

113TH CONGRESS
2D SESSION

S. 2038

To provide for the extension of certain unemployment benefits, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 25, 2014

Mr. THUNE introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To provide for the extension of certain unemployment benefits, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Solutions to Long-
5 Term Unemployment Act”.

1 **TITLE I—EXEMPTION FROM AF-**
2 **FORDABLE CARE ACT MAN-**
3 **DATE FOR LONG-TERM UNEM-**
4 **PLOYED**

5 **SEC. 101. LONG-TERM UNEMPLOYED INDIVIDUALS NOT**
6 **TAKEN INTO ACCOUNT FOR EMPLOYER**
7 **HEALTH CARE COVERAGE MANDATE.**

8 (a) IN GENERAL.—Paragraph (4) of section
9 4980H(c) of the Internal Revenue Code of 1986 is amend-
10 ed by adding at the end the following new subparagraph:

11 “(C) EXCEPTION FOR LONG-TERM UNEM-
12 PLOYED INDIVIDUALS.—The term ‘full-time em-
13 ployee’ shall not include any individual who is
14 a long-term unemployed individual (as defined
15 in section 3111(d)(3)) with respect to such em-
16 ployer.”.

17 (b) EFFECTIVE DATE.—The amendment made by
18 this section shall apply to months beginning after Decem-
19 ber 31, 2013.

1 **TITLE II—EMPLOYER PAYROLL**
2 **TAX HOLIDAY FOR LONG-**
3 **TERM UNEMPLOYED**

4 **SEC. 201. EMPLOYER PAYROLL TAX HOLIDAY FOR LONG-**
5 **TERM UNEMPLOYED INDIVIDUALS.**

6 (a) IN GENERAL.—Subsection (d) of section 3111 of
7 the Internal Revenue Code of 1986 is amended to read
8 as follows:

9 “(d) SPECIAL RULE FOR LONG-TERM UNEMPLOYED
10 INDIVIDUALS.—

11 “(1) IN GENERAL.—Subsection (a) shall not
12 apply to wages paid by a qualified employer with re-
13 spect to employment during the applicable period of
14 any long-term unemployed individual for services
15 performed—

16 “(A) in a trade or business of such em-
17 ployer, or

18 “(B) in the case of an employer exempt
19 from taxation under section 501(a), in further-
20 ance of activities related to the purpose or func-
21 tion constituting the basis of the employer’s ex-
22 emption under section 501.

23 “(2) QUALIFIED EMPLOYER.—For purposes of
24 this subsection—

1 “(A) IN GENERAL.—The term ‘qualified
2 employer’ means any employer other than the
3 United States, any State, or any political sub-
4 division thereof, or any instrumentality of the
5 foregoing.

6 “(B) TREATMENT OF EMPLOYEES OF
7 POST-SECONDARY EDUCATIONAL INSTITU-
8 TIONS.—Notwithstanding subparagraph (A),
9 the term ‘qualified employer’ includes any em-
10 ployer which is a public institution of higher
11 education (as defined in section 101(b) of the
12 Higher Education Act of 1965).

13 “(3) LONG-TERM UNEMPLOYED INDIVIDUAL.—
14 For purposes of this subsection, the term ‘long-term
15 unemployed individual’ means, with respect to any
16 employer, an individual who—

17 “(A) begins employment with such em-
18 ployer after the date of the enactment of the
19 Solutions to Long-Term Unemployment Act,
20 and

21 “(B) has been unemployed for 27 weeks or
22 longer, as determined by the Secretary of
23 Labor, immediately before the date such em-
24 ployment begins.

1 “(4) APPLICABLE PERIOD.—The term ‘applica-
2 ble period’ means the period beginning on the date
3 of the enactment of the Solutions to Long-Term Un-
4 employment Act, and ending on the earlier of—

5 “(A) the date that is 2 years after such
6 date of enactment, or

7 “(B) the first day of the first month after
8 the date on which the Secretary of Labor cer-
9 tifies that the total number of individuals in the
10 United States who have been unemployed for
11 27 weeks or longer is less than 2,000,000.

12 “(5) ELECTION.—An employer may elect to
13 have this subsection not apply. Such election shall be
14 made in such manner as the Secretary may re-
15 quire.”.

16 (b) COORDINATION WITH WORK OPPORTUNITY
17 CREDIT.—Section 51(c)(5) of the Internal Revenue Code
18 of 1986 is amended to read as follows:

19 “(5) COORDINATION WITH PAYROLL TAX FOR-
20 GIVENESS.—The term ‘wages’ shall not include any
21 amount paid or incurred to a long-term unemployed
22 individual (as defined in section 3111(d)(3)) during
23 the 1-year period beginning on the hiring date of
24 such individual by a qualified employer (as defined
25 in section 3111(d)) unless such qualified employer

1 makes an election not to have section 3111(d)
2 apply.”.

3 (c) TRANSFERS TO FEDERAL OLD-AGE AND SUR-
4 VIVORS INSURANCE TRUST FUND.—There are hereby ap-
5 propriated to the Federal Old-Age and Survivors Trust
6 Fund and the Federal Disability Insurance Trust Fund
7 established under section 201 of the Social Security Act
8 (42 U.S.C. 401) amounts equal to the reduction in reve-
9 nues to the Treasury by reason of the amendments made
10 by subsection (a). Amounts appropriated by the preceding
11 sentence shall be transferred from the general fund at
12 such times and in such manner as to replicate to the ex-
13 tent possible the transfers which would have occurred to
14 such Trust Fund had such amendments not been enacted.

15 (d) APPLICATION TO RAILROAD RETIREMENT
16 TAXES.—

17 (1) IN GENERAL.—Subsection (c) of section
18 3221 of the Internal Revenue Code of 1986 is
19 amended to read as follows:

20 “(c) SPECIAL RULE FOR LONG-TERM UNEMPLOYED
21 INDIVIDUALS.—

22 “(1) IN GENERAL.—In the case of compensa-
23 tion paid by an employer during the applicable pe-
24 riod, with respect to having a long-term unemployed
25 individual in the employer’s employ for services ren-

1 dered to such employer, the applicable percentage
2 under subsection (a) shall be equal to the rate of tax
3 in effect under section 3111(b) for the calendar
4 year.

5 “(2) QUALIFIED EMPLOYER.—For purposes of
6 this subsection, the term ‘qualified employer’ means
7 any employer other than the United States, any
8 State, or any political subdivision thereof, or any in-
9 strumentality of the foregoing.

10 “(3) LONG-TERM UNEMPLOYED INDIVIDUAL.—
11 For purposes of this subsection, the term ‘long-term
12 unemployed individual’ means, with respect to any
13 employer, an individual who—

14 “(A) begins employment with such em-
15 ployer after the date of the enactment of the
16 Solutions to Long-Term Unemployment Act,
17 and

18 “(B) has been unemployed for 27 weeks or
19 longer, as determined by the Secretary of
20 Labor, immediately before the date such em-
21 ployment begins.

22 “(4) APPLICABLE PERIOD.—The term ‘applica-
23 ble period’ means the period beginning on the date
24 of the enactment of the Solutions to Long-Term Un-
25 employment Act, and ending on the earlier of—

1 “(A) the date that is 2 years after such
2 date of enactment, or

3 “(B) the first day of the first month after
4 the date on which the Secretary of Labor cer-
5 tifies that the total number of individuals in the
6 United States who have been unemployed for
7 27 weeks or longer is less than 2,000,000.

8 “(5) ELECTION.—An employer may elect to
9 have this subsection not apply. Such election shall be
10 made in such manner as the Secretary may re-
11 quire.”.

12 (2) TRANSFERS TO SOCIAL SECURITY EQUIVA-
13 LENT BENEFIT ACCOUNT.—There are hereby appro-
14 priated to the Social Security Equivalent Benefit Ac-
15 count established under section 15A(a) of the Rail-
16 road Retirement Act of 1974 (45 U.S.C. 231n–1(a))
17 amounts equal to the reduction in revenues to the
18 Treasury by reason of the amendments made by
19 paragraph (1). Amounts appropriated by the pre-
20 ceding sentence shall be transferred from the general
21 fund at such times and in such manner as to rep-
22 licate to the extent possible the transfers which
23 would have occurred to such Account had such
24 amendments not been enacted.

25 (e) EFFECTIVE DATES.—

1 (1) IN GENERAL.—Except as provided in para-
 2 graph (2), the amendments made by this subsection
 3 shall apply to wages paid after the date of the enact-
 4 ment of this Act.

5 (2) RAILROAD RETIREMENT TAXES.—The
 6 amendments made by subsection (d) shall apply to
 7 compensation paid after the date of the enactment
 8 of this Act.

9 **TITLE III—EMPLOYMENT**
 10 **RELOCATION LOANS**

11 **SEC. 301. EMPLOYMENT RELOCATION LOANS.**

12 (a) LOANS AUTHORIZED.—From amounts made
 13 available to carry out this section, the Secretary may issue
 14 loans, with the interest rates, terms, and conditions pro-
 15 vided in this section, to long-term unemployed individuals
 16 selected from applications submitted under subsection
 17 (b)(1), in order to enable each selected individual to relo-
 18 cate to—

19 (1) a residence more than 50 miles away from
 20 the individual's initial residence, to allow such indi-
 21 vidual to begin a new job for which the individual
 22 has received and accepted an offer of employment;
 23 or

24 (2) a residence in a State or metropolitan area
 25 that—

1 (A) is not the State or metropolitan area
2 of the individual's initial residence; and

3 (B) has an unemployment rate that is 2 or
4 more percentage points less than the unemploy-
5 ment rate of the State or metropolitan area, re-
6 spectively, of the individual's initial residence.

7 (b) SELECTION PROCESS AND ELIGIBILITY.—

8 (1) APPLICATION.—A long-term unemployed in-
9 dividual who desires a loan under this section shall
10 submit to the Secretary an application at such time,
11 in such manner, and containing such information as
12 the Secretary may require.

13 (2) LIMITED ELIGIBILITY.—A long-term unem-
14 ployed individual may receive only 1 loan under this
15 section.

16 (c) LOAN TERMS.—A loan issued under this section
17 to a long-term unemployed individual shall be—

18 (1) in an amount of \$10,000 or less; and

19 (2) evidenced by a note or other written agree-
20 ment that—

21 (A) provides for repayment of the principal
22 amount of the loan in installments over a 10-
23 year period beginning on the date on which the
24 loan is issued, except that no installments shall
25 be required for the first year of the loan period;

1 (B) provides for interest to be calculated
2 and accrue on the loan at the rate determined
3 under subsection (d); and

4 (C) allows such individual to accelerate,
5 without penalty, the repayment of the whole or
6 any part of the loan.

7 (d) INTEREST RATE.—The interest rate for a loan
8 issued under this section shall—

9 (1) be the rate equal to the high yield of the
10 10-year Treasury note auctioned at the final auction
11 held prior to the date on which the loan is issued;
12 and

13 (2) be a fixed interest rate for the period of the
14 loan.

15 (e) LOAN FORGIVENESS.—Notwithstanding sub-
16 section (c)(2)(A), the Secretary may forgive the remaining
17 amount of interest and principal due on a loan made under
18 this section to a long-term unemployed individual for the
19 purpose described in subsection (a)(1) in any case where
20 the new job for which the individual relocates is eliminated
21 within the first year of the individual's employment
22 through no fault of the individual.

23 (f) DEFINITIONS.—In this section:

24 (1) INITIAL RESIDENCE.—The term “initial res-
25 idence”, when used with respect to a long-term indi-

1 vidual applying for a loan under this section, means
2 the location where the individual resides as of the
3 day before the loan is issued.

4 (2) LONG-TERM UNEMPLOYED INDIVIDUAL.—
5 The term “long-term unemployed individual” means
6 an individual who resides in a State and who has
7 been unemployed for 27 consecutive weeks or more,
8 as determined by the Secretary.

9 (3) SECRETARY.—The term “Secretary” means
10 the Secretary of Labor.

11 (4) STATES.—The term “State” means each of
12 the several States of the United States and the Dis-
13 trict of Columbia.

14 (g) LIMITED AUTHORITY.—The Secretary’s authority
15 to issue loans under subsection (a) shall terminate on the
16 earlier of—

17 (1) the date that is 2 years after the date of en-
18 actment of this Act; or

19 (2) the date that is 1 month after the date on
20 which the Secretary determines that the total num-
21 ber of long-term unemployed individuals in the
22 United States is less than 2,000,000.

1 **TITLE IV—SUPPORTING KNOWL-**
 2 **EDGE AND INVESTING IN**
 3 **LIFELONG SKILLS**

4 **SEC. 401. SHORT TITLE.**

5 This title may be cited as the “Supporting Knowledge
 6 and Investing in Lifelong Skills Act” or the “SKILLS
 7 Act”.

8 **SEC. 402. REFERENCES.**

9 Except as otherwise expressly provided, wherever in
 10 this title an amendment or repeal is expressed in terms
 11 of an amendment to, or repeal of, a section or other provi-
 12 sion, the amendment or repeal shall be considered to be
 13 made to a section or other provision of the Workforce In-
 14 vestment Act of 1998 (29 U.S.C. 2801 et seq.).

15 **SEC. 403. APPLICATION TO FISCAL YEARS.**

16 Except as otherwise provided, this title and the
 17 amendments made by this title shall apply with respect
 18 to fiscal year 2015 and succeeding fiscal years.

19 **Subtitle A—Amendment to the**
 20 **Workforce Investment Act of 1998**

21 **CHAPTER 1—WORKFORCE INVESTMENT**
 22 **DEFINITIONS**

23 **SEC. 406. DEFINITIONS.**

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

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

3 “(2) ADULT EDUCATION AND FAMILY LITERACY
4 EDUCATION ACTIVITIES.—The term ‘adult education
5 and family literacy education activities’ has the
6 meaning given the term in section 203.”;

7 (2) by striking paragraphs (13) and (24);

8 (3) by redesignating paragraphs (1) through
9 (12) as paragraphs (3) through (14), and para-
10 graphs (14) through (23) as paragraphs (15)
11 through (24), respectively;

12 (4) by striking paragraphs (52) and (53);

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

15 “(1) ACCRUED EXPENDITURES.—The term ‘ac-
16 crued expenditures’ means—

17 “(A) charges incurred by recipients of
18 funds under this title for a given period requir-
19 ing the provision of funds for goods or other
20 tangible property received;

21 “(B) charges incurred for services per-
22 formed by employees, contractors, subgrantees,
23 subcontractors, and other payees; and

24 “(C) other amounts becoming owed, under
25 programs assisted under this title, for which no

1 current services or performance is required,
2 such as amounts for annuities, insurance
3 claims, and other benefit payments.

4 “(2) ADMINISTRATIVE COSTS.—The term ‘ad-
5 ministrative costs’ means expenditures incurred by
6 State boards and local boards, direct recipients (in-
7 cluding State grant recipients under subtitle B and
8 recipients of awards under subtitles C and D), local
9 grant recipients, local fiscal agents or local grant
10 subrecipients, and one-stop operators in the per-
11 formance of administrative functions and in carrying
12 out activities under this title that are not related to
13 the direct provision of workforce investment activi-
14 ties (including services to participants and employ-
15 ers). Such costs include both personnel and non-per-
16 sonnel expenditures and both direct and indirect ex-
17 penditures.”;

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

21 (7) by amending paragraph (5) (as so redesign-
22 ated) to read as follows:

23 “(5) AREA CAREER AND TECHNICAL EDU-
24 CATION SCHOOL.—The term ‘area career and tech-
25 nical education school’ has the meaning given the

1 term in section 3(3) of the Carl D. Perkins Career
2 and Technical Education Act of 2006 (20 U.S.C.
3 2302(3)).”;

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

7 (9) in paragraph (10)(C) (as so redesignated),
8 by striking “not less than 50 percent of the cost of
9 the training” and inserting “a significant portion of
10 the cost of training, as determined by the local
11 board involved (or, in the case of an employer in
12 multiple local areas in the State, as determined by
13 the Governor), taking into account the size of the
14 employer and such other factors as the local board
15 or Governor, respectively, determines to be appro-
16 priate”;

17 (10) in paragraph (11) (as so redesignated)—

18 (A) in subparagraph (A)(ii)(II), by striking
19 “section 134(c)” and inserting “section
20 121(e)”;

21 (B) in subparagraph (B)(iii)—

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

24 (ii) by striking “intensive services de-
25 scribed in section 134(d)(3)” and inserting

1 “work ready services described in section
2 134(e)(2)”;

3 (C) in subparagraph (C), by striking “or”
4 after the semicolon;

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

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

8 “(E)(i) is the spouse of a member of the
9 Armed Forces on active duty for a period of
10 more than 30 days (as defined in section
11 101(d)(2) of title 10, United States Code) who
12 has experienced a loss of employment as a di-
13 rect result of relocation to accommodate a per-
14 manent change in duty station of such member;
15 or

16 “(ii) is the spouse of a member of the
17 Armed Forces on active duty (as defined in sec-
18 tion 101(d)(1) of title 10, United States Code)
19 who meets the criteria described in paragraph
20 (12)(B).”;

21 (11) in paragraph (12)(A) (as redesignated)—

22 (A) by striking “and” after the semicolon
23 and inserting “or”;

24 (B) by striking “(A)” and inserting
25 “(A)(i)”; and

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

2 “(ii) is the spouse of a member of the
3 Armed Forces on active duty for a period of
4 more than 30 days (as defined in section
5 101(d)(2) of title 10, United States Code)
6 whose family income is significantly reduced be-
7 cause of a deployment (as defined in section
8 991(b) of title 10, United States Code, or pur-
9 suant to paragraph (4) of such section), a call
10 or order to active duty pursuant to a provision
11 of law referred to in section 101(a)(13)(B) of
12 title 10, United States Code, a permanent
13 change of station, or the service-connected (as
14 defined in section 101(16) of title 38, United
15 States Code) death or disability of the member;
16 and”;

17 (12) in paragraph (13) (as so redesignated), by
18 inserting “or regional” after “local” each place it
19 appears;

20 (13) in paragraph (14) (as so redesignated)—

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

23 (B) by striking subparagraph (B), and in-
24 serting the following:

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

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

5 (D) by redesignating subparagraph (D) as
6 subparagraph (C);

7 (14) in paragraph (15) (as so redesignated), by
8 striking “adult or dislocated worker” and inserting
9 “individual”;

10 (15) in paragraph (20), by striking “The” and
11 inserting “Subject to section 116(a)(1)(E), the”;

12 (16) in paragraph (25)—

13 (A) in subparagraph (B), by striking
14 “higher of—” and all that follows through
15 clause (ii) and inserting “poverty line for an
16 equivalent period;”;

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

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

22 “(D) receives or is eligible to receive a free
23 or reduced price lunch under the Richard B.
24 Russell National School Lunch Act (42 U.S.C.
25 1751 et seq.);”;

1 (17) in paragraph (32), by striking “the Republic
2 of the Marshall Islands, the Federated States of
3 Micronesia,”;

4 (18) by amending paragraph (33) to read as
5 follows:

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

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

10 “(B) an at-risk youth who has received a
11 secondary school diploma or its recognized
12 equivalent but is basic skills deficient, unem-
13 ployed, or underemployed.”;

14 (19) in paragraph (38), by striking
15 “134(a)(1)(A)” and inserting “134(a)(1)(B)”;

16 (20) in paragraph (41), by striking “, and the
17 term means such Secretary for purposes of section
18 503”;

19 (21) in paragraph (43), by striking “clause (iii)
20 or (v) of section 136(b)(3)(A)” and inserting “sec-
21 tion 136(b)(3)(A)(iii)”;

22 (22) by amending paragraph (49) to read as
23 follows:

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

4 (23) by amending paragraph (50) to read as
5 follows:

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

11 (24) in paragraph (51), by striking “, and a
12 youth activity”; and

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

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

17 “(A) is not less than age 16 and not more
18 than age 24;

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

20 “(C) is an individual who is one or more
21 of the following:

22 “(i) A secondary school dropout.

23 “(ii) A youth in foster care (including
24 youth aging out of foster care).

25 “(iii) A youth offender.

1 “(iv) A youth who is an individual
2 with a disability.

3 “(v) A migrant youth.

4 “(53) INDUSTRY OR SECTOR PARTNERSHIP.—
5 The term ‘industry or sector partnership’ means a
6 partnership of—

7 “(A) a State board or local board; and

8 “(B) one or more industry or sector orga-
9 nizations, and other entities, that have the ca-
10 pability to help the State board or local board
11 determine the immediate and long-term skilled
12 workforce needs of in-demand industries or sec-
13 tors and other occupations important to the
14 State or local economy, respectively.

15 “(54) INDUSTRY-RECOGNIZED CREDENTIAL.—
16 The term ‘industry-recognized credential’ means a
17 credential that is sought or accepted by companies
18 within the industry sector involved, across multiple
19 States, as recognized, preferred, or required for re-
20 cruitment, screening, or hiring and is awarded for
21 completion of a program listed or identified under
22 subsection (d) or (i) of section 122, for the local
23 area involved.

24 “(55) PAY-FOR-PERFORMANCE CONTRACT
25 STRATEGY.—The term ‘pay-for-performance contract

1 strategy' means a strategy in which a pay-for-per-
2 formance contract to provide a program of employ-
3 ment and training activities incorporates provisions
4 regarding—

5 “(A) the core indicators of performance de-
6 scribed in subclauses (I) through (IV) and (VI)
7 of section 136(b)(2)(A)(i);

8 “(B) a fixed amount that will be paid to
9 an eligible provider of such employment and
10 training activities for each program participant
11 who, within a defined timetable, achieves the
12 agreed-to levels of performance based upon the
13 core indicators of performance described in sub-
14 paragraph (A), and may include a bonus pay-
15 ment to such provider, which may be used to
16 expand the capacity of such provider;

17 “(C) the ability for an eligible provider to
18 recoup the costs of providing the activities for
19 a program participant who has not achieved
20 those levels, but for whom the provider is able
21 to demonstrate that such participant gained
22 specific competencies required for education
23 and career advancement that are, where fea-
24 sible, tied to industry-recognized credentials

1 and related standards, or State licensing re-
2 quirements; and

3 “(D) the ability for an eligible provider
4 that does not meet the requirements under sec-
5 tion 122(a)(2) to participate in such pay-for-
6 performance contract and to not be required to
7 report on the performance and cost information
8 required under section 122(d).

9 “(56) **RECOGNIZED POSTSECONDARY CREDEN-**
10 **TIAL.**—The term ‘recognized postsecondary creden-

11 tial’ means a credential awarded by a provider of
12 training services or postsecondary educational insti-
13 tution based on completion of all requirements for a
14 program of study, including coursework or tests or
15 other performance evaluations. The term means an
16 industry-recognized credential, a certificate of com-
17 pletion of a registered apprenticeship program, or an
18 associate or baccalaureate degree from an institution
19 described in section 122(a)(2)(A)(i).

20 “(57) **REGISTERED APPRENTICESHIP PRO-**
21 **GRAM.**—The term ‘registered apprenticeship pro-

22 gram’ means a program described in section
23 122(a)(2)(B).”.

1 **CHAPTER 2—STATEWIDE AND LOCAL**
2 **WORKFORCE INVESTMENT SYSTEMS**

3 **SEC. 411. PURPOSE.**

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

10 **SEC. 412. STATE WORKFORCE INVESTMENT BOARDS.**

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

12 (1) in subsection (b)—

13 (A) in paragraph (1)—

14 (i) by striking subparagraph (B);

15 (ii) by redesignating subparagraph

16 (C) as subparagraph (B); and

17 (iii) in subparagraph (B) (as so reded-
18 ignated)—

19 (I) by amending clause (i)(I), by

20 striking “section 117(b)(2)(A)(i)” and

21 inserting “section 117(b)(2)(A)”;

22 (II) by amending clause (i)(II) to

23 read as follows:

24 “(II) represent businesses, in-

25 cluding large and small businesses,

1 each of which has immediate and
2 long-term employment opportunities
3 in an in-demand industry or other oc-
4 cupation important to the State econ-
5 omy; and”;

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

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

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

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

14 “(vii) such other representatives and
15 State agency officials as the Governor may
16 designate, including—

17 “(I) members of the State legis-
18 lature;

19 “(II) representatives of individ-
20 uals and organizations that have expe-
21 rience with respect to youth activities;

22 “(III) representatives of individ-
23 uals and organizations that have expe-
24 rience and expertise in the delivery of
25 workforce investment activities, in-

1 including chief executive officers of com-
2 munity colleges and community-based
3 organizations within the State;

4 “(IV) representatives of the lead
5 State agency officials with responsi-
6 bility for the programs and activities
7 that are described in section 121(b)
8 and carried out by one-stop partners;
9 or

10 “(V) representatives of veterans
11 service organizations.”; and

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

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

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

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

21 (3) by amending subsection (d) to read as fol-
22 lows:

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

1 “(1) STATE PLAN.—Consistent with section
2 112, the State board shall develop a State plan.

3 “(2) STATEWIDE WORKFORCE DEVELOPMENT
4 SYSTEM.—The State board shall review and develop
5 statewide policies and programs in the State in a
6 manner that supports a comprehensive statewide
7 workforce development system that will result in
8 meeting the workforce needs of the State and its
9 local areas. Such review shall include determining
10 whether the State should consolidate additional
11 amounts for additional activities or programs into
12 the Workforce Investment Fund in accordance with
13 section 501(e).

14 “(3) WORKFORCE AND LABOR MARKET INFOR-
15 MATION SYSTEM.—The State board shall develop a
16 statewide workforce and labor market information
17 system described in section 15(e) of the Wagner-
18 Peyser Act (29 U.S.C. 491-2(e)), which may include
19 using information collected under Federal law other
20 than this Act by the State economic development en-
21 tity or a related entity in developing such system.

22 “(4) EMPLOYER ENGAGEMENT.—The State
23 board shall develop strategies, across local areas,
24 that meet the needs of employers and support eco-
25 nomic growth in the State by enhancing communica-

1 tion, coordination, and collaboration among employ-
2 ers, economic development entities, and service pro-
3 viders.

4 “(5) DESIGNATION OF LOCAL AREAS.—The
5 State board shall designate local areas as required
6 under section 116.

7 “(6) ONE-STOP DELIVERY SYSTEM.—The State
8 board shall identify and disseminate information on
9 best practices for effective operation of one-stop cen-
10 ters, including use of innovative business outreach,
11 partnerships, and service delivery strategies.

12 “(7) PROGRAM OVERSIGHT.—The State board
13 shall conduct the following program oversight:

14 “(A) Reviewing and approving local plans
15 under section 118.

16 “(B) Ensuring the appropriate use and
17 management of the funds provided for State
18 employment and training activities authorized
19 under section 134.

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

22 “(8) DEVELOPMENT OF PERFORMANCE MEAS-
23 URES.—The State board shall develop and ensure
24 continuous improvement of comprehensive State per-

1 formance measures, including State adjusted levels
2 of performance, as described under section 136(b).”;

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

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

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

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

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

15 **SEC. 413. STATE PLAN.**

16 Section 112 (29 U.S.C. 2822)—

17 (1) in subsection (a)—

18 (A) by striking “127 or”; and

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

21 (2) in subsection (b)—

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

24 “(4) information describing—

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

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

5 “(C) the knowledge and skills of the work-
6 force in the State; and

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

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

11 “(7) a description of the State criteria for de-
12 termining the eligibility of training services providers
13 in accordance with section 122, including how the
14 State will take into account the performance of pro-
15 viders and whether the training services relate to in-
16 demand industries and other occupations important
17 to the State economy;”;

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

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

24 “(B) a description of and an assurance regard-
25 ing common data collection and reporting processes

1 used for the programs and activities described in
2 subparagraph (A), which are carried out by one-stop
3 partners, including—

4 “(i) an assurance that such processes use
5 quarterly wage records for performance meas-
6 ures described in section 136(b)(2)(A) that are
7 applicable to such programs or activities; or

8 “(ii) if such wage records are not being
9 used for the performance measures, an identi-
10 fication of the barriers to using such wage
11 records and a description of how the State will
12 address such barriers within 1 year of the ap-
13 proval of the plan;”;

14 (D) in paragraph (9), by striking “, includ-
15 ing comment by representatives of businesses
16 and representatives of labor organizations,”;

17 (E) in paragraph (11), by striking “under
18 sections 127 and 132” and inserting “under
19 section 132”;

20 (F) by striking paragraph (12);

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

1 (H) in paragraph (12) (as so redesign-
2 nated), by striking “111(f)” and inserting
3 “111(e)”;

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

6 (J) in paragraph (14) (as so redesignated),
7 by striking “116(a)(5)” and inserting
8 “116(a)(3)”;

9 (K) in paragraph (16) (as so redesign-
10 nated)—

11 (i) in subparagraph (A)—

12 (I) in clause (ii)—

13 (aa) by striking “to dis-
14 located workers”; and

15 (bb) by inserting “and addi-
16 tional assistance” after “rapid
17 response activities”;

18 (II) in clause (iii), by striking
19 “134(d)(4)” and inserting
20 “134(e)(4)”;

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

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

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

21 (V) by adding at the end the fol-
22 lowing new clause:

23 “(v) how the State will—

24 “(I) consistent with section 188
25 and Executive Order No. 13217 (42

1 U.S.C. 12131 note), serve the employ-
2 ment and training needs of individuals
3 with disabilities; and

4 “(II) consistent with sections 504
5 and 508 of the Rehabilitation Act of
6 1973 (29 U.S.C. 794, 794d), include
7 the provision of outreach, intake, as-
8 sessments, and service delivery, the
9 development of performance measures,
10 the training of staff, and other as-
11 pects of accessibility for individuals
12 with disabilities to programs and serv-
13 ices under this subtitle;” and

14 (ii) in subparagraph (B), by striking
15 “to the extent practicable” and inserting
16 “in accordance with the requirements of
17 the Jobs for Veterans Act (Public Law
18 107–288) and the amendments made by
19 such Act”; and

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

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

24 “(A) to more fully engage employers, in-
25 cluding small businesses and employers in in-

1 demand industries and occupations important
2 to the State economy;

3 “(B) to meet the needs of employers in the
4 State; and

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

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

15 “(A) to encourage industry growth and
16 competitiveness and to improve worker training,
17 retention, and advancement in the industry or
18 sector;

19 “(B) to address the immediate and long-
20 term skilled workforce needs of in-demand in-
21 dustries, small businesses, and other occupa-
22 tions important to the State economy; and

23 “(C) to address critical skill gaps within
24 and across industries and sectors;

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

4 “(20) a description of the State strategy and
5 assistance to be provided by the State for encour-
6 aging regional cooperation within the State and
7 across State borders, as appropriate;

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

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

19 “(A) one-stop partner program contribu-
20 tions for the costs of infrastructure of one-stop
21 centers under section 121(h)(1); and

22 “(B) the formula for allocating such infra-
23 structure funds to local areas under section
24 121(h)(3);

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

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

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

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

22 “(24) a description of—

23 “(A) how the State will furnish employ-
24 ment, training, including training in advanced
25 manufacturing, supportive, and placement serv-

1 ices to veterans, including disabled and home-
2 less veterans;

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

7 “(C) the veterans population to be served
8 in the State.”;

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

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

15 **SEC. 414. LOCAL WORKFORCE INVESTMENT AREAS.**

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

17 (1) in subsection (a)—

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

20 “(1) IN GENERAL.—

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

1 “(i) support the statewide workforce
2 development system developed under sec-
3 tion 111(d)(2), enabling the system to
4 meet the workforce needs of the State and
5 its local areas;

6 “(ii) include consultation, prior to the
7 designation, with chief elected officials;

8 “(iii) include consideration of com-
9 ments received on the designation through
10 the public comment process as described in
11 section 112(b)(9); and

12 “(iv) require the submission of an ap-
13 plication for approval under subparagraph
14 (B).

15 “(B) APPLICATION.—To obtain designa-
16 tion of a local area under this paragraph, a
17 local or regional board (or consortia of local or
18 regional boards) seeking to take responsibility
19 for the area under this Act shall submit an ap-
20 plication to a State board at such time, in such
21 manner, and containing such information as the
22 State board may require, including—

23 “(i) a description of the local area, in-
24 cluding the population that will be served
25 by the local area, and the education and

1 training needs of its employers and work-
2 ers;

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

5 “(I) service delivery areas (as de-
6 termined by the State);

7 “(II) labor market areas; and

8 “(III) economic development re-
9 gions;

10 “(iii) a description of the eligible pro-
11 viders of education and training, including
12 postsecondary educational institutions such
13 as community colleges, located in the local
14 area and available to meet the needs of the
15 local workforce;

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

19 “(v) any other criteria that the State
20 board may require.

21 “(C) PRIORITY.—In designating local
22 areas under this paragraph, a State board shall
23 give priority consideration to an area proposed
24 by an applicant demonstrating that a designa-
25 tion as a local area under this paragraph will

1 result in the reduction of overlapping service
2 delivery areas, local market areas, or economic
3 development regions.

4 “(D) ALIGNMENT WITH LOCAL PLAN.—A
5 State may designate an area proposed by an
6 applicant as a local area under this paragraph
7 for a period not to exceed 3 years.

8 “(E) REFERENCES.—For purposes of this
9 Act, a reference to a local area—

10 “(i) used with respect to a geographic
11 area, refers to an area designated under
12 this paragraph; and

13 “(ii) used with respect to an entity,
14 refers to the applicant.”;

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

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

23 (C) by striking paragraph (3);

24 (D) by striking paragraph (4);

1 (E) by redesignating paragraph (5) as
2 paragraph (3); and

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

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

8 “(b) SINGLE STATES.—Consistent with subsection
9 (a), the State board of a State may designate the State
10 as a single State local area for the purposes of this title.”;
11 and

12 (3) in subsection (c)—

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

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

23 **SEC. 415. LOCAL WORKFORCE INVESTMENT BOARDS.**

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

25 (1) in subsection (b)—

- 1 (A) in paragraph (2)—
- 2 (i) in subparagraph (A)—
- 3 (I) by striking “include—” and
- 4 all that follows through “representa-
- 5 tives” and inserting “include rep-
- 6 resentatives”;
- 7 (II) by striking clauses (ii)
- 8 through (vi);
- 9 (III) by redesignating subclauses
- 10 (I) through (III) as clauses (i)
- 11 through (iii), respectively (and by
- 12 moving the margins of such clauses 2
- 13 ems to the left);
- 14 (IV) by striking clause (ii) (as so
- 15 redesignated) and inserting the fol-
- 16 lowing:
- 17 “(ii) represent businesses, including
- 18 large and small businesses, each of which
- 19 has immediate and long-term employment
- 20 opportunities in an in-demand industry or
- 21 other occupation important to the local
- 22 economy; and”; and
- 23 (V) by striking the semicolon at
- 24 the end of clause (iii) (as so redesign-
- 25 ated) and inserting “; and”; and

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

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

7 “(i) the superintendent or other em-
8 ployee of the local educational agency who
9 has primary responsibility for secondary
10 education, the presidents or chief executive
11 officers of postsecondary educational insti-
12 tutions (including a community college,
13 where such an entity exists), or adminis-
14 trators of local entities providing adult
15 education and family literacy education ac-
16 tivities;

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

22 “(iii) representatives of veterans serv-
23 ice organizations.”;

24 (B) in paragraph (4)—

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

3 (ii) by striking “(2)(A)(i)” and insert-
4 ing “(2)(A)”; and

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

7 (2) in subsection (c)—

8 (A) in paragraph (1), by striking subpara-
9 graph (C); and

10 (B) in paragraph (3)(A)(ii), by striking
11 “paragraphs (1) through (7)” and inserting
12 “paragraphs (1) through (8)”;

13 (3) by amending subsection (d) to read as fol-
14 lows:

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

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

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

23 “(A) IN GENERAL.—The local board
24 shall—

1 “(i) conduct, and regularly update, an
2 analysis of—

3 “(I) the economic conditions in
4 the local area;

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

9 “(III) the knowledge and skills of
10 the workforce in the local area; and

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

14 “(ii) assist the Governor in developing
15 the statewide workforce and labor market
16 information system described in section
17 15(e) of the Wagner-Peyser Act (29 U.S.C.
18 491–2(e)).

19 “(B) EXISTING ANALYSIS.—In carrying
20 out requirements of subparagraph (A)(i), a
21 local board shall use an existing analysis, if
22 any, by the local economic development entity
23 or related entity.

24 “(3) EMPLOYER ENGAGEMENT.—The local
25 board shall meet the needs of employers and support

1 economic growth in the local area by enhancing com-
2 munication, coordination, and collaboration among
3 employers, economic development entities, and serv-
4 ice providers.

5 “(4) BUDGET AND ADMINISTRATION.—

6 “(A) BUDGET.—

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

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

20 “(B) ADMINISTRATION.—

21 “(i) GRANT RECIPIENT.—The chief
22 elected official in a local area shall serve as
23 the local grant recipient for, and shall be
24 liable for any misuse of, the grant funds
25 allocated to the local area under section

1 133, unless the chief elected official
2 reaches an agreement with the Governor
3 for the Governor to act as the local grant
4 recipient and bear such liability.

5 “(ii) DESIGNATION.—In order to as-
6 sist in administration of the grant funds,
7 the chief elected official or the Governor,
8 where the Governor serves as the local
9 grant recipient for a local area, may des-
10 ignate an entity to serve as a local grant
11 subrecipient for such funds or as a local
12 fiscal agent. Such designation shall not re-
13 lieve the chief elected official or the Gov-
14 ernor of the liability for any misuse of
15 grant funds as described in clause (i).

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

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

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

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

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

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

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

19 “(B) IDENTIFICATION OF ELIGIBLE TRAIN-
20 ING SERVICE PROVIDERS.—Consistent with this
21 subtitle, the local board shall identify eligible
22 providers of training services described in sec-
23 tion 134(e)(4) in the local area, annually review
24 the outcomes of such eligible providers using
25 the criteria under section 122(b)(2), and des-

1 ignite such eligible providers in the local area
2 who have demonstrated the highest level of suc-
3 cess with respect to such criteria as priority eli-
4 gible providers for the program year following
5 the review.

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

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

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

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

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

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

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

8 (4) in subsection (e)—

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

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

14 (5) in subsection (f)—

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

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

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

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

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

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

6 **SEC. 416. LOCAL PLAN.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 “(A) to encourage industry growth and
8 competitiveness and to improve worker training,
9 retention, and advancement in the targeted in-
10 dustry or sector;

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

15 “(C) to address critical skill gaps within
16 and across industries and sectors;

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

20 “(6) a description of how the local board will
21 coordinate workforce investment activities carried
22 out in the local area with statewide workforce invest-
23 ment activities, as appropriate;

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

1 “(A) coordinate activities with the local
2 area’s disability community, and with transition
3 services (as defined under section 602 of the In-
4 dividuals with Disabilities Education Act (20
5 U.S.C. 1401)) provided under that Act by local
6 educational agencies serving such local area, to
7 make available comprehensive, high-quality
8 services to individuals with disabilities;

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

15 “(C) consistent with sections 504 and 508
16 of the Rehabilitation Act of 1973 (29 U.S.C.
17 794, 794d), include the provision of outreach,
18 intake, assessments, and service delivery, the
19 development of performance measures, the
20 training of staff, and other aspects of accessi-
21 bility for individuals with disabilities to pro-
22 grams and services under this subtitle;

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

1 “(A) used to measure the performance of
2 the local area; and

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

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

11 “(10) a description of how the local area will
12 serve the employment and training needs of dis-
13 located workers (including displaced homemakers),
14 low-income individuals (including recipients of public
15 assistance such as supplemental nutrition assistance
16 program benefits pursuant to the Food and Nutri-
17 tion Act of 2008 (7 U.S.C. 2011 et seq.)), long-term
18 unemployed individuals (including individuals who
19 have exhausted entitlement to Federal and State un-
20 employment compensation), English learners, home-
21 less individuals, individuals training for nontradi-
22 tional employment, youth (including out-of-school
23 youth and at-risk youth), older workers, ex-offend-
24 ers, migrant and seasonal farmworkers, refugees and

1 entrants, veterans (including disabled veterans and
2 homeless veterans), and Native Americans;

3 “(11) an identification of the entity responsible
4 for the disbursement of grant funds described in section
5 117(d)(4)(B)(iii), as determined by the chief elected
6 official or the Governor under such section;

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

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

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

23 “(C) activities combining remediation of
24 academic skills, work readiness training, and
25 work experience, and including linkages to post-

1 secondary education and training and career-
2 ladder employment;

3 “(13) a description of—

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

9 “(B) the strategies and services that will
10 be used in the local area to assist in and expe-
11 dite reintegration of homeless veterans into the
12 labor force; and

13 “(C) the veteran population to be served in
14 the local area;

15 “(14) a description of—

16 “(A) the duties assigned to the veteran
17 employment specialist consistent with the re-
18 quirements of section 134(f);

19 “(B) the manner in which the veteran em-
20 ployment specialist is integrated into the one-
21 stop career system described in section 121;

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

24 “(D) whether the veteran employment spe-
25 cialist has satisfactorily completed related train-

1 ing by the National Veterans' Employment and
 2 Training Services Institute; and

3 “(15) such other information as the Governor
 4 may require.”; and

5 (3) in subsection (c)—

6 (A) in paragraph (1), by striking “such
 7 means” and inserting “electronic means and
 8 such means”; and

9 (B) in paragraph (2), by striking “, includ-
 10 ing representatives of business and representa-
 11 tives of labor organizations,”.

12 **SEC. 417. ESTABLISHMENT OF ONE-STOP DELIVERY SYS-**
 13 **TEM.**

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

15 (1) in subsection (b)—

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

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

22 “(i) provide access through a one-stop
 23 delivery system to the program or activities
 24 carried out by the entity, including making
 25 the work ready services described in sec-

1 tion 134(c)(2) that are applicable to the
2 program or activities of the entity available
3 at one-stop centers (in addition to any
4 other appropriate locations);

5 “(ii) use a portion of the funds avail-
6 able to the program or activities of the en-
7 tity to maintain the one-stop delivery sys-
8 tem, including payment of the costs of in-
9 frastructure of one-stop centers in accord-
10 ance with subsection (h);

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

16 “(iv) participate in the operation of
17 the one-stop delivery system consistent
18 with the terms of the memorandum of un-
19 derstanding, the requirements of this title,
20 and the requirements of the Federal laws
21 authorizing the program or activities car-
22 ried out by the entity.”;

23 (B) in paragraph (1)(B)—

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

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

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

6 (iv) in clause (ii), as so redesignated,
7 by striking “adult education and literacy
8 activities” and inserting “adult education
9 and family literacy education activities”;

10 (v) in clause (viii), as so redesignated,
11 by striking “and” at the end;

12 (vi) in clause (ix), as so redesignated,
13 by striking the period and inserting “;
14 and”; and

15 (vii) by adding at the end the fol-
16 lowing:

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

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

23 “(C) DETERMINATION BY THE GOV-
24 ERNOR.—Each entity carrying out a program
25 described in subparagraph (B)(x) shall be con-

1 sidered to be a one-stop partner under this title
2 and carry out the required partner activities de-
3 scribed in subparagraph (A) unless the Gov-
4 ernor of the State in which the local area is lo-
5 cated provides the Secretary and Secretary of
6 Health and Human Services written notice of a
7 determination by the Governor that such an en-
8 tity shall not be considered to be such a partner
9 and shall not carry out such required partner
10 activities.”; and

11 (D) in paragraph (2)—

12 (i) in subparagraph (A)(i), by striking
13 “section 134(d)(2)” and inserting “section
14 134(e)(2)”; and

15 (ii) in subparagraph (B)—

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

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

20 (III) by redesignating clauses
21 (iii) and (iv) as clauses (i) and (ii), re-
22 spectively; and

23 (IV) by adding at the end the fol-
24 lowing:

1 “(iii) employment and training pro-
2 grams administered by the Commissioner
3 of the Social Security Administration;

4 “(iv) employment and training pro-
5 grams carried out by the Administrator of
6 the Small Business Administration;

7 “(v) employment, training, and lit-
8 eracy services carried out by public librar-
9 ies; and

10 “(vi) other appropriate Federal, State,
11 or local programs, including programs in
12 the private sector.”;

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

15 “(A) provisions describing—

16 “(i) the services to be provided
17 through the one-stop delivery system con-
18 sistent with the requirements of this sec-
19 tion, including the manner in which the
20 services will be coordinated through such
21 system;

22 “(ii) how the costs of such services
23 and the operating costs of such system will
24 be funded, through cash and in-kind con-
25 tributions, to provide a stable and equi-

1 table funding stream for ongoing one-stop
2 system operations, including the funding of
3 the costs of infrastructure of one-stop cen-
4 ters in accordance with subsection (h);

5 “(iii) methods of referral of individ-
6 uals between the one-stop operator and the
7 one-stop partners for appropriate services
8 and activities, including referrals for train-
9 ing for nontraditional employment; and

10 “(iv) the duration of the memo-
11 randum of understanding and the proce-
12 dures for amending the memorandum dur-
13 ing the term of the memorandum, and as-
14 surances that such memorandum shall be
15 reviewed not less than once every 3-year
16 period to ensure appropriate funding and
17 delivery of services under the memo-
18 randum; and”;

19 (3) in subsection (d)—

20 (A) in the heading for paragraph (1), by
21 striking “DESIGNATION AND CERTIFICATION”
22 and inserting “LOCAL DESIGNATION AND CER-
23 TIFICATION”;

24 (B) in paragraph (2)—

1 (i) by striking “section 134(c)” and
2 inserting “subsection (e)”;

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

5 “(A) shall be designated or certified as a
6 one-stop operator through a competitive proc-
7 ess; and”; and

8 (iii) in subparagraph (B), by striking
9 clause (ii) and redesignating clauses (iii)
10 through (vi) as clauses (ii) through (v), re-
11 spectively; and

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

14 (4) by amending subsection (e) to read as fol-
15 lows:

16 “(e) ESTABLISHMENT OF ONE-STOP DELIVERY SYS-
17 TEM.—

18 “(1) IN GENERAL.—There shall be established
19 in a State that receives an allotment under section
20 132(b) a one-stop delivery system, which shall—

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

23 “(B) provide access to training services as
24 described in paragraph (4) of section 134(c),
25 including serving as the point of access to ca-

1 reer enhancement accounts for training services
2 to participants in accordance with paragraph
3 (4)(F) of such section;

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

6 “(D) provide access to programs and ac-
7 tivities carried out by one-stop partners that
8 are described in subsection (b); and

9 “(E) provide access to the data and infor-
10 mation described in subparagraphs (A) and (B)
11 of section 15(a)(1) of the Wagner-Peyser Act
12 (29 U.S.C. 491–2(a)(1)).

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

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

19 “(B) may also make programs, services,
20 and activities described in paragraph (1) avail-
21 able—

22 “(i) through a network of affiliated
23 sites that can provide one or more of the
24 programs, services, and activities to indi-
25 viduals; and

1 “(ii) through a network of eligible
2 one-stop partners—

3 “(I) in which each partner pro-
4 vides one or more of the programs,
5 services, and activities to such individ-
6 uals and is accessible at an affiliated
7 site that consists of a physical loca-
8 tion or an electronically or techno-
9 logically linked access point; and

10 “(II) that assures individuals
11 that information on the availability of
12 the work ready services will be avail-
13 able regardless of where the individ-
14 uals initially enter the statewide work-
15 force investment system, including in-
16 formation made available through an
17 access point described in subclause
18 (I).

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

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

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

24 “(1) IN GENERAL.—

1 “(A) IN GENERAL.—The State board shall
2 establish objective procedures and criteria for
3 certifying, at least once every 3 years, one-stop
4 centers for the purpose of awarding the one-
5 stop infrastructure funding described in sub-
6 section (h).

7 “(B) CRITERIA.—The criteria for certifi-
8 cation of a one-stop center under this sub-
9 section shall include—

10 “(i) meeting the expected levels of
11 performance for each of the corresponding
12 core indicators of performance as outlined
13 in the State plan under section 112;

14 “(ii) meeting minimum standards re-
15 lating to the scope and degree of service
16 integration achieved by the center, involv-
17 ing the programs provided by the one-stop
18 partners; and

19 “(iii) meeting minimum standards re-
20 lating to how the center ensures that eligi-
21 ble providers meet the employment needs
22 of local employers and participants.

23 “(C) EFFECT OF CERTIFICATION.—One-
24 stop centers certified under this subsection shall

1 be eligible to receive the infrastructure funding
2 authorized under subsection (h).

3 “(2) LOCAL BOARDS.—Consistent with the cri-
4 teria developed by the State, the local board may de-
5 velop, for certification referred to in paragraph
6 (1)(A), additional criteria or higher standards on the
7 criteria referred to in paragraph (1)(B) to respond
8 to local labor market and demographic conditions
9 and trends.

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

11 “(1) PARTNER CONTRIBUTIONS.—

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

23 “(B) DETERMINATION OF GOVERNOR.—

24 “(i) IN GENERAL.—Subject to sub-
25 paragraph (C), the Governor, in consulta-

1 tion with the State board, shall determine
2 the portion of funds to be provided under
3 subparagraph (A) by each one-stop partner
4 and in making such determination shall
5 consider the proportionate use of the one-
6 stop centers in the State by each such
7 partner, the costs of administration for
8 purposes not related to one-stop centers
9 for each such partner, and other relevant
10 factors described in paragraph (3).

11 “(ii) SPECIAL RULE.—In those States
12 where the State constitution places policy-
13 making authority that is independent of
14 the authority of the Governor in an entity
15 or official with respect to the funds pro-
16 vided for adult education and family lit-
17 eracy education activities authorized under
18 title II and for postsecondary career and
19 technical education activities authorized
20 under the Carl D. Perkins Career and
21 Technical Education Act of 2006 (20
22 U.S.C. 2301 et seq.), the determination de-
23 scribed in clause (i) with respect to the
24 corresponding 2 programs shall be made
25 by the Governor with the appropriate enti-

1 ty or official with such independent policy-
2 making authority.

3 “(iii) APPEAL BY ONE-STOP PART-
4 NERS.—The Governor shall establish a
5 procedure for the one-stop partner admin-
6 istering a program described in subsection
7 (b) and subparagraph (A) to appeal a de-
8 termination regarding the portion of funds
9 to be provided under this paragraph on the
10 basis that such determination is incon-
11 sistent with the requirements described in
12 the State plan for the program or with the
13 requirements of this paragraph. Such pro-
14 cedure shall ensure prompt resolution of
15 the appeal.

16 “(C) LIMITATIONS.—

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

1 program that may be used for administra-
2 tion.

3 “(ii) FEDERAL DIRECT SPENDING
4 PROGRAMS.—

5 “(I) IN GENERAL.—A program
6 that provides Federal direct spending
7 under section 250(c)(8) of the Bal-
8 anced Budget and Emergency Deficit
9 Control Act of 1985 (2 U.S.C.
10 900(c)(8)) shall not, for purposes of
11 this paragraph, be required to provide
12 more than the maximum amount de-
13 termined under subclause (II).

14 “(II) MAXIMUM AMOUNT.—The
15 maximum amount for the program is
16 the amount that bears the same rela-
17 tionship to the costs referred to in
18 paragraph (2) for the State as the use
19 of the one-stop centers by such pro-
20 gram bears to the use of such centers
21 by all one-stop partner programs in
22 the State.

23 “(2) ALLOCATION BY GOVERNOR.—From the
24 funds provided under paragraph (1), the Governor
25 shall allocate funds to local areas in accordance with

1 the formula established under paragraph (3) for the
2 purposes of assisting in paying the costs of infra-
3 structure of one-stop centers certified under sub-
4 section (g).

5 “(3) ALLOCATION FORMULA.—The State board
6 shall develop a formula to be used by the Governor
7 to allocate the funds provided under paragraph (1)
8 to local areas. The formula shall include such factors
9 as the State board determines are appropriate,
10 which may include factors such as the number of
11 centers in a local area that have been certified, the
12 population served by such centers, and the perform-
13 ance of such centers.

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

22 “(i) OTHER FUNDS.—

23 “(1) IN GENERAL.—In addition to the funds
24 provided under subsection (h), a portion of funds
25 made available under Federal law authorizing the

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

11 “(A) costs of infrastructure (as defined in
12 subsection (h)) that are in excess of the funds
13 provided under subsection (h);

14 “(B) common costs that are in addition to
15 the costs of infrastructure (as so defined); and

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

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

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

3 **SEC. 418. IDENTIFICATION OF ELIGIBLE PROVIDERS OF**
4 **TRAINING SERVICES.**

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

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

9 “(a) ELIGIBILITY.—

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

18 “(2) PROVIDERS.—Subject to the provisions of
19 this section, to be eligible to receive the funds and
20 be included on the list, the provider shall be—

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

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

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

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

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

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

21 “(b) CRITERIA.—

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

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

9 “(B) whether the training programs of
10 such providers relate to in-demand industries or
11 occupations important to the local economy;

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

15 “(D) the ability of the providers to offer
16 programs that lead to a recognized postsec-
17 ondary credential, and the quality of such pro-
18 grams;

19 “(E) the performance of the providers as
20 reflected in the information such providers are
21 required to report to State agencies with re-
22 spect to other Federal and State programs
23 (other than the program carried out under this
24 subtitle), including one-stop partner programs;
25 and

1 “(F) such other factors as the Governor
2 determines are appropriate.

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

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

13 “(B) information on costs of attendance
14 for such participants;

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

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

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

1 “(4) LOCAL CRITERIA.—A local board in the
2 State may establish criteria in addition to the cri-
3 teria established by the Governor, or may require
4 higher levels of performance than required on the
5 criteria established by the Governor, for purposes of
6 determining the eligibility of providers of training
7 services under this section in the local area involved.

8 “(5) LIMITATION.—In carrying out the require-
9 ments of this subsection, no entity may disclose per-
10 sonally identifiable information regarding a student,
11 including a Social Security number, student identi-
12 fication number, or other identifier, without the
13 prior written consent of the parent or student in
14 compliance with section 444 of the General Edu-
15 cation Provisions Act (20 U.S.C. 1232g).

16 “(c) PROCEDURES.—The procedures established
17 under subsection (a) shall—

18 “(1) identify—

19 “(A) the application process for a provider
20 of training services to become eligible under
21 this section; and

22 “(B) the respective roles of the State and
23 local areas in receiving and reviewing applica-
24 tions and in making determinations of eligibility

1 based on the criteria established under this sec-
2 tion; and

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

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

18 “(e) ENFORCEMENT.—

19 “(1) IN GENERAL.—The procedures established
20 under this section shall provide the following:

21 “(A) INTENTIONALLY SUPPLYING INAC-
22 CURATE INFORMATION.—Upon a determination,
23 by an individual or entity specified in the proce-
24 dures, that a provider of training services, or
25 individual providing information on behalf of

1 the provider, intentionally supplied inaccurate
2 information under this section, the eligibility of
3 such provider under this section shall be termi-
4 nated for a period of time that is not less than
5 2 years.

6 “(B) SUBSTANTIAL VIOLATIONS.—Upon a
7 determination, by an individual or entity speci-
8 fied in the procedures, that a provider of train-
9 ing services substantially violated any require-
10 ment under this title, the eligibility of such pro-
11 vider under this section shall be terminated for
12 a period of time that is not less than 10 years.

13 “(C) REPAYMENT.—A provider of training
14 services whose eligibility is terminated under
15 subparagraph (A) or (B) shall be liable for the
16 repayment of funds received under chapter 5
17 during a period of noncompliance described in
18 such subparagraph. For purposes of subpara-
19 graph (A), that period shall be considered to be
20 the period beginning on the date on which the
21 inaccurate information described in subpara-
22 graph (A) was supplied, and ending on the date
23 of the termination described in subparagraph
24 (A).

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

5 “(f) AGREEMENTS WITH OTHER STATES.—A State
6 may enter into an agreement with another State, on a re-
7 ciprocal basis, to permit eligible providers of training serv-
8 ices to accept career enhancement accounts provided in
9 the other State.

10 “(g) RECOMMENDATIONS.—In developing the criteria
11 (including requirements for related information) and pro-
12 cedures required under this section, the Governor shall so-
13 licit and take into consideration the recommendations of
14 local boards and providers of training services within the
15 State.

16 “(h) OPPORTUNITY TO SUBMIT COMMENTS.—Dur-
17 ing the development of the criteria and procedures, and
18 the list of eligible providers required under this section,
19 the Governor shall provide an opportunity for interested
20 members of the public to submit comments regarding such
21 criteria, procedures, and list.

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

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

4 “(2) COLLECTION AND DISSEMINATION OF IN-
5 FORMATION.—A one-stop operator in a local area
6 shall collect such performance information from on-
7 the-job training and customized training providers
8 as the Governor may require, determine whether the
9 providers meet such performance criteria as the Gov-
10 ernor may require, and disseminate information
11 identifying providers that meet the criteria as eligi-
12 ble providers, and the performance information,
13 through the one-stop delivery system. Providers de-
14 termined to meet the criteria shall be considered to
15 be identified as eligible under this section, to be pro-
16 viders of the training services involved.”.

17 **SEC. 419. GENERAL AUTHORIZATION.**

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

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

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

23 (A) by striking “paragraphs (1)(B) and
24 (2)(B) of”; and

1 (B) by striking “adults, and dislocated
2 workers,” and inserting “individuals”.

3 **SEC. 420. STATE ALLOTMENTS.**

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

5 (1) by amending subsection (a) to read as fol-
6 lows:

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

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

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

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

15 “(2) reserve 1 percent of the total amount ap-
16 propriated under section 137 for a fiscal year to
17 make grants to, and enter into contracts or coopera-
18 tive agreements with Indian tribes, tribal organiza-
19 tions, Alaska Native entities, Indian-controlled orga-
20 nizations serving Indians, or Native Hawaiian orga-
21 nizations to carry out employment and training ac-
22 tivities;

23 “(3) reserve not more than 25 percent of the
24 total amount appropriated under section 137 for a

1 fiscal year to carry out the Jobs Corps program
2 under subtitle C;

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

6 “(A) make grants to State boards or local
7 boards to provide employment and training as-
8 sistance to workers affected by major economic
9 dislocations, such as plant closures, mass lay-
10 offs, or closures and realignments of military
11 installations; and

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

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

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

3 “(b) WORKFORCE INVESTMENT FUND.—

4 “(1) RESERVATION FOR OUTLYING AREAS.—

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

10 “(B) RESTRICTION.—The Republic of
11 Palau shall cease to be eligible to receive fund-
12 ing under this paragraph upon entering into an
13 agreement for extension of United States edu-
14 cational assistance under the Compact of Free
15 Association (approved by the Compact of Free
16 Association Amendments Act of 2003 (Public
17 Law 108–188)) after the date of enactment of
18 the SKILLS Act.

19 “(2) STATES.—

20 “(A) IN GENERAL.—After determining the
21 amount to be reserved under paragraph (1), the
22 Secretary shall allot the remainder of the
23 amount referred to in subsection (a)(5) for a
24 fiscal year to the States pursuant to subpara-
25 graph (B) for employment and training activi-

1 ties and statewide workforce investment activi-
2 ties.

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

5 “(i) 25 percent shall be allotted on the
6 basis of the relative number of unemployed
7 individuals in areas of substantial unem-
8 ployment in each State, compared to the
9 total number of unemployed individuals in
10 areas of substantial unemployment in all
11 States;

12 “(ii) 25 percent shall be allotted on
13 the basis of the relative number of individ-
14 uals in the civilian labor force in each
15 State, compared to the total number of
16 such individuals in all States;

17 “(iii) 25 percent shall be allotted on
18 the basis of the relative number of individ-
19 uals in each State who have been unem-
20 ployed for 15 weeks or more, compared to
21 the total number of individuals in all
22 States who have been unemployed for 15
23 weeks or more; and

24 “(iv) 25 percent shall be allotted on
25 the basis of the relative number of dis-

1 advantaged youth in each State, compared
2 to the total number of disadvantaged youth
3 in all States.

4 “(C) MINIMUM AND MAXIMUM PERCENT-
5 AGES.—

6 “(i) MINIMUM PERCENTAGE.—The
7 Secretary shall ensure that no State shall
8 receive an allotment under this paragraph
9 for—

10 “(I) each of fiscal years 2015
11 through 2017, that is less than 100
12 percent of the allotment percentage of
13 the State for fiscal year 2013; and

14 “(II) fiscal year 2018 and each
15 succeeding fiscal year, that is less
16 than 90 percent of the allotment per-
17 centage of the State for the fiscal year
18 preceding the fiscal year involved.

19 “(ii) MAXIMUM PERCENTAGE.—Sub-
20 ject to clause (i), the Secretary shall en-
21 sure that no State shall receive an allot-
22 ment under this paragraph for—

23 “(I) each of fiscal years 2015
24 through 2017, that is more than 130

1 percent of the allotment percentage of
2 the State for fiscal year 2013; and

3 “(II) fiscal year 2018 and each
4 succeeding fiscal year, that is more
5 than 130 percent of the allotment per-
6 centage of the State for the fiscal year
7 preceding the fiscal year involved.

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

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

17 “(i) ALLOTMENT PERCENTAGE.—The
18 term ‘allotment percentage’—

19 “(I) used with respect to fiscal
20 year 2013, means the percentage of
21 the amounts allotted to States under
22 title I of this Act, title V of the Older
23 Americans Act of 1965 (42 U.S.C.
24 3056 et seq.), the Women in Appren-
25 ticeship and Nontraditional Occupa-

1 tions Act (29 U.S.C. 2501 et seq.),
2 sections 4103A and 4104 of title 38,
3 United States Code, and sections 1
4 through 14 of the Wagner-Peyser Act
5 (29 U.S.C. 49 et seq.), as such provi-
6 sions were in effect for fiscal year
7 2013, that is received under such pro-
8 visions by the State involved for fiscal
9 year 2013; and

10 “(II) used with respect to fiscal
11 year 2017 or a succeeding fiscal year,
12 means the percentage of the amounts
13 allotted to States under this para-
14 graph for the fiscal year, that is re-
15 ceived under this paragraph by the
16 State involved for the fiscal year.

17 “(ii) AREA OF SUBSTANTIAL UNEM-
18 PLOYMENT.—The term ‘area of substantial
19 unemployment’ means any area that is of
20 sufficient size and scope to sustain a pro-
21 gram of workforce investment activities
22 carried out under this subtitle and that
23 has an average rate of unemployment of at
24 least 7 percent for the most recent 12
25 months, as determined by the Secretary.

1 For purposes of this clause, determinations
 2 of areas of substantial unemployment shall
 3 be made once each fiscal year.

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

12 “(I) the poverty line; or

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

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

18 **SEC. 421. WITHIN STATE ALLOCATIONS.**

19 Section 133 (29 U.S.C. 2863) is amended—

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

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

24 “(1) STATEWIDE EMPLOYMENT AND TRAINING
 25 ACTIVITIES.—The Governor of a State shall reserve

1 not more than 15 percent of the total amount allot-
 2 ted to the State under section 132(b)(2) for a fiscal
 3 year to carry out the statewide activities described in
 4 section 134(a).

5 “(2) STATEWIDE RAPID RESPONSE ACTIVITIES
 6 AND ADDITIONAL ASSISTANCE.—Of the amount re-
 7 served under paragraph (1) for a fiscal year, the
 8 Governor of the State shall reserve not more than
 9 25 percent for statewide rapid response activities
 10 and additional assistance described in section
 11 134(a)(4).

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

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

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

25 “(b) WITHIN STATE ALLOCATION.—

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

5 “(A) allocate the funds that are allotted to
6 the State under section 132(b)(2) and not re-
7 served under subsection (a), in accordance with
8 paragraph (2)(A); and

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

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

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

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

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

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

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

1 except that a reference in a section specified in
2 any of clauses (i) through (iv) to ‘each State’
3 shall be considered to refer to each local area,
4 and to ‘all States’ shall be considered to refer
5 to all local areas.

6 “(B) MINIMUM AND MAXIMUM PERCENT-
7 AGES.—

8 “(i) MINIMUM PERCENTAGE.—The
9 State shall ensure that no local area shall
10 receive an allocation under this paragraph
11 for—

12 “(I) each of fiscal years 2015
13 through 2017, that is less than 100
14 percent of the allocation percentage of
15 the local area for fiscal year 2013;
16 and

17 “(II) fiscal year 2018 and each
18 succeeding fiscal year, that is less
19 than 90 percent of the allocation per-
20 centage of the local area for the fiscal
21 year preceding the fiscal year in-
22 volved.

23 “(ii) MAXIMUM PERCENTAGE.—Sub-
24 ject to clause (i), the State shall ensure
25 that no local area shall receive an alloca-

1 tion for a fiscal year under this paragraph
2 for—

3 “(I) each of fiscal years 2015
4 through 2017, that is more than 130
5 percent of the allocation percentage of
6 the local area for fiscal year 2013;
7 and

8 “(II) fiscal year 2018 and each
9 succeeding fiscal year, that is more
10 than 130 percentage of the allocation
11 percentage of the local area for the
12 fiscal year preceding the fiscal year
13 involved.

14 “(C) DEFINITIONS.—For the purpose of
15 the formula specified in this paragraph, the
16 term ‘allocation percentage’—

17 “(i) used with respect to fiscal year
18 2013, means the percentage of the
19 amounts allocated to local areas under title
20 I of this Act, title V of the Older Ameri-
21 cans Act of 1965 (42 U.S.C. 3056 et seq.),
22 the Women in Apprenticeship and Non-
23 traditional Occupations Act (29 U.S.C.
24 2501 et seq.), sections 4103A and 4104 of
25 title 38, United States Code, and sections

1 1 through 14 of the Wagner-Peyser Act
2 (29 U.S.C. 49 et seq.), as such provisions
3 were in effect for fiscal year 2013, that is
4 received under such provisions by the local
5 area involved for fiscal year 2013; and

6 “(ii) used with respect to fiscal year
7 2017 or a succeeding fiscal year, means
8 the percentage of the amounts allocated to
9 local areas under this paragraph for the
10 fiscal year, that is received under this
11 paragraph by the local area involved for
12 the fiscal year.”;

13 (3) in subsection (c)—

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

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

22 (B) in paragraph (2), by striking “para-
23 graph (2)(A) or (3) of subsection (b) for such
24 activities” and inserting “subsection (b) for
25 such activities”;

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

3 “(3) REALLOCATIONS.—In making reallocations
 4 to eligible local areas of amounts available pursuant
 5 to paragraph (2) for a program year, the Governor
 6 shall allocate to each eligible local area within the
 7 State an amount based on the relative amount allo-
 8 cated to such local area under subsection (b)(2) for
 9 such activities for such prior program year, as com-
 10 pared to the total amount allocated to all eligible
 11 local areas in the State under subsection (b)(2) for
 12 such activities for such prior program year.”; and

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

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

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

23 **SEC. 422. USE OF FUNDS FOR EMPLOYMENT AND TRAINING**
 24 **ACTIVITIES.**

25 Section 134 (29 U.S.C. 2864) is amended—

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

3 “(a) STATEWIDE EMPLOYMENT AND TRAINING AC-
4 TIVITIES.—

5 “(1) IN GENERAL.—

6 “(A) DISTRIBUTION OF STATEWIDE AC-
7 TIVITIES.—Funds reserved by a Governor for a
8 State as described in section 133(a)(1) and not
9 reserved under paragraph (2) or (3) of section
10 133(a)—

11 “(i) shall be used to carry out the
12 statewide employment and training activi-
13 ties described in paragraph (2); and

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

17 “(B) STATEWIDE RAPID RESPONSE ACTIVI-
18 TIES AND ADDITIONAL ASSISTANCE.—Funds re-
19 served by a Governor for a State as described
20 in section 133(a)(2) shall be used to provide the
21 statewide rapid response activities and addi-
22 tional assistance described in paragraph (4).

23 “(C) STATEWIDE GRANTS FOR INDIVID-
24 UALS WITH BARRIERS TO EMPLOYMENT.—
25 Funds reserved by a Governor for a State as

1 described in section 133(a)(3) shall be used to
2 award statewide grants for individuals with bar-
3 riers to employment on a competitive basis, and
4 carry out other activities, as described in para-
5 graph (5).

6 “(2) REQUIRED STATEWIDE EMPLOYMENT AND
7 TRAINING ACTIVITIES.—A State shall use funds re-
8 ferred to in paragraph (1)(A) to carry out statewide
9 employment and training activities, which shall in-
10 clude—

11 “(A) disseminating the State list of eligible
12 providers of training services described in sec-
13 tion 122(d), information identifying eligible pro-
14 viders of on-the-job training and customized
15 training described in section 122(i), and per-
16 formance information and program cost infor-
17 mation described in section 122(b)(2);

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

21 “(C) implementing strategies and services
22 that will be used in the State to assist at-risk
23 youth and out-of-school youth in acquiring the
24 education and skills, recognized postsecondary

1 credentials, and employment experience to suc-
2 ceed in the labor market;

3 “(D) conducting evaluations under section
4 136(e) of activities authorized under this chap-
5 ter in coordination with evaluations carried out
6 by the Secretary under section 172;

7 “(E) providing technical assistance to local
8 areas that fail to meet local performance meas-
9 ures;

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

12 “(G) carrying out monitoring and over-
13 sight of activities carried out under this chap-
14 ter.

15 “(3) ALLOWABLE STATEWIDE EMPLOYMENT
16 AND TRAINING ACTIVITIES.—A State may use funds
17 referred to in paragraph (1)(A) to carry out state-
18 wide employment and training activities which may
19 include—

20 “(A) implementing innovative programs
21 and strategies designed to meet the needs of all
22 employers in the State, including small employ-
23 ers, which may include incumbent worker train-
24 ing programs, sectoral and industry cluster
25 strategies and partnership initiatives, career

1 ladder programs, micro-enterprise and entrepre-
2 neurial training and support programs, utiliza-
3 tion of effective business intermediaries, activi-
4 ties to improve linkages between the one-stop
5 delivery system in the State and all employers
6 (including small employers) in the State, and
7 other business services and strategies that bet-
8 ter engage employers in workforce investment
9 activities and make the workforce investment
10 system more relevant to the needs of State and
11 local businesses, consistent with the objectives
12 of this title;

13 “(B) providing incentive grants to local
14 areas—

15 “(i) for regional cooperation among
16 local boards (including local boards in a
17 designated region as described in section
18 116(e));

19 “(ii) for local coordination of activities
20 carried out under this Act; and

21 “(iii) for exemplary performance by
22 local areas on the local performance meas-
23 ures;

1 “(C) developing strategies for effectively
2 integrating programs and services among one-
3 stop partners;

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

8 “(E) incorporating pay-for-performance
9 contract strategies as an element in funding ac-
10 tivities under this section and providing tech-
11 nical support to local areas and eligible pro-
12 viders in order to carry out such a strategy,
13 which may involve providing assistance with
14 data collection and data entry requirements;

15 “(F) carrying out the State option under
16 subsection (f)(8); and

17 “(G) carrying out other activities author-
18 ized under this section that the State deter-
19 mines to be necessary to assist local areas in
20 carrying out activities described in subsection
21 (c) or (d) through the statewide workforce in-
22 vestment system.

23 “(4) STATEWIDE RAPID RESPONSE ACTIVITIES
24 AND ADDITIONAL ASSISTANCE.—A State shall use
25 funds reserved as described in section 133(a)(2)—

1 “(A) to carry out statewide rapid response
2 activities, which shall include provision of rapid
3 response activities, carried out in local areas by
4 the State or by an entity designated by the
5 State, working in conjunction with the local
6 boards and the chief elected officials in the local
7 areas; and

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

17 “(5) STATEWIDE GRANTS FOR INDIVIDUALS
18 WITH BARRIERS TO EMPLOYMENT.—

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

22 “(i) may reserve up to 5 percent to
23 provide technical assistance for, and con-
24 duct evaluations as described in section

1 136(e) of, the programs carried out under
2 this paragraph; and

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

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

14 “(i) is a—

15 “(I) local board or a consortium
16 of local boards;

17 “(II) nonprofit entity, for-profit
18 entity, or a consortium of nonprofit or
19 for-profit entities; or

20 “(III) consortium of the entities
21 described in subclauses (I) and (II);

22 “(ii) has a demonstrated record of
23 placing individuals into unsubsidized em-
24 ployment and serving hard-to-serve individ-
25 uals; and

1 “(iii) agrees to be reimbursed pri-
2 marily on the basis of meeting specified
3 performance outcomes and criteria estab-
4 lished by the Governor.

5 “(C) GRANT PERIOD.—

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

9 “(ii) GRANT RENEWAL.—A Governor
10 of a State may renew, for up to 4 addi-
11 tional 1-year periods, a grant awarded
12 under this paragraph.

13 “(D) ELIGIBLE PARTICIPANTS.—To be eli-
14 gible to participate in activities under this para-
15 graph, an individual shall be a low-income indi-
16 vidual age 16 or older.

17 “(E) USE OF FUNDS.—An eligible entity
18 receiving a grant under this paragraph shall use
19 the grant funds for programs of activities that
20 are designed to assist eligible participants in
21 obtaining employment and acquiring the edu-
22 cation and skills necessary to succeed in the
23 labor market. To be eligible to receive a grant
24 under this paragraph for an employment and
25 training program, an eligible entity shall submit

1 an application to a State at such time, in such
2 manner, and containing such information as the
3 State may require, including—

4 “(i) a description of how the strate-
5 gies and activities of the program will be
6 aligned with the State plan submitted
7 under section 112 and the local plan sub-
8 mitted under section 118, with respect to
9 the area of the State that will be the focus
10 of the program under this paragraph;

11 “(ii) a description of the educational
12 and skills training programs and activities
13 the eligible entity will provide to eligible
14 participants under this paragraph;

15 “(iii) how the eligible entity will col-
16 laborate with State and local workforce in-
17 vestment systems established under this
18 title in the provision of such programs and
19 activities;

20 “(iv) a description of the programs of
21 demonstrated effectiveness on which the
22 provision of such educational and skills
23 training programs and activities are based,
24 and a description of how such programs

1 and activities will improve education and
2 skills training for eligible participants;

3 “(v) a description of the populations
4 to be served and the skill needs of those
5 populations, and the manner in which eligi-
6 ble participants will be recruited and se-
7 lected as participants;

8 “(vi) a description of the private, pub-
9 lic, local, and State resources that will be
10 leveraged, with the grant funds provided,
11 for the program under this paragraph, and
12 how the entity will ensure the sustain-
13 ability of such program after grant funds
14 are no longer available;

15 “(vii) a description of the extent of
16 the involvement of employers in such pro-
17 gram;

18 “(viii) a description of the levels of
19 performance the eligible entity expects to
20 achieve with respect to the indicators of
21 performance for all individuals specified in
22 section 136(b)(2);

23 “(ix) a detailed budget and a descrip-
24 tion of the system of fiscal controls, and
25 auditing and accountability procedures,

1 that will be used to ensure fiscal soundness
2 for the program provided under this para-
3 graph; and

4 “(x) any other criteria the Governor
5 may require.”;

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

8 “(b) LOCAL EMPLOYMENT AND TRAINING ACTIVI-
9 TIES.—Funds allocated to a local area under section
10 133(b)—

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

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

15 (3) by striking subsection (c);

16 (4) by redesignating subsections (d) and (e), as
17 subsection (c) and (d), respectively;

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

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

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

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

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

5 “(C) to provide training services described
6 in paragraph (4) in accordance with such para-
7 graph.”;

8 (B) in paragraph (2)—

9 (i) in the heading, by striking “CORE
10 SERVICES” and inserting “WORK READY
11 SERVICES”;

12 (ii) in the matter preceding subpara-
13 graph (A)—

14 (I) by striking “(1)(A)” and in-
15 serting “(1)”;

16 (II) by striking “core services”
17 and inserting “work ready services”;
18 and

19 (III) by striking “who are adults
20 or dislocated workers”;

21 (iii) by redesignating subparagraph
22 (K) as subparagraph (V);

23 (iv) by redesignating subparagraphs
24 (B) through (J) as subparagraphs (C)
25 through (K), respectively;

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

3 “(B) assistance in obtaining eligibility de-
4 terminations under the other one-stop partner
5 programs through activities, where appropriate
6 and consistent with the authorizing statute of
7 the one-stop partner program involved, such as
8 assisting in—

9 “(i) the submission of applications;

10 “(ii) the provision of information on
11 the results of such applications; and

12 “(iii) the provision of intake services
13 and information;”;

14 (vi) by amending subparagraph (E),
15 as so redesignated, to read as follows:

16 “(E) labor exchange services, including—

17 “(i) job search and placement assist-
18 ance, and where appropriate, career coun-
19 seling;

20 “(ii) appropriate recruitment services
21 for employers, including small employers,
22 in the local area, which may include serv-
23 ices described in this subsection, including
24 provision of information and referral to
25 specialized business services not tradition-

1 ally offered through the one-stop delivery
2 system; and

3 “(iii) reemployment services provided
4 to unemployment claimants, including
5 claimants identified as in need of such
6 services under the worker profiling system
7 established under section 303(j) of the So-
8 cial Security Act (42 U.S.C. 503(j));”;

9 (vii) in subparagraph (F), as so reded-
10 icated, by striking “employment statis-
11 tics” and inserting “workforce and labor
12 market”;

13 (viii) in subparagraph (G), as so reded-
14 icated, by striking “and eligible pro-
15 viders of youth activities described in sec-
16 tion 123,”;

17 (ix) in subparagraph (H), as so reded-
18 icated, by inserting “under section 136”
19 after “local performance measures”;

20 (x) in subparagraph (J), as so reded-
21 icated, by inserting “and information re-
22 garding the administration of the work test
23 for the unemployment compensation sys-
24 tem” after “compensation”;

1 (xi) by amending subparagraph (K),
2 as so redesignated, to read as follows:

3 “(K) assistance in establishing eligibility
4 for programs of financial aid assistance for edu-
5 cation and training programs that are not fund-
6 ed under this Act and are available in the local
7 area;” and

8 (xii) by inserting the following new
9 subparagraphs after subparagraph (K), as
10 so redesignated:

11 “(L) the provision of information from of-
12 ficial publications of the Internal Revenue Serv-
13 ice regarding Federal tax credits, available to
14 participants in employment and training activi-
15 ties, and relating to education, job training, and
16 employment;

17 “(M) comprehensive and specialized assess-
18 ments of the skill levels and service needs of
19 workers, which may include—

20 “(i) diagnostic testing and use of
21 other assessment tools; and

22 “(ii) in-depth interviewing and evalua-
23 tion to identify employment barriers and
24 appropriate employment goals;

- 1 “(N) development of an individual employ-
2 ment plan, to identify the employment goals,
3 appropriate achievement objectives, and appro-
4 priate combination of services for the partici-
5 pant;
- 6 “(O) group counseling;
- 7 “(P) individual counseling and career plan-
8 ning;
- 9 “(Q) case management;
- 10 “(R) short-term pre-career services, includ-
11 ing development of learning skills, communica-
12 tions skills, interviewing skills, punctuality, per-
13 sonal maintenance skills, and professional con-
14 duct, to prepare individuals for unsubsidized
15 employment or training;
- 16 “(S) internships and work experience;
- 17 “(T) literacy activities relating to basic
18 work readiness, information and communication
19 technology literacy activities, and financial lit-
20 eracy activities, if the activities involved are not
21 available to participants in the local area under
22 programs administered under the Adult Edu-
23 cation and Family Literacy Act (20 U.S.C.
24 2901 et seq.);

1 “(U) out-of-area job search assistance and
2 relocation assistance; and”;

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

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

11 (D) in paragraph (4)—

12 (i) by amending subparagraph (A) to
13 read as follows:

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

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

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

24 “(II) have the skills and quali-
25 fications to successfully participate in

1 the selected program of training serv-
2 ices;

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

9 “(iii) who meet the requirements of
10 subparagraph (B).”;

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

16 (iii) by amending subparagraph (D) to
17 read as follows:

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

21 “(i) occupational skills training;

22 “(ii) on-the-job training;

23 “(iii) skill upgrading and retraining;

24 “(iv) entrepreneurial training;

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

6 “(vi) adult education and family lit-
7 eracy education activities provided in con-
8 junction with other training services au-
9 thorized under this subparagraph;

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

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

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

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

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

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

3 (I) in clause (ii)—

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

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

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

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

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

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

8 “(iv) COORDINATION.—Each local
9 board may, through one-stop centers, co-
10 ordinate career enhancement accounts with
11 other Federal, State, local, or private job
12 training programs or sources to assist the
13 individual in obtaining training services
14 from (notwithstanding any provision of
15 this title) eligible providers for those pro-
16 grams and sources.

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

- 1 (vi) in subparagraph (F) (as so reded-
- 2 ignated)—
- 3 (I) in the subparagraph heading,
- 4 by striking “INDIVIDUAL TRAINING
- 5 ACCOUNTS” and inserting “CAREER
- 6 ENHANCEMENT ACCOUNTS”;
- 7 (II) in clause (i), by striking “in-
- 8 dividual training accounts” and in-
- 9 serting “career enhancement ac-
- 10 counts”;
- 11 (III) in clause (ii)—
- 12 (aa) by striking “an indi-
- 13 vidual training account” and in-
- 14 serting “a career enhancement
- 15 account”;
- 16 (bb) by striking “subpara-
- 17 graph (F)” and inserting “sub-
- 18 paragraph (E)”;
- 19 (cc) in subclause (II), by
- 20 striking “individual training ac-
- 21 counts” and inserting “career en-
- 22 hancement accounts”;
- 23 (dd) in subclause (II), by
- 24 striking “or” after the semicolon;

1 (ee) in subclause (III), by
2 striking the period and inserting
3 “; or”; and

4 (ff) by adding at the end the
5 following:

6 “(IV) the local board determines
7 that it would be most appropriate to
8 award a contract to a postsecondary
9 educational institution that has been
10 identified as a priority eligible pro-
11 vider under section 117(d)(5)(B) in
12 order to facilitate the training of mul-
13 tiple individuals in in-demand indus-
14 tries or occupations important to the
15 State or local economy, that such con-
16 tract may be used to enable the ex-
17 pansion of programs provided by a
18 priority eligible provider, and that
19 such contract does not limit customer
20 choice.”;

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

24 (V) in clause (iv)—

1 (aa) by redesignating sub-
2 clause (IV) as subclause (V); and

3 (bb) by inserting after sub-
4 clause (III) the following:

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

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

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

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

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

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

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

22 “(iii) customer supports, including
23 transportation and child care, to navigate
24 among multiple services and activities for
25 special participant populations that face

1 multiple barriers to employment, including
2 individuals with disabilities;

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

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

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

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

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

23 and

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

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

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

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

15 “(C) EMPLOYER MATCH REQUIRED.—

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

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

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

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

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

10 “(f) VETERAN EMPLOYMENT SPECIALIST.—

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

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

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

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

1 “(ii) in conjunction with employers,
2 conducting job search workshops, and es-
3 tablishing job search groups; and

4 “(B) facilitate the furnishing of employ-
5 ment, training, supportive, and placement serv-
6 ices to veterans, including disabled and home-
7 less veterans, in the local area.

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

18 “(A) To service-connected disabled vet-
19 erans.

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

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

1 “(D) If no veteran or member described in
2 subparagraph (A), (B), or (C) is available, to
3 any spouse of a veteran or a spouse of a mem-
4 ber of the Armed Forces transitioning out of
5 military service.

6 “(E) If no veteran or member described in
7 subparagraph (A), (B), or (C) is available and
8 no spouse described in paragraph (D) is avail-
9 able, to any other individuals with expertise in
10 serving veterans.

11 “(4) ADMINISTRATION AND REPORTING.—

12 “(A) IN GENERAL.—Each veteran employ-
13 ment specialist shall be administratively respon-
14 sible to the one-stop operator of the one-stop
15 center in the local area and shall provide, at a
16 minimum, quarterly reports to the one-stop op-
17 erator of such center and to the Assistant Sec-
18 retary for Veterans’ Employment and Training
19 for the State on the specialist’s performance,
20 and compliance by the specialist with Federal
21 law (including regulations), with respect to
22 the—

23 “(i) principal duties (including facili-
24 tating the furnishing of services) for vet-
25 erans described in paragraph (2); and

1 “(ii) hiring preferences described in
2 paragraph (3) for veterans and other indi-
3 viduals.

4 “(B) REPORT TO SECRETARY.—Each
5 State shall submit to the Secretary an annual
6 report on the qualifications used by each local
7 board in the State in making hiring determina-
8 tions for a veteran employment specialist and
9 the salary structure under which such specialist
10 is compensated.

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

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

1 “(6) TRAINING REQUIREMENTS.—Each veteran
2 employment specialist described in paragraph (2)
3 shall satisfactorily complete training provided by the
4 National Veterans’ Employment and Training Insti-
5 tute during the 3-year period that begins on the date
6 on which the employee is so assigned.

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

16 “(8) STATE OPTION.—At the request of a local
17 board, a State may opt to assume the duties as-
18 signed to the local board under paragraphs (1) and
19 (3), including the hiring and employment of one or
20 more veteran employment specialists for placement
21 in the local area served by the local board.”.

22 **SEC. 423. PERFORMANCE ACCOUNTABILITY SYSTEM.**

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

24 (1) in subsection (b)—

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

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

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

7 “(ii) additional indicators of performance
8 (if any) identified by the State under paragraph
9 (2)(B); and

10 “(B) a State adjusted level of performance
11 for each indicator described in subparagraph
12 (A).

13 “(2) INDICATORS OF PERFORMANCE.—

14 “(A) CORE INDICATORS OF PERFORM-
15 ANCE.—

16 “(i) IN GENERAL.—The core indica-
17 tors of performance for the program of em-
18 ployment and training activities authorized
19 under sections 132(a)(2) and 134, the pro-
20 gram of adult education and family literacy
21 education activities authorized under title
22 II, and the program authorized under title
23 I of the Rehabilitation Act of 1973 (29
24 U.S.C. 720 et seq.), other than section 112
25 or part C of that title (29 U.S.C. 732,

1 741), shall consist of the following indica-
2 tors of performance (with performance de-
3 termined in the aggregate and as
4 disaggregated by the populations identified
5 in the State and local plan in each case):

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

11 “(II) The percentage and number
12 of program participants who are in
13 unsubsidized employment during the
14 fourth full calendar quarter after exit
15 from the program.

16 “(III) The difference in the me-
17 dian earnings of program participants
18 who are in unsubsidized employment
19 during the second full calendar quar-
20 ter after exit from the program, com-
21 pared to the median earnings of such
22 participants prior to participation in
23 such program.

24 “(IV) The percentage and num-
25 ber of program participants who ob-

1 tain a recognized postsecondary cre-
2 dential (such as an industry-recog-
3 nized credential or a certificate from a
4 registered apprenticeship program), or
5 a regular secondary school diploma or
6 its recognized equivalent (subject to
7 clause (ii)), during participation in or
8 within 1 year after exit from the pro-
9 gram.

10 “(V) The percentage and number
11 of program participants who, during a
12 program year—

13 “(aa) are in an education or
14 training program that leads to a
15 recognized postsecondary creden-
16 tial (such as an industry-recog-
17 nized credential or a certificate
18 from a registered apprenticeship
19 program), a certificate from an
20 on-the-job training program, a
21 regular secondary school diploma
22 or its recognized equivalent, or
23 unsubsidized employment; and

24 “(bb) are achieving measur-
25 able basic skill gains toward such

1 a credential, certificate, diploma,
2 or employment.

3 “(VI) The percentage and num-
4 ber of program participants who ob-
5 tain unsubsidized employment in the
6 field relating to the training services
7 described in section 134(c)(4) that
8 such participants received.

9 “(ii) INDICATOR RELATING TO CRE-
10 DENTIAL.—For purposes of clause (i)(IV),
11 program participants who obtain a regular
12 secondary school diploma or its recognized
13 equivalent shall be included in the percent-
14 age counted as meeting the criterion under
15 such clause only if such participants (in
16 addition to obtaining such diploma or its
17 recognized equivalent), within 1 year after
18 exit from the program, have obtained or
19 retained employment, have been removed
20 from public assistance, or have begun an
21 education or training program leading to a
22 recognized postsecondary credential.

23 “(B) ADDITIONAL INDICATORS.—A State
24 may identify in the State plan additional indica-

1 tors for workforce investment activities author-
2 ized under this subtitle.”; and

3 (B) in paragraph (3)—

4 (i) in subparagraph (A)—

5 (I) in the heading, by striking
6 “AND CUSTOMER SATISFACTION INDI-
7 CATOR”;

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

11 (III) in clause (ii), by striking
12 “and the customer satisfaction indi-
13 cator of performance, for the first 3”
14 and inserting “, for all 3”;

15 (IV) in clause (iii)—

16 (aa) in the heading, by
17 striking “FOR FIRST 3 YEARS”;
18 and

19 (bb) by striking “and the
20 customer satisfaction indicator of
21 performance, for the first 3 pro-
22 gram years” and inserting “for
23 all 3 program years”;

24 (V) in clause (iv)—

25 (aa) by striking “or (v)”;

1 (bb) by striking subclause
2 (I) and redesignating subclauses
3 (II) and (III) as subclauses (I)
4 and (II), respectively; and

5 (cc) in subclause (I) (as so
6 redesignated)—

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

12 (BB) by inserting “,
13 such as indicators of poor
14 work experience, dislocation
15 from high-wage employment,
16 low levels of literacy or
17 English proficiency, dis-
18 ability status (including dis-
19 ability status among vet-
20 erans), and welfare depend-
21 ency,” after “program”;

22 (VI) by striking clause (v) and
23 redesignating clause (vi) as clause (v);
24 and

1 (VII) in clause (v) (as so redesignated)—
2

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

6 (bb) by striking “or (v)”;
7 and

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

11 (2) in subsection (c)—

12 (A) by amending clause (i) of paragraph
13 (1)(A) to read as follows:

14 “(i) the core indicators of performance de-
15 scribed in subsection (b)(2)(A) for activities de-
16 scribed in such subsection, other than statewide
17 workforce investment activities; and”;

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

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

23 “(3) DETERMINATIONS.—In determining such
24 local levels of performance, the local board, the chief
25 elected official, and the Governor shall ensure such

1 levels are adjusted based on the specific economic
2 conditions (such as unemployment rates and job
3 losses or gains in particular industries), or demo-
4 graphic characteristics or other characteristics of the
5 population to be served, in the local area.”;

6 (3) in subsection (d)—

7 (A) in paragraph (1)—

8 (i) by striking “127 or”;

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

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

21 (B) in paragraph (2)—

22 (i) by striking subparagraphs (A),
23 (B), and (D);

24 (ii) by redesignating subparagraph
25 (C) as subparagraph (A);

1 (iii) by redesignating subparagraph
2 (E) as subparagraph (B);

3 (iv) in subparagraph (B), as so rededesignated—
4

5 (I) by striking “(excluding participants who received only self-service
6 and informational activities)”; and
7

8 (II) by striking “and” at the end;

9 (v) by striking subparagraph (F); and

10 (vi) by adding at the end the following:
11

12 “(C) with respect to each local area in the
13 State—

14 “(i) the number of individuals who received work ready services described in section 134(c)(2) and the number of individuals who received training services described in section 134(c)(4), during the most recent program year and fiscal year, and the preceding 5 program years, disaggregated (for individuals who received work ready services) by the type of entity that provided the work ready services and disaggregated (for individuals who received training services) by the type of entity that
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1 provided the training services, and the
2 amount of funds spent on each of the 2
3 types of services during the most recent
4 program year and fiscal year, and the pre-
5 ceding 5 fiscal years;

6 “(ii) the number of individuals who
7 successfully exited out of work ready serv-
8 ices described in section 134(c)(2) and the
9 number of individuals who exited out of
10 training services described in section
11 134(c)(4), during the most recent program
12 year and fiscal year, and the preceding 5
13 program years, disaggregated (for individ-
14 uals who received work ready services) by
15 the type of entity that provided the work
16 ready services and disaggregated (for indi-
17 viduals who received training services) by
18 the type of entity that provided the train-
19 ing services; and

20 “(iii) the average cost per participant
21 of those individuals who received work
22 ready services described in section
23 134(c)(2) and the average cost per partici-
24 pant of those individuals who received
25 training services described in section

1 134(c)(4), during the most recent program
2 year and fiscal year, and the preceding 5
3 program years, disaggregated (for individ-
4 uals who received work ready services) by
5 the type of entity that provided the work
6 ready services and disaggregated (for indi-
7 viduals who received training services) by
8 the type of entity that provided the train-
9 ing services; and

10 “(D) the amount of funds spent on train-
11 ing services and discretionary activities de-
12 scribed in section 134(d), disaggregated by the
13 populations identified under section
14 112(b)(16)(A)(iv) and section 118(b)(10).”;

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

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

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

24 “(5) STATE AND LOCAL POLICIES.—

1 “(A) STATE POLICIES.—Each State that
2 receives an allotment under section 132 shall
3 maintain a central repository of policies related
4 to access, eligibility, availability of services, and
5 other matters, and plans approved by the State
6 board and make such repository available to the
7 public, including by electronic means.

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

16 (4) in subsection (g)—

17 (A) in paragraph (1)—

18 (i) in subparagraph (A), by striking
19 “or (B)”; and

20 (ii) in subparagraph (B), by striking
21 “may reduce by not more than 5 percent,”
22 and inserting “shall reduce”; and

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

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

6 (5) in subsection (h)—

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

8 and

9 (B) in paragraph (2)—

10 (i) in subparagraph (A), by amending
 11 the matter preceding clause (i) to read as
 12 follows:

13 “(A) IN GENERAL.—If such failure con-
 14 tinues for a second consecutive year, the Gov-
 15 ernor shall take corrective actions, including the
 16 development of a reorganization plan. Such
 17 plan shall—”;

18 (ii) by redesignating subparagraphs
 19 (B) and (C) as subparagraphs (C) and
 20 (D), respectively;

21 (iii) by inserting after subparagraph
 22 (A), the following:

23 “(B) REDUCTION IN THE AMOUNT OF
 24 GRANT.—If such failure continues for a third
 25 consecutive year, the Governor shall reduce the

1 amount of the grant that would (in the absence
2 of this subparagraph) be payable to the local
3 area under such program for the program year
4 after such third consecutive year. Such penalty
5 shall be based on the degree of failure to meet
6 local levels of performance.”;

7 (iv) in subparagraph (C)(i) (as so re-
8 designated), by striking “a reorganization
9 plan under subparagraph (A) may, not
10 later than 30 days after receiving notice of
11 the reorganization plan, appeal to the Gov-
12 ernor to rescind or revise such plan” and
13 inserting “corrective action under subpara-
14 graph (A) or (B) may, not later than 30
15 days after receiving notice of the action,
16 appeal to the Governor to rescind or revise
17 such action”; and

18 (v) in subparagraph (D) (as so reded-
19 icated), by striking “subparagraph (B)”
20 each place it appears and inserting “sub-
21 paragraph (C)”;

22 (6) in subsection (i)—

23 (A) in paragraph (1)—

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

4 (ii) in subparagraph (C), by striking
5 “(b)(3)(A)(vi)” and inserting
6 “(b)(3)(A)(v)”;

7 (B) in paragraph (2), by striking “the ac-
8 tivities described in section 502 concerning”;
9 and

10 (C) in paragraph (3), by striking “de-
11 scribed in paragraph (1) and in the activities
12 described in section 502” and inserting “and
13 activities described in this subsection”;

14 (7) by adding at the end the following new sub-
15 sections:

16 “(j) USE OF CORE INDICATORS FOR OTHER PRO-
17 GRAMS.—Consistent with the requirements of the applica-
18 ble authorizing laws, the Secretary shall use the core indi-
19 cators of performance described in subsection (b)(2)(A) to
20 assess the effectiveness of the programs described in sec-
21 tion 121(b)(1)(B) (in addition to the programs carried out
22 under chapter 5) that are carried out by the Secretary.

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

1 “(1) IN GENERAL.—At the discretion of the
2 Governor of a State, a State may establish an incen-
3 tive system for local boards to implement pay-for-
4 performance contract strategies for the delivery of
5 employment and training activities in the local areas
6 served by the local boards.

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

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

19 **SEC. 424. AUTHORIZATION OF APPROPRIATIONS.**

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

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

23 “There are authorized to be appropriated to carry out
24 the activities described in section 132, \$6,245,318,000 for

1 fiscal year 2015 and each of the 6 succeeding fiscal
2 years.”.

3 **CHAPTER 3—JOB CORPS**

4 **SEC. 426. JOB CORPS PURPOSES.**

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

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

18 **SEC. 427. JOB CORPS DEFINITIONS.**

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

20 (1) in paragraph (2)—

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

24 (B) by striking “applicable”;

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

1 (D) by striking “intake” and inserting “as-
2 sessment”;

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

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

19 **SEC. 428. INDIVIDUALS ELIGIBLE FOR THE JOB CORPS.**

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

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

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

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

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

6 **SEC. 429. RECRUITMENT, SCREENING, SELECTION, AND AS-**
7 **SIGNMENT OF ENROLLEES.**

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

9 (1) in subsection (a)—

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

13 (B) in paragraph (3)—

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

16 (ii) in subparagraph (A)—

17 (I) by striking “applicable”; and

18 (II) by inserting “and” after the
19 semicolon;

20 (iii) by striking subparagraphs (B)
21 and (C); and

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

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

4 (2) in subsection (b)—

5 (A) in paragraph (1)—

6 (i) in subparagraph (B), by inserting
7 “and agrees to such rules” after “failure
8 to observe the rules”; and

9 (ii) by amending subparagraph (C) to
10 read as follows:

11 “(C) the individual has passed a back-
12 ground check conducted in accordance with pro-
13 cedures established by the Secretary, which
14 shall include—

15 “(i) a search of the State criminal
16 registry or repository in the State where
17 the individual resides and each State where
18 the individual previously resided;

19 “(ii) a search of State-based child
20 abuse and neglect registries and databases
21 in the State where the individual resides
22 and each State where the individual pre-
23 viously resided;

24 “(iii) a search of the National Crime
25 Information Center;

1 “(iv) a Federal Bureau of Investiga-
2 tion fingerprint check using the Integrated
3 Automated Fingerprint Identification Sys-
4 tem; and

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

10 (B) by adding at the end the following new
11 paragraph:

12 “(3) INDIVIDUALS CONVICTED OF A CRIME.—
13 An individual shall be ineligible for enrollment if the
14 individual—

15 “(A) makes a false statement in connection
16 with the criminal background check described in
17 paragraph (1)(C);

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

24 “(C) has been convicted of a felony con-
25 sisting of—

- 1 “(i) homicide;
- 2 “(ii) child abuse or neglect;
- 3 “(iii) a crime against children, includ-
- 4 ing child pornography;
- 5 “(iv) a crime involving rape or sexual
- 6 assault; or
- 7 “(v) physical assault, battery, or a
- 8 drug-related offense, committed within the
- 9 past 5 years.”;

10 (3) in subsection (c)—

11 (A) in paragraph (1)—

12 (i) by striking “2 years” and inserting

13 “year”; and

14 (ii) by striking “an assignment” and

15 inserting “a”; and

16 (B) in paragraph (2)—

17 (i) in the matter preceding subpara-

18 graph (A), by striking “, every 2 years,”;

19 (ii) in subparagraph (B), by striking

20 “and” at the end;

21 (iii) in subparagraph (C)—

22 (I) by inserting “the education

23 and training” after “including”; and

24 (II) by striking the period at the

25 end and inserting “; and”; and

1 (iv) by adding at the end the fol-
2 lowing:

3 “(D) the performance of the Job Corps
4 center relating to the indicators described in
5 paragraphs (1) and (2) in section 159(c), and
6 whether any actions have been taken with re-
7 spect to such center pursuant to section
8 159(f).”; and

9 (4) in subsection (d)—

10 (A) in paragraph (1)—

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

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

20 (iii) by redesignating subparagraphs
21 (B) and (C) as subparagraphs (A) and
22 (B), respectively; and

23 (B) in paragraph (2), by inserting “that
24 offers the career and technical education and

1 training desired by” after “home of the en-
2 rollee”.

3 **SEC. 430. JOB CORPS CENTERS.**

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

5 (1) in subsection (a)—

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

9 (B) in paragraph (2)—

10 (i) in subparagraph (A)—

11 (I) by striking “subsections (c)
12 and (d) of section 303 of the Federal
13 Property and Administrative Services
14 Act of 1949 (41 U.S.C. 253)” and in-
15 serting “subsections (a) and (b) of
16 section 3304 of title 41, United States
17 Code”; and

18 (II) by striking “industry coun-
19 cil” and inserting “workforce coun-
20 cil”;

21 (ii) in subparagraph (B)(i)—

22 (I) by amending subclause (II) to
23 read as follows:

24 “(II) the ability of the entity to
25 offer career and technical education

1 and training that the workforce coun-
2 cil proposes under section 154(c);”;

3 (II) in subclause (III), by strik-
4 ing “is familiar with the surrounding
5 communities, applicable” and insert-
6 ing “demonstrates relationships with
7 the surrounding communities, employ-
8 ers, workforce boards,” and by strik-
9 ing “and” at the end;

10 (III) by amending subclause (IV)
11 to read as follows:

12 “(IV) the performance of the en-
13 tity, if any, relating to operating or
14 providing activities described in this
15 subtitle to a Job Corps center, includ-
16 ing the entity’s demonstrated effec-
17 tiveness in assisting individuals in
18 achieving the primary and secondary
19 indicators of performance described in
20 paragraphs (1) and (2) of section
21 159(c); and”;

22 (IV) by adding at the end the fol-
23 lowing new subclause:

24 “(V) the ability of the entity to
25 demonstrate a record of successfully

1 assisting at-risk youth to connect to
2 the workforce, including by providing
3 them with intensive academic, and ca-
4 reer and technical education and
5 training.”; and

6 (iii) in subparagraph (B)(ii)—

7 (I) by striking “, as appro-
8 priate”; and

9 (II) by striking “through (IV)”
10 and inserting “through (V)”;

11 (2) in subsection (b), by striking “In any year,
12 no more than 20 percent of the individuals enrolled
13 in the Job Corps may be nonresidential participants
14 in the Job Corps.”;

15 (3) by amending subsection (c) to read as fol-
16 lows:

17 “(c) CIVILIAN CONSERVATION CENTERS.—

18 “(1) IN GENERAL.—The Job Corps centers may
19 include Civilian Conservation Centers, operated
20 under an agreement between the Secretary of Labor
21 and the Secretary of Agriculture, that are located
22 primarily in rural areas. Such centers shall adhere
23 to all the provisions of this subtitle, and shall pro-
24 vide, in addition to education, career and technical
25 education and training, and workforce preparation

1 skills training described in section 148, programs of
2 work experience to conserve, develop, or manage
3 public natural resources or public recreational areas
4 or to develop community projects in the public inter-
5 est.

6 “(2) SELECTION PROCESS.—The Secretary
7 shall select an entity that submits an application
8 under subsection (d) to operate a Civilian Conserva-
9 tion Center on a competitive basis, as provided in
10 subsection (a).”; and

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

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

18 “(1) a description of the program activities that
19 will be offered at the center, including how the ca-
20 reer and technical education and training reflect
21 State and local employment opportunities, including
22 in in-demand industries;

23 “(2) a description of the counseling, placement,
24 and support activities that will be offered at the cen-
25 ter, including a description of the strategies and pro-

1 cedures the entity will use to place graduates into
2 unsubsidized employment upon completion of the
3 program;

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

8 “(4) a description of the relationships that the
9 entity has developed with State and local workforce
10 boards, employers, State and local educational agen-
11 cies, and the surrounding communities in an effort
12 to promote a comprehensive statewide workforce in-
13 vestment system;

14 “(5) a description of the strong fiscal controls
15 the entity has in place to ensure proper accounting
16 of Federal funds, and a description of how the entity
17 will meet the requirements of section 159(a);

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

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

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

1 “(9) a detailed budget of the activities that will
2 be supported using funds from non-Federal re-
3 sources;

4 “(10) an assurance the entity will comply with
5 the administrative cost limitation included in section
6 151(c);

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

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

12 “(e) LENGTH OF AGREEMENT.—The agreement de-
13 scribed in subsection (a)(1)(A) shall be for not longer than
14 a 2-year period. The Secretary may renew the agreement
15 for 3 1-year periods if the entity meets the requirements
16 of subsection (f).

17 “(f) RENEWAL.—

18 “(1) IN GENERAL.—Subject to paragraph (2),
19 the Secretary may renew the terms of an agreement
20 described in subsection (a)(1)(A) for an entity to op-
21 erate a Job Corps center if the center meets or ex-
22 ceeds each of the indicators of performance de-
23 scribed in section 159(c)(1).

24 “(2) RECOMPETITION.—

1 “(A) IN GENERAL.—Notwithstanding para-
2 graph (1), the Secretary shall not renew the
3 terms of the agreement for an entity to operate
4 a Job Corps center if such center is ranked in
5 the bottom quintile of centers described in sec-
6 tion 159(f)(2) for any program year. Such enti-
7 ty may submit a new application under sub-
8 section (d) only if such center has shown sig-
9 nificant improvement on the indicators of per-
10 formance described in section 159(c)(1) over
11 the last program year.

12 “(B) VIOLATIONS.—The Secretary shall
13 not select an entity to operate a Job Corps cen-
14 ter if such entity or such center has been found
15 to have a systemic or substantial material fail-
16 ure that involves—

17 “(i) a threat to the health, safety, or
18 civil rights of program participants or
19 staff;

20 “(ii) the misuse of funds received
21 under this subtitle;

22 “(iii) loss of legal status or financial
23 viability, loss of permits, debarment from
24 receiving Federal grants or contracts, or
25 the improper use of Federal funds;

1 “(iv) failure to meet any other Fed-
 2 eral or State requirement that the entity
 3 has shown an unwillingness or inability to
 4 correct, after notice from the Secretary,
 5 within the period specified; or

6 “(v) an unresolved area of noncompli-
 7 ance.

8 “(g) CURRENT GRANTEES.—Not later than 60 days
 9 after the date of enactment of the SKILLS Act and not-
 10 withstanding any previous grant award or renewals of
 11 such award under this subtitle, the Secretary shall require
 12 all entities operating a Job Corps center under this sub-
 13 title to submit an application under subsection (d) to carry
 14 out the requirements of this section.”.

15 **SEC. 431. PROGRAM ACTIVITIES.**

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

17 (1) by amending subsection (a) to read as fol-
 18 lows:

19 “(a) ACTIVITIES PROVIDED THROUGH JOB CORPS
 20 CENTERS.—

21 “(1) IN GENERAL.—Each Job Corps center
 22 shall provide enrollees with an intensive, well-orga-
 23 nized, and supervised program of education, career
 24 and technical education and training, work experi-
 25 ence, recreational activities, physical rehabilitation

1 and development, and counseling. Each Job Corps
2 center shall provide enrollees assigned to the center
3 with access to work ready services described in sec-
4 tion 134(c)(2).

5 “(2) RELATIONSHIP TO OPPORTUNITIES.—

6 “(A) IN GENERAL.—The activities pro-
7 vided under this subsection shall be targeted to
8 helping enrollees, on completion of their enroll-
9 ment—

10 “(i) secure and maintain meaningful
11 unsubsidized employment;

12 “(ii) complete secondary education
13 and obtain a regular secondary school di-
14 ploma;

15 “(iii) enroll in and complete postsec-
16 ondary education or training programs, in-
17 cluding obtaining recognized postsecondary
18 credentials (such as industry-recognized
19 credentials and certificates from registered
20 apprenticeship programs); or

21 “(iv) satisfy Armed Forces require-
22 ments.

23 “(B) LINK TO EMPLOYMENT OPPORTUNI-
24 TIES.—The career and technical education and
25 training provided shall be linked to the employ-

1 ment opportunities in in-demand industries in
2 the State in which the Job Corps center is lo-
3 cated.”;

4 (2) in subsection (b)—

5 (A) in the subsection heading, by striking
6 “EDUCATION AND VOCATIONAL” and inserting
7 “ACADEMIC AND CAREER AND TECHNICAL
8 EDUCATION AND”;

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

11 (C) by striking “vocational” each place it
12 appears and inserting “career and technical”;
13 and

14 (3) by amending paragraph (3) of subsection
15 (c) to read as follows:

16 “(3) DEMONSTRATION.—Each year, any oper-
17 ator seeking to enroll additional enrollees in an ad-
18 vanced career training program shall demonstrate,
19 before the operator may carry out such additional
20 enrollment, that—

21 “(A) participants in such program have
22 achieved a satisfactory rate of completion and
23 placement in training-related jobs; and

24 “(B) such operator has met or exceeded
25 the indicators of performance described in para-

1 graphs (1) and (2) of section 159(c) for the
2 previous year.”.

3 **SEC. 432. COUNSELING AND JOB PLACEMENT.**

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

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

7 (2) in subsection (b)—

8 (A) by striking “make every effort to ar-
9 range to”; and

10 (B) by striking “to assist” and inserting
11 “assist”; and

12 (3) by striking subsection (d).

13 **SEC. 433. SUPPORT.**

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

16 “(b) **TRANSITION ALLOWANCES AND SUPPORT FOR**
17 **GRADUATES.**—The Secretary shall arrange for a transi-
18 tion allowance to be paid to graduates. The transition al-
19 lowance shall be incentive-based to reflect a graduate’s
20 completion of academic, career and technical education or
21 training, and attainment of a recognized postsecondary
22 credential, including an industry-recognized credential.”.

23 **SEC. 434. OPERATIONS.**

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

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

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

5 (3) by striking subsection (b) and redesignating
6 subsection (c) as subsection (b);

7 (4) by amending subsection (b) (as so redesign-
8 nated)—

9 (A) in the heading by inserting “OF OPER-
10 ATING PLAN” after “AVAILABILITY”; and

11 (B) by striking “subsections (a) and (b)”
12 and inserting “subsection (a)”; and

13 (5) by adding at the end the following new sub-
14 section:

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

19 **SEC. 435. COMMUNITY PARTICIPATION.**

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

22 **“SEC. 153. COMMUNITY PARTICIPATION.**

23 “The director of each Job Corps center shall encour-
24 age and cooperate in activities to establish a mutually ben-
25 efcial relationship between Job Corps centers in the State

1 and nearby communities. Such activities may include the
 2 use of any local workforce development boards established
 3 under section 117 to provide a mechanism for joint discus-
 4 sion of common problems and for planning programs of
 5 mutual interest.”.

6 **SEC. 436. WORKFORCE COUNCILS.**

7 Section 154 (29 U.S.C. 2894) is amended to read as
 8 follows:

9 **“SEC. 154. WORKFORCE COUNCILS.**

10 “(a) IN GENERAL.—Each Job Corps center shall
 11 have a workforce council appointed by the Governor of the
 12 State in which the Job Corps center is located.

13 “(b) WORKFORCE COUNCIL COMPOSITION.—

14 “(1) IN GENERAL.—A workforce council shall
 15 be comprised of—

16 “(A) business members of the State board
 17 described in section 111(b)(1)(B)(i);

18 “(B) business members of the local boards
 19 described in section 117(b)(2)(A) located in the
 20 State;

21 “(C) a representative of the State board
 22 described in section 111(f); and

23 “(D) such other representatives and State
 24 agency officials as the Governor may designate.

1 “(2) MAJORITY.—A $\frac{2}{3}$ majority of the mem-
2 bers of the workforce council shall be representatives
3 described in paragraph (1)(A).

4 “(c) RESPONSIBILITIES.—The responsibilities of the
5 workforce council shall be—

6 “(1) to review all the relevant labor market in-
7 formation, including related information in the State
8 plan described in section 112, to—

9 “(A) determine the in-demand industries
10 in the State in which enrollees intend to seek
11 employment after graduation;

12 “(B) determine the skills and education
13 that are necessary to obtain the employment
14 opportunities described in subparagraph (A);
15 and

16 “(C) determine the type or types of career
17 and technical education and training that will
18 be implemented at the center to enable the en-
19 rollees to obtain the employment opportunities;
20 and

21 “(2) to meet at least once a year to reevaluate
22 the labor market information, and other relevant in-
23 formation, to determine any necessary changes in
24 the career and technical education and training pro-
25 vided at the center.”.

1 **SEC. 437. TECHNICAL ASSISTANCE.**

2 Section 156 (29 U.S.C. 2896) is amended to read as
3 follows:

4 **“SEC. 156. TECHNICAL ASSISTANCE TO CENTERS.**

5 “(a) IN GENERAL.—From the funds reserved under
6 section 132(a)(3), the Secretary shall provide, directly or
7 through grants, contracts, or other agreements or ar-
8 rangements as the Secretary considers appropriate, tech-
9 nical assistance and training for the Job Corps program
10 for the purposes of improving program quality.

11 “(b) ACTIVITIES.—In providing training and tech-
12 nical assistance and for allocating resources for such as-
13 sistance, the Secretary shall—

14 “(1) assist entities, including those entities not
15 currently operating a Job Corps center, in devel-
16 oping the application described in section 147(d);

17 “(2) assist Job Corps centers and programs in
18 correcting deficiencies and violations under this sub-
19 title;

20 “(3) assist Job Corps centers and programs in
21 meeting or exceeding the indicators of performance
22 described in paragraph (1) and (2) of section 159(c);
23 and

24 “(4) assist Job Corps centers and programs in
25 the development of sound management practices, in-
26 cluding financial management procedures.”.

1 **SEC. 438. SPECIAL PROVISIONS.**

2 Section 158(c)(1) (29 U.S.C. 2989(c)(1)) is amended
3 by striking “title II of the Federal Property and Adminis-
4 trative Services Act of 1949 (40 U.S.C. 481 et seq.)” and
5 inserting “chapter 5 of title 40, United States Code,”.

6 **SEC. 439. PERFORMANCE ACCOUNTABILITY MANAGEMENT.**

7 Section 159 (29 U.S.C. 2899) is amended—

8 (1) in the section heading, by striking “**MAN-**
9 **AGEMENT INFORMATION**” and inserting “**PER-**
10 **FORMANCE ACCOUNTABILITY AND MANAGE-**
11 **MENT**”;

12 (2) in subsection (a)(3), by inserting before the
13 period at the end the following: “, or operating costs
14 for such centers result in a budgetary shortfall”;

15 (3) by striking subsections (c) through (g); and

16 (4) by inserting after subsection (b) the fol-
17 lowing:

18 “(c) INDICATORS OF PERFORMANCE.—

19 “(1) PRIMARY INDICATORS.—The annual pri-
20 mary indicators of performance for Job Corps cen-
21 ters shall include—

22 “(A) the percentage and number of enroll-
23 ees who graduate from the Job Corps center;

24 “(B) the percentage and number of grad-
25 uates who entered unsubsidized employment re-
26 lated to the career and technical education and

1 training received through the Job Corps center,
2 except that such calculation shall not include
3 enrollment in education, the military, or volun-
4 teer service;

5 “(C) the percentage and number of grad-
6 uates who obtained a recognized postsecondary
7 credential, including an industry-recognized cre-
8 dential or a certificate from a registered ap-
9 prenticeship program; and

10 “(D) the cost per successful performance
11 outcome, which is calculated by comparing the
12 number of graduates who were placed in unsub-
13 sidized employment or obtained a recognized
14 postsecondary credential, including an industry-
15 recognized credential, to total program costs,
16 including all operations, construction, and ad-
17 ministration costs at each Job Corps center.

18 “(2) SECONDARY INDICATORS.—The annual
19 secondary indicators of performance for Job Corps
20 centers shall include—

21 “(A) the percentage and number of grad-
22 uates who entered unsubsidized employment not
23 related to the career and technical education
24 and training received through the Job Corps
25 center;

1 “(B) the percentage and number of grad-
2 uates who entered into postsecondary education;

3 “(C) the percentage and number of grad-
4 uates who entered into the military;

5 “(D) the average wage of graduates who
6 are in unsubsidized employment—

7 “(i) on the first day of employment;

8 and

9 “(ii) 6 months after the first day;

10 “(E) the number and percentage of grad-
11 uates who entered unsubsidized employment
12 and were retained in the unsubsidized employ-
13 ment—

14 “(i) 6 months after the first day of
15 employment; and

16 “(ii) 12 months after the first day of
17 employment;

18 “(F) the percentage and number of enroll-
19 ees compared to the percentage and number of
20 enrollees the Secretary has established as tar-
21 gets in section 145(c)(1);

22 “(G) the cost per training slot, which is
23 calculated by comparing the program’s max-
24 imum number of enrollees that can be enrolled
25 in a Job Corps center at any given time during

1 the program year to the number of enrollees in
2 the same program year; and

3 “(H) the number and percentage of former
4 enrollees, including the number dismissed under
5 the zero tolerance policy described in section
6 152(b).

7 “(3) INDICATORS OF PERFORMANCE FOR RE-
8 CRUITERS.—The annual indicators of performance
9 for recruiters shall include the measurements de-
10 scribed in subparagraph (A) of paragraph (1) and
11 subparagraphs (F), (G), and (H) of paragraph (2).

12 “(4) INDICATORS OF PERFORMANCE OF CAREER
13 TRANSITION SERVICE PROVIDERS.—The annual indi-
14 cators of performance of career transition service
15 providers shall include the measurements described
16 in subparagraphs (B) and (C) of paragraph (1) and
17 subparagraphs, (B), (C), (D), and (E) of paragraph
18 (2).

19 “(d) ADDITIONAL INFORMATION.—The Secretary
20 shall collect, and submit in the report described in sub-
21 section (f), information on the performance of each Job
22 Corps center, and the Job Corps program, regarding—

23 “(1) the number and percentage of former en-
24 rollees who obtained a regular secondary school di-
25 ploma;

1 “(2) the number and percentage of former en-
2 rollees who entered unsubsidized employment;

3 “(3) the number and percentage of former en-
4 rollees who obtained a recognized postsecondary cre-
5 dential, including an industry-recognized credential;

6 “(4) the number and percentage of former en-
7 rollees who entered into military service; and

8 “(5) any additional information required by the
9 Secretary.

10 “(e) METHODS.—The Secretary shall collect the in-
11 formation described in subsections (c) and (d), using
12 methods described in section 136(f)(2) and consistent with
13 State law, by entering into agreements with the States to
14 access such data for Job Corps enrollees, former enrollees,
15 and graduates.

16 “(f) TRANSPARENCY AND ACCOUNTABILITY.—

17 “(1) REPORT.—The Secretary shall collect and
18 annually submit to the Committee on Education and
19 the Workforce of the House of Representatives and
20 the Committee on Health, Education, Labor, and
21 Pensions of the Senate, and make available to the
22 public by electronic means, a report containing—

23 “(A) information on the performance of
24 each Job Corps center, and the Job Corps pro-

1 gram, on the performance indicators described
2 in paragraphs (1) and (2) of subsection (c);

3 “(B) a comparison of each Job Corps cen-
4 ter, by rank, on the performance indicators de-
5 scribed in paragraphs (1) and (2) of subsection
6 (c);

7 “(C) a comparison of each Job Corps cen-
8 ter, by rank, on the average performance of all
9 primary indicators described in paragraph (1)
10 of subsection (c);

11 “(D) information on the performance of
12 the service providers described in paragraphs
13 (3) and (4) of subsection (c) on the perform-
14 ance indicators established under such para-
15 graphs; and

16 “(E) a comparison of each service pro-
17 vider, by rank, on the performance of all service
18 providers described in paragraphs (3) and (4)
19 of subsection (c) on the performance indicators
20 established under such paragraphs.

21 “(2) ASSESSMENT.—The Secretary shall con-
22 duct an annual assessment of the performance of
23 each Job Corps center which shall include informa-
24 tion on the Job Corps centers that—

1 “(A) are ranked in the bottom 10 percent
2 on the performance indicator described in para-
3 graph (1)(C); or

4 “(B) have failed a safety and health code
5 review described in subsection (g).

6 “(3) PERFORMANCE IMPROVEMENT.—With re-
7 spect to a Job Corps center that is identified under
8 paragraph (2) or reports less than 50 percent on the
9 performance indicators described in subparagraph
10 (A), (B), or (C) of subsection (c)(1), the Secretary
11 shall develop and implement a 1-year performance
12 improvement plan. Such a plan shall require action
13 including—

14 “(A) providing technical assistance to the
15 center;

16 “(B) changing the management staff of
17 the center;

18 “(C) replacing the operator of the center;

19 “(D) reducing the capacity of the center;

20 or

21 “(E) closing the center.

22 “(4) CLOSURE OF JOB CORPS CENTERS.—Job
23 Corps centers that have been identified under para-
24 graph (2) for more than 4 consecutive years shall be
25 closed. The Secretary shall ensure—

1 “(A) that the proposed decision to close
2 the center is announced in advance to the gen-
3 eral public through publication in the Federal
4 Register and other appropriate means; and

5 “(B) the establishment of a reasonable
6 comment period, not to exceed 30 days, for in-
7 terested individuals to submit written comments
8 to the Secretary.

9 “(g) PARTICIPANT HEALTH AND SAFETY.—The Sec-
10 retary shall enter into an agreement with the General
11 Services Administration or the appropriate State agency
12 responsible for inspecting public buildings and safe-
13 guarding the health of disadvantaged students, to conduct
14 an in-person review of the physical condition and health-
15 related activities of each Job Corps center annually. Such
16 review shall include a passing rate of occupancy under
17 Federal and State ordinances.”.

18 **CHAPTER 4—NATIONAL PROGRAMS**

19 **SEC. 441. TECHNICAL ASSISTANCE.**

20 Section 170 (29 U.S.C. 2915) is amended—

21 (1) by striking subsection (b);

22 (2) by striking:

23 “(a) GENERAL TECHNICAL ASSISTANCE.—”;

24 (3) by redesignating paragraphs (1), (2), and

25 (3) as subsections (a), (b), and (c) respectively, and

1 moving such subsections 2 ems to the left, and con-
2 forming the casing style of the headings of such sub-
3 sections to the casing style of the heading of sub-
4 section (d), as added by paragraph (7) of this sec-
5 tion;

6 (4) in subsection (a) (as so redesignated)—

7 (A) by inserting “the training of staff pro-
8 viding rapid response services and additional
9 assistance, the training of other staff of recipi-
10 ents of funds under this title, assistance regard-
11 ing accounting and program operation practices
12 (when such assistance would not be duplicative
13 to assistance provided by the State), technical
14 assistance to States that do not meet State per-
15 formance measures described in section 136,”
16 after “localities,”; and

17 (B) by striking “from carrying out activi-
18 ties” and all that follows up to the period and
19 inserting “to implement the amendments made
20 by the SKILLS Act”;

21 (5) in subsection (b) (as so redesignated)—

22 (A) by striking “paragraph (1)” and in-
23 serting “subsection (a)”;

1 (B) by striking “, or recipient of financial
2 assistance under any of sections 166 through
3 169,”; and

4 (C) by striking “or grant recipient”;

5 (6) in subsection (c) (as so redesignated), by
6 striking “paragraph (1)” and inserting “subsection
7 (a)”;

8 (7) by inserting, after subsection (c) (as so re-
9 designated), the following:

10 “(d) BEST PRACTICES COORDINATION.—The Sec-
11 retary shall—

12 “(1) establish a system through which States
13 may share information regarding best practices with
14 regard to the operation of workforce investment ac-
15 tivities under this Act; and

16 “(2) evaluate and disseminate information re-
17 garding best practices and identify knowledge
18 gaps.”.

19 **SEC. 442. EVALUATIONS.**

20 Section 172 (29 U.S.C. 2917) is amended—

21 (1) in subsection (a), by striking “the Secretary
22 shall provide for the continuing evaluation of the
23 programs and activities, including those programs
24 and activities carried out under section 171” and in-
25 serting “the Secretary, through grants, contracts, or

1 cooperative agreements, shall conduct, at least once
2 every 5 years, an independent evaluation of the pro-
3 grams and activities funded under this Act”;

4 (2) by amending subsection (a)(4) to read as
5 follows:

6 “(4) the impact of receiving services and not re-
7 ceiving services under such programs and activities
8 on the community, businesses, and individuals;”;

9 (3) by amending subsection (c) to read as fol-
10 lows:

11 “(c) TECHNIQUES.—Evaluations conducted under
12 this section shall utilize appropriate and rigorous method-
13 ology and research designs, including the use of control
14 groups chosen by scientific random assignment methodolo-
15 gies, quasi-experimental methods, impact analysis and the
16 use of administrative data. The Secretary shall conduct
17 an impact analysis, as described in subsection (a)(4), of
18 the formula grant program under subtitle B not later than
19 2016, and thereafter shall conduct such an analysis not
20 less than once every 4 years.”;

21 (4) in subsection (e), by striking “the Com-
22 mittee on Labor and Human Resources of the Sen-
23 ate” and inserting “the Committee on Health, Edu-
24 cation, Labor, and Pensions of the Senate”;

1 (5) by redesignating subsection (f) as sub-
 2 section (g) and inserting after subsection (e) the fol-
 3 lowing:

4 “(f) REDUCTION OF AMOUNTS AUTHORIZED TO BE
 5 APPROPRIATED FOR LATE REPORTING.—If a report re-
 6 quired to be transmitted to Congress under this section
 7 is not transmitted on or before the time period specified
 8 for that report, amounts authorized to be appropriated
 9 under this title shall be reduced by 10 percent for the fis-
 10 cal year that begins after the date on which the final re-
 11 port required under this section is required to be trans-
 12 mitted and reduced by an additional 10 percent each sub-
 13 sequent fiscal year until each such report is transmitted
 14 to Congress.”; and

15 (6) by adding at the end, the following:

16 “(h) PUBLIC AVAILABILITY.—The results of the eval-
 17 uations conducted under this section shall be made pub-
 18 licly available, including by posting such results on the De-
 19 partment’s website.”.

20 **CHAPTER 5—ADMINISTRATION**

21 **SEC. 446. REQUIREMENTS AND RESTRICTIONS.**

22 Section 181 (29 U.S.C. 2931) is amended—

23 (1) in subsection (b)(6), by striking “, including
 24 representatives of businesses and of labor organiza-
 25 tions,”;

1 (2) in subsection (c)(2)(A), in the matter pre-
2 ceding clause (i), by striking “shall” and inserting
3 “may”;

4 (3) in subsection (e)—

5 (A) by striking “training for” and insert-
6 ing “the entry into employment, retention in
7 employment, or increases in earnings of”; and

8 (B) by striking “subtitle B” and inserting
9 “this Act”;

10 (4) in subsection (f)(4), by striking
11 “134(a)(3)(B)” and inserting “133(a)(4)”; and

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

13 “(g) SALARY AND BONUS LIMITATION.—

14 “(1) IN GENERAL.—No funds provided under
15 this title shall be used by a recipient or subrecipient
16 of such funds to pay the salary and bonuses of an
17 individual, either as direct costs or indirect costs, at
18 a rate in excess of the rate prescribed in level II of
19 the Executive Schedule under section 5315 of title
20 5, United States Code.

21 “(2) VENDORS.—The limitation described in
22 paragraph (1) shall not apply to vendors providing
23 goods and services as defined in OMB Circular A-
24 133.

1 “(3) LOWER LIMIT.—In a case in which a State
2 is a recipient of such funds, the State may establish
3 a lower limit than is provided in paragraph (1) for
4 salaries and bonuses of those receiving salaries and
5 bonuses from a subrecipient of such funds, taking
6 into account factors including the relative cost of liv-
7 ing in the State, the compensation levels for com-
8 parable State or local government employees, and
9 the size of the organizations that administer the
10 Federal programs involved.

11 “(h) GENERAL AUTHORITY.—

12 “(1) IN GENERAL.—The Employment and
13 Training Administration of the Department of
14 Labor (referred to in this Act as the ‘Administra-
15 tion’) shall administer all programs authorized under
16 title I and the Wagner-Peyser Act (29 U.S.C. 49 et
17 seq.). The Administration shall be headed by an As-
18 sistant Secretary appointed by the President by and
19 with the advice and consent of the Senate. Except
20 for title II and the Rehabilitation Act of 1973 (29
21 U.S.C. 701 et seq.), the Administration shall be the
22 principal agency, and the Assistant Secretary shall
23 be the principal officer, of such Department for car-
24 rying out this Act.

1 “(2) QUALIFICATIONS.—The Assistant Sec-
2 retary shall be an individual with substantial experi-
3 ence in workforce development and in workforce de-
4 velopment management. The Assistant Secretary
5 shall also, to the maximum extent possible, possess
6 knowledge and have worked in or with the State or
7 local workforce investment system or have been a
8 member of the business community.

9 “(3) FUNCTIONS.—In the performance of the
10 functions of the office, the Assistant Secretary shall
11 be directly responsible to the Secretary or the Dep-
12 uty Secretary of Labor, as determined by the Sec-
13 retary. The functions of the Assistant Secretary
14 shall not be delegated to any officer not directly re-
15 sponsible, both with respect to program operation
16 and administration, to the Assistant Secretary. Any
17 reference in this Act to duties to be carried out by
18 the Assistant Secretary shall be considered to be a
19 reference to duties to be carried out by the Secretary
20 acting through the Assistant Secretary.”.

21 **SEC. 447. PROMPT ALLOCATION OF FUNDS.**

22 Section 182 (29 U.S.C. 2932) is amended—

23 (1) in subsection (c)—

24 (A) by striking “127 or”; and

1 (B) by striking “, except that” and all that
2 follows and inserting a period; and

3 (2) in subsection (e)—

4 (A) by striking “sections 128 and 133”
5 and inserting “section 133”; and

6 (B) by striking “127 or”.

7 **SEC. 448. FISCAL CONTROLS; SANCTIONS.**

8 Section 184(a)(2) (29 U.S.C. 2934(a)(2)) is amend-
9 ed—

10 (1) by striking “(A)” and all that follows
11 through “Each” and inserting “Each”; and

12 (2) by striking subparagraph (B).

13 **SEC. 449. REPORTS TO CONGRESS.**

14 Section 185 (29 U.S.C. 2935) is amended—

15 (1) in subsection (c)—

16 (A) in paragraph (2), by striking “and”
17 after the semicolon;

18 (B) in paragraph (3), by striking the pe-
19 riod and inserting “; and”; and

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

21 “(4) shall have the option to submit or dissemi-
22 nate electronically any reports, records, plans, or
23 other data that are required to be collected or dis-
24 seminated under this title.”; and

1 (2) in subsection (e)(2), by inserting “and the
 2 Secretary shall submit to the Committee on Edu-
 3 cation and the Workforce of the House of Rep-
 4 resentatives and the Committee on Health, Edu-
 5 cation, Labor, and Pensions of the Senate,” after
 6 “Secretary,”.

7 **SEC. 450. ADMINISTRATIVE PROVISIONS.**

8 Section 189 (29 U.S.C. 2939) is amended—

9 (1) in subsection (g)—

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

12 “(1) IN GENERAL.—Appropriations for any fis-
 13 cal year for programs and activities carried out
 14 under this title shall be available for obligation only
 15 on the basis of a program year. The program year
 16 shall begin on October 1 in the fiscal year for which
 17 the appropriation is made.”; and

18 (B) in paragraph (2)—

19 (i) in the first sentence, by striking
 20 “each State” and inserting “each recipient
 21 (except as otherwise provided in this para-
 22 graph)”; and

23 (ii) in the second sentence, by striking
 24 “171 or”; and

25 (2) in subsection (i)—

1 (A) by striking paragraphs (2) and (3);

2 (B) by redesignating paragraph (4) as
3 paragraph (2);

4 (C) by amending paragraph (2)(A), as so
5 redesignated—

6 (i) in clause (i), by striking “; and”
7 and inserting a period at the end;

8 (ii) by striking “requirements of sub-
9 paragraph (B)” and all that follows
10 through “any of the statutory or regu-
11 latory requirements of subtitle B” and in-
12 sserting “requirements of subparagraph (B)
13 or (D), any of the statutory or regulatory
14 requirements of subtitle B”; and

15 (iii) by striking clause (ii); and

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

17 “(D) EXPEDITED PROCESS FOR EXTEND-
18 ING APPROVED WAIVERS TO ADDITIONAL
19 STATES.—The Secretary may establish an expe-
20 dited procedure for the purpose of extending to
21 additional States the waiver of statutory or reg-
22 ulatory requirements that have been approved
23 for a State pursuant to a request under sub-
24 paragraph (B), in lieu of requiring the addi-
25 tional States to meet the requirements of sub-

1 paragraphs (B) and (C). Such procedure shall
2 ensure that the extension of such a waiver to
3 additional States is accompanied by appropriate
4 conditions relating to the implementation of
5 such waiver.

6 “(E) EXTERNAL CONDITIONS.—The Sec-
7 retary shall not require or impose new or addi-
8 tional requirements, that are not specified
9 under this Act, on a State in exchange for pro-
10 viding a waiver to the State or a local area in
11 the State under this paragraph.”.

12 **SEC. 451. STATE LEGISLATIVE AUTHORITY.**

13 Section 191(a) (29 U.S.C. 2941(a)) is amended—

14 (1) by striking “consistent with the provisions
15 of this title” and inserting “consistent with State
16 law and the provisions of this title”; and

17 (2) by striking “consistent with the terms and
18 conditions required under this title” and inserting
19 “consistent with State law and the terms and condi-
20 tions required under this title”.

21 **SEC. 452. GENERAL PROGRAM REQUIREMENTS.**

22 Section 195 (29 U.S.C. 2945) is amended—

23 (1) in paragraph (7), by inserting at the end
24 the following:

1 “(D) Funds received under a program by a
2 public or private nonprofit entity that are not de-
3 scribed in subparagraph (B), such as funds privately
4 raised from philanthropic foundations, businesses, or
5 other private entities, shall not be considered to be
6 income under this title and shall not be subject to
7 the requirements of this paragraph.”;

8 (2) by striking paragraph (9);

9 (3) by redesignating paragraphs (10) through
10 (13) as paragraphs (9) through (12), respectively;
11 and

12 (4) by adding at the end the following new
13 paragraphs:

14 “(13) Funds provided under this title shall not
15 be used to establish or operate stand-alone fee-for-
16 service enterprises that compete with private sector
17 employment agencies within the meaning of section
18 701(c) of the Civil Rights Act of 1964 (42 U.S.C.
19 2000e(c)), except that for purposes of this para-
20 graph, such an enterprise does not include a one-
21 stop center.

22 “(14) Any report required to be submitted to
23 Congress, or to a Committee of Congress, under this
24 title shall be submitted to both the chairmen and
25 ranking minority members of the Committee on

1 Education and the Workforce of the House of Rep-
2 resentatives and the Committee on Health, Edu-
3 cation, Labor, and Pensions of the Senate.”.

4 **SEC. 453. FEDERAL AGENCY STAFF AND RESTRICTIONS ON**
5 **POLITICAL AND LOBBYING ACTIVITIES.**

6 Subtitle E of title I (29 U.S.C. 2931 et seq.) is
7 amended by adding at the end the following new sections:

8 **“SEC. 196. FEDERAL AGENCY STAFF.**

9 “The Director of the Office of Management and
10 Budget shall—

11 “(1) not later than 60 days after the date of
12 the enactment of the SKILLS Act—

13 “(A) identify the number of Federal Gov-
14 ernment employees who, on the day before the
15 date of enactment of the SKILLS Act, worked
16 on or administered each of the programs and
17 activities that were authorized under this Act or
18 were authorized under a provision listed in sec-
19 tion 401 of the SKILLS Act; and

20 “(B) identify the number of full-time
21 equivalent employees who on the day before
22 that date of enactment, worked on or adminis-
23 tered each of the programs and activities de-
24 scribed in subparagraph (A), on functions for
25 which the authorizing provision has been re-

1 pealed, or for which an amount has been con-
 2 solidated (if such employee is in a duplicate po-
 3 sition), on or after such date of enactment;

4 “(2) not later than 90 after such date of enact-
 5 ment, publish the information described in para-
 6 graph (1) on the Office of Management and Budget
 7 website; and

8 “(3) not later than 1 year after such date of en-
 9 actment—

10 “(A) reduce the workforce of the Federal
 11 Government by the number of full-time equiva-
 12 lent employees identified under paragraph
 13 (1)(B); and

14 “(B) submit to Congress a report on how
 15 the Director carried out the requirements of
 16 subparagraph (A).

17 **“SEC. 197. RESTRICTIONS ON LOBBYING AND POLITICAL**
 18 **ACTIVITIES.**

19 “(a) LOBBYING RESTRICTIONS.—

20 “(1) PUBLICITY RESTRICTIONS.—

21 “(A) IN GENERAL.—Subject to subpara-
 22 graph (B), no funds provided under this Act
 23 shall be used or proposed for use, for—

24 “(i) publicity or propaganda purposes;

25 or

1 “(ii) the preparation, distribution, or
2 use of any kit, pamphlet, booklet, publica-
3 tion, electronic communication, radio, tele-
4 vision, or video presentation designed to
5 support or defeat the enactment of legisla-
6 tion before the Congress or any State or
7 local legislature or legislative body.

8 “(B) EXCEPTION.—Subparagraph (A)
9 shall not apply to—

10 “(i) normal and recognized executive-
11 legislative relationships;

12 “(ii) the preparation, distribution, or
13 use of the materials described in subpara-
14 graph (A)(ii) in presentation to the Con-
15 gress or any State or local legislature or
16 legislative body (except that this subpara-
17 graph does not apply with respect to such
18 preparation, distribution, or use in presen-
19 tation to the executive branch of any State
20 or local government); or

21 “(iii) such preparation, distribution,
22 or use of such materials, that are designed
23 to support or defeat any proposed or pend-
24 ing regulation, administrative action, or

1 order issued by the executive branch of any
2 State or local government.

3 “(2) SALARY PAYMENT RESTRICTION.—No
4 funds provided under this Act shall be used, or pro-
5 posed for use, to pay the salary or expenses of any
6 grant or contract recipient, or agent acting for such
7 recipient, related to any activity designed to influ-
8 ence the enactment or issuance of legislation, appro-
9 priations, regulations, administrative action, or an
10 executive order proposed or pending before the Con-
11 gress or any State government, or a State or local
12 legislature or legislative body, other than for normal
13 and recognized executive-legislative relationships or
14 participation by an agency or officer of a State,
15 local, or tribal government in policymaking and ad-
16 ministrative processes within the executive branch of
17 that government.

18 “(b) POLITICAL RESTRICTIONS.—

19 “(1) IN GENERAL.—No funds received by a
20 participant of a program or activity under this Act
21 shall be used for—

22 “(A) any partisan or nonpartisan political
23 activity or any other political activity associated
24 with a candidate, or contending faction or

1 group, in an election for public or party office;
2 or

3 “(B) any activity to provide voters with
4 transportation to the polls or similar assistance
5 in connection with any such election.

6 “(2) RESTRICTION ON VOTER REGISTRATION
7 ACTIVITIES.—No funds under this Act shall be used
8 to conduct voter registration activities.

9 “(3) DEFINITION.—For the purposes of this
10 subsection, the term ‘participant’ includes any State,
11 local area, or government, nonprofit, or for-profit en-
12 tity receiving funds under this Act.”.

13 **CHAPTER 6—STATE UNIFIED PLAN**

14 **SEC. 456. STATE UNIFIED PLAN.**

15 Section 501 (20 U.S.C. 9271) is amended—

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

18 “(a) GENERAL AUTHORITY.—The Secretary shall re-
19 ceive and approve State unified plans developed and sub-
20 mitted in accordance with this section.”;

21 (2) by amending subsection (b) to read as fol-
22 lows:

23 “(b) STATE UNIFIED PLAN.—

24 “(1) IN GENERAL.—A State may develop and
25 submit to the Secretary a State unified plan for 2

1 or more of the activities or programs set forth in
2 paragraph (2). The State unified plan shall cover
3 one or more of the activities or programs set forth
4 in subparagraphs (A) and (B) of paragraph (2) and
5 shall cover one or more of the activities or programs
6 set forth in subparagraphs (C) through (N) of para-
7 graph (2).

8 “(2) ACTIVITIES AND PROGRAMS.—For pur-
9 poses of paragraph (1), the term ‘activity or pro-
10 gram’ means any 1 of the following 14 activities or
11 programs:

12 “(A) Activities and programs authorized
13 under title I.

14 “(B) Activities and programs authorized
15 under title II.

16 “(C) Programs authorized under title I of
17 the Rehabilitation Act of 1973 (29 U.S.C. 710
18 et seq.).

19 “(D) Secondary career and technical edu-
20 cation programs authorized under the Carl D.
21 Perkins Career and Technical Education Act of
22 2006 (20 U.S.C. 2301 et seq.).

23 “(E) Postsecondary career and technical
24 education programs authorized under the Carl

1 D. Perkins Career and Technical Education Act
2 of 2006.

3 “(F) Activities and programs authorized
4 under title II of the Trade Act of 1974 (19
5 U.S.C. 2251 et seq.).

6 “(G) Programs and activities authorized
7 under the Act of August 16, 1937 (commonly
8 known as the ‘National Apprenticeship Act’; 50
9 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

10 “(H) Programs authorized under the Com-
11 munity Services Block Grant Act (42 U.S.C.
12 9901 et seq.).

13 “(I) Programs authorized under part A of
14 title IV of the Social Security Act (42 U.S.C.
15 601 et seq.).

16 “(J) Programs authorized under State un-
17 employment compensation laws (in accordance
18 with applicable Federal law).

19 “(K) Work programs authorized under sec-
20 tion 6(o) of the Food and Nutrition Act of
21 1977 (7 U.S.C. 2015(o)).

22 “(L) Activities and programs authorized
23 under title I of the Housing and Community
24 Development Act of 1974 (42 U.S.C. 5301 et
25 seq.).

1 “(M) Activities and programs authorized
2 under the Public Works and Economic Develop-
3 ment Act of 1965 (42 U.S.C. 3121 et seq.).

4 “(N) Activities authorized under chapter
5 41 of title 38, United States Code.”;

6 (3) by amending subsection (d) to read as fol-
7 lows:

8 “(d) APPROVAL.—

9 “(1) JURISDICTION.—In approving a State uni-
10 fied plan under this section, the Secretary shall—

11 “(A) submit the portion of the State uni-
12 fied plan covering an activity or program de-
13 scribed in subsection (b)(2) to the head of the
14 Federal agency who exercises administrative au-
15 thority over the activity or program for the ap-
16 proval of such portion by such Federal agency
17 head; or

18 “(B) coordinate approval of the portion of
19 the State unified plan covering an activity or
20 program described in subsection (b)(2) with the
21 head of the Federal agency who exercises ad-
22 ministrative authority over the activity or pro-
23 gram.

24 “(2) TIMELINE.—A State unified plan shall be
25 considered to be approved by the Secretary at the

1 end of the 90-day period beginning on the day the
2 Secretary receives the plan, unless the Secretary
3 makes a written determination, during the 90-day
4 period, that details how the plan is not consistent
5 with the requirements of the Federal statute author-
6 izing an activity or program described in subsection
7 (b)(2) and covered under the plan or how the plan
8 is not consistent with the requirements of subsection
9 (c)(3).

10 “(3) SCOPE OF PORTION.—For purposes of
11 paragraph (1), the portion of the State unified plan
12 covering an activity or program shall be considered
13 to include the plan described in subsection (c)(3)
14 and any proposal described in subsection (e)(2), as
15 that part and proposal relate to the activity or pro-
16 gram.”; and

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

18 “(e) ADDITIONAL EMPLOYMENT AND TRAINING
19 FUNDS.—

20 “(1) PURPOSE.—It is the purpose of this sub-
21 section to reduce inefficiencies in the administration
22 of federally funded State and local employment and
23 training programs.

24 “(2) IN GENERAL.—In developing a State uni-
25 fied plan for the activities or programs described in

1 subsection (b)(2), and subject to paragraph (4) and
2 to the State plan approval process under subsection
3 (d), a State may propose to consolidate the amount,
4 in whole or part, provided for the activities or pro-
5 grams covered by the plan into the Workforce In-
6 vestment Fund under section 132(b) to improve the
7 administration of State and local employment and
8 training programs.

9 “(3) REQUIREMENTS.—A State that has a
10 State unified plan approved under subsection (d)
11 with a proposal for consolidation under paragraph
12 (2), and that is carrying out such consolidation,
13 shall—

14 “(A) in providing an activity or program
15 for which an amount is consolidated into the
16 Workforce Investment Fund—

17 “(i) continue to meet the program re-
18 quirements, limitations, and prohibitions of
19 any Federal statute authorizing the activ-
20 ity or program; and

21 “(ii) meet the intent and purpose for
22 the activity or program; and

23 “(B) continue to make reservations and al-
24 lotments under subsections (a) and (b) of sec-
25 tion 133.

1 “(4) EXCEPTIONS.—A State may not consoli-
2 date an amount under paragraph (2) that is allo-
3 cated to the State under—

4 “(A) the Carl D. Perkins Career and Tech-
5 nical Education Act of 2006 (20 U.S.C. 2301
6 et seq.); or

7 “(B) title I of the Rehabilitation Act of
8 1973 (29 U.S.C. 710 et seq.).”.

9 **Subtitle B—Adult Education and**
10 **Family Literacy Education**

11 **SEC. 461. AMENDMENT.**

12 Title II (20 U.S.C. 9201 et seq.) is amended to read
13 as follows:

14 **“TITLE II—ADULT EDUCATION**
15 **AND FAMILY LITERACY EDU-**
16 **CATION**

17 **“SEC. 201. SHORT TITLE.**

18 “‘This title may be cited as the ‘Adult Education and
19 Family Literacy Education Act’.

20 **“SEC. 202. PURPOSE.**

21 “‘It is the purpose of this title to provide instructional
22 opportunities for adults seeking to improve their literacy
23 skills, including their basic reading, writing, speaking, and
24 mathematics skills, and support States and local commu-

1 nities in providing, on a voluntary basis, adult education
2 and family literacy education programs, in order to—

3 “(1) increase the literacy of adults, including
4 the basic reading, writing, speaking, and mathe-
5 matics skills, to a level of proficiency necessary for
6 adults to obtain employment and self-sufficiency and
7 to successfully advance in the workforce;

8 “(2) assist adults in the completion of a sec-
9 ondary school education (or its equivalent) and the
10 transition to a postsecondary educational institution;

11 “(3) assist adults who are parents to enable
12 them to support the educational development of their
13 children and make informed choices regarding their
14 children’s education including, through instruction in
15 basic reading, writing, speaking, and mathematics
16 skills; and

17 “(4) assist adults who are not proficient in
18 English in improving their reading, writing, speak-
19 ing, listening, comprehension, and mathematics
20 skills.

21 **“SEC. 203. DEFINITIONS.**

22 “In this title:

23 “(1) ADULT EDUCATION AND FAMILY LITERACY
24 EDUCATION PROGRAMS.—The term ‘adult education
25 and family literacy education programs’ means a se-

1 quence of academic instruction and educational serv-
2 ices below the postsecondary level that increase an
3 individual's ability to read, write, and speak English
4 and perform mathematical computations leading to a
5 level of proficiency equivalent to at least a secondary
6 school completion that is provided for individuals—

7 “(A) who are at least 16 years of age;

8 “(B) who are not enrolled or required to be
9 enrolled in secondary school under State law;

10 and

11 “(C) who—

12 “(i) lack sufficient mastery of basic
13 reading, writing, speaking, and mathe-
14 matics skills to enable the individuals to
15 function effectively in society;

16 “(ii) do not have a secondary school
17 diploma or its equivalent and have not
18 achieved an equivalent level of education;

19 or

20 “(iii) are English learners.

21 “(2) ELIGIBLE AGENCY.—The term ‘eligible
22 agency’—

23 “(A) means the primary entity or agency
24 in a State or an outlying area responsible for
25 administering or supervising policy for adult

1 education and family literacy education pro-
2 grams in the State or outlying area, respec-
3 tively, consistent with the law of the State or
4 outlying area, respectively; and

5 “(B) may be the State educational agency,
6 the State agency responsible for administering
7 workforce investment activities, or the State
8 agency responsible for administering community
9 or technical colleges.

10 “(3) ELIGIBLE PROVIDER.—The term ‘eligible
11 provider’ means an organization of demonstrated ef-
12 fectiveness that is—

13 “(A) a local educational agency;

14 “(B) a community-based or faith-based or-
15 ganization;

16 “(C) a volunteer literacy organization;

17 “(D) an institution of higher education;

18 “(E) a public or private educational agen-
19 cy;

20 “(F) a library;

21 “(G) a public housing authority;

22 “(H) an institution that is not described in
23 any of subparagraphs (A) through (G) and has
24 the ability to provide adult education, basic

1 skills, and family literacy education programs to
2 adults and families; or

3 “(I) a consortium of the agencies, organi-
4 zations, institutions, libraries, or authorities de-
5 scribed in any of subparagraphs (A) through
6 (H).

7 “(4) ENGLISH LANGUAGE ACQUISITION PRO-
8 GRAM.—The term ‘English language acquisition pro-
9 gram’ means a program of instruction—

10 “(A) designed to help English learners
11 achieve competence in reading, writing, speak-
12 ing, and comprehension of the English lan-
13 guage; and

14 “(B) that may lead to—

15 “(i) attainment of a secondary school
16 diploma or its recognized equivalent;

17 “(ii) transition to success in postsec-
18 ondary education and training; and

19 “(iii) employment or career advance-
20 ment.

21 “(5) FAMILY LITERACY EDUCATION PRO-
22 GRAM.—The term ‘family literacy education pro-
23 gram’ means an educational program that—

1 “(A) assists parents and students, on a
2 voluntary basis, in achieving the purpose of this
3 title as described in section 202; and

4 “(B) is of sufficient intensity in terms of
5 hours and of sufficient quality to make sustain-
6 able changes in a family, is evidence-based, and,
7 for the purpose of substantially increasing the
8 ability of parents and children to read, write,
9 and speak English, integrates—

10 “(i) interactive literacy activities be-
11 tween parents and their children;

12 “(ii) training for parents regarding
13 how to be the primary teacher for their
14 children and full partners in the education
15 of their children;

16 “(iii) parent literacy training that
17 leads to economic self-sufficiency; and

18 “(iv) an age-appropriate education to
19 prepare children for success in school and
20 life experiences.

21 “(6) GOVERNOR.—The term ‘Governor’ means
22 the chief executive officer of a State or outlying
23 area.

24 “(7) INDIVIDUAL WITH A DISABILITY.—

1 “(A) IN GENERAL.—The term ‘individual
2 with a disability’ means an individual with any
3 disability (as defined in section 3 of the Ameri-
4 cans with Disabilities Act of 1990).

5 “(B) INDIVIDUALS WITH DISABILITIES.—
6 The term ‘individuals with disabilities’ means
7 more than one individual with a disability.

8 “(8) ENGLISH LEARNER.—The term ‘English
9 learner’ means an adult or out-of-school youth who
10 has limited ability in reading, writing, speaking, or
11 understanding the English language, and—

12 “(A) whose native language is a language
13 other than English; or

14 “(B) who lives in a family or community
15 environment where a language other than
16 English is the dominant language.

17 “(9) INTEGRATED EDUCATION AND TRAIN-
18 ING.—The term ‘integrated education and training’
19 means services that provide adult education and lit-
20 eracy activities contextually and concurrently with
21 workforce preparation activities and workforce train-
22 ing for a specific occupation or occupational cluster.
23 Such services may include offering adult education
24 services concurrent with postsecondary education
25 and training, including through co-instruction.

1 “(10) INSTITUTION OF HIGHER EDUCATION.—
2 The term ‘institution of higher education’ has the
3 meaning given the term in section 101 of the Higher
4 Education Act of 1965.

5 “(11) LITERACY.—The term ‘literacy’ means an
6 individual’s ability to read, write, and speak in
7 English, compute, and solve problems at a level of
8 proficiency necessary to obtain employment and to
9 successfully make the transition to postsecondary
10 education.

11 “(12) LOCAL EDUCATIONAL AGENCY.—The
12 term ‘local educational agency’ has the meaning
13 given the term in section 9101 of the Elementary
14 and Secondary Education Act of 1965.

15 “(13) OUTLYING AREA.—The term ‘outlying
16 area’ has the meaning given the term in section 101
17 of this Act.

18 “(14) POSTSECONDARY EDUCATIONAL INSTITU-
19 TION.—The term ‘postsecondary educational institu-
20 tion’ means—

21 “(A) an institution of higher education
22 that provides not less than a 2-year program of
23 instruction that is acceptable for credit toward
24 a bachelor’s degree;

1 “(B) a tribally controlled community col-
2 lege; or

3 “(C) a nonprofit educational institution of-
4 fering certificate or apprenticeship programs at
5 the postsecondary level.

6 “(15) SECRETARY.—The term ‘Secretary’
7 means the Secretary of Education.

8 “(16) STATE.—The term ‘State’ means each of
9 the several States of the United States, the District
10 of Columbia, and the Commonwealth of Puerto Rico.

11 “(17) STATE EDUCATIONAL AGENCY.—The
12 term ‘State educational agency’ has the meaning
13 given the term in section 9101 of the Elementary
14 and Secondary Education Act of 1965.

15 “(18) WORKPLACE LITERACY PROGRAM.—The
16 term ‘workplace literacy program’ means an edu-
17 cational program that is offered in collaboration be-
18 tween eligible providers and employers or employee
19 organizations for the purpose of improving the pro-
20 ductivity of the workforce through the improvement
21 of reading, writing, speaking, and mathematics
22 skills.

23 **“SEC. 204. HOME SCHOOLS.**

24 “Nothing in this title shall be construed to affect
25 home schools, whether or not a home school is treated as

1 a home school or a private school under State law, or to
2 compel a parent engaged in home schooling to participate
3 in adult education and family literacy education activities
4 under this title.

5 **“SEC. 205. AUTHORIZATION OF APPROPRIATIONS.**

6 “There are authorized to be appropriated to carry out
7 this title, \$606,294,933 for fiscal year 2015 and for each
8 of the 6 succeeding fiscal years.

9 **“Subtitle A—Federal Provisions**

10 **“SEC. 211. RESERVATION OF FUNDS; GRANTS TO ELIGIBLE**
11 **AGENCIES; ALLOTMENTS.**

12 “(a) RESERVATION OF FUNDS.—From the sums ap-
13 propriated under section 205 for a fiscal year, the Sec-
14 retary shall reserve 2.0 percent to carry out section 242.

15 “(b) GRANTS TO ELIGIBLE AGENCIES.—

16 “(1) IN GENERAL.—From the sums appro-
17 priated under section 205 and not reserved under
18 subsection (a) for a fiscal year, the Secretary shall
19 award a grant to each eligible agency having a State
20 plan approved under section 224 in an amount equal
21 to the sum of the initial allotment under subsection
22 (c)(1) and the additional allotment under subsection
23 (c)(2) for the eligible agency for the fiscal year, sub-
24 ject to subsections (f) and (g).

1 “(2) PURPOSE OF GRANTS.—The Secretary
2 may award a grant under paragraph (1) only if the
3 eligible agency involved agrees to expend the grant
4 in accordance with the provisions of this title.

5 “(c) ALLOTMENTS.—

6 “(1) INITIAL ALLOTMENTS.—From the sums
7 appropriated under section 205 and not reserved
8 under subsection (a) for a fiscal year, the Secretary
9 shall allot to each eligible agency having a State
10 plan approved under section 224—

11 “(A) \$100,000, in the case of an eligible
12 agency serving an outlying area; and

13 “(B) \$250,000, in the case of any other el-
14 igible agency.

15 “(2) ADDITIONAL ALLOTMENTS.—From the
16 sums appropriated under section 205, not reserved
17 under subsection (a), and not allotted under para-
18 graph (1), for a fiscal year, the Secretary shall allot
19 to each eligible agency that receives an initial allot-
20 ment under paragraph (1) an additional amount
21 that bears the same relationship to such sums as the
22 number of qualifying adults in the State or outlying
23 area served by the eligible agency bears to the num-
24 ber of such adults in all States and outlying areas.

1 “(d) QUALIFYING ADULT.—For the purpose of sub-
2 section (c)(2), the term ‘qualifying adult’ means an adult
3 who—

4 “(1) is at least 16 years of age;

5 “(2) is beyond the age of compulsory school at-
6 tendance under the law of the State or outlying
7 area;

8 “(3) does not have a secondary school diploma
9 or its recognized equivalent; and

10 “(4) is not enrolled in secondary school.

11 “(e) SPECIAL RULE.—

12 “(1) IN GENERAL.—From amounts made avail-
13 able under subsection (c) for the Republic of Palau,
14 the Secretary shall award grants to Guam, American
15 Samoa, the Commonwealth of the Northern Mariana
16 Islands, or the Republic of Palau to carry out activi-
17 ties described in this title in accordance with the
18 provisions of this title as determined by the Sec-
19 retary.

20 “(2) TERMINATION OF ELIGIBILITY.—Notwith-
21 standing any other provision of law, the Republic of
22 Palau shall be eligible to receive a grant under this
23 title until an agreement for the extension of United
24 States education assistance under the Compact of

1 Free Association for the Republic of Palau becomes
2 effective.

3 “(f) HOLD-HARMLESS PROVISIONS.—

4 “(1) IN GENERAL.—Notwithstanding subsection
5 (c) and subject to paragraph (2), for—

6 “(A) fiscal year 2015, no eligible agency
7 shall receive an allotment under this title that
8 is less than 90 percent of the allotment the eli-
9 gible agency received for fiscal year 2012 under
10 this title; and

11 “(B) fiscal year 2016 and each succeeding
12 fiscal year, no eligible agency shall receive an
13 allotment under this title that is less than 90
14 percent of the allotment the eligible agency re-
15 ceived for the preceding fiscal year under this
16 title.

17 “(2) RATABLE REDUCTION.—If, for any fiscal
18 year the amount available for allotment under this
19 title is insufficient to satisfy the provisions of para-
20 graph (1), the Secretary shall ratable reduce the
21 payments to all eligible agencies, as necessary.

22 “(g) REALLOTMENT.—The portion of any eligible
23 agency’s allotment under this title for a fiscal year that
24 the Secretary determines will not be required for the pe-
25 riod such allotment is available for carrying out activities

1 under this title, shall be available for reallocation from
 2 time to time, on such dates during such period as the Sec-
 3 retary shall fix, to other eligible agencies in proportion to
 4 the original allotments to such agencies under this title
 5 for such year.

6 **“SEC. 212. PERFORMANCE ACCOUNTABILITY SYSTEM.**

7 “Programs and activities authorized under this title
 8 are subject to the performance accountability provisions
 9 described in paragraph (2)(A) and (3) of section 136(b)
 10 and may, at a State’s discretion, include additional indica-
 11 tors identified in the State plan approved under section
 12 224.

13 **“Subtitle B—State Provisions**

14 **“SEC. 221. STATE ADMINISTRATION.**

15 “Each eligible agency shall be responsible for the fol-
 16 lowing activities under this title:

17 “(1) The development, submission, implementa-
 18 tion, and monitoring of the State plan.

19 “(2) Consultation with other appropriate agen-
 20 cies, groups, and individuals that are involved in, or
 21 interested in, the development and implementation
 22 of activities assisted under this title.

23 “(3) Coordination and avoidance of duplication
 24 with other Federal and State education, training,

1 corrections, public housing, and social service pro-
2 grams.

3 **“SEC. 222. STATE DISTRIBUTION OF FUNDS; MATCHING RE-
4 QUIREMENT.**

5 “(a) STATE DISTRIBUTION OF FUNDS.—Each eligi-
6 ble agency receiving a grant under this title for a fiscal
7 year—

8 “(1) shall use not less than 82.5 percent of the
9 grant funds to award grants and contracts under
10 section 231 and to carry out section 225, of which
11 not more than 10 percent of such amount shall be
12 available to carry out section 225;

13 “(2) shall use not more than 12.5 percent of
14 the grant funds to carry out State leadership activi-
15 ties under section 223; and

16 “(3) shall use not more than 5 percent of the
17 grant funds, or \$65,000, whichever is greater, for
18 the administrative expenses of the eligible agency.

19 “(b) MATCHING REQUIREMENT.—

20 “(1) IN GENERAL.—In order to receive a grant
21 from the Secretary under section 211(b), each eligi-
22 ble agency shall provide, for the costs to be incurred
23 by the eligible agency in carrying out the adult edu-
24 cation and family literacy education programs for

1 which the grant is awarded, a non-Federal contribu-
2 tion in an amount that is not less than—

3 “(A) in the case of an eligible agency serv-
4 ing an outlying area, 12 percent of the total
5 amount of funds expended for adult education
6 and family literacy education programs in the
7 outlying area, except that the Secretary may
8 decrease the amount of funds required under
9 this subparagraph for an eligible agency; and

10 “(B) in the case of an eligible agency serv-
11 ing a State, 25 percent of the total amount of
12 funds expended for adult education and family
13 literacy education programs in the State.

14 “(2) NON-FEDERAL CONTRIBUTION.—An eligi-
15 ble agency’s non-Federal contribution required under
16 paragraph (1) may be provided in cash or in kind,
17 fairly evaluated, and shall include only non-Federal
18 funds that are used for adult education and family
19 literacy education programs in a manner that is con-
20 sistent with the purpose of this title.

21 **“SEC. 223. STATE LEADERSHIP ACTIVITIES.**

22 “(a) IN GENERAL.—Each eligible agency may use
23 funds made available under section 222(a)(2) for any of
24 the following adult education and family literacy education
25 programs:

1 “(1) The establishment or operation of profes-
2 sional development programs to improve the quality
3 of instruction provided pursuant to local activities
4 required under section 231(b).

5 “(2) The provision of technical assistance to eli-
6 gible providers of adult education and family literacy
7 education programs, including for the development
8 and dissemination of evidence based research in-
9 structional practices in reading, writing, speaking,
10 mathematics, and English language acquisition pro-
11 grams.

12 “(3) The provision of assistance to eligible pro-
13 viders in developing, implementing, and reporting
14 measurable progress in achieving the objectives of
15 this title.

16 “(4) The monitoring and evaluation of the qual-
17 ity of, and the improvement in, adult education and
18 literacy activities.

19 “(5) The provision of technology assistance, in-
20 cluding staff training, to eligible providers of adult
21 education and family literacy education programs,
22 including distance education activities, to enable the
23 eligible providers to improve the quality of such ac-
24 tivities.

1 “(6) The development and implementation of
2 technology applications or distance education, in-
3 cluding professional development to support the use
4 of instructional technology.

5 “(7) Coordination with other public programs,
6 including programs under title I of this Act, and
7 other welfare-to-work, workforce development, and
8 job training programs.

9 “(8) Coordination with existing support serv-
10 ices, such as transportation, child care, and other
11 assistance designed to increase rates of enrollment
12 in, and successful completion of, adult education and
13 family literacy education programs, for adults en-
14 rolled in such activities.

15 “(9) The development and implementation of a
16 system to assist in the transition from adult basic
17 education to postsecondary education.

18 “(10) Activities to promote workplace literacy
19 programs.

20 “(11) Other activities of statewide significance,
21 including assisting eligible providers in achieving
22 progress in improving the skill levels of adults who
23 participate in programs under this title.

1 “(12) Integration of literacy, instructional, and
2 occupational skill training and promotion of linkages
3 with employees.

4 “(b) COORDINATION.—In carrying out this section,
5 eligible agencies shall coordinate where possible, and avoid
6 duplicating efforts, in order to maximize the impact of the
7 activities described in subsection (a).

8 “(c) STATE-IMPOSED REQUIREMENTS.—Whenever a
9 State or outlying area implements any rule or policy relat-
10 ing to the administration or operation of a program au-
11 thorized under this title that has the effect of imposing
12 a requirement that is not imposed under Federal law (in-
13 cluding any rule or policy based on a State or outlying
14 area interpretation of a Federal statute, regulation, or
15 guideline), the State or outlying area shall identify, to eli-
16 gible providers, the rule or policy as being imposed by the
17 State or outlying area.

18 **“SEC. 224. STATE PLAN.**

19 “(a) 3-YEAR PLANS.—

20 “(1) IN GENERAL.—Each eligible agency desir-
21 ing a grant under this title for any fiscal year shall
22 submit to, or have on file with, the Secretary a 3-
23 year State plan.

1 “(2) STATE UNIFIED PLAN.—The eligible agen-
2 cy may submit the State plan as part of a State uni-
3 fied plan described in section 501.

4 “(b) PLAN CONTENTS.—The eligible agency shall in-
5 clude in the State plan or any revisions to the State plan—

6 “(1) an objective assessment of the needs of in-
7 dividuals in the State or outlying area for adult edu-
8 cation and family literacy education programs, in-
9 cluding individuals most in need or hardest to serve;

10 “(2) a description of the adult education and
11 family literacy education programs that will be car-
12 ried out with funds received under this title;

13 “(3) an assurance that the funds received under
14 this title will not be expended for any purpose other
15 than for activities under this title;

16 “(4) a description of how the eligible agency
17 will annually evaluate and measure the effectiveness
18 and improvement of the adult education and family
19 literacy education programs funded under this title
20 using the indicators of performance described in sec-
21 tion 136, including how the eligible agency will con-
22 duct such annual evaluations and measures for each
23 grant received under this title;

1 “(5) a description of how the eligible agency
2 will fund local activities in accordance with the
3 measurable goals described in section 231(d);

4 “(6) an assurance that the eligible agency will
5 expend the funds under this title only in a manner
6 consistent with fiscal requirements in section 241;

7 “(7) a description of the process that will be
8 used for public participation and comment with re-
9 spect to the State plan, which—

10 “(A) shall include consultation with the
11 State workforce investment board, the State
12 board responsible for administering community
13 or technical colleges, the Governor, the State
14 educational agency, the State board or agency
15 responsible for administering block grants for
16 temporary assistance to needy families under
17 title IV of the Social Security Act, the State
18 council on disabilities, the State vocational re-
19 habilitation agency, and other State agencies
20 that promote the improvement of adult edu-
21 cation and family literacy education programs,
22 and direct providers of such programs; and

23 “(B) may include consultation with the
24 State agency on higher education, institutions
25 responsible for professional development of

1 adult education and family literacy education
2 programs instructors, representatives of busi-
3 ness and industry, refugee assistance programs,
4 and faith-based organizations;

5 “(8) a description of the eligible agency’s strat-
6 egies for serving populations that include, at a min-
7 imum—

8 “(A) low-income individuals;

9 “(B) individuals with disabilities;

10 “(C) the unemployed;

11 “(D) the underemployed; and

12 “(E) individuals with multiple barriers to
13 educational enhancement, including English
14 learners;

15 “(9) a description of how the adult education
16 and family literacy education programs that will be
17 carried out with any funds received under this title
18 will be integrated with other adult education, career
19 development, and employment and training activities
20 in the State or outlying area served by the eligible
21 agency;

22 “(10) a description of the steps the eligible
23 agency will take to ensure direct and equitable ac-
24 cess, as required in section 231(c)(1), including—

1 “(A) how the State will build the capacity
2 of community-based and faith-based organiza-
3 tions to provide adult education and family lit-
4 eracy education programs; and

5 “(B) how the State will increase the par-
6 ticipation of business and industry in adult edu-
7 cation and family literacy education programs;

8 “(11) an assessment of the adequacy of the sys-
9 tem of the State or outlying area to ensure teacher
10 quality and a description of how the State or out-
11 lying area will use funds received under this subtitle
12 to improve teacher quality, including evidence-based
13 professional development to improve instruction; and

14 “(12) a description of how the eligible agency
15 will consult with any State agency responsible for
16 postsecondary education to develop adult education
17 that prepares students to enter postsecondary edu-
18 cation without the need for remediation upon com-
19 pletion of secondary school equivalency programs.

20 “(c) PLAN REVISIONS.—When changes in conditions
21 or other factors require substantial revisions to an ap-
22 proved State plan, the eligible agency shall submit the re-
23 visions of the State plan to the Secretary.

24 “(d) CONSULTATION.—The eligible agency shall—

1 “(1) submit the State plan, and any revisions to
2 the State plan, to the Governor, the chief State
3 school officer, or the State officer responsible for ad-
4 ministering community or technical colleges, or out-
5 lying area for review and comment; and

6 “(2) ensure that any comments regarding the
7 State plan by the Governor, the chief State school
8 officer, or the State officer responsible for admin-
9 istering community or technical colleges, and any re-
10 vision to the State plan, are submitted to the Sec-
11 retary.

12 “(e) PLAN APPROVAL.—The Secretary shall—

13 “(1) approve a State plan within 90 days after
14 receiving the plan unless the Secretary makes a writ-
15 ten determination within 30 days after receiving the
16 plan that the plan does not meet the requirements
17 of this section or is inconsistent with specific provi-
18 sions of this subtitle; and

19 “(2) not finally disapprove of a State plan be-
20 fore offering the eligible agency the opportunity,
21 prior to the expiration of the 30-day period begin-
22 ning on the date on which the eligible agency re-
23 ceived the written determination described in para-
24 graph (1), to review the plan and providing technical

1 assistance in order to assist the eligible agency in
2 meeting the requirements of this subtitle.

3 **“SEC. 225. PROGRAMS FOR CORRECTIONS EDUCATION AND**
4 **OTHER INSTITUTIONALIZED INDIVIDUALS.**

5 “(a) PROGRAM AUTHORIZED.—From funds made
6 available under section 222(a)(1) for a fiscal year, each
7 eligible agency shall carry out corrections education and
8 education for other institutionalized individuals.

9 “(b) USES OF FUNDS.—The funds described in sub-
10 section (a) shall be used for the cost of educational pro-
11 grams for criminal offenders in correctional institutions
12 and for other institutionalized individuals, including aca-
13 demic programs for—

14 “(1) basic skills education;

15 “(2) special education programs as determined
16 by the eligible agency;

17 “(3) reading, writing, speaking, and mathe-
18 matics programs;

19 “(4) secondary school credit or diploma pro-
20 grams or their recognized equivalent; and

21 “(5) integrated education and training.

22 “(c) PRIORITY.—Each eligible agency that is using
23 assistance provided under this section to carry out a pro-
24 gram for criminal offenders within a correctional institu-
25 tion shall give priority to serving individuals who are likely

1 to leave the correctional institution within 5 years of par-
 2 ticipation in the program.

3 “(d) DEFINITIONS.—In this section:

4 “(1) CORRECTIONAL INSTITUTION.—The term
 5 ‘correctional institution’ means any—

6 “(A) prison;

7 “(B) jail;

8 “(C) reformatory;

9 “(D) work farm;

10 “(E) detention center; or

11 “(F) halfway house, community-based re-
 12 habilitation center, or any other similar institu-
 13 tion designed for the confinement or rehabilita-
 14 tion of criminal offenders.

15 “(2) CRIMINAL OFFENDER.—The term ‘crimi-
 16 nal offender’ means any individual who is charged
 17 with, or convicted of, any criminal offense.

18 **“Subtitle C—Local Provisions**

19 **“SEC. 231. GRANTS AND CONTRACTS FOR ELIGIBLE PRO-** 20 **VIDERS.**

21 “(a) GRANTS AND CONTRACTS.—From grant funds
 22 made available under section 222(a)(1), each eligible agen-
 23 cy shall award multi-year grants or contracts, on a com-
 24 petitive basis, to eligible providers within the State or out-
 25 lying area that meet the conditions and requirements of

1 this title to enable the eligible providers to develop, imple-
2 ment, and improve adult education and family literacy
3 education programs within the State.

4 “(b) LOCAL ACTIVITIES.—The eligible agency shall
5 require eligible providers receiving a grant or contract
6 under subsection (a) to establish or operate—

7 “(1) programs that provide adult education and
8 literacy activities;

9 “(2) programs that provide integrated edu-
10 cation and training activities; or

11 “(3) credit-bearing postsecondary coursework.

12 “(c) DIRECT AND EQUITABLE ACCESS; SAME PROC-
13 ESS.—Each eligible agency receiving funds under this title
14 shall ensure that—

15 “(1) all eligible providers have direct and equi-
16 table access to apply for grants or contracts under
17 this section; and

18 “(2) the same grant or contract announcement
19 process and application process is used for all eligi-
20 ble providers in the State or outlying area.

21 “(d) MEASURABLE GOALS.—The eligible agency shall
22 require eligible providers receiving a grant or contract
23 under subsection (a) to demonstrate—

24 “(1) the eligible provider’s measurable goals for
25 participant outcomes to be achieved annually on the

1 core indicators of performance described in section
2 136(b)(2)(A);

3 “(2) the past effectiveness of the eligible pro-
4 vider in improving the basic academic skills of adults
5 and, for eligible providers receiving grants in the
6 prior year, the success of the eligible provider receiv-
7 ing funding under this title in exceeding its perform-
8 ance goals in the prior year;

9 “(3) the commitment of the eligible provider to
10 serve individuals in the community who are the most
11 in need of basic academic skills instruction services,
12 including individuals with disabilities and individuals
13 who are low-income or have minimal reading, writ-
14 ing, speaking, and mathematics skills, or are English
15 learners;

16 “(4) the program is of sufficient intensity and
17 quality for participants to achieve substantial learn-
18 ing gains;

19 “(5) educational practices are evidence-based;

20 “(6) the activities of the eligible provider effec-
21 tively employ advances in technology, and delivery
22 systems including distance education;

23 “(7) the activities provide instruction in real-life
24 contexts, including integrated education and training
25 when appropriate, to ensure that an individual has

1 the skills needed to compete in the workplace and
2 exercise the rights and responsibilities of citizenship;

3 “(8) the activities are staffed by well-trained in-
4 structors, counselors, and administrators who meet
5 minimum qualifications established by the State;

6 “(9) the activities are coordinated with other
7 available resources in the community, such as
8 through strong links with elementary schools and
9 secondary schools, postsecondary educational institu-
10 tions, local workforce investment boards, one-stop
11 centers, job training programs, community-based
12 and faith-based organizations, and social service
13 agencies;

14 “(10) the activities offer flexible schedules and
15 support services (such as child care and transpor-
16 tation) that are necessary to enable individuals, in-
17 cluding individuals with disabilities or other special
18 needs, to attend and complete programs;

19 “(11) the activities include a high-quality infor-
20 mation management system that has the capacity to
21 report measurable participant outcomes (consistent
22 with section 136) and to monitor program perform-
23 ance;

24 “(12) the local communities have a dem-
25 onstrated need for additional English language ac-

1 quisition programs, and integrated education and
2 training programs;

3 “(13) the capacity of the eligible provider to
4 produce valid information on performance results,
5 including enrollments and measurable participant
6 outcomes;

7 “(14) adult education and family literacy edu-
8 cation programs offer rigorous reading, writing,
9 speaking, and mathematics content that are evidence
10 based; and

11 “(15) applications of technology, and services to
12 be provided by the eligible providers, are of sufficient
13 intensity and duration to increase the amount and
14 quality of learning and lead to measurable learning
15 gains within specified time periods.

16 “(e) SPECIAL RULE.—Eligible providers may use
17 grant funds under this title to serve children participating
18 in family literacy programs assisted under this part, pro-
19 vided that other sources of funds available to provide simi-
20 lar services for such children are used first.

21 **“SEC. 232. LOCAL APPLICATION.**

22 “Each eligible provider desiring a grant or contract
23 under this title shall submit an application to the eligible
24 agency containing such information and assurances as the
25 eligible agency may require, including—

1 “(1) a description of how funds awarded under
2 this title will be spent consistent with the require-
3 ments of this title;

4 “(2) a description of any cooperative arrange-
5 ments the eligible provider has with other agencies,
6 institutions, or organizations for the delivery of
7 adult education and family literacy education pro-
8 grams; and

9 “(3) each of the demonstrations required by
10 section 231(d).

11 **“SEC. 233. LOCAL ADMINISTRATIVE COST LIMITS.**

12 “(a) IN GENERAL.—Subject to subsection (b), of the
13 amount that is made available under this title to an eligi-
14 ble provider—

15 “(1) at least 95 percent shall be expended for
16 carrying out adult education and family literacy edu-
17 cation programs; and

18 “(2) the remaining amount shall be used for
19 planning, administration, personnel and professional
20 development, development of measurable goals in
21 reading, writing, speaking, and mathematics, and
22 interagency coordination.

23 “(b) SPECIAL RULE.—In cases where the cost limits
24 described in subsection (a) are too restrictive to allow for
25 adequate planning, administration, personnel develop-

1 ment, and interagency coordination, the eligible provider
2 may negotiate with the eligible agency in order to deter-
3 mine an adequate level of funds to be used for noninstruc-
4 tional purposes.

5 **“Subtitle D—General Provisions**

6 **“SEC. 241. ADMINISTRATIVE PROVISIONS.**

7 “Funds made available for adult education and fam-
8 ily literacy education programs under this title shall sup-
9 plement and not supplant other State or local public funds
10 expended for adult education and family literacy education
11 programs.

12 **“SEC. 242. NATIONAL ACTIVITIES.**

13 “The Secretary shall establish and carry out a pro-
14 gram of national activities that may include the following:

15 “(1) Providing technical assistance to eligible
16 entities, on request, to—

17 “(A) improve their fiscal management, re-
18 search-based instruction, and reporting require-
19 ments to carry out the requirements of this
20 title;

21 “(B) improve its performance on the core
22 indicators of performance described in section
23 136;

24 “(C) provide adult education professional
25 development; and

1 “(D) use distance education and improve
2 the application of technology in the classroom,
3 including instruction in English language acqui-
4 sition for English learners.

5 “(2) Providing for the conduct of research on
6 national literacy basic skill acquisition levels among
7 adults, including the number of adult English learn-
8 ers functioning at different levels of reading pro-
9 ficiency.

10 “(3) Improving the coordination, efficiency, and
11 effectiveness of adult education and workforce devel-
12 opment services at the national, State, and local lev-
13 els.

14 “(4) Determining how participation in adult
15 education, English language acquisition, and family
16 literacy education programs prepares individuals for
17 entry into and success in postsecondary education
18 and employment, and in the case of prison-based
19 services, the effect on recidivism.

20 “(5) Evaluating how different types of pro-
21 viders, including community and faith-based organi-
22 zations or private for-profit agencies measurably im-
23 prove the skills of participants in adult education,
24 English language acquisition, and family literacy
25 education programs.

1 “(6) Identifying model integrated basic and
2 workplace skills education programs, including pro-
3 grams for English learners coordinated literacy and
4 employment services, and effective strategies for
5 serving adults with disabilities.

6 “(7) Initiating other activities designed to im-
7 prove the measurable quality and effectiveness of
8 adult education, English language acquisition, and
9 family literacy education programs nationwide.”.

10 **Subtitle C—Amendments to the** 11 **Wagner-Peyser Act**

12 **SEC. 466. AMENDMENTS TO THE WAGNER-PEYSER ACT.**

13 Section 15 of the Wagner-Peyser Act (29 U.S.C. 491-
14 2) is amended to read as follows:

15 **“SEC. 15. WORKFORCE AND LABOR MARKET INFORMATION** 16 **SYSTEM.**

17 “(a) SYSTEM CONTENT.—

18 “(1) IN GENERAL.—The Secretary of Labor
19 (referred to in this section as the ‘Secretary’), in ac-
20 cordance with the provisions of this section, shall
21 oversee the development, maintenance, and contin-
22 uous improvement of a nationwide workforce and
23 labor market information system that includes—

24 “(A) statistical data from cooperative sta-
25 tistical survey and projection programs and

1 data from administrative reporting systems
2 that, taken together, enumerate, estimate, and
3 project employment opportunities and condi-
4 tions at national, State, and local levels in a
5 timely manner, including statistics on—

6 “(i) employment and unemployment
7 status of national, State, and local popu-
8 lations, including self-employed, part-time,
9 and seasonal workers;

10 “(ii) industrial distribution of occupa-
11 tions, as well as current and projected em-
12 ployment opportunities, wages, benefits
13 (where data is available), and skill trends
14 by occupation and industry, with particular
15 attention paid to State and local condi-
16 tions;

17 “(iii) the incidence of, industrial and
18 geographical location of, and number of
19 workers displaced by, permanent layoffs
20 and plant closings; and

21 “(iv) employment and earnings infor-
22 mation maintained in a longitudinal man-
23 ner to be used for research and program
24 evaluation;

1 “(B) information on State and local em-
2 ployment opportunities, and other appropriate
3 statistical data related to labor market dynam-
4 ics, which—

5 “(i) shall be current and comprehen-
6 sive;

7 “(ii) shall meet the needs identified
8 through the consultations described in sub-
9 paragraphs (C) and (D) of subsection
10 (e)(1); and

11 “(iii) shall meet the needs for the in-
12 formation identified in section
13 121(e)(1)(E) of the Workforce Investment
14 Act of 1998 (29 U.S.C. 2841(e)(1)(E));

15 “(C) technical standards (which the Sec-
16 retary shall publish annually) for data and in-
17 formation described in subparagraphs (A) and
18 (B) that, at a minimum, meet the criteria of
19 chapter 35 of title 44, United States Code;

20 “(D) procedures to ensure compatibility
21 and additivity of the data and information de-
22 scribed in subparagraphs (A) and (B) from na-
23 tional, State, and local levels;

24 “(E) procedures to support standardization
25 and aggregation of data from administrative re-

1 porting systems described in subparagraph (A)
2 of employment-related programs;

3 “(F) analysis of data and information de-
4 scribed in subparagraphs (A) and (B) for uses
5 such as—

6 “(i) national, State, and local policy-
7 making;

8 “(ii) implementation of Federal poli-
9 cies (including allocation formulas);

10 “(iii) program planning and evalua-
11 tion; and

12 “(iv) researching labor market dynam-
13 ics;

14 “(G) wide dissemination of such data, in-
15 formation, and analysis in a user-friendly man-
16 ner and voluntary technical standards for dis-
17 semination mechanisms; and

18 “(H) programs of—

19 “(i) training for effective data dis-
20 semination;

21 “(ii) research and demonstration; and

22 “(iii) programs and technical assist-
23 ance.

24 “(2) INFORMATION TO BE CONFIDENTIAL.—

1 “(A) IN GENERAL.—No officer or em-
2 ployee of the Federal Government or agent of
3 the Federal Government may—

4 “(i) use any submission that is fur-
5 nished for exclusively statistical purposes
6 under the provisions of this section for any
7 purpose other than the statistical purposes
8 for which the submission is furnished;

9 “(ii) disclose to the public any publi-
10 cation or media transmittal of the data
11 contained in the submission described in
12 clause (i) that permits information con-
13 cerning an individual subject to be reason-
14 ably inferred by either direct or indirect
15 means; or

16 “(iii) permit anyone other than a
17 sworn officer, employee, or agent of any
18 Federal department or agency, or a con-
19 tractor (including an employee of a con-
20 tractor) of such department or agency, to
21 examine an individual submission described
22 in clause (i),

23 without the consent of the individual, agency, or
24 other person who is the subject of the submis-
25 sion or provides that submission.

1 “(B) IMMUNITY FROM LEGAL PROCESS.—
2 Any submission (including any data derived
3 from the submission) that is collected and re-
4 tained by a Federal department or agency, or
5 an officer, employee, agent, or contractor of
6 such a department or agency, for exclusively
7 statistical purposes under this section shall be
8 immune from the legal process and shall not,
9 without the consent of the individual, agency, or
10 other person who is the subject of the submis-
11 sion or provides that submission, be admitted
12 as evidence or used for any purpose in any ac-
13 tion, suit, or other judicial or administrative
14 proceeding.

15 “(C) RULE OF CONSTRUCTION.—Nothing
16 in this section shall be construed to provide im-
17 munity from the legal process for such submis-
18 sion (including any data derived from the sub-
19 mission) if the submission is in the possession
20 of any person, agency, or entity other than the
21 Federal Government or an officer, employee,
22 agent, or contractor of the Federal Government,
23 or if the submission is independently collected,
24 retained, or produced for purposes other than
25 the purposes of this Act.

1 “(b) SYSTEM RESPONSIBILITIES.—

2 “(1) IN GENERAL.—The workforce and labor
3 market information system described in subsection
4 (a) shall be planned, administered, overseen, and
5 evaluated through a cooperative governance struc-
6 ture involving the Federal Government and States.

7 “(2) DUTIES.—The Secretary, with respect to
8 data collection, analysis, and dissemination of work-
9 force and labor market information for the system,
10 shall carry out the following duties:

11 “(A) Assign responsibilities within the De-
12 partment of Labor for elements of the work-
13 force and labor market information system de-
14 scribed in subsection (a) to ensure that all sta-
15 tistical and administrative data collected is con-
16 sistent with appropriate Bureau of Labor Sta-
17 tistics standards and definitions.

18 “(B) Actively seek the cooperation of other
19 Federal agencies to establish and maintain
20 mechanisms for ensuring complementarity and
21 nonduplication in the development and oper-
22 ation of statistical and administrative data col-
23 lection activities.

1 “(C) Eliminate gaps and duplication in
2 statistical undertakings, with the systemization
3 of wage surveys as an early priority.

4 “(D) In collaboration with the Bureau of
5 Labor Statistics and States, develop and main-
6 tain the elements of the workforce and labor
7 market information system described in sub-
8 section (a), including the development of con-
9 sistent procedures and definitions for use by the
10 States in collecting the data and information
11 described in subparagraphs (A) and (B) of sub-
12 section (a)(1).

13 “(E) Establish procedures for the system
14 to ensure that—

15 “(i) such data and information are
16 timely;

17 “(ii) paperwork and reporting for the
18 system are reduced to a minimum; and

19 “(iii) States and localities are fully in-
20 volved in the development and continuous
21 improvement of the system at all levels.

22 “(c) NATIONAL ELECTRONIC TOOLS TO PROVIDE
23 SERVICES.—The Secretary is authorized to assist in the
24 development of national electronic tools that may be used
25 to facilitate the delivery of work ready services described

1 in section 134(c)(2) of the Workforce Investment Act of
2 1998 (29 U.S.C. 2864(c)(2)) and to provide workforce and
3 labor market information to individuals through the one-
4 stop delivery systems described in section 121 and through
5 other appropriate delivery systems.

6 “(d) COORDINATION WITH THE STATES.—

7 “(1) IN GENERAL.—The Secretary, working
8 through the Bureau of Labor Statistics and the Em-
9 ployment and Training Administration, shall regu-
10 larly consult with representatives of State agencies
11 carrying out workforce information activities regard-
12 ing strategies for improving the workforce and labor
13 market information system.

14 “(2) FORMAL CONSULTATIONS.—At least twice
15 each year, the Secretary, working through the Bu-
16 reau of Labor Statistics, shall conduct formal con-
17 sultations regarding programs carried out by the
18 Bureau of Labor Statistics with representatives of
19 each of the Federal regions of the Bureau of Labor
20 Statistics, elected (pursuant to a process established
21 by the Secretary) from the State directors affiliated
22 with State agencies that perform the duties de-
23 scribed in subsection (e)(1).

24 “(e) STATE RESPONSIBILITIES.—

1 “(1) IN GENERAL.—In order to receive Federal
2 financial assistance under this section, the Governor
3 of a State shall—

4 “(A) be responsible for the management of
5 the portions of the workforce and labor market
6 information system described in subsection (a)
7 that comprise a statewide workforce and labor
8 market information system;

9 “(B) establish a process for the oversight
10 of such system;

11 “(C) consult with State and local employ-
12 ers, participants, and local workforce invest-
13 ment boards about the labor market relevance
14 of the data to be collected and disseminated
15 through the statewide workforce and labor mar-
16 ket information system;

17 “(D) consult with State educational agen-
18 cies and local educational agencies concerning
19 the provision of workforce and labor market in-
20 formation in order to meet the needs of sec-
21 ondary school and postsecondary school stu-
22 dents who seek such information;

23 “(E) collect and disseminate for the sys-
24 tem, on behalf of the State and localities in the
25 State, the information and data described in

1 subparagraphs (A) and (B) of subsection
2 (a)(1);

3 “(F) maintain and continuously improve
4 the statewide workforce and labor market infor-
5 mation system in accordance with this section;

6 “(G) perform contract and grant respon-
7 sibilities for data collection, analysis, and dis-
8 semination for such system;

9 “(H) conduct such other data collection,
10 analysis, and dissemination activities as will en-
11 sure an effective statewide workforce and labor
12 market information system;

13 “(I) actively seek the participation of other
14 State and local agencies in data collection, anal-
15 ysis, and dissemination activities in order to en-
16 sure complementarity, compatibility, and useful-
17 ness of data;

18 “(J) participate in the development of, and
19 submit to the Secretary, an annual plan to
20 carry out the requirements and authorities of
21 this subsection; and

22 “(K) utilize the quarterly records described
23 in section 136(f)(2) of the Workforce Invest-
24 ment Act of 1998 (29 U.S.C. 2871(f)(2)) to as-

1 sist the State and other States in measuring
2 State progress on State performance measures.

3 “(2) RULE OF CONSTRUCTION.—Nothing in
4 this section shall be construed as limiting the ability
5 of a Governor to conduct additional data collection,
6 analysis, and dissemination activities with State
7 funds or with Federal funds from sources other than
8 this section.

9 “(f) NONDUPLICATION REQUIREMENT.—None of the
10 functions and activities carried out pursuant to this sec-
11 tion shall duplicate the functions and activities carried out
12 under the Carl D. Perkins Career and Technical Edu-
13 cation Act of 2006 (20 U.S.C. 2301 et seq.).

14 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
15 are authorized to be appropriated to carry out this section
16 \$63,473,000 for fiscal year 2015 and each of the 6 suc-
17 ceeding fiscal years.”.

18 **Subtitle D—Repeals and** 19 **Conforming Amendments**

20 **SEC. 471. REPEALS.**

21 The following provisions are repealed:

22 (1) Chapter 4 of subtitle B of title I, and sec-
23 tions 123, 155, 166, 167, 168, 169, 171, 173, 173A,
24 174, 192, 194, 502, 503, and 506 of the Workforce

1 Investment Act of 1998, as in effect on the day be-
2 fore the date of enactment of the SKILLS Act.

3 (2) Title V of the Older Americans Act of 1965
4 (42 U.S.C. 3056 et seq.).

5 (3) Sections 1 through 14 of the Wagner-
6 Peysner Act (29 U.S.C. 49 et seq.).

7 (4) The Twenty-First Century Workforce Com-
8 mission Act (29 U.S.C. 2701 note).

9 (5) Public Law 91–378, 16 U.S.C. 1701 et seq.
10 (popularly known as the “Youth Conservation Corps
11 Act of 1970”).

12 (6) Section 821 of the Higher Education
13 Amendments of 1998 (20 U.S.C. 1151).

14 (7) The Women in Apprenticeship and Non-
15 traditional Occupations Act (29 U.S.C. 2501 et
16 seq.).

17 (8) Sections 4103A and 4104 of title 38,
18 United States Code.

19 **SEC. 472. AMENDMENT TO THE COMPREHENSIVE ENVIRON-**
20 **MENTAL RESPONSE, COMPENSATION, AND LI-**
21 **ABILITY ACT OF 1980.**

22 Section 104(k)(6)(A) of the Comprehensive Environ-
23 mental Response, Compensation, and Liability Act of
24 1980 (42 U.S.C. 9604(k)(6)(A)) is amended by striking
25 “training, research, and” and inserting “research and”.

1 (a) AMENDMENTS TO THE FOOD AND NUTRITION
2 ACT OF 2008.—

3 (1) DEFINITION.—Section 3(t) of the Food and
4 Nutrition Act of 2008 (7 U.S.C. 2012(t)) is amend-
5 ed—

6 (A) by striking “means (1) the agency”
7 and inserting the following: “means—

8 “(A) the agency”;

9 (B) by striking “programs, and (2) the
10 tribal” and inserting the following: “programs;

11 “(B) the tribal”;

12 (C) by striking “this Act.” and inserting
13 the following: “this Act; and

14 “(C) in the context of employment and
15 training activities under section 6(d)(4), a State
16 board as defined in section 101 of the Work-
17 force Investment Act of 1998 (29 U.S.C.
18 2801).”.

19 (2) ELIGIBLE HOUSEHOLDS.—Section 5 of the
20 Food and Nutrition Act of 2008 (7 U.S.C. 2014) is
21 amended—

22 (A) in subsection (d)(14) by striking “sec-
23 tion 6(d)(4)(I)” and inserting “section
24 6(d)(4)(C)”; and

1 (B) in subsection (g)(3), in the first sen-
2 tence, by striking “constitutes adequate partici-
3 pation in an employment and training program
4 under section 6(d)” and inserting “allows the
5 individual to participate in employment and
6 training activities under section 6(d)(4)”.

7 (3) ELIGIBILITY DISQUALIFICATIONS.—Section
8 6(d)(4) of the Food and Nutrition Act of 2008 (7
9 U.S.C. 2015(d)(4)) is amended to read as follows:

10 “(D) EMPLOYMENT AND TRAINING.—

11 “(i) IMPLEMENTATION.—Each State
12 agency shall provide employment and
13 training services authorized under section
14 134 of the Workforce Investment Act of
15 1998 (29 U.S.C. 2864) to eligible members
16 of households participating in the supple-
17 mental nutrition assistance program in
18 gaining skills, training, work, or experience
19 that will increase their ability to obtain
20 regular employment.

21 “(ii) STATEWIDE WORKFORCE DEVEL-
22 OPMENT SYSTEM.—Consistent with sub-
23 paragraph (A), employment and training
24 services shall be provided through the
25 statewide workforce development system,

1 including the one-stop delivery system au-
2 thorized by the Workforce Investment Act
3 of 1998 (29 U.S.C. 2801 et seq.).

4 “(iii) REIMBURSEMENTS.—

5 “(I) ACTUAL COSTS.—The State
6 agency shall provide payments or re-
7 imbursement to participants served
8 under this paragraph for—

9 “(aa) the actual costs of
10 transportation and other actual
11 costs (other than dependent care
12 costs) that are reasonably nec-
13 essary and directly related to the
14 individual participating in em-
15 ployment and training activities;
16 and

17 “(bb) the actual costs of
18 such dependent care expenses as
19 are determined by the State
20 agency to be necessary for the in-
21 dividual to participate in employ-
22 ment and training activities
23 (other than an individual who is
24 the caretaker relative of a de-
25 pendent in a family receiving

1 benefits under part A of title IV
2 of the Social Security Act (42
3 U.S.C. 601 et seq.) in a local
4 area where an employment, train-
5 ing, or education program under
6 title IV of that Act is in oper-
7 ation), except that no such pay-
8 ment or reimbursement shall ex-
9 ceed the applicable local market
10 rate.

11 “(II) SERVICE CONTRACTS AND
12 VOUCHERS.—In lieu of providing re-
13 imbursements or payments for de-
14 pendent care expenses under clause
15 (i), a State agency may, at the option
16 of the State agency, arrange for de-
17 pendent care through providers by the
18 use of purchase of service contracts or
19 vouchers or by providing vouchers to
20 the household.

21 “(III) VALUE OF REIMBURSE-
22 MENTS.—The value of any dependent
23 care services provided for or arranged
24 under clause (ii), or any amount re-

1 ceived as a payment or reimbursement
2 under clause (i), shall—

3 “*(aa)* not be treated as in-
4 come for the purposes of any
5 other Federal or federally as-
6 sisted program that bases eligi-
7 bility for, or the amount of bene-
8 fits on, need; and

9 “*(bb)* not be claimed as an
10 employment-related expense for
11 the purposes of the credit pro-
12 vided under section 21 of the In-
13 ternal Revenue Code of 1986 (26
14 U.S.C. 21).”.

15 (4) ADMINISTRATION.—Section 11(e)(19) of
16 the Food and Nutrition Act of 2008 (7 U.S.C.
17 2020(e)(11)) is amended to read as follows:

18 “(S) the plans of the State agency for pro-
19 viding employment and training services under
20 section 6(d)(4);”.

21 (5) ADMINISTRATIVE COST-SHARING AND QUAL-
22 ITY CONTROL.—Section 16(h) of the Food and Nu-
23 trition Act of 2008 (7 U.S.C. 2025(h)) is amend-
24 ed—

25 (A) in paragraph (1)—

1 (i) in subparagraph (A), by striking
2 “carry out employment and training pro-
3 grams” and inserting “provide employment
4 and training services to eligible households
5 under section 6(d)(4)”; and

6 (ii) in subparagraph (D), by striking
7 “operating an employment and training
8 program” and inserting “providing employ-
9 ment and training services consistent with
10 section 6(d)(4)”;
11

(B) in paragraph (3)—

12 (i) by striking “participation in an
13 employment and training program” and in-
14 serting “the individual participating in em-
15 ployment and training activities”; and

16 (ii) by striking “section
17 6(d)(4)(I)(i)(II)” and inserting “section
18 6(d)(4)(C)(i)(II)”;

19 (C) in paragraph (4), by striking “for op-
20 erating an employment and training program”
21 and inserting “to provide employment and
22 training services”; and

23 (D) by striking paragraph (5) and insert-
24 ing the following:

25 “(E) MONITORING.—

1 “(i) IN GENERAL.—The Secretary, in
 2 conjunction with the Secretary of Labor,
 3 shall monitor each State agency respon-
 4 sible for administering employment and
 5 training services under section 6(d)(4) to
 6 ensure funds are being spent effectively
 7 and efficiently.

8 “(ii) ACCOUNTABILITY.—Each pro-
 9 gram of employment and training receiving
 10 funds under section 6(d)(4) shall be sub-
 11 ject to the requirements of the perform-
 12 ance accountability system, including hav-
 13 ing to meet the State performance meas-
 14 ures described in section 136 of the Work-
 15 force Investment Act (29 U.S.C. 2871).”.

16 (6) RESEARCH, DEMONSTRATION, AND EVALUA-
 17 TIONS.—Section 17 of the Food and Nutrition Act
 18 of 2008 (7 U.S.C. 2026) is amended—

19 (A) in subsection (b)—

20 (i) in paragraph (1)(B)(iv)(III)(dd),
 21 by striking “, (4)(F)(i), or (4)(K)” and in-
 22 serting “or (4)”; and

23 (ii) by striking paragraph (3); and

24 (B) in subsection (g), in the first sentence
 25 in the matter preceding paragraph (1)—

1 (i) by striking “programs established”
2 and inserting “activities provided to eligi-
3 ble households”; and

4 (ii) by inserting “, in conjunction with
5 the Secretary of Labor,” after “Sec-
6 retary”.

7 (7) MINNESOTA FAMILY INVESTMENT
8 PROJECT.—Section 22(b)(4) of the Food and Nutri-
9 tion Act of 2008 (7 U.S.C. 2031(b)(4)) is amended
10 by striking “equivalent to those offered under the
11 employment and training program”.

12 (b) AMENDMENTS TO SECTION 412 OF THE IMMI-
13 GRATION AND NATIONALITY ACT.—

14 (1) CONDITIONS AND CONSIDERATIONS.—Sec-
15 tion 412(a) of the Immigration and Nationality Act
16 (8 U.S.C. 1522(a)) is amended—

17 (A) in paragraph (1)—

18 (i) in subparagraph (A)(i), by striking
19 “make available sufficient resources for
20 employment training and placement” and
21 inserting “provide refugees with the oppor-
22 tunity to access employment and training
23 services, including job placement,”; and

24 (ii) in subparagraph (B)(ii), by strik-
25 ing “services;” and inserting “services pro-

1 vided through the Workforce Investment
2 Act of 1998 (29 U.S.C. 2801 et seq.);”;

3 (B) in paragraph (2)(C)(iii)(II), by insert-
4 ing “and training” after “employment”;

5 (C) in paragraph (6)(A)(ii)—

6 (i) by striking “insure” and inserting
7 “ensure”;

8 (ii) by inserting “and training” after
9 “employment”; and

10 (iii) by inserting after “available” the
11 following: “through the one-stop delivery
12 system under section 121 of the Workforce
13 Investment Act of 1998 (29 U.S.C.
14 2841)”; and

15 (D) in paragraph (9), by inserting “the
16 Secretary of Labor,” after “Education,”.

17 (2) PROGRAM OF INITIAL RESETTLEMENT.—

18 Section 412(b)(2) of such Act (8 U.S.C. 1522(b)(2))
19 is amended—

20 (A) by striking “orientation, instruction”
21 and inserting “orientation and instruction”; and

22 (B) by striking “, and job training for ref-
23 ugees, and such other education and training of
24 refugees, as facilitates” and inserting “for refu-
25 gees to facilitate”.

1 (3) PROJECT GRANTS AND CONTRACTS FOR
2 SERVICES FOR REFUGEES.—Section 412(c) of such
3 Act (8 U.S.C. 1522(c)) is amended—

4 (A) in paragraph (1)—

5 (i) in subparagraph (A)(i), by insert-
6 ing “and training” after “employment”;
7 and

8 (ii) by striking subparagraph (C);

9 (B) in paragraph (2)(B), by striking
10 “paragraph—” and all that follows through “in
11 a manner” and inserting “paragraph in a man-
12 ner”; and

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

14 “(C) In carrying out this section, the Director
15 shall ensure that employment and training services
16 are provided through the statewide workforce devel-
17 opment system, as appropriate, authorized by the
18 Workforce Investment Act of 1998 (29 U.S.C. 2801
19 et seq.). Such action may include—

20 “(i) making employment and training ac-
21 tivities described in section 134 of such Act (29
22 U.S.C. 2864) available to refugees; and

23 “(ii) providing refugees with access to a
24 one-stop delivery system established under sec-
25 tion 121 of such Act (29 U.S.C. 2841).”.

1 (4) CASH ASSISTANCE AND MEDICAL ASSIST-
2 ANCE TO REFUGEES.—Section 412(e) of such Act (8
3 U.S.C. 1522(e)) is amended—

4 (A) in paragraph (2)(A)(i), by inserting
5 “and training” after “providing employment”;
6 and

7 (B) in paragraph (3), by striking “The”
8 and inserting “Consistent with subsection
9 (c)(3), the”.

10 (c) AMENDMENTS RELATING TO THE SECOND
11 CHANCE ACT OF 2007.—

12 (1) FEDERAL PRISONER REENTRY INITIA-
13 TIVE.—Section 231 of the Second Chance Act of
14 2007 (42 U.S.C. 17541) is amended—

15 (A) in subsection (a)(1)(E)—

16 (i) by inserting “the Department of
17 Labor and” before “other Federal agen-
18 cies”; and

19 (ii) by inserting “State and local
20 workforce investment boards,” after “com-
21 munity-based organizations,”;

22 (B) in subsection (c)—

23 (i) in paragraph (2), by striking at
24 the end “and”;

1 (ii) in paragraph (3), by striking at
2 the end the period and inserting “; and”;
3 and

4 (iii) by adding at the end the fol-
5 lowing new paragraph:

6 “(D) to coordinate reentry programs with
7 the employment and training services provided
8 through the statewide workforce investment sys-
9 tem under subtitle B of title I of the Workforce
10 Investment Act of 1998 (29 U.S.C. 2811 et
11 seq.).”; and

12 (C) in subsection (d), by adding at the end
13 the following new paragraph:

14 “(F) INTERACTION WITH THE WORKFORCE
15 INVESTMENT SYSTEM.—

16 “(i) IN GENERAL.—In carrying out
17 this section, the Director shall ensure that
18 employment and training services, includ-
19 ing such employment and services offered
20 through reentry programs, are provided, as
21 appropriate, through the statewide work-
22 force investment system under subtitle B
23 of title I of the Workforce Investment Act
24 of 1998 (29 U.S.C. 2811 et seq.), which
25 may include—

1 “(I) making employment and
2 training services available to prisoners
3 prior to and immediately following the
4 release of such prisoners; or

5 “(II) providing prisoners with ac-
6 cess by remote means to a one-stop
7 delivery system under section 121 of
8 the Workforce Investment Act of
9 1998 (29 U.S.C. 2841) in the State in
10 which the prison involved is located.

11 “(ii) SERVICE DEFINED.—In this
12 paragraph, the term ‘employment and
13 training services’ means those services de-
14 scribed in section 134 of the Workforce In-
15 vestment Act of 1998 (29 U.S.C. 2864) of-
16 fered by the Bureau of Prisons, includ-
17 ing—

18 “(I) the skills assessment de-
19 scribed in subsection (a)(1)(A);

20 “(II) the skills development plan
21 described in subsection (a)(1)(B); and

22 “(III) the enhancement, develop-
23 ment, and implementation of reentry
24 and skills development programs.”.

1 (2) DUTIES OF THE BUREAU OF PRISONS.—
2 Section 4042(a) of title 18, United States Code, is
3 amended—

4 (A) by redesignating subparagraphs (D)
5 and (E), as added by section 231(d)(1)(C) of
6 the Second Chance Act of 2007 (Public Law
7 110–199; 122 Stat. 685), as paragraphs (6)
8 and (7), respectively, and adjusting the margin
9 accordingly;

10 (B) in paragraph (6), as so redesignated,
11 by redesignating clauses (i) and (ii) as subpara-
12 graphs (A) and (B), respectively, and adjusting
13 the margin accordingly;

14 (C) in paragraph (7), as so redesignated—

15 (i) in clause (ii), by striking “Employ-
16 ment” and inserting “Employment and
17 training services (as defined in paragraph
18 (6) of section 231(d) of the Second Chance
19 Act of 2007), including basic skills attain-
20 ment, consistent with such paragraph”;
21 and

22 (ii) by striking clause (iii); and

23 (D) by redesignating clauses (i), (ii), (iv),
24 (v), (vi), and (vii) as subparagraphs (A), (B),

1 (C), (D), (E), and (F), respectively, and adjust-
2 ing the margin accordingly.

3 (d) AMENDMENTS TO THE OMNIBUS CRIME CON-
4 TROL AND SAFE STREETS ACT OF 1968.—Section 2976
5 of the Omnibus Crime Control and Safe Streets Act of
6 1968 (42 U.S.C. 3797w) is amended—

7 (1) in subsection (b)—

8 (A) in paragraph (1), by striking “voca-
9 tional” and inserting “career and technical edu-
10 cation (as defined in section 3 of the Carl D.
11 Perkins Career and Technical Education Act of
12 2006 (20 U.S.C. 2302)) and training”;

13 (B) by redesignating paragraphs (4), (5),
14 (6), and (7) as paragraphs (5), (6), (7), and
15 (8), respectively; and

16 (C) by inserting after paragraph (3) the
17 following new paragraph:

18 “(D) coordinating employment and train-
19 ing services provided through the statewide
20 workforce investment system under subtitle B
21 of title I of the Workforce Investment Act of
22 1998 (29 U.S.C. 2811 et seq.), including a one-
23 stop delivery system under section 121 of such
24 Act (29 U.S.C. 2841), for offenders upon re-

1 lease from prison, jail, or a juvenile facility, as
2 appropriate;”;

3 (2) in subsection (d)(2), by inserting “, includ-
4 ing local workforce investment boards established
5 under section 117 of the Workforce Investment Act
6 of 1998 (29 U.S.C. 2832),” after “nonprofit organi-
7 zations”;

8 (3) in subsection (e)—

9 (A) in paragraph (3), by striking “victims
10 services, and employment services” and insert-
11 ing “and victim services”;

12 (B) by redesignating paragraphs (4) and
13 (5) as paragraphs (5) and (6), respectively; and

14 (C) by inserting after paragraph (3) the
15 following new paragraph:

16 “(D) provides employment and training
17 services through the statewide workforce invest-
18 ment system under subtitle B of title I of the
19 Workforce Investment Act of 1998 (29 U.S.C.
20 2811 et seq.), including a one-stop delivery sys-
21 tem under section 121 of such Act (29 U.S.C.
22 2841);”;

23 (4) in subsection (k)—

1 (A) in paragraph (1)(A), by inserting “, in
2 accordance with paragraph (2)” after “under
3 this section”;

4 (B) by redesignating paragraphs (2) and
5 (3) as paragraphs (3) and (4), respectively; and

6 (C) by inserting after paragraph (1) the
7 following new paragraph:

8 “(B) EMPLOYMENT AND TRAINING.—The
9 Attorney General shall require each grantee
10 under this section to measure the core indica-
11 tors of performance as described in section
12 136(b)(2)(A) of the Workforce Investment Act
13 of 1998 (29 U.S.C. 2871(b)(2)(A)) with respect
14 to the program of such grantee funded with a
15 grant under this section.”.

16 (e) CONFORMING AMENDMENTS TO TITLE 38,
17 UNITED STATES CODE.—Title 38, United States Code, is
18 amended—

19 (1) in section 3672(d)(1), by striking “disabled
20 veterans’ outreach program specialists under section
21 4103A” and inserting “veteran employment special-
22 ists appointed under section 134(f) of the Workforce
23 Investment Act of 1998”;

1 (2) in the table of sections at the beginning of
2 chapter 41, by striking the items relating to sections
3 4103A and 4104;

4 (3) in section 4102A—

5 (A) in subsection (b)—

6 (i) by striking paragraphs (5), (6),
7 and (7); and

8 (ii) by redesignating paragraph (8) as
9 paragraph (5);

10 (B) by striking subsections (c) and (h);

11 (C) by redesignating subsections (d), (e),
12 (f), and (g) as subsections (c), (d), (e), and (f);
13 and

14 (D) in subsection (e)(1) (as so redesignig-
15 nated)—

16 (i) by striking “, including disabled
17 veterans’ outreach program specialists and
18 local veterans’ employment representatives
19 providing employment, training, and place-
20 ment services under this chapter in a
21 State”; and

22 (ii) by striking “for purposes of sub-
23 section (c)”;

24 (4) in section 4104A—

1 (A) in subsection (b)(1), by striking sub-
2 paragraph (A) and inserting the following:

3 “(i) the appropriate veteran employ-
4 ment specialist (in carrying out the func-
5 tions described in section 134(f) of the
6 Workforce Investment Act of 1998);”; and

7 (B) in subsection (c)(1), by striking sub-
8 paragraph (A) and inserting the following:

9 “(i) collaborate with the appropriate
10 veteran employment specialist (as de-
11 scribed in section 134(f)) and the appro-
12 priate State boards and local boards (as
13 such terms are defined in section 101 of
14 the Workforce Investment Act of 1998 (29
15 U.S.C. 2801));”;

16 (5) in section 4109—

17 (A) in subsection (a), by striking “disabled
18 veterans’ outreach program specialists and local
19 veterans’ employment representative” and in-
20 sserting “veteran employment specialists ap-
21 pointed under section 134(f) of the Workforce
22 Investment Act of 1998”; and

23 (B) in subsection (d)(1), by striking “dis-
24 abled veterans’ outreach program specialists
25 and local veterans’ employment representatives”

1 and inserting “veteran employment specialists
2 appointed under section 134(f) of the Work-
3 force Investment Act of 1998”; and

4 (6) in section 4112(d)—

5 (A) in paragraph (1), by striking “disabled
6 veterans’ outreach program specialist” and in-
7 serting “veteran employment specialist ap-
8 pointed under section 134(f) of the Workforce
9 Investment Act of 1998”; and

10 (B) by striking paragraph (2) and redesignig-
11 nating paragraph (3) as paragraph (2).

12 **SEC. 473. CONFORMING AMENDMENT TO TABLE OF CON-**
13 **TENTS.**

14 The table of contents in section 1(b) is amended to
15 read as follows:

16 “(b) TABLE OF CONTENTS.—The table of contents
17 for this Act is 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.

“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. 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. 170. Technical assistance.

“Sec. 172. Evaluations.

“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. 193. Transfer of Federal equity in State employment security real property to the States.
- “Sec. 195. General program requirements.
- “Sec. 196. Federal agency staff.
- “Sec. 197. Restrictions on lobbying and political activities.

“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 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. Repeal.
- “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. 504. Privacy.
- “Sec. 505. Buy-American requirements.
- “Sec. 507. Effective date.”.

1 **Subtitle E—Amendments to the**
2 **Rehabilitation Act of 1973**

3 **SEC. 476. FINDINGS.**

4 Section 2(a) of the Rehabilitation Act of 1973 (29
5 U.S.C. 701(a)) is amended—
6 (1) in paragraph (5), by striking “and” at the
7 end;

1 (2) in paragraph (6), by striking the period and
2 inserting “; and”; and

3 (3) by adding at the end the following:

4 “(7) there is a substantial need to improve and
5 expand services for students with disabilities under
6 this Act.”.

7 **SEC. 477. REHABILITATION SERVICES ADMINISTRATION.**

8 (a) REHABILITATION SERVICES ADMINISTRATION.—

9 The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.)
10 is amended—

11 (1) in section 3(a) (29 U.S.C. 702(a))—

12 (A) by striking “Office of the Secretary”
13 and inserting “Department of Education”;

14 (B) by striking “President by and with the
15 advice and consent of the Senate” and inserting
16 “Secretary”; and

17 (C) by striking “, and the Commissioner
18 shall be the principal officer,”;

19 (2) by striking “Commissioner” each place it
20 appears (except in section 21) and inserting “Direc-
21 tor”;

22 (3) in section 12(c) (29 U.S.C. 709(c)), by
23 striking “Commissioner’s” and inserting “Direc-
24 tor’s”;

25 (4) in section 21 (29 U.S.C. 718)—

1 (A) in subsection (b)(1)—

2 (i) by striking “Commissioner” the
3 first place it appears and inserting “Direc-
4 tor of the Rehabilitation Services Adminis-
5 tration”;

6 (ii) by striking “(referred to in this
7 subsection as the ‘Director’)”; and

8 (iii) by striking “The Commissioner
9 and the Director” and inserting “Both
10 such Directors”; and

11 (B) by striking “the Commissioner and the
12 Director” each place it appears and inserting
13 “both such Directors”;

14 (5) in the heading for subparagraph (B) of sec-
15 tion 100(d)(2) (29 U.S.C. 720(d)(2)), by striking
16 “COMMISSIONER” and inserting “DIRECTOR”;

17 (6) in section 401(a)(1) (29 U.S.C. 781(a)(1)),
18 by inserting “of the National Institute on Disability
19 and Rehabilitation Research” after “Director”;

20 (7) in the heading for section 706 (29 U.S.C.
21 796d–1), by striking “**COMMISSIONER**” and insert-
22 ing “**DIRECTOR**”; and

23 (8) in the heading for paragraph (3) of section
24 723(a) (29 U.S.C. 796f–2(a)), by striking “**COMMISS-
25 SIONER**” and inserting “**DIRECTOR**”.

1 (b) EFFECTIVE DATE; APPLICATION.—The amend-
2 ments made by subsection (a) shall—

3 (1) take effect on the date of the enactment of
4 this Act; and

5 (2) apply with respect to the appointments of
6 Directors of the Rehabilitation Services Administra-
7 tion made on or after the date of enactment of this
8 Act, and the Directors so appointed.

9 **SEC. 478. DEFINITIONS.**

10 Section 7 of the Rehabilitation Act of 1973 (29
11 U.S.C. 705) is amended—

12 (1) by redesignating paragraphs (35) through
13 (39) as paragraphs (36) through (40), respectively;

14 (2) in subparagraph (A)(ii) of paragraph (36)
15 (as redesignated by paragraph (1)), by striking
16 “paragraph (36)(C)” and inserting “paragraph
17 (37)(C)”; and

18 (3) by inserting after paragraph (34) the fol-
19 lowing:

20 “(35)(A) The term ‘student with a disability’
21 means an individual with a disability who—

22 “(i) is not younger than 16 and not older
23 than 21;

1 “(ii) has been determined to be eligible
2 under section 102(a) for assistance under this
3 title; and

4 “(iii)(I) is eligible for, and is receiving,
5 special education under part B of the Individ-
6 uals with Disabilities Education Act (20 U.S.C.
7 1411 et seq.); or

8 “(II) is an individual with a disability, for
9 purposes of section 504.

10 “(B) The term ‘students with disabilities’
11 means more than 1 student with a disability.”.

12 **SEC. 479. CARRYOVER.**

13 Section 19(a)(1) of the Rehabilitation Act of 1973
14 (29 U.S.C. 716(a)(1)) is amended by striking “part B of
15 title VI,”.

16 **SEC. 480. TRADITIONALLY UNDERSERVED POPULATIONS.**

17 Section 21 of the Rehabilitation Act of 1973 (29
18 U.S.C. 718) is amended, in paragraphs (1) and (2)(A) of
19 subsection (b), and in subsection (c), by striking “VI,”.

20 **SEC. 481. STATE PLAN.**

21 Section 101(a) of the Rehabilitation Act of 1973 (29
22 U.S.C. 721(a)) is amended—

23 (1) in paragraph (10)—

24 (A) in subparagraph (B), by striking “on
25 the eligible individuals” and all that follows and

1 inserting “of information necessary to assess
2 the State’s performance on the core indicators
3 of performance described in section
4 136(b)(2)(A) of the Workforce Investment Act
5 of 1998 (29 U.S.C. 2871(b)(2)(A)).”; and

6 (B) in subparagraph (E)(ii), by striking “,
7 to the extent the measures are applicable to in-
8 dividuals with disabilities”;

9 (2) in paragraph (11)—

10 (A) in subparagraph (D)(i), by inserting
11 before the semicolon the following: “, which
12 may be provided using alternative means of
13 meeting participation (such as participation
14 through video conferences and conference
15 calls)”;

16 (B) by adding at the end the following:

17 “(G) COORDINATION WITH ASSISTIVE
18 TECHNOLOGY PROGRAMS.—The State plan shall
19 include an assurance that the designated State
20 unit and the lead agency or implementing entity
21 responsible for carrying out duties under the
22 Assistive Technology Act of 1998 (29 U.S.C.
23 3001 et seq.) have developed working relation-
24 ships and coordinate their activities.”;

25 (3) in paragraph (15)—

- 1 (A) in subparagraph (A)—
- 2 (i) in clause (i)—
- 3 (I) in subclause (II), by striking
- 4 “and” at the end;
- 5 (II) in subclause (III), by adding
- 6 “and” at the end; and
- 7 (III) by adding at the end the
- 8 following:
- 9 “(IV) students with disabilities,
- 10 including their need for transition
- 11 services;”;
- 12 (ii) by redesignating clauses (ii) and
- 13 (iii) as clauses (iii) and (iv), respectively;
- 14 and
- 15 (iii) by inserting after clause (i) the
- 16 following:
- 17 “(ii) include an assessment of the
- 18 transition services provided under this Act,
- 19 and coordinated with transition services
- 20 provided under the Individuals with Dis-
- 21 abilities Education Act (20 U.S.C. 1400 et
- 22 seq.), about the extent to which those 2
- 23 types of services meet the needs of individ-
- 24 uals with disabilities;”;

1 (B) in subparagraph (B)(ii), by striking
2 “and under part B of title VI”; and

3 (C) in subparagraph (D)—

4 (i) by redesignating clauses (iii), (iv),
5 and (v) as clauses (iv), (v), and (vi), re-
6 spectively;

7 (ii) by inserting after clause (ii) the
8 following:

9 “(iii) the methods to be used to im-
10 prove and expand vocational rehabilitation
11 services for students with disabilities, in-
12 cluding the coordination of services de-
13 signed to facilitate the transition of such
14 students from the receipt of educational
15 services in school to the receipt of voca-
16 tional rehabilitation services under this
17 title or to postsecondary education or em-
18 ployment;” and

19 (iii) in clause (v), as redesignated by
20 clause (i) of this subparagraph, by striking
21 “evaluation standards” and inserting “per-
22 formance standards”;

23 (4) in paragraph (22)—

24 (A) in the paragraph heading, by striking
25 “STATE PLAN SUPPLEMENT”;

1 (B) by striking “carrying out part B of
2 title VI, including”; and

3 (C) by striking “that part to supplement
4 funds made available under part B of”;

5 (5) in paragraph (24)—

6 (A) in the paragraph heading, by striking
7 “CONTRACTS” and inserting “GRANTS”; and

8 (B) in subparagraph (A)—

9 (i) in the subparagraph heading, by
10 striking “CONTRACTS” and inserting
11 “GRANTS”; and

12 (ii) by striking “part A of title VI”
13 and inserting “section 109A”; and

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

15 “(25) COLLABORATION WITH INDUSTRY.—The
16 State plan shall describe how the designated State
17 agency will carry out the provisions of section 109A,
18 including—

19 “(A) the criteria such agency will use to
20 award grants under such section; and

21 “(B) how the activities carried out under
22 such grants will be coordinated with other serv-
23 ices provided under this title.

1 “(26) SERVICES FOR STUDENTS WITH DISABIL-
2 ITIES.—The State plan shall provide an assurance
3 satisfactory to the Secretary that the State—

4 “(A) has developed and implemented strat-
5 egies to address the needs identified in the as-
6 sessments described in paragraph (15), and
7 achieve the goals and priorities identified by the
8 State in that paragraph, to improve and expand
9 vocational rehabilitation services for students
10 with disabilities on a statewide basis in accord-
11 ance with paragraph (15); and

12 “(B) from funds reserved under section
13 110A, shall carry out programs or activities de-
14 signed to improve and expand vocational reha-
15 bilitation services for students with disabilities
16 that—

17 “(i) facilitate the transition of stu-
18 dents with disabilities from the receipt of
19 educational services in school, to the re-
20 ceipt of vocational rehabilitation services
21 under this title, including, at a minimum,
22 those services specified in the interagency
23 agreement required in paragraph (11)(D);

24 “(ii) improve the achievement of post-
25 school goals of students with disabilities,

1 including improving the achievement
2 through participation (as appropriate when
3 career goals are discussed) in meetings re-
4 garding individualized education programs
5 developed under section 614 of the Individ-
6 uals with Disabilities Education Act (20
7 U.S.C. 1414);

8 “(iii) provide career guidance, career
9 exploration services, job search skills and
10 strategies, and technical assistance to stu-
11 dents with disabilities;

12 “(iv) support the provision of training
13 and technical assistance to State and local
14 educational agencies and designated State
15 agency personnel responsible for the plan-
16 ning and provision of services to students
17 with disabilities; and

18 “(v) support outreach activities to stu-
19 dents with disabilities who are eligible for,
20 and need, services under this title.”.

21 **SEC. 482. SCOPE OF SERVICES.**

22 Section 103 of the Rehabilitation Act of 1973 (29
23 U.S.C. 723) is amended—

24 (1) in subsection (a), by striking paragraph
25 (15) and inserting the following:

1 “(15) transition services for students with dis-
2 abilities, that facilitate the achievement of the em-
3 ployment outcome identified in the individualized
4 plan for employment involved, including services de-
5 scribed in clauses (i) through (iii) of section
6 101(a)(26)(B);”;

7 (2) in subsection (b), by striking paragraph (6)
8 and inserting the following:

9 “(6)(A)(i) Consultation and technical assistance
10 services to assist State and local educational agen-
11 cies in planning for the transition of students with
12 disabilities from school to post-school activities, in-
13 cluding employment.

14 “(ii) Training and technical assistance de-
15 scribed in section 101(a)(26)(B)(iv).

16 “(B) Services for groups of individuals with dis-
17 abilities who meet the requirements of clauses (i)
18 and (iii) of section 7(35)(A), including services de-
19 scribed in clauses (i), (ii), (iii), and (v) of section
20 101(a)(26)(B), to assist in the transition from
21 school to post-school activities.”; and

22 (3) in subsection (b), by inserting at the end
23 the following:

24 “(7) The establishment, development, or im-
25 provement of assistive technology demonstration,

1 loan, reutilization, or financing programs in coordi-
2 nation with activities authorized under the Assistive
3 Technology Act of 1998 (29 U.S.C. 3001 et seq.) to
4 promote access to assistive technology for individuals
5 with disabilities and employers.”.

6 **SEC. 483. STANDARDS AND INDICATORS.**

7 (a) IN GENERAL.—Section 106 of the Rehabilitation
8 Act of 1973 (29 U.S.C. 726) is amended—

9 (1) in the section heading, by striking “**EVAL-**
10 **UATION STANDARDS**” and inserting “**PERFORM-**
11 **ANCE STANDARDS**”;

12 (2) by striking subsection (a) and inserting the
13 following:

14 “(a) STANDARDS AND INDICATORS.—The perform-
15 ance standards and indicators for the vocational rehabili-
16 tation program carried out under this title—

17 “(1) shall be subject to paragraphs (2)(A) and
18 (3) of section 136(b) of the Workforce Investment
19 Act of 1998 (29 U.S.C. 2871(b)); and

20 “(2) may, at a State’s discretion, include addi-
21 tional indicators identified in the State plan sub-
22 mitted under section 101.”; and

23 (3) in subsection (b)(2)(B), by striking clause
24 (i) and inserting the following:

1 “(i) on a biannual basis, review the
2 program improvement efforts of the State
3 and, if the State has not improved its per-
4 formance to acceptable levels, as deter-
5 mined by the Director, direct the State to
6 make revisions to the plan to improve per-
7 formance; and”.

8 (b) CONFORMING AMENDMENTS.—Section 107 of the
9 Rehabilitation Act of 1973 (29 U.S.C. 727) is amended—

10 (1) in subsections (a)(1)(B) and (b)(2), by
11 striking “evaluation standards” and inserting “per-
12 formance standards”; and

13 (2) in subsection (c)(1)(B), by striking “an
14 evaluation standard” and inserting “a performance
15 standard”.

16 **SEC. 484. EXPENDITURE OF CERTAIN AMOUNTS.**

17 Section 108(a) of the Rehabilitation Act of 1973 (29
18 U.S.C. 728(a)) is amended by striking “under part B of
19 title VI, or”.

20 **SEC. 485. COLLABORATION WITH INDUSTRY.**

21 The Rehabilitation Act of 1973 is amended by insert-
22 ing after section 109 (29 U.S.C. 728a) the following:

23 **“SEC. 109A. COLLABORATION WITH INDUSTRY.**

24 “(a) ELIGIBLE ENTITY DEFINED.—For the purposes
25 of this section, the term ‘eligible entity’ means a for-profit

1 business, alone or in partnership with one or more of the
2 following:

3 “(1) Community rehabilitation program pro-
4 viders.

5 “(2) Indian tribes.

6 “(3) Tribal organizations.

7 “(b) AUTHORITY.—A State shall use not less than
8 one-half of one percent of the payment the State receives
9 under section 111 for a fiscal year to award grants to eligi-
10 ble entities to pay for the Federal share of the cost of
11 carrying out collaborative programs, to create practical job
12 and career readiness and training programs, and to pro-
13 vide job placements and career advancement.

14 “(c) AWARDS.—Grants under this section shall—

15 “(1) be awarded for a period not to exceed 5
16 years; and

17 “(2) be awarded competitively.

18 “(d) APPLICATION.—To receive a grant under this
19 section, an eligible entity shall submit an application to
20 a designated State agency at such time, in such manner,
21 and containing such information as such agency shall re-
22 quire. Such application shall include, at a minimum—

23 “(1) a plan for evaluating the effectiveness of
24 the collaborative program;

1 “(2) a plan for collecting and reporting the
2 data and information described under subparagraphs
3 (A) through (C) of section 101(a)(10), as deter-
4 mined appropriate by the designated State agency;
5 and

6 “(3) a plan for providing for the non-Federal
7 share of the costs of the program.

8 “(e) ACTIVITIES.—An eligible entity receiving a grant
9 under this section shall use the grant funds to carry out
10 a program that provides one or more of the following:

11 “(1) Job development, job placement, and ca-
12 reer advancement services for individuals with dis-
13 abilities.

14 “(2) Training in realistic work settings in order
15 to prepare individuals with disabilities for employ-
16 ment and career advancement in the competitive
17 market.

18 “(3) Providing individuals with disabilities with
19 such support services as may be required in order to
20 maintain the employment and career advancement
21 for which the individuals have received training.

22 “(f) ELIGIBILITY FOR SERVICES.—An individual
23 shall be eligible for services provided under a program
24 under this section if the individual is determined under

1 section 102(a)(1) to be eligible for assistance under this
2 title.

3 “(g) FEDERAL SHARE.—The Federal share for a
4 program under this section shall not exceed 80 percent
5 of the costs of the program.”.

6 **SEC. 486. RESERVATION FOR EXPANDED TRANSITION**
7 **SERVICES.**

8 The Rehabilitation Act of 1973 is amended by insert-
9 ing after section 110 (29 U.S.C. 730) the following:

10 **“SEC. 110A. RESERVATION FOR EXPANDED TRANSITION**
11 **SERVICES.**

12 “Each State shall reserve not less than 10 percent
13 of the funds allotted to the State under section 110(a)
14 to carry out programs or activities under sections
15 101(a)(26)(B) and 103(b)(6).”.

16 **SEC. 487. CLIENT ASSISTANCE PROGRAM.**

17 Section 112(e)(1) of the Rehabilitation Act of 1973
18 (29 U.S.C. 732(e)(1)) is amended by redesignating sub-
19 paragraph (D) as subparagraph (E) and inserting after
20 subparagraph (C) the following:

21 “(D) The Secretary shall make grants to the protec-
22 tion and advocacy system serving the American Indian
23 Consortium under the Developmental Disabilities and Bill
24 of Rights Act of 2000 (42 U.S.C. 15001 et seq.) to provide
25 services in accordance with this section, as determined by

1 the Secretary. The amount of such grants shall be the
2 same as the amount provided to territories under this sub-
3 section.”.

4 **SEC. 488. RESEARCH.**

5 Section 204(a)(2)(A) of the Rehabilitation Act of
6 1973 (29 U.S.C. 764(a)(2)(A)) is amended by striking
7 “VI.”.

8 **SEC. 489. TITLE III AMENDMENTS.**

9 Title III of the Rehabilitation Act of 1973 (29 U.S.C.
10 771 et seq.) is amended—

11 (1) in section 301(a) (21 U.S.C. 771(a))—

12 (A) in paragraph (2), by inserting “and”
13 at the end;

14 (B) by striking paragraphs (3) and (4);
15 and

16 (C) by redesignating paragraph (5) as
17 paragraph (3);

18 (2) in section 302 (29 U.S.C. 772)—

19 (A) in subsection (g)—

20 (i) in the heading, by striking “AND
21 IN-SERVICE TRAINING”; and

22 (ii) by striking paragraph (3); and

23 (B) in subsection (h), by striking “section
24 306” and inserting “section 304”;

25 (3) in section 303 (29 U.S.C. 773)—

1 (A) in subsection (b)(1), by striking “sec-
2 tion 306” and inserting “section 304”; and

3 (B) in subsection (c)—

4 (i) in paragraph (4)—

5 (I) by amending subparagraph

6 (A)(ii) to read as follows:

7 “(ii) to coordinate activities and work
8 closely with the parent training and infor-
9 mation centers established pursuant to sec-
10 tion 671 of the Individuals with Disabil-
11 ities Education Act (20 U.S.C. 1471), the
12 community parent resource centers estab-
13 lished pursuant to section 672 of such Act
14 (29 U.S.C. 1472), and the eligible entities
15 receiving awards under section 673 of such
16 Act (20 U.S.C. 1473); and”;

17 (II) in subparagraph (C), by in-

18 serting “, and demonstrate the capac-
19 ity for serving,” after “serve”; and

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

22 “(8) RESERVATION.—From the amount appro-
23 priated to carry out this subsection for a fiscal year,
24 20 percent of such amount or \$500,000, whichever

1 is less, shall be reserved to carry out paragraph
2 (6).”;

3 (4) by striking sections 304 and 305 (29 U.S.C.
4 774, 775); and

5 (5) by redesignating section 306 (29 U.S.C.
6 776) as section 304.

7 **SEC. 490. REPEAL OF TITLE VI.**

8 Title VI of the Rehabilitation Act of 1973 (29 U.S.C.
9 795 et seq.) is repealed.

10 **SEC. 491. TITLE VII GENERAL PROVISIONS.**

11 (a) PURPOSE.—Section 701(3) of the Rehabilitation
12 Act of 1973 (29 U.S.C. 796(3)) is amended by striking
13 “State programs of supported employment services receiv-
14 ing assistance under part B of title VI,”.

15 (b) CHAIRPERSON.—Section 705(b)(5) of the Reha-
16 bilitation Act of 1973 (29 U.S.C. 796d(b)(5)) is amended
17 to read as follows:

18 “(5) CHAIRPERSON.—The Council shall select a
19 chairperson from among the voting membership of
20 the Council.”.

21 **SEC. 492. AUTHORIZATIONS OF APPROPRIATIONS.**

22 The Rehabilitation Act of 1973 (29 U.S.C. 701 et
23 seq.) is further amended—

24 (1) in section 100 (29 U.S.C. 720)—

1 (A) in subsection (b)(1), by striking “such
2 sums as may be necessary for fiscal years 1999
3 through 2003” and inserting “\$3,121,712,000
4 for fiscal year 2015 and each of the 6 suc-
5 ceeding fiscal years”; and

6 (B) in subsection (d)(1)(B), by striking
7 “2003” and inserting “2021”;

8 (2) in section 110(c) (29 U.S.C. 730(c)), by
9 amending paragraph (2) to read as follows:

10 “(2) The sum referred to in paragraph (1) shall be,
11 as determined by the Secretary, not less than 1 percent
12 and not more than 1.5 percent of the amount referred to
13 in paragraph (1) for each of fiscal years 2015 through
14 2020.”;

15 (3) in section 112(h) (29 U.S.C. 732(h)), by
16 striking “such sums as may be necessary for fiscal
17 years 1999 through 2003” and inserting
18 “\$12,240,000 for fiscal year 2015 and each of the
19 6 succeeding fiscal years”;

20 (4) by amending subsection (a) of section 201
21 (29 U.S.C. 761(a)) to read as follows: “(a) There
22 are authorized to be appropriated \$108,817,000 for
23 fiscal year 2015 and each of the 6 succeeding fiscal
24 years to carry out this title.”;

1 (5) in section 302(i) (29 U.S.C. 772(i)), by
2 striking “such sums as may be necessary for each of
3 the fiscal years 1999 through 2003” and inserting
4 “\$35,515,000 for fiscal year 2015 and each of the
5 6 succeeding fiscal years”;

6 (6) in section 303(e) (29 U.S.C. 773(e)), by
7 striking “such sums as may be necessary for each of
8 the fiscal years 1999 through 2003” and inserting
9 “\$5,325,000 for fiscal year 2015 and each of the 6
10 succeeding fiscal years”;

11 (7) in section 405 (29 U.S.C. 785), by striking
12 “such sums as may be necessary for each of the fis-
13 cal years 1999 through 2003” and inserting
14 “\$3,258,000 for fiscal year 2015 and each of the 6
15 succeeding fiscal years”;

16 (8) in section 502(j) (29 U.S.C. 792(j)), by
17 striking “such sums as may be necessary for each of
18 the fiscal years 1999 through 2003” and inserting
19 “\$7,400,000 for fiscal year 2015 and each of the 6
20 succeeding fiscal years”;

21 (9) in section 509(l) (29 U.S.C. 794e(l)), by
22 striking “such sums as may be necessary for each of
23 the fiscal years 1999 through 2003” and inserting
24 “\$18,031,000 for fiscal year 2015 and each of the
25 6 succeeding fiscal years”;

1 (10) in section 714 (29 U.S.C. 796e-3), by
2 striking “such sums as may be necessary for each of
3 the fiscal years 1999 through 2003” and inserting
4 “\$23,359,000 for fiscal year 2015 and each of the
5 6 succeeding fiscal years”;

6 (11) in section 727 (29 U.S.C. 796f-6), by
7 striking “such sums as may be necessary for each of
8 the fiscal years 1999 through 2003” and inserting
9 “\$79,953,000 for fiscal year 2015 and each of the
10 6 succeeding fiscal years”; and

11 (12) in section 753 (29 U.S.C. 796l), by strik-
12 ing “such sums as may be necessary for each of the
13 fiscal years 1999 through 2003” and inserting
14 “\$34,018,000 for fiscal year 2015 and each of the
15 6 succeeding fiscal years”.

16 **SEC. 493. CONFORMING AMENDMENTS.**

17 Section 1(b) of the Rehabilitation Act of 1973 is
18 amended—

19 (1) by inserting after the item relating to sec-
20 tion 109 the following:

“Sec. 109A. Collaboration with industry.”;

21 (2) by inserting after the item relating to sec-
22 tion 110 the following:

“Sec. 110A. Reservation for expanded transition services.”;

1 (3) by striking the item related to section 304
2 and inserting the following:

“Sec. 304. Measuring of project outcomes and performance.”;

3 (4) by striking the items related to sections 305
4 and 306;

5 (5) by striking the items related to title VI; and

6 (6) by striking the item related to section 706
7 and inserting the following:

“Sec. 706. Responsibilities of the Director.”.

8 **Subtitle F—Studies by the**
9 **Comptroller General**

10 **SEC. 496. STUDY BY THE COMPTROLLER GENERAL ON EX-**
11 **HAUSTING FEDERAL PELL GRANTS BEFORE**
12 **ACCESSING WIA FUNDS.**

13 Not later than 12 months after the date of enactment
14 of this Act, the Comptroller General of the United States
15 shall complete and submit to the Committee on Education
16 and the Workforce of the House of Representatives and
17 the Committee on Health, Education, Labor, and Pen-
18 sions of the Senate a report that—

19 (1) evaluates the effectiveness of subparagraph
20 (B) of section 134(d)(4) of the Workforce Invest-
21 ment Act of 1998 (29 U.S.C. 2864(d)(4)(B)) (as
22 such subparagraph was in effect on the day before
23 the date of enactment of this Act), including—

1 (A) a review of the regulations and guid-
2 ance issued by the Secretary of Labor to State
3 and local areas on how to comply with such
4 subparagraph;

5 (B) a review of State policies to determine
6 how local areas are required to comply with
7 such subparagraph;

8 (C) a review of local area policies to deter-
9 mine how one-stop operators are required to
10 comply with such subparagraph; and

11 (D) a review of a sampling of individuals
12 receiving training services under section
13 134(d)(4) of the Workforce Investment Act of
14 1998 (29 U.S.C. 2864(d)(4)) to determine if,
15 before receiving such training services, such in-
16 dividuals have exhausted funds received through
17 the Federal Pell Grant program under title IV
18 of the Higher Education Act of 1965 (20
19 U.S.C. 1070 et seq.); and

20 (2) makes appropriate recommendations with
21 respect to the matters evaluated under paragraph
22 (1).

1 **SEC. 497. STUDY BY THE COMPTROLLER GENERAL ON AD-**
2 **MINISTRATIVE COST SAVINGS.**

3 (a) STUDY.—Not later than 12 months after the date
4 of the enactment of this Act, the Comptroller General of
5 the United States shall complete and submit to the Com-
6 mittee on Education and the Workforce of the House of
7 Representatives and the Committee on Health, Education,
8 Labor, and Pensions of the Senate a report that—

9 (1) determines the amount of administrative
10 costs at the Federal and State levels for the most re-
11 cent fiscal year for which satisfactory data are avail-
12 able for—

13 (A) each of the programs authorized under
14 the Workforce Investment Act of 1998 (29
15 U.S.C. 2801 et seq.) or repealed under section
16 401 of this Act, as such programs were in ef-
17 fect for such fiscal year; and

18 (B) each of the programs described in sub-
19 paragraph (A) that have been repealed or con-
20 solidated on or after the date of enactment of
21 this Act;

22 (2) determines the amount of administrative
23 cost savings at the Federal and State levels as a re-
24 sult of repealing and consolidating programs by cal-
25 culating the differences in the amount of administra-

1 tive costs between subparagraph (A) and subpara-
2 graph (B) of paragraph (1); and

3 (3) estimates the administrative cost savings at
4 the Federal and State levels for a fiscal year as a
5 result of States consolidating amounts under section
6 501(e) of the Workforce Investment Act of 1998 (20
7 U.S.C. 9271(e)) to reduce inefficiencies in the ad-
8 ministration of federally funded State and local em-
9 ployment and training programs.

10 (b) DEFINITION.—For purposes of this section, the
11 term “administrative costs” has the meaning given the
12 term in section 101 of the Workforce Investment Act of
13 1998 (29 U.S.C. 2801).

14 **TITLE V—OFFSET**

15 **SEC. 501. NONDEFENSE DISCRETIONARY SPENDING.**

16 Section 251(c)(2)(B) of the Balanced Budget and
17 Emergency Deficit Control Act of 1985 is amended by
18 striking “\$492,356,000,000” and inserting
19 “\$482,356,000,000”.

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