

Public Law 99-496
99th Congress

An Act

To make certain amendments to the Job Training Partnership Act.

Oct. 16, 1986

[S. 2069]

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

Job Training
Partnership Act
Amendments of
1986.

SHORT TITLE

SECTION 1. This Act may be cited as the "Job Training Partnership Act Amendments of 1986".

29 USC 1501
note.

DESIGNATION OF SERVICE DELIVERY AREAS BASED ON LABOR MARKET AREAS

SEC. 2. Section 101(a)(4)(A)(ii) of the Job Training Partnership Act (hereinafter in this Act referred to as the "Act") is amended by striking out "a labor market area" and inserting in lieu thereof "one or more labor market areas".

29 USC 1511.

LITERACY AND DROPOUT PREVENTION PROGRAMS

SEC. 3. Section 123 of the Act is amended—

29 USC 1533.

(1) in subsection (a)—

(A) by striking out "and" at the end of paragraph (1);

(B) by striking out the period at the end of paragraph (2) and inserting in lieu thereof "; and"; and

(C) by inserting at the end of such subsection the following new paragraph:

"(3) to provide—

"(A) literacy training to youth and adults;

"(B) dropout prevention and reenrollment services to youth, giving priority to youth who are at risk of becoming dropouts;

"(C) a State-wide school-to-work transition program operated in a manner consistent with section 205(e); or

"(D) any combination of the activities described in subparagraphs (A), (B), and (C) of this paragraph."; and

(2) in subsection (c)—

(A) by striking out the first sentence of paragraph (2)(B) and inserting in lieu thereof the following: "At least 80 percent of the funds available under this section shall be used for clauses (1) and (3) of subsection (a) for the Federal share of the cost of carrying out activities described in such clauses."; and

(B) by striking out "clause (1)" in paragraph (3) and inserting in lieu thereof "clauses (1) and (3)".

State and local
governments.
29 USC 1605.

PRESIDENTIAL AWARDS FOR OUTSTANDING PRIVATE SECTOR INVOLVEMENT IN JOB TRAINING PROGRAMS

SEC. 4. Part D of title I of the Act is amended by adding at the end thereof the following new section:

"PRESIDENTIAL AWARDS FOR OUTSTANDING PRIVATE SECTOR
INVOLVEMENT IN JOB TRAINING PROGRAMS

29 USC 1582.

"SEC. 172. (a)(1)(A) The President is authorized to make Presidential awards for outstanding achievement by the private sector in the job training partnership program authorized by this Act. The President is authorized to make such awards to individuals who, and organizations which, have demonstrated outstanding achievement in planning and administering job training partnership programs or in contributing to the success of the job training partnership program.

"(B) In making the awards pursuant to subparagraph (A) of this paragraph, the President shall consider the effectiveness of the program for which the award is made.

"(2) The President is authorized to make Presidential awards for model programs in the job training partnership program authorized by this Act which demonstrate effectiveness in addressing the job training needs of groups of individuals with multiple barriers to employment.

"(b)(1) Each year the President is authorized to make such awards under subsection (a) of this section as the President determines will carry out the objectives of this Act.

State and local governments.

"(2) The President shall establish such selection procedures, after consultation with the Secretary and the Governors of the States, as may be necessary."

INTRASTATE HOLD HARMLESS ALLOCATION REQUIREMENT

29 USC 1602.

SEC. 5. (a) Section 202(a) of the Act is amended—

(1) in paragraph (2), by striking out "Of" and inserting in lieu thereof "Subject to the provisions of paragraph (3), of";

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following new paragraph:

"(3) For fiscal years beginning after September 30, 1986, no service delivery area within any State shall be allocated an amount equal to less than 90 percent of the average of its allocation percentage for the two preceding fiscal years preceding the fiscal year for which the determination is made. The allocation percentage for a service delivery area is the percentage which the service delivery area received of the total amount allocated pursuant to this subsection to all service delivery areas within the State for each such preceding fiscal year. If the amounts appropriated pursuant to section 3 (a) and (b) are not sufficient to provide an amount equal to at least 90 percent of such allocation percentages to each such area, the amounts allocated to each area shall be ratably reduced."

29 USC 1631.

(b) Section 251(b) of the Act is amended by striking out "section 202(a)(2) and (3)" and inserting in lieu thereof "section 202(a) (2), (3), and (4)".

USE OF INCENTIVE GRANT FUNDS

SEC. 6. Section 202(b)(3)(B) of the Act is amended—

(1) by striking out "which do not qualify for incentive grants under this subparagraph"; and

(2) by adding at the end thereof the following: "Funds available under this subparagraph may, without regard to section 108(a), be used by the Governor or a service delivery area during

State and local governments.

29 USC 1518.

not more than two program years to develop and implement a data collection system to track the postprogram experience of participants under this part.”

SERVICES TO YOUTH

SEC. 7. Section 203(b)(1) of the Act is amended by adding at the end thereof the following new sentence: “For the purpose of the preceding sentence, the term ‘eligible youth’ includes individuals who are 14 and 15 years of age and enrolled in pre-employment skills training.” 29 USC 1608.

SUMMER YOUTH EMPLOYMENT ASSESSMENT AND GOALS

SEC. 8. (a) Part B of title II of the Act is amended by—

- (1) redesignating sections 251 through 254, and all references thereto, as sections 252 through 255, respectively; and
- (2) inserting after the part heading the following new section:

29 USC
1631-1634.

“PURPOSE

“SEC. 251. The purpose of programs assisted under this part is to—

29 USC 1630.

“(1) enhance the basic educational skills of youth;

“(2) encourage school completion, or enrollment in supplementary or alternative school programs; and

“(3) provide eligible youth with exposure to the world of work.”

(b) Section 253 of the Act (as redesignated by subsection (a)(1) of this section) is amended by— 29 USC 1632.

(1) inserting “(a)” before “Funds”; and

(2) adding at the end thereof the following new subsection:

“(b) A service delivery area shall assess the reading and mathematics skill levels of eligible participants in programs funded by this part and shall expend funds (from this Act or otherwise available to the service delivery area, or both) for basic and remedial education as described in the job training plan under section 104.”

Education.

29 USC 1514.

(c) Section 255 of the Act (as redesignated by subsection (a)(1) of this section) is amended by— 29 USC 1634.

(1) inserting “(a)” before “private”; and

(2) adding at the end thereof the following new subsection:

“(b) In accordance with the provisions of subsection (a), each service delivery area shall establish written program goals and objectives which shall be used for evaluating the effectiveness of programs conducted under this part. Such goals and objectives may include—

“(1) improvement in school retention and completion;

“(2) improvement in academic performance, including mathematics and reading comprehension;

“(3) improvement in employability skills; and

“(4) demonstrated coordination with other community service organizations such as local educational agencies, law enforcement agencies, and drug and alcohol prevention and treatment programs.”

(d) The table of contents of the Act relating to part B of title II is amended to read as follows:

“PART B—SUMMER YOUTH EMPLOYMENT AND TRAINING PROGRAMS

- “Sec. 251. Purposes.
- “Sec. 252. Authorization of appropriations; allotment and allocation.
- “Sec. 253. Use of funds.
- “Sec. 254. Limitations.
- “Sec. 255. Applicable provisions.”.

AVAILABILITY OF SUMMER YOUTH PROGRAMS DURING NONSUMMER MONTHS

Education.
29 USC 1633.

SEC. 9. Section 254(a) of the Act (as redesignated by section 8(a)(1) of this Act) is amended by inserting before the period at the end thereof the following: “, except that a service delivery area may, within the jurisdiction of any local educational agency that operates its schools on a year-round, full-time basis, offer the programs under this part to participants during a vacation period treated as the equivalent of a summer vacation”.

PROHIBITION OF MATCHING ON GRANTS FROM SECRETARY’S DISCRETIONARY FUNDS UNDER TITLE III

State and local governments.
29 USC 1651.

SEC. 10. Section 301(c) of the Act is amended by adding at the end thereof the following new sentence: “Such criteria shall not include any requirement that, in order to receive assistance under this subsection, the state shall provide a matching amount with funds available from one or more other sources.”.

IDENTIFICATION OF DISLOCATED WORKERS

29 USC 1652.

SEC. 11. (a) Section 302(a) of the Act is amended—

- (1) by striking out “or” at the end of clause (2);
- (2) by striking out the period at the end of clause (3) and inserting in lieu thereof a semicolon and the word “or”; and
- (3) by inserting at the end thereof the following:
 - “(4) were self-employed (including farmers) and are unemployed as a result of general economic conditions in the community in which they reside or because of natural disasters subject to the next sentence.

The Secretary shall establish categories of self-employed individuals and of economic conditions and natural disasters to which clause (4) of the preceding sentence applies.”.

(b) Section 302(c) of the Act is amended by adding at the end thereof the following new paragraph:

State and local governments.

“(3) A State may serve any eligible individual under this part without regard to the residence of such individual.”.

TAXATION OF JOB CORPS OPERATIONS PROHIBITED

State and local governments.
29 USC 1707.

SEC. 12. Section 437(c) of the Act is amended to read as follows:

“(c) Transactions conducted by a private for-profit contractor or a nonprofit contractor in connection with the contractor’s operation of a Job Corps Center, program, or activity shall not be considered as generating gross receipts. Such contractors shall not be liable, directly or indirectly, to any State or subdivision thereof (nor to any person acting on behalf thereof) for any gross receipts taxes, business privilege taxes measured by gross receipts, or any similar taxes imposed on, or measured by, gross receipts in connection with any payments made to or by such contractor for operating a Job Corps Center, program, or activity. Such contractors shall not be liable to

any State or subdivision thereof to collect or pay any sales, excise, use, or similar tax imposed upon the sale to or use by such contractors of any property, service, or other item in connection with the operation of a Job Corps Center, program, or activity.”

ADDITIONAL EXPERIMENTAL AND DEVELOPMENTAL PROJECTS
AUTHORIZED

SEC. 13. Section 453(a) of the Act is amended—

(1) by inserting “(1)” after the subsection designation, and

(2) by adding at the end thereof the following new paragraph:

“(2) From funds made available under this part, the Secretary may provide financial assistance for pilot projects for the training of individuals who are threatened with loss of their jobs due to technological changes, international economic policies or, general economic conditions.”

29 USC 1733.

Grants.
Loans.

PROJECTS FOR SPECIAL POPULATIONS

SEC. 14. (a) Part D of title IV of the Act is amended by adding at the end thereof the following new section:

“PROJECTS FOR SPECIAL POPULATIONS

“SEC. 456. In carrying out this part, the Secretary shall include projects designed to serve populations with multiple barriers to employment, such as individuals listed in section 203(a)(2) and individuals not otherwise targeted for assistance under this Act, with special consideration for displaced homemakers and the handicapped.”

Handicapped
persons.
29 USC 1736.
29 USC 1603.

(b)(1) Section 4 of the Act is amended by inserting at the end thereof the following new paragraph:

29 USC 1503.

“(29) The term ‘displaced homemaker’ means an individual who—

“(A) was a full-time homemaker for a substantial number of years; and

“(B) derived the substantial share of his or her support from—

“(i) a spouse and no longer receives such support due to the death, divorce, permanent disability of, or permanent separation from the spouse; or

“(ii) public assistance on account of dependents in the home and no longer receives such support.”

(2) The table of contents of the Act is amended by adding after item “Sec. 455.” the following new item:

“Sec. 456. Projects for special populations.”

VETERANS AMENDMENTS

SEC. 15. (a)(1) Section 4(5) of the Act is amended by inserting after “handicapped” a comma and the following: “including disabled veterans”.

29 USC 1503.

(2) Section 4(27) of the Act is amended by adding at the end thereof the following new subparagraph:

“(C) The term ‘recently separated veteran’ means any veteran who applies for participation under any title of this Act within 48 months of the discharge or release from active military, naval, or air service.

“(D) The term ‘Vietnam era veteran’ means a veteran any part of whose active military service occurred between August 5, 1964, and May 7, 1975.”

29 USC 1516. (b) Section 106(d)(3) of the Act is amended by striking out “and offenders” and inserting in lieu thereof “disabled and Vietnam era veterans, including veterans who served in the Indochina Theater between August 5, 1964, and May 7, 1975, and offenders”.

29 USC 1518. (c) Section 108(c)(2)(B)(ii) of the Act is amended by inserting after “handicapped individuals” a comma and the following: “including disabled veterans”.

29 USC 1531. (d) Section 121(c)(10) of the Act is amended by adding before the period at the end thereof a comma and the following: “including Veterans’ Administration programs”.

29 USC 1533. (e) Section 123(c)(1) of the Act is amended by inserting after “offenders” a comma and the following: “veterans,”.

29 USC 1534. (f) Section 124(b) of the Act is amended by inserting after “non-profit private organizations” a comma and the following: “including veterans organizations”.

FARMER AND RANCHER DISLOCATION REPORT

Agriculture and
agricultural
commodities.

SEC. 16. Within 12 months after the date of enactment of this Act, the Secretary of Labor shall submit a report to the Congress which—

(1) uses data sources within the Departments of Labor, Agriculture, Commerce, and other Federal agencies to describe the dislocation of farmers and ranchers resulting from farm and ranch failures;

(2) identifies and utilizes data sources and on-going studies conducted at the State and local levels, both within the public and private sectors, identifying and outlining the problem of farmer and rancher dislocation; and

(3) examines the feasibility of establishing a national statistical data collection program for permanently dislocated farmers and ranchers.

Approved October 16, 1986.

LEGISLATIVE HISTORY—S. 2069 (H.R. 5185):

HOUSE REPORTS: No. 99-754 accompanying H.R. 5185 (Comm. on Education and Labor).

SENATE REPORTS: No. 99-317 (Comm. on Labor and Human Resources).

CONGRESSIONAL RECORD, Vol. 132 (1986):

June 13, considered and passed Senate.

Aug. 11, H.R. 5185 considered and passed House; proceedings vacated and S. 2069, amended, passed in lieu.

Sept. 29, Senate concurred in House amendments with an amendment.

Oct. 1, House concurred in Senate amendment.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 22 (1986):

Oct. 16, Presidential statement.