

113TH CONGRESS  
1ST SESSION

# H. R. 803

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

---

## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 2013

Ms. FOXX (for herself, Mr. KLINE, Mr. ROE of Tennessee, Mr. ROKITA, Mr. McKEON, Mr. MARCHANT, Mr. SALMON, Mr. GUTHRIE, Mr. DESJARLAIS, Mr. BUCSHON, Mr. HECK of Nevada, Mrs. BROOKS of Indiana, Mr. MESSER, Mrs. ELLMERS, and Mr. STIVERS) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committees on the Judiciary, Agriculture, Veterans' Affairs, Energy and Commerce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

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

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

1 **SECTION 1. SHORT TITLE.**

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

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

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

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

TITLE I—AMENDMENTS TO THE WORKFORCE INVESTMENT ACT  
OF 1998

Subtitle A—Workforce Investment Definitions

Sec. 101. Definitions.

Subtitle B—Statewide and Local Workforce Investment Systems

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

Subtitle C—Job Corps

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

- Sec. 129. Performance accountability management.
- Sec. 130. Closure of low-performing Job Corps centers.
- Sec. 131. Reforms for opening new Job Corps centers.

#### Subtitle D—National Programs

- Sec. 132. Technical assistance.
- Sec. 133. Evaluations.

#### Subtitle E—Administration

- Sec. 134. Requirements and restrictions.
- Sec. 135. Prompt allocation of funds.
- Sec. 136. Fiscal controls; sanctions.
- Sec. 137. Reports to Congress.
- Sec. 138. Administrative provisions.
- Sec. 139. State legislative authority.
- Sec. 140. General program requirements.
- Sec. 141. Department Staff.

#### Subtitle F—State Unified Plan

- Sec. 142. State unified plan.

### TITLE II—ADULT EDUCATION AND FAMILY LITERACY EDUCATION

- Sec. 201. Amendment.

### TITLE III—AMENDMENTS TO THE WAGNER-PEYSER ACT

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

### TITLE IV—REPEALS AND CONFORMING AMENDMENTS

- Sec. 401. Repeals.
- Sec. 402. Amendment to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.
- Sec. 403. Amendments to the Food and Nutrition Act of 2008.
- Sec. 404. Amendments to section 412 of the Immigration and Nationality Act.
- Sec. 405. Amendments relating to the Second Chance Act of 2007.
- Sec. 406. Amendments to the Omnibus Crime Control and Safe Streets Act of 1968.
- Sec. 407. H-1B nonimmigrant petitioner account.
- Sec. 408. Conforming amendments to the United States Code.
- Sec. 409. Conforming amendment to table of contents.

### TITLE V—AMENDMENTS TO THE REHABILITATION ACT OF 1973

- Sec. 501. Findings.
- Sec. 502. Rehabilitation services administration.
- Sec. 503. Definitions.
- Sec. 504. State plan.
- Sec. 505. Scope of services.
- Sec. 506. Standards and indicators.
- Sec. 507. Collaboration with industry.
- Sec. 508. Reservation for expanded transition services.
- Sec. 509. Client assistance program.

Sec. 510. Title III amendments.  
Sec. 511. Repeal of title VI.  
Sec. 512. Chairperson.  
Sec. 513. Authorizations of appropriations.  
Sec. 514. Conforming amendments.

1 **SEC. 3. REFERENCES.**

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

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

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

12 **TITLE I—AMENDMENTS TO THE**  
13 **WORKFORCE INVESTMENT**  
14 **ACT OF 1998**  
15 **Subtitle A—Workforce Investment**  
16 **Definitions**

17 **SEC. 101. DEFINITIONS.**

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

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

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

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

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

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

15 “(2) ADMINISTRATIVE COSTS.—The term ‘ad-  
16 ministrative costs’ means expenditures incurred by  
17 State and local workforce investment boards, direct  
18 recipients (including State grant recipients under  
19 subtitle B and recipients of awards under subtitles  
20 C and D), local grant recipients, local fiscal agents  
21 or local grant subrecipients, and one-stop operators  
22 in the performance of administrative functions and  
23 in carrying out activities under this title which are  
24 not related to the direct provision of workforce in-  
25 vestment services (including services to participants

1 and employers). Such costs include both personnel  
2 and non-personnel and both direct and indirect.”;

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

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

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

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

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

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

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

5 (B) in subparagraph (B)(iii)—

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

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

12 (C) in subparagraph (C), by striking “or”  
13 after the semicolon;

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

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

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

1           “(ii) is the spouse of a member of the  
2           Armed Forces on active duty who meets the cri-  
3           teria described in paragraph (12)(B).”;  
4           (10) in paragraph (12)(A) (as redesignated)—  
5           (A) by striking “and” after the semicolon  
6           and inserting “or”;  
7           (B) by striking “(A)” and inserting  
8           “(A)(i)”; and  
9           (C) by adding at the end the following:  
10           “(ii) is the spouse of a member of the  
11           Armed Forces on active duty for a period of  
12           more than 30 days (as defined in section  
13           101(d)(2) of title 10, United States Code)  
14           whose family income is significantly reduced be-  
15           cause of a deployment (as defined in section  
16           991(b) of title 10, United States Code, or pur-  
17           suant to paragraph (4) of such section), a call  
18           or order to active duty pursuant to a provision  
19           of law referred to in section 101(a)(13)(B) of  
20           title 10, United States Code, a permanent  
21           change of station, or the service-connected (as  
22           defined in section 101(16) of title 38, United  
23           States Code) death or disability of the member;  
24           and”;



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

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

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

7 (B) by striking subparagraph (B), and in-  
8 serting the following:

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

12 (C) by striking subparagraph (C);

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

16 (14) in paragraph (25)—

17 (A) in subparagraph (B), by striking  
18 “higher of—” and all that follows through  
19 clause (ii) and inserting “poverty line for an  
20 equivalent period;”;

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

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

1           “(D) receives or is eligible to receive free  
2           or reduced price lunch under the Richard B.  
3           Russell National School Lunch Act (42 U.S.C.  
4           1751 et seq.);”;

5           (15) in paragraph (32), by striking “the Repub-  
6           lic of the Marshall Islands, the Federated States of  
7           Micronesia,”;

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

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

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

14                   “(B) an at-risk youth who has received a  
15                   secondary school diploma or its recognized  
16                   equivalent but is basic skills deficient, unem-  
17                   ployed, or underemployed.”.

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

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

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

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

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

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

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

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

14                 “(A) is not less than age 16 and not more  
15 than age 24;

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

17                 “(C) is an individual who is one or more  
18 of the following:

19                         “(i) a secondary school dropout;

20                         “(ii) a youth in foster care (including  
21 youth aging out of foster care);

22                         “(iii) a youth offender;

23                         “(iv) a youth who is an individual  
24 with a disability; or

25                         “(v) a migrant youth.

1           “(53) INDUSTRY OR SECTOR PARTNERSHIP.—

2           The term ‘industry or sector partnership’ means a  
3           partnership of a State or local board and one or  
4           more industries and other entities that have the ca-  
5           pability to help the State or local board determine  
6           the immediate and long term skilled workforce needs  
7           of in-demand industries and other occupations im-  
8           portant to the State or local economy, respectively.

9           “(54) INDUSTRY-RECOGNIZED CREDENTIAL.—

10          The term ‘industry-recognized credential’ means a  
11          credential that is sought or accepted by companies  
12          within the industry sector involved, across multiple  
13          States, as recognized, preferred, or required for re-  
14          cruitment, screening, or hiring.

15          “(55) RECOGNIZED POSTSECONDARY CREDEN-

16          TIAL.—The term ‘recognized postsecondary creden-  
17          tial’ means a credential awarded by a training pro-  
18          vider or postsecondary educational institution based  
19          on completion of all requirements for a program of  
20          study, including coursework or tests or other per-  
21          formance evaluations. The term includes an indus-  
22          try-recognized credential, a certificate of completion  
23          of an apprenticeship, or an associate or bacca-  
24          laureate degree.”.

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

3     **SEC. 102. 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 the taxpayer funds.”.

10    **SEC. 103. 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 redesi-  
18                     gnated)—

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 with immediate and long-term employ-  
2 ment opportunities in in-demand in-  
3 dustries and other occupations impor-  
4 tant to the State economy; and”;

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

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

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

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

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

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

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

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

1 community colleges and community-based  
2 organizations within the State;

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

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

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

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

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

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

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

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

24 “(1) STATE PLAN.—Consistent with section  
25 112, develop a State plan.

1           “(2) STATEWIDE WORKFORCE DEVELOPMENT  
2           SYSTEM.—Review and develop statewide policies and  
3           programs in the State in a manner that supports a  
4           comprehensive Statewide workforce development sys-  
5           tem that will result in meeting the workforce needs  
6           of the State and its local areas. Such review shall in-  
7           clude determining whether the State should consoli-  
8           date additional programs into the Workforce Invest-  
9           ment Fund in accordance with section 501(e).

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

17           “(4) EMPLOYER ENGAGEMENT.—Develop strat-  
18           egies across local areas that meet the needs of em-  
19           ployers and support economic growth in the State by  
20           enhancing communication, coordination, and collabo-  
21           ration among employers, economic development enti-  
22           ties, and service providers.

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



1           “(6) ONE-STOP DELIVERY SYSTEM.—Identify  
2           and disseminate information on best practices for ef-  
3           fective operation of one-stop centers, including use  
4           of innovative business outreach, partnerships, and  
5           service delivery strategies.

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

8                   “(A) Reviewing and approving local plans  
9                   under section 118.

10                   “(B) Ensuring the appropriate use and  
11                   management of the funds provided for State  
12                   employment and training activities authorized  
13                   under section 134.

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

16           “(8) DEVELOPMENT OF PERFORMANCE MEAS-  
17           URES.—Develop and ensure continuous improvement  
18           of comprehensive State performance measures, in-  
19           cluding State adjusted levels of performance, as de-  
20           scribed under section 136(b).”;

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

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

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

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

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

8   **SEC. 104. STATE PLAN.**

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

10           (1) in subsection (a)—

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

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

14           (2) in subsection (b)—

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

17                   “(4) information describing—

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

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

23                           “(C) the knowledge and skills of the work-  
24           force in the State; and

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

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

5           “(7) a description of the State criteria for de-  
6           termining the eligibility of training providers in ac-  
7           cordance with section 122, including how the State  
8           will take into account the performance of providers  
9           and whether the training programs relate to occupa-  
10          tions that are in-demand;”;

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

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

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

21                 “(i) assurances that such processes use  
22                 quarterly wage records for performance meas-  
23                 ures described in section 136(b)(2)(A) that are  
24                 applicable to such programs or activities; or

1           “(ii) if such wage records are not being  
2 used for the performance measures, an identi-  
3 fication of the barriers to using such wage  
4 records and a description of how the State will  
5 address such barriers within one year of the ap-  
6 proval of the plan;”;

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

10          (E) in paragraph (11), by striking “under  
11 sections 127 and 132” and inserting “under  
12 section 132”;

13          (F) by striking paragraph (12);

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

17          (H) in paragraph (12) (as so redesign-  
18 nated), by striking “111(f)” and inserting  
19 “111(e)”;

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

22          (J) in paragraph (14) (as so redesignated),  
23 by striking “116(a)(5)” and inserting  
24 “116(a)(4)”;

1 (K) in paragraph (16) (as so redesignated)—  
2

3 (i) in subparagraph (A)—

4 (I) in clause (ii), by striking “to  
5 dislocated workers”;

6 (II) in clause (iii), by striking  
7 “134(d)(4)” and inserting  
8 “134(e)(4)”;

9 (III) by striking “and” at the  
10 end of clause (iii);

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

13 “(iv) how the State will serve the em-  
14 ployment and training needs of dislocated  
15 workers (including displaced homemakers),  
16 low-income individuals (including recipients  
17 of public assistance such as supplemental  
18 nutrition assistance program benefits pur-  
19 suant to the Food and Nutrition Act of  
20 2008 (7 U.S.C. 2011 et seq.)), long-term  
21 unemployed individuals (including individ-  
22 uals who have exhausted entitlement to  
23 State and Federal unemployment com-  
24 pensation), English learners, homeless in-  
25 dividuals, individuals training for nontradi-

1 tional employment, youth (including out-of-  
2 school youth and at-risk youth), older  
3 workers, ex-offenders, migrant and sea-  
4 sonal farmworkers, refugee and entrants,  
5 veterans (including disabled and homeless  
6 veterans), and Native Americans; and”;  
7 and

8 (V) by adding at the end the fol-  
9 lowing new clause:

10 “(v) how the State will—

11 “(I) consistent with section 188  
12 and Executive Order 13217 (42  
13 U.S.C. 12131 note), serve the employ-  
14 ment and training needs of individuals  
15 with disabilities; and

16 “(II) consistent with sections 504  
17 and 508 of the Rehabilitation Act of  
18 1973, include the provision of out-  
19 reach, intake, assessments, and serv-  
20 ice delivery, the development of per-  
21 formance measures, the training of  
22 staff, and other aspects of accessibility  
23 to programs and services under this  
24 subtitle;” and

1 (ii) in subparagraph (B), by striking  
2 “to the extent practicable” and inserting  
3 “in accordance with the requirements of  
4 the Jobs for Veterans Act (Public Law  
5 107–288) and the amendments made by  
6 such Act”; and

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

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

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 State economy;

15 “(B) to meet the needs of employers in the  
16 State; and

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

20 “(18) a description of how the State board will  
21 convene (or help to convene) industry or sector part-  
22 nerships that lead to collaborative planning, resource  
23 alignment, and training efforts across multiple firms  
24 for a range of workers employed or potentially em-  
25 ployed by a targeted industry cluster—

1           “(A) to encourage industry growth and  
2           competitiveness and to improve worker training,  
3           retention, and advancement in targeted indus-  
4           try clusters;

5           “(B) to address the immediate and long-  
6           term skilled workforce needs of in-demand in-  
7           dustries and other occupations important to the  
8           State economy, and

9           “(C) to address critical skill gaps within  
10          and across industries;

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

14          “(20) a description of the State strategy and  
15          assistance to be provided for encouraging regional  
16          cooperation within the State and across State bor-  
17          ders, as appropriate;

18          “(21) a description of the actions that will be  
19          taken by the State to foster communication, coordi-  
20          nation, and partnerships with non-profit organiza-  
21          tions (including public libraries, community, faith-  
22          based, and philanthropic organizations) that provide  
23          employment-related, training, and complementary  
24          services, to enhance the quality and comprehensive-



1       ness of services available to participants under this  
2       title;

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

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

8                       “(B) the formula for allocating such infra-  
9       structure funds to local areas under section  
10       121(h)(3);

11               “(23) a description of the strategies and serv-  
12       ices that will be used in the State to assist at-risk  
13       youth and out-of-school youth in acquiring the edu-  
14       cation and skills, credentials (including recognized  
15       postsecondary credentials and industry-recognized  
16       credentials), and employment experience to succeed  
17       in the labor market, including—

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

21                       “(B) dropout recovery activities that are  
22       designed to lead to the attainment of a regular  
23       secondary school diploma or its recognized  
24       equivalent, or other State recognized equivalent

1 (including recognized alternative standards for  
2 individuals with disabilities); and

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

8 “(24) a description of—

9 “(A) how the State will furnish employ-  
10 ment, training, supportive, and placement serv-  
11 ices to veterans, including disabled and home-  
12 less veterans;

13 “(B) the strategies and services that will  
14 be used in the State to assist and expedite re-  
15 integration of homeless veterans into the labor  
16 force; and

17 “(C) the veteran population to be served in  
18 the State.”;

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

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

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

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

3 (1) in subsection (a)—

4 (A) in paragraph (1)—

5 (i) in subparagraph (A)—

6 (I) by striking “Except as pro-  
7 vided in subsection (b), and consistent  
8 with paragraphs (2), (3), and (4), in”  
9 and inserting “In”; and

10 (II) by striking “127 or”; and

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

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

16 “(i) The extent to which such local  
17 areas are consistent with labor market  
18 areas.

19 “(ii) The extent to which labor market  
20 areas align with economic development re-  
21 gions.

22 “(iii) Whether such local areas have  
23 the appropriate education and training  
24 providers to meet the needs of the local  
25 workforce.

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

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

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

12                  (C) by striking paragraph (3) and insert-  
13                  ing the following:

14                  “(3) DESIGNATION ON RECOMMENDATION OF  
15                  STATE BOARD.—The Governor may approve a re-  
16                  quest from any unit of general local government (in-  
17                  cluding a combination of such units) for designation  
18                  as a local area under paragraph (1) if the State  
19                  board determines, taking into account the factors  
20                  described in clauses (i) through (iv) of paragraph  
21                  (1)(B), and recommends to the Governor, that such  
22                  area shall be so designated.”;

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

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

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

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

6           (3) in subsection (c)—

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

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

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

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

19           (1) in subsection (b)—

20               (A) in paragraph (2)—

21                   (i) in subparagraph (A)—

22                       (I) by striking “include—” and  
23                      all that follows through “representa-  
24                      tives” and inserting “include rep-  
25                      resentatives”;

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

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

8 (IV) by striking clause (ii) (as so  
9 redesignated) and inserting the fol-  
10 lowing:

11 “(ii) represent businesses, including  
12 large and small businesses, with immediate  
13 and long-term employment opportunities in  
14 in-demand industries and other occupa-  
15 tions important to the local economy;  
16 and”; and

17 (V) by striking the semicolon at  
18 the end of clause (iii) (as so redesign-  
19 ated) and inserting “; and”; and

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

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

1           “(i) a superintendent of the local sec-  
2           ondary school system, the president or  
3           chief executive officer of a postsecondary  
4           educational institution (including a com-  
5           munity college, where such an entity ex-  
6           ists), or an administrator of local entities  
7           providing adult education and literacy ac-  
8           tivities;

9           “(ii) representatives of community-  
10          based organizations (including organiza-  
11          tions representing individuals with disabil-  
12          ities and veterans, for a local area in which  
13          such organizations are present); or

14          “(iii) representatives of veterans serv-  
15          ice organizations.”;

16          (B) in paragraph (4)—

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

19                 (ii) by striking “(2)(A)(i)” and insert-  
20                 ing “(2)(A)”; and

21                 (C) in paragraph (5) by striking  
22                 “(2)(A)(i)” and inserting “(2)(A)”;  
23                 (2) by striking subsection (c)(1)(C);

24                 (3) by amending subsection (d) to read as fol-  
25                 lows:

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

3           “(1) LOCAL PLAN.—Consistent with section  
4 118, each local board, in partnership with the chief  
5 elected official for the local area involved, shall de-  
6 velop and submit a local plan to the Governor.

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

9           “(A) IN GENERAL.—The local board  
10 shall—

11           “(i) conduct, and regularly update, an  
12 analysis of—

13           “(I) the economic conditions in  
14 the local area;

15           “(II) the immediate and long-  
16 term skilled workforce needs of in-de-  
17 mand industries and other occupa-  
18 tions important to the local economy;

19           “(III) the knowledge and skills of  
20 the workforce in the local area; and

21           “(IV) workforce development ac-  
22 tivities (including education and train-  
23 ing) in the local area; and

24           “(ii) assist the Governor in developing  
25 the statewide workforce and labor market



1 information system described in section  
2 15(e) of the Wagner-Peyser Act.

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

7 “(3) EMPLOYER ENGAGEMENT.—The local  
8 Board shall meet the needs of employers and sup-  
9 port economic growth in the local area by enhancing  
10 communication, coordination, and collaboration  
11 among employers, economic development entities,  
12 and service providers.

13 “(4) BUDGET AND ADMINISTRATION.—

14 “(A) BUDGET.—

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

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

1            appropriate percentage of funds to reserve under  
2            this clause.

3            “(B) ADMINISTRATION.—

4                    “(i) GRANT RECIPIENT.—

5                            “(I) IN GENERAL.—The chief  
6                            elected official in a local area shall  
7                            serve as the local grant recipient for,  
8                            and shall be liable for any misuse of,  
9                            the grant funds allocated to the local  
10                           area under section 133, unless the  
11                           chief elected official reaches an agree-  
12                           ment with the Governor for the Gov-  
13                           ernor to act as the local grant recipi-  
14                           ent and bear such liability.

15                           “(II) DESIGNATION.—In order to  
16                           assist in administration of the grant  
17                           funds, the chief elected official or the  
18                           Governor, where the Governor serves  
19                           as the local grant recipient for a local  
20                           area, may designate an entity to serve  
21                           as a local grant subrecipient for such  
22                           funds or as a local fiscal agent. Such  
23                           designation shall not relieve the chief  
24                           elected official or the Governor of the

1 liability for any misuse of grant funds  
2 as described in subclause (I).

3 “(III) DISBURSAL.—The local  
4 grant recipient or an entity designated  
5 under subclause (II) shall disburse the  
6 grant funds for workforce investment  
7 activities at the direction of the local  
8 board, pursuant to the requirements  
9 of this title. The local grant recipient  
10 or entity designated under subclause  
11 (II) shall disburse the funds imme-  
12 diately on receiving such direction  
13 from the local board.

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

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

22 “(5) SELECTION OF OPERATORS AND PRO-  
23 VIDERS.—

24 “(A) SELECTION OF ONE-STOP OPERA-  
25 TORS.—Consistent with section 121(d), the

1 local board, with the agreement of the chief  
2 elected official—

3 “(i) shall designate or certify one-stop  
4 operators as described in section  
5 121(d)(2)(A); and

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

8 “(B) IDENTIFICATION OF ELIGIBLE TRAIN-  
9 ING SERVICE PROVIDERS.—Consistent with this  
10 subtitle, the local board shall identify eligible  
11 providers of training services described in sec-  
12 tion 134(c)(4), in the local area.

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

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

23 “(A) ensuring the appropriate use and  
24 management of the funds provided for local em-

1           ployment and training activities authorized  
2           under section 134(b); and

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

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

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

16          (4) in subsection (e)—

17                 (A) by inserting “electronic means and”  
18                 after “regular basis through”; and

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

22          (5) in subsection (f)—

23                 (A) in paragraph (1)(A), by striking “sec-  
24                 tion 134(d)(4)” and inserting “section  
25                 134(c)(4)”; and

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

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

10 (6) in subsection (g)(1), by inserting “or partici-  
11 pate in any action taken” after “vote”; and

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

13 **SEC. 107. LOCAL PLAN.**

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

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

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

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

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

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

3                   “(A) a description of how the local board  
4           will ensure—

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

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

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

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

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

21                   “(B) to meet the needs of employers in the  
22           local area;

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

1           “(D) to better coordinate workforce devel-  
2           opment programs with employment, training,  
3           and literacy services carried out by nonprofit  
4           organizations, including public libraries, as ap-  
5           propriate;

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

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

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

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

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



1           “(6) a description of how the local board will  
2           coordinate workforce investment activities carried  
3           out in the local area with statewide activities, as ap-  
4           propriate;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6           “(13) a description of—

7           “(A) how the local area will furnish em-  
8 ployment, training, supportive, and placement  
9 services to veterans, including disabled and  
10 homeless veterans;

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

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

17           “(14) a description of—

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

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

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

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

5           “(15) such other information as the Governor  
 6           may require.”;

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

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

12 **SEC. 108. 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 the one-  
 23                   stop delivery system to the program and  
 24                   activities carried out by the entity, includ-  
 25                   ing making the work ready services de-

1 scribed in section 134(c)(2) that are appli-  
2 cable to the program 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 of the entity to main-  
7 tain the one-stop delivery system, including  
8 payment of the infrastructure costs of one-  
9 stop centers in accordance with subsection  
10 (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 programs carried out by  
22 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 (viii), as so redesign-  
7 nated, by striking “and” at the end;

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

11 (vi) by adding at the end the fol-  
12 lowing:

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

17 (C) by inserting after subparagraph (B)  
18 the following:

19 “(C) DETERMINATION BY THE GOV-  
20 ERNOR.—Each entity carrying out a program  
21 described in subparagraph (B)(x) shall carry  
22 out the required partner activities described in  
23 subparagraph (A) unless the Governor of the  
24 State in which the local area is located provides  
25 the Secretary and Secretary of Health and

1 Human Services written notice of a determina-  
2 tion by the Governor that such entities shall not  
3 carry out such required partner activities.”; and

4 (D) in paragraph (2)—

5 (i) in subparagraph (A)(i), by striking  
6 “section 134(d)(2)” and inserting “section  
7 134(c)(2)”; and

8 (ii) in subparagraph (B)—

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

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

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

16 (IV) by adding at the end the fol-  
17 lowing:

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

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



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

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

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

9           “(A) provisions describing—

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

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

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

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

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

12 (3) in subsection (d)—

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

17 (B) in paragraph (2)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17                  “(1) IN GENERAL.—

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

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

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

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

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

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

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

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

24           “(1) PARTNER CONTRIBUTIONS.—

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

12           “(B) DETERMINATION OF GOVERNOR.—

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

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

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



1 procedure shall ensure prompt resolution  
2 of the appeal.

3 “(C) LIMITATIONS.—

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

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

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

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

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

25           “(i) OTHER FUNDS.—

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

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

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

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

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

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

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

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

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

9 “(a) ELIGIBILITY.—

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

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

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

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

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

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

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

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

22                  “(b) CRITERIA.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 “(1) identify—

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

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



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

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

16          “(e) ENFORCEMENT.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5           “(2) reserve not more than 1 percent of the  
6           total amount appropriated under section 137 for a  
7           fiscal year to make grants to, and enter into con-  
8           tracts or cooperative agreements with Indian tribes,  
9           tribal organizations, Alaska-Native entities, Indian-  
10          controlled organizations serving Indians, or Native  
11          Hawaiian organizations to carry out employment  
12          and training activities;

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

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

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

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

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

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

16           “(b) WORKFORCE INVESTMENT FUND.—

17           “(1) RESERVATION FOR OUTLYING AREAS.—

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

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

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

7 “(2) STATES.—

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

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

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

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

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

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

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

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

24                         “(I) fiscal year 2014, that is less  
25                         than 100 percent of the allotment per-



1                   centage of the State for fiscal year  
2                   2012; and

3                   “(II) fiscal year 2015 and each  
4                   succeeding fiscal year, that is less  
5                   than 90 percent of the allotment per-  
6                   centage of the State for the preceding  
7                   fiscal year.

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

12                  “(I) fiscal year 2014, that is  
13                  more than 130 percent of the allot-  
14                  ment percentage of the State for fiscal  
15                  year 2012; and

16                  “(II) fiscal year 2015 and each  
17                  succeeding fiscal year, that is more  
18                  than 130 percent of the allotment per-  
19                  centage of the State for the preceding  
20                  fiscal year.

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

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

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

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

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

23                           “(II) used with respect to fiscal  
24                           year 2014 or a succeeding fiscal year,  
25                           means the percentage of the amounts

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

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

13                   “(I) the poverty line; or

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

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

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

20       Section 133 is amended—

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

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

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

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

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

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

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

25                 “(b) WITHIN STATE ALLOCATION.—

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

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

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

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

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

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

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

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

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

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

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

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

11                               “(II) fiscal year 2015 and each  
12                               succeeding fiscal year, that is less  
13                               than 90 percent of the allocation per-  
14                               centage of the local area for the pre-  
15                               ceding fiscal year.

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

21                               “(I) fiscal year 2014, that is  
22                               more than 130 percent of the alloca-  
23                               tion percentage of the local area for  
24                               fiscal year 2012; and

1                   “(II) fiscal year 2015 and each  
2                   succeeding fiscal year, that is more  
3                   than 130 percentage of the allocation  
4                   percentage of the local area for the  
5                   preceding fiscal year.

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

9                   “(i) used with respect to fiscal year  
10                  2012, means the percentage of the  
11                  amounts allocated to local areas under title  
12                  I of this Act, title V of the Older Ameri-  
13                  cans Act of 1965 (42 U.S.C. 3056 et seq.),  
14                  the Women in Apprenticeship and Non-  
15                  traditional Occupations Act (29 U.S.C.  
16                  2501 et seq.), sections 4103A and 4104 of  
17                  title 38, United States Code, and sections  
18                  1 through 14 of the Wagner-Peyser Act  
19                  (29 U.S.C. 49 et seq.), as such provisions  
20                  were in effect for fiscal year 2012, that is  
21                  received under such provisions by the local  
22                  area involved for fiscal year 2012; and

23                  “(ii) used with respect to fiscal year  
24                  2014 or a succeeding fiscal year, means  
25                  the percentage of the amounts allocated to

1           local areas for the fiscal year under this  
2           paragraph that is received under this para-  
3           graph by the local area involved for the fis-  
4           cal year.”;

5           (3) in subsection (c)—

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

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

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

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

20          “(3) REALLOCATIONS.—In making reallocations  
21          to eligible local areas of amounts available pursuant  
22          to paragraph (2) for a program year, the Governor  
23          shall allocate to each eligible local area within the  
24          State an amount based on the relative amount allo-  
25          cated to such local area under subsection (b)(2) for



1 such activities for such prior program year, as com-  
 2 pared to the total amount allocated to all eligible  
 3 local areas in the State under subsection (b)(2) for  
 4 such activities for such prior program year.”; and

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

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

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

15 **SEC. 113. USE OF FUNDS FOR EMPLOYMENT AND TRAINING**  
 16 **ACTIVITIES.**

17 Section 134 is amended—

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

20 “(a) STATEWIDE EMPLOYMENT AND TRAINING AC-  
 21 TIVITIES.—

22 “(1) IN GENERAL.—

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

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

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

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

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

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

24                 “(A) disseminating the State list of eligible  
25                 providers of training described in section

1 122(d), information identifying eligible pro-  
2 viders of on-the-job training and customized  
3 training described in section 122(i), and per-  
4 formance information and program cost infor-  
5 mation described in section 122(b)(2);

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

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

15 “(D) conducting evaluations under section  
16 136(e) of activities authorized under this chap-  
17 ter in coordination with evaluations carried out  
18 by the Secretary under section 172;

19 “(E) providing technical assistance to local  
20 areas that fail to meet local performance meas-  
21 ures;

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

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

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

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

1 businesses, consistent with the objectives of this  
2 title;

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

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

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

17 “(E) incorporating pay-for-performance  
18 contracting strategies as an element in funding  
19 activities under this section;

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

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

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

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

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

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

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

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

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

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

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

17               “(i) is a—

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

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

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

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

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

9           “(C) GRANT PERIOD.—

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 (3) by striking subsection (c);

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

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

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

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

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

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

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

14 (B) in paragraph (2)—

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

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

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

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

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

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

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

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

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

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

21 “(E) labor exchange services, including—

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

1           “(ii) appropriate recruitment services  
2           for employers, including small employers,  
3           in the local area, which may include serv-  
4           ices described in this subsection, including  
5           information and referral to specialized  
6           business services not traditionally offered  
7           through the one-stop delivery system; and

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

14          (vii) in subparagraph (F), as so redes-  
15          ignated, by striking “employment statis-  
16          tics” and inserting “workforce and labor  
17          market”;

18          (viii) in subparagraph (G), as so re-  
19          designated, by striking “and eligible pro-  
20          viders of youth activities described in sec-  
21          tion 123,”;

22          (ix) in subparagraph (H), as so redes-  
23          ignated, by inserting “under section 136”  
24          after “local performance measures”;

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

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

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

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

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

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

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

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

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

9                   “(O) group counseling;

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

12                  “(Q) case management;

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

19                  “(S) internships and work experience;

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



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

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

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

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

13 (D) in paragraph (4)—

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

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

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

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

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

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

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

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

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

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

23                         “(i) occupational skills training;

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

25                         “(iii) skill upgrading and retraining;

1 “(iv) entrepreneurial training;

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

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

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

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

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

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

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

1 (v) in subparagraph (E) (as so rededesignated)—  
2

3 (I) in clause (ii)—

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

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

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

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

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

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

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

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

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

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

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

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

7 (III) in clause (ii)—

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

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

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

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

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

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

1           “(IV) the local board determines  
2           that it would be most appropriate to  
3           award a contract to an institution of  
4           higher education in order to facilitate  
5           the training of multiple individuals in  
6           in-demand sectors or occupations, if  
7           such contract does not limit customer  
8           choice.”;

9           (IV) in clause (iii), by striking  
10          “adult or dislocated worker” and in-  
11          serting “individual”; and

12          (V) in clause (iv)—

13               (aa) by redesignating sub-  
14               clause (IV) as subclause (V) and  
15               inserting after subclause (III) the  
16               following:

17               “(IV) Individuals with disabili-  
18               ties.”;

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

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

22               “(1) DISCRETIONARY ONE-STOP DELIVERY AC-  
23               TIVITIES.—

24               “(A) IN GENERAL.—Funds allocated to a  
25               local area under section 133(b)(2) may be used

1 to provide, through the one-stop delivery sys-  
2 tem—

3 “(i) customized screening and referral  
4 of qualified participants in training serv-  
5 ices to employers;

6 “(ii) customized employment-related  
7 services to employers on a fee-for-service  
8 basis;

9 “(iii) customer supports, including  
10 transportation and childcare, to navigate  
11 among multiple services and activities for  
12 special participant populations that face  
13 multiple barriers to employment, including  
14 individuals with disabilities;

15 “(iv) employment and training assist-  
16 ance provided in coordination with child  
17 support enforcement activities of the State  
18 agency carrying out subtitle D of title IV  
19 of the Social Security Act (42 U.S.C. 651  
20 et seq.);

21 “(v) incorporating pay-for-perform-  
22 ance contracting strategies as an element  
23 in funding activities under this section;

24 “(vi) activities to facilitate remote ac-  
25 cess to services provided through a one-



1 stop delivery system, including facilitating  
2 access through the use of technology; and

3 “(vii) activities to carry out business  
4 services and strategies that meet the work-  
5 force investment needs of local area em-  
6 ployers, as determined by the local board,  
7 consistent with the local plan under section  
8 118.”.

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

10 and

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

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

14 “(A) IN GENERAL.—The local board may  
15 use funds allocated to a local area under section  
16 133(b)(2) to carry out incumbent worker train-  
17 ing programs in accordance with this para-  
18 graph.

19 “(B) TRAINING ACTIVITIES.—The training  
20 programs for incumbent workers under this  
21 paragraph shall be carried out by the local area  
22 in conjunction with the employers of such work-  
23 ers for the purpose of assisting such workers in  
24 obtaining the skills necessary to retain employ-  
25 ment and avert layoffs.

1           “(C) EMPLOYER MATCH REQUIRED.—

2                   “(i) IN GENERAL.—Employers partici-  
3           pating in programs under this paragraph  
4           shall be required to pay a proportion of the  
5           costs of providing the training to the in-  
6           cumbent workers of the employers. The  
7           local board shall establish the required por-  
8           tion of such costs, which may include in-  
9           kind contributions.

10                   “(ii) CALCULATION OF MATCH.—The  
11           wages paid by an employer to a worker  
12           while they are attending training may be  
13           included as part of the required payment  
14           of the employer.”; and

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

16                   “(e) PRIORITY FOR PLACEMENT IN PRIVATE SECTOR  
17           JOBS.—In providing employment and training activities  
18           authorized under this section, the State and local board  
19           shall give priority to placing participants in jobs in the  
20           private sector.

21                   “(f) VETERAN EMPLOYMENT SPECIALIST.—

22                   “(1) IN GENERAL.—Subject to paragraph (8), a  
23           local board shall hire and employ one or more vet-  
24           eran employment specialist to carry out employment,

1 training, and placement services under this sub-  
2 section in the local area served by the local board.

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

5 “(A) conduct outreach to employers in the  
6 local area to assist veterans, including disabled  
7 veterans, in gaining employment, including—

8 “(i) conducting seminars for employ-  
9 ers; and

10 “(ii) in conjunction with employers,  
11 conducting job search workshops, and es-  
12 tablishing job search groups; and

13 “(B) facilitate employment, training, sup-  
14 portive, and placement services furnished to  
15 veterans, including disabled and homeless vet-  
16 erans, in the local area.

17 “(3) HIRING PREFERENCE FOR VETERANS AND  
18 INDIVIDUALS WITH EXPERTISE IN SERVING VET-  
19 ERANS.—Subject to paragraph (8), a local board  
20 shall, to the maximum extent practicable, employ  
21 veterans or individuals with expertise in serving vet-  
22 erans to carry out the services described in para-  
23 graph (2) in the local area served by the local board.  
24 In hiring an individual to serve as a veteran employ-

1 ment specialist, a local board shall give preference to  
2 veterans and other individuals in the following order:

3 “(A) To service-connected disabled vet-  
4 erans.

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

7 “(C) If no veteran described in subpara-  
8 graph (A) or (B) is available, to any member of  
9 the Armed Forces transitioning out of military  
10 service.

11 “(D) If no veteran described in subpara-  
12 graph (A), (B), or (C) is available, to any  
13 spouse of a veteran or a spouse of a member of  
14 the Armed Forces transitioning out of military  
15 service.

16 “(E) If no veteran described in subpara-  
17 graph (A), (B), or (C) is available and no  
18 spouse described in paragraph (D) is available,  
19 to any other individuals with expertise in serv-  
20 ing veterans.

21 “(4) ADMINISTRATION AND REPORTING.—

22 “(A) IN GENERAL.—Each veteran employ-  
23 ment specialist shall be administratively respon-  
24 sible to the manager of the one-stop delivery  
25 center in the local area and shall provide, at a

1 minimum, quarterly reports to the manager of  
2 such center and to the Director for Veterans'  
3 Employment and Training for the State on the  
4 performance and compliance by the specialist  
5 with Federal law and regulations with respect  
6 to the—

7 “(i) principal duties and special serv-  
8 ices for veterans described in paragraph  
9 (2); and

10 “(ii) hiring preferences described in  
11 paragraph (3) for veterans and individuals  
12 with expertise in serving veterans.

13 “(B) REPORT TO SECRETARY.—Each  
14 State shall submit to the Secretary an annual  
15 report on the qualifications used by the local  
16 board in making hiring determinations for a  
17 veteran employment specialist and the salary  
18 structure under which such specialist is com-  
19 pensated.

20 “(C) REPORT TO CONGRESS.—The Sec-  
21 retary shall submit to the Committee on Edu-  
22 cation and the Workforce and the Committee  
23 on Veterans' Affairs of the House of Represent-  
24 atives and the Committee on Health, Edu-  
25 cation, Labor, and Pensions and the Committee

1 on Veterans' Affairs of the Senate an annual  
2 report summarizing the reports submitted  
3 under subparagraph (B), including summaries  
4 of outcomes achieved by participating veterans  
5 disaggregated by local areas.

6 “(5) PART-TIME EMPLOYEES.—A part-time vet-  
7 eran employment specialist shall perform the func-  
8 tions of a veteran employment specialist under this  
9 subsection on a halftime basis.

10 “(6) TRAINING REQUIREMENTS.—Each veteran  
11 employment specialist described in paragraph (2)  
12 shall satisfactorily complete training provided by the  
13 National Veterans' Employment and Training Insti-  
14 tute during the three-year period that begins on the  
15 date on which the employee is so assigned.

16 “(7) SPECIALIST'S DUTIES.—A full-time vet-  
17 eran employment specialist shall perform only duties  
18 related to the employment, training, supportive, and  
19 placement services under this subsection, and shall  
20 not perform other non-veteran-related duties if such  
21 duties detract from the specialist's ability to perform  
22 the specialist's duties related to employment, train-  
23 ing, and placement services under this subsection.

24 “(8) STATE OPTION.—At the request of a local  
25 board, a State may assume the duties assigned to

1 the local board under paragraphs (1) and (3), in-  
2 cluding the hiring and employment of one or more  
3 veteran employment specialist for placement in the  
4 local area served by the local board.”.

5 **SEC. 114. PERFORMANCE ACCOUNTABILITY SYSTEM.**

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

7 (1) in subsection (b)—

8 (A) by amending paragraphs (1) and (2)  
9 to read as follows:

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

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

14 “(ii) additional indicators of performance  
15 (if any) identified by the State under paragraph  
16 (2)(B); and

17 “(B) a State adjusted level of performance  
18 for each indicator described in subparagraph  
19 (A).

20 “(2) INDICATORS OF PERFORMANCE.—

21 “(A) CORE INDICATORS OF PERFORM-  
22 ANCE.—

23 “(i) IN GENERAL.—The core indica-  
24 tors of performance for the program of em-  
25 ployment and training activities authorized

1 under sections 132(a)(2) and 134, the pro-  
2 gram of adult education and literacy activi-  
3 ties authorized under title II, and the pro-  
4 gram authorized under title I of the Reha-  
5 bilitation Act of 1973 (29 U.S.C. 720 et  
6 seq.), other than section 112 or part C of  
7 that title (29 U.S.C. 732, 741), shall con-  
8 sist of the following indicators of perform-  
9 ance, each disaggregated by the popu-  
10 lations identified in the State and local  
11 plans:

12 “(I) The percentage and number  
13 of program participants who are in  
14 unsubsidized employment during the  
15 second full calendar quarter after exit  
16 from the program.

17 “(II) The percentage and number  
18 of program participants who are in  
19 unsubsidized employment during the  
20 fourth full calendar quarter after exit  
21 from the program.

22 “(III) The median earnings of  
23 program participants who are in un-  
24 subsidized employment during the sec-  
25 ond full calendar quarter after exit



1 from the program compared to the  
2 median earnings of such participants  
3 prior to the training received under  
4 such program.

5 “(IV) The percentage and num-  
6 ber of program participants who ob-  
7 tain a recognized postsecondary cre-  
8 dential, a registered apprenticeship,  
9 an industry-recognized credential, or a  
10 regular secondary school diploma or  
11 its recognized equivalent (subject to  
12 clause (ii)), during participation in or  
13 within 1 year after exit from program.

14 “(V) The percentage and number  
15 of program participants who, during a  
16 program year—

17 “(aa) are in an education or  
18 training program that leads to a  
19 recognized postsecondary creden-  
20 tial, a registered apprenticeship  
21 or on-the-job training program,  
22 an industry-recognized credential,  
23 a regular secondary school di-  
24 ploma or its recognized equiva-

1 lent, or unsubsidized employ-  
2 ment; and

3 “(bb) are achieving measur-  
4 able basic skill gains toward such  
5 a credential or employment.

6 “(VI) The percentage and num-  
7 ber of program participants who ob-  
8 tain unsubsidized employment in the  
9 field relating to the training services  
10 described in section 134(c)(4) that  
11 such participants received.

12 “(ii) INDICATOR RELATING TO CRE-  
13 DENTIAL.—For purposes of clause (i)(IV),  
14 program participants who obtain a regular  
15 secondary school diploma or its recognized  
16 equivalent shall be included in the percent-  
17 age counted as meeting the criterion under  
18 such clause only if such participants, in  
19 addition to obtaining such diploma or its  
20 recognized equivalent, have, within 1 year  
21 after exit from the program, obtained or  
22 retained employment, have been removed  
23 from public assistance, or are in an edu-  
24 cation or training program leading to a  
25 recognized postsecondary credential.

1           “(B) ADDITIONAL INDICATORS.—A State  
2           may identify in the State plan additional indica-  
3           tors for workforce investment activities author-  
4           ized under this subtitle.”; and

5           (B) in paragraph (3)—

6           (i) in subparagraph (A)—

7           (I) in the heading, by striking  
8           “AND CUSTOMER SATISFACTION INDI-  
9           CATOR”;

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

13          (III) in clause (ii), by striking  
14          “and the customer satisfaction indi-  
15          cator of performance, for the first 3”  
16          and inserting “, for all 3”;

17          (IV) in clause (iii)—

18          (aa) in the heading, by  
19          striking “FOR FIRST 3 YEARS”;  
20          and

21          (bb) by striking “and the  
22          customer satisfaction indicator of  
23          performance, for the first 3 pro-  
24          gram years” and inserting “for  
25          all 3 program years”;

1 (V) in clause (iv)—  
2 (aa) by striking “or (v)”;  
3 (bb) by striking subclause  
4 (I) and redesignating subclauses  
5 (II) and (III) as subclauses (I)  
6 and (II), respectively; and  
7 (cc) in subclause (I) (as so  
8 redesignated)—  
9 (AA) by striking “tak-  
10 ing into account” and in-  
11 sserting “which shall be ad-  
12 justed based on”;  
13 (BB) by inserting “,  
14 such as unemployment rates  
15 and job losses or gains in  
16 particular industries” after  
17 “economic conditions”; and  
18 (CC) by inserting “,  
19 such as indicators of poor  
20 work experience, dislocation  
21 from high-wage employment,  
22 low levels of literacy or  
23 English proficiency, dis-  
24 ability status, including the  
25 number of veterans with dis-

1 abilities, and welfare de-  
2 pendency” after “program”;  
3 (VI) by striking clause (v) and  
4 redesignating clause (vi) as clause (v);  
5 and  
6 (VII) in clause (v) (as so redesign-  
7 nated),  
8 (aa) by striking “described  
9 in clause (iv)(II)” and inserting  
10 “described in clause (iv)(I)”; and  
11 (bb) by striking “or (v)”;  
12 and  
13 (ii) in subparagraph (B), by striking  
14 “paragraph (2)(C)” and inserting “para-  
15 graph (2)(B)”;  
16 (2) in subsection (c)(1)(A)—  
17 (A) by amending clause (i) to read as fol-  
18 lows: “(i) the core indicators of performance de-  
19 scribed in subsection (b)(2)(A) for activities de-  
20 scribed in such subsections, other than state-  
21 wide workforce investment activities; and”;  
22 (B) in clause (ii), by striking “(b)(2)(C)”  
23 and inserting “(b)(2)(B)”; and  
24 (C) by amending paragraph (3) to read as  
25 follows:

1           “(3) DETERMINATIONS.—In determining such  
2 local levels of performance, the local board, the chief  
3 elected official, and the Governor shall ensure such  
4 levels are adjusted based on the specific economic  
5 characteristics (such as unemployment rates and job  
6 losses or gains in particular industries), demographic  
7 characteristics, or other characteristics of the popu-  
8 lation to be served in the local area.”;

9           (3) in subsection (d)—

10           (A) in paragraph (1)—

11           (i) by striking “127 or”; and

12           (ii) by striking “and the customer sat-  
13 isfaction indicator” each place it appears;

14           (B) in paragraph (2)—

15           (i) by striking subparagraphs (A),  
16 (B), and (D);

17           (ii) by redesignating subparagraph  
18 (C) as subparagraph (A);

19           (iii) by redesignating subparagraph  
20 (E) as subparagraph (B);

21           (iv) in subparagraph (B), as so reded-  
22 icated—

23           (I) by striking “(excluding par-  
24 ticipants who received only self-service  
25 and informational activities)”; and

1 (II) by striking “and” at the end;

2 (v) by striking subparagraph (F);

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

5 “(C) with respect to each local area in the  
6 State—

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

18 “(ii) the number of individuals who  
19 successfully exited out of work ready serv-  
20 ices described under section 134(c)(2) and  
21 the number of individuals who exited out  
22 of training services described under section  
23 134(c)(4) during the most recent program  
24 year and fiscal year, and the preceding 5  
25 program years, and where the individuals

1 received the training, disaggregated by the  
2 type of entity that provided the training;  
3 and

4 “(iii) the average cost per participant  
5 of those individuals who received work  
6 ready services described under section  
7 134(c)(2) and the average cost per partici-  
8 pant of those individuals who received  
9 training services described under section  
10 134(c)(4) during the most recent program  
11 year and fiscal year, and the preceding 5  
12 program years, and where the individuals  
13 received the training, disaggregated by the  
14 type of entity that provided the training;  
15 and

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

20 (C) in paragraph (3)(A), by striking  
21 “through publication” and inserting “through  
22 electronic means”; and

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

24 “(4) DATA VALIDATION.—In preparing the re-  
25 ports described in this subsection, each State shall



1 establish procedures, consistent with guidelines  
2 issued by the Secretary, to ensure the information  
3 contained in the report is valid and reliable.

4 “(5) STATE AND LOCAL POLICIES.—

5 “(A) STATE POLICIES.—Each State that  
6 receives an allotment under section 132 shall  
7 maintain a central repository of policies related  
8 to access, eligibility, availability of services, and  
9 other matters and plans approved by the State  
10 board and make such repository available to the  
11 public, including by electronic means.

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

20 (4) in subsection (g)—

21 (A) in paragraph (1)(A), by striking “or  
22 (B)”;

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

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

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

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

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

12 “(A) IN GENERAL.—If such failure con-  
13 tinues for a second consecutive year, the Gov-  
14 ernor shall take corrective actions, including the  
15 development of a reorganization plan. Such  
16 plan shall—”;

17 (B) by redesignating subparagraphs (B)  
18 and (C) as subparagraphs (C) and (D), respec-  
19 tively;

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

22 “(B) REDUCTION IN THE AMOUNT OF  
23 GRANT.—If such failure continues for a third  
24 consecutive year, the Governor of a State shall  
25 reduce the amount of the grant that would (in

1 the absence of this subparagraph) be payable to  
2 the local area under such program for the pro-  
3 gram year after such third consecutive year.  
4 Such penalty shall be based on the degree of  
5 failure to meet local levels of performance.”;

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

16 (E) in subparagraph (D) (as so redesign-  
17 ated), by striking “subparagraph (B)” each  
18 place it appears and inserting “subparagraph  
19 (C)”;

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

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

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

3           (10) in subsection (i)(3), by striking “described  
4           in paragraph (1) and in the activities described in  
5           section 502” and inserting “and activities described  
6           in this subsection”; and

7           (11) by adding at the end the following new  
8           subsection:

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

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

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

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

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

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

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

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

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

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

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

18                   (1) in paragraph (2)—

19                           (A) in the paragraph heading, by striking

20                           “APPLICABLE”;

21                           (B) by striking “applicable”;

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

23                           (D) by striking “intake” and inserting “as-

24                           sessment”;

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

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

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

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

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

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

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

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

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

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

7           (1) in subsection (a)—

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

11                   (B) in paragraph (3)—

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

14                           (ii) in subparagraph (A)—

15                                   (I) by striking “applicable”; and

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

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

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

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

25           (2) in subsection (b)—

1 (A) in paragraph (1)—

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

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

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

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

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

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

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



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

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

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

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

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

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

22           “(i) homicide;

23           “(ii) child abuse or neglect;

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

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

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

6                   (3) in subsection (c)—

7                   (A) in paragraph (1)—

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

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

12                  (B) in paragraph (2)—

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

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

17                  (iii) in subparagraph (C)—

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

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

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

23                   “(D) the performance of the Job Corps  
24                   center relating to the indicators described in  
25                   paragraphs (1) and (2) in section 159(c), and

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

4           (4) in subsection (d)—

5                 (A) in paragraph (1)—

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

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

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

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

22 **SEC. 120. JOB CORPS CENTERS.**

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

24                 (1) in subsection (a)—

25                     (A) in paragraph (1)—

1 (i) in subparagraph (A), by striking  
2 “vocational” both places it appears and in-  
3 serting “career and technical”; and

4 (ii) in subparagraph (B)—

5 (I) by striking “may” and insert-  
6 ing “shall”;

7 (II) by inserting “that resides in  
8 the State in which the Jobs Corps  
9 center is located” before “to provide”;  
10 and

11 (III) by inserting before the pe-  
12 riod at the end the following: “, as ap-  
13 propriate”;

14 (B) in paragraph (2)—

15 (i) in subparagraph (A)—

16 (I) by striking “subsections (c)  
17 and (d) of section 303 of the Federal  
18 Property and Administrative Services  
19 Act of 1949 (41 U.S.C. 253)” and in-  
20 serting “subsections (a) and (b) of  
21 section 3304 of title 41, United States  
22 Code”; and

23 (II) by striking “industry coun-  
24 cil” and inserting “workforce coun-  
25 cil”;

1 (ii) in subparagraph (B)(i)—

2 (I) by amending subclause (II) to  
3 read as follows:

4 “(II) the ability of the entity to  
5 offer career and technical education  
6 and training that the workforce coun-  
7 cil proposes under section 154(c);”;

8 (II) in subclause (III), by strik-  
9 ing “is familiar with the surrounding  
10 communities, applicable” and insert-  
11 ing “demonstrates relationships with  
12 the surrounding communities, employ-  
13 ers, workforce boards,” and by strik-  
14 ing “and” at the end;

15 (III) by amending subclause (IV)  
16 to read as follows:

17 “(IV) the performance of the en-  
18 tity, if any, relating to operating or  
19 providing activities described in this  
20 subtitle to a Job Corps center, includ-  
21 ing the entity’s demonstrated effec-  
22 tiveness in assisting individuals in  
23 achieving the primary and secondary  
24 indicators of performance described in

1 paragraphs (1) and (2) of section  
2 159(c); and”;

3 (IV) by adding at the end the fol-  
4 lowing new subclause:

5 “(V) the ability of the entity to  
6 demonstrate a record of successfully  
7 assisting at-risk youth to connect to  
8 the workforce, including by providing  
9 them with intensive academic, and ca-  
10 reer and technical education and  
11 training.”;

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

14 (2) in subsection (b), by striking “In any year,  
15 no more than 20 percent of the individuals enrolled  
16 in the Job Corps may be nonresidential participants  
17 in the Job Corps.”;

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

20 “(c) CIVILIAN CONSERVATION CENTERS.—

21 “(1) IN GENERAL.—The Job Corps centers may  
22 include Civilian Conservation Centers, operated  
23 under an agreement between the Secretary of Labor  
24 and the Secretary of Agriculture, that are located  
25 primarily in rural areas. Such centers shall adhere

1 to all the provisions of this subtitle, and shall pro-  
2 vide, in addition to education, career and technical  
3 education and training, and workforce preparation  
4 skills training described in section 148, programs of  
5 work experience to conserve, develop, or manage  
6 public natural resources or public recreational areas  
7 or to develop community projects in the public inter-  
8 est.

9 “(2) SELECTION PROCESS.—The Secretary  
10 shall select an entity that submits an application  
11 under subsection (d) to operate a Civilian Conserva-  
12 tion Center on a competitive basis, as provided in  
13 subsection (a).”; and

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

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

21 “(1) a description of the program activities that  
22 will be offered at the center, including how the ca-  
23 reer and technical education and training reflect  
24 State and local employment opportunities, including  
25 in in-demand industries;

1           “(2) a description of the counseling, placement,  
2           and support activities that will be offered at the cen-  
3           ter, including a description of the strategies and pro-  
4           cedures the entity will use to place graduates into  
5           unsubsidized employment upon completion of the  
6           program;

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

11          “(4) a description of the relationships that the  
12          entity has developed with State and local workforce  
13          boards, employers, State and local educational agen-  
14          cies, and the surrounding communities in an effort  
15          to promote a comprehensive statewide workforce in-  
16          vestment system;

17          “(5) a description of the strong fiscal controls  
18          the entity has in place to ensure proper accounting  
19          of Federal funds, and a description of how the entity  
20          will meet the requirements of section 159(a);

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

23          “(7) a detailed budget of the activities that will  
24          be supported using funds under this subtitle;



1           “(8) a detailed budget of the activities that will  
2           be supported using funds from non-Federal re-  
3           sources;

4           “(9) an assurance the entity will comply with  
5           the administrative cost limitation included in section  
6           151(c);

7           “(10) an assurance the entity is licensed to op-  
8           erate in the State in which the center is located; and

9           “(11) 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 one-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. 121. 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, industry-recognized creden-  
19 tials, and registered apprenticeships; or

20 “(iv) satisfy Armed Forces require-  
21 ments.

22 “(B) LINK TO EMPLOYMENT OPPORTUNI-  
23 TIES.—The career and technical education and  
24 training provided shall be linked to the employ-  
25 ment opportunities in in-demand industries in

1 the State in which the Job Corps center is lo-  
2 cated.”; and

3 (2) in subsection (b)—

4 (A) in the subsection heading, by striking  
5 “EDUCATION AND VOCATIONAL” and inserting  
6 “ACADEMIC AND CAREER AND TECHNICAL  
7 EDUCATION AND”;

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

10 (C) by striking “vocational” each place it  
11 appears and inserting “career and technical”;  
12 and

13 (3) by amending paragraph (3) of subsection  
14 (c) to read as follows:

15 “(3) DEMONSTRATION.—Each year, any oper-  
16 ator seeking to enroll additional enrollees in an ad-  
17 vanced career training program shall demonstrate,  
18 before the operator may carry out such additional  
19 enrollment, that—

20 “(A) participants in such program have  
21 achieved a satisfactory rate of completion and  
22 placement in training-related jobs; and

23 “(B) such operator has met or exceeded  
24 the indicators of performance described in para-

1 graphs (1) and (2) of section 159(c) for the  
2 previous year.”.

3 **SEC. 122. 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), by striking “make every  
8 effort to arrange to”; and

9 (3) by striking subsection (d).

10 **SEC. 123. SUPPORT.**

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

13 “(b) **TRANSITION ALLOWANCES AND SUPPORT FOR**  
14 **GRADUATES.**—The Secretary shall arrange for a transi-  
15 tion allowance to be paid to graduates. The transition al-  
16 lowance shall be incentive-based to reflect a graduate’s  
17 completion of academic, career and technical education or  
18 training, and attainment of a recognized postsecondary  
19 credential, including an industry-recognized credential.”.

20 **SEC. 124. OPERATIONS.**

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

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

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

1           (3) by striking subsection (b) and redesignating  
2           subsection (c) as subsection (b);

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

5                   (A) in the heading by inserting “OF OPER-  
6           ATING PLAN” after “AVAILABILITY”; and

7                   (B) by striking “subsections (a) and (b)”  
8           and inserting “subsection (a)”; and

9           (5) by adding at the end the following new sub-  
10          section:

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

15          **SEC. 125. COMMUNITY PARTICIPATION.**

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

18          **“SEC. 153. COMMUNITY PARTICIPATION.**

19                 “The director of each Job Corps center shall encour-  
20          age and cooperate in activities to establish a mutually ben-  
21          eficial relationship between Job Corps centers in the State  
22          and nearby communities. Such activities may include the  
23          use of any local workforce development boards established  
24          under section 117 to provide a mechanism for joint discus-

1 sion of common problems and for planning programs of  
2 mutual interest.”.

3 **SEC. 126. WORKFORCE COUNCILS.**

4 Section 154 (29 U.S.C. 2894) is amended to read as  
5 follows:

6 **“SEC. 154. WORKFORCE COUNCILS.**

7 “(a) IN GENERAL.—Each Job Corps center shall  
8 have a workforce council appointed by the Governor of the  
9 State in which the Job Corps center is located.

10 “(b) WORKFORCE COUNCIL COMPOSITION.—

11 “(1) IN GENERAL.—A workforce council shall  
12 be comprised of—

13 “(A) business members of the State board  
14 described in section 111(b)(1)(B)(i);

15 “(B) business members of the local boards  
16 described in section 117(b)(2)(A) located in the  
17 State;

18 “(C) a representative of the State board  
19 described in section 111(f); and

20 “(D) such other representatives and State  
21 agency officials as the Governor may designate.

22 “(2) MAJORITY.—A  $\frac{2}{3}$  majority of the mem-  
23 bers of the workforce council shall be representatives  
24 described in paragraph (1)(A).



1       “(c) RESPONSIBILITIES.—The responsibilities of the  
2 workforce council shall be—

3           “(1) to review all the relevant labor market in-  
4 formation, including related information in the State  
5 plan described in section 112, to—

6           “(A) determine the in-demand industries  
7 in the State in which enrollees intend to seek  
8 employment after graduation;

9           “(B) determine the skills and education  
10 that are necessary to obtain the employment  
11 opportunities described in subparagraph (A);  
12 and

13           “(C) determine the type or types of career  
14 and technical education and training that will  
15 be implemented at the center to enable the en-  
16 rollees to obtain the employment opportunities;  
17 and

18           “(2) to meet at least once a year to reevaluate  
19 the labor market information, and other relevant in-  
20 formation, to determine any necessary changes in  
21 the career and technical education and training pro-  
22 vided at the center.”.

23 **SEC. 127. TECHNICAL ASSISTANCE.**

24       Section 156 is amended to read as follows:

1 **“SEC. 156. TECHNICAL ASSISTANCE TO CENTERS.**

2       “(a) IN GENERAL.—From the funds reserved under  
3 section 132(a)(3), the Secretary shall provide, directly or  
4 through grants, contracts, or other agreements or ar-  
5 rangements as the Secretary considers appropriate, tech-  
6 nical assistance and training for the Job Corps program  
7 for the purposes of improving program quality.

8       “(b) ACTIVITIES.—In providing training and tech-  
9 nical assistance and for allocating resources for such as-  
10 sistance, the Secretary shall—

11               “(1) assist entities, including those entities not  
12 currently operating a Job Corps center, in devel-  
13 oping the application described in section 147(d);

14               “(2) assist Job Corps centers and programs in  
15 correcting deficiencies and violations under this sub-  
16 title;

17               “(3) assist Job Corps centers and programs in  
18 meeting or exceeding the indicators of performance  
19 described in paragraph (1) and (2) of section 159(c);  
20 and

21               “(4) assist Job Corps centers and programs in  
22 the development of sound management practices, in-  
23 cluding financial management procedures.”.

24 **SEC. 128. SPECIAL PROVISIONS.**

25 Section 158 (29 U.S.C. 2989) is amended—

1 (1) by amending paragraph (1) in subsection  
2 (c), by striking “title II of the Federal Property and  
3 Administrative Services Act of 1949 (40 U.S.C. 481  
4 et seq.)” and inserting “chapter of 5 title 40, United  
5 States Code,”;

6 (2) by striking subsection (e); and

7 (3) by redesignating subsections (f) and (g) as  
8 subsections (e) and (f), respectively.

9 **SEC. 129. PERFORMANCE ACCOUNTABILITY MANAGEMENT.**

10 Section 159 (29 U.S.C. 2899) is amended—

11 (1) in the section heading, by striking “**MAN-**  
12 **AGEMENT INFORMATION**” and inserting “**PER-**  
13 **FORMANCE ACCOUNTABILITY AND MANAGE-**  
14 **MENT**”; and

15 (2) by striking subsections (c) through (g);

16 (3) 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-

1           lated to the career and technical education and  
2           training received through the Job Corps center,  
3           except that such calculation shall not include  
4           enrollment in education, the military or volun-  
5           teer service;

6           “(C) the percentage and number of grad-  
7           uates who obtained a recognized postsecondary  
8           credential, including an industry-recognized cre-  
9           dential or a registered apprenticeship; 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          credential, including an industry-recognized cre-  
15          dential, to total program costs, including all op-  
16          erations, construction, and administration costs  
17          at each Job Corp 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 targets  
21 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 students 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(i)(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, as well as make available to  
22                 the 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 quintile on  
2           the performance indicator described in para-  
3           graph (1)(C); or

4           “(B) have failed safety and health code  
5           violations 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 subparagraphs  
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) or report less than 50 percent on the per-  
25          formance indicators described in subparagraphs (A),

1 (B), or (C) of subsection (c)(1) for more than 4 con-  
2 secutive years shall be closed. The Secretary shall  
3 ensure—

4 “(A) that the proposed decision to close  
5 the center is announced in advance to the gen-  
6 eral public through publication in the Federal  
7 Register and other appropriate means; and

8 “(B) the establishment of a reasonable  
9 comment period, not to exceed 30 days, for in-  
10 terested individuals to submit written comments  
11 to the Secretary.

12 “(g) PARTICIPANT HEALTH AND SAFETY.—The Sec-  
13 retary shall enter into an agreement with the General  
14 Services Administration or the appropriate State agency  
15 responsible for inspecting public buildings and safe-  
16 guarding the health of disadvantaged students, to conduct  
17 an in-person review of the physical condition and health-  
18 related activities of each Job Corps center annually. Such  
19 review shall include a passing rate of occupancy under  
20 Federal and State ordinances.”.

21 **SEC. 130. CLOSURE OF LOW-PERFORMING JOB CORPS CEN-**  
22 **TERS.**

23 Section 161 (29 U.S.C. 2901) is amended to read as  
24 follows:

1 **“SEC. 161. CLOSURE OF LOW-PERFORMING JOB CORPS**  
2 **CENTERS.**

3 “(a) **AUDIT.**—Not later than 3 months after the date  
4 of enactment of the SKILLS Act, the Secretary shall con-  
5 duct an audit on the past 10 years of performance of Job  
6 Corps centers, including information indicating—

7 “(1) a comparison of each Job Corps center, by  
8 rank, on the performance indicators described in  
9 subsections (c) and (d) of section 159 (as such sec-  
10 tions were in effect on the day before the date of en-  
11 actment of the SKILLS Act);

12 “(2) a comparison of each Job Corps center, by  
13 rank, on the average performance of all performance  
14 indicators described in subsections (c) and (d) of  
15 section 159 (as such sections were in effect on the  
16 day before the date of enactment of the SKILLS  
17 Act); and

18 “(3) a listing of the centers, by rank, that have  
19 experienced the highest number of serious incidents  
20 of crimes of violence, as defined in section 16 of title  
21 18, United States Code.

22 “(b) **RECOMMENDATIONS.**—Not later than 6 months  
23 after the date of enactment of the SKILLS Act, the Sec-  
24 retary shall submit a report to the Committee on Edu-  
25 cation and the Workforce of the House of Representatives  
26 and the Committee on Health, Education, Labor, and

1 Pensions of the Senate, which shall contain a detailed  
2 statement of the findings and conclusions from the audit  
3 described in subsection (a), including information indi-  
4 cating the centers that are ranked in the bottom quintile  
5 on the performance indicators described in paragraphs (1)  
6 and (2) of subsection (a).

7 “(c) CLOSURE.—Not later than 12 months after the  
8 date of enactment of the SKILLS Act, the Secretary shall  
9 close the Job Corps centers identified under subsection (b)  
10 in accordance with subparagraphs (A) and (B) of section  
11 159(f)(4).

12 “(d) TRANSITION.—The Secretary shall ensure that  
13 program participants enrolled in low-performing Job  
14 Corps centers slated for closure under this subsection re-  
15 ceive priority placement to enroll in another center in the  
16 State or neighboring State.”.

17 **SEC. 131. REFORMS FOR OPENING NEW JOB CORPS CEN-**  
18 **TERS.**

19 Subtitle C of title I (29 U.S.C. 2881 et seq.) is  
20 amended by adding at the end the following:

21 **“SEC. 162. REFORMS FOR OPENING NEW JOB CORPS CEN-**  
22 **TERS.**

23 “(a) IN GENERAL.—The Secretary shall develop and  
24 implement specific policies and procedures governing the  
25 selection of the State and local area for construction of

1 Job Corps centers. Such policies and procedures shall be  
2 the same across all regions, based on a needs assessment  
3 of the assignment plan described under section 145(e),  
4 and free from political favoritism, biases, or consider-  
5 ations.

6 “(b) RESTRICTIONS.—

7 “(1) NOTIFICATION OF CONGRESS.—The Sec-  
8 retary shall notify the Committee on Education and  
9 the Workforce of the House of Representatives and  
10 the Committee on Health, Education, Labor, and  
11 Pensions of the Senate before releasing a Request  
12 for Proposal for the designation and construction of  
13 a Job Corps center.

14 “(2) NUMBER OF CENTERS.—Except as pro-  
15 vided under paragraph (3), the Secretary shall enter  
16 into agreements with not more than 20 Job Corps  
17 centers per region, as those regions were in effect on  
18 the date of enactment of the SKILLS Act.

19 “(3) EXCEPTION.—The Secretary may enter  
20 into agreements with more than 20 Job Corps cen-  
21 ters upon approval, in writing, of the Chairman and  
22 Ranking Member of the Committee on Education  
23 and the Workforce of the House of Representatives  
24 and the Committee on Health, Education, Labor,  
25 and Pensions of the Senate.”.

## 1       **Subtitle D—National Programs**

### 2       **SEC. 132. TECHNICAL ASSISTANCE.**

3       Section 170 (29 U.S.C. 2915) is amended—

4               (1) by striking subsection (b);

5               (2) by striking:

6               “(a) **GENERAL TECHNICAL ASSISTANCE.—**”;

7               (3) by redesignating paragraphs (1), (2), and

8               (3) as subsections (a), (b), and (c) respectively, and

9               moving such subsections 2 ems to the left;

10              (4) in subsection (a) (as so redesignated)—

11                      (A) by inserting “the training of staff pro-

12                      viding rapid response services, the training of

13                      other staff of recipients of funds under this

14                      title, assistance regarding accounting and pro-

15                      gram operation practices (when such assistance

16                      would not be duplicative to assistance provided

17                      by the State), technical assistance to States

18                      that do not meet State performance measures

19                      described in section 136,” after “localities,”;

20                      and

21                      (B) by striking “from carrying out activi-

22                      ties” and all that follows up to the period and

23                      inserting “to implement the amendments made

24                      by the SKILLS Act”;

25                      (5) in subsection (b) (as so redesignated)—

1 (A) by striking “paragraph (1)” and in-  
2 serting “subsection (a)”;

3 (B) by striking “, or recipient of financial  
4 assistance under any of sections 166 through  
5 169,”; and

6 (C) by striking “or grant recipient”;

7 (6) in subsection (c) (as so redesignated), by  
8 striking “paragraph (1)” and inserting “subsection  
9 (a)”;

10 (7) by inserting, after subsection (c) (as so re-  
11 designated), the following:

12 “(d) BEST PRACTICES COORDINATION.—The Sec-  
13 retary shall—

14 “(1) establish a system through which States  
15 may share information regarding best practices with  
16 regard to the operation of workforce investment ac-  
17 tivities under this Act; and

18 “(2) evaluate and disseminate information re-  
19 garding best practices and identify knowledge  
20 gaps.”.

21 **SEC. 133. EVALUATIONS.**

22 Section 172 (29 U.S.C. 2917) is amended—

23 (1) in subsection (a), by striking “the Secretary  
24 shall provide for the continuing evaluation of the  
25 programs and activities, including those programs

1 and activities carried out under section 171” and in-  
2 sserting “the Secretary, through grants, contracts, or  
3 cooperative agreements, shall conduct, at least once  
4 every 5 years, an independent evaluation of the pro-  
5 grams and activities funded under this Act”;

6 (2) in subsection (a)(4) is amended to read as  
7 follows:

8 “(4) the impact of receiving services and not re-  
9 ceiving services under such programs and activities  
10 on the community, businesses, and individuals;”;

11 (3) in subsection (c) is amended to read as fol-  
12 lows:

13 “(c) TECHNIQUES.—Evaluations conducted under  
14 this section shall utilize appropriate and rigorous method-  
15 ology and research designs, including the use of control  
16 groups chosen by scientific random assignment methodolo-  
17 gies, quasi-experimental methods, impact analysis and the  
18 use of administrative data. The Secretary shall conduct  
19 an impact analysis, as described in subsection (a)(4), of  
20 the formula grant program under subtitle B not later than  
21 2015, and thereafter shall conduct such an analysis not  
22 less than once every four years.”;

23 (4) in subsection (e) is amended by striking  
24 “the Committee on Labor and Human Resources of  
25 the Senate” and inserting “the Committee on



1 Health, Education, Labor, and Pensions of the Sen-  
2 ate”; and

3 (5) by adding at the end, the following:

4 “(g) PUBLIC AVAILABILITY.—The results of the eval-  
5 uations conducted under this section shall be made pub-  
6 licly available, including by posting such results on the De-  
7 partment’s website.”.

## 8 **Subtitle E—Administration**

### 9 **SEC. 134. REQUIREMENTS AND RESTRICTIONS.**

10 Section 181 (29 U.S.C. 2931) is amended—

11 (1) in subsection (b)(6), by striking “, including  
12 representatives of businesses and of labor organiza-  
13 tions”;

14 (2) in subsection (c)(2)(A), in the matter pre-  
15 ceding clause (i), by striking “shall” and inserting  
16 “may”;

17 (3) in subsection (e)—

18 (A) by striking “training for” and insert-  
19 ing “the entry into employment, retention in  
20 employment, or increases in earnings of”;

21 (B) by striking “subtitle B” and inserting  
22 “this Act”;

23 (4) in subsection (f)(4), by striking  
24 “134(a)(3)(B)” and inserting “134(a)(6)”; and

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

1       “(g) SALARY AND BONUS LIMITATION.—No funds  
2 provided under this title shall be used by a recipient or  
3 subrecipient of such funds to pay the salary and bonuses  
4 of an individual, either as direct costs or indirect costs,  
5 at a rate in excess of Level II of the Federal Executive  
6 Pay Schedule (5 U.S.C. 5313). This limitation shall not  
7 apply to vendors providing goods and services as defined  
8 in OMB Circular A–133. Where States are recipients of  
9 such funds, States may establish a lower limit for salaries  
10 and bonuses of those receiving salaries and bonuses from  
11 subrecipients of such funds, taking into account factors  
12 including the relative cost-of-living in the State, the com-  
13 pensation levels for comparable State or local government  
14 employees, and the size of the organizations that admin-  
15 ister the programs.

16       “(h) GENERAL AUTHORITY.—

17               “(1) IN GENERAL.—The Employment and  
18 Training Administration of the U.S. Department of  
19 Labor (hereinafter in this Act referred to as the ‘Ad-  
20 ministration’) shall administer all programs author-  
21 ized under title I and III of this Act. The Adminis-  
22 tration shall be headed by an Assistant Secretary  
23 appointed by the President by and with the advice  
24 and consent of the Senate. Except for titles II and  
25 IV, the Administration shall be the principal agency,

1 and the Assistant Secretary shall be the principal of-  
2 ficer, of such Department for carrying out this Act.

3 “(2) QUALIFICATIONS.—The Assistant Sec-  
4 retary shall be an individual with substantial experi-  
5 ence in workforce development and in workforce de-  
6 velopment management. The Assistant Secretary  
7 shall also, to the maximum extent possible, possess  
8 knowledge and have worked in or with the State or  
9 local workforce investment system or have been a  
10 member of the business community. In the perform-  
11 ance of the functions of the office, the Assistant Sec-  
12 retary shall be directly responsible to the Secretary  
13 or the Under Secretary as designed by the Sec-  
14 retary. The functions of the Assistant Secretary  
15 shall not be delegated to any officer not directly re-  
16 sponsible, both with respect to program operation  
17 and administration, to the Assistant Secretary. Any  
18 reference in this Act to duties to be carried out by  
19 the Assistant Secretary shall be considered to be a  
20 reference to duties to be carried out by the Secretary  
21 acting through the Assistant Secretary.”.

22 **SEC. 135. PROMPT ALLOCATION OF FUNDS.**

23 Section 182 (29 U.S.C. 2932) is amended—

24 (1) in subsection (c), by striking “127 or”; and

25 (2) in subsection (e)—

1 (A) by striking “sections 128 and 133”  
2 and inserting “section 133”; and  
3 (B) by striking “127 or”.

4 **SEC. 136. FISCAL CONTROLS; SANCTIONS.**

5 Section 184(a)(2) (29 U.S.C. 2934(a)(2)) is amend-  
6 ed—

7 (1) by striking “(A)” and all that follows  
8 through “Each” and inserting “Each”; and  
9 (2) by striking subparagraph (B).

10 **SEC. 137. REPORTS TO CONGRESS.**

11 Section 185 (29 U.S.C. 2935) is amended—

12 (1) in subsection (c)—

13 (A) in paragraph (2), by striking “and”  
14 after the semicolon;

15 (B) in paragraph (3), by striking the pe-  
16 riod and inserting “; and”; and

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

18 “(4) shall have the option to submit or dissemi-  
19 nate electronically any reports, records, plans, or any  
20 other data that are required to be collected or dis-  
21 seminated under this title.”; and

22 (2) in subsection (e)(2), by inserting “and the  
23 Secretary shall submit to the Committee on Edu-  
24 cation and the Workforce of the House of Rep-  
25 resentatives and the Committee on Health, Edu-

1 cation, Labor, and Pensions of the Senate,” after  
2 “Secretary,”.

3 **SEC. 138. ADMINISTRATIVE PROVISIONS.**

4 Section 189 (29 U.S.C. 2939) is amended—

5 (1) in subsection (g)—

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

8 “(1) IN GENERAL.—Appropriations for any fis-  
9 cal year for programs and activities carried out  
10 under this title shall be available for obligation only  
11 on the basis of a program year. The program year  
12 shall begin on July 1 in the fiscal year for which the  
13 appropriation is made.”; and

14 (B) in paragraph (2)—

15 (i) by striking “each State” and in-  
16 serting “each recipient”; and

17 (ii) by striking “171 or”;

18 (2) in subsection (i)—

19 (A) by striking paragraphs (2) and (3);

20 (B) by redesignating paragraph (4) as  
21 paragraph (2);

22 (C) by amending paragraph (2)(A), as so  
23 redesignated—

24 (i) by striking “requirements of sub-  
25 paragraph (B)” and all that follows

1 through “any of the statutory or regu-  
2 latory requirements of subtitle B” and in-  
3 sserting “requirements of subparagraph (B)  
4 or (D), any of the statutory or regulatory  
5 requirements of subtitle B”;

6 (ii) by striking clause (ii); and

7 (iii) in clause (i), by striking “; and”  
8 and inserting a period at the end; and

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

10 “(D) EXPEDITED PROCESS FOR EXTEND-  
11 ING APPROVED WAIVERS TO ADDITIONAL  
12 STATES.—In lieu of the requirements of sub-  
13 paragraphs (B) and (C), the Secretary may es-  
14 tablish an expedited procedure for the purpose  
15 of extending to additional States the waiver of  
16 statutory or regulatory requirements that have  
17 been approved for a State pursuant to a request  
18 under subparagraph (B). Such procedure shall  
19 ensure that the extension of such waivers to ad-  
20 ditional States are accompanied by appropriate  
21 conditions relating the implementation of such  
22 waivers.”.

23 **SEC. 139. STATE LEGISLATIVE AUTHORITY.**

24 Section 191(a) (29 U.S.C. 2941(a)) is amended—

1           (1) by striking “consistent with the provisions  
2 of this title” and inserting “consistent with State  
3 law and the provisions of this title”; and

4           (2) by striking “consistent with the terms and  
5 conditions required under this title” and inserting  
6 “consistent with State law and the terms and condi-  
7 tions required under this title”.

8 **SEC. 140. GENERAL PROGRAM REQUIREMENTS.**

9 Section 195 (29 U.S.C. 2945) is amended—

10           (1) in paragraph (7), by inserting at the end  
11 the following:

12           “(D) Funds received by a public or private non-  
13 profit entity that are not described in paragraph  
14 (B), such as funds privately raised from philan-  
15 thropic foundations, businesses, or other private en-  
16 tities, shall not be considered to be income under  
17 this title and shall not be subject to the require-  
18 ments of this section.”; and

19           (2) by adding at the end the following new  
20 paragraphs:

21           “(14) Funds provided under this title shall not  
22 be used to establish or operate stand-alone fee-for-  
23 service enterprises that compete with private sector  
24 employment agencies within the meaning of section  
25 701(c) of the Civil Rights Act of 1964 (42 U.S.C.

1 2000e(c)), except that for purposes of this para-  
2 graph, such an enterprise does not include one-stop  
3 centers.

4 “(15) Any report required to be submitted to  
5 Congress, or to a Committee of Congress, under this  
6 title shall be submitted to both the chairmen and  
7 ranking minority members of the Committee on  
8 Education and the Workforce of the House of Rep-  
9 resentatives and the Committee on Health, Edu-  
10 cation, Labor, and Pensions of the Senate.”.

11 **SEC. 141. DEPARTMENT STAFF.**

12 Subtitle E of title I (29 U.S.C. 2931 et seq.) is  
13 amended by adding at the end the following new section:

14 **“SEC. 196. DEPARTMENT STAFF.**

15 “The Secretary shall—

16 “(1) not later than 60 days after the date of  
17 the enactment of the SKILLS Act—

18 “(A) identify the number of Department of  
19 Labor employees who work on or administer  
20 programs under this Act, as such programs  
21 were in effect on the day before such date of  
22 enactment; and

23 “(B) publish such information on the De-  
24 partment’s website;



1           “(2) not later than 60 days after such date of  
2           enactment, identify the number of full-time equiva-  
3           lent employees who work on or administer programs  
4           authorized under this Act, as such programs were in  
5           effect on the day before such date of enactment, that  
6           have been eliminated or consolidated on or after  
7           such date; and

8           “(3) not later than 1 year after such date of en-  
9           actment—

10           “(A) reduce the workforce of the Depart-  
11           ment of Labor by the number of full-time equiv-  
12           alent employees identified under paragraph (2);  
13           and

14           “(B) submit to Congress a report on—

15           “(i) the number of employees associ-  
16           ated with each program authorized under  
17           this Act and administered by the Depart-  
18           ment;

19           “(ii) the number of full-time equiva-  
20           lent employees identified under paragraph  
21           (2); and

22           “(iii) how the Secretary reduced the  
23           number of employees at the Department  
24           under subparagraph (A).”.

## 1       **Subtitle F—State Unified Plan**

### 2       **SEC. 142. STATE UNIFIED PLAN.**

3       Section 501 (20 U.S.C. 9271) is amended—

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

6       “(b) STATE UNIFIED PLAN.—

7               “(1) IN GENERAL.—A State may develop and  
8       submit to the appropriate Secretaries a State unified  
9       plan for 2 or more of the activities or programs set  
10      forth in paragraph (2). The State unified plan shall  
11      cover one or more of the activities set forth in sub-  
12      paragraphs (A) and (B) of paragraph (2) and may  
13      cover one or more of the activities set forth in sub-  
14      paragraphs (C) through (N) of paragraph (2). For  
15      purposes of this paragraph, the activities and pro-  
16      grams described in subparagraphs (A) and (B) of  
17      paragraph (2) shall not be considered to be 2 or  
18      more activities or programs for purposes of the uni-  
19      fied plan. Such activities or programs shall be con-  
20      sidered to be 1 activity or program.

21              “(2) ACTIVITIES AND PROGRAMS.—The activi-  
22      ties and programs referred to in paragraph (1) are  
23      as follows:

24              “(A) Programs and activities authorized  
25      under title I.

1           “(B) Programs and activities authorized  
2 under title II.

3           “(C) Programs authorized under the Reha-  
4 bilitation Act of 1973.

5           “(D) Secondary career education programs  
6 authorized under the Carl D. Perkins Career  
7 and Applied Technology Education Act.

8           “(E) Postsecondary career education pro-  
9 grams authorized under the Carl D. Perkins  
10 Career and Applied Technology Education Act.

11           “(F) Programs and activities authorized  
12 under title II of the Trade Act of 1974.

13           “(G) National Apprenticeship Act of 1937.

14           “(H) Programs authorized under the Com-  
15 munity Services Block Grant Act.

16           “(I) Programs authorized under the part A  
17 of title IV of the Social Security Act.

18           “(J) Programs authorized under State un-  
19 employment compensation laws (in accordance  
20 with applicable Federal law).

21           “(K) Work programs authorized under sec-  
22 tion 6(o) of the Food Stamp Act of 1977.

23           “(L) Programs and activities authorized  
24 title I of the Housing and Community Develop-  
25 ment Act of 1974.

1           “(M) Programs and activities authorized  
2           under the Public Workers and Economic Devel-  
3           opment Act of 1965.

4           “(N) Activities as defined under chapter  
5           41 of title 38, United States Code.”; and

6           (2) by adding at the end, the following:

7           “(e) **ADDITIONAL EMPLOYMENT AND TRAINING**  
8 **FUNDS.—**

9           “(1) **PURPOSE.—**It is the purpose of this sub-  
10          section to reduce inefficiencies in the administration  
11          of federally-funded State and local employment and  
12          training programs.

13          “(2) **IN GENERAL.—**In developing a State uni-  
14          fied plan for the activities or programs described in  
15          subsection (b)(2) and subject to paragraph (4) and  
16          the State plan approval process under subsection  
17          (d), a State may propose to consolidate the amount,  
18          in whole or part, provided for the activities or pro-  
19          grams dedicated to employment and training into  
20          the Workforce Investment Fund under section  
21          132(b) to improve the administration of State and  
22          local employment and training programs.

23          “(3) **REQUIREMENTS.—**A State with a State  
24          unified plan approved under subsection (d) for pur-

1 poses of consolidation under paragraph (2) and that  
2 is carrying out such consolidation shall—

3 “(A) continue to meet the program re-  
4 quirements, limitations, and prohibitions of any  
5 Federal statute authorizing the activity or pro-  
6 gram consolidated into the Workforce Invest-  
7 ment Fund;

8 “(B) meet the intent and purpose of the  
9 activity or program consolidated into the Work-  
10 force Investment Fund; and

11 “(C) continue to make reservations and al-  
12 lotments under subsections (a) and (b) of sec-  
13 tion 133.

14 “(4) EXCEPTIONS.—A State may not consoli-  
15 date funds under paragraph (2) that are allocated to  
16 the State under—

17 “(A) the Carl D. Perkins Career and Tech-  
18 nical Education Act of 2006; or

19 “(B) the Rehabilitation Act of 1973.”.

20 **TITLE II—ADULT EDUCATION**  
21 **AND FAMILY LITERACY EDU-**  
22 **CATION**

23 **SEC. 201. AMENDMENT.**

24 Title II (20 U.S.C. 2901 et seq.) is amended to read  
25 as follows:

1 **“TITLE II—ADULT EDUCATION**  
2 **AND FAMILY LITERACY EDU-**  
3 **CATION**

4 **“SEC. 201. SHORT TITLE.**

5 “This title may be cited as the ‘Adult Education and  
6 Family Literacy Education Act’.

7 **“SEC. 202. PURPOSE.**

8 “It is the purpose of this title to provide instructional  
9 opportunities for adults seeking to improve their literacy  
10 skills, including their basic reading, writing, speaking, and  
11 math skills, and support States and local communities in  
12 providing, on a voluntary basis, adult education and family  
13 literacy education programs, in order to—

14 “(1) increase the literacy of adults, including  
15 the basic reading, writing, speaking, and math skills,  
16 to a level of proficiency necessary for adults to ob-  
17 tain employment and self-sufficiency and to success-  
18 fully advance in the workforce;

19 “(2) assist adults in the completion of a sec-  
20 ondary school education (or its equivalent) and the  
21 transition to a postsecondary educational institution;

22 “(3) assist adults who are parents to enable  
23 them to support the educational development of their  
24 children and make informed choices regarding their  
25 children’s education including, through instruction in

1 basic reading, writing, speaking, and math skills;  
2 and

3 “(4) assist adults who are not proficient in  
4 English in improving their reading, writing, speak-  
5 ing, listening, comprehension, and math skills.

6 **“SEC. 203. DEFINITIONS.**

7 “In this title:

8 “(1) ADULT EDUCATION AND FAMILY LITERACY  
9 EDUCATION PROGRAMS.—The term ‘adult education  
10 and family literacy education programs’ means a se-  
11 quence of academic instruction and educational serv-  
12 ices below the postsecondary level that increase an  
13 individual’s ability to read, write, and speak English  
14 and perform mathematical computations leading to a  
15 level of proficiency equivalent to at least a secondary  
16 school completion that is provided for individuals—

17 “(A) who are at least 16 years of age;

18 “(B) who are not enrolled or required to be  
19 enrolled in secondary school under State law;  
20 and

21 “(C) who—

22 “(i) lack sufficient mastery of basic  
23 reading, writing, speaking, and math skills  
24 to enable the individuals to function effec-  
25 tively in society;

1           “(ii) do not have a secondary school  
2           diploma or its equivalent and have not  
3           achieved an equivalent level of education;  
4           or

5           “(iii) are English learners.

6           “(2) ELIGIBLE AGENCY.—The term ‘eligible  
7           agency’—

8           “(A) means the primary entity or agency  
9           in a State or an outlying area responsible for  
10          administering or supervising policy for adult  
11          education and family literacy education pro-  
12          grams in the State or outlying area, respec-  
13          tively, consistent with the law of the State or  
14          outlying area, respectively; and

15          “(B) may be the State educational agency,  
16          the State agency responsible for administering  
17          workforce investment activities, or the State  
18          agency responsible for administering community  
19          or technical colleges.

20          “(3) ELIGIBLE PROVIDER.—The term ‘eligible  
21          provider’ means an organization of demonstrated ef-  
22          fectiveness which is—

23                  “(A) a local educational agency;

24                  “(B) a community-based or faith-based or-  
25          ganization;



1 “(C) a volunteer literacy organization;

2 “(D) an institution of higher education;

3 “(E) a public or private educational agen-

4 cy;

5 “(F) a library;

6 “(G) a public housing authority;

7 “(H) an institution that is not described in  
8 any of subparagraphs (A) through (G) and has  
9 the ability to provide adult education, basic  
10 skills, and family literacy education programs to  
11 adults and families; or

12 “(I) a consortium of the agencies, organi-  
13 zations, institutions, libraries, or authorities de-  
14 scribed in any of subparagraphs (A) through  
15 (H).

16 “(4) ENGLISH LANGUAGE ACQUISITION PRO-  
17 GRAM.—The term ‘English language acquisition pro-  
18 gram’ means a program of instruction—

19 “(A) designed to help English learners  
20 achieve competence in reading, writing, speak-  
21 ing, and comprehension of the English lan-  
22 guage; and

23 “(B) that may lead to—

24 “(i) attainment of a secondary school  
25 diploma or its recognized equivalent;

1                   “(ii) transition to success in postsec-  
2                   ondary education and training; and

3                   “(iii) employment or career advance-  
4                   ment.

5                   “(5) FAMILY LITERACY EDUCATION PRO-  
6                   GRAM.—The term ‘family literacy education pro-  
7                   gram’ means an educational program that—

8                   “(A) assists parents and students, on a  
9                   voluntary basis, in achieving the purposes of  
10                  this title as described in section 202; and

11                  “(B) is of sufficient intensity in terms of  
12                  hours and of sufficient quality to make sustain-  
13                  able changes in a family, is evidence-based, and,  
14                  for the purpose of substantially increasing the  
15                  ability of parents and children to read, write,  
16                  and speak English, integrates—

17                   “(i) interactive literacy activities be-  
18                   tween parents and their children;

19                   “(ii) training for parents regarding  
20                   how to be the primary teacher for their  
21                   children and full partners in the education  
22                   of their children;

23                   “(iii) parent literacy training that  
24                   leads to economic self-sufficiency; and

1                   “(iv) an age-appropriate education to  
2                   prepare children for success in school and  
3                   life experiences.

4                   “(6) GOVERNOR.—The term ‘Governor’ means  
5                   the chief executive officer of a State or outlying  
6                   area.

7                   “(7) INDIVIDUAL WITH A DISABILITY.—

8                   “(A) IN GENERAL.—The term ‘individual  
9                   with a disability’ means an individual with any  
10                  disability (as defined in section 3 of the Ameri-  
11                  cans with Disabilities Act of 1990).

12                  “(B) INDIVIDUALS WITH DISABILITIES.—  
13                  The term ‘individuals with disabilities’ means  
14                  more than one individual with a disability.

15                  “(8) ENGLISH LEARNER.—The term ‘English  
16                  learner’ means an adult or out-of-school youth who  
17                  has limited ability in reading, writing, speaking, or  
18                  understanding the English language, and—

19                  “(A) whose native language is a language  
20                  other than English; or

21                  “(B) who lives in a family or community  
22                  environment where a language other than  
23                  English is the dominant language.

24                  “(9) INTEGRATED EDUCATION AND TRAIN-  
25                  ING.—The term ‘integrated education and training’

1 means services that provide adult education and lit-  
2 eracy activities contextually and concurrently with  
3 workforce preparation activities and workforce train-  
4 ing for a specific occupation or occupational cluster.  
5 Such services may include offering adult education  
6 services concurrent with postsecondary education  
7 and training, including through co-instruction.

8 “(10) INSTITUTION OF HIGHER EDUCATION.—  
9 The term ‘institution of higher education’ has the  
10 meaning given the term in section 101 of the Higher  
11 Education Act of 1965.

12 “(11) LITERACY.—The term ‘literacy’ means an  
13 individual’s ability to read, write, and speak in  
14 English, compute, and solve problems at a level of  
15 proficiency necessary to obtain employment and to  
16 successfully make the transition to postsecondary  
17 education.

18 “(12) LOCAL EDUCATIONAL AGENCY.—The  
19 term ‘local educational agency’ has the meaning  
20 given the term in section 9101 of the Elementary  
21 and Secondary Education Act of 1965.

22 “(13) OUTLYING AREA.—The term ‘outlying  
23 area’ has the meaning given the term in section 101  
24 of this Act.

1           “(14) POSTSECONDARY EDUCATIONAL INSTITU-  
2           TION.—The term ‘postsecondary educational institu-  
3           tion’ means—

4                   “(A) an institution of higher education  
5                   that provides not less than a 2-year program of  
6                   instruction that is acceptable for credit toward  
7                   a bachelor’s degree;

8                   “(B) a tribally controlled community col-  
9                   lege; or

10                   “(C) a nonprofit educational institution of-  
11                   fering certificate or apprenticeship programs at  
12                   the postsecondary level.

13           “(15) SECRETARY.—The term ‘Secretary’  
14           means the Secretary of Education.

15           “(16) STATE.—The term ‘State’ means each of  
16           the several States of the United States, the District  
17           of Columbia, and the Commonwealth of Puerto Rico.

18           “(17) STATE EDUCATIONAL AGENCY.—The  
19           term ‘State educational agency’ has the meaning  
20           given the term in section 9101 of the Elementary  
21           and Secondary Education Act of 1965.

22           “(18) WORKPLACE LITERACY PROGRAM.—The  
23           term ‘workplace literacy program’ means an edu-  
24           cational program that is offered in collaboration be-  
25           tween eligible providers and employers or employee

1 organizations for the purpose of improving the pro-  
2 ductivity of the workforce through the improvement  
3 of reading, writing, speaking, and math skills.

4 **“SEC. 204. HOME SCHOOLS.**

5 “Nothing in this title shall be construed to affect  
6 home schools, whether or not a home school is treated as  
7 a home school or a private school under State law, or to  
8 compel a parent engaged in home schooling to participate  
9 in adult education and family literacy education activities  
10 under this title.

11 **“SEC. 205. AUTHORIZATION OF APPROPRIATIONS.**

12 “There are authorized to be appropriated to carry out  
13 this title, \$606,294,933 for fiscal years 2014 and for each  
14 of the 6 succeeding fiscal years.

15 **“Subtitle A—Federal Provisions**

16 **“SEC. 211. RESERVATION OF FUNDS; GRANTS TO ELIGIBLE**  
17 **AGENCIES; ALLOTMENTS.**

18 “(a) RESERVATION OF FUNDS.—From the sums ap-  
19 propriated under section 205 for a fiscal year, the Sec-  
20 retary shall reserve 2.0 percent to carry out section 242.

21 “(b) GRANTS TO ELIGIBLE AGENCIES.—

22 “(1) IN GENERAL.—From the sums appro-  
23 priated under section 205 and not reserved under  
24 subsection (a) for a fiscal year, the Secretary shall  
25 award a grant to each eligible agency having a State

1 plan approved under section 224 in an amount equal  
2 to the sum of the initial allotment under subsection  
3 (c)(1) and the additional allotment under subsection  
4 (c)(2) for the eligible agency for the fiscal year, sub-  
5 ject to subsections (f) and (g).

6 “(2) PURPOSE OF GRANTS.—The Secretary  
7 may award a grant under paragraph (1) only if the  
8 eligible agency involved agrees to expend the grant  
9 in accordance with the provisions of this title.

10 “(c) ALLOTMENTS.—

11 “(1) INITIAL ALLOTMENTS.—From the sums  
12 appropriated under section 205 and not reserved  
13 under subsection (a) for a fiscal year, the Secretary  
14 shall allot to each eligible agency having a State  
15 plan approved under section 224—

16 “(A) \$100,000, in the case of an eligible  
17 agency serving an outlying area; and

18 “(B) \$250,000, in the case of any other el-  
19 igible agency.

20 “(2) ADDITIONAL ALLOTMENTS.—From the  
21 sums appropriated under section 205, not reserved  
22 under subsection (a), and not allotted under para-  
23 graph (1), for a fiscal year, the Secretary shall allot  
24 to each eligible agency that receives an initial allot-  
25 ment under paragraph (1) an additional amount

1 that bears the same relationship to such sums as the  
2 number of qualifying adults in the State or outlying  
3 area served by the eligible agency bears to the num-  
4 ber of such adults in all States and outlying areas.

5 “(d) QUALIFYING ADULT.—For the purpose of sub-  
6 section (c)(2), the term ‘qualifying adult’ means an adult  
7 who—

8 “(1) is at least 16 years of age;

9 “(2) is beyond the age of compulsory school at-  
10 tendance under the law of the State or outlying  
11 area;

12 “(3) does not have a secondary school diploma  
13 or its recognized equivalent; and

14 “(4) is not enrolled in secondary school.

15 “(e) SPECIAL RULE.—

16 “(1) IN GENERAL.—From amounts made avail-  
17 able under subsection (c) for the Republic of Palau,  
18 the Secretary shall award grants to Guam, American  
19 Samoa, the Commonwealth of the Northern Mariana  
20 Islands, or the Republic of Palau to carry out activi-  
21 ties described in this title in accordance with the  
22 provisions of this title as determined by the Sec-  
23 retary.

24 “(2) TERMINATION OF ELIGIBILITY.—Notwith-  
25 standing any other provision of law, the Republic of



1 Palau shall be eligible to receive a grant under this  
2 title until an agreement for the extension of United  
3 States education assistance under the Compact of  
4 Free Association for the Republic of Palau becomes  
5 effective.

6 “(f) HOLD-HARMLESS PROVISIONS.—

7 “(1) IN GENERAL.—Notwithstanding subsection  
8 (c) and subject to paragraph (2), for—

9 “(A) fiscal year 2014, no eligible agency  
10 shall receive an allotment under this title that  
11 is less than 90 percent of the allotment the eli-  
12 gible agency received for fiscal year 2012 under  
13 this title; and

14 “(B) fiscal year 2015 and each succeeding  
15 fiscal year, no eligible agency shall receive an  
16 allotment under this title that is less than 90  
17 percent of the allotment the eligible agency re-  
18 ceived for the preceding fiscal year under this  
19 title.

20 “(2) RATABLE REDUCTION.—If, for any fiscal  
21 year the amount available for allotment under this  
22 title is insufficient to satisfy the provisions of para-  
23 graph (1), the Secretary shall ratable reduce the  
24 payments to all eligible agencies, as necessary.

1       “(g) REALLOTMENT.—The portion of any eligible  
2 agency’s allotment under this title for a fiscal year that  
3 the Secretary determines will not be required for the pe-  
4 riod such allotment is available for carrying out activities  
5 under this title, shall be available for reallocation from  
6 time to time, on such dates during such period as the Sec-  
7 retary shall fix, to other eligible agencies in proportion to  
8 the original allotments to such agencies under this title  
9 for such year.

10 **“SEC. 212. PERFORMANCE ACCOUNTABILITY SYSTEM.**

11       “Programs and activities authorized under this title  
12 are subject to the performance accountability provisions  
13 described in paragraph (2)(A) and (3) of section 136(b)  
14 and may, at a State’s discretion, include additional indica-  
15 tors identified in the State plan approved under section  
16 224.

17       **“Subtitle B—State Provisions**

18 **“SEC. 221. STATE ADMINISTRATION.**

19       “Each eligible agency shall be responsible for the fol-  
20 lowing activities under this title:

21               “(1) The development, submission, implementa-  
22 tion, and monitoring of the State plan.

23               “(2) Consultation with other appropriate agen-  
24 cies, groups, and individuals that are involved in, or

1 interested in, the development and implementation  
2 of activities assisted under this title.

3 “(3) Coordination and avoidance of duplication  
4 with other Federal and State education, training,  
5 corrections, public housing, and social service pro-  
6 grams.

7 **“SEC. 222. STATE DISTRIBUTION OF FUNDS; MATCHING RE-**  
8 **QUIREMENT.**

9 “(a) STATE DISTRIBUTION OF FUNDS.—Each eligi-  
10 ble agency receiving a grant under this title for a fiscal  
11 year—

12 “(1) shall use an amount not less than 82.5  
13 percent of the grant funds to award grants and con-  
14 tracts under section 231 and to carry out section  
15 225, of which not more than 10 percent of such  
16 amount shall be available to carry out section 225;

17 “(2) shall use not more than 12.5 percent of  
18 the grant funds to carry out State leadership activi-  
19 ties under section 223; and

20 “(3) shall use not more than 5 percent of the  
21 grant funds, or \$65,000, whichever is greater, for  
22 the administrative expenses of the eligible agency.

23 “(b) MATCHING REQUIREMENT.—

24 “(1) IN GENERAL.—In order to receive a grant  
25 from the Secretary under section 211(b), each eligi-

1 ble agency shall provide, for the costs to be incurred  
2 by the eligible agency in carrying out the adult edu-  
3 cation and family literacy education programs for  
4 which the grant is awarded, a non-Federal contribu-  
5 tion in an amount that is not less than—

6 “(A) in the case of an eligible agency serv-  
7 ing an outlying area, 12 percent of the total  
8 amount of funds expended for adult education  
9 and family literacy education programs in the  
10 outlying area, except that the Secretary may  
11 decrease the amount of funds required under  
12 this subparagraph for an eligible agency; and

13 “(B) in the case of an eligible agency serv-  
14 ing a State, 25 percent of the total amount of  
15 funds expended for adult education and family  
16 literacy education programs in the State.

17 “(2) NON-FEDERAL CONTRIBUTION.—An eligi-  
18 ble agency’s non-Federal contribution required under  
19 paragraph (1) may be provided in cash or in kind,  
20 fairly evaluated, and shall include only non-Federal  
21 funds that are used for adult education and family  
22 literacy education programs in a manner that is con-  
23 sistent with the purpose of this title.

1 **“SEC. 223. STATE LEADERSHIP ACTIVITIES.**

2       “(a) IN GENERAL.—Each eligible agency may use  
3 funds made available under section 222(a)(2) for any of  
4 the following adult education and family literacy education  
5 programs:

6           “(1) The establishment or operation of profes-  
7 sional development programs to improve the quality  
8 of instruction provided pursuant to local activities  
9 required under section 231(b).

10          “(2) The provision of technical assistance to eli-  
11 gible providers of adult education and family literacy  
12 education programs, including for the development  
13 and dissemination of evidence based research in-  
14 structional practices in reading, writing, speaking,  
15 math, and English language acquisition programs.

16          “(3) The provision of assistance to eligible pro-  
17 viders in developing, implementing, and reporting  
18 measurable progress in achieving the objectives of  
19 this title.

20          “(4) The monitoring and evaluation of the qual-  
21 ity of, and the improvement in, adult education and  
22 literacy activities.

23          “(5) The provision of technology assistance, in-  
24 cluding staff training, to eligible providers of adult  
25 education and family literacy education programs,  
26 including distance education activities, to enable the

1 eligible providers to improve the quality of such ac-  
2 tivities.

3 “(6) The development and implementation of  
4 technology applications or distance education, in-  
5 cluding professional development to support the use  
6 of instructional technology.

7 “(7) Coordination with other public programs,  
8 including programs under title I of this Act, and  
9 other welfare-to-work, workforce development, and  
10 job training programs.

11 “(8) Coordination with existing support serv-  
12 ices, such as transportation, child care, and other  
13 assistance designed to increase rates of enrollment  
14 in, and successful completion of, adult education and  
15 family literacy education programs, for adults en-  
16 rolled in such activities.

17 “(9) The development and implementation of a  
18 system to assist in the transition from adult basic  
19 education to postsecondary education.

20 “(10) Activities to promote workplace literacy  
21 programs.

22 “(11) Other activities of statewide significance,  
23 including assisting eligible providers in achieving  
24 progress in improving the skill levels of adults who  
25 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 (3), 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 math pro-  
18 grams;

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.—For purposes of 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 employ-  
10 ment 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 math skills, or are English learn-  
15 ers;

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 math content that are evidence based;  
10      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 math, and inter-  
22 agency 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 that, taken together, enumerate, estimate, and  
2 project employment opportunities and condi-  
3 tions at national, State, and local levels in a  
4 timely manner, including statistics on—

5 “(i) employment and unemployment  
6 status of national, State, and local popu-  
7 lations, including self-employed, part-time,  
8 and seasonal workers;

9 “(ii) industrial distribution of occupa-  
10 tions, as well as current and projected em-  
11 ployment opportunities, wages, benefits  
12 (where data is available), and skill trends  
13 by occupation and industry, with particular  
14 attention paid to State and local condi-  
15 tions;

16 “(iii) the incidence of, industrial and  
17 geographical location of, and number of  
18 workers displaced by, permanent layoffs  
19 and plant closings; and

20 “(iv) employment and earnings infor-  
21 mation maintained in a longitudinal man-  
22 ner to be used for research and program  
23 evaluation;

24 “(B) information on State and local em-  
25 ployment opportunities, and other appropriate

1           statistical data related to labor market dynam-  
2           ics, which—

3                   “(i) shall be current and comprehen-  
4                   sive;

5                   “(ii) shall meet the needs identified  
6                   through the consultations described in sub-  
7                   paragraphs (A) and (B) of subsection  
8                   (e)(2); and

9                   “(iii) shall meet the needs for the in-  
10                  formation identified in section 121;

11                  “(C) technical standards (which the Sec-  
12                  retary shall publish annually) for data and in-  
13                  formation described in subparagraphs (A) and  
14                  (B) that, at a minimum, meet the criteria of  
15                  chapter 35 of title 44, United States Code;

16                  “(D) procedures to ensure compatibility  
17                  and additivity of the data and information de-  
18                  scribed in subparagraphs (A) and (B) from na-  
19                  tional, State, and local levels;

20                  “(E) procedures to support standardization  
21                  and aggregation of data from administrative re-  
22                  porting systems described in subparagraph (A)  
23                  of employment-related programs;



1           “(F) analysis of data and information de-  
2           scribed in subparagraphs (A) and (B) for uses  
3           such as—

4                   “(i) national, State, and local policy-  
5                   making;

6                   “(ii) implementation of Federal poli-  
7                   cies (including allocation formulas);

8                   “(iii) program planning and evalua-  
9                   tion; and

10                   “(iv) researching labor market dynam-  
11                   ics;

12           “(G) wide dissemination of such data, in-  
13           formation, and analysis in a user-friendly man-  
14           ner and voluntary technical standards for dis-  
15           semination mechanisms; and

16           “(H) programs of—

17                   “(i) training for effective data dis-  
18                   semination;

19                   “(ii) research and demonstration; and

20                   “(iii) programs and technical assist-  
21                   ance.

22           “(2) INFORMATION TO BE CONFIDENTIAL.—

23           “(A) IN GENERAL.—No officer or em-  
24           ployee of the Federal Government or agent of  
25           the Federal Government may—

1           “(i) use any submission that is fur-  
2           nished for exclusively statistical purposes  
3           under the provisions of this section for any  
4           purpose other than the statistical purposes  
5           for which the submission is furnished;

6           “(ii) disclose to the public any publi-  
7           cation or media transmittal of the data  
8           contained in the submission described in  
9           clause (i) that permits information con-  
10          cerning an individual subject to be reason-  
11          ably inferred by either direct or indirect  
12          means; or

13          “(iii) permit anyone other than a  
14          sworn officer, employee, or agent of any  
15          Federal department or agency, or a con-  
16          tractor (including an employee of a con-  
17          tractor) of such department or agency, to  
18          examine an individual submission described  
19          in clause (i),

20          without the consent of the individual, agency, or  
21          other person who is the subject of the submis-  
22          sion or provides that submission.

23          “(B) IMMUNITY FROM LEGAL PROCESS.—

24          Any submission (including any data derived  
25          from the submission) that is collected and re-

1           tained by a Federal department or agency, or  
2           an officer, employee, agent, or contractor of  
3           such a department or agency, for exclusively  
4           statistical purposes under this section shall be  
5           immune from the legal process and shall not,  
6           without the consent of the individual, agency, or  
7           other person who is the subject of the submis-  
8           sion or provides that submission, be admitted  
9           as evidence or used for any purpose in any ac-  
10          tion, suit, or other judicial or administrative  
11          proceeding.

12                 “(C) RULE OF CONSTRUCTION.—Nothing  
13           in this section shall be construed to provide im-  
14           munity from the legal process for such submis-  
15           sion (including any data derived from the sub-  
16           mission) if the submission is in the possession  
17           of any person, agency, or entity other than the  
18           Federal Government or an officer, employee,  
19           agent, or contractor of the Federal Government,  
20           or if the submission is independently collected,  
21           retained, or produced for purposes other than  
22           the purposes of this Act.

23           “(b) SYSTEM RESPONSIBILITIES.—

24                 “(1) IN GENERAL.—The workforce and labor  
25           market information system described in subsection

1 (a) shall be planned, administered, overseen, and  
2 evaluated through a cooperative governance struc-  
3 ture involving the Federal Government and States.

4 “(2) DUTIES.—The Secretary, with respect to  
5 data collection, analysis, and dissemination of work-  
6 force and labor market information for the system,  
7 shall carry out the following duties:

8 “(A) Assign responsibilities within the De-  
9 partment of Labor for elements of the work-  
10 force and labor market information system de-  
11 scribed in subsection (a) to ensure that all sta-  
12 tistical and administrative data collected is con-  
13 sistent with appropriate Bureau of Labor Sta-  
14 tistics standards and definitions.

15 “(B) Actively seek the cooperation of other  
16 Federal agencies to establish and maintain  
17 mechanisms for ensuring complementarity and  
18 nonduplication in the development and oper-  
19 ation of statistical and administrative data col-  
20 lection activities.

21 “(C) Eliminate gaps and duplication in  
22 statistical undertakings, with the systemization  
23 of wage surveys as an early priority.

24 “(D) In collaboration with the Bureau of  
25 Labor Statistics and States, develop and main-

1           tain the elements of the workforce and labor  
2           market information system described in sub-  
3           section (a), including the development of con-  
4           sistent procedures and definitions for use by the  
5           States in collecting the data and information  
6           described in subparagraphs (A) and (B) of sub-  
7           section (a)(1).

8           “(E) Establish procedures for the system  
9           to ensure that—

10                   “(i) such data and information are  
11                   timely;

12                   “(ii) paperwork and reporting for the  
13                   system are reduced to a minimum; and

14                   “(iii) States and localities are fully in-  
15                   volved in the development and continuous  
16                   improvement of the system at all levels.

17           “(c) NATIONAL ELECTRONIC TOOLS TO PROVIDE  
18           SERVICES.—The Secretary is authorized to assist in the  
19           development of national electronic tools that may be used  
20           to facilitate the delivery of work ready services described  
21           in section 134(c)(2) and to provide workforce information  
22           to individuals through the one-stop delivery systems de-  
23           scribed in section 121 and through other appropriate de-  
24           livery systems.

25           “(d) COORDINATION WITH THE STATES.—

1           “(1) IN GENERAL.—The Secretary, working  
2 through the Bureau of Labor Statistics and the Em-  
3 ployment and Training Administration, shall regu-  
4 larly consult with representatives of State agencies  
5 carrying out workforce information activities regard-  
6 ing strategies for improving the workforce and labor  
7 market information system.

8           “(2) FORMAL CONSULTATIONS.—At least twice  
9 each year, the Secretary, working through the Bu-  
10 reau of Labor Statistics, shall conduct formal con-  
11 sultations regarding programs carried out by the  
12 Bureau of Labor Statistics with representatives of  
13 each of the Federal regions of the Bureau of Labor  
14 Statistics, elected (pursuant to a process established  
15 by the Secretary) from the State directors affiliated  
16 with State agencies that perform the duties de-  
17 scribed in subsection (e)(2).

18           “(e) STATE RESPONSIBILITIES.—

19           “(1) IN GENERAL.—In order to receive Federal  
20 financial assistance under this section, the Governor  
21 of a State shall—

22           “(A) be responsible for the management of  
23 the portions of the workforce and labor market  
24 information system described in subsection (a)  
25 that comprise a statewide workforce and labor

1 market information system and for the State’s  
2 participation in the development of the annual  
3 plan;

4 “(B) establish a process for the oversight  
5 of such system;

6 “(C) consult with State and local employ-  
7 ers, participants, and local workforce invest-  
8 ment boards about the labor market relevance  
9 of the data to be collected and disseminated  
10 through the statewide workforce and labor mar-  
11 ket information system;

12 “(D) consult with State educational agen-  
13 cies and local educational agencies concerning  
14 the provision of employment statistics in order  
15 to meet the needs of secondary school and post-  
16 secondary school students who seek such infor-  
17 mation;

18 “(E) collect and disseminate for the sys-  
19 tem, on behalf of the State and localities in the  
20 State, the information and data described in  
21 subparagraphs (A) and (B) of subsection  
22 (a)(1);

23 “(F) maintain and continuously improve  
24 the statewide workforce and labor market infor-  
25 mation system in accordance with this section;

1           “(G) perform contract and grant respon-  
2           sibilities for data collection, analysis, and dis-  
3           semination for such system;

4           “(H) conduct such other data collection,  
5           analysis, and dissemination activities as will en-  
6           sure an effective statewide workforce and labor  
7           market information system;

8           “(I) actively seek the participation of other  
9           State and local agencies in data collection, anal-  
10          ysis, and dissemination activities in order to en-  
11          sure complementarity, compatibility, and useful-  
12          ness of data;

13          “(J) participate in the development of the  
14          annual plan described in subsection (c); and

15          “(K) utilize the quarterly records described  
16          in section 136(f)(2) to assist the State and  
17          other States in measuring State progress on  
18          State performance measures.

19          “(2) RULE OF CONSTRUCTION.—Nothing in  
20          this section shall be construed as limiting the ability  
21          of a Governor to conduct additional data collection,  
22          analysis, and dissemination activities with State  
23          funds or with Federal funds from sources other than  
24          this section.



1       “(f) NONDUPLICATION REQUIREMENT.—None of the  
2 functions and activities carried out pursuant to this sec-  
3 tion shall duplicate the functions and activities carried out  
4 under the Carl D. Perkins Career and Technical Edu-  
5 cation Act of 2006 (20 U.S.C. 2301 et seq.).

6       “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
7 are authorized to be appropriated to carry out this section  
8 \$63,473,000 for fiscal year 2014 and each of the 6 suc-  
9 ceeding fiscal years.

10       “(h) DEFINITION.—In this section, the term ‘local  
11 area’ means the smallest geographical area for which data  
12 can be produced with statistical reliability.”.

## 13                   **TITLE IV—REPEALS AND** 14                   **CONFORMING AMENDMENTS**

### 15   **SEC. 401. REPEALS.**

16       The following provisions are repealed:

17               (1) Chapter 4 of subtitle B of title I, and sec-  
18               tions 123, 155, 166, 167, 168, 169, 171, 173, 173A,  
19               174, 192, 194, 502, 503, and 506 of the Workforce  
20               Investment Act of 1998.

21               (2) Title V of the Older Americans Act of 1965.

22               (3) Sections 1 through 14 of the Wagner-  
23               Peyser Act.

24               (4) Youth Conservation Corps Act of 1970 (16  
25               U.S.C. 1701 et seq.).

1           (5) Section 821 of the Higher Education  
2           Amendments of 1998 (20 U.S.C. 1151) (Grants to  
3           States for workplace and community transition  
4           training for incarcerated individuals).

5           (6) The Women in Apprenticeship and Non-  
6           traditional Occupations Act (29 U.S.C. 2501 et  
7           seq.).

8           (7) Sections 4103A and 4104 of title 38,  
9           United States Code.

10 **SEC. 402. AMENDMENT TO THE COMPREHENSIVE ENVIRON-**  
11 **MENTAL RESPONSE, COMPENSATION, AND LI-**  
12 **ABILITY ACT OF 1980.**

13           Section 104(k)(6) of the Comprehensive Environ-  
14           mental Response, Compensation, and Liability Act of  
15           1980 (42 U.S.C. 9604) is amended by striking “, train-  
16           ing,”.

17 **SEC. 403. AMENDMENTS TO THE FOOD AND NUTRITION ACT**  
18 **OF 2008.**

19           (a) DEFINITION.—Section 3(t) of the Food and Nu-  
20           trition Act of 2008 (7 U.S.C. 2012(t)) is amended—

21           (1) by striking “and (2)” and inserting “(2)”,  
22           and

23           (2) by inserting before the period at the end the  
24           following:

1 “, and (3) when referencing employment and training ac-  
2 tivities under section 6(d)(4), a State board as defined in  
3 section 101 of the Workforce Investment Act of 1998 (29  
4 U.S.C. 2801)”.

5 (b) ELIGIBLE HOUSEHOLDS.—Section 5 of the Food  
6 and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

7 (1) in subsection (d)(14) by striking “section  
8 6(d)(4)(I)” and inserting “section 6(d)(4)(C)”, and

9 (2) in subsection (g)(3) by striking “constitutes  
10 adequate participation in an employment and train-  
11 ing program under section 6(d)” and inserting “al-  
12 lows the individual to participate in employment and  
13 training activities under section 6(d)(4)”.

14 (c) ELIGIBILITY DISQUALIFICATIONS.—Section  
15 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C.  
16 2015(d)(4)) is amended to read as follows:

17 “(4) EMPLOYMENT AND TRAINING.—

18 “(A) IMPLEMENTATION.—Each State  
19 agency shall provide employment and training  
20 services authorized under section 134 of the  
21 Workforce Investment Act of 1998 (29 U.S.C.  
22 2864) to eligible members of households partici-  
23 pating in the supplemental nutrition assistance  
24 program in gaining skills, training, work, or ex-

1 perience that will increase their ability to obtain  
2 regular employment.

3 “(B) STATEWIDE WORKFORCE DEVELOP-  
4 MENT SYSTEM.—Consistent with subparagraph  
5 (A), employment and training services shall be  
6 provided through the statewide workforce devel-  
7 opment system, including the One-Stop delivery  
8 system, authorized by the Workforce Invest-  
9 ment Act of 1998 (29 U.S.C. 2801 et seq.).

10 “(C) REIMBURSEMENTS.—

11 “(i) ACTUAL COSTS.—The State agen-  
12 cy shall provide payments or reimburse-  
13 ment to participants served under this  
14 paragraph for—

15 “(I) the actual costs of transpor-  
16 tation and other actual costs (other  
17 than dependent care costs) that are  
18 reasonably necessary and directly re-  
19 lated to the individual participating in  
20 employment and training activities;  
21 and

22 “(II) the actual costs of such de-  
23 pendent care expenses that are deter-  
24 mined by the State agency to be nec-  
25 essary for the individual to participate

1 in employment and training activities  
2 (other than an individual who is the  
3 caretaker relative of a dependent in a  
4 family receiving benefits under part A  
5 of title IV of the Social Security Act  
6 (42 U.S.C. 601 et seq.) in a local area  
7 where an employment, training, or  
8 education program under title IV of  
9 such Act is in operation), except that  
10 no such payment or reimbursement  
11 shall exceed the applicable local mar-  
12 ket rate.

13 “(ii) SERVICE CONTRACTS AND  
14 VOUCHERS.—In lieu of providing reim-  
15 bursements or payments for dependent  
16 care expenses under clause (i), a State  
17 agency may, at its option, arrange for de-  
18 pendent care through providers by the use  
19 of purchase of service contracts or vouch-  
20 ers or by providing vouchers to the house-  
21 hold.

22 “(iii) VALUE OF REIMBURSEMENTS.—  
23 The value of any dependent care services  
24 provided for or arranged under clause (ii),

1 or any amount received as a payment or  
2 reimbursement under clause (i), shall—

3 “(I) not be treated as income for  
4 the purposes of any other Federal or  
5 federally assisted program that bases  
6 eligibility for, or the amount of bene-  
7 fits on, need; and

8 “(II) not be claimed as an em-  
9 ployment-related expense for the pur-  
10 poses of the credit provided under sec-  
11 tion 21 of the Internal Revenue Code  
12 of 1986 (26 U.S.C. 21).”.

13 (d) ADMINISTRATION.—Section 11(e)(19) of the  
14 Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)(11))  
15 is amended to read as follows:

16 “(19) the plans of the State agency for pro-  
17 viding employment and training services under sec-  
18 tion 6(d)(4);”.

19 (e) ADMINISTRATIVE COST-SHARING AND QUALITY  
20 CONTROL.—Section 16(h) of the Food and Nutrition Act  
21 of 2008 (7 U.S.C. 2025) is amended—

22 (1) in paragraph (1)—

23 (A) in subparagraph (A) by striking “carry  
24 out employment and training programs” and  
25 inserting “provide employment and training

1 services to eligible households under section  
2 6(d)(4)”, and

3 (B) in subparagraph (D) by striking “op-  
4 erating an employment and training program”  
5 and inserting “providing employment and train-  
6 ing services consistent with section 6(d)(4)”,

7 (2) in paragraph (3) by striking “related to  
8 participation in an employment and training pro-  
9 gram” and inserting “the individual participating in  
10 employment and training activities”,

11 (3) in paragraph (4) by striking “for operating  
12 an employment and training program” and inserting  
13 “to provide employment and training services”, and

14 (4) by amending paragraph (5) to read as fol-  
15 lows:

16 “(5) MONITORING.—The Secretary, in conjunc-  
17 tion with the Secretary of Labor, shall monitor each  
18 State agency responsible for administering employ-  
19 ment and training services under section 6(d)(4) to  
20 ensure funds are being spent effectively and effi-  
21 ciently. Each program of employment and training  
22 receiving funds under section 6(d)(4) shall be sub-  
23 ject to the requirements of the performance account-  
24 ability system, including having to meet the state

1 performance measures included in section 136 of the  
2 Workforce Investment Act (29 U.S.C. 2871).”.

3 (f) RESEARCH, DEMONSTRATION, AND EVALUA-  
4 TIONS.—Section 17 of the Food and Nutrition Act of  
5 2008 (7 U.S.C. 2026) is amended—

6 (1) in subsection (b) by striking paragraph (3),  
7 and

8 (2) in subsection (g)—

9 (A) by inserting “, in conjunction with the  
10 Secretary of Labor,” after “Secretary”, and

11 (B) by striking “programs established”  
12 and inserting “activities provided to eligible  
13 households”.

14 (g) MINNESOTA FAMILY INVESTMENT PROJECT.—  
15 Section 22(b)(4) of the Food and Nutrition Act of 2008  
16 (7 U.S.C. 2031(b)(4)) is amended by striking “equivalent  
17 to those offered under the employment and training pro-  
18 gram”.

19 **SEC. 404. AMENDMENTS TO SECTION 412 OF THE IMMIGRA-  
20 TION AND NATIONALITY ACT.**

21 (a) CONDITIONS AND CONSIDERATIONS.—Section  
22 412(a) of the Immigration and Nationality Act (8 U.S.C.  
23 1522(a)) is amended—

24 (1) in paragraph (1)—



1 (A) in subparagraph (A)(i), by striking  
2 “make available sufficient resources for employ-  
3 ment training and placement” and inserting  
4 “provide refugees with the opportunity to access  
5 employment and training services, including job  
6 placement,”; and

7 (B) in subparagraph (B)(ii), by striking  
8 “services;” and inserting “services provided  
9 through the Workforce Investment Act of 1998  
10 (29 U.S.C. 2801 et seq.);”;

11 (2) in paragraph (2)(C)(iii)(II), by inserting  
12 “and training” after “employment”;

13 (3) in paragraph (6)(A)—

14 (A) in clause (ii)—

15 (i) by striking “insure” and inserting  
16 “ensure”;

17 (ii) by inserting “and training” after  
18 “employment”; and

19 (iii) by striking “assistance,” and in-  
20 sserting “assistance through the one-stop  
21 delivery system under section 121 of the  
22 Workforce Investment Act of 1998 (29  
23 U.S.C. 2841),”; and

24 (4) in paragraph (9), by inserting “the Sec-  
25 retary of Labor,” after “Education,”.

1 (b) PROGRAM OF INITIAL RESETTLEMENT.—Section  
2 412(b)(2) of such Act (8 U.S.C. 1522(b)(2)) is amend-  
3 ed—

4 (1) by striking “:orientation, instruction” and  
5 inserting “orientation and instruction”; and

6 (2) by striking “, and job training for refugees,  
7 and such other education and training of refugees,  
8 as facilitates” and inserting “for refugees to facili-  
9 tate”.

10 (c) PROJECT GRANTS AND CONTRACTS FOR SERV-  
11 ICES FOR REFUGEES.—Section 412(c) of such Act (8  
12 U.S.C. 1522(c)) is amended—

13 (1) in paragraph (1)—

14 (A) in subparagraph (A)(i), by inserting  
15 “and training” after “employment”; and

16 (B) by striking subparagraph (C);

17 (2) in paragraph (2)(B), by striking “para-  
18 graph—” through “in a manner” and inserting  
19 “paragraph in a manner”; and

20 (3) by adding at the end the following:

21 “(3) In carrying out this section, the Director shall  
22 ensure that employment and training services are provided  
23 through the statewide workforce development system, as  
24 appropriate, authorized by the Workforce Investment Act

1 of 1998 (29 U.S.C. 2801 et seq.). Such action may in-  
2 clude—

3 “(A) making employment and training services  
4 as described under section 134 of such Act (29  
5 U.S.C. 2864) available to refugees; and

6 “(B) providing refugees with access to a one-  
7 stop delivery system under section 121 of such Act  
8 (29 U.S.C. 2841).”.

9 (d) CASH ASSISTANCE AND MEDICAL ASSISTANCE TO  
10 REFUGEES.—Section 412(e) of such Act (8 U.S.C.  
11 1522(e)) is amended—

12 (1) in paragraph (2)(A)(i), by inserting “and  
13 training” after “providing employment”; and

14 (2) in paragraph (3), by striking “The” and in-  
15 serting “Consistent with subsection (c)(3), the”.

16 **SEC. 405. AMENDMENTS RELATING TO THE SECOND**  
17 **CHANCE ACT OF 2007.**

18 (a) FEDERAL PRISONER REENTRY INITIATIVE.—  
19 Section 231 of the Second Chance Act of 2007 (42 U.S.C.  
20 17541) is amended—

21 (1) in subsection (a)(1)(E)—

22 (A) by inserting “the Department of Labor  
23 and” before “other Federal agencies”; and

1 (B) by inserting “State and local work-  
2 force investment boards,” after “community-  
3 based organizations,”;

4 (2) in subsection (c)—

5 (A) in paragraph (2), by striking at the  
6 end “and”;

7 (B) in paragraph (3), by striking at the  
8 end the period and inserting “; and”; and

9 (C) by adding at the end the following new  
10 paragraph:

11 “(4) to coordinate reentry programs with the  
12 employment and training services provided through  
13 the statewide workforce investment system under  
14 subtitle B of title I of the Workforce Investment Act  
15 of 1998 (29 U.S.C. 2811 et seq.).”; and

16 (3) in subsection (d), by adding at the end the  
17 following new paragraph:

18 “(6) INTERACTION WITH THE WORKFORCE IN-  
19 VESTMENT SYSTEM.—

20 “(A) IN GENERAL.—In carrying out this  
21 section, the Director shall ensure that employ-  
22 ment and training services, including such em-  
23 ployment and services offered through reentry  
24 programs, are provided, as appropriate, through  
25 the statewide workforce investment system

1 under subtitle B of title I of the Workforce In-  
2 vestment Act of 1998 (29 U.S.C. 2811 et seq.).

3 Such action may include—

4 “(i) making employment and training  
5 services available to prisoners prior to and  
6 immediately following the release of such  
7 prisoners; or

8 “(ii) providing prisoners with access  
9 by remote means to a one-stop delivery  
10 system under section 121 of the Workforce  
11 Investment Act of 1998 (29 U.S.C. 2841)  
12 in the State in which the prison involved is  
13 located.

14 “(B) SERVICE DEFINED.—In this para-  
15 graph, the term ‘employment and training serv-  
16 ices’ means those services described in section  
17 134 of the Workforce Investment Act of 1998  
18 (29 U.S.C. 2864) offered by the Bureau of  
19 Prisons, including—

20 “(i) the skills assessment described in  
21 subsection (a)(1)(A);

22 “(ii) the skills development plan de-  
23 scribed in subsection (a)(1)(B); and

1                   “(iii) the enhancement, development,  
2                   and implementation of reentry and skills  
3                   development programs.”.

4           (b) DUTIES OF THE BUREAU OF PRISONS.—Section  
5 4042(a)(5)(E) of title 18, United States Code, is amend-  
6 ed—

7           (1) in clause (ii), by striking “Employment”  
8           and inserting “Employment and training services (as  
9           defined in paragraph (6) of section 231(d) of the  
10          Second Chance Act of 2007), including basic skills  
11          attainment, consistent with such paragraph”;

12          (2) by striking clause (iii); and

13          (3) by redesignating clauses (iv), (v), (vi), and  
14          (vii) as clauses (iii), (iv), (v), and (vi), respectively.

15 **SEC. 406. AMENDMENTS TO THE OMNIBUS CRIME CONTROL**  
16 **AND SAFE STREETS ACT OF 1968.**

17          Section 2976 of the Omnibus Crime Control and Safe  
18 Streets Act of 1968 (42 U.S.C. 3797w) is amended—

19          (1) in subsection (b)—

20               (A) in paragraph (1), by striking “voca-  
21               tional” and inserting “career and technical edu-  
22               cation (as defined in section 3 of the Carl D.  
23               Perkins Career and Technical Education Act of  
24               2006 (20 U.S.C. 2302)) and training”;

1 (B) by redesignating each of paragraphs  
2 (4) through (7) as paragraphs (5) through (8),  
3 respectively; and

4 (C) by inserting after paragraph (3) the  
5 following new paragraph:

6 “(4) coordinating employment and training  
7 services provided through the statewide workforce  
8 investment system under subtitle B of title I of the  
9 Workforce Investment Act of 1998 (29 U.S.C. 2811  
10 et seq.), including a one-stop delivery system under  
11 section 121 of such Act (29 U.S.C. 2841), for of-  
12 fenders upon release from prison, jail, or a juvenile  
13 facility, as appropriate;”;

14 (2) in subsection (d)(2), by inserting “, includ-  
15 ing local workforce investment boards established  
16 under section 117 of the Workforce Investment Act  
17 of 1998 (29 U.S.C. 2832),” after “nonprofit organi-  
18 zations”;

19 (3) in subsection (e)—

20 (A) in paragraph (3), by striking “victim  
21 services, and employment services” and insert-  
22 ing “and victim services”;

23 (B) by redesignating paragraphs (4) and  
24 (5) as paragraphs (5) and (6), respectively; and

1 (C) by inserting after paragraph (3) the  
2 following new paragraph:

3 “(4) provides employment and training services  
4 through the statewide workforce investment system  
5 under subtitle B of title I of the Workforce Invest-  
6 ment Act of 1998 (29 U.S.C. 2811 et seq.), includ-  
7 ing a one-stop delivery system under section 121 of  
8 such Act (29 U.S.C. 2841); and”;

9 (4) in subsection (k)—

10 (A) in paragraph (1)(A), by inserting “, in  
11 accordance with paragraph (2)” after “under  
12 this section”;

13 (B) by redesignating paragraphs (2) and  
14 (3) as paragraphs (3) and (4), respectively; and

15 (C) by inserting after paragraph (1) the  
16 following new paragraph:

17 “(2) EMPLOYMENT AND TRAINING.—The Attor-  
18 ney General shall require each grantee under this  
19 section to measure the core indicators of perform-  
20 ance as described in section 136(b)(2)(A) of the  
21 Workforce Investment Act of 1998 (29 U.S.C.  
22 2871(b)(2)(A)) with respect to the program of such  
23 grantee funded with a grant under this section.”.



1 **SEC. 407. H-1B NONIMMIGRANT PETITIONER ACCOUNT.**

2 Section 286(s) of the Immigration and Nationality  
3 Act (8 U.S.C. 1356(s)) is amended—

4 (1) by striking paragraph (2);

5 (2) by redesignating paragraphs (3) and (4) as  
6 paragraphs (2) and (3), respectively;

7 (3) in paragraph (2) (as so redesignated), by  
8 striking “30 percent” and inserting “50 percent”;

9 (4) in paragraph (3)(A) (as so redesignated), by  
10 striking “10 percent” and inserting “25 percent”;

11 (5) by inserting after paragraph (3) (as so re-  
12 designated) the following:

13 “(4) USE OF FEES FOR GIFTED AND TALENTED  
14 STUDENT GRANT PROGRAMS.—

15 “(A) IN GENERAL.—15 percent of the  
16 amounts deposited into the H-1B Non-  
17 immigrant Petitioner Account shall be trans-  
18 ferred to the Department of Education to re-  
19 main available until expended to make grants to  
20 States, local educational agencies, and institu-  
21 tions of higher education to carry out activities  
22 that build the capacity of elementary schools  
23 and secondary schools to meet the academic  
24 needs of gifted and talented students.

25 “(B) APPLICATION.—To be eligible for a  
26 grant under this paragraph, a State, local edu-

1           cational agency, or institution of higher edu-  
2           cation shall submit an application to the Sec-  
3           retary of Education at such time and in such  
4           manner as the Secretary of Education shall re-  
5           quire. Such application shall describe how the  
6           State, local educational agency, or institution of  
7           higher education will—

8                   “(i) use funds received under this  
9                   paragraph to meet the needs of gifted and  
10                  talented students; and

11                  “(ii) coordinate funds received under  
12                  this paragraph with funds received under  
13                  other Federal education laws.

14           “(C) DEFINITIONS.—For the purpose of  
15           this paragraph—

16                   “(i) the terms ‘State’, ‘local edu-  
17                   cational agency’, ‘elementary school’, and  
18                   ‘secondary school’ have the meanings given  
19                   such terms in section 9101 of the Elemen-  
20                   tary and Secondary Education Act of  
21                   1965; and

22                   “(ii) the term ‘institution of higher  
23                   education’ has the meaning given such  
24                   term in section 102(a) of the Higher Edu-  
25                   cation Act of 1965.’; and

1 (6) in paragraph (6)—

2 (A) by striking “For fiscal year 1999,” and  
3 all that follows through “Beginning with fiscal  
4 year 2000, 5 percent” and inserting “5 per-  
5 cent”; and

6 (B) in the last sentence, by striking the pe-  
7 riod at the end and inserting “and for carrying  
8 out the Secretary’s responsibilities under sec-  
9 tion 212(n)(2).”.

10 **SEC. 408. CONFORMING AMENDMENTS TO THE UNITED**  
11 **STATES CODE.**

12 Title 38, United States Code, is amended—

13 (1) by striking the item relating to section  
14 4103A and section 4104 in the table of sections at  
15 the beginning of chapter 41 of such title;

16 (2) in section 4102A—

17 (A) in subsection (b)—

18 (i) by striking paragraphs (5), (6),  
19 and (7);

20 (ii) by redesignating paragraph (8) as  
21 paragraph (5);

22 (B) by striking subsections (c) and (h);

23 (C) by redesignating subsection (d), (e),  
24 (f), and (g) as subsection (c), (d), (e), and (f);

1 (D) in subsection (e)(1) (as so redesignated)—  
2

3 (i) by striking “, including disabled  
4 veterans’ outreach program specialists and  
5 local veterans’ employment representatives  
6 providing employment, training, and place-  
7 ment services under this chapter in a  
8 State”; and

9 (ii) by striking “for purposes of sub-  
10 section (c)”.

11 (3) in section 4109(a), by striking “disabled  
12 veterans’ outreach program specialists, local vet-  
13 erans’ employment representatives” and inserting  
14 “veteran employment specialists appointed under  
15 section 134(f) of the Workforce Investment Act of  
16 1998”;

17 (4) in section 4109(d)(1), by striking “disabled  
18 veterans’ outreach program specialists and local vet-  
19 erans’ employment representatives” and inserting  
20 “veteran employment specialists appointed under  
21 section 134(f) of the Workforce Investment Act of  
22 1998”;

23 (5) in section 4112(d)—

24 (A) in paragraph (1), by striking “disabled  
25 veterans’ outreach program specialist” and in-

1           serting “veteran employment specialist ap-  
2           pointed under section 134(f) of the Workforce  
3           Investment Act of 1998”; and

4                   (B) by striking paragraph (2) and redesign-  
5           nating paragraph (3) as paragraph (2);

6           (6) in section 3672(d)(1), by striking “disabled  
7           veterans’ outreach program specialists under section  
8           4103A” and inserting “veteran employment special-  
9           ists appointed under section 134(f) of the Workforce  
10          Investment Act of 1998”; and

11                   (7) in section 4104A—

12                           (A) in subsection (b)(1), by striking sub-  
13           paragraph (A) and inserting the following:

14                                   “(A) the appropriate veteran employment  
15           specialist (in carrying out the functions de-  
16           scribed in section 134(f) of the Workforce In-  
17           vestment Act of 1998);” and

18                           (B) in subsection (c)(1), by striking sub-  
19           paragraph (A) and inserting the following:

20                                   “(A) collaborate with the appropriate vet-  
21           eran employment specialist (as described in sec-  
22           tion 134(f)) and the appropriate State boards  
23           and local boards (as such terms are defined in  
24           section 101 of the Workforce Investment Act of  
25           1998 (29 U.S.C. 2801));”.

1 **SEC. 409. CONFORMING AMENDMENT TO TABLE OF CON-**  
 2 **TENTS.**

3 The table of contents in section 1(b) is amended to  
 4 read as follows:

“Sec. 1. Short title; table of contents.

“TITLE I—WORKFORCE INVESTMENT SYSTEMS

“Subtitle A—Workforce Investment Definitions

“Sec. 101. Definitions.

“Subtitle B—Statewide and Local Workforce Investment Systems

“Sec. 106. Purpose.

“CHAPTER 1—STATE PROVISIONS

“Sec. 111. State workforce investment boards.

“Sec. 112. State plan.

“CHAPTER 2—LOCAL PROVISIONS

“Sec. 116. Local workforce investment areas.

“Sec. 117. Local workforce investment boards.

“Sec. 118. Local plan.

“CHAPTER 3—WORKFORCE INVESTMENT ACTIVITIES PROVIDERS

“Sec. 121. Establishment of one-stop delivery systems.

“Sec. 122. Identification of eligible providers of training services.

“Sec. 123. [Repealed].

“CHAPTER 4—[REPEALED]

“CHAPTER 5—EMPLOYMENT AND TRAINING ACTIVITIES

“Sec. 131. General authorization.

“Sec. 132. State allotments.

“Sec. 133. Within State allocations.

“Sec. 134. Use of funds for employment and training activities.

“CHAPTER 6—GENERAL PROVISIONS

“Sec. 136. Performance accountability system.

“Sec. 137. Authorization of appropriations.

“Subtitle C—Job Corps

“Sec. 141. Purposes.

“Sec. 142. Definitions.

“Sec. 143. Establishment.

“Sec. 144. Individuals eligible for the Job Corps.

“Sec. 145. Recruitment, screening, selection, and assignment of enrollees.

“Sec. 146. Enrollment.

- “See. 147. Job Corps centers.
- “See. 148. Program activities.
- “See. 149. Counseling and job placement.
- “See. 150. Support.
- “See. 151. Operations.
- “See. 152. Standards of conduct.
- “See. 153. Community participation.
- “See. 154. Workforce councils.
- “See. 155. [Repealed].
- “See. 156. Technical assistance to centers.
- “See. 157. Application of provisions of Federal law.
- “See. 158. Special provisions.
- “See. 159. Management information.
- “See. 160. General provisions.
- “See. 161. Closure of low-performing Job Corps centers.
- “See. 162. Reforms to remove political favoritism in the opening of new Job Corps centers.

“Subtitle D—National Programs

- “See. 166. [Repealed].
- “See. 167. [Repealed].
- “See. 168. [Repealed].
- “See. 169. [Repealed].
- “See. 170. Technical assistance.
- “See. 171. [Repealed].
- “See. 172. Evaluations.
- “See. 173. [Repealed].
- “See. 173A. [Repealed].
- “See. 174. [Repealed].

“Subtitle E—Administration

- “See. 181. Requirements and restrictions.
- “See. 182. Prompt allocation of funds.
- “See. 183. Monitoring.
- “See. 184. Fiscal controls; sanctions.
- “See. 185. Reports; recordkeeping; investigations.
- “See. 186. Administrative adjudication.
- “See. 187. Judicial review.
- “See. 188. Nondiscrimination.
- “See. 189. Administrative provisions.
- “See. 190. References.
- “See. 191. State legislative authority.
- “See. 192. [Repealed].
- “See. 193. Use of certain real property.
- “See. 194. [Repealed].
- “See. 195. General program requirements.
- “See. 196. Department Staff.

“Subtitle F—Repeals and Conforming Amendments

- “See. 199. Repeals.
- “See. 199A. Conforming amendments.

“TITLE II—ADULT EDUCATION AND FAMILY LITERACY  
EDUCATION

- “Sec. 201. Short title.
- “Sec. 202. Purpose.
- “Sec. 203. Definitions.
- “Sec. 204. Home schools.
- “Sec. 205. Authorization of appropriations.

“Subtitle A—Federal Provisions

- “Sec. 211. Reservation of funds; grants to eligible agencies; allotments.
- “Sec. 212. Performance accountability system.

“Subtitle B—State Provisions

- “Sec. 221. State administration.
- “Sec. 222. State distribution of funds; matching requirement.
- “Sec. 223. State leadership activities.
- “Sec. 224. State plan.
- “Sec. 225. Programs for corrections education and other institutionalized individuals.

“Subtitle C—Local Provisions

- “Sec. 231. Grants and contracts for eligible providers.
- “Sec. 232. Local application.
- “Sec. 233. Local administrative cost limits.

“Subtitle D—General Provisions

- “Sec. 241. Administrative provisions.
- “Sec. 242. National activities.

“TITLE III—WORKFORCE INVESTMENT-RELATED ACTIVITIES

“Subtitle A—Wagner-Peyser Act

- “Sec. 301. Definitions.
- “Sec. 302. Functions.
- “Sec. 303. Designation of State agencies.
- “Sec. 304. Appropriations.
- “Sec. 305. Disposition of allotted funds.
- “Sec. 306. State plans.
- “Sec. 307. Repeal of Federal advisory council.
- “Sec. 308. Regulations.
- “Sec. 309. Employment statistics.
- “Sec. 310. Technical amendments.
- “Sec. 311. Effective date.

“Subtitle B—Linkages With Other Programs

- “Sec. 321. Trade Act of 1974.
- “Sec. 322. Veterans’ employment programs.
- “Sec. 323. Older Americans Act of 1965.

“Subtitle C—Twenty-First Century Workforce Commission

- “Sec. 331. Short title.
- “Sec. 332. Findings.
- “Sec. 333. Definitions.
- “Sec. 334. Establishment of Twenty-First Century Workforce Commission.



- “Sec. 335. Duties of the Commission.
- “Sec. 336. Powers of the Commission.
- “Sec. 337. Commission personnel matters.
- “Sec. 338. Termination of the Commission.
- “Sec. 339. Authorization of appropriations.

“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. 502. [Repealed].
- “Sec. 503. [Repealed].
- “Sec. 504. Privacy.
- “Sec. 505. Buy-American requirements.
- “Sec. 506. [Repealed].
- “Sec. 507. Effective date.”.

1 **TITLE V—AMENDMENTS TO THE**  
2 **REHABILITATION ACT OF 1973**

3 **SEC. 501. FINDINGS.**

4 Section 2(a) of the Rehabilitation Act of 1973 (29  
5 U.S.C. 701(a)) is amended—

6 (1) in paragraph (5), by striking “and” at the  
7 end;

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. 502. 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), by strik-  
23 ing “Commissioner’s” and inserting “Director’s”;

1 (4) in the heading for subparagraph (B) of sec-  
2 tion 100(d)(2), by striking “COMMISSIONER” and in-  
3 serting “DIRECTOR”;

4 (5) in the heading for section 706, by striking  
5 “**COMMISSIONER**” and inserting “**DIRECTOR**”;

6 (6) in the heading for paragraph (3) of section  
7 723(a), by striking “COMMISSIONER” and inserting  
8 “DIRECTOR”; and

9 (7) in section 21 (29 U.S.C. 718)—

10 (A) in subsection (b)(1)—

11 (i) by striking “Commissioner” the  
12 first place it appears and inserting “Direc-  
13 tor of the Rehabilitation Services Adminis-  
14 tration”;

15 (ii) by striking “(referred to in this  
16 subsection as the ‘Director’)”; and

17 (iii) by striking “The Commissioner  
18 and the Director” and inserting “Both  
19 such Directors”; and

20 (B) by striking “the Commissioner and the  
21 Director” each place it appears and inserting  
22 “both such Directors”.

23 (b) EFFECTIVE DATE; APPLICATION.—The amend-  
24 ments made by subsection (a) shall—

1           (1) take effect on the date of the enactment of  
2 this Act; and

3           (2) apply with respect to the appointments of  
4 Directors of the Rehabilitation Services Administra-  
5 tion made on or after the date of enactment of this  
6 Act, and the Directors so appointed.

7 **SEC. 503. DEFINITIONS.**

8           Section 7 of the Rehabilitation Act of 1973 (29  
9 U.S.C. 705) is amended—

10           (1) by redesignating paragraphs (35) through  
11 (39) as paragraphs (36) through (40), respectively;

12           (2) in subparagraph (A)(ii) of paragraph (36)  
13 (as redesignated by paragraph (1)), by striking  
14 “paragraph (36)(C)” and inserting “paragraph  
15 (37)(C)”; and

16           (3) by inserting after paragraph (34) the fol-  
17 lowing:

18           “(35)(A) The term ‘student with a disability’  
19 means an individual with a disability who—

20                   “(i) is not younger than 16 and not  
21 older than 21;

22                   “(ii) has been determined to be eligi-  
23 ble under section 102(a) for assistance  
24 under this title; and

1                   “(iii)(I) is eligible for, and is receiv-  
2                   ing, special education under part B of the  
3                   Individuals with Disabilities Education Act  
4                   (20 U.S.C. 1411 et seq.); or

5                   “(II) is an individual with a disability,  
6                   for purposes of section 504.

7                   “(B) The term ‘students with disabilities’  
8                   means more than 1 student with a disability.”.

9   **SEC. 504. STATE PLAN.**

10           Section 101(a) of the Rehabilitation Act of 1973 (29  
11 U.S.C. 721(a)) is amended—

12                   (1) in paragraph (10)(B) by striking “on the el-  
13                   igible individuals” and all that follows through “sec-  
14                   tion 136(d)(2)” and inserting “of information nec-  
15                   essary to assess the State’s performance on the core  
16                   indicators of performance described in section  
17                   136(b)(2)(A)”;

18                   (2) in paragraph (11)—

19                           (A) in subparagraph (D)(i), by inserting  
20                           before the semicolon the following: “, which  
21                           may be provided using alternative means of  
22                           meeting participation (such as video conferences  
23                           and conference calls)”;

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

1           “(G) COORDINATION WITH ASSISTIVE  
2 TECHNOLOGY PROGRAMS.—The State plan shall  
3 include an assurance that the designated State  
4 unit and the lead agency or implementing entity  
5 responsible for carrying out duties under the  
6 Assistive Technology Act of 1998 (29 U.S.C.  
7 3001 et seq.) have developed working relation-  
8 ships and coordinate their activities.”;

9           (3) in paragraph (15)—

10           (A) in subparagraph (A)—

11           (i) in clause (i)—

12           (I) in subclause (II), by striking  
13 “and” at the end;

14           (II) in subclause (III), by adding  
15 “and” at the end; and

16           (III) by adding at the end the  
17 following:

18           “(IV) students with disabilities,  
19 including their need for transition  
20 services;”;

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

24           (iii) by inserting after clause (i) the  
25 following:

1           “(ii) include an assessment of the  
2 transition services provided under this Act,  
3 and coordinated with transition services  
4 under the Individuals with Disabilities  
5 Education Act, as to those services meet-  
6 ing the needs of individuals with disabil-  
7 ities;” and

8           (B) in subparagraph (D)—

9           (i) by redesignating clauses (iii), (iv),  
10 and (v) as clauses (iv), (v), and (vi), re-  
11 spectively; and

12           (ii) by inserting after clause (ii) the  
13 following:

14           “(iii) the methods to be used to im-  
15 prove and expand vocational rehabilitation  
16 services for students with disabilities, in-  
17 cluding the coordination of services de-  
18 signed to facilitate the transition of such  
19 students from the receipt of educational  
20 services in school to the receipt of voca-  
21 tional rehabilitation services under this  
22 title or to postsecondary education or em-  
23 ployment;”;

24           (4) in paragraph (22)—

1 (A) by striking “carrying out part B of  
2 title VI, including”; and

3 (B) by striking “that part to supplement  
4 funds made available under part B of”;

5 (5) in paragraph (24)(A), by striking “part A  
6 of title VI” and inserting “section 109A”; and

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

8 “(25) COLLABORATION WITH INDUSTRY.—The  
9 State plan shall describe how the designated State  
10 agency will carry out the provisions of section 109A,  
11 including—

12 “(A) the criteria such agency will use to  
13 award grants under such section; and

14 “(B) how the activities carried out under  
15 such grants will be coordinated with other serv-  
16 ices provided under this title.

17 “(26) SERVICES FOR STUDENTS WITH DISABIL-  
18 ITIES.—The State plan shall provide an assurance  
19 satisfactory to the Secretary that the State—

20 “(A) has developed and implemented strat-  
21 egies to address the needs identified in the as-  
22 sessment described in paragraph (15), and  
23 achieve the goals and priorities identified by the  
24 State, to improve and expand vocational reha-  
25 bilitation services for students with disabilities



1 on a statewide basis in accordance with para-  
2 graph (15); and

3 “(B) from funds reserved under section  
4 110A, shall carry out programs or activities de-  
5 signed to improve and expand vocational reha-  
6 bilitation services for students with disabilities  
7 that—

8 “(i) facilitate the transition of stu-  
9 dents with disabilities from the receipt of  
10 educational services in school, to the re-  
11 ceipt of vocational rehabilitation services  
12 under this title, including, at a minimum,  
13 those services specified in the interagency  
14 agreement required in paragraph (11)(D);

15 “(ii) improve the achievement of post-  
16 school goals of students with disabilities,  
17 including improving the achievement  
18 through participation (as appropriate when  
19 career goals are discussed) in meetings re-  
20 garding individualized education programs  
21 developed under section 614 of the Individ-  
22 uals with Disabilities Education Act (20  
23 U.S.C. 1414);

24 “(iii) provide career guidance, career  
25 exploration services, job search skills and

1 strategies, and technical assistance to stu-  
2 dents with disabilities;

3 “(iv) support the provision of training  
4 and technical assistance to State and local  
5 educational agencies and designated State  
6 agency personnel responsible for the plan-  
7 ning and provision of services to students  
8 with disabilities; and

9 “(v) support outreach activities to stu-  
10 dents with disabilities who are eligible for,  
11 and need, services under this title.”.

12 **SEC. 505. SCOPE OF SERVICES.**

13 Section 103 of the Rehabilitation Act of 1973 (29  
14 U.S.C. 723) is amended—

15 (1) in subsection (a), by striking paragraph  
16 (15) and inserting the following:

17 “(15) transition services for students with dis-  
18 abilities, that facilitate the achievement of the em-  
19 ployment outcome identified in the individualized  
20 plan for employment, including services described in  
21 clauses (i) through (iii) of section 101(a)(26)(B);”;

22 (2) in subsection (b), by striking paragraph (6)  
23 and inserting the following:

24 “(6)(A)(i) Consultation and technical assistance  
25 services to assist State and local educational agen-

1       cies in planning for the transition of students with  
2       disabilities from school to post-school activities, in-  
3       cluding employment.

4               “(ii) Training and technical assistance de-  
5       scribed in section 101(a)(26)(B)(iv).

6               “(B) Services for groups of individuals with dis-  
7       abilities who meet the requirements of clauses (i)  
8       and (iii) of section 7(35)(A), including services de-  
9       scribed in clauses (i), (ii), (iii), and (v) of section  
10       101(a)(26)(B), to assist in the transition from  
11       school to post-school activities.”; and

12               (3) in subsection (b) by inserting at the end,  
13       the following:

14               “(7) The establishment, development, or im-  
15       provement of assistive technology demonstration,  
16       loan, reutilization, or financing programs in coordi-  
17       nation with activities authorized under the Assistive  
18       Technology Act of 1998 (29 U.S.C. 3001) to pro-  
19       mote access to assistive technology for individuals  
20       with disabilities and employers.”.

21 **SEC. 506. STANDARDS AND INDICATORS.**

22       Section 106 of the Rehabilitation Act of 1973 (29  
23 U.S.C. 726(a)) is amended—

24               (1) by striking subsection (a) and inserting the  
25       following:

1       “(a) STANDARDS AND INDICATORS.—The perform-  
2       ance standards and indicators for the vocational rehabili-  
3       tation program carried out under this title—

4               “(1) shall be subject to paragraphs (2)(A) and  
5       (3) of section 136(b) of the Workforce Investment  
6       Act of 1998; and

7               “(2) may, at a State’s discretion, include addi-  
8       tional indicators identified in the State plan sub-  
9       mitted under section 101.”; and

10              (2) in subsection (b)(2)(B), by striking clause  
11       (i) and inserting the following:

12                      “(i) on a biannual basis, review the  
13                      program improvement efforts of the State  
14                      and, if the State has not improved its per-  
15                      formance to acceptable levels, as deter-  
16                      mined by the Director, direct the State to  
17                      make revisions to the plan to improve per-  
18                      formance; and”.

19       **SEC. 507. COLLABORATION WITH INDUSTRY.**

20       The Rehabilitation Act of 1973 is amended by insert-  
21       ing after section 109 (29 U.S.C. 729) the following:

22       **“SEC. 109A. COLLABORATION WITH INDUSTRY.**

23               “(a) AUTHORITY.—A State shall use not less than  
24       one-half of one percent of the payment the State receives  
25       under section 111 for a fiscal year to award grants to eligi-

1 ble entities to create practical job and career readiness and  
2 training programs, and to provide job placements and ca-  
3 reer advancement.

4 “(b) APPLICATION.—To receive a grant under this  
5 section, an eligible entity shall submit an application to  
6 a designated State agency at such time, in such manner,  
7 and containing such information as such agency shall re-  
8 quire. Such application shall include, at a minimum—

9 “(1) a plan for evaluating the effectiveness of  
10 the program;

11 “(2) a plan for collecting and reporting the  
12 data and information described under subparagraphs  
13 (A) through (C) of section 101(a)(10), as deter-  
14 mined appropriate by the designated State agency;  
15 and

16 “(3) a plan for providing for the non-Federal  
17 share of the costs of the program.

18 “(c) ACTIVITIES.—An eligible entity receiving a grant  
19 under this section shall use the grant funds to carry out  
20 a program that provides one or more of the following:

21 “(1) Job development, job placement, and ca-  
22 reer advancement services for individuals with dis-  
23 abilities.

24 “(2) Training in realistic work settings in order  
25 to prepare individuals with disabilities for employ-

1       ment and career advancement in the competitive  
2       market.

3           “(3) Providing individuals with disabilities with  
4       such support services as may be required in order to  
5       maintain the employment and career advancement  
6       for which the individuals have received training.

7       “(d) AWARDS.—Grants under this section shall—

8           “(1) be awarded for a period not to exceed 5  
9       years; and

10          “(2) be awarded competitively.

11       “(e) ELIGIBLE ENTITY DEFINED.—For the purposes  
12       of this section, the term ‘eligible entity’ means a for-profit  
13       business, alone or in partnership with one or more of the  
14       following:

15           “(1) Community rehabilitation program pro-  
16       viders.

17           “(2) Indian tribes.

18           “(3) Tribal organizations.

19       “(f) FEDERAL SHARE.—The Federal share of a pro-  
20       gram under this section shall not exceed 80 percent of the  
21       costs of the program.

22       “(g) 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 **SEC. 508. RESERVATION FOR EXPANDED TRANSITION**  
4 **SERVICES.**

5 The Rehabilitation Act of 1973 is amended by insert-  
6 ing after section 110 (29 U.S.C. 730) the following:

7 **“SEC. 110A. RESERVATION FOR EXPANDED TRANSITION**  
8 **SERVICES.**

9 “Each State shall reserve not less than 10 percent  
10 of the funds allotted to the State under section 110(a)  
11 to carry out programs and activities under sections  
12 101(a)(26)(B) and 103(b)(6).”.

13 **SEC. 509. CLIENT ASSISTANCE PROGRAM.**

14 Section 112(e)(1) of the Rehabilitation Act of 1973  
15 (29 U.S.C. 732(e)(1)) is amended by redesignating sub-  
16 paragraph (D) as subparagraph (E) and inserting after  
17 subparagraph (C) the following:

18 “(D) The Secretary shall make grants to  
19 the protection and advocacy system serving the  
20 American Indian Consortium to provide services  
21 in accordance with this section. The amount of  
22 such grants shall be the same as provided to  
23 territories under this subsection.”.

1 **SEC. 510. TITLE III AMENDMENTS.**

2 Title III of the Rehabilitation Act of 1973 (29 U.S.C.  
3 771 et seq.) is amended—

4 (1) in section 301(a)—

5 (A) in paragraph (2), by inserting “and”  
6 at the end;

7 (B) by striking paragraphs (3) and (4);  
8 and

9 (C) by redesignating paragraph (5) as  
10 paragraph (3);

11 (2) in section 302(g)—

12 (A) in the heading, by striking “AND IN-  
13 SERVICE TRAINING”; and

14 (B) by striking paragraph (3);

15 (3) in section 303(e)—

16 (A) in paragraph (4)—

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

19 “(ii) to coordinate and work closely  
20 with the parent training and information  
21 centers established pursuant to section 671  
22 of the Individuals with Disabilities Edu-  
23 cation Act, the community parent resource  
24 centers established pursuant to section 672  
25 of such Act, and the eligible entities receiv-



1 ing awards under section 673 of such Act;  
2 and”; and

3 (ii) in subparagraph (C), by inserting  
4 “, and demonstrate the capacity for serv-  
5 ing,” after “serve”; and

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

7 “(8) RESERVATION.—From the amount appro-  
8 priated to carry out this subsection for a fiscal year,  
9 20 percent of such amount or \$500,000, whichever  
10 is less, shall be reserved to carry out paragraph  
11 (6).”;

12 (4) by striking sections 304 and 305; and

13 (5) by redesignating section 306 as section 304.

14 **SEC. 511. REPEAL OF TITLE VI.**

15 The Rehabilitation Act of 1973 (29 U.S.C. 701 et  
16 seq.) is amended by repealing title VI.

17 **SEC. 512. CHAIRPERSON.**

18 Section 705(b)(5) of the Rehabilitation Act of 1973  
19 (29 U.S.C. 796d(b)(5)) is amended to read as follows:

20 “(5) CHAIRPERSON.—The Council shall select a  
21 chairperson from among the voting membership of  
22 the Council.”.

23 **SEC. 513. AUTHORIZATIONS OF APPROPRIATIONS.**

24 The Rehabilitation Act of 1973 (29 U.S.C. 701 et  
25 seq.) is further amended—

1           (1) in section 100(b)(1) (29 U.S.C. 720(b)(1)),  
2           by striking “such sums as may be necessary for fis-  
3           cal years 1999 through 2003” and inserting  
4           “\$3,121,712,000 for fiscal year 2014 and each of  
5           the 6 succeeding fiscal years”;

6           (2) in section 110(c) (29 U.S.C. 730(c)), by  
7           amending paragraph (2) to read as follows:

8           “(2) The sum referred to in paragraph (1) shall  
9           be, as determined by the Secretary, not less than 1  
10          percent and not more than 1.5 percent of the  
11          amount referred to in paragraph (1) for each of fis-  
12          cal years 2014 through 2020.”;

13          (3) in section 112(h) (29 U.S.C. 732(h)) by  
14          striking “such sums as may be necessary for fiscal  
15          years 1999 through 2003” and inserting  
16          “\$12,240,000 for fiscal year 2014 and each of the  
17          6 succeeding fiscal years”;

18          (4) by amending subsection (a) of section 201  
19          (29 U.S.C. 761(a)) to read as follows: “(a) There  
20          are authorized to be appropriated \$108,817,000 for  
21          fiscal year 2014 and each of the 6 succeeding fiscal  
22          years to carry out this title.”;

23          (5) in section 302(i) (29 U.S.C. 772(i)) by  
24          striking “such sums as may be necessary for each of  
25          the fiscal years 1999 through 2003” and inserting

1 “\$35,515,000 for fiscal year 2014 and each of the  
2 6 succeeding fiscal years”;

3 (6) in section 303(e) (29 U.S.C. 773(e)) by  
4 striking “such sums as may be necessary for each of  
5 the fiscal years 1999 through 2003” and inserting  
6 “\$5,325,000 for fiscal year 2014 and each of the 6  
7 succeeding fiscal years”;

8 (7) in section 405 (29 U.S.C. 785) by striking  
9 “such sums as may be necessary for each of the fis-  
10 cal years 1999 through 2003” and inserting  
11 “\$3,258,000 for fiscal year 2014 and each of the 6  
12 succeeding fiscal years”;

13 (8) in section 502(j) (29 U.S.C. 792(j)) by  
14 striking “such sums as may be necessary for each of  
15 the fiscal years 1999 through 2003” and inserting  
16 “\$7,400,000 for fiscal year 2014 and each of the 6  
17 succeeding fiscal years”;

18 (9) in section 509(l) (29 U.S.C. 794e(l)) by  
19 striking “such sums as may be necessary for each of  
20 the fiscal years 1999 through 2003” and inserting  
21 “\$18,031,000 for fiscal year 2014 and each of the  
22 6 succeeding fiscal years”;

23 (10) in section 714 (29 U.S.C. 796e-3), by  
24 striking “such sums as may be necessary for each of  
25 the fiscal years 1999 through 2003” and inserting

1 “\$23,359,000 for fiscal year 2014 and each of the  
2 6 succeeding fiscal years”;

3 (11) in section 727 (29 U.S.C. 796f–6), by  
4 striking “such sums as may be necessary for each of  
5 the fiscal years 1999 through 2003” and inserting  
6 “\$79,953,000 for fiscal year 2014 and each of the  
7 6 succeeding fiscal years”; and

8 (12) in section 753 (29 U.S.C. 7961), by strik-  
9 ing “such sums as may be necessary for each of the  
10 fiscal years 1999 through 2003” and inserting  
11 “\$34,018,000 for fiscal year 2014 and each of the  
12 6 succeeding fiscal years”.

13 **SEC. 514. CONFORMING AMENDMENTS.**

14 Section 1(b) of the Rehabilitation Act of 1973 is  
15 amended—

16 (1) by inserting after the item relating to sec-  
17 tion 109 the following:

“Sec. 109A. Collaboration with industry.”;

18 (2) by inserting after the item relating to sec-  
19 tion 110 the following:

“Sec. 110A. Reservation for expanded transition services.”;

20 (3) by striking the item related to section 304  
21 and inserting the following:

“Sec. 304. Measuring of project outcomes and performance.”;

22 (4) by striking the items related to sections 305  
23 and 306; and

1 (5) by striking the items related to title VI.

○