining. The gentleman from Massachusetts has 1 minute remaining.

Mr. KLINE. I'm pleased to yield 3 minutes to the chief deputy whip, the gentleman from Illinois (Mr. ROSKAM).

Mr. ROSKAM. I thank the gentleman for yielding.

Look, we were admonished a minute ago in the well of the House about the shame of things, and I think we can all accept admonition that we, as a Congress, need to do better. But part of doing better, part of creating a bipartisan bill, is showing up to do the work. So when the minority chooses to walk out of a proceeding, while that's their prerogative, it doesn't create the environment for bipartisanship. Enough said.

We're also told that there's shame and disappointment in not working, and I would assume that that shame and disappointment goes back to the previous majority, Mr. Chairman, who failed to do this work. Now, that's living in the rearview mirror, and enough of that.

So the question is: How do we move forward? How do we take bipartisan or, actually, more importantly, nonpartisan advice from the Government Accounting Office which has looked at the status quo and made a couple of points? They've said the status quo is a failure. The status quo isn't syncing up job creation opportunities, that is, job training, with where the actual jobs are. Or said another way, we've got a status quo that's good for job trainers,

but it's not good for the people that we all claim to speak for, that is, those who are unemployed and need a skill.

So we were also told a minute ago that, and I think the word was, a majority of those who were involved somehow are opposed to the GOP plan. I'm getting data that shows that there's dozens of groups—and I'm sure it's on the Ed and Workforce Web site—that are supporting this.

So here's the question: Do we listen to the GAO? Do we say we're not going to defend the status quo, we're not going to bulk up with more bureaucracy, but, instead, at a time when everybody recognized that resources are limited, we're going to consolidate, be smart, be clever about how we're doing things in order to get this done?

And I think the failure, with all due respect, of the Democratic substitute is that it creates six new programs as opposed to consolidating and putting all of these savings, I might add, back into the very job training program that we're all trying to defend.

So I accept admonition where admonition is due, but I think we're a little bit reluctant to say there's not a bipartisan opportunity when part of being bipartisan is making sure that we show up for that opportunity.

With that, I urge a ''no'' vote on the substitute and a ''yes'' vote on the underlying bill.

Mr. TIERNEY. Mr. Chair, I reserve the balance of my time.

Mr. KLINE. Mr. Chairman, can I inquire: The gentleman from Massachusetts has no other speakers and has the right to close?

The Acting CHAIR. The gentleman from Minnesota has the right to close.

Mr. KLINE. I reserve the balance of my time.

Mr. TIERNEY. Mr. Chairman, I yield myself the balance of the time.

The previous speaker, I don't know if he stayed or left or anything like that, but he talked about the environment being set. The environment of this was set in the hyperpartisan nature of the last session's presentation of the bill similar to this and of a bill this time giving no right to consult.

Showing up to participate in a so-called markup process where every vote would have been on a partisan basis and moved on, as it was last time, is not the issue. The issue is whether or not people reach across the aisle. As our Republican friend BUCK MCKEON had indicated, it's the majority's responsibility to, in fact, do this.

It's one thing to listen; it's another to comprehend. GAO's report, if one listened to it being read on that, indicated that there were a number of programs, but only five have been evaluated. It would have begged for an evaluation that we never had about what we were going to do with the programs on that. It talked about the fact that some might have overlapped, but said nothing about programs needing to be eliminated or terminated or saying that they were duplicative on that. We needed to determine that.

The underlying bill fails on a number of reasons, as I stated earlier. The amendment improves that. But again, the best bill would have been a bill where people sat down, member to member, worked out their differences, and presented to the American public, and for the President's signature, a bill that was bipartisan in nature and served both the employers and the prospective employees.

I yield back the balance of my time.

Mr. KLINE. Mr. Chairman, interesting discussion today about what constitutes bipartisanship. I would just note, for the record, that when we attempted to reauthorize the Workforce Investment Act in the last Congress and we moved it through committee, amendments were offered by Republicans and Democrats, and amendments offered by Republicans and Democrats were included. In fact, some of those Democrat amendments are included in the underlying bill today.

Look, there have been accusations all morning about how the SKILLS Act is going to stop training for all sorts of people, and we had various straw men here. It was women and people with disabilities and all manner of things that we were just going to shut out.

But as the gentleman from Massachusetts said, sometimes it's helpful to actually read the language. And so in the SKILLS Act, in the underlying bill, it insists that State and local boards put together a plan that has a description of how the local area and the State ''will serve the employment and training needs of dislocated workers (including displaced homemakers), low-income individuals (including recipients of public assistance such as the Supplemental Nutrition Assistance Program), long-term unemployed individuals (including individuals who have exhausted entitlement to State and Federal unemployment compensation), English learners, homeless individuals, individuals training for nontraditional employment, youth (including out-of-school youth and at-risk youth), older workers, ex-offenders, migrant and seasonal farmworkers, refugee and entrants, veterans (including disabled veterans and homeless veterans), and Native Americans.''

□ 1120

It's in the bill. We believe that we have a choice in front of us today. We brought forth a bill that says we need to address these needs with this program. It's simple and straightforward, allowing these people the opportunity to go and directly get the training they need, to get rid of that confusing maze, to get rid of red tape, and allow people to get the training they need, including all these people.

What has been proposed by the gentleman from Massachusetts to address these needs is this program—the current program, minus one, and six new programs. More complicated, bigger maze, more red tape, harder to use. It serves these very people poorly.

So I ask my colleagues to vote against the gentleman's amendment and support the underlying bill, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. TIERNEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

RECORDED VOTE

Mr. TIERNEY. Mr. Chair, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 192, noes 227, not voting 12, as follows:

[Roll No. 73]

AYES—192

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth
Young (AK)

NOES—227

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis

Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (FL)
Young (IN)

NOT VOTING—12

Castor (FL)
Costa
Foster
Gardner
Hanna
Himes
Lynch
Markey
McHenry
Rush
Schakowsky
Smith (WA)

□ 1153

Messrs. COLE, MURPHY of Pennsylvania, ISSA, GARY G. MILLER of California and Mrs. BACHMANN changed their vote from ''aye'' to ''no.''

Messrs. BRADY of Pennsylvania, ENYART, SIRES and DOYLE changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOODALL) having assumed the chair, Mr. CAMPBELL, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 803) 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, and, pursuant to House Resolution 113, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. GEORGE MILLER of California. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. GEORGE MILLER of California. Yes.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. George Miller of California moves to recommit the bill, H.R. 803, to the Committee on Education and the Workforce with instructions to report the same forthwith to the House with the following amendment:

Insert after section 4 the following:

SEC. 5. PROTECTION OF WAGES AND JOB OPPORTUNITIES FOR SENIORS, VETERANS, WOMEN, YOUTH, AND INDIVIDUALS WITH DISABILITIES.

Nothing in this Act or the amendments made by this Act shall repeal, deny, or weaken the wages, employment protections, employment or training opportunities, or educational benefits for the following:

(1) Seniors who receive employment opportunities and wage protections under the Older Americans Act of 1965 (Public Law 89–73).

(2) Veterans protected under the disabled veterans outreach program under section 4103(A) and programs under 4104 of title 38, United States Code.

(3) Women who receive training and other employment assistance under the Women in Apprenticeship and Nontraditional Occupations Act.

(4) Youth who receive employment opportunities and wage protections under Youth Build program, the Youth Conservation Corps Act, and any other youth training programs under the Workforce Investment Act of 1998; or

(5) Individuals with disabilities who are provided job opportunities under the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.).

SEC. 6. MINIMUM WAGE INCREASES.

(a) MINIMUM WAGE.—

(1) IN GENERAL.—Section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) is amended to read as follows:

''(1) except as otherwise provided in this section, not less than—

''(A) $8.20 an hour, beginning on the first day of the third month that begins after the date of enactment of the SKILLS Act;

''(B) $9.15 an hour, beginning 1 year after that first day;

''(C) $10.10 an hour, beginning 2 years after that first day; and

''(D) beginning on the date that is 3 years after that first day, and annually thereafter, the amount determined by the Secretary pursuant to subsection (h);''.

(2) DETERMINATION BASED ON INCREASE IN THE CONSUMER PRICE INDEX.—Section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206) is amended by adding at the end the following:

''(h)(1) Each year, by not later than the date that is 90 days before a new minimum wage determined under subsection (a)(1)(D) is to take effect, the Secretary shall determine the minimum wage to be in effect pursuant to this subsection for the subsequent 1-year period. The wage determined pursuant to this subsection for a year shall be—

''(A) not less than the amount in effect under subsection (a)(1) on the date of such determination;

''(B) increased from such amount by the annual percentage increase in the Consumer Price Index for Urban Wage Earners and Clerical Workers (United States city average, all items, not seasonally adjusted), or its successor publication, as determined by the Bureau of Labor Statistics; and

''(C) rounded to the nearest multiple of $0.05.

''(2) In calculating the annual percentage increase in the Consumer Price Index for purposes of paragraph (1)(B), the Secretary shall compare such Consumer Price Index for the most recent month, quarter, or year available (as selected by the Secretary prior to the first year for which a minimum wage is in effect pursuant to this subsection) with the Consumer Price Index for the same month in the preceding year, the same quarter in the preceding year, or the preceding year, respectively.''.

(b) BASE MINIMUM WAGE FOR TIPPED EMPLOYEES.—Section 3(m)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(m)(1)) is amended to read as follows:

''(1) the cash wage paid such employee, which for purposes of such determination shall be not less than—

''(A) for the 1-year period beginning on the first day of the third month that begins after the date of enactment of the SKILLS Act, $3.00 an hour;

''(B) for each succeeding 1-year period until the hourly wage under this paragraph equals 70 percent of the wage in effect under section 6(a)(1) for such period, an hourly wage equal to the amount determined under this paragraph for the preceding year, increased by the lesser of—

''(i) $0.95; or

''(ii) the amount necessary for the wage in effect under this paragraph to equal 70 percent of the wage in effect under section 6(a)(1) for such period, rounded to the nearest multiple of $0.05; and

''(C) for each succeeding 1-year period after the year in which the hourly wage under this paragraph first equals 70 percent of the wage in effect under section 6(a)(1) for the same period, the amount necessary to ensure that the wage in effect under this paragraph remains equal to 70 percent of the wage in effect under section 6(a)(1), rounded to the nearest multiple of $0.05; and''.

(c) PUBLICATION OF NOTICE.—Section 6 of the Fair Labor Standards Act of 1938 (as amended by subsection (a)) (29 U.S.C. 206) is further amended by adding at the end the following:

''(i) Not later than 60 days prior to the effective date of any increase in the minimum wage determined under subsection (h) or required for tipped employees in accordance with subparagraph (B) or (C) of section 3(m)(1), as amended by the SKILLS Act, the Secretary shall publish in the Federal Register and on the website of the Department of Labor a notice announcing the adjusted required wage.''.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the first day of the third month that begins after the date of enactment of this Act.

Amend the table of contents in section 2 by inserting after the item relating to section 4 the following new items:

Sec. 5. Protection of wages and job opportunities for seniors, veterans, women, youth, and individuals with disabilities.

Sec. 6. Minimum wage increases.

Mr. GEORGE MILLER of California (during the reading). I ask unanimous consent to dispense with the reading of the motion.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. KLINE. I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read.

Mr. KLINE (during the reading). I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore (Mr. CAMPBELL). Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes in support of his motion.

□ 1200

Mr. GEORGE MILLER of California. Mr. Speaker, last week, I met a young man named Gregory Reynoso. He lives in Brooklyn. He is married, and they have a little girl who will soon turn 3 years old. He is a pizza delivery man. He makes $7.25 an hour, but he can't make ends meet. As Gregory told me, if he pays one bill, he can't pay another.

He told me: I'm delivering food to other people all day, but sometimes I need food stamps so my family can eat.

When I look at the bill before us, I think of Gregory and a million other hardworking Americans like him. The bill before us is not for him. He's low-income. Under this bill, he loses his priority of service even if he wanted to train to try to get new skills for a better job with better wages to provide for his family. With this bill, he wouldn't be able to. With this bill, we shouldn't ask what it does for people like Gregory but what it does to them.

Under the Foxx bill, seniors and youth no longer have wage protections. Low-income workers no longer get priority of service. The voices of labor and community colleges are squeezed off the Workforce Investment Boards, and the poor and disadvantaged get the shaft.

We propose this motion to do something different so that, no matter what happens with the adoption of the Foxx bill, the poor will get a better shot at better jobs, and those who are working in low-wage jobs will get a decent wage. This amendment raises the Federal minimum wage to $10.10 an hour. It indexes it to inflation, and gives tipped workers a raise for the first time in 20 years. For the first time in 20 years, they will get a shot at a raise and a decent wage for the work that they do in waiting on other people.

Without an increase in years, the working poor have been falling further and further behind. While corporate profits soar, while the Dow breaks new records, and while the CEOs take home 380 times the wages of average workers, the lowest paid workers are falling behind. If we vote to raise the minimum wage, we pump more than $32 billion into the economy, money into working people's pockets, money into Main Street small businesses, money spent locally, money that generates demand, and demand that generates jobs.

A minimum wage increase pays for itself. Some businesses might have to pay higher wages, but they'll see higher revenues thanks to higher demand. The number one complaint from small businesses, according to Steve Case, the founder of AOL, is that there are not enough customers on Main Street because they're not earning enough money. They can't spend on Main Street because they're not earning enough money. That's why business owners are coming out for the raise—large businesses, like the CEO of Costco—encouraging and supporting the minimum wage; small businesses, like the restaurant owner Andy Shallal who came out for the minimum wage; and business leaders like the CEO of the U.S. Women's Chamber of Commerce. In 2005, the chairman of the board of Walmart came out for the minimum wage because, like today, their customers don't have enough money to buy the necessities of life. So think what this means if they can have an increase in the minimum wage. Think what this means to those individuals.

Over two-thirds of the people in this country support an increase to the minimum wage. A majority of self-identified Republicans support an increase in the minimum wage. We must understand that this is a pay raise for 30 million Americans. Half of those workers are women in this country; 88 percent of those workers are at least 20 years of age; and 17 million children will live in families that will get an increase in the wages and the incomes to those families.

These hardworking Americans have suffered enough in the Great Recession. Enough of the attacks on Medicare, Head Start, and now job training. Let's do something different this time. Let's do something that's right. Let's reward work for people who go to work every day in very difficult jobs, in sometimes very dirty jobs, in sometimes very demeaning jobs. They work every day, and they go home poor. At the end of the year, they end up poor. They work 52 weeks—they end up poor. They work in tough jobs—they end up poor.

Now is your opportunity to reward work to provide them. Let's help these individuals. Let's help these families. Let's raise the minimum wage. It's time for $10.10 an hour. Vote ''yes'' on the final passage—the vote for the minimum wage—and protect seniors, protect veterans, protect low-income workers.

I yield back the balance of my time.

ANNOUNCEMENTS BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would ask Members not to cross the well when another Member is under recognition.

The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

Mr. KLINE. Mr. Speaker, I seek time in opposition to the motion.

The SPEAKER pro tempore. Is the gentleman opposed to the motion?

Mr. KLINE. I am.

The SPEAKER pro tempore. The gentleman from Minnesota is recognized for 5 minutes.

Mr. KLINE. Mr. Speaker, I always appreciate the passion of my friend and colleague, the ranking member on the Education and the Workforce Committee, on this and on so many issues.

It's no doubt personal incomes have been flat in recent years and unemployment remains high: 12 million Americans unemployed, some 22 million Americans underemployed. Unemployment among youth is extraordinarily high. People are trying to get into the workforce, and they can't get in. We need jobs out there.

The best approach right now is to get Federal spending under control and government out of the way of the Nation's job creators. Republicans are always willing to discuss responsible proposals that will promote economic growth and help people get to work. Since the motion to recommit would force this committee to advance a proposal that may hurt workers and job creators and increase unemployment, I urge my colleagues to vote ''no'' on the motion and ''yes'' on the underlying bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. GEORGE MILLER of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered; and approval of the Journal, if ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 184, nays 233, not voting 14, as follows:

[Roll No. 74]

YEAS—184

Andrews
Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schiff
Schneider
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NAYS—233

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Scalise
Schock
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—14

Castor (FL)
Chaffetz
Costa
Dingell
Foster
Gardner
Hanna
Himes
Lynch
Markey
McHenry
Rush
Schakowsky
Smith (WA)

□ 1216

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. CHAFFETZ. Mr. Speaker, on rollcall No. 74 I was unavoidably detained. Had I been present, I would have voted "nay."

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GEORGE MILLER of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 215, nays 202, not voting 15, as follows:

[Roll No. 75]

YEAS—215

Aderholt
Alexander
Amodei
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boehner
Bonner
Boustany
Brady (TX)
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Long
Lucas
Lummis
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McKeon
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ryan (WI)
Salmon
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NAYS—202

Amash
Andrews
Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Bridenstine
Broun (GA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cook
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards

Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gibson
Grayson
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Maffei
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinley
McNerney
Meeks
Meng
Michaud
Miller, Gary
Miller, George
Moore
Moran
Murphy (FL)
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Turner
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—15

Castor (FL)
Costa
Foster
Gardner
Hanna
Himes
Joyce
Luetkemeyer
Lynch
Markey
McHenry
Nadler
Rush
Schakowsky
Smith (WA)

□ 1224

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. JOYCE. Mr. Speaker, on rollcall No. 75, had I been present, I would have voted "nay."

PERSONAL EXPLANATION

Mr. GARDNER. Mr. Speaker, I was absent for the following votes due to a family funeral. Had I been present, I would have voted as follows:

Yes: Previous question

Yes: Adoption of the rule for H.R. 803 the SKILLS Act

No: Approval of the Journal

No: Tierney Substitute Amendment

No: Democrat Motion to Recommit

Yes: H.R. 803—Support Knowledge and Investing in Lifelong Skills (SKILLS) Act

PERSONAL EXPLANATION

Mr. HIMES. Mr. Speaker, on March 15, I was unable to be present for a series of votes. Had I been present for rollcall vote 73 on H.R. 803, I would have voted "yea." Had I been present for rollcall vote 74 on H.R. 803, I would have voted "yea." Had I been present for rollcall vote 75 on final passage of H.R. 803, I would have voted "nay."

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

ECONOMIC REPORT OF THE PRESIDENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113–2)

The SPEAKER pro tempore (Mr. COTTON) laid before the House the following message from the President of the United States; which was read and referred to the Joint Economic Committee and ordered to be printed:

To the Congress of the United States

This year's Economic Report of the President describes the progress we have made recovering from the worst economic crisis since the Great Depression. After years of grueling recession, our businesses have created over six million new jobs. As a nation, we now buy more American cars than we have in 5 years, and less foreign oil than we have in 20 years. Our housing market is healing, and consumers, patients, and homeowners enjoy stronger protections than ever before.

But there are still millions of Americans whose hard work and dedication have not yet been rewarded. Our economy is adding jobs, but too many of our fellow citizens still can't find full-time employment. Corporate profits have reached all-time highs, but for more than a decade, wages and incomes for working Americans have barely budged.

Our top priority must be to do everything we can to grow our economy and create good, middle-class jobs. That has to be our North Star. That has to drive every decision we make in Washington. Every day, we should ask ourselves three questions: How do we attract more jobs to our shores? How do we equip our people with the skills needed to do those jobs? And how do we make sure that hard work leads to a decent living?

We can begin by making America a magnet for new jobs and manufacturing. After shedding jobs for more than a decade, our manufacturers have added about half a million new jobs over the past 3 years. We need to accelerate that trend, by launching more manufacturing hubs that transform hard-hit regions of the country into global centers of high-tech jobs and manufacturing. We need to make our tax code more competitive, by ending tax breaks for companies that ship jobs overseas, and rewarding companies that create jobs here at home. And we need to invest in the research and technology that will allow us to harness more of our own energy and put more people back to work repairing our crumbling roads and bridges.

These steps will help entrepreneurs and small business owners expand and create new jobs. But we also need to provide every American with the skills and training they need to fill those jobs. We should start in the earliest years by offering high-quality preschool to every child in America, because we know kids in programs like these do better throughout their academic lives. We should redesign America's high schools to better prepare our students with skills that employers are looking for right now. And because taxpayers can't continue subsidizing the soaring cost of higher education, we should take affordability and value into account when determining which colleges receive certain types of Federal aid.

We also need to reward hard work and declare that no one who works full-time should have to live in poverty by raising the minimum wage so that it's a wage you can live on. And it's time to harness the talents and ingenuity of hardworking immigrants by finally passing commonsense immigration reform—continuing to strengthen border security, holding employers accountable, establishing a responsible path to earned citizenship, reuniting families, and attracting the highly-skilled entrepreneurs, engineers, and scientists that will help create jobs.

As we continue to grow our economy, we must also take further action to shrink our deficits. We don't have to choose between these two important priorities—we just have to make smart choices.

Over the last few years, both parties have worked together to reduce the deficit by more than $2.5 trillion, which puts us more than halfway towards the goal of $4 trillion in deficit reduction that economists say we need to stabilize our finances. Now we need to finish the job. But we shouldn't do it by making harsh and arbitrary cuts that jeopardize our military readiness, devastate priorities like education and energy, and cost jobs. That's not how you grow the economy. We shouldn't ask senior citizens and working families to pay down the rest of our deficit while the wealthiest are asked for nothing more. The doesn't grow our middle class.

Most Americans—Democrats, Republicans, and Independents—understand that we can't just cut our way to prosperity. That's why I have put forward a balanced approach to deficit reduction that makes responsible reforms to bring down the cost of health care for an aging generation—the single biggest driver of our long-term debt—and saves hundreds of billions of dollars by getting rid of tax loopholes and deductions for the well-off and well-connected. And we should finally pursue bipartisan, comprehensive tax reform that encourages job creation and helps bring down the deficit.

The American people don't expect their government to solve every problem. They don't expect those of us in