

113TH CONGRESS
2D SESSION

S. 1911

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

IN THE SENATE OF THE UNITED STATES

JANUARY 9, 2014

Mr. SCOTT (for himself, Mr. BURR, and Mr. COBURN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

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

7 **SEC. 2. TABLE OF CONTENTS.**

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

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. Application to fiscal years.

TITLE I—AMENDMENTS TO THE WORKFORCE INVESTMENT ACT OF 1998

Subtitle A—Workforce Investment Definitions

- Sec. 101. Definitions.

Subtitle B—Statewide and Local Workforce Investment Systems

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

Subtitle C—Job Corps

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

Subtitle D—National Programs

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

Subtitle E—Administration

- Sec. 132. Requirements and restrictions.
- Sec. 133. Prompt allocation of funds.
- Sec. 134. Fiscal controls; sanctions.
- Sec. 135. Reports to Congress.
- Sec. 136. Administrative provisions.

- Sec. 137. State legislative authority.
- Sec. 138. General program requirements.
- Sec. 139. Federal agency staff and restrictions on political and lobbying activities.

Subtitle F—State Unified Plan

- Sec. 140. State unified plan.

TITLE II—ADULT EDUCATION AND FAMILY LITERACY
EDUCATION

- Sec. 201. Amendment.

TITLE III—AMENDMENTS TO THE WAGNER-PEYSER ACT

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

TITLE IV—REPEALS AND CONFORMING AMENDMENTS

- Sec. 401. Repeals.
- Sec. 402. Amendment to other laws.
- Sec. 403. 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. Carryover.
- Sec. 505. Traditionally underserved populations.
- Sec. 506. State plan.
- Sec. 507. Scope of services.
- Sec. 508. Standards and indicators.
- Sec. 509. Expenditure of certain amounts.
- Sec. 510. Collaboration with industry.
- Sec. 511. Reservation for expanded transition services.
- Sec. 512. Client assistance program.
- Sec. 513. Research.
- Sec. 514. Title III amendments.
- Sec. 515. Repeal of title VI.
- Sec. 516. Title VII general provisions.
- Sec. 517. Authorizations of appropriations.
- Sec. 518. Conforming amendments.

TITLE VI—STUDIES BY THE COMPTROLLER GENERAL

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

1 **SEC. 3. REFERENCES.**

2 Except as otherwise expressly provided, wherever in
3 this Act an amendment or repeal is expressed in terms

1 of an amendment to, or repeal of, a section or other provi-
 2 sion, the amendment or repeal shall be considered to be
 3 made to a section or other provision of the Workforce In-
 4 vestment Act of 1998 (29 U.S.C. 2801 et seq.).

5 **SEC. 4. APPLICATION TO FISCAL YEARS.**

6 Except as otherwise provided, this Act and the
 7 amendments made by this Act shall apply with respect to
 8 fiscal year 2015 and succeeding fiscal years.

9 **TITLE I—AMENDMENTS TO THE**
 10 **WORKFORCE INVESTMENT**
 11 **ACT OF 1998**

12 **Subtitle A—Workforce Investment**
 13 **Definitions**

14 **SEC. 101. DEFINITIONS.**

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

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

18 “(2) ADULT EDUCATION AND FAMILY LITERACY
 19 EDUCATION ACTIVITIES.—The term ‘adult education
 20 and family literacy education activities’ has the
 21 meaning given the term in section 203.”;

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

23 (3) by redesignating paragraphs (1) through
 24 (12) as paragraphs (3) through (14), and para-

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

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

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

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

8 “(A) charges incurred by recipients of
 9 funds under this title for a given period requir-
 10 ing the provision of funds for goods or other
 11 tangible property received;

12 “(B) charges incurred for services per-
 13 formed by employees, contractors, subgrantees,
 14 subcontractors, and other payees; and

15 “(C) other amounts becoming owed, under
 16 programs assisted under this title, for which no
 17 current services or performance is required,
 18 such as amounts for annuities, insurance
 19 claims, and other benefit payments.

20 “(2) ADMINISTRATIVE COSTS.—The term ‘ad-
 21 ministrative costs’ means expenditures incurred by
 22 State boards and local boards, direct recipients (in-
 23 cluding State grant recipients under subtitle B and
 24 recipients of awards under subtitles C and D), local
 25 grant recipients, local fiscal agents or local grant

1 subrecipients, and one-stop operators in the per-
 2 formance of administrative functions and in carrying
 3 out activities under this title that are not related to
 4 the direct provision of workforce investment activi-
 5 ties (including services to participants and employ-
 6 ers). Such costs include both personnel and non-per-
 7 sonnel expenditures and both direct and indirect ex-
 8 penditures.”;

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

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

14 “(5) AREA CAREER AND TECHNICAL EDU-
 15 CATION SCHOOL.—The term ‘area career and tech-
 16 nical education school’ has the meaning given the
 17 term in section 3(3) of the Carl D. Perkins Career
 18 and Technical Education Act of 2006 (20 U.S.C.
 19 2302(3)).”;

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

23 (9) in paragraph (10)(C) (as so redesignated),
 24 by striking “not less than 50 percent of the cost of
 25 the training” and inserting “a significant portion of

the cost of training, as determined by the local board involved (or, in the case of an employer in multiple local areas in the State, as determined by the Governor), taking into account the size of the employer and such other factors as the local board or Governor, respectively, determines to be appropriate”;

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

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

(B) in subparagraph (B)(iii)—

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

(ii) by striking “intensive services described in section 134(d)(3)” and inserting “work ready services described in section 134(c)(2)”;

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

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

(E) by adding at the end the following:

“(E)(i) is the spouse of a member of the Armed Forces on active duty for a period of

more than 30 days (as defined in section 101(d)(2) of title 10, United States Code) who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member; or

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

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

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

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

(C) by adding at the end the following:

“(ii) is the spouse of a member of the Armed Forces on active duty for a period of more than 30 days (as defined in section 101(d)(2) of title 10, United States Code) whose family income is significantly reduced because of a deployment (as defined in section 991(b) of title 10, United States Code, or pursuant to paragraph (4) of such section), a call

1 or order to active duty pursuant to a provision
 2 of law referred to in section 101(a)(13)(B) of
 3 title 10, United States Code, a permanent
 4 change of station, or the service-connected (as
 5 defined in section 101(16) of title 38, United
 6 States Code) death or disability of the member;
 7 and”;

8 (12) in paragraph (13) (as so redesignated), by
 9 inserting “or regional” after “local” each place it
 10 appears;

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

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

14 (B) by striking subparagraph (B), and in-
 15 serting the following:

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

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

20 (D) by redesignating subparagraph (D) as
 21 subparagraph (C);

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

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

(16) in paragraph (25)—

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

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

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

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

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

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

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

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

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

5 (19) in paragraph (38), by striking
6 “134(a)(1)(A)” and inserting “134(a)(1)(B)”;

7 (20) in paragraph (41), by striking “, and the
8 term means such Secretary for purposes of section
9 503”;

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

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

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

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

20 “(50) CAREER AND TECHNICAL EDUCATION.—
21 The term ‘career and technical education’ has the
22 meaning given the term in section 3 of the Carl D.
23 Perkins Career and Technical Education Act of
24 2006 (20 U.S.C. 2302).”;

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

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

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

7 “(A) is not less than age 16 and not more
8 than age 24;

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

10 “(C) is an individual who is one or more
11 of the following:

12 “(i) A secondary school dropout.

13 “(ii) A youth in foster care (including
14 youth aging out of foster care).

15 “(iii) A youth offender.

16 “(iv) A youth who is an individual
17 with a disability.

18 “(v) A migrant youth.

19 “(53) INDUSTRY OR SECTOR PARTNERSHIP.—
20 The term ‘industry or sector partnership’ means a
21 partnership of—

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

23 “(B) one or more industry or sector orga-
24 nizations, and other entities, that have the ca-
25 pability to help the State board or local board

determine the immediate and long-term skilled workforce needs of in-demand industries or sectors and other occupations important to the State or local economy, respectively.

“(54) INDUSTRY-RECOGNIZED CREDENTIAL.—

The term ‘industry-recognized credential’ means a credential that is sought or accepted by companies within the industry sector involved, across multiple States, as recognized, preferred, or required for recruitment, screening, or hiring and is awarded for completion of a program listed or identified under subsection (d) or (i) of section 122, for the local area involved.

“(55) PAY-FOR-PERFORMANCE CONTRACT

STRATEGY.—The term ‘pay-for-performance contract strategy’ means a strategy in which a pay-for-performance contract to provide a program of employment and training activities incorporates provisions regarding—

“(A) the core indicators of performance described in subclauses (I) through (IV) and (VI) of section 136(b)(2)(A)(i);

“(B) a fixed amount that will be paid to an eligible provider of such employment and training activities for each program participant

1 who, within a defined timetable, achieves the
 2 agreed-to levels of performance based upon the
 3 core indicators of performance described in sub-
 4 paragraph (A), and may include a bonus pay-
 5 ment to such provider, which may be used to
 6 expand the capacity of such provider;

7 “(C) the ability for an eligible provider to
 8 recoup the costs of providing the activities for
 9 a program participant who has not achieved
 10 those levels, but for whom the provider is able
 11 to demonstrate that such participant gained
 12 specific competencies required for education
 13 and career advancement that are, where fea-
 14 sible, tied to industry-recognized credentials
 15 and related standards, or State licensing re-
 16 quirements; and

17 “(D) the ability for an eligible provider
 18 that does not meet the requirements under sec-
 19 tion 122(a)(2) to participate in such pay-for-
 20 performance contract and to not be required to
 21 report on the performance and cost information
 22 required under section 122(d).

23 “(56) RECOGNIZED POSTSECONDARY CREDEN-
 24 TIAL.—The term ‘recognized postsecondary creden-
 25 tial’ means a credential awarded by a provider of

1 training services or postsecondary educational insti-
 2 tution based on completion of all requirements for a
 3 program of study, including coursework or tests or
 4 other performance evaluations. The term means an
 5 industry-recognized credential, a certificate of com-
 6 pletion of a registered apprenticeship program, or an
 7 associate or baccalaureate degree from an institution
 8 described in section 122(a)(2)(A)(i).

9 “(57) REGISTERED APPRENTICESHIP PRO-
 10 GRAM.—The term ‘registered apprenticeship pro-
 11 gram’ means a program described in section
 12 122(a)(2)(B).”.

13 **Subtitle B—Statewide and Local** 14 **Workforce Investment Systems**

15 **SEC. 102. PURPOSE.**

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

22 **SEC. 103. STATE WORKFORCE INVESTMENT BOARDS.**

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

24 (1) in subsection (b)—

25 (A) in paragraph (1)—

1 (i) by striking subparagraph (B);

2 (ii) by redesignating subparagraph

3 (C) as subparagraph (B); and

4 (iii) in subparagraph (B) (as so rededesignated)—

6 (I) by amending clause (i)(I), by
7 striking “section 117(b)(2)(A)(i)” and
8 inserting “section 117(b)(2)(A)”;

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

11 “(II) represent businesses, in-
12 cluding large and small businesses,
13 each of which has immediate and
14 long-term employment opportunities
15 in an in-demand industry or other oc-
16 cupation important to the State econ-
17 omy; and”;

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

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

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

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

1 “(vii) such other representatives and
2 State agency officials as the Governor may
3 designate, including—

4 “(I) members of the State legis-
5 lature;

6 “(II) representatives of individ-
7 uals and organizations that have expe-
8 rience with respect to youth activities;

9 “(III) representatives of individ-
10 uals and organizations that have expe-
11 rience and expertise in the delivery of
12 workforce investment activities, in-
13 cluding chief executive officers of com-
14 munity colleges and community-based
15 organizations within the State;

16 “(IV) representatives of the lead
17 State agency officials with responsi-
18 bility for the programs and activities
19 that are described in section 121(b)
20 and carried out by one-stop partners;
21 or

22 “(V) representatives of veterans
23 service organizations.”; and

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

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

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

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

8 (3) by amending subsection (d) to read as fol-
 9 lows:

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

12 “(1) STATE PLAN.—Consistent with section
 13 112, the State board shall develop a State plan.

14 “(2) STATEWIDE WORKFORCE DEVELOPMENT
 15 SYSTEM.—The State board shall review and develop
 16 statewide policies and programs in the State in a
 17 manner that supports a comprehensive statewide
 18 workforce development system that will result in
 19 meeting the workforce needs of the State and its
 20 local areas. Such review shall include determining
 21 whether the State should consolidate additional
 22 amounts for additional activities or programs into
 23 the Workforce Investment Fund in accordance with
 24 section 501(e).

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

9 “(4) EMPLOYER ENGAGEMENT.—The State
10 board shall develop strategies, across local areas,
11 that meet the needs of employers and support eco-
12 nomic growth in the State by enhancing communica-
13 tion, coordination, and collaboration among employ-
14 ers, economic development entities, and service pro-
15 viders.

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

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

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

1 “(A) Reviewing and approving local plans
2 under section 118.

3 “(B) Ensuring the appropriate use and
4 management of the funds provided for State
5 employment and training activities authorized
6 under section 134.

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

9 “(8) DEVELOPMENT OF PERFORMANCE MEAS-
10 URES.—The State board shall develop and ensure
11 continuous improvement of comprehensive State per-
12 formance measures, including State adjusted levels
13 of performance, as described under section 136(b).”;

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

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

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

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

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

1 **SEC. 104. STATE PLAN.**

2 Section 112 (29 U.S.C. 2822)—

3 (1) in subsection (a)—

4 (A) by striking “127 or”; and

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

7 (2) in subsection (b)—

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

10 “(4) information describing—

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

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

16 “(C) the knowledge and skills of the work-
17 force in the State; and

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

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

22 “(7) a description of the State criteria for de-
23 termining the eligibility of training services providers
24 in accordance with section 122, including how the
25 State will take into account the performance of pro-
26 viders and whether the training services relate to in-

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

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

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

9 “(B) a description of and an assurance regard-
10 ing common data collection and reporting processes
11 used for the programs and activities described in
12 subparagraph (A), which are carried out by one-stop
13 partners, including—

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

18 “(ii) if such wage records are not being
19 used for the performance measures, an identi-
20 fication of the barriers to using such wage
21 records and a description of how the State will
22 address such barriers within 1 year of the ap-
23 proval of the plan;”;

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

4 (E) in paragraph (11), by striking “under
 5 sections 127 and 132” and inserting “under
 6 section 132”;

7 (F) by striking paragraph (12);

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

11 (H) in paragraph (12) (as so redesign-
 12 ated), by striking “111(f)” and inserting
 13 “111(e)”;

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

16 (J) in paragraph (14) (as so redesignated),
 17 by striking “116(a)(5)” and inserting
 18 “116(a)(3)”;

19 (K) in paragraph (16) (as so redesign-
 20 ated)—

21 (i) in subparagraph (A)—

22 (I) in clause (ii)—

23 (aa) by striking “to dis-
 24 located workers”; and

1 (bb) by inserting “and addi-
2 tional assistance” after “rapid
3 response activities”;

4 (II) in clause (iii), by striking
5 “134(d)(4)” and inserting
6 “134(e)(4)”;

7 (III) by striking “and” at the
8 end of clause (iii);

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

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

workers, ex-offenders, migrant and seasonal farmworkers, refugees and entrants, veterans (including disabled and homeless veterans), and Native Americans; and”; and

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

“(v) how the State will—

“(I) consistent with section 188 and Executive Order No. 13217 (42 U.S.C. 12131 note), serve the employment and training needs of individuals with disabilities; and

“(II) consistent with sections 504 and 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794, 794d), include the provision of outreach, intake, assessments, and service delivery, the development of performance measures, the training of staff, and other aspects of accessibility for individuals with disabilities to programs and services under this subtitle;”; and

(ii) in subparagraph (B), by striking “to the extent practicable” and inserting

1 “in accordance with the requirements of
2 the Jobs for Veterans Act (Public Law
3 107–288) and the amendments made by
4 such Act”; and

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

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

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

13 “(B) to meet the needs of employers in the
14 State; and

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

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

1 “(A) to encourage industry growth and
2 competitiveness and to improve worker training,
3 retention, and advancement in the industry or
4 sector;

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

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

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 by the State for encour-
16 aging regional cooperation within the State and
17 across State borders, 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 nonprofit 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 costs of infrastructure of one-stop
7 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, such as industry-recog-
16 nized credentials), and employment experience to
17 succeed 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, including training in advanced
 11 manufacturing, supportive, and placement serv-
 12 ices to veterans, including disabled and home-
 13 less veterans;

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

18 “(C) the veterans population to be served
 19 in the State.”;

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

24 (4) in subsection (d), by striking “5-year” and
 25 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) by amending paragraph (1) to read as
5 follows:

6 “(1) IN GENERAL.—

7 “(A) PROCESS.—In order to receive an al-
8 lotment under section 132, a State, through the
9 State board, shall establish a process to des-
10 ignate local workforce investment areas within
11 the State. Such process shall—

12 “(i) support the statewide workforce
13 development system developed under sec-
14 tion 111(d)(2), enabling the system to
15 meet the workforce needs of the State and
16 its local areas;

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

19 “(iii) include consideration of com-
20 ments received on the designation through
21 the public comment process as described in
22 section 112(b)(9); and

23 “(iv) require the submission of an ap-
24 plication for approval under subparagraph
25 (B).

1 “(B) APPLICATION.—To obtain designa-
2 tion of a local area under this paragraph, a
3 local or regional board (or consortia of local or
4 regional boards) seeking to take responsibility
5 for the area under this Act shall submit an ap-
6 plication to a State board at such time, in such
7 manner, and containing such information as the
8 State board may require, including—

9 “(i) a description of the local area, in-
10 cluding the population that will be served
11 by the local area, and the education and
12 training needs of its employers and work-
13 ers;

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

16 “(I) service delivery areas (as de-
17 termined by the State);

18 “(II) labor market areas; and

19 “(III) economic development re-
20 gions;

21 “(iii) a description of the eligible pro-
22 viders of education and training, including
23 postsecondary educational institutions such
24 as community colleges, located in the local

1 area and available to meet the needs of the
2 local workforce;

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

6 “(v) any other criteria that the State
7 board may require.

8 “(C) PRIORITY.—In designating local
9 areas under this paragraph, a State board shall
10 give priority consideration to an area proposed
11 by an applicant demonstrating that a designa-
12 tion as a local area under this paragraph will
13 result in the reduction of overlapping service
14 delivery areas, local market areas, or economic
15 development regions.

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

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

22 “(i) used with respect to a geographic
23 area, refers to an area designated under
24 this paragraph; and

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

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

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

11 (C) by striking paragraph (3);

12 (D) by striking paragraph (4);

13 (E) by redesignating paragraph (5) as
14 paragraph (3); and

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

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

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

24 (3) in subsection (c)—

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

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

SEC. 106. LOCAL WORKFORCE INVESTMENT BOARDS.

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

(1) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

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

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

(III) by redesignating subclauses (I) through (III) as clauses (i) through (iii), respectively (and by

1 moving the margins of such clauses 2
2 ems to the left);

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

6 “(ii) represent businesses, including
7 large and small businesses, each of which
8 has immediate and long-term employment
9 opportunities in an in-demand industry or
10 other occupation important to the local
11 economy; and”; and

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

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

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

21 “(i) the superintendent or other em-
22 ployee of the local educational agency who
23 has primary responsibility for secondary
24 education, the presidents or chief executive
25 officers of postsecondary educational insti-

tutions (including a community college, where such an entity exists), or administrators of local entities providing adult education and family literacy education activities;

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

“(iii) representatives of veterans service organizations.”;

(B) in paragraph (4)—

(i) by striking “A majority” and inserting “A $\frac{2}{3}$ majority”; and

(ii) by striking “(2)(A)(i)” and inserting “(2)(A)”; and

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

(2) in subsection (c)—

(A) in paragraph (1), by striking subparagraph (C); and

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

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

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

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

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

11 “(A) IN GENERAL.—The local board
 12 shall—

13 “(i) conduct, and regularly update, an
 14 analysis of—

15 “(I) the economic conditions in
 16 the local area;

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

21 “(III) the knowledge and skills of
 22 the workforce in the local area; and

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

1 “(ii) assist the Governor in developing
 2 the statewide workforce and labor market
 3 information system described in section
 4 15(e) of the Wagner-Peyser Act (29 U.S.C.
 5 491–2(e)).

6 “(B) EXISTING ANALYSIS.—In carrying
 7 out requirements of subparagraph (A)(i), a
 8 local board shall use an existing analysis, if
 9 any, by the local economic development entity
 10 or related entity.

11 “(3) EMPLOYER ENGAGEMENT.—The local
 12 board shall meet the needs of employers and support
 13 economic growth in the local area by enhancing com-
 14 munication, coordination, and collaboration among
 15 employers, economic development entities, and serv-
 16 ice providers.

17 “(4) BUDGET AND ADMINISTRATION.—

18 “(A) BUDGET.—

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

23 “(ii) TRAINING RESERVATION.—In de-
 24 veloping a budget under clause (i), the
 25 local board shall reserve a percentage of

1 funds to carry out the activities specified
2 in section 134(c)(4). The local board shall
3 use the analysis conducted under para-
4 graph (2)(A)(i) to determine the appro-
5 priate percentage of funds to reserve under
6 this clause.

7 “(B) ADMINISTRATION.—

8 “(i) GRANT RECIPIENT.—The chief
9 elected official in a local area shall serve as
10 the local grant recipient for, and shall be
11 liable for any misuse of, the grant funds
12 allocated to the local area under section
13 133, unless the chief elected official
14 reaches an agreement with the Governor
15 for the Governor to act as the local grant
16 recipient and bear such liability.

17 “(ii) DESIGNATION.—In order to as-
18 sist in administration of the grant funds,
19 the chief elected official or the Governor,
20 where the Governor serves as the local
21 grant recipient for a local area, may des-
22 ignate an entity to serve as a local grant
23 subrecipient for such funds or as a local
24 fiscal agent. Such designation shall not re-
25 lieve the chief elected official or the Gov-

ernor of the liability for any misuse of
grant funds as described in clause (i).

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

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

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

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

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

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

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

6 “(B) IDENTIFICATION OF ELIGIBLE TRAIN-
7 ING SERVICE PROVIDERS.—Consistent with this
8 subtitle, the local board shall identify eligible
9 providers of training services described in sec-
10 tion 134(c)(4) in the local area, annually review
11 the outcomes of such eligible providers using
12 the criteria under section 122(b)(2), and des-
13 ignate such eligible providers in the local area
14 who have demonstrated the highest level of suc-
15 cess with respect to such criteria as priority eli-
16 gible providers for the program year following
17 the review.

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

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

4 “(A) ensuring the appropriate use and
5 management of the funds provided for local em-
6 ployment and training activities authorized
7 under section 134(b); and

8 “(B) conducting oversight of the one-stop
9 delivery system, in the local area, authorized
10 under section 121.

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

16 “(8) TECHNOLOGY IMPROVEMENTS.—The local
17 board shall develop strategies for technology im-
18 provements to facilitate access to services authorized
19 under this subtitle and carried out in the local area,
20 including access in remote areas.”;

21 (4) in subsection (e)—

22 (A) by inserting “electronic means and”
23 after “regular basis through”; and

1 (B) by striking “and the award of grants
2 or contracts to eligible providers of youth activi-
3 ties,”;

4 (5) in subsection (f)—

5 (A) in paragraph (1)(A), by striking “sec-
6 tion 134(d)(4)” and inserting “section
7 134(c)(4)”; and

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

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

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

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

20 **SEC. 107. LOCAL PLAN.**

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

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

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

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

2 “(1) a description of the analysis of the local
3 area’s economic and workforce conditions conducted
4 under subclauses (I) through (IV) of section
5 117(d)(2)(A)(i), and an assurance that the local
6 board will use such analysis to carry out the activi-
7 ties under this subtitle;

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

10 “(A) a description of how the local board
11 will ensure—

12 “(i) the continuous improvement of el-
13 igible providers of services through the sys-
14 tem; and

15 “(ii) that such providers meet the em-
16 ployment needs of local businesses and
17 participants; and

18 “(B) a description of how the local board
19 will facilitate access to services described in sec-
20 tion 117(d)(8) and provided through the one-
21 stop delivery system consistent with section
22 117(d)(8);

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

1 “(A) to more fully engage employers, in-
 2 cluding small businesses and employers in in-
 3 demand industries and occupations important
 4 to the local economy;

5 “(B) to meet the needs of employers in the
 6 local area;

7 “(C) to better coordinate workforce devel-
 8 opment programs with economic development
 9 activities; and

10 “(D) to better coordinate workforce devel-
 11 opment programs with employment, training,
 12 and literacy services carried out by nonprofit
 13 organizations, including public libraries, as ap-
 14 propriate;

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

21 “(A) to encourage industry growth and
 22 competitiveness and to improve worker training,
 23 retention, and advancement in the targeted in-
 24 dustry or sector;

1 “(B) to address the immediate and long-
2 term skilled workforce needs of in-demand in-
3 dustries, small businesses, and other occupa-
4 tions important to the local economy; and

5 “(C) to address critical skill gaps within
6 and across industries and sectors;

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

10 “(6) a description of how the local board will
11 coordinate workforce investment activities carried
12 out in the local area with statewide workforce invest-
13 ment activities, as appropriate;

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

15 “(A) coordinate activities with the local
16 area’s disability community, and with transition
17 services (as defined under section 602 of the In-
18 dividuals with Disabilities Education Act (20
19 U.S.C. 1401)) provided under that Act by local
20 educational agencies serving such local area, to
21 make available comprehensive, high-quality
22 services to individuals with disabilities;

23 “(B) consistent with section 188 and Exec-
24 utive Order No. 13217 (42 U.S.C. 12131 note),
25 serve the employment and training needs of in-

1 dividuals with disabilities, with a focus on em-
2 ployment that fosters independence and integra-
3 tion into the workplace; and

4 “(C) consistent with sections 504 and 508
5 of the Rehabilitation Act of 1973 (29 U.S.C.
6 794, 794d), include the provision of outreach,
7 intake, assessments, and service delivery, the
8 development of performance measures, the
9 training of staff, and other aspects of accessi-
10 bility for individuals with disabilities to pro-
11 grams and services under this subtitle;

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

15 “(A) used to measure the performance of
16 the local area; and

17 “(B) used by the local board for measuring
18 performance of the local fiscal agent (where ap-
19 propriate), eligible providers, and the one-stop
20 delivery system, in the local area;

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

1 “(10) a description of how the local area will
2 serve the employment and training needs of dis-
3 located workers (including displaced homemakers),
4 low-income individuals (including recipients of public
5 assistance such as supplemental nutrition assistance
6 program benefits pursuant to the Food and Nutri-
7 tion Act of 2008 (7 U.S.C. 2011 et seq.)), long-term
8 unemployed individuals (including individuals who
9 have exhausted entitlement to Federal and State un-
10 employment compensation), English learners, home-
11 less individuals, individuals training for nontradi-
12 tional employment, youth (including out-of-school
13 youth and at-risk youth), older workers, ex-offend-
14 ers, migrant and seasonal farmworkers, refugees and
15 entrants, veterans (including disabled veterans and
16 homeless veterans), and Native Americans;

17 “(11) an identification of the entity responsible
18 for the disbursal of grant funds described in section
19 117(d)(4)(B)(iii), as determined by the chief elected
20 official or the Governor under such section;

21 “(12) a description of the strategies and serv-
22 ices that will be used in the local area to assist at-
23 risk youth and out-of-school youth in acquiring the
24 education and skills, credentials (including recog-
25 nized postsecondary credentials, such as industry-

1 recognized credentials), and employment experience
 2 to succeed in the labor market, including—

3 “(A) training and internships in in-demand
 4 industries or occupations important to the local
 5 economy;

6 “(B) dropout recovery activities that are
 7 designed to lead to the attainment of a regular
 8 secondary school diploma or its recognized
 9 equivalent, or other State-recognized equivalent
 10 (including recognized alternative standards for
 11 individuals with disabilities); and

12 “(C) activities combining remediation of
 13 academic skills, work readiness training, and
 14 work experience, and including linkages to post-
 15 secondary education and training and career-
 16 ladder employment;

17 “(13) a description of—

18 “(A) how the local area will furnish em-
 19 ployment, training, including training in ad-
 20 vanced manufacturing, supportive, and place-
 21 ment services to veterans, including disabled
 22 and homeless veterans;

23 “(B) the strategies and services that will
 24 be used in the local area to assist in and expe-

1 dite reintegration of homeless veterans into the
2 labor force; and

3 “(C) the veteran population to be served in
4 the local area;

5 “(14) a description of—

6 “(A) the duties assigned to the veteran
7 employment specialist consistent with the re-
8 quirements of section 134(f);

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

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

14 “(D) whether the veteran employment spe-
15 cialist has satisfactorily completed related train-
16 ing by the National Veterans’ Employment and
17 Training Services Institute; and

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

20 (3) in subsection (c)—

21 (A) in paragraph (1), by striking “such
22 means” and inserting “electronic means and
23 such means”; and

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

4 **SEC. 108. ESTABLISHMENT OF ONE-STOP DELIVERY SYS-**
 5 **TEM.**

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

7 (1) in subsection (b)—

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

10 “(A) ROLES AND RESPONSIBILITIES OF
 11 ONE-STOP PARTNERS.—Each entity that carries
 12 out a program or activities described in sub-
 13 paragraph (B) shall—

14 “(i) provide access through a one-stop
 15 delivery system to the program or activities
 16 carried out by the entity, including making
 17 the work ready services described in sec-
 18 tion 134(c)(2) that are applicable to the
 19 program or activities of the entity available
 20 at one-stop centers (in addition to any
 21 other appropriate locations);

22 “(ii) use a portion of the funds avail-
 23 able to the program or activities of the en-
 24 tity to maintain the one-stop delivery sys-
 25 tem, including payment of the costs of in-

1 frastructure of one-stop centers in accord-
 2 ance with subsection (h);

3 “(iii) enter into a local memorandum
 4 of understanding with the local board, re-
 5 lating to the operation of the one-stop de-
 6 livery system, that meets the requirements
 7 of subsection (c); and

8 “(iv) participate in the operation of
 9 the one-stop delivery system consistent
 10 with the terms of the memorandum of un-
 11 derstanding, the requirements of this title,
 12 and the requirements of the Federal laws
 13 authorizing the program or activities car-
 14 ried out by the entity.”;

15 (B) in paragraph (1)(B)—

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

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

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

23 (iv) in clause (ii), as so redesignated,
 24 by striking “adult education and literacy

activities” and inserting “adult education and family literacy education activities”;

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

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

(vii) by adding at the end the following:

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

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

“(C) DETERMINATION BY THE GOVERNOR.—Each entity carrying out a program described in subparagraph (B)(x) shall be considered to be a one-stop partner under this title and carry out the required partner activities described in subparagraph (A) unless the Governor of the State in which the local area is located provides the Secretary and Secretary of Health and Human Services written notice of a determination by the Governor that such an en-

1 tity shall not be considered to be such a partner
 2 and shall not carry out such required partner
 3 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 costs of infrastructure of one-stop cen-
23 ters in accordance with subsection (h);

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

one-stop partners for appropriate services and activities, including referrals for training for nontraditional employment; and

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

(3) in subsection (d)—

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

(B) in paragraph (2)—

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

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

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

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 paragraph (4) of section 134(c),
 18 including serving as the point of access to ca-
 19 reer enhancement accounts for training services
 20 to participants in accordance with paragraph
 21 (4)(F) of such section;

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

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

4 “(E) provide access to the data and infor-
5 mation described in subparagraphs (A) and (B)
6 of section 15(a)(1) of the Wagner-Peyser Act
7 (29 U.S.C. 491–2(a)(1)).

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

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

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

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

21 “(ii) through a network of eligible
22 one-stop partners—

23 “(I) in which each partner pro-
24 vides one or more of the programs,
25 services, and activities to such individ-

1 uals and is accessible at an affiliated
 2 site that consists of a physical loca-
 3 tion or an electronically or techno-
 4 logically linked access point; and

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

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

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

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

19 “(1) IN GENERAL.—

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

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

4 “(i) meeting the expected levels of
5 performance for each of the corresponding
6 core indicators of performance as outlined
7 in the State plan under section 112;

8 “(ii) meeting minimum standards re-
9 lating to the scope and degree of service
10 integration achieved by the center, involv-
11 ing the programs provided by the one-stop
12 partners; and

13 “(iii) meeting minimum standards re-
14 lating to how the center ensures that eligi-
15 ble providers meet the employment needs
16 of local employers and participants.

17 “(C) EFFECT OF CERTIFICATION.—One-
18 stop centers certified under this subsection shall
19 be eligible to receive the infrastructure funding
20 authorized under subsection (h).

21 “(2) LOCAL BOARDS.—Consistent with the cri-
22 teria developed by the State, the local board may de-
23 velop, for certification referred to in paragraph
24 (1)(A), additional criteria or higher standards on the
25 criteria referred to in paragraph (1)(B) to respond

1 to local labor market and demographic conditions
2 and trends.

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

4 “(1) PARTNER CONTRIBUTIONS.—

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

16 “(B) DETERMINATION OF GOVERNOR.—

17 “(i) IN GENERAL.—Subject to sub-
18 paragraph (C), the Governor, in consulta-
19 tion with the State board, shall determine
20 the portion of funds to be provided under
21 subparagraph (A) by each one-stop partner
22 and in making such determination shall
23 consider the proportionate use of the one-
24 stop centers in the State by each such
25 partner, the costs of administration for

1 purposes not related to one-stop centers
2 for each such partner, and other relevant
3 factors described in paragraph (3).

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

21 “(iii) APPEAL BY ONE-STOP PART-
22 NERS.—The Governor shall establish a
23 procedure for the one-stop partner admin-
24 istering a program described in subsection
25 (b) and subparagraph (A) to appeal a de-

1 termination regarding the portion of funds
2 to be provided under this paragraph on the
3 basis that such determination is incon-
4 sistent with the requirements described in
5 the State plan for the program or with the
6 requirements of this paragraph. Such pro-
7 cedure shall ensure prompt resolution of
8 the appeal.

9 “(C) LIMITATIONS.—

10 “(i) PROVISION FROM ADMINISTRA-
11 TIVE FUNDS.—The funds provided under
12 this paragraph by a one-stop partner shall
13 be provided only from funds available for
14 the costs of administration under the pro-
15 gram administered by such partner, and
16 shall be subject to the limitations with re-
17 spect to the portion of funds under such
18 program that may be used for administra-
19 tion.

20 “(ii) FEDERAL DIRECT SPENDING
21 PROGRAMS.—

22 “(I) IN GENERAL.—A program
23 that provides Federal direct spending
24 under section 250(c)(8) of the Bal-
25 anced Budget and Emergency Deficit

1 Control Act of 1985 (2 U.S.C.
 2 900(c)(8)) shall not, for purposes of
 3 this paragraph, be required to provide
 4 more than the maximum amount de-
 5 termined under subclause (II).

6 “(II) MAXIMUM AMOUNT.—The
 7 maximum amount for the program is
 8 the amount that bears the same rela-
 9 tionship to the costs referred to in
 10 paragraph (2) for the State as the use
 11 of the one-stop centers by such pro-
 12 gram bears to the use of such centers
 13 by all one-stop partner programs in
 14 the State.

15 “(2) ALLOCATION BY GOVERNOR.—From the
 16 funds provided under paragraph (1), the Governor
 17 shall allocate funds to local areas in accordance with
 18 the formula established under paragraph (3) for the
 19 purposes of assisting in paying the costs of infra-
 20 structure of one-stop centers certified under sub-
 21 section (g).

22 “(3) ALLOCATION FORMULA.—The State board
 23 shall develop a formula to be used by the Governor
 24 to allocate the funds provided under paragraph (1)
 25 to local areas. The formula shall include such factors

1 as the State board determines are appropriate,
2 which may include factors such as the number of
3 centers in a local area that have been certified, the
4 population served by such centers, and the perform-
5 ance of such centers.

6 “(4) COSTS OF INFRASTRUCTURE.—For pur-
7 poses of this subsection, the term ‘costs of infra-
8 structure’ means the nonpersonnel costs that are
9 necessary for the general operation of a one-stop
10 center, including the rental costs of the facilities in-
11 volved, and the costs of utilities and maintenance,
12 and equipment (including assistive technology for in-
13 dividuals with disabilities).

14 “(i) OTHER FUNDS.—

15 “(1) IN GENERAL.—In addition to the funds
16 provided under subsection (h), a portion of funds
17 made available under Federal law authorizing the
18 one-stop partner programs described in subsection
19 (b)(1)(B) and participating additional partner pro-
20 grams described in subsection (b)(2)(B), or the
21 noncash resources available under such 2 types of
22 programs, shall be used to pay the costs relating to
23 the operation of the one-stop delivery system that
24 are not paid for from the funds provided under sub-
25 section (h), to the extent not inconsistent with the

1 Federal law involved. Such portion shall be used to
 2 pay for costs including—

3 “(A) costs of infrastructure (as defined in
 4 subsection (h)) that are in excess of the funds
 5 provided under subsection (h);

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

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

10 “(2) DETERMINATION AND STANDARDS.—The
 11 method for determining the appropriate portion of
 12 funds and noncash resources to be provided by each
 13 program under paragraph (1) shall be determined as
 14 part of the memorandum of understanding under
 15 subsection (c). The State board shall provide stand-
 16 ards to facilitate the determination of appropriate
 17 allocation of the funds and noncash resources to
 18 local areas.”.

19 **SEC. 109. IDENTIFICATION OF ELIGIBLE PROVIDERS OF**
 20 **TRAINING SERVICES.**

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

23 **“SEC. 122. IDENTIFICATION OF ELIGIBLE PROVIDERS OF**
 24 **TRAINING SERVICES.**

25 “(a) ELIGIBILITY.—

1 “(1) IN GENERAL.—The Governor, after con-
 2 sultation with the State board, shall establish cri-
 3 teria and procedures regarding the eligibility of pro-
 4 viders of training services described in section
 5 134(c)(4) to receive funds provided under section
 6 133(b) for the provision of such training services
 7 and be included on the list of eligible providers of
 8 training services described in subsection (d).

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

12 “(A) a postsecondary educational institu-
 13 tion that—

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

17 “(ii) provides a program that leads to
 18 a recognized postsecondary credential;

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

24 “(C) another public or private provider of
 25 a program of training services.

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

12 “(b) CRITERIA.—

13 “(1) IN GENERAL.—The criteria established by
 14 the Governor pursuant to subsection (a) shall take
 15 into account—

16 “(A) the performance of providers of train-
 17 ing services with respect to the performance
 18 measures described in section 136, measures for
 19 other matters for which information is required
 20 under paragraph (2), and other appropriate
 21 measures of performance outcomes for those
 22 participants receiving training services under
 23 this subtitle;

1 “(B) whether the training programs of
2 such providers relate to in-demand industries or
3 occupations important to the local economy;

4 “(C) the need to ensure access to training
5 services throughout the State, including in rural
6 areas;

7 “(D) the ability of the providers to offer
8 programs that lead to a recognized postsec-
9 ondary credential, and the quality of such pro-
10 grams;

11 “(E) the performance of the providers as
12 reflected in the information such providers are
13 required to report to State agencies with re-
14 spect to other Federal and State programs
15 (other than the program carried out under this
16 subtitle), including one-stop partner programs;
17 and

18 “(F) such other factors as the Governor
19 determines are appropriate.

20 “(2) INFORMATION.—The criteria established
21 by the Governor shall require that a provider of
22 training services submit appropriate, accurate, and
23 timely information to the State for purposes of car-
24 rying out subsection (d), with respect to participants

1 receiving training services under this subtitle in the
2 applicable program, including—

3 “(A) information on recognized postsec-
4 ondary credentials received by such partici-
5 pants;

6 “(B) information on costs of attendance
7 for such participants;

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

10 “(D) information on the performance of
11 the provider with respect to the performance
12 measures described in section 136 for such par-
13 ticipants.

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

18 “(4) LOCAL CRITERIA.—A local board in the
19 State may establish criteria in addition to the cri-
20 teria established by the Governor, or may require
21 higher levels of performance than required on the
22 criteria established by the Governor, for purposes of
23 determining the eligibility of providers of training
24 services under this section in the local area involved.

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

9 “(c) PROCEDURES.—The procedures established
 10 under subsection (a) shall—

11 “(1) identify—

12 “(A) the application process for a provider
 13 of training services to become eligible under
 14 this section; and

15 “(B) the respective roles of the State and
 16 local areas in receiving and reviewing applica-
 17 tions and in making determinations of eligibility
 18 based on the criteria established under this sec-
 19 tion; and

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

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

11 “(e) ENFORCEMENT.—

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

14 “(A) INTENTIONALLY SUPPLYING INAC-
 15 CURATE INFORMATION.—Upon a determination,
 16 by an individual or entity specified in the proce-
 17 dures, that a provider of training services, or
 18 individual providing information on behalf of
 19 the provider, intentionally supplied inaccurate
 20 information under this section, the eligibility of
 21 such provider under this section shall be termi-
 22 nated for a period of time that is not less than
 23 2 years.

24 “(B) SUBSTANTIAL VIOLATIONS.—Upon a
 25 determination, by an individual or entity speci-

1 fied in the procedures, that a provider of train-
 2 ing services substantially violated any require-
 3 ment under this title, the eligibility of such pro-
 4 vider under this section shall be terminated for
 5 a period of time that is not less than 10 years.

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

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

22 “(f) AGREEMENTS WITH OTHER STATES.—A State
 23 may enter into an agreement with another State, on a re-
 24 ciprocal basis, to permit eligible providers of training serv-

1 ices to accept career enhancement accounts provided in
 2 the other State.

3 “(g) RECOMMENDATIONS.—In developing the criteria
 4 (including requirements for related information) and pro-
 5 cedures required under this section, the Governor shall so-
 6 licit and take into consideration the recommendations of
 7 local boards and providers of training services within the
 8 State.

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

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 under this section, to be pro-
 7 viders of the training services involved.”.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 “(A) make grants to State boards or local
21 boards to provide employment and training as-
22 sistance to workers affected by major economic
23 dislocations, such as plant closures, mass lay-
24 offs, or closures and realignments of military
25 installations; and

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

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

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

16 “(b) WORKFORCE INVESTMENT FUND.—

17 “(1) RESERVATION FOR OUTLYING AREAS.—

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

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

1 agreement for extension of United States edu-
 2 cational assistance under the Compact of Free
 3 Association (approved by the Compact of Free
 4 Association Amendments Act of 2003 (Public
 5 Law 108–188)) after the date of enactment of
 6 the SKILLS Act.

7 “(2) STATES.—

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

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

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

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

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

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

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

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

24 “(I) each of fiscal years 2015
 25 through 2017, that is less than 100

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

3 “(II) fiscal year 2018 and each
4 succeeding fiscal year, that is less
5 than 90 percent of the allotment per-
6 centage of the State for the fiscal year
7 preceding the fiscal year involved.

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

12 “(I) each of fiscal years 2015
13 through 2017, that is more than 130
14 percent of the allotment percentage of
15 the State for fiscal year 2013; and

16 “(II) fiscal year 2018 and each
17 succeeding fiscal year, that is more
18 than 130 percent of the allotment per-
19 centage of the State for the fiscal year
20 preceding the fiscal year involved.

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 2013, 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 2013, that is received under such pro-
21 visions by the State involved for fiscal
22 year 2013; and

23 “(II) used with respect to fiscal
24 year 2017 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) AREA OF SUBSTANTIAL UNEM-
 6 PLOYMENT.—The term ‘area of substantial
 7 unemployment’ means any area that is of
 8 sufficient size and scope to sustain a pro-
 9 gram of workforce investment activities
 10 carried out under this subtitle and that
 11 has an average rate of unemployment of at
 12 least 7 percent for the most recent 12
 13 months, as determined by the Secretary.
 14 For purposes of this clause, determinations
 15 of areas of substantial unemployment shall
 16 be made once each fiscal year.

17 “(iii) DISADVANTAGED YOUTH.—The
 18 term ‘disadvantaged youth’ means an indi-
 19 vidual who is not less than age 16 and not
 20 more than age 24 who receives an income,
 21 or is a member of a family that receives a
 22 total family income, that in relation to
 23 family size, does not exceed the higher
 24 of—

25 “(I) the poverty line; or

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

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

6 **SEC. 112. WITHIN STATE ALLOCATIONS.**

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

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

10 “(a) RESERVATIONS FOR STATEWIDE WORKFORCE
11 INVESTMENT ACTIVITIES.—

12 “(1) STATEWIDE EMPLOYMENT AND TRAINING
13 ACTIVITIES.—The Governor of a State shall reserve
14 not more than 15 percent of the total amount allot-
15 ted to the State under section 132(b)(2) for a fiscal
16 year to carry out the statewide activities described in
17 section 134(a).

18 “(2) STATEWIDE RAPID RESPONSE ACTIVITIES
19 AND ADDITIONAL ASSISTANCE.—Of the amount re-
20 served under paragraph (1) for a fiscal year, the
21 Governor of the State shall reserve not more than
22 25 percent for statewide rapid response activities
23 and additional assistance described in section
24 134(a)(4).

1 “(3) STATEWIDE GRANTS FOR INDIVIDUALS
 2 WITH BARRIERS TO EMPLOYMENT.—Of the amount
 3 reserved under paragraph (1) for a fiscal year, the
 4 Governor of the State shall reserve 15 percent to
 5 carry out statewide activities described in section
 6 134(a)(5).

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

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

14 “(b) WITHIN STATE ALLOCATION.—

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

19 “(A) allocate the funds that are allotted to
 20 the State under section 132(b)(2) and not re-
 21 served under subsection (a), in accordance with
 22 paragraph (2)(A); and

23 “(B) award the funds that are reserved by
 24 the State under subsection (a)(3) through com-

1 petitive grants to eligible entities, in accordance
2 with section 134(a)(1)(C).

3 “(2) FORMULA ALLOCATIONS FOR THE WORK-
4 FORCE INVESTMENT FUND.—

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

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

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

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

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

16 except that a reference in a section specified in
17 any of clauses (i) through (iv) to ‘each State’
18 shall be considered to refer to each local area,
19 and to ‘all States’ shall be considered to refer
20 to all local areas.

21 “(B) MINIMUM AND MAXIMUM PERCENT-
22 AGES.—

23 “(i) MINIMUM PERCENTAGE.—The
24 State shall ensure that no local area shall

1 receive an allocation under this paragraph
2 for—

3 “(I) each of fiscal years 2015
4 through 2017, that is less than 100
5 percent of the allocation percentage of
6 the local area for fiscal year 2013;
7 and

8 “(II) fiscal year 2018 and each
9 succeeding fiscal year, that is less
10 than 90 percent of the allocation per-
11 centage of the local area for the fiscal
12 year preceding the fiscal year in-
13 volved.

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

19 “(I) each of fiscal years 2015
20 through 2017, that is more than 130
21 percent of the allocation percentage of
22 the local area for fiscal year 2013;
23 and

24 “(II) fiscal year 2018 and each
25 succeeding fiscal year, that is more

1 than 130 percentage of the allocation
 2 percentage of the local area for the
 3 fiscal year preceding the fiscal year
 4 involved.

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

8 “(i) used with respect to fiscal year
 9 2013, means the percentage of the
 10 amounts allocated to local areas under title
 11 I of this Act, title V of the Older Ameri-
 12 cans Act of 1965 (42 U.S.C. 3056 et seq.),
 13 the Women in Apprenticeship and Non-
 14 traditional Occupations Act (29 U.S.C.
 15 2501 et seq.), sections 4103A and 4104 of
 16 title 38, United States Code, and sections
 17 1 through 14 of the Wagner-Peyser Act
 18 (29 U.S.C. 49 et seq.), as such provisions
 19 were in effect for fiscal year 2013, that is
 20 received under such provisions by the local
 21 area involved for fiscal year 2013; and

22 “(ii) used with respect to fiscal year
 23 2017 or a succeeding fiscal year, means
 24 the percentage of the amounts allocated to
 25 local areas under this paragraph for the

1 fiscal year, that is received under this
 2 paragraph by the local area involved for
 3 the fiscal year.”;

4 (3) in subsection (c)—

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

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

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

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

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

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

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

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

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

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

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

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

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

21 “(1) IN GENERAL.—

22 “(A) DISTRIBUTION OF STATEWIDE AC-
 23 TIVITIES.—Funds reserved by a Governor for a
 24 State as described in section 133(a)(1) and not

reserved under paragraph (2) or (3) of section 133(a)—

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

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

“(B) STATEWIDE RAPID RESPONSE ACTIVITIES AND ADDITIONAL ASSISTANCE.—Funds reserved by a Governor for a State as described in section 133(a)(2) shall be used to provide the statewide rapid response activities and additional assistance described in paragraph (4).

“(C) STATEWIDE GRANTS FOR INDIVIDUALS WITH BARRIERS TO EMPLOYMENT.—Funds reserved by a Governor for a State as described in section 133(a)(3) shall be used to award statewide grants for individuals with barriers to employment on a competitive basis, and carry out other activities, as described in paragraph (5).

“(2) REQUIRED STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—A State shall use funds referred to in paragraph (1)(A) to carry out statewide

1 employment and training activities, which shall in-
2 clude—

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

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

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

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

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

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

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

6 “(3) ALLOWABLE STATEWIDE EMPLOYMENT
7 AND TRAINING ACTIVITIES.—A State may use funds
8 referred to in paragraph (1)(A) to carry out state-
9 wide employment and training activities which may
10 include—

11 “(A) implementing innovative programs
12 and strategies designed to meet the needs of all
13 employers in the State, including small employ-
14 ers, which may include incumbent worker train-
15 ing programs, sectoral and industry cluster
16 strategies and partnership initiatives, career
17 ladder programs, micro-enterprise and entrepre-
18 neurial training and support programs, utiliza-
19 tion of effective business intermediaries, activi-
20 ties to improve linkages between the one-stop
21 delivery system in the State and all employers
22 (including small employers) in the State, and
23 other business services and strategies that bet-
24 ter engage employers in workforce investment
25 activities and make the workforce investment

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

4 “(B) providing incentive grants to local
5 areas—

6 “(i) for regional cooperation among
7 local boards (including local boards in a
8 designated region as described in section
9 116(c));

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

12 “(iii) for exemplary performance by
13 local areas on the local performance meas-
14 ures;

15 “(C) developing strategies for effectively
16 integrating programs and services among one-
17 stop partners;

18 “(D) carrying out activities to facilitate re-
19 mote access to services provided through a one-
20 stop delivery system, including facilitating ac-
21 cess through the use of technology;

22 “(E) incorporating pay-for-performance
23 contract strategies as an element in funding ac-
24 tivities under this section and providing tech-
25 nical support to local areas and eligible pro-

1 viders in order to carry out such a strategy,
2 which may involve providing assistance with
3 data collection and data entry requirements;

4 “(F) carrying out the State option under
5 subsection (f)(8); and

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

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

15 “(A) to carry out statewide rapid response
16 activities, which shall include provision of rapid
17 response activities, carried out in local areas by
18 the State or by an entity designated by the
19 State, working in conjunction with the local
20 boards and the chief elected officials in the local
21 areas; and

22 “(B) to provide additional assistance to
23 local areas that experience disasters, mass lay-
24 offs, or plant closings, or other events that pre-
25 cipitate substantial increases in the number of

1 unemployed individuals, carried out in local
2 areas by the State or by an entity designated
3 by the State, working in conjunction with the
4 local boards and the chief elected officials in the
5 local areas.

6 “(5) STATEWIDE GRANTS FOR INDIVIDUALS
7 WITH BARRIERS TO EMPLOYMENT.—

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

11 “(i) may reserve up to 5 percent to
12 provide technical assistance for, and con-
13 duct evaluations as described in section
14 136(e) of, the programs carried out under
15 this paragraph; and

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

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

“(i) is a—

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

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

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

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

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

“(C) GRANT PERIOD.—

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

“(ii) GRANT RENEWAL.—A Governor of a State may renew, for up to 4 addi-

1 tional 1-year periods, a grant awarded
2 under this paragraph.

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

7 “(E) USE OF FUNDS.—An eligible entity
8 receiving a grant under this paragraph shall use
9 the grant funds for programs of activities that
10 are designed to assist eligible participants in
11 obtaining employment and acquiring the edu-
12 cation and skills necessary to succeed in the
13 labor market. To be eligible to receive a grant
14 under this paragraph for an employment and
15 training program, an eligible entity shall submit
16 an application to a State at such time, in such
17 manner, and containing such information as the
18 State may require, including—

19 “(i) a description of how the strate-
20 gies and activities of the program will be
21 aligned with the State plan submitted
22 under section 112 and the local plan sub-
23 mitted under section 118, with respect to
24 the area of the State that will be the focus
25 of the program under this paragraph;

1 “(ii) a description of the educational
2 and skills training programs and activities
3 the eligible entity will provide to eligible
4 participants under this paragraph;

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

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

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

22 “(vi) a description of the private, pub-
23 lic, local, and State resources that will be
24 leveraged, with the grant funds provided,
25 for the program under this paragraph, and

1 how the entity will ensure the sustain-
 2 ability of such program after grant funds
 3 are no longer available;

4 “(vii) a description of the extent of
 5 the involvement of employers in such pro-
 6 gram;

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

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

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

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

22 “(b) LOCAL EMPLOYMENT AND TRAINING ACTIVI-
 23 TIES.—Funds allocated to a local area under section
 24 133(b)—

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

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

5 (3) by striking subsection (c);

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

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

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

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

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

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

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

22 (B) in paragraph (2)—

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

1 (ii) in the matter preceding subpara-
2 graph (A)—

3 (I) by striking “(1)(A)” and in-
4 serting “(1)”;

5 (II) by striking “core services”
6 and inserting “work ready services”;
7 and

8 (III) by striking “who are adults
9 or dislocated workers”;

10 (iii) by redesignating subparagraph
11 (K) as subparagraph (V);

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

15 (v) by inserting after subparagraph
16 (A) the following:

17 “(B) assistance in obtaining eligibility de-
18 terminations under the other one-stop partner
19 programs through activities, where appropriate
20 and consistent with the authorizing statute of
21 the one-stop partner program involved, such as
22 assisting in—

23 “(i) the submission of applications;

24 “(ii) the provision of information on
25 the results of such applications; and

1 “(iii) the provision of intake services
2 and information;”;

3 (vi) by amending subparagraph (E),
4 as so redesignated, to read as follows:

5 “(E) labor exchange services, including—

6 “(i) job search and placement assist-
7 ance, and where appropriate, career coun-
8 seling;

9 “(ii) appropriate recruitment services
10 for employers, including small employers,
11 in the local area, which may include serv-
12 ices described in this subsection, including
13 provision of information and referral to
14 specialized business services not tradition-
15 ally offered through the one-stop delivery
16 system; and

17 “(iii) reemployment services provided
18 to unemployment claimants, including
19 claimants identified as in need of such
20 services under the worker profiling system
21 established under section 303(j) of the So-
22 cial Security Act (42 U.S.C. 503(j));”;

23 (vii) in subparagraph (F), as so redesi-
24 gnated, by striking “employment statis-

1 ties” and inserting “workforce and labor
2 market”;

3 (viii) in subparagraph (G), as so re-
4 designated, by striking “and eligible pro-
5 viders of youth activities described in sec-
6 tion 123,”;

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

10 (x) in subparagraph (J), as so redes-
11 ignated, by inserting “and information re-
12 garding the administration of the work test
13 for the unemployment compensation sys-
14 tem” after “compensation”;

15 (xi) by amending subparagraph (K),
16 as so redesignated, to read as follows:

17 “(K) assistance in establishing eligibility
18 for programs of financial aid assistance for edu-
19 cation and training programs that are not fund-
20 ed under this Act and are available in the local
21 area;”; and

22 (xii) by inserting the following new
23 subparagraphs after subparagraph (K), as
24 so redesignated:

1 “(L) the provision of information from of-
2 ficial publications of the Internal Revenue Serv-
3 ice regarding Federal tax credits, available to
4 participants in employment and training activi-
5 ties, and relating to education, job training, and
6 employment;

7 “(M) comprehensive and specialized assess-
8 ments of the skill levels and service needs of
9 workers, which may include—

10 “(i) diagnostic testing and use of
11 other assessment tools; and

12 “(ii) in-depth interviewing and evalua-
13 tion to identify employment barriers and
14 appropriate employment goals;

15 “(N) development of an individual employ-
16 ment plan, to identify the employment goals,
17 appropriate achievement objectives, and appro-
18 priate combination of services for the partici-
19 pant;

20 “(O) group counseling;

21 “(P) individual counseling and career plan-
22 ning;

23 “(Q) case management;

24 “(R) short-term pre-career services, includ-
25 ing development of learning skills, communica-

1 tions skills, interviewing skills, punctuality, per-
2 sonal maintenance skills, and professional con-
3 duct, to prepare individuals for unsubsidized
4 employment or training;

5 “(S) internships and work experience;

6 “(T) literacy activities relating to basic
7 work readiness, information and communication
8 technology literacy activities, and financial lit-
9 eracy activities, if the activities involved are not
10 available to participants in the local area under
11 programs administered under the Adult Edu-
12 cation and Family Literacy Act (20 U.S.C.
13 2901 et seq.);

14 “(U) out-of-area job search assistance and
15 relocation assistance; and”;

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

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

24 (D) in paragraph (4)—

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

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

6 “(i) after an interview, evaluation, or
7 assessment, and case management, have
8 been determined by a one-stop operator or
9 one-stop partner, as appropriate, to—

10 “(I) be in need of training serv-
11 ices to obtain or retain employment;
12 and

13 “(II) have the skills and quali-
14 fications to successfully participate in
15 the selected program of training serv-
16 ices;

17 “(ii) select programs of training serv-
18 ices that are directly linked to the employ-
19 ment opportunities in the local area in-
20 volved or in another area in which the indi-
21 vidual receiving such services are willing to
22 commute or relocate; and

23 “(iii) who meet the requirements of
24 subparagraph (B).”;

(ii) in subparagraph (B)(i), by striking “Except” and inserting “Notwithstanding section 479B of the Higher Education Act of 1965 (20 U.S.C. 1087uu) and except”;

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

“(D) TRAINING SERVICES.—Training services authorized under this paragraph may include—

“(i) occupational skills training;

“(ii) on-the-job training;

“(iii) skill upgrading and retraining;

“(iv) entrepreneurial training;

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

“(vi) adult education and family literacy education activities provided in conjunction with other training services authorized under this subparagraph;

“(vii) workplace training combined with related instruction;

1 “(viii) occupational skills training that
2 incorporates English language acquisition;

3 “(ix) customized training conducted
4 with a commitment by an employer or
5 group of employers to employ an individual
6 upon successful completion of the training;
7 and

8 “(x) training programs operated by
9 the private sector.”;

10 (iv) by striking subparagraph (E) and
11 redesignating subparagraphs (F) and (G)
12 as subparagraphs (E) and (F), respec-
13 tively;

14 (v) in subparagraph (E) (as so redes-
15 ignated)—

16 (I) in clause (ii)—

17 (aa) in the matter preceding
18 subclause (I), by striking “sub-
19 section (c)” and inserting “sec-
20 tion 121”;

21 (bb) in subclause (I), by
22 striking “section 122(e)” and in-
23 serting “section 122(d)” and by
24 striking “section 122(h)” and in-
25 serting “section 122(i)”;

1 (cc) in subclause (II), by
2 striking “subsections (e) and
3 (h)” and inserting “subsections
4 (d) and (i)”; and
5 (II) by striking clause (iii) and
6 inserting the following:

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

21 “(iv) COORDINATION.—Each local
22 board may, through one-stop centers, co-
23 ordinate career enhancement accounts with
24 other Federal, State, local, or private job
25 training programs or sources to assist the

individual in obtaining training services from (notwithstanding any provision of this title) eligible providers for those programs and sources.

“(v) ASSISTANCE.—Each local board may, through one-stop centers, assist individuals receiving career enhancement accounts in obtaining funds (in addition to the funds provided under this section) from other programs and sources that will assist the individual in obtaining training services.”; and

(vi) in subparagraph (F) (as so redesignated)—

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

(II) in clause (i), by striking “individual training accounts” and inserting “career enhancement accounts”;

(III) in clause (ii)—

(aa) by striking “an individual training account” and in-

1 serting “a career enhancement
2 account”;

3 (bb) by striking “subpara-
4 graph (F)” and inserting “sub-
5 paragraph (E)”;

6 (cc) in subclause (II), by
7 striking “individual training ac-
8 counts” and inserting “career en-
9 hancement accounts”;

10 (dd) in subclause (II), by
11 striking “or” after the semicolon;

12 (ee) in subclause (III), by
13 striking the period and inserting
14 “; or”; and

15 (ff) by adding at the end the
16 following:

17 “(IV) the local board determines
18 that it would be most appropriate to
19 award a contract to a postsecondary
20 educational institution that has been
21 identified as a priority eligible pro-
22 vider under section 117(d)(5)(B) in
23 order to facilitate the training of mul-
24 tiple individuals in in-demand indus-
25 tries or occupations important to the

1 State or local economy, that such con-
 2 tract may be used to enable the ex-
 3 pansion of programs provided by a
 4 priority eligible provider, and that
 5 such contract does not limit customer
 6 choice.”;

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

10 (V) in clause (iv)—

11 (aa) by redesignating sub-
 12 clause (IV) as subclause (V); and

13 (bb) by inserting after sub-
 14 clause (III) the following:

15 “(IV) Individuals with disabil-
 16 ities.”;

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

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

20 “(1) DISCRETIONARY ONE-STOP DELIVERY AC-
 21 TIVITIES.—

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

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

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

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

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

19 “(v) incorporation of pay-for-perform-
20 ance contract strategies as an element in
21 funding activities under this section;

22 “(vi) activities to facilitate remote ac-
23 cess to services provided through a one-
24 stop delivery system, including facilitating
25 access through the use of technology; and

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

7 (B) by striking paragraphs (2) and (3);
 8 and

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

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

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

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

24 “(C) EMPLOYER MATCH REQUIRED.—

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

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

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

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

20 “(f) VETERAN EMPLOYMENT SPECIALIST.—

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

1 under this subsection in the local area served by the
2 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 the furnishing of employ-
14 ment, training, supportive, and placement serv-
15 ices to veterans, including disabled and home-
16 less veterans, 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 or member described in
12 subparagraph (A), (B), or (C) is available, to
13 any spouse of a veteran or a spouse of a mem-
14 ber of the Armed Forces transitioning out of
15 military service.

16 “(E) If no veteran or member described in
17 subparagraph (A), (B), or (C) is available and
18 no spouse described in paragraph (D) is avail-
19 able, to any other individuals with expertise in
20 serving veterans.

21 “(4) ADMINISTRATION AND REPORTING.—

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

1 minimum, quarterly reports to the one-stop op-
 2 erator of such center and to the Assistant Sec-
 3 retary for Veterans' Employment and Training
 4 for the State on the specialist's performance,
 5 and compliance by the specialist with Federal
 6 law (including regulations), with respect to
 7 the—

8 “(i) principal duties (including facili-
 9 tating the furnishing of services) for vet-
 10 erans described in paragraph (2); and

11 “(ii) hiring preferences described in
 12 paragraph (3) for veterans and other indi-
 13 viduals.

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

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

1 cation, Labor, and Pensions and the Committee
2 on Veterans' Affairs of the Senate an annual
3 report summarizing the reports submitted
4 under subparagraph (B), and including sum-
5 maries of outcomes achieved by participating
6 veterans, disaggregated by local areas.

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

11 “(6) TRAINING REQUIREMENTS.—Each veteran
12 employment specialist described in paragraph (2)
13 shall satisfactorily complete training provided by the
14 National Veterans' Employment and Training Insti-
15 tute during the 3-year period that begins on the date
16 on which the employee is so assigned.

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

1 “(8) STATE OPTION.—At the request of a local
 2 board, a State may opt to assume the duties as-
 3 signed to the local board under paragraphs (1) and
 4 (3), including the hiring and employment of one or
 5 more veteran employment specialists for placement
 6 in the local area served by the local board.”.

7 **SEC. 114. PERFORMANCE ACCOUNTABILITY SYSTEM.**

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

9 (1) in subsection (b)—

10 (A) by amending paragraphs (1) and (2)
 11 to read as follows:

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

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

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

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

22 “(2) INDICATORS OF PERFORMANCE.—

23 “(A) CORE INDICATORS OF PERFORM-
 24 ANCE.—

1 “(i) IN GENERAL.—The core indica-
 2 tors of performance for the program of em-
 3 ployment and training activities authorized
 4 under sections 132(a)(2) and 134, the pro-
 5 gram of adult education and family literacy
 6 education activities authorized under title
 7 II, and the program authorized under title
 8 I of the Rehabilitation Act of 1973 (29
 9 U.S.C. 720 et seq.), other than section 112
 10 or part C of that title (29 U.S.C. 732,
 11 741), shall consist of the following indica-
 12 tors of performance (with performance de-
 13 termined in the aggregate and as
 14 disaggregated by the populations identified
 15 in the State and local plan in each case):

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

21 “(II) The percentage and number
 22 of program participants who are in
 23 unsubsidized employment during the
 24 fourth full calendar quarter after exit
 25 from the program.

1 “(III) The difference in the me-
2 dian earnings of program participants
3 who are in unsubsidized employment
4 during the second full calendar quar-
5 ter after exit from the program, com-
6 pared to the median earnings of such
7 participants prior to participation in
8 such program.

9 “(IV) The percentage and num-
10 ber of program participants who ob-
11 tain a recognized postsecondary cre-
12 dential (such as an industry-recog-
13 nized credential or a certificate from a
14 registered apprenticeship program), or
15 a regular secondary school diploma or
16 its recognized equivalent (subject to
17 clause (ii)), during participation in or
18 within 1 year after exit from the pro-
19 gram.

20 “(V) The percentage and number
21 of program participants who, during a
22 program year—

23 “(aa) are in an education or
24 training program that leads to a
25 recognized postsecondary creden-

1 tial (such as an industry-recog-
2 nized credential or a certificate
3 from a registered apprenticeship
4 program), a certificate from an
5 on-the-job training program, a
6 regular secondary school diploma
7 or its recognized equivalent, or
8 unsubsidized employment; and

9 “(bb) are achieving measur-
10 able basic skill gains toward such
11 a credential, certificate, diploma,
12 or employment.

13 “(VI) The percentage and num-
14 ber of program participants who ob-
15 tain unsubsidized employment in the
16 field relating to the training services
17 described in section 134(c)(4) that
18 such participants received.

19 “(ii) INDICATOR RELATING TO CRE-
20 DENTIAL.—For purposes of clause (i)(IV),
21 program participants who obtain a regular
22 secondary school diploma or its recognized
23 equivalent shall be included in the percent-
24 age counted as meeting the criterion under
25 such clause only if such participants (in

1 addition to obtaining such diploma or its
 2 recognized equivalent), within 1 year after
 3 exit from the program, have obtained or
 4 retained employment, have been removed
 5 from public assistance, or have begun an
 6 education or training program leading to a
 7 recognized postsecondary credential.

8 “(B) ADDITIONAL INDICATORS.—A State
 9 may identify in the State plan additional indica-
 10 tors for workforce investment activities author-
 11 ized under this subtitle.”; and

12 (B) in paragraph (3)—

13 (i) in subparagraph (A)—

14 (I) in the heading, by striking
 15 “AND CUSTOMER SATISFACTION INDI-
 16 CATOR”;

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

20 (III) in clause (ii), by striking
 21 “and the customer satisfaction indi-
 22 cator of performance, for the first 3”
 23 and inserting “, for all 3”;

24 (IV) in clause (iii)—

1 (aa) in the heading, by
 2 striking “FOR FIRST 3 YEARS”;
 3 and

4 (bb) by striking “and the
 5 customer satisfaction indicator of
 6 performance, for the first 3 pro-
 7 gram years” and inserting “for
 8 all 3 program years”;

9 (V) in clause (iv)—

10 (aa) by striking “or (v)”;

11 (bb) by striking subclause
 12 (I) and redesignating subclauses
 13 (II) and (III) as subclauses (I)
 14 and (II), respectively; and

15 (cc) in subclause (I) (as so
 16 redesignated)—

17 (AA) by inserting “,
 18 such as unemployment rates
 19 and job losses or gains in
 20 particular industries” after
 21 “economic conditions”; and

22 (BB) by inserting “,
 23 such as indicators of poor
 24 work experience, dislocation
 25 from high-wage employment,

1 low levels of literacy or
 2 English proficiency, dis-
 3 ability status (including dis-
 4 ability status among vet-
 5 erans), and welfare depend-
 6 ency,” after “program”;

7 (VI) by striking clause (v) and
 8 redesignating clause (vi) as clause (v);
 9 and

10 (VII) in clause (v) (as so redesign-
 11 ated)—

12 (aa) by striking “described
 13 in clause (iv)(II)” and inserting
 14 “described in clause (iv)(I)”; and

15 (bb) by striking “or (v)”;
 16 and

17 (ii) in subparagraph (B), by striking
 18 “paragraph (2)(C)” and inserting “para-
 19 graph (2)(B)”;

20 (2) in subsection (c)—

21 (A) by amending clause (i) of paragraph
 22 (1)(A) to read as follows:

23 “(i) the core indicators of performance de-
 24 scribed in subsection (b)(2)(A) for activities de-

scribed in such subsection, other than statewide
workforce investment activities; and”;

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

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

“(3) DETERMINATIONS.—In determining such
local levels of performance, the local board, the chief
elected official, and the Governor shall ensure such
levels are adjusted based on the specific economic
conditions (such as unemployment rates and job
losses or gains in particular industries), or demo-
graphic characteristics or other characteristics of the
population to be served, in the local area.”;

(3) in subsection (d)—

(A) in paragraph (1)—

(i) by striking “127 or”;

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

(iii) in the last sentence, by inserting
before the period the following: “, and on
the amount and percentage of the State’s
annual allotment under section 132 the

1 State spends on administrative costs and
 2 on the amount and percentage of its an-
 3 nual allocation under section 133 each
 4 local area in the State spends on adminis-
 5 trative costs”;

6 (B) in paragraph (2)—

7 (i) by striking subparagraphs (A),
 8 (B), and (D);

9 (ii) by redesignating subparagraph
 10 (C) as subparagraph (A);

11 (iii) by redesignating subparagraph
 12 (E) as subparagraph (B);

13 (iv) in subparagraph (B), as so redес-
 14 igned—

15 (I) by striking “(excluding par-
 16 ticipants who received only self-service
 17 and informational activities)”;

18 (II) by striking “and” at the end;

19 (v) by striking subparagraph (F); and

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

22 “(C) with respect to each local area in the
 23 State—

24 “(i) the number of individuals who re-
 25 ceived work ready services described in sec-

tion 134(c)(2) and the number of individuals who received training services described in section 134(c)(4), during the most recent program year and fiscal year, and the preceding 5 program years, disaggregated (for individuals who received work ready services) by the type of entity that provided the work ready services and disaggregated (for individuals who received training services) by the type of entity that provided the training services, and the amount of funds spent on each of the 2 types of services during the most recent program year and fiscal year, and the preceding 5 fiscal years;

“(ii) the number of individuals who successfully exited out of work ready services described in section 134(c)(2) and the number of individuals who exited out of training services described in section 134(c)(4), during the most recent program year and fiscal year, and the preceding 5 program years, disaggregated (for individuals who received work ready services) by the type of entity that provided the work

1 ready services and disaggregated (for indi-
2 viduals who received training services) by
3 the type of entity that provided the train-
4 ing services; and

5 “(iii) the average cost per participant
6 of those individuals who received work
7 ready services described in section
8 134(c)(2) and the average cost per partici-
9 pant of those individuals who received
10 training services described in section
11 134(c)(4), during the most recent program
12 year and fiscal year, and the preceding 5
13 program years, disaggregated (for individ-
14 uals who received work ready services) by
15 the type of entity that provided the work
16 ready services and disaggregated (for indi-
17 viduals who received training services) by
18 the type of entity that provided the train-
19 ing services; and

20 “(D) the amount of funds spent on train-
21 ing services and discretionary activities de-
22 scribed in section 134(d), disaggregated by the
23 populations identified under section
24 112(b)(16)(A)(iv) and section 118(b)(10).”;

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

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

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

10 “(5) STATE AND LOCAL POLICIES.—

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

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

1 (4) in subsection (g)—

2 (A) in paragraph (1)—

3 (i) in subparagraph (A), by striking

4 “or (B)”; and

5 (ii) in subparagraph (B), by striking

6 “may reduce by not more than 5 percent,”

7 and inserting “shall reduce”; and

8 (B) by striking paragraph (2) and insert-

9 ing the following:

10 “(2) FUNDS RESULTING FROM REDUCED AL-

11 LOTMENTS.—The Secretary shall return to the

12 Treasury the amount retained, as a result of a re-

13 duction in an allotment to a State made under para-

14 graph (1)(B).”;

15 (5) in subsection (h)—

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

17 and

18 (B) in paragraph (2)—

19 (i) in subparagraph (A), by amending

20 the matter preceding clause (i) to read as

21 follows:

22 “(A) IN GENERAL.—If such failure con-

23 tinues for a second consecutive year, the Gov-

24 ernor shall take corrective actions, including the

development of a reorganization plan. Such plan shall—”;

(ii) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively;

(iii) by inserting after subparagraph (A), the following:

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

(iv) in subparagraph (C)(i) (as so redesignated), by striking “a reorganization plan under subparagraph (A) may, not later than 30 days after receiving notice of the reorganization plan, appeal to the Governor to rescind or revise such plan” and inserting “corrective action under subparagraph (A) or (B) may, not later than 30 days after receiving notice of the action,

1 appeal to the Governor to rescind or revise
2 such action”; and

3 (v) in subparagraph (D) (as so redes-
4 ignated), by striking “subparagraph (B)”
5 each place it appears and inserting “sub-
6 paragraph (C)”;

7 (6) in subsection (i)—

8 (A) in paragraph (1)—

9 (i) in subparagraph (B), by striking
10 “subsection (b)(2)(C)” and inserting “sub-
11 section (b)(2)(B)”;

12 (ii) in subparagraph (C), by striking
13 “(b)(3)(A)(vi)” and inserting
14 “(b)(3)(A)(v)”;

15 (B) in paragraph (2), by striking “the ac-
16 tivities described in section 502 concerning”;
17 and

18 (C) in paragraph (3), by striking “de-
19 scribed in paragraph (1) and in the activities
20 described in section 502” and inserting “and
21 activities described in this subsection”;

22 (7) by adding at the end the following new sub-
23 sections:

24 “(j) USE OF CORE INDICATORS FOR OTHER PRO-
25 GRAMS.—Consistent with the requirements of the applica-

1 ble authorizing laws, the Secretary shall use the core indi-
 2 cators of performance described in subsection (b)(2)(A) to
 3 assess the effectiveness of the programs described in sec-
 4 tion 121(b)(1)(B) (in addition to the programs carried out
 5 under chapter 5) that are carried out by the Secretary.

6 “(k) ESTABLISHING PAY-FOR-PERFORMANCE INCEN-
 7 TIVES.—

8 “(1) IN GENERAL.—At the discretion of the
 9 Governor of a State, a State may establish an incen-
 10 tive system for local boards to implement pay-for-
 11 performance contract strategies for the delivery of
 12 employment and training activities in the local areas
 13 served by the local boards.

14 “(2) IMPLEMENTATION.—A State that estab-
 15 lishes a pay-for-performance incentive system shall
 16 reserve not more than 10 percent of the total
 17 amount allotted to the State under section 132(b)(2)
 18 for a fiscal year to provide funds to local areas in
 19 the State whose local boards have implemented a
 20 pay-for-performance contract strategy.

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

1 **SEC. 115. AUTHORIZATION OF APPROPRIATIONS.**

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

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

5 “There are authorized to be appropriated to carry out
6 the activities described in section 132, \$5,945,639,000 for
7 fiscal year 2015 and each of the 6 succeeding fiscal
8 years.”.

9 **Subtitle C—Job Corps**

10 **SEC. 116. JOB CORPS PURPOSES.**

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

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

24 **SEC. 117. JOB CORPS DEFINITIONS.**

25 Section 142 (29 U.S.C. 2882) is amended—
26 (1) in paragraph (2)—

1 (A) in the paragraph heading, by striking
 2 “APPLICABLE ONE-STOP” and inserting “ONE-
 3 STOP”;

4 (B) by striking “applicable”;

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

6 (D) by striking “intake” and inserting “as-
 7 sessment”;

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

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

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

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

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

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

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

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

10 **SEC. 119. RECRUITMENT, SCREENING, SELECTION, AND AS-**
 11 **SIGNMENT OF ENROLLEES.**

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

13 (1) in subsection (a)—

14 (A) in paragraph (2)(C)(i) by striking “vo-
 15 cational” and inserting “career and technical
 16 education and training”; and

17 (B) in paragraph (3)—

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

20 (ii) in subparagraph (A)—

21 (I) by striking “applicable”; and

22 (II) by inserting “and” after the
 23 semicolon;

24 (iii) by striking subparagraphs (B)
 25 and (C); and

1 (iv) by adding at the end the fol-
 2 lowing:

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

6 (2) in subsection (b)—

7 (A) in paragraph (1)—

8 (i) in subparagraph (B), by inserting
 9 “and agrees to such rules” after “failure
 10 to observe the rules”; and

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

13 “(C) the individual has passed a back-
 14 ground check conducted in accordance with pro-
 15 cedures established by the Secretary, which
 16 shall include—

17 “(i) a search of the State criminal
 18 registry or repository in the State where
 19 the individual resides and each State where
 20 the individual previously resided;

21 “(ii) a search of State-based child
 22 abuse and neglect registries and databases
 23 in the State where the individual resides
 24 and each State where the individual pre-
 25 viously resided;

1 “(iii) a search of the National Crime
2 Information Center;

3 “(iv) a Federal Bureau of Investiga-
4 tion fingerprint check using the Integrated
5 Automated Fingerprint Identification Sys-
6 tem; and

7 “(v) a search of the National Sex Of-
8 fender Registry established under the
9 Adam Walsh Child Protection and Safety
10 Act of 2006 (42 U.S.C. 16901 et seq.).”;
11 and

12 (B) by adding at the end the following new
13 paragraph:

14 “(3) INDIVIDUALS CONVICTED OF A CRIME.—
15 An individual shall be ineligible for enrollment if the
16 individual—

17 “(A) makes a false statement in connection
18 with the criminal background check described in
19 paragraph (1)(C);

20 “(B) is registered or is required to be reg-
21 istered on a State sex offender registry or the
22 National Sex Offender Registry established
23 under the Adam Walsh Child Protection and
24 Safety Act of 2006 (42 U.S.C. 16901 et seq.);
25 or

1 “(C) has been convicted of a felony con-
2 sisting of—

3 “(i) homicide;

4 “(ii) child abuse or neglect;

5 “(iii) a crime against children, includ-
6 ing child pornography;

7 “(iv) a crime involving rape or sexual
8 assault; or

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

12 (3) in subsection (c)—

13 (A) in paragraph (1)—

14 (i) by striking “2 years” and inserting
15 “year”; and

16 (ii) by striking “an assignment” and
17 inserting “a”; and

18 (B) in paragraph (2)—

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

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

23 (iii) in subparagraph (C)—

24 (I) by inserting “the education
25 and training” after “including”; and

1 (II) by striking the period at the
2 end and inserting “; and”; and

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

5 “(D) the performance of the Job Corps
6 center relating to the indicators described in
7 paragraphs (1) and (2) in section 159(c), and
8 whether any actions have been taken with re-
9 spect to such center pursuant to section
10 159(f).”; and

11 (4) in subsection (d)—

12 (A) in paragraph (1)—

13 (i) in the matter preceding subpara-
14 graph (A), by striking “is closest to the
15 home of the enrollee, except that the” and
16 inserting “offers the type of career and
17 technical education and training selected
18 by the individual and, among the centers
19 that offer such education and training, is
20 closest to the home of the individual. The”;

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

22 (iii) by redesignating subparagraphs
23 (B) and (C) as subparagraphs (A) and
24 (B), respectively; and

1 (B) in paragraph (2), by inserting “that
 2 offers the career and technical education and
 3 training desired by” after “home of the en-
 4 rollee”.

5 **SEC. 120. JOB CORPS CENTERS.**

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

7 (1) in subsection (a)—

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

11 (B) in paragraph (2)—

12 (i) in subparagraph (A)—

13 (I) by striking “subsections (c)
 14 and (d) of section 303 of the Federal
 15 Property and Administrative Services
 16 Act of 1949 (41 U.S.C. 253)” and in-
 17 serting “subsections (a) and (b) of
 18 section 3304 of title 41, United States
 19 Code”; and

20 (II) by striking “industry coun-
 21 cil” and inserting “workforce coun-
 22 cil”;

23 (ii) in subparagraph (B)(i)—

24 (I) by amending subclause (II) to
 25 read as follows:

1 “(II) the ability of the entity to
2 offer career and technical education
3 and training that the workforce coun-
4 cil proposes under section 154(c);”;

5 (II) in subclause (III), by strik-
6 ing “is familiar with the surrounding
7 communities, applicable” and insert-
8 ing “demonstrates relationships with
9 the surrounding communities, employ-
10 ers, workforce boards,” and by strik-
11 ing “and” at the end;

12 (III) by amending subclause (IV)
13 to read as follows:

14 “(IV) the performance of the en-
15 tity, if any, relating to operating or
16 providing activities described in this
17 subtitle to a Job Corps center, includ-
18 ing the entity’s demonstrated effec-
19 tiveness in assisting individuals in
20 achieving the primary and secondary
21 indicators of performance described in
22 paragraphs (1) and (2) of section
23 159(c); and”; and

24 (IV) by adding at the end the fol-
25 lowing new subclause:

1 “(V) the ability of the entity to
 2 demonstrate a record of successfully
 3 assisting at-risk youth to connect to
 4 the workforce, including by providing
 5 them with intensive academic, and ca-
 6 reer and technical education and
 7 training.”; and

8 (iii) in subparagraph (B)(ii)—

9 (I) by striking “, as appro-
 10 priate”; and

11 (II) by striking “through (IV)”
 12 and inserting “through (V)”;

13 (2) in subsection (b), by striking “In any year,
 14 no more than 20 percent of the individuals enrolled
 15 in the Job Corps may be nonresidential participants
 16 in the Job Corps.”;

17 (3) by amending subsection (c) to read as fol-
 18 lows:

19 “(c) CIVILIAN CONSERVATION CENTERS.—

20 “(1) IN GENERAL.—The Job Corps centers may
 21 include Civilian Conservation Centers, operated
 22 under an agreement between the Secretary of Labor
 23 and the Secretary of Agriculture, that are located
 24 primarily in rural areas. Such centers shall adhere
 25 to all the provisions of this subtitle, and shall pro-

1 vide, in addition to education, career and technical
2 education and training, and workforce preparation
3 skills training described in section 148, programs of
4 work experience to conserve, develop, or manage
5 public natural resources or public recreational areas
6 or to develop community projects in the public inter-
7 est.

8 “(2) SELECTION PROCESS.—The Secretary
9 shall select an entity that submits an application
10 under subsection (d) to operate a Civilian Conserva-
11 tion Center on a competitive basis, as provided in
12 subsection (a).”; and

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

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

20 “(1) a description of the program activities that
21 will be offered at the center, including how the ca-
22 reer and technical education and training reflect
23 State and local employment opportunities, including
24 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 description of the steps taken to control
24 costs in accordance with section 159(a)(3);

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

3 “(9) a detailed budget of the activities that will
4 be supported using funds from non-Federal re-
5 sources;

6 “(10) an assurance the entity will comply with
7 the administrative cost limitation included in section
8 151(c);

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

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

14 “(e) LENGTH OF AGREEMENT.—The agreement de-
15 scribed in subsection (a)(1)(A) shall be for not longer than
16 a 2-year period. The Secretary may renew the agreement
17 for 3 1-year periods if the entity meets the requirements
18 of subsection (f).

19 “(f) RENEWAL.—

20 “(1) IN GENERAL.—Subject to paragraph (2),
21 the Secretary may renew the terms of an agreement
22 described in subsection (a)(1)(A) for an entity to op-
23 erate a Job Corps center if the center meets or ex-
24 ceeds each of the indicators of performance de-
25 scribed in section 159(c)(1).

1 “(2) RECOMPETITION.—

2 “(A) IN GENERAL.—Notwithstanding para-
3 graph (1), the Secretary shall not renew the
4 terms of the agreement for an entity to operate
5 a Job Corps center if such center is ranked in
6 the bottom quintile of centers described in sec-
7 tion 159(f)(2) for any program year. Such enti-
8 ty may submit a new application under sub-
9 section (d) only if such center has shown sig-
10 nificant improvement on the indicators of per-
11 formance described in section 159(c)(1) over
12 the last program year.

13 “(B) VIOLATIONS.—The Secretary shall
14 not select an entity to operate a Job Corps cen-
15 ter if such entity or such center has been found
16 to have a systemic or substantial material fail-
17 ure that involves—

18 “(i) a threat to the health, safety, or
19 civil rights of program participants or
20 staff;

21 “(ii) the misuse of funds received
22 under this subtitle;

23 “(iii) loss of legal status or financial
24 viability, loss of permits, debarment from

receiving Federal grants or contracts, or
the improper use of Federal funds;

“(iv) failure to meet any other Federal or State requirement that the entity has shown an unwillingness or inability to correct, after notice from the Secretary, within the period specified; or

“(v) an unresolved area of noncompliance.

“(g) CURRENT GRANTEES.—Not later than 60 days after the date of enactment of the SKILLS Act and notwithstanding any previous grant award or renewals of such award under this subtitle, the Secretary shall require all entities operating a Job Corps center under this subtitle to submit an application under subsection (d) to carry out the requirements of this section.”.

SEC. 121. PROGRAM ACTIVITIES.

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

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

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

“(1) IN GENERAL.—Each Job Corps center shall provide enrollees with an intensive, well-organized, and supervised program of education, career

1 and technical education and training, work experi-
2 ence, recreational activities, physical rehabilitation
3 and development, and counseling. Each Job Corps
4 center shall provide enrollees assigned to the center
5 with access to work ready services described in sec-
6 tion 134(c)(2).

7 “(2) RELATIONSHIP TO OPPORTUNITIES.—

8 “(A) IN GENERAL.—The activities pro-
9 vided under this subsection shall be targeted to
10 helping enrollees, on completion of their enroll-
11 ment—

12 “(i) secure and maintain meaningful
13 unsubsidized employment;

14 “(ii) complete secondary education
15 and obtain a regular secondary school di-
16 ploma;

17 “(iii) enroll in and complete postsec-
18 ondary education or training programs, in-
19 cluding obtaining recognized postsecondary
20 credentials (such as industry-recognized
21 credentials and certificates from registered
22 apprenticeship programs); or

23 “(iv) satisfy Armed Forces require-
24 ments.

1 “(B) LINK TO EMPLOYMENT OPPORTUNI-
 2 TIES.—The career and technical education and
 3 training provided shall be linked to the employ-
 4 ment opportunities in in-demand industries in
 5 the State in which the Job Corps center is lo-
 6 cated.”;

7 (2) in subsection (b)—

8 (A) in the subsection heading, by striking
 9 “EDUCATION AND VOCATIONAL” and inserting
 10 “ACADEMIC AND CAREER AND TECHNICAL
 11 EDUCATION AND”;

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

14 (C) by striking “vocational” each place it
 15 appears and inserting “career and technical”;
 16 and

17 (3) by amending paragraph (3) of subsection
 18 (c) to read as follows:

19 “(3) DEMONSTRATION.—Each year, any oper-
 20 ator seeking to enroll additional enrollees in an ad-
 21 vanced career training program shall demonstrate,
 22 before the operator may carry out such additional
 23 enrollment, that—

1 “(A) participants in such program have
2 achieved a satisfactory rate of completion and
3 placement in training-related jobs; and

4 “(B) such operator has met or exceeded
5 the indicators of performance described in para-
6 graphs (1) and (2) of section 159(c) for the
7 previous year.”.

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

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

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

12 (2) in subsection (b)—

13 (A) by striking “make every effort to ar-
14 range to”; and

15 (B) by striking “to assist” and inserting
16 “assist”; and

17 (3) by striking subsection (d).

18 **SEC. 123. SUPPORT.**

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

21 “(b) **TRANSITION ALLOWANCES AND SUPPORT FOR**
22 **GRADUATES.**—The Secretary shall arrange for a transi-
23 tion allowance to be paid to graduates. The transition al-
24 lowance shall be incentive-based to reflect a graduate’s
25 completion of academic, career and technical education or

1 training, and attainment of a recognized postsecondary
 2 credential, including an industry-recognized credential.”.

3 **SEC. 124. OPERATIONS.**

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

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

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

9 (3) by striking subsection (b) and redesignating
 10 subsection (c) as subsection (b);

11 (4) by amending subsection (b) (as so redesign-
 12 ated)—

13 (A) in the heading by inserting “OF OPER-
 14 ATING PLAN” after “AVAILABILITY”; and

15 (B) by striking “subsections (a) and (b)”
 16 and inserting “subsection (a)”; and

17 (5) by adding at the end the following new sub-
 18 section:

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

23 **SEC. 125. COMMUNITY PARTICIPATION.**

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

1 **“SEC. 153. COMMUNITY PARTICIPATION.**

2 “The director of each Job Corps center shall encour-
3 age and cooperate in activities to establish a mutually ben-
4 eficial relationship between Job Corps centers in the State
5 and nearby communities. Such activities may include the
6 use of any local workforce development boards established
7 under section 117 to provide a mechanism for joint discus-
8 sion of common problems and for planning programs of
9 mutual interest.”.

10 **SEC. 126. WORKFORCE COUNCILS.**

11 Section 154 (29 U.S.C. 2894) is amended to read as
12 follows:

13 **“SEC. 154. WORKFORCE COUNCILS.**

14 “(a) IN GENERAL.—Each Job Corps center shall
15 have a workforce council appointed by the Governor of the
16 State in which the Job Corps center is located.

17 “(b) WORKFORCE COUNCIL COMPOSITION.—

18 “(1) IN GENERAL.—A workforce council shall
19 be comprised of—

20 “(A) business members of the State board
21 described in section 111(b)(1)(B)(i);

22 “(B) business members of the local boards
23 described in section 117(b)(2)(A) located in the
24 State;

25 “(C) a representative of the State board
26 described in section 111(f); and

1 “(D) such other representatives and State
2 agency officials as the Governor may designate.

3 “(2) MAJORITY.—A $\frac{2}{3}$ majority of the mem-
4 bers of the workforce council shall be representatives
5 described in paragraph (1)(A).

6 “(c) RESPONSIBILITIES.—The responsibilities of the
7 workforce council shall be—

8 “(1) to review all the relevant labor market in-
9 formation, including related information in the State
10 plan described in section 112, to—

11 “(A) determine the in-demand industries
12 in the State in which enrollees intend to seek
13 employment after graduation;

14 “(B) determine the skills and education
15 that are necessary to obtain the employment
16 opportunities described in subparagraph (A);
17 and

18 “(C) determine the type or types of career
19 and technical education and training that will
20 be implemented at the center to enable the en-
21 rollees to obtain the employment opportunities;
22 and

23 “(2) to meet at least once a year to reevaluate
24 the labor market information, and other relevant in-
25 formation, to determine any necessary changes in

1 the career and technical education and training pro-
 2 vided at the center.”.

3 **SEC. 127. TECHNICAL ASSISTANCE.**

4 Section 156 (29 U.S.C. 2896) is amended to read as
 5 follows:

6 **“SEC. 156. TECHNICAL ASSISTANCE TO CENTERS.**

7 “(a) IN GENERAL.—From the funds reserved under
 8 section 132(a)(3), the Secretary shall provide, directly or
 9 through grants, contracts, or other agreements or ar-
 10 rangements as the Secretary considers appropriate, tech-
 11 nical assistance and training for the Job Corps program
 12 for the purposes of improving program quality.

13 “(b) ACTIVITIES.—In providing training and tech-
 14 nical assistance and for allocating resources for such as-
 15 sistance, the Secretary shall—

16 “(1) assist entities, including those entities not
 17 currently operating a Job Corps center, in devel-
 18 oping the application described in section 147(d);

19 “(2) assist Job Corps centers and programs in
 20 correcting deficiencies and violations under this sub-
 21 title;

22 “(3) assist Job Corps centers and programs in
 23 meeting or exceeding the indicators of performance
 24 described in paragraphs (1) and (2) of section
 25 159(c); and

1 “(4) assist Job Corps centers and programs in
2 the development of sound management practices, in-
3 cluding financial management procedures.”.

4 **SEC. 128. SPECIAL PROVISIONS.**

5 Section 158(c)(1) (29 U.S.C. 2989(c)(1)) is amended
6 by striking “title II of the Federal Property and Adminis-
7 trative Services Act of 1949 (40 U.S.C. 481 et seq.)” and
8 inserting “chapter 5 of title 40, United States Code,”.

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**”;

15 (2) in subsection (a)(3), by inserting before the
16 period at the end the following: “, or operating costs
17 for such centers result in a budgetary shortfall”;

18 (3) by striking subsections (c) through (g); and

19 (4) by inserting after subsection (b) the fol-
20 lowing:

21 “(c) INDICATORS OF PERFORMANCE.—

22 “(1) PRIMARY INDICATORS.—The annual pri-
23 mary indicators of performance for Job Corps cen-
24 ters shall include—

1 “(A) the percentage and number of enroll-
2 ees who graduate from the Job Corps center;

3 “(B) the percentage and number of grad-
4 uates who entered unsubsidized employment re-
5 lated to the career and technical education and
6 training received through the Job Corps center,
7 except that such calculation shall not include
8 enrollment in education, the military, or volun-
9 teer service;

10 “(C) the percentage and number of grad-
11 uates who obtained a recognized postsecondary
12 credential, including an industry-recognized cre-
13 dential or a certificate from a registered ap-
14 prenticeship program; and

15 “(D) the cost per successful performance
16 outcome, which is calculated by comparing the
17 number of graduates who were placed in unsub-
18 sidized employment or obtained a recognized
19 postsecondary credential, including an industry-
20 recognized credential, to total program costs,
21 including all operations, construction, and ad-
22 ministration costs at each Job Corps center.

23 “(2) SECONDARY INDICATORS.—The annual
24 secondary indicators of performance for Job Corps
25 centers shall include—

1 “(A) the percentage and number of grad-
2 uates who entered unsubsidized employment not
3 related to the career and technical education
4 and training received through the Job Corps
5 center;

6 “(B) the percentage and number of grad-
7 uates who entered into postsecondary education;

8 “(C) the percentage and number of grad-
9 uates who entered into the military;

10 “(D) the average wage of graduates who
11 are in unsubsidized employment—

12 “(i) on the first day of employment;

13 and

14 “(ii) 6 months after the first day;

15 “(E) the number and percentage of grad-
16 uates who entered unsubsidized employment
17 and were retained in the unsubsidized employ-
18 ment—

19 “(i) 6 months after the first day of
20 employment; and

21 “(ii) 12 months after the first day of
22 employment;

23 “(F) the percentage and number of enroll-
24 ees compared to the percentage and number of

1 enrollees the Secretary has established as tar-
2 gets in section 145(c)(1);

3 “(G) the cost per training slot, which is
4 calculated by comparing the program’s max-
5 imum number of enrollees that can be enrolled
6 in a Job Corps center at any given time during
7 the program year to the number of enrollees in
8 the same program year; and

9 “(H) the number and percentage of former
10 enrollees, including the number dismissed under
11 the zero tolerance policy described in section
12 152(b).

13 “(3) INDICATORS OF PERFORMANCE FOR RE-
14 CRUITERS.—The annual indicators of performance
15 for recruiters shall include the measurements de-
16 scribed in subparagraph (A) of paragraph (1) and
17 subparagraphs (F), (G), and (H) of paragraph (2).

18 “(4) INDICATORS OF PERFORMANCE OF CAREER
19 TRANSITION SERVICE PROVIDERS.—The annual indi-
20 cators of performance of career transition service
21 providers shall include the measurements described
22 in subparagraphs (B) and (C) of paragraph (1) and
23 subparagraphs (B), (C), (D), and (E) of paragraph
24 (2).

1 “(d) ADDITIONAL INFORMATION.—The Secretary
 2 shall collect, and submit in the report described in sub-
 3 section (f), information on the performance of each Job
 4 Corps center, and the Job Corps program, regarding—

5 “(1) the number and percentage of former en-
 6 rollees who obtained a regular secondary school di-
 7 ploma;

8 “(2) the number and percentage of former en-
 9 rollees who entered unsubsidized employment;

10 “(3) the number and percentage of former en-
 11 rollees who obtained a recognized postsecondary cre-
 12 dential, including an industry-recognized credential;

13 “(4) the number and percentage of former en-
 14 rollees who entered into military service; and

15 “(5) any additional information required by the
 16 Secretary.

17 “(e) METHODS.—The Secretary shall collect the in-
 18 formation described in subsections (c) and (d), using
 19 methods described in section 136(f)(2) and consistent with
 20 State law, by entering into agreements with the States to
 21 access such data for Job Corps enrollees, former enrollees,
 22 and graduates.

23 “(f) TRANSPARENCY AND ACCOUNTABILITY.—

24 “(1) REPORT.—The Secretary shall collect and
 25 annually submit to the Committee on Education and

1 the Workforce of the House of Representatives and
2 the Committee on Health, Education, Labor, and
3 Pensions of the Senate, and make available to the
4 public by electronic means, a report containing—

5 “(A) information on the performance of
6 each Job Corps center, and the Job Corps pro-
7 gram, on the performance indicators described
8 in paragraphs (1) and (2) of subsection (c);

9 “(B) a comparison of each Job Corps cen-
10 ter, by rank, on the performance indicators de-
11 scribed in paragraphs (1) and (2) of subsection
12 (c);

13 “(C) a comparison of each Job Corps cen-
14 ter, by rank, on the average performance of all
15 primary indicators described in paragraph (1)
16 of subsection (c);

17 “(D) information on the performance of
18 the service providers described in paragraphs
19 (3) and (4) of subsection (c) on the perform-
20 ance indicators established under such para-
21 graphs; and

22 “(E) a comparison of each service pro-
23 vider, by rank, on the performance of all service
24 providers described in paragraphs (3) and (4)

1 of subsection (c) on the performance indicators
2 established under such paragraphs.

3 “(2) ASSESSMENT.—The Secretary shall con-
4 duct an annual assessment of the performance of
5 each Job Corps center which shall include informa-
6 tion on the Job Corps centers that—

7 “(A) are ranked in the bottom 10 percent
8 on the performance indicator described in para-
9 graph (1)(C); or

10 “(B) have failed a safety and health code
11 review described in subsection (g).

12 “(3) PERFORMANCE IMPROVEMENT.—With re-
13 spect to a Job Corps center that is identified under
14 paragraph (2) or reports less than 50 percent on the
15 performance indicators described in subparagraph
16 (A), (B), or (C) of subsection (c)(1), the Secretary
17 shall develop and implement a 1 year performance
18 improvement plan. Such a plan shall require action
19 including—

20 “(A) providing technical assistance to the
21 center;

22 “(B) changing the management staff of
23 the center;

24 “(C) replacing the operator of the center;

1 “(D) reducing the capacity of the center;

2 or

3 “(E) closing the center.

4 “(4) CLOSURE OF JOB CORPS CENTERS.—Job
5 Corps centers that have been identified under para-
6 graph (2) for more than 4 consecutive years shall be
7 closed. The Secretary shall ensure—

8 “(A) that the proposed decision to close
9 the center is announced in advance to the gen-
10 eral public through publication in the Federal
11 Register and other appropriate means; and

12 “(B) the establishment of a reasonable
13 comment period, not to exceed 30 days, for in-
14 terested individuals to submit written comments
15 to the Secretary.

16 “(g) PARTICIPANT HEALTH AND SAFETY.—The Sec-
17 retary shall enter into an agreement with the General
18 Services Administration or the appropriate State agency
19 responsible for inspecting public buildings and safe-
20 guarding the health of disadvantaged students, to conduct
21 an in-person review of the physical condition and health-
22 related activities of each Job Corps center annually. Such
23 review shall include a passing rate of occupancy under
24 Federal and State ordinances.”.

1 **Subtitle D—National Programs**

2 **SEC. 130. 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, and con-
 10 forming the casing style of the headings of such sub-
 11 sections to the casing style of the heading of sub-
 12 section (d), as added by paragraph (7) of this sec-
 13 tion;

14 (4) in subsection (a) (as so redesignated)—

15 (A) by inserting “the training of staff pro-
 16 viding rapid response services and additional
 17 assistance, the training of other staff of recipi-
 18 ents of funds under this title, assistance regard-
 19 ing accounting and program operation practices
 20 (when such assistance would not be duplicative
 21 to assistance provided by the State), technical
 22 assistance to States that do not meet State per-
 23 formance measures described in section 136,”
 24 after “localities,”; and

1 (B) by striking “from carrying out activi-
 2 ties” and all that follows up to the period and
 3 inserting “to implement the amendments made
 4 by the SKILLS Act”;

5 (5) in subsection (b) (as so redesignated)—

6 (A) by striking “paragraph (1)” and in-
 7 serting “subsection (a)”;

8 (B) by striking “, or recipient of financial
 9 assistance under any of sections 166 through
 10 169,”; and

11 (C) by striking “or grant recipient”;

12 (6) in subsection (c) (as so redesignated), by
 13 striking “paragraph (1)” and inserting “subsection
 14 (a)”;

15 (7) by inserting, after subsection (c) (as so re-
 16 designated), the following:

17 “(d) BEST PRACTICES COORDINATION.—The Sec-
 18 retary shall—

19 “(1) establish a system through which States
 20 may share information regarding best practices with
 21 regard to the operation of workforce investment ac-
 22 tivities under this Act; and

23 “(2) evaluate and disseminate information re-
 24 garding best practices and identify knowledge
 25 gaps.”.

1 **SEC. 131. EVALUATIONS.**

2 Section 172 (29 U.S.C. 2917) is amended—

3 (1) in subsection (a), by striking “the Secretary
4 shall provide for the continuing evaluation of the
5 programs and activities, including those programs
6 and activities carried out under section 171” and in-
7 serting “the Secretary, through grants, contracts, or
8 cooperative agreements, shall conduct, at least once
9 every 5 years, an independent evaluation of the pro-
10 grams and activities funded under this Act”;

11 (2) by amending subsection (a)(4) to read as
12 follows:

13 “(4) the impact of receiving services and not re-
14 ceiving services under such programs and activities
15 on the community, businesses, and individuals;”;

16 (3) by amending subsection (c) to read as fol-
17 lows:

18 “(c) **TECHNIQUES.**—Evaluations conducted under
19 this section shall utilize appropriate and rigorous method-
20 ology and research designs, including the use of control
21 groups chosen by scientific random assignment methodolo-
22 gies, quasi-experimental methods, impact analysis and the
23 use of administrative data. The Secretary shall conduct
24 an impact analysis, as described in subsection (a)(4), of
25 the formula grant program under subtitle B not later than

1 2016, and thereafter shall conduct such an analysis not
2 less than once every 4 years.”;

3 (4) in subsection (e), by striking “the Com-
4 mittee on Labor and Human Resources of the Sen-
5 ate” and inserting “the Committee on Health, Edu-
6 cation, Labor, and Pensions of the Senate”;

7 (5) by redesignating subsection (f) as sub-
8 section (g) and inserting after subsection (e) the fol-
9 lowing:

10 “(f) REDUCTION OF AMOUNTS AUTHORIZED TO BE
11 APPROPRIATED FOR LATE REPORTING.—If a report re-
12 quired to be transmitted to Congress under this section
13 is not transmitted on or before the time period specified
14 for that report, amounts authorized to be appropriated
15 under this title shall be reduced by 10 percent for the fis-
16 cal year that begins after the date on which the final re-
17 port required under this section is required to be trans-
18 mitted and reduced by an additional 10 percent each sub-
19 sequent fiscal year until each such report is transmitted
20 to Congress.”; and

21 (6) by adding at the end, the following:

22 “(h) PUBLIC AVAILABILITY.—The results of the eval-
23 uations conducted under this section shall be made pub-
24 licly available, including by posting such results on the De-
25 partment’s website.”.

Subtitle E—Administration

SEC. 132. REQUIREMENTS AND RESTRICTIONS.

Section 181 (29 U.S.C. 2931) is amended—

(1) in subsection (b)(6), by striking “, including representatives of businesses and of labor organizations,”;

(2) in subsection (c)(2)(A), in the matter preceding clause (i), by striking “shall” and inserting “may”;

(3) in subsection (e)—

(A) by striking “training for” and inserting “the entry into employment, retention in employment, or increases in earnings of”; and

(B) by striking “subtitle B” and inserting “this Act”;

(4) in subsection (f)(4), by striking “134(a)(3)(B)” and inserting “133(a)(4)”; and

(5) by adding at the end the following:

“(g) **SALARY AND BONUS LIMITATION.**—

“(1) **IN GENERAL.**—No funds provided under this title shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of the rate prescribed in level II of

1 the Executive Schedule under section 5315 of title
2 5, United States Code.

3 “(2) VENDORS.—The limitation described in
4 paragraph (1) shall not apply to vendors providing
5 goods and services as defined in OMB Circular A–
6 133.

7 “(3) LOWER LIMIT.—In a case in which a State
8 is a recipient of such funds, the State may establish
9 a lower limit than is provided in paragraph (1) for
10 salaries and bonuses of those receiving salaries and
11 bonuses from a subrecipient of such funds, taking
12 into account factors including the relative cost of liv-
13 ing in the State, the compensation levels for com-
14 parable State or local government employees, and
15 the size of the organizations that administer the
16 Federal programs involved.

17 “(h) GENERAL AUTHORITY.—

18 “(1) IN GENERAL.—The Employment and
19 Training Administration of the Department of
20 Labor (referred to in this Act as the ‘Administra-
21 tion’) shall administer all programs authorized under
22 title I and the Wagner-Peyser Act (29 U.S.C. 49 et
23 seq.). The Administration shall be headed by an As-
24 sistant Secretary appointed by the President by and
25 with the advice and consent of the Senate. Except

1 for title II and the Rehabilitation Act of 1973 (29
2 U.S.C. 701 et seq.), the Administration shall be the
3 principal agency, and the Assistant Secretary shall
4 be the principal officer, of such Department for car-
5 rying out this Act.

6 “(2) QUALIFICATIONS.—The Assistant Sec-
7 retary shall be an individual with substantial experi-
8 ence in workforce development and in workforce de-
9 velopment management. The Assistant Secretary
10 shall also, to the maximum extent possible, possess
11 knowledge and have worked in or with the State or
12 local workforce investment system or have been a
13 member of the business community.

14 “(3) FUNCTIONS.—In the performance of the
15 functions of the office, the Assistant Secretary shall
16 be directly responsible to the Secretary or the Dep-
17 uty Secretary of Labor, as determined by the Sec-
18 retary. The functions of the Assistant Secretary
19 shall not be delegated to any officer not directly re-
20 sponsible, both with respect to program operation
21 and administration, to the Assistant Secretary. Any
22 reference in this Act to duties to be carried out by
23 the Assistant Secretary shall be considered to be a
24 reference to duties to be carried out by the Secretary
25 acting through the Assistant Secretary.”.

1 **SEC. 133. PROMPT ALLOCATION OF FUNDS.**

2 Section 182 (29 U.S.C. 2932) is amended—

3 (1) in subsection (c)—

4 (A) by striking “127 or”; and

5 (B) by striking “, except that” and all that
6 follows and inserting a period; and

7 (2) in subsection (e)—

8 (A) by striking “sections 128 and 133”
9 and inserting “section 133”; and

10 (B) by striking “127 or”.

11 **SEC. 134. FISCAL CONTROLS; SANCTIONS.**

12 Section 184(a)(2) (29 U.S.C. 2934(a)(2)) is amend-
13 ed—

14 (1) by striking “(A)” and all that follows
15 through “Each” and inserting “Each”; and

16 (2) by striking subparagraph (B).

17 **SEC. 135. REPORTS TO CONGRESS.**

18 Section 185 (29 U.S.C. 2935) is amended—

19 (1) in subsection (c)—

20 (A) in paragraph (2), by striking “and”
21 after the semicolon;

22 (B) in paragraph (3), by striking the pe-
23 riod and inserting “; and”; and

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

25 “(4) shall have the option to submit or dissemi-
26 nate electronically any reports, records, plans, or

1 other data that are required to be collected or dis-
 2 seminated under this title.”; and

3 (2) in subsection (e)(2), by inserting “and the
 4 Secretary shall submit to the Committee on Edu-
 5 cation and the Workforce of the House of Rep-
 6 resentatives and the Committee on Health, Edu-
 7 cation, Labor, and Pensions of the Senate,” after
 8 “Secretary,”.

9 **SEC. 136. ADMINISTRATIVE PROVISIONS.**

10 Section 189 (29 U.S.C. 2939) is amended—

11 (1) in subsection (g)—

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

14 “(1) IN GENERAL.—Appropriations for any fis-
 15 cal year for programs and activities carried out
 16 under this title shall be available for obligation only
 17 on the basis of a program year. The program year
 18 shall begin on October 1 in the fiscal year for which
 19 the appropriation is made.”; and

20 (B) in paragraph (2)—

21 (i) in the first sentence, by striking
 22 “each State” and inserting “each recipient
 23 (except as otherwise provided in this para-
 24 graph)”; and

1 (ii) in the second sentence, by striking
2 “171 or”;

3 (2) in subsection (i)—

4 (A) by striking paragraphs (2) and (3);

5 (B) by redesignating paragraph (4) as
6 paragraph (2);

7 (C) by amending paragraph (2)(A), as so
8 redesignated—

9 (i) in clause (i), by striking “; and”
10 and inserting a period at the end;

11 (ii) by striking “requirements of sub-
12 paragraph (B)” and all that follows
13 through “any of the statutory or regu-
14 latory requirements of subtitle B” and in-
15 serting “requirements of subparagraph (B)
16 or (D), any of the statutory or regulatory
17 requirements of subtitle B”; and

18 (iii) by striking clause (ii); and

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

20 “(D) EXPEDITED PROCESS FOR EXTEND-
21 ING APPROVED WAIVERS TO ADDITIONAL
22 STATES.—The Secretary may establish an expe-
23 dited procedure for the purpose of extending to
24 additional States the waiver of statutory or reg-
25 ulatory requirements that have been approved

for a State pursuant to a request under subparagraph (B), in lieu of requiring the additional States to meet the requirements of subparagraphs (B) and (C). Such procedure shall ensure that the extension of such a waiver to additional States is accompanied by appropriate conditions relating to the implementation of such waiver.

“(E) EXTERNAL CONDITIONS.—The Secretary shall not require or impose new or additional requirements, that are not specified under this Act, on a State in exchange for providing a waiver to the State or a local area in the State under this paragraph.”.

SEC. 137. STATE LEGISLATIVE AUTHORITY.

Section 191(a) (29 U.S.C. 2941(a)) is amended—

(1) by striking “consistent with the provisions of this title” and inserting “consistent with State law and the provisions of this title”; and

(2) by striking “consistent with the terms and conditions required under this title” and inserting “consistent with State law and the terms and conditions required under this title”.

SEC. 138. GENERAL PROGRAM REQUIREMENTS.

Section 195 (29 U.S.C. 2945) is amended—

1 (1) in paragraph (7), by inserting at the end
2 the following:

3 “(D) Funds received under a program by a
4 public or private nonprofit entity that are not de-
5 scribed in subparagraph (B), such as funds privately
6 raised from philanthropic foundations, businesses, or
7 other private entities, shall not be considered to be
8 income under this title and shall not be subject to
9 the requirements of this paragraph.”;

10 (2) by striking paragraph (9);

11 (3) by redesignating paragraphs (10) through
12 (13) as paragraphs (9) through (12), respectively;
13 and

14 (4) by adding at the end the following new
15 paragraphs:

16 “(13) Funds provided under this title shall not
17 be used to establish or operate stand-alone fee-for-
18 service enterprises that compete with private sector
19 employment agencies within the meaning of section
20 701(c) of the Civil Rights Act of 1964 (42 U.S.C.
21 2000e(c)), except that for purposes of this para-
22 graph, such an enterprise does not include a one-
23 stop center.

24 “(14) Any report required to be submitted to
25 Congress, or to a Committee of Congress, under this

1 title shall be submitted to both the chairmen and
 2 ranking minority members of the Committee on
 3 Education and the Workforce of the House of Rep-
 4 resentatives and the Committee on Health, Edu-
 5 cation, Labor, and Pensions of the Senate.”.

6 **SEC. 139. FEDERAL AGENCY STAFF AND RESTRICTIONS ON**
 7 **POLITICAL AND LOBBYING ACTIVITIES.**

8 Subtitle E of title I (29 U.S.C. 2931 et seq.) is
 9 amended by adding at the end the following new sections:

10 **“SEC. 196. FEDERAL AGENCY STAFF.**

11 “The Director of the Office of Management and
 12 Budget shall—

13 “(1) not later than 60 days after the date of
 14 the enactment of the SKILLS Act—

15 “(A) identify the number of Federal gov-
 16 ernment employees who, on the day before the
 17 date of enactment of the SKILLS Act, worked
 18 on or administered each of the programs and
 19 activities that were authorized under this Act or
 20 were authorized under a provision listed in sec-
 21 tion 401 of the SKILLS Act; and

22 “(B) identify the number of full-time
 23 equivalent employees who on the day before
 24 that date of enactment, worked on or adminis-
 25 tered each of the programs and activities de-

1 scribed in subparagraph (A), on functions for
 2 which the authorizing provision has been re-
 3 pealed, or for which an amount has been con-
 4 solidated (if such employee is in a duplicate po-
 5 sition), on or after such date of enactment;

6 “(2) not later than 90 after such date of enact-
 7 ment, publish the information described in para-
 8 graph (1) on the Office of Management and Budget
 9 website; and

10 “(3) not later than 1 year after such date of en-
 11 actment—

12 “(A) reduce the workforce of the Federal
 13 Government by the number of full-time equiva-
 14 lent employees identified under paragraph
 15 (1)(B); and

16 “(B) submit to Congress a report on how
 17 the Director carried out the requirements of
 18 subparagraph (A).

19 **“SEC. 197. RESTRICTIONS ON LOBBYING AND POLITICAL**
 20 **ACTIVITIES.**

21 “(a) LOBBYING RESTRICTIONS.—

22 “(1) PUBLICITY RESTRICTIONS.—

23 “(A) IN GENERAL.—Subject to subpara-
 24 graph (B), no funds provided under this Act
 25 shall be used or proposed for use, for—

1 “(i) publicity or propaganda purposes;

2 or

3 “(ii) the preparation, distribution, or
4 use of any kit, pamphlet, booklet, publica-
5 tion, electronic communication, radio, tele-
6 vision, or video presentation designed to
7 support or defeat the enactment of legisla-
8 tion before the Congress or any State or
9 local legislature or legislative body.

10 “(B) EXCEPTION.—Subparagraph (A)

11 shall not apply to—

12 “(i) normal and recognized executive-
13 legislative relationships;

14 “(ii) the preparation, distribution, or
15 use of the materials described in subpara-
16 graph (A)(ii) in presentation to the Con-
17 gress or any State or local legislature or
18 legislative body (except that this subpara-
19 graph does not apply with respect to such
20 preparation, distribution, or use in presen-
21 tation to the executive branch of any State
22 or local government); or

23 “(iii) such preparation, distribution,
24 or use of such materials, that are designed
25 to support or defeat any proposed or pend-

1 ing regulation, administrative action, or
2 order issued by the executive branch of any
3 State or local government.

4 “(2) SALARY PAYMENT RESTRICTION.—No
5 funds provided under this Act shall be used, or pro-
6 posed for use, to pay the salary or expenses of any
7 grant or contract recipient, or agent acting for such
8 recipient, related to any activity designed to influ-
9 ence the enactment or issuance of legislation, appro-
10 priations, regulations, administrative action, or an
11 Executive order proposed or pending before the Con-
12 gress or any State government, or a State or local
13 legislature or legislative body, other than for normal
14 and recognized executive-legislative relationships or
15 participation by an agency or officer of a State,
16 local, or tribal government in policymaking and ad-
17 ministrative processes within the executive branch of
18 that government.

19 “(b) POLITICAL RESTRICTIONS.—

20 “(1) IN GENERAL.—No funds received by a
21 participant of a program or activity under this Act
22 shall be used for—

23 “(A) any partisan or nonpartisan political
24 activity or any other political activity associated
25 with a candidate, or contending faction or

1 group, in an election for public or party office;
 2 or

3 “(B) any activity to provide voters with
 4 transportation to the polls or similar assistance
 5 in connection with any such election.

6 “(2) RESTRICTION ON VOTER REGISTRATION
 7 ACTIVITIES.—No funds under this Act shall be used
 8 to conduct voter registration activities.

9 “(3) DEFINITION.—For the purposes of this
 10 subsection, the term ‘participant’ includes any State,
 11 local area, or government, nonprofit, or for-profit en-
 12 tity receiving funds under this Act.”.

13 **Subtitle F—State Unified Plan**

14 **SEC. 140. STATE UNIFIED PLAN.**

15 Section 501 (20 U.S.C. 9271) is amended—

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

18 “(a) GENERAL AUTHORITY.—The Secretary shall re-
 19 ceive and approve State unified plans developed and sub-
 20 mitted in accordance with this section.”;

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

23 “(b) STATE UNIFIED PLAN.—

24 “(1) IN GENERAL.—A State may develop and
 25 submit to the Secretary a State unified plan for 2

1 or more of the activities or programs set forth in
 2 paragraph (2). The State unified plan shall cover
 3 one or more of the activities or programs set forth
 4 in subparagraphs (A) and (B) of paragraph (2) and
 5 shall cover one or more of the activities or programs
 6 set forth in subparagraphs (C) through (N) of para-
 7 graph (2).

8 “(2) ACTIVITIES AND PROGRAMS.—For pur-
 9 poses of paragraph (1), the term ‘activity or pro-
 10 gram’ means any 1 of the following 14 activities or
 11 programs:

12 “(A) Activities and programs authorized
 13 under title I.

14 “(B) Activities and programs authorized
 15 under title II.

16 “(C) Programs authorized under title I of
 17 the Rehabilitation Act of 1973 (29 U.S.C. 710
 18 et seq.).

19 “(D) Secondary career and technical edu-
 20 cation programs authorized under the Carl D.
 21 Perkins Career and Technical Education Act of
 22 2006 (20 U.S.C. 2301 et seq.).

23 “(E) Postsecondary career and technical
 24 education programs authorized under the Carl

1 D. Perkins Career and Technical Education Act
2 of 2006.

3 “(F) Activities and programs authorized
4 under title II of the Trade Act of 1974 (19
5 U.S.C. 2251 et seq.).

6 “(G) Programs and activities authorized
7 under the Act of August 16, 1937 (commonly
8 known as the ‘National Apprenticeship Act’; 50
9 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

10 “(H) Programs authorized under the Com-
11 munity Services Block Grant Act (42 U.S.C.
12 9901 et seq.).

13 “(I) Programs authorized under part A of
14 title IV of the Social Security Act (42 U.S.C.
15 601 et seq.).

16 “(J) Programs authorized under State un-
17 employment compensation laws (in accordance
18 with applicable Federal law).

19 “(K) Work programs authorized under sec-
20 tion 6(o) of the Food and Nutrition Act of
21 1977 (7 U.S.C. 2015(o)).

22 “(L) Activities and programs authorized
23 under title I of the Housing and Community
24 Development Act of 1974 (42 U.S.C. 5301 et
25 seq.).

1 “(M) Activities and programs authorized
2 under the Public Works and Economic Develop-
3 ment Act of 1965 (42 U.S.C. 3121 et seq.).

4 “(N) Activities authorized under chapter
5 41 of title 38, United States Code.”;

6 (3) by amending subsection (d) to read as fol-
7 lows:

8 “(d) APPROVAL.—

9 “(1) JURISDICTION.—In approving a State uni-
10 fied plan under this section, the Secretary shall—

11 “(A) submit the portion of the State uni-
12 fied plan covering an activity or program de-
13 scribed in subsection (b)(2) to the head of the
14 Federal agency who exercises administrative au-
15 thority over the activity or program for the ap-
16 proval of such portion by such Federal agency
17 head; or

18 “(B) coordinate approval of the portion of
19 the State unified plan covering an activity or
20 program described in subsection (b)(2) with the
21 head of the Federal agency who exercises ad-
22 ministrative authority over the activity or pro-
23 gram.

24 “(2) TIMELINE.—A State unified plan shall be
25 considered to be approved by the Secretary at the

1 end of the 90-day period beginning on the day the
 2 Secretary receives the plan, unless the Secretary
 3 makes a written determination, during the 90-day
 4 period, that details how the plan is not consistent
 5 with the requirements of the Federal statute author-
 6 izing an activity or program described in subsection
 7 (b)(2) and covered under the plan or how the plan
 8 is not consistent with the requirements of subsection
 9 (c)(3).

10 “(3) SCOPE OF PORTION.—For purposes of
 11 paragraph (1), the portion of the State unified plan
 12 covering an activity or program shall be considered
 13 to include the plan described in subsection (c)(3)
 14 and any proposal described in subsection (e)(2), as
 15 that part and proposal relate to the activity or pro-
 16 gram.”; and

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

18 “(e) ADDITIONAL EMPLOYMENT AND TRAINING
 19 FUNDS.—

20 “(1) PURPOSE.—It is the purpose of this sub-
 21 section to reduce inefficiencies in the administration
 22 of federally funded State and local employment and
 23 training programs.

24 “(2) IN GENERAL.—In developing a State uni-
 25 fied plan for the activities or programs described in

1 subsection (b)(2), and subject to paragraph (4) and
 2 to the State plan approval process under subsection
 3 (d), a State may propose to consolidate the amount,
 4 in whole or part, provided for the activities or pro-
 5 grams covered by the plan into the Workforce In-
 6 vestment Fund under section 132(b) to improve the
 7 administration of State and local employment and
 8 training programs.

9 “(3) REQUIREMENTS.—A State that has a
 10 State unified plan approved under subsection (d)
 11 with a proposal for consolidation under paragraph
 12 (2), and that is carrying out such consolidation,
 13 shall—

14 “(A) in providing an activity or program
 15 for which an amount is consolidated into the
 16 Workforce Investment Fund—

17 “(i) continue to meet the program re-
 18 quirements, limitations, and prohibitions of
 19 any Federal statute authorizing the activ-
 20 ity or program; and

21 “(ii) meet the intent and purpose for
 22 the activity or program; and

23 “(B) continue to make reservations and al-
 24 lotments under subsections (a) and (b) of sec-
 25 tion 133.

1 “(4) EXCEPTIONS.—A State may not consoli-
 2 date an amount under paragraph (2) that is allo-
 3 cated to the State under—

4 “(A) the Carl D. Perkins Career and Tech-
 5 nical Education Act of 2006 (20 U.S.C. 2301
 6 et seq.); or

7 “(B) title I of the Rehabilitation Act of
 8 1973 (29 U.S.C. 710 et seq.).”.

9 **TITLE II—ADULT EDUCATION**
 10 **AND FAMILY LITERACY EDU-**
 11 **CATION**

12 **SEC. 201. AMENDMENT.**

13 Title II (20 U.S.C. 9201 et seq.) is amended to read
 14 as follows:

15 **“TITLE II—ADULT EDUCATION**
 16 **AND FAMILY LITERACY EDU-**
 17 **CATION**

18 **“SEC. 201. SHORT TITLE.**

19 “‘This title may be cited as the ‘Adult Education and
 20 Family Literacy Education Act’.

21 **“SEC. 202. PURPOSE.**

22 “‘It is the purpose of this title to provide instructional
 23 opportunities for adults seeking to improve their literacy
 24 skills, including their basic reading, writing, speaking, and
 25 mathematics skills, and support States and local commu-

1 nities in providing, on a voluntary basis, adult education
 2 and family literacy education programs, in order to—

3 “(1) increase the literacy of adults, including
 4 the basic reading, writing, speaking, and mathe-
 5 matics skills, to a level of proficiency necessary for
 6 adults to obtain employment and self-sufficiency and
 7 to successfully advance in the workforce;

8 “(2) assist adults in the completion of a sec-
 9 ondary school education (or its equivalent) and the
 10 transition to a postsecondary educational institution;

11 “(3) assist adults who are parents to enable
 12 them to support the educational development of their
 13 children and make informed choices regarding their
 14 children’s education including, through instruction in
 15 basic reading, writing, speaking, and mathematics
 16 skills; and

17 “(4) assist adults who are not proficient in
 18 English in improving their reading, writing, speak-
 19 ing, listening, comprehension, and mathematics
 20 skills.

21 **“SEC. 203. DEFINITIONS.**

22 “In this title:

23 “(1) ADULT EDUCATION AND FAMILY LITERACY
 24 EDUCATION PROGRAMS.—The term ‘adult education
 25 and family literacy education programs’ means a se-

1 quence of academic instruction and educational serv-
 2 ices below the postsecondary level that increase an
 3 individual's ability to read, write, and speak English
 4 and perform mathematical computations leading to a
 5 level of proficiency equivalent to at least a secondary
 6 school completion that is provided for individuals—

7 “(A) who are at least 16 years of age;

8 “(B) who are not enrolled or required to be
 9 enrolled in secondary school under State law;
 10 and

11 “(C) who—

12 “(i) lack sufficient mastery of basic
 13 reading, writing, speaking, and mathe-
 14 matics skills to enable the individuals to
 15 function effectively in society;

16 “(ii) do not have a secondary school
 17 diploma or its equivalent and have not
 18 achieved an equivalent level of education;
 19 or

20 “(iii) are English learners.

21 “(2) ELIGIBLE AGENCY.—The term ‘eligible
 22 agency’—

23 “(A) means the primary entity or agency
 24 in a State or an outlying area responsible for
 25 administering or supervising policy for adult

1 education and family literacy education pro-
 2 grams in the State or outlying area, respec-
 3 tively, consistent with the law of the State or
 4 outlying area, respectively; and

5 “(B) may be the State educational agency,
 6 the State agency responsible for administering
 7 workforce investment activities, or the State
 8 agency responsible for administering community
 9 or technical colleges.

10 “(3) ELIGIBLE PROVIDER.—The term ‘eligible
 11 provider’ means an organization of demonstrated ef-
 12 fectiveness that is—

13 “(A) a local educational agency;

14 “(B) a community-based or faith-based or-
 15 ganization;

16 “(C) a volunteer literacy organization;

17 “(D) an institution of higher education;

18 “(E) a public or private educational agen-
 19 cy;

20 “(F) a library;

21 “(G) a public housing authority;

22 “(H) an institution that is not described in
 23 any of subparagraphs (A) through (G) and has
 24 the ability to provide adult education, basic

1 skills, and family literacy education programs to
 2 adults and families; or

3 “(I) a consortium of the agencies, organi-
 4 zations, institutions, libraries, or authorities de-
 5 scribed in any of subparagraphs (A) through
 6 (H).

7 “(4) ENGLISH LANGUAGE ACQUISITION PRO-
 8 GRAM.—The term ‘English language acquisition pro-
 9 gram’ means a program of instruction—

10 “(A) designed to help English learners
 11 achieve competence in reading, writing, speak-
 12 ing, and comprehension of the English lan-
 13 guage; and

14 “(B) that may lead to—

15 “(i) attainment of a secondary school
 16 diploma or its recognized equivalent;

17 “(ii) transition to success in postsec-
 18 ondary education and training; and

19 “(iii) employment or career advance-
 20 ment.

21 “(5) FAMILY LITERACY EDUCATION PRO-
 22 GRAM.—The term ‘family literacy education pro-
 23 gram’ means an educational program that—

1 “(A) assists parents and students, on a
2 voluntary basis, in achieving the purpose of this
3 title as described in section 202; and

4 “(B) is of sufficient intensity in terms of
5 hours and of sufficient quality to make sustain-
6 able changes in a family, is evidence-based, and,
7 for the purpose of substantially increasing the
8 ability of parents and children to read, write,
9 and speak English, integrates—

10 “(i) interactive literacy activities be-
11 tween parents and their children;

12 “(ii) training for parents regarding
13 how to be the primary teacher for their
14 children and full partners in the education
15 of their children;

16 “(iii) parent literacy training that
17 leads to economic self-sufficiency; and

18 “(iv) an age-appropriate education to
19 prepare children for success in school and
20 life experiences.

21 “(6) GOVERNOR.—The term ‘Governor’ means
22 the chief executive officer of a State or outlying
23 area.

24 “(7) INDIVIDUAL WITH A DISABILITY.—

1 “(A) IN GENERAL.—The term ‘individual
2 with a disability’ means an individual with any
3 disability (as defined in section 3 of the Ameri-
4 cans with Disabilities Act of 1990).

5 “(B) INDIVIDUALS WITH DISABILITIES.—
6 The term ‘individuals with disabilities’ means
7 more than one individual with a disability.

8 “(8) ENGLISH LEARNER.—The term ‘English
9 learner’ means an adult or out-of-school youth who
10 has limited ability in reading, writing, speaking, or
11 understanding the English language, and—

12 “(A) whose native language is a language
13 other than English; or

14 “(B) who lives in a family or community
15 environment where a language other than
16 English is the dominant language.

17 “(9) INTEGRATED EDUCATION AND TRAIN-
18 ING.—The term ‘integrated education and training’
19 means services that provide adult education and lit-
20 eracy activities contextually and concurrently with
21 workforce preparation activities and workforce train-
22 ing for a specific occupation or occupational cluster.
23 Such services may include offering adult education
24 services concurrent with postsecondary education
25 and training, including through co-instruction.

1 “(10) INSTITUTION OF HIGHER EDUCATION.—

2 The term ‘institution of higher education’ has the
3 meaning given the term in section 101 of the Higher
4 Education Act of 1965.

5 “(11) LITERACY.—The term ‘literacy’ means an
6 individual’s ability to read, write, and speak in
7 English, compute, and solve problems at a level of
8 proficiency necessary to obtain employment and to
9 successfully make the transition to postsecondary
10 education.

11 “(12) LOCAL EDUCATIONAL AGENCY.—The
12 term ‘local educational agency’ has the meaning
13 given the term in section 9101 of the Elementary
14 and Secondary Education Act of 1965.

15 “(13) OUTLYING AREA.—The term ‘outlying
16 area’ has the meaning given the term in section 101
17 of this Act.

18 “(14) POSTSECONDARY EDUCATIONAL INSTITU-
19 TION.—The term ‘postsecondary educational institu-
20 tion’ means—

21 “(A) an institution of higher education
22 that provides not less than a 2-year program of
23 instruction that is acceptable for credit toward
24 a bachelor’s degree;

1 “(B) a tribally controlled community col-
2 lege; or

3 “(C) a nonprofit educational institution of-
4 fering certificate or apprenticeship programs at
5 the postsecondary level.

6 “(15) SECRETARY.—The term ‘Secretary’
7 means the Secretary of Education.

8 “(16) STATE.—The term ‘State’ means each of
9 the several States of the United States, the District
10 of Columbia, and the Commonwealth of Puerto Rico.

11 “(17) STATE EDUCATIONAL AGENCY.—The
12 term ‘State educational agency’ has the meaning
13 given the term in section 9101 of the Elementary
14 and Secondary Education Act of 1965.

15 “(18) WORKPLACE LITERACY PROGRAM.—The
16 term ‘workplace literacy program’ means an edu-
17 cational program that is offered in collaboration be-
18 tween eligible providers and employers or employee
19 organizations for the purpose of improving the pro-
20 ductivity of the workforce through the improvement
21 of reading, writing, speaking, and mathematics
22 skills.

23 **“SEC. 204. HOME SCHOOLS.**

24 “Nothing in this title shall be construed to affect
25 home schools, whether or not a home school is treated as

1 a home school or a private school under State law, or to
 2 compel a parent engaged in home schooling to participate
 3 in adult education and family literacy education activities
 4 under this title.

5 **“SEC. 205. AUTHORIZATION OF APPROPRIATIONS.**

6 “There are authorized to be appropriated to carry out
 7 this title, \$606,294,933 for fiscal year 2015 and for each
 8 of the 6 succeeding fiscal years.

9 **“Subtitle A—Federal Provisions**

10 **“SEC. 211. RESERVATION OF FUNDS; GRANTS TO ELIGIBLE**
 11 **AGENCIES; ALLOTMENTS.**

12 “(a) RESERVATION OF FUNDS.—From the sums ap-
 13 propriated under section 205 for a fiscal year, the Sec-
 14 retary shall reserve 2.0 percent to carry out section 242.

15 “(b) GRANTS TO ELIGIBLE AGENCIES.—

16 “(1) IN GENERAL.—From the sums appro-
 17 priated under section 205 and not reserved under
 18 subsection (a) for a fiscal year, the Secretary shall
 19 award a grant to each eligible agency having a State
 20 plan approved under section 224 in an amount equal
 21 to the sum of the initial allotment under subsection
 22 (c)(1) and the additional allotment under subsection
 23 (c)(2) for the eligible agency for the fiscal year, sub-
 24 ject to subsections (f) and (g).

1 “(2) PURPOSE OF GRANTS.—The Secretary
 2 may award a grant under paragraph (1) only if the
 3 eligible agency involved agrees to expend the grant
 4 in accordance with the provisions of this title.

5 “(c) ALLOTMENTS.—

6 “(1) INITIAL ALLOTMENTS.—From the sums
 7 appropriated under section 205 and not reserved
 8 under subsection (a) for a fiscal year, the Secretary
 9 shall allot to each eligible agency having a State
 10 plan approved under section 224—

11 “(A) \$100,000, in the case of an eligible
 12 agency serving an outlying area; and

13 “(B) \$250,000, in the case of any other el-
 14 igible agency.

15 “(2) ADDITIONAL ALLOTMENTS.—From the
 16 sums appropriated under section 205, not reserved
 17 under subsection (a), and not allotted under para-
 18 graph (1), for a fiscal year, the Secretary shall allot
 19 to each eligible agency that receives an initial allot-
 20 ment under paragraph (1) an additional amount
 21 that bears the same relationship to such sums as the
 22 number of qualifying adults in the State or outlying
 23 area served by the eligible agency bears to the num-
 24 ber of such adults in all States and outlying areas.

1 “(d) QUALIFYING ADULT.—For the purpose of sub-
 2 section (c)(2), the term ‘qualifying adult’ means an adult
 3 who—

4 “(1) is at least 16 years of age;

5 “(2) is beyond the age of compulsory school at-
 6 tendance under the law of the State or outlying
 7 area;

8 “(3) does not have a secondary school diploma
 9 or its recognized equivalent; and

10 “(4) is not enrolled in secondary school.

11 “(e) SPECIAL RULE.—

12 “(1) IN GENERAL.—From amounts made avail-
 13 able under subsection (c) for the Republic of Palau,
 14 the Secretary shall award grants to Guam, American
 15 Samoa, the Commonwealth of the Northern Mariana
 16 Islands, or the Republic of Palau to carry out activi-
 17 ties described in this title in accordance with the
 18 provisions of this title as determined by the Sec-
 19 retary.

20 “(2) TERMINATION OF ELIGIBILITY.—Notwith-
 21 standing any other provision of law, the Republic of
 22 Palau shall be eligible to receive a grant under this
 23 title until an agreement for the extension of United
 24 States education assistance under the Compact of

1 Free Association for the Republic of Palau becomes
2 effective.

3 “(f) HOLD-HARMLESS PROVISIONS.—

4 “(1) IN GENERAL.—Notwithstanding subsection
5 (c) and subject to paragraph (2), for—

6 “(A) fiscal year 2015, no eligible agency
7 shall receive an allotment under this title that
8 is less than 90 percent of the allotment the eli-
9 gible agency received for fiscal year 2012 under
10 this title; and

11 “(B) fiscal year 2016 and each succeeding
12 fiscal year, no eligible agency shall receive an
13 allotment under this title that is less than 90
14 percent of the allotment the eligible agency re-
15 ceived for the preceding fiscal year under this
16 title.

17 “(2) RATABLE REDUCTION.—If, for any fiscal
18 year the amount available for allotment under this
19 title is insufficient to satisfy the provisions of para-
20 graph (1), the Secretary shall ratable reduce the
21 payments to all eligible agencies, as necessary.

22 “(g) REALLOTMENT.—The portion of any eligible
23 agency’s allotment under this title for a fiscal year that
24 the Secretary determines will not be required for the pe-
25 riod such allotment is available for carrying out activities

1 under this title, shall be available for reallocation from
 2 time to time, on such dates during such period as the Sec-
 3 retary shall fix, to other eligible agencies in proportion to
 4 the original allotments to such agencies under this title
 5 for such year.

6 **“SEC. 212. PERFORMANCE ACCOUNTABILITY SYSTEM.**

7 “Programs and activities authorized under this title
 8 are subject to the performance accountability provisions
 9 described in paragraphs (2)(A) and (3) of section 136(b)
 10 and may, at a State’s discretion, include additional indica-
 11 tors identified in the State plan approved under section
 12 224.

13 **“Subtitle B—State Provisions**

14 **“SEC. 221. STATE ADMINISTRATION.**

15 “Each eligible agency shall be responsible for the fol-
 16 lowing activities under this title:

17 “(1) The development, submission, implementa-
 18 tion, and monitoring of the State plan.

19 “(2) Consultation with other appropriate agen-
 20 cies, groups, and individuals that are involved in, or
 21 interested in, the development and implementation
 22 of activities assisted under this title.

23 “(3) Coordination and avoidance of duplication
 24 with other Federal and State education, training,

1 corrections, public housing, and social service pro-
2 grams.

3 **“SEC. 222. STATE DISTRIBUTION OF FUNDS; MATCHING RE-**
4 **QUIREMENT.**

5 “(a) STATE DISTRIBUTION OF FUNDS.—Each eligi-
6 ble agency receiving a grant under this title for a fiscal
7 year—

8 “(1) shall use not less than 82.5 percent of the
9 grant funds to award grants and contracts under
10 section 231 and to carry out section 225, of which
11 not more than 10 percent of such amount shall be
12 available to carry out section 225;

13 “(2) shall use not more than 12.5 percent of
14 the grant funds to carry out State leadership activi-
15 ties under section 223; and

16 “(3) shall use not more than 5 percent of the
17 grant funds, or \$65,000, whichever is greater, for
18 the administrative expenses of the eligible agency.

19 “(b) MATCHING REQUIREMENT.—

20 “(1) IN GENERAL.—In order to receive a grant
21 from the Secretary under section 211(b), each eligi-
22 ble agency shall provide, for the costs to be incurred
23 by the eligible agency in carrying out the adult edu-
24 cation and family literacy education programs for

1 which the grant is awarded, a non-Federal contribu-
2 tion in an amount that is not less than—

3 “(A) in the case of an eligible agency serv-
4 ing an outlying area, 12 percent of the total
5 amount of funds expended for adult education
6 and family literacy education programs in the
7 outlying area, except that the Secretary may
8 decrease the amount of funds required under
9 this subparagraph for an eligible agency; and

10 “(B) in the case of an eligible agency serv-
11 ing a State, 25 percent of the total amount of
12 funds expended for adult education and family
13 literacy education programs in the State.

14 “(2) NON-FEDERAL CONTRIBUTION.—An eligi-
15 ble agency’s non-Federal contribution required under
16 paragraph (1) may be provided in cash or in kind,
17 fairly evaluated, and shall include only non-Federal
18 funds that are used for adult education and family
19 literacy education programs in a manner that is con-
20 sistent with the purpose of this title.

21 **“SEC. 223. STATE LEADERSHIP ACTIVITIES.**

22 “(a) IN GENERAL.—Each eligible agency may use
23 funds made available under section 222(a)(2) for any of
24 the following adult education and family literacy education
25 programs:

1 “(1) The establishment or operation of profes-
2 sional development programs to improve the quality
3 of instruction provided pursuant to local activities
4 required under section 231(b).

5 “(2) The provision of technical assistance to eli-
6 gible providers of adult education and family literacy
7 education programs, including for the development
8 and dissemination of evidence based research in-
9 structional practices in reading, writing, speaking,
10 mathematics, and English language acquisition pro-
11 grams.

12 “(3) The provision of assistance to eligible pro-
13 viders in developing, implementing, and reporting
14 measurable progress in achieving the objectives of
15 this title.

16 “(4) The monitoring and evaluation of the qual-
17 ity of, and the improvement in, adult education and
18 literacy activities.

19 “(5) The provision of technology assistance, in-
20 cluding staff training, to eligible providers of adult
21 education and family literacy education programs,
22 including distance education activities, to enable the
23 eligible providers to improve the quality of such ac-
24 tivities.

1 “(6) The development and implementation of
2 technology applications or distance education, in-
3 cluding professional development to support the use
4 of instructional technology.

5 “(7) Coordination with other public programs,
6 including programs under title I of this Act, and
7 other welfare-to-work, workforce development, and
8 job training programs.

9 “(8) Coordination with existing support serv-
10 ices, such as transportation, child care, and other
11 assistance designed to increase rates of enrollment
12 in, and successful completion of, adult education and
13 family literacy education programs, for adults en-
14 rolled in such activities.

15 “(9) The development and implementation of a
16 system to assist in the transition from adult basic
17 education to postsecondary education.

18 “(10) Activities to promote workplace literacy
19 programs.

20 “(11) Other activities of statewide significance,
21 including assisting eligible providers in achieving
22 progress in improving the skill levels of adults who
23 participate in programs under this title.

1 “(12) Integration of literacy, instructional, and
2 occupational skill training and promotion of linkages
3 with employees.

4 “(b) COORDINATION.—In carrying out this section,
5 eligible agencies shall coordinate where possible, and avoid
6 duplicating efforts, in order to maximize the impact of the
7 activities described in subsection (a).

8 “(c) STATE-IMPOSED REQUIREMENTS.—Whenever a
9 State or outlying area implements any rule or policy relat-
10 ing to the administration or operation of a program au-
11 thorized under this title that has the effect of imposing
12 a requirement that is not imposed under Federal law (in-
13 cluding any rule or policy based on a State or outlying
14 area interpretation of a Federal statute, regulation, or
15 guideline), the State or outlying area shall identify, to eli-
16 gible providers, the rule or policy as being imposed by the
17 State or outlying area.

18 **“SEC. 224. STATE PLAN.**

19 “(a) 3-YEAR PLANS.—

20 “(1) IN GENERAL.—Each eligible agency desir-
21 ing a grant under this title for any fiscal year shall
22 submit to, or have on file with, the Secretary a 3-
23 year State plan.

1 “(2) STATE UNIFIED PLAN.—The eligible agen-
2 cy may submit the State plan as part of a State uni-
3 fied plan described in section 501.

4 “(b) PLAN CONTENTS.—The eligible agency shall in-
5 clude in the State plan or any revisions to the State plan—

6 “(1) an objective assessment of the needs of in-
7 dividuals in the State or outlying area for adult edu-
8 cation and family literacy education programs, in-
9 cluding individuals most in need or hardest to serve;

10 “(2) a description of the adult education and
11 family literacy education programs that will be car-
12 ried out with funds received under this title;

13 “(3) an assurance that the funds received under
14 this title will not be expended for any purpose other
15 than for activities under this title;

16 “(4) a description of how the eligible agency
17 will annually evaluate and measure the effectiveness
18 and improvement of the adult education and family
19 literacy education programs funded under this title
20 using the indicators of performance described in sec-
21 tion 136, including how the eligible agency will con-
22 duct such annual evaluations and measures for each
23 grant received under this title;

1 “(5) a description of how the eligible agency
2 will fund local activities in accordance with the
3 measurable goals described in section 231(d);

4 “(6) an assurance that the eligible agency will
5 expend the funds under this title only in a manner
6 consistent with fiscal requirements in section 241;

7 “(7) a description of the process that will be
8 used for public participation and comment with re-
9 spect to the State plan, which—

10 “(A) shall include consultation with the
11 State workforce investment board, the State
12 board responsible for administering community
13 or technical colleges, the Governor, the State
14 educational agency, the State board or agency
15 responsible for administering block grants for
16 temporary assistance to needy families under
17 title IV of the Social Security Act, the State
18 council on disabilities, the State vocational re-
19 habilitation agency, and other State agencies
20 that promote the improvement of adult edu-
21 cation and family literacy education programs,
22 and direct providers of such programs; and

23 “(B) may include consultation with the
24 State agency on higher education, institutions
25 responsible for professional development of

1 adult education and family literacy education
2 programs instructors, representatives of busi-
3 ness and industry, refugee assistance programs,
4 and faith-based organizations;

5 “(8) a description of the eligible agency’s strat-
6 egies for serving populations that include, at a min-
7 imum—

8 “(A) low-income individuals;

9 “(B) individuals with disabilities;

10 “(C) the unemployed;

11 “(D) the underemployed; and

12 “(E) individuals with multiple barriers to
13 educational enhancement, including English
14 learners;

15 “(9) a description of how the adult education
16 and family literacy education programs that will be
17 carried out with any funds received under this title
18 will be integrated with other adult education, career
19 development, and employment and training activities
20 in the State or outlying area served by the eligible
21 agency;

22 “(10) a description of the steps the eligible
23 agency will take to ensure direct and equitable ac-
24 cess, as required in section 231(c)(1), including—

1 “(A) how the State will build the capacity
2 of community-based and faith-based organiza-
3 tions to provide adult education and family lit-
4 eracy education programs; and

5 “(B) how the State will increase the par-
6 ticipation of business and industry in adult edu-
7 cation and family literacy education programs;

8 “(11) an assessment of the adequacy of the sys-
9 tem of the State or outlying area to ensure teacher
10 quality and a description of how the State or out-
11 lying area will use funds received under this subtitle
12 to improve teacher quality, including evidence-based
13 professional development to improve instruction; and

14 “(12) a description of how the eligible agency
15 will consult with any State agency responsible for
16 postsecondary education to develop adult education
17 that prepares students to enter postsecondary edu-
18 cation without the need for remediation upon com-
19 pletion of secondary school equivalency programs.

20 “(c) PLAN REVISIONS.—When changes in conditions
21 or other factors require substantial revisions to an ap-
22 proved State plan, the eligible agency shall submit the re-
23 visions of the State plan to the Secretary.

24 “(d) CONSULTATION.—The eligible agency shall—

1 “(1) submit the State plan, and any revisions to
2 the State plan, to the Governor, the chief State
3 school officer, or the State officer responsible for ad-
4 ministering community or technical colleges, or out-
5 lying area for review and comment; and

6 “(2) ensure that any comments regarding the
7 State plan by the Governor, the chief State school
8 officer, or the State officer responsible for admin-
9 istering community or technical colleges, and any re-
10 vision to the State plan, are submitted to the Sec-
11 retary.

12 “(e) PLAN APPROVAL.—The Secretary shall—

13 “(1) approve a State plan within 90 days after
14 receiving the plan unless the Secretary makes a writ-
15 ten determination within 30 days after receiving the
16 plan that the plan does not meet the requirements
17 of this section or is inconsistent with specific provi-
18 sions of this subtitle; and

19 “(2) not finally disapprove of a State plan be-
20 fore offering the eligible agency the opportunity,
21 prior to the expiration of the 30-day period begin-
22 ning on the date on which the eligible agency re-
23 ceived the written determination described in para-
24 graph (1), to review the plan and providing technical

1 assistance in order to assist the eligible agency in
2 meeting the requirements of this subtitle.

3 **“SEC. 225. PROGRAMS FOR CORRECTIONS EDUCATION AND**
4 **OTHER INSTITUTIONALIZED INDIVIDUALS.**

5 “(a) PROGRAM AUTHORIZED.—From funds made
6 available under section 222(a)(1) for a fiscal year, each
7 eligible agency shall carry out corrections education and
8 education for other institutionalized individuals.

9 “(b) USES OF FUNDS.—The funds described in sub-
10 section (a) shall be used for the cost of educational pro-
11 grams for criminal offenders in correctional institutions
12 and for other institutionalized individuals, including aca-
13 demic programs for—

14 “(1) basic skills education;

15 “(2) special education programs as determined
16 by the eligible agency;

17 “(3) reading, writing, speaking, and mathe-
18 matics programs;

19 “(4) secondary school credit or diploma pro-
20 grams or their recognized equivalent; and

21 “(5) integrated education and training.

22 “(c) PRIORITY.—Each eligible agency that is using
23 assistance provided under this section to carry out a pro-
24 gram for criminal offenders within a correctional institu-
25 tion shall give priority to serving individuals who are likely

1 to leave the correctional institution within 5 years of par-
 2 ticipation in the program.

3 “(d) DEFINITIONS.—In this section:

4 “(1) CORRECTIONAL INSTITUTION.—The term
 5 ‘correctional institution’ means any—

6 “(A) prison;

7 “(B) jail;

8 “(C) reformatory;

9 “(D) work farm;

10 “(E) detention center; or

11 “(F) halfway house, community-based re-
 12 habilitation center, or any other similar institu-
 13 tion designed for the confinement or rehabilita-
 14 tion of criminal offenders.

15 “(2) CRIMINAL OFFENDER.—The term ‘crimi-
 16 nal offender’ means any individual who is charged
 17 with, or convicted of, any criminal offense.

18 **“Subtitle C—Local Provisions**

19 **“SEC. 231. GRANTS AND CONTRACTS FOR ELIGIBLE PRO-** 20 **VIDERS.**

21 “(a) GRANTS AND CONTRACTS.—From grant funds
 22 made available under section 222(a)(1), each eligible agen-
 23 cy shall award multi-year grants or contracts, on a com-
 24 petitive basis, to eligible providers within the State or out-
 25 lying area that meet the conditions and requirements of

1 this title to enable the eligible providers to develop, imple-
2 ment, and improve adult education and family literacy
3 education programs within the State.

4 “(b) LOCAL ACTIVITIES.—The eligible agency shall
5 require eligible providers receiving a grant or contract
6 under subsection (a) to establish or operate—

7 “(1) programs that provide adult education and
8 literacy activities;

9 “(2) programs that provide integrated edu-
10 cation and training activities; or

11 “(3) credit-bearing postsecondary coursework.

12 “(c) DIRECT AND EQUITABLE ACCESS; SAME PROC-
13 ESS.—Each eligible agency receiving funds under this title
14 shall ensure that—

15 “(1) all eligible providers have direct and equi-
16 table access to apply for grants or contracts under
17 this section; and

18 “(2) the same grant or contract announcement
19 process and application process is used for all eligi-
20 ble providers in the State or outlying area.

21 “(d) MEASURABLE GOALS.—The eligible agency shall
22 require eligible providers receiving a grant or contract
23 under subsection (a) to demonstrate—

24 “(1) the eligible provider’s measurable goals for
25 participant outcomes to be achieved annually on the

1 core indicators of performance described in section
2 136(b)(2)(A);

3 “(2) the past effectiveness of the eligible pro-
4 vider in improving the basic academic skills of adults
5 and, for eligible providers receiving grants in the
6 prior year, the success of the eligible provider receiv-
7 ing funding under this title in exceeding its perform-
8 ance goals in the prior year;

9 “(3) the commitment of the eligible provider to
10 serve individuals in the community who are the most
11 in need of basic academic skills instruction services,
12 including individuals with disabilities and individuals
13 who are low-income or have minimal reading, writ-
14 ing, speaking, and mathematics skills, or are English
15 learners;

16 “(4) the program is of sufficient intensity and
17 quality for participants to achieve substantial learn-
18 ing gains;

19 “(5) educational practices are evidence-based;

20 “(6) the activities of the eligible provider effec-
21 tively employ advances in technology, and delivery
22 systems including distance education;

23 “(7) the activities provide instruction in real-life
24 contexts, including integrated education and training
25 when appropriate, to ensure that an individual has

1 the skills needed to compete in the workplace and
2 exercise the rights and responsibilities of citizenship;

3 “(8) the activities are staffed by well-trained in-
4 structors, counselors, and administrators who meet
5 minimum qualifications established by the State;

6 “(9) the activities are coordinated with other
7 available resources in the community, such as
8 through strong links with elementary schools and
9 secondary schools, postsecondary educational institu-
10 tions, local workforce investment boards, one-stop
11 centers, job training programs, community-based
12 and faith-based organizations, and social service
13 agencies;

14 “(10) the activities offer flexible schedules and
15 support services (such as child care and transpor-
16 tation) that are necessary to enable individuals, in-
17 cluding individuals with disabilities or other special
18 needs, to attend and complete programs;

19 “(11) the activities include a high-quality infor-
20 mation management system that has the capacity to
21 report measurable participant outcomes (consistent
22 with section 136) and to monitor program perform-
23 ance;

24 “(12) the local communities have a dem-
25 onstrated need for additional English language ac-

1 quisition programs, and integrated education and
2 training programs;

3 “(13) the capacity of the eligible provider to
4 produce valid information on performance results,
5 including enrollments and measurable participant
6 outcomes;

7 “(14) adult education and family literacy edu-
8 cation programs offer rigorous reading, writing,
9 speaking, and mathematics content that are evidence
10 based; and

11 “(15) applications of technology, and services to
12 be provided by the eligible providers, are of sufficient
13 intensity and duration to increase the amount and
14 quality of learning and lead to measurable learning
15 gains within specified time periods.

16 “(e) SPECIAL RULE.—Eligible providers may use
17 grant funds under this title to serve children participating
18 in family literacy programs assisted under this part, pro-
19 vided that other sources of funds available to provide simi-
20 lar services for such children are used first.

21 **“SEC. 232. LOCAL APPLICATION.**

22 “Each eligible provider desiring a grant or contract
23 under this title shall submit an application to the eligible
24 agency containing such information and assurances as the
25 eligible agency may require, including—

1 “(1) a description of how funds awarded under
2 this title will be spent consistent with the require-
3 ments of this title;

4 “(2) a description of any cooperative arrange-
5 ments the eligible provider has with other agencies,
6 institutions, or organizations for the delivery of
7 adult education and family literacy education pro-
8 grams; and

9 “(3) each of the demonstrations required by
10 section 231(d).

11 **“SEC. 233. LOCAL ADMINISTRATIVE COST LIMITS.**

12 “(a) IN GENERAL.—Subject to subsection (b), of the
13 amount that is made available under this title to an eligi-
14 ble provider—

15 “(1) at least 95 percent shall be expended for
16 carrying out adult education and family literacy edu-
17 cation programs; and

18 “(2) the remaining amount shall be used for
19 planning, administration, personnel and professional
20 development, development of measurable goals in
21 reading, writing, speaking, and mathematics, and
22 interagency coordination.

23 “(b) SPECIAL RULE.—In cases where the cost limits
24 described in subsection (a) are too restrictive to allow for
25 adequate planning, administration, personnel develop-

1 ment, and interagency coordination, the eligible provider
 2 may negotiate with the eligible agency in order to deter-
 3 mine an adequate level of funds to be used for noninstruc-
 4 tional purposes.

5 **“Subtitle D—General Provisions**

6 **“SEC. 241. ADMINISTRATIVE PROVISIONS.**

7 “Funds made available for adult education and fam-
 8 ily literacy education programs under this title shall sup-
 9 plement and not supplant other State or local public funds
 10 expended for adult education and family literacy education
 11 programs.

12 **“SEC. 242. NATIONAL ACTIVITIES.**

13 “The Secretary shall establish and carry out a pro-
 14 gram of national activities that may include the following:

15 “(1) Providing technical assistance to eligible
 16 entities, on request, to—

17 “(A) improve their fiscal management, re-
 18 search-based instruction, and reporting require-
 19 ments to carry out the requirements of this
 20 title;

21 “(B) improve its performance on the core
 22 indicators of performance described in section
 23 136;

24 “(C) provide adult education professional
 25 development; and

1 “(D) use distance education and improve
2 the application of technology in the classroom,
3 including instruction in English language acqui-
4 sition for English learners.

5 “(2) Providing for the conduct of research on
6 national literacy basic skill acquisition levels among
7 adults, including the number of adult English learn-
8 ers functioning at different levels of reading pro-
9 ficiency.

10 “(3) Improving the coordination, efficiency, and
11 effectiveness of adult education and workforce devel-
12 opment services at the national, State, and local lev-
13 els.

14 “(4) Determining how participation in adult
15 education, English language acquisition, and family
16 literacy education programs prepares individuals for
17 entry into and success in postsecondary education
18 and employment, and in the case of prison-based
19 services, the effect on recidivism.

20 “(5) Evaluating how different types of pro-
21 viders, including community and faith-based organi-
22 zations or private for-profit agencies measurably im-
23 prove the skills of participants in adult education,
24 English language acquisition, and family literacy
25 education programs.

1 “(6) Identifying model integrated basic and
2 workplace skills education programs, including pro-
3 grams for English learners coordinated literacy and
4 employment services, and effective strategies for
5 serving adults with disabilities.

6 “(7) Initiating other activities designed to im-
7 prove the measurable quality and effectiveness of
8 adult education, English language acquisition, and
9 family literacy education programs nationwide.”.

10 **TITLE III—AMENDMENTS TO** 11 **THE WAGNER-PEYSER ACT**

12 **SEC. 301. AMENDMENTS TO THE WAGNER-PEYSER ACT.**

13 Section 15 of the Wagner-Peyser Act (29 U.S.C. 491–
14 2) is amended to read as follows:

15 **“SEC. 15. WORKFORCE AND LABOR MARKET INFORMATION** 16 **SYSTEM.**

17 “(a) SYSTEM CONTENT.—

18 “(1) IN GENERAL.—The Secretary of Labor
19 (referred to in this section as the ‘Secretary’), in ac-
20 cordance with the provisions of this section, shall
21 oversee the development, maintenance, and contin-
22 uous improvement of a nationwide workforce and
23 labor market information system that includes—

24 “(A) statistical data from cooperative sta-
25 tistical survey and projection programs and

1 data from administrative reporting systems
2 that, taken together, enumerate, estimate, and
3 project employment opportunities and condi-
4 tions at national, State, and local levels in a
5 timely manner, including statistics on—

6 “(i) employment and unemployment
7 status of national, State, and local popu-
8 lations, including self-employed, part-time,
9 and seasonal workers;

10 “(ii) industrial distribution of occupa-
11 tions, as well as current and projected em-
12 ployment opportunities, wages, benefits
13 (where data is available), and skill trends
14 by occupation and industry, with particular
15 attention paid to State and local condi-
16 tions;

17 “(iii) the incidence of, industrial and
18 geographical location of, and number of
19 workers displaced by, permanent layoffs
20 and plant closings; and

21 “(iv) employment and earnings infor-
22 mation maintained in a longitudinal man-
23 ner to be used for research and program
24 evaluation;

“(B) information on State and local employment opportunities, and other appropriate statistical data related to labor market dynamics, which—

“(i) shall be current and comprehensive;

“(ii) shall meet the needs identified through the consultations described in subparagraphs (C) and (D) of subsection (e)(1); and

“(iii) shall meet the needs for the information identified in section 121(e)(1)(E) of the Workforce Investment Act of 1998 (29 U.S.C. 2841(e)(1)(E));

“(C) technical standards (which the Secretary shall publish annually) for data and information described in subparagraphs (A) and (B) that, at a minimum, meet the criteria of chapter 35 of title 44, United States Code;

“(D) procedures to ensure compatibility and additivity of the data and information described in subparagraphs (A) and (B) from national, State, and local levels;

“(E) procedures to support standardization and aggregation of data from administrative re-

1 porting systems described in subparagraph (A)
2 of employment-related programs;

3 “(F) analysis of data and information de-
4 scribed in subparagraphs (A) and (B) for uses
5 such as—

6 “(i) national, State, and local policy-
7 making;

8 “(ii) implementation of Federal poli-
9 cies (including allocation formulas);

10 “(iii) program planning and evalua-
11 tion; and

12 “(iv) researching labor market dynam-
13 ics;

14 “(G) wide dissemination of such data, in-
15 formation, and analysis in a user-friendly man-
16 ner and voluntary technical standards for dis-
17 semination mechanisms; and

18 “(H) programs of—

19 “(i) training for effective data dis-
20 semination;

21 “(ii) research and demonstration; and

22 “(iii) programs and technical assist-
23 ance.

24 “(2) INFORMATION TO BE CONFIDENTIAL.—

1 “(A) IN GENERAL.—No officer or em-
2 ployee of the Federal Government or agent of
3 the Federal Government may—

4 “(i) use any submission that is fur-
5 nished for exclusively statistical purposes
6 under the provisions of this section for any
7 purpose other than the statistical purposes
8 for which the submission is furnished;

9 “(ii) disclose to the public any publi-
10 cation or media transmittal of the data
11 contained in the submission described in
12 clause (i) that permits information con-
13 cerning an individual subject to be reason-
14 ably inferred by either direct or indirect
15 means; or

16 “(iii) permit anyone other than a
17 sworn officer, employee, or agent of any
18 Federal department or agency, or a con-
19 tractor (including an employee of a con-
20 tractor) of such department or agency, to
21 examine an individual submission described
22 in clause (i),

23 without the consent of the individual, agency, or
24 other person who is the subject of the submis-
25 sion or provides that submission.

“(B) IMMUNITY FROM LEGAL PROCESS.—

Any submission (including any data derived from the submission) that is collected and retained by a Federal department or agency, or an officer, employee, agent, or contractor of such a department or agency, for exclusively statistical purposes under this section shall be immune from the legal process and shall not, without the consent of the individual, agency, or other person who is the subject of the submission or provides that submission, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding.

“(C) RULE OF CONSTRUCTION.—Nothing

in this section shall be construed to provide immunity from the legal process for such submission (including any data derived from the submission) if the submission is in the possession of any person, agency, or entity other than the Federal Government or an officer, employee, agent, or contractor of the Federal Government, or if the submission is independently collected, retained, or produced for purposes other than the purposes of this Act.

1 “(b) SYSTEM RESPONSIBILITIES.—

2 “(1) IN GENERAL.—The workforce and labor
3 market information system described in subsection
4 (a) shall be planned, administered, overseen, and
5 evaluated through a cooperative governance struc-
6 ture involving the Federal Government and States.

7 “(2) DUTIES.—The Secretary, with respect to
8 data collection, analysis, and dissemination of work-
9 force and labor market information for the system,
10 shall carry out the following duties:

11 “(A) Assign responsibilities within the De-
12 partment of Labor for elements of the work-
13 force and labor market information system de-
14 scribed in subsection (a) to ensure that all sta-
15 tistical and administrative data collected is con-
16 sistent with appropriate Bureau of Labor Sta-
17 tistics standards and definitions.

18 “(B) Actively seek the cooperation of other
19 Federal agencies to establish and maintain
20 mechanisms for ensuring complementarity and
21 nonduplication in the development and oper-
22 ation of statistical and administrative data col-
23 lection activities.

1 “(C) Eliminate gaps and duplication in
2 statistical undertakings, with the systemization
3 of wage surveys as an early priority.

4 “(D) In collaboration with the Bureau of
5 Labor Statistics and States, develop and main-
6 tain the elements of the workforce and labor
7 market information system described in sub-
8 section (a), including the development of con-
9 sistent procedures and definitions for use by the
10 States in collecting the data and information
11 described in subparagraphs (A) and (B) of sub-
12 section (a)(1).

13 “(E) Establish procedures for the system
14 to ensure that—

15 “(i) such data and information are
16 timely;

17 “(ii) paperwork and reporting for the
18 system are reduced to a minimum; and

19 “(iii) States and localities are fully in-
20 volved in the development and continuous
21 improvement of the system at all levels.

22 “(c) NATIONAL ELECTRONIC TOOLS TO PROVIDE
23 SERVICES.—The Secretary is authorized to assist in the
24 development of national electronic tools that may be used
25 to facilitate the delivery of work ready services described

1 in section 134(c)(2) of the Workforce Investment Act of
2 1998 (29 U.S.C. 2864(c)(2)) and to provide workforce and
3 labor market information to individuals through the one-
4 stop delivery systems described in section 121 and through
5 other appropriate delivery systems.

6 “(d) COORDINATION WITH THE STATES.—

7 “(1) IN GENERAL.—The Secretary, working
8 through the Bureau of Labor Statistics and the Em-
9 ployment and Training Administration, shall regu-
10 larly consult with representatives of State agencies
11 carrying out workforce information activities regard-
12 ing strategies for improving the workforce and labor
13 market information system.

14 “(2) FORMAL CONSULTATIONS.—At least twice
15 each year, the Secretary, working through the Bu-
16 reau of Labor Statistics, shall conduct formal con-
17 sultations regarding programs carried out by the
18 Bureau of Labor Statistics with representatives of
19 each of the Federal regions of the Bureau of Labor
20 Statistics, elected (pursuant to a process established
21 by the Secretary) from the State directors affiliated
22 with State agencies that perform the duties de-
23 scribed in subsection (e)(1).

24 “(e) STATE RESPONSIBILITIES.—

1 “(1) IN GENERAL.—In order to receive Federal
2 financial assistance under this section, the Governor
3 of a State shall—

4 “(A) be responsible for the management of
5 the portions of the workforce and labor market
6 information system described in subsection (a)
7 that comprise a statewide workforce and labor
8 market information system;

9 “(B) establish a process for the oversight
10 of such system;

11 “(C) consult with State and local employ-
12 ers, participants, and local workforce invest-
13 ment boards about the labor market relevance
14 of the data to be collected and disseminated
15 through the statewide workforce and labor mar-
16 ket information system;

17 “(D) consult with State educational agen-
18 cies and local educational agencies concerning
19 the provision of workforce and labor market in-
20 formation in order to meet the needs of sec-
21 ondary school and postsecondary school stu-
22 dents who seek such information;

23 “(E) collect and disseminate for the sys-
24 tem, on behalf of the State and localities in the
25 State, the information and data described in

1 subparagraphs (A) and (B) of subsection
2 (a)(1);

3 “(F) maintain and continuously improve
4 the statewide workforce and labor market infor-
5 mation system in accordance with this section;

6 “(G) perform contract and grant respon-
7 sibilities for data collection, analysis, and dis-
8 semination for such system;

9 “(H) conduct such other data collection,
10 analysis, and dissemination activities as will en-
11 sure an effective statewide workforce and labor
12 market information system;

13 “(I) actively seek the participation of other
14 State and local agencies in data collection, anal-
15 ysis, and dissemination activities in order to en-
16 sure complementarity, compatibility, and useful-
17 ness of data;

18 “(J) participate in the development of, and
19 submit to the Secretary, an annual plan to
20 carry out the requirements and authorities of
21 this subsection; and

22 “(K) utilize the quarterly records described
23 in section 136(f)(2) of the Workforce Invest-
24 ment Act of 1998 (29 U.S.C. 2871(f)(2)) to as-

1 sist the State and other States in measuring
2 State progress on State performance measures.

3 “(2) RULE OF CONSTRUCTION.—Nothing in
4 this section shall be construed as limiting the ability
5 of a Governor to conduct additional data collection,
6 analysis, and dissemination activities with State
7 funds or with Federal funds from sources other than
8 this section.

9 “(f) NONDUPLICATION REQUIREMENT.—None of the
10 functions and activities carried out pursuant to this sec-
11 tion shall duplicate the functions and activities carried out
12 under the Carl D. Perkins Career and Technical Edu-
13 cation Act of 2006 (20 U.S.C. 2301 et seq.).

14 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
15 are authorized to be appropriated to carry out this section
16 \$60,153,000 for fiscal year 2015 and each of the 6 suc-
17 ceeding fiscal years.”.

18 **TITLE IV—REPEALS AND** 19 **CONFORMING AMENDMENTS**

20 **SEC. 401. REPEALS.**

21 The following provisions are repealed:

22 (1) Chapter 4 of subtitle B of title I, and sec-
23 tions 123, 155, 166, 167, 168, 169, 171, 173, 173A,
24 174, 192, 194, 502, 503, and 506 of the Workforce

1 Investment Act of 1998, as in effect on the day be-
 2 fore the date of enactment of the SKILLS Act.

3 (2) Title V of the Older Americans Act of 1965
 4 (42 U.S.C. 3056 et seq.).

5 (3) Sections 1 through 14 of the Wagner-
 6 Peyser Act (29 U.S.C. 49 et seq.).

7 (4) The Twenty-First Century Workforce Com-
 8 mission Act (29 U.S.C. 2701 note).

9 (5) Public Law 91–378, 16 U.S.C. 1701 et seq.
 10 (popularly known as the “Youth Conservation Corps
 11 Act of 1970”).

12 (6) Section 821 of the Higher Education
 13 Amendments of 1998 (20 U.S.C. 1151).

14 (7) The Women in Apprenticeship and Non-
 15 traditional Occupations Act (29 U.S.C. 2501 et
 16 seq.).

17 (8) Sections 4103A and 4104 of title 38,
 18 United States Code.

19 **SEC. 402. AMENDMENTS TO OTHER LAWS.**

20 Section 104(k)(6)(A) of the Comprehensive Environ-
 21 mental Response, Compensation, and Liability Act of
 22 1980 (42 U.S.C. 9604(k)(6)(A)) is amended by striking
 23 “training, research, and” and inserting “research and”.

24 (a) AMENDMENTS TO THE FOOD AND NUTRITION
 25 ACT OF 2008.—

1 (1) DEFINITION.—Section 3(t) of the Food and
 2 Nutrition Act of 2008 (7 U.S.C. 2012(t)) is amend-
 3 ed—

4 (A) by striking “means (1) the agency”
 5 and inserting the following: “means—

6 “(A) the agency”;

7 (B) by striking “programs, and (2) the
 8 tribal” and inserting the following: “programs;

9 “(B) the tribal”; and

10 (C) by striking “this Act.” and inserting
 11 the following: “this Act; and

12 “(C) in the context of employment and
 13 training activities under section 6(d)(4), a State
 14 board as defined in section 101 of the Work-
 15 force Investment Act of 1998 (29 U.S.C.
 16 2801).”.

17 (2) ELIGIBLE HOUSEHOLDS.—Section 5 of the
 18 Food and Nutrition Act of 2008 (7 U.S.C. 2014) is
 19 amended—

20 (A) in subsection (d)(14) by striking “sec-
 21 tion 6(d)(4)(I)” and inserting “section
 22 6(d)(4)(C)”, and

23 (B) in subsection (g)(3), in the first sen-
 24 tence, by striking “constitutes adequate partici-
 25 pation in an employment and training program

1 under section 6(d)” and inserting “allows the
2 individual to participate in employment and
3 training activities under section 6(d)(4)”.

4 (3) ELIGIBILITY DISQUALIFICATIONS.—Section
5 6(d)(4) of the Food and Nutrition Act of 2008 (7
6 U.S.C. 2015(d)(4)) is amended to read as follows:

7 “(D) EMPLOYMENT AND TRAINING.—

8 “(i) IMPLEMENTATION.—Each State
9 agency shall provide employment and
10 training services authorized under section
11 134 of the Workforce Investment Act of
12 1998 (29 U.S.C. 2864) to eligible members
13 of households participating in the supple-
14 mental nutrition assistance program in
15 gaining skills, training, work, or experience
16 that will increase their ability to obtain
17 regular employment.

18 “(ii) STATEWIDE WORKFORCE DEVEL-
19 OPMENT SYSTEM.—Consistent with sub-
20 paragraph (A), employment and training
21 services shall be provided through the
22 statewide workforce development system,
23 including the one-stop delivery system au-
24 thorized by the Workforce Investment Act
25 of 1998 (29 U.S.C. 2801 et seq.).

1 “(iii) REIMBURSEMENTS.—

2 “(I) ACTUAL COSTS.—The State
3 agency shall provide payments or re-
4 imbursement to participants served
5 under this paragraph for—

6 “(aa) the actual costs of
7 transportation and other actual
8 costs (other than dependent care
9 costs) that are reasonably nec-
10 essary and directly related to the
11 individual participating in em-
12 ployment and training activities;
13 and

14 “(bb) the actual costs of
15 such dependent care expenses as
16 are determined by the State
17 agency to be necessary for the in-
18 dividual to participate in employ-
19 ment and training activities
20 (other than an individual who is
21 the caretaker relative of a de-
22 pendent in a family receiving
23 benefits under part A of title IV
24 of the Social Security Act (42
25 U.S.C. 601 et seq.) in a local

1 area where an employment, train-
2 ing, or education program under
3 title IV of that Act is in oper-
4 ation), except that no such pay-
5 ment or reimbursement shall ex-
6 ceed the applicable local market
7 rate.

8 “(II) SERVICE CONTRACTS AND
9 VOUCHERS.—In lieu of providing re-
10 imbursements or payments for de-
11 pendent care expenses under clause
12 (i), a State agency may, at the option
13 of the State agency, arrange for de-
14 pendent care through providers by the
15 use of purchase of service contracts or
16 vouchers or by providing vouchers to
17 the household.

18 “(III) VALUE OF REIMBURSE-
19 MENTS.—The value of any dependent
20 care services provided for or arranged
21 under clause (ii), or any amount re-
22 ceived as a payment or reimbursement
23 under clause (i), shall—

24 “(aa) not be treated as in-
25 come for the purposes of any

other Federal or federally assisted program that bases eligibility for, or the amount of benefits on, need; and

“(bb) not be claimed as an employment-related expense for the purposes of the credit provided under section 21 of the Internal Revenue Code of 1986 (26 U.S.C. 21).”.

(4) ADMINISTRATION.—Section 11(e)(19) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)(11)) is amended to read as follows:

“(S) the plans of the State agency for providing employment and training services under section 6(d)(4);”.

(5) ADMINISTRATIVE COST-SHARING AND QUALITY CONTROL.—Section 16(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(h)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “carry out employment and training programs” and inserting “provide employment

and training services to eligible households
under section 6(d)(4)”; and

(ii) in subparagraph (D), by striking
“operating an employment and training
program” and inserting “providing employ-
ment and training services consistent with
section 6(d)(4)”;

(B) in paragraph (3)—

(i) by striking “participation in an
employment and training program” and in-
serting “the individual participating in em-
ployment and training activities”; and

(ii) by striking “section
6(d)(4)(I)(i)(II)” and inserting “section
6(d)(4)(C)(i)(II)”;

(C) in paragraph (4), by striking “for op-
erating an employment and training program”
and inserting “to provide employment and
training services”; and

(D) by striking paragraph (5) and insert-
ing the following:

“(E) MONITORING.—

“(i) IN GENERAL.—The Secretary, in
conjunction with the Secretary of Labor,
shall monitor each State agency respon-

sible for administering employment and training services under section 6(d)(4) to ensure funds are being spent effectively and efficiently.

“(ii) ACCOUNTABILITY.—Each program of employment and training receiving funds under section 6(d)(4) shall be subject to the requirements of the performance accountability system, including having to meet the State performance measures described in section 136 of the Workforce Investment Act (29 U.S.C. 2871).”.

(6) RESEARCH, DEMONSTRATION, AND EVALUATIONS.—Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026) is amended—

(A) in subsection (b)—

(i) in paragraph (1)(B)(iv)(III)(dd), by striking “, (4)(F)(i), or (4)(K)” and inserting “or (4)”; and

(ii) by striking paragraph (3); and

(B) in subsection (g), in the first sentence in the matter preceding paragraph (1)—

(i) by striking “programs established” and inserting “activities provided to eligible households”; and

1 (ii) by inserting “, in conjunction with
 2 the Secretary of Labor,” after “Sec-
 3 retary”.

4 (7) MINNESOTA FAMILY INVESTMENT
 5 PROJECT.—Section 22(b)(4) of the Food and Nutri-
 6 tion Act of 2008 (7 U.S.C. 2031(b)(4)) is amended
 7 by striking “equivalent to those offered under the
 8 employment and training program”.

9 (b) AMENDMENTS TO SECTION 412 OF THE IMMI-
 10 GRATION AND NATIONALITY ACT.—

11 (1) CONDITIONS AND CONSIDERATIONS.—Sec-
 12 tion 412(a) of the Immigration and Nationality Act
 13 (8 U.S.C. 1522(a)) is amended—

14 (A) in paragraph (1)—

15 (i) in subparagraph (A)(i), by striking
 16 “make available sufficient resources for
 17 employment training and placement” and
 18 inserting “provide refugees with the oppor-
 19 tunity to access employment and training
 20 services, including job placement,”; and

21 (ii) in subparagraph (B)(ii), by strik-
 22 ing “services;” and inserting “services pro-
 23 vided through the Workforce Investment
 24 Act of 1998 (29 U.S.C. 2801 et seq.);”;

(B) in paragraph (2)(C)(iii)(II), by inserting “and training” after “employment”;

(C) in paragraph (6)(A)(ii)—

(i) by striking “insure” and inserting “ensure”;

(ii) by inserting “and training” after “employment”; and

(iii) by inserting after “available” the following: “through the one-stop delivery system under section 121 of the Workforce Investment Act of 1998 (29 U.S.C. 2841)”;

(D) in paragraph (9), by inserting “the Secretary of Labor,” after “Education,”.

(2) PROGRAM OF INITIAL RESETTLEMENT.—

Section 412(b)(2) of such Act (8 U.S.C. 1522(b)(2)) is amended—

(A) by striking “orientation, instruction” and inserting “orientation and instruction”; and

(B) by striking “, and job training for refugees, and such other education and training of refugees, as facilitates” and inserting “for refugees to facilitate”.

(3) PROJECT GRANTS AND CONTRACTS FOR SERVICES FOR REFUGEES.—Section 412(c) of such Act (8 U.S.C. 1522(c)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (A)(i), by inserting “and training” after “employment”; and

(ii) by striking subparagraph (C);

(B) in paragraph (2)(B), by striking “paragraph—” and all that follows through “in a manner” and inserting “paragraph in a manner”; and

(C) by adding at the end the following:

“(C) In carrying out this section, the Director shall ensure that employment and training services are provided through the statewide workforce development system, as appropriate, authorized by the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.). Such action may include—

“(i) making employment and training activities described in section 134 of such Act (29 U.S.C. 2864) available to refugees; and

“(ii) providing refugees with access to a one-stop delivery system established under section 121 of such Act (29 U.S.C. 2841).”.

1 (4) CASH ASSISTANCE AND MEDICAL ASSIST-
2 ANCE TO REFUGEES.—Section 412(e) of such Act (8
3 U.S.C. 1522(e)) is amended—

4 (A) in paragraph (2)(A)(i), by inserting
5 “and training” after “providing employment”;
6 and

7 (B) in paragraph (3), by striking “The”
8 and inserting “Consistent with subsection
9 (c)(3), the”.

10 (c) AMENDMENTS RELATING TO THE SECOND
11 CHANCE ACT OF 2007.—

12 (1) FEDERAL PRISONER REENTRY INITIA-
13 TIVE.—Section 231 of the Second Chance Act of
14 2007 (42 U.S.C. 17541) is amended—

15 (A) in subsection (a)(1)(E)—

16 (i) by inserting “the Department of
17 Labor and” before “other Federal agen-
18 cies”; and

19 (ii) by inserting “State and local
20 workforce investment boards,” after “com-
21 munity-based organizations,”;

22 (B) in subsection (c)—

23 (i) in paragraph (2), by striking at
24 the end “and”;

1 (ii) in paragraph (3), by striking at
2 the end the period and inserting “; and”;
3 and

4 (iii) by adding at the end the fol-
5 lowing new paragraph:

6 “(D) to coordinate reentry programs with
7 the employment and training services provided
8 through the statewide workforce investment sys-
9 tem under subtitle B of title I of the Workforce
10 Investment Act of 1998 (29 U.S.C. 2811 et
11 seq.).”; and

12 (C) in subsection (d), by adding at the end
13 the following new paragraph:

14 “(F) INTERACTION WITH THE WORKFORCE
15 INVESTMENT SYSTEM.—

16 “(i) IN GENERAL.—In carrying out
17 this section, the Director shall ensure that
18 employment and training services, includ-
19 ing such employment and services offered
20 through reentry programs, are provided, as
21 appropriate, through the statewide work-
22 force investment system under subtitle B
23 of title I of the Workforce Investment Act
24 of 1998 (29 U.S.C. 2811 et seq.), which
25 may include—

1 “(I) making employment and
2 training services available to prisoners
3 prior to and immediately following the
4 release of such prisoners; or

5 “(II) providing prisoners with ac-
6 cess by remote means to a one-stop
7 delivery system under section 121 of
8 the Workforce Investment Act of
9 1998 (29 U.S.C. 2841) in the State in
10 which the prison involved is located.

11 “(ii) SERVICE DEFINED.—In this
12 paragraph, the term ‘employment and
13 training services’ means those services de-
14 scribed in section 134 of the Workforce In-
15 vestment Act of 1998 (29 U.S.C. 2864) of-
16 fered by the Bureau of Prisons, includ-
17 ing—

18 “(I) the skills assessment de-
19 scribed in subsection (a)(1)(A);

20 “(II) the skills development plan
21 described in subsection (a)(1)(B); and

22 “(III) the enhancement, develop-
23 ment, and implementation of reentry
24 and skills development programs.”.

1 (2) DUTIES OF THE BUREAU OF PRISONS.—
2 Section 4042(a) of title 18, United States Code, is
3 amended—

4 (A) by redesignating subparagraphs (D)
5 and (E), as added by section 231(d)(1)(C) of
6 the Second Chance Act of 2007 (Public Law
7 110–199; 122 Stat. 685), as paragraphs (6)
8 and (7), respectively, and adjusting the margin
9 accordingly;

10 (B) in paragraph (6), as so redesignated,
11 by redesignating clauses (i) and (ii) as subpara-
12 graphs (A) and (B), respectively, and adjusting
13 the margin accordingly;

14 (C) in paragraph (7), as so redesignated—

15 (i) in clause (ii), by striking “Employ-
16 ment” and inserting “Employment and
17 training services (as defined in paragraph
18 (6) of section 231(d) of the Second Chance
19 Act of 2007), including basic skills attain-
20 ment, consistent with such paragraph”;
21 and

22 (ii) by striking clause (iii); and

23 (D) by redesignating clauses (i), (ii), (iv),
24 (v), (vi), and (vii) as subparagraphs (A), (B),

1 (C), (D), (E), and (F), respectively, and adjust-
 2 ing the margin accordingly.

3 (d) AMENDMENTS TO THE OMNIBUS CRIME CON-
 4 TROL AND SAFE STREETS ACT OF 1968.—Section 2976
 5 of the Omnibus Crime Control and Safe Streets Act of
 6 1968 (42 U.S.C. 3797w) is amended—

7 (1) in subsection (b)—

8 (A) in paragraph (1), by striking “voca-
 9 tional” and inserting “career and technical edu-
 10 cation (as defined in section 3 of the Carl D.
 11 Perkins Career and Technical Education Act of
 12 2006 (20 U.S.C. 2302)) and training”;

13 (B) by redesignating paragraphs (4), (5),
 14 (6), and (7) as paragraphs (5), (6), (7), and
 15 (8), respectively; and

16 (C) by inserting after paragraph (3) the
 17 following new paragraph:

18 “(D) coordinating employment and train-
 19 ing services provided through the statewide
 20 workforce investment system under subtitle B
 21 of title I of the Workforce Investment Act of
 22 1998 (29 U.S.C. 2811 et seq.), including a one-
 23 stop delivery system under section 121 of such
 24 Act (29 U.S.C. 2841), for offenders upon re-

1 lease from prison, jail, or a juvenile facility, as
2 appropriate;”;

3 (2) in subsection (d)(2), by inserting “, includ-
4 ing local workforce investment boards established
5 under section 117 of the Workforce Investment Act
6 of 1998 (29 U.S.C. 2832),” after “nonprofit organi-
7 zations”;

8 (3) in subsection (e)—

9 (A) in paragraph (3), by striking “victims
10 services, and employment services” and insert-
11 ing “and victim services”;

12 (B) by redesignating paragraphs (4) and
13 (5) as paragraphs (5) and (6), respectively; and

14 (C) by inserting after paragraph (3) the
15 following new paragraph:

16 “(D) provides employment and training
17 services through the statewide workforce invest-
18 ment system under subtitle B of title I of the
19 Workforce Investment Act of 1998 (29 U.S.C.
20 2811 et seq.), including a one-stop delivery sys-
21 tem under section 121 of such Act (29 U.S.C.
22 2841);”; and

23 (4) in subsection (k)—

1 (A) in paragraph (1)(A), by inserting “, in
2 accordance with paragraph (2)” after “under
3 this section”;

4 (B) by redesignating paragraphs (2) and
5 (3) as paragraphs (3) and (4), respectively; and

6 (C) by inserting after paragraph (1) the
7 following new paragraph:

8 “(B) EMPLOYMENT AND TRAINING.—The
9 Attorney General shall require each grantee
10 under this section to measure the core indica-
11 tors of performance as described in section
12 136(b)(2)(A) of the Workforce Investment Act
13 of 1998 (29 U.S.C. 2871(b)(2)(A)) with respect
14 to the program of such grantee funded with a
15 grant under this section.”.

16 (e) CONFORMING AMENDMENTS TO TITLE 38,
17 UNITED STATES CODE.—Title 38, United States Code, is
18 amended—

19 (1) in section 3672(d)(1), by striking “disabled
20 veterans’ outreach program specialists under section
21 4103A” and inserting “veteran employment special-
22 ists appointed under section 134(f) of the Workforce
23 Investment Act of 1998”;

1 (2) in the table of sections at the beginning of
2 chapter 41, by striking the items relating to sections
3 4103A and 4104;

4 (3) in section 4102A—

5 (A) in subsection (b)—

6 (i) by striking paragraphs (5), (6),
7 and (7); and

8 (ii) by redesignating paragraph (8) as
9 paragraph (5);

10 (B) by striking subsections (c) and (h);

11 (C) by redesignating subsections (d), (e),
12 (f), and (g) as subsections (c), (d), (e), and (f);
13 and

14 (D) in subsection (e)(1) (as so redesign-
15 ated)—

16 (i) by striking “, including disabled
17 veterans’ outreach program specialists and
18 local veterans’ employment representatives
19 providing employment, training, and place-
20 ment services under this chapter in a
21 State”; and

22 (ii) by striking “for purposes of sub-
23 section (c)”;

24 (4) in section 4104A—

1 (A) in subsection (b)(1), by striking sub-
2 paragraph (A) and inserting the following:

3 “(i) the appropriate veteran employ-
4 ment specialist (in carrying out the func-
5 tions described in section 134(f) of the
6 Workforce Investment Act of 1998);”; and

7 (B) in subsection (c)(1), by striking sub-
8 paragraph (A) and inserting the following:

9 “(i) collaborate with the appropriate
10 veteran employment specialist (as de-
11 scribed in section 134(f)) and the appro-
12 priate State boards and local boards (as
13 such terms are defined in section 101 of
14 the Workforce Investment Act of 1998 (29
15 U.S.C. 2801));”;

16 (5) in section 4109—

17 (A) in subsection (a), by striking “disabled
18 veterans’ outreach program specialists and local
19 veterans’ employment representative” and in-
20 serting “veteran employment specialists ap-
21 pointed under section 134(f) of the Workforce
22 Investment Act of 1998”; and

23 (B) in subsection (d)(1), by striking “dis-
24 abled veterans’ outreach program specialists
25 and local veterans’ employment representatives”

1 and inserting “veteran employment specialists
 2 appointed under section 134(f) of the Work-
 3 force Investment Act of 1998”; and
 4 (6) in section 4112(d)—

5 (A) in paragraph (1), by striking “disabled
 6 veterans’ outreach program specialist” and in-
 7 serting “veteran employment specialist ap-
 8 pointed under section 134(f) of the Workforce
 9 Investment Act of 1998”; and

10 (B) by striking paragraph (2) and redesign-
 11 ating paragraph (3) as paragraph (2).

12 **SEC. 403. CONFORMING AMENDMENT TO TABLE OF CON-**
 13 **TENTS.**

14 The table of contents in section 1(b) is amended to
 15 read as follows:

16 “(b) TABLE OF CONTENTS.—The table of contents
 17 for this Act is as follows:

“Sec. 1. Short title; table of contents.

“TITLE I—WORKFORCE INVESTMENT SYSTEMS

“Subtitle A—Workforce Investment Definitions

“Sec. 101. Definitions.

“Subtitle B—Statewide and Local Workforce Investment Systems

“Sec. 106. Purpose.

“CHAPTER 1—STATE PROVISIONS

“Sec. 111. State workforce investment boards.

“Sec. 112. State plan.

“CHAPTER 2—LOCAL PROVISIONS

“Sec. 116. Local workforce investment areas.

“Sec. 117. Local workforce investment boards.

“Sec. 118. Local plan.

“CHAPTER 3—WORKFORCE INVESTMENT ACTIVITIES PROVIDERS

“Sec. 121. Establishment of one-stop delivery systems.

“Sec. 122. Identification of eligible providers of training services.

“CHAPTER 5—EMPLOYMENT AND TRAINING ACTIVITIES

“Sec. 131. General authorization.

“Sec. 132. State allotments.

“Sec. 133. Within State allocations.

“Sec. 134. Use of funds for employment and training activities.

“CHAPTER 6—GENERAL PROVISIONS

“Sec. 136. Performance accountability system.

“Sec. 137. Authorization of appropriations.

“Subtitle C—Job Corps

“Sec. 141. Purposes.

“Sec. 142. Definitions.

“Sec. 143. Establishment.

“Sec. 144. Individuals eligible for the Job Corps.

“Sec. 145. Recruitment, screening, selection, and assignment of enrollees.

“Sec. 146. Enrollment.

“Sec. 147. Job Corps centers.

“Sec. 148. Program activities.

“Sec. 149. Counseling and job placement.

“Sec. 150. Support.

“Sec. 151. Operations.

“Sec. 152. Standards of conduct.

“Sec. 153. Community participation.

“Sec. 154. Workforce councils.

“Sec. 156. Technical assistance to centers.

“Sec. 157. Application of provisions of Federal law.

“Sec. 158. Special provisions.

“Sec. 159. Performance accountability and management.

“Sec. 160. General provisions.

“Sec. 161. Authorization of appropriations.

“Subtitle D—National Programs

“Sec. 170. Technical assistance.

“Sec. 172. Evaluations.

“Subtitle E—Administration

“Sec. 181. Requirements and restrictions.

“Sec. 182. Prompt allocation of funds.

“Sec. 183. Monitoring.

“Sec. 184. Fiscal controls; sanctions.

“Sec. 185. Reports; recordkeeping; investigations.

“Sec. 186. Administrative adjudication.

“Sec. 187. Judicial review.

“Sec. 188. Nondiscrimination.

- “Sec. 189. Administrative provisions.
- “Sec. 190. References.
- “Sec. 191. State legislative authority.
- “Sec. 193. Transfer of Federal equity in State employment security real property to the States.
- “Sec. 195. General program requirements.
- “Sec. 196. Federal agency staff.
- “Sec. 197. Restrictions on lobbying and political activities.

“Subtitle F—Repeals and Conforming Amendments

- “Sec. 199. Repeals.
- “Sec. 199A. Conforming amendments.

“TITLE II—ADULT EDUCATION AND FAMILY LITERACY
EDUCATION

- “Sec. 201. Short title.
- “Sec. 202. Purpose.
- “Sec. 203. Definitions.
- “Sec. 204. Home schools.
- “Sec. 205. Authorization of appropriations.

“Subtitle A—Federal Provisions

- “Sec. 211. Reservation of funds; grants to eligible agencies; allotments.
- “Sec. 212. Performance accountability system.

“Subtitle B—State Provisions

- “Sec. 221. State administration.
- “Sec. 222. State distribution of funds; matching requirement.
- “Sec. 223. State leadership activities.
- “Sec. 224. State plan.
- “Sec. 225. Programs for corrections education and other institutionalized individuals.

“Subtitle C—Local Provisions

- “Sec. 231. Grants and contracts for eligible providers.
- “Sec. 232. Local application.
- “Sec. 233. Local administrative cost limits.

“Subtitle D—General Provisions

- “Sec. 241. Administrative provisions.
- “Sec. 242. National activities.

“TITLE III—WORKFORCE INVESTMENT-RELATED ACTIVITIES

“Subtitle A—Wagner-Peyser Act

- “Sec. 301. Definitions.
- “Sec. 302. Functions.
- “Sec. 303. Designation of State agencies.
- “Sec. 304. Appropriations.
- “Sec. 305. Disposition of allotted funds.
- “Sec. 306. State plans.
- “Sec. 307. Repeal of Federal advisory council.

- “Sec. 308. Regulations.
- “Sec. 309. Employment statistics.
- “Sec. 310. Technical amendments.
- “Sec. 311. Effective date.

“Subtitle B—Linkages With Other Programs

- “Sec. 321. Trade Act of 1974.
- “Sec. 322. Veterans’ employment programs.
- “Sec. 323. Older Americans Act of 1965.

“Subtitle D—Application of Civil Rights and Labor-Management Laws to the
Smithsonian Institution

- “Sec. 341. Application of civil rights and labor-management laws to the Smithsonian Institution.

“TITLE IV—REHABILITATION ACT AMENDMENTS OF 1998

- “Sec. 401. Short title.
- “Sec. 402. Title.
- “Sec. 403. General provisions.
- “Sec. 404. Vocational rehabilitation services.
- “Sec. 405. Research and training.
- “Sec. 406. Professional development and special projects and demonstrations.
- “Sec. 407. National Council on Disability.
- “Sec. 408. Rights and advocacy.
- “Sec. 409. Employment opportunities for individuals with disabilities.
- “Sec. 410. Independent living services and centers for independent living.
- “Sec. 411. Repeal.
- “Sec. 412. Helen Keller National Center Act.
- “Sec. 413. President’s Committee on Employment of People With Disabilities.
- “Sec. 414. Conforming amendments.

“TITLE V—GENERAL PROVISIONS

- “Sec. 501. State unified plan.
- “Sec. 504. Privacy.
- “Sec. 505. Buy-American requirements.
- “Sec. 507. Effective date.”.

1 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(c)), by
 23 striking “Commissioner’s” and inserting “Direc-
 24 tor’s”;

25 (4) in section 21 (29 U.S.C. 718)—

1 (A) in subsection (b)(1)—

2 (i) by striking “Commissioner” the
3 first place it appears and inserting “Direc-
4 tor of the Rehabilitation Services Adminis-
5 tration”;

6 (ii) by striking “(referred to in this
7 subsection as the ‘Director’)”; and

8 (iii) by striking “The Commissioner
9 and the Director” and inserting “Both
10 such Directors”; and

11 (B) by striking “the Commissioner and the
12 Director” each place it appears and inserting
13 “both such Directors”;

14 (5) in the heading for subparagraph (B) of sec-
15 tion 100(d)(2) (29 U.S.C. 720(d)(2)), by striking
16 “COMMISSIONER” and inserting “DIRECTOR”;

17 (6) in section 401(a)(1) (29 U.S.C. 781(a)(1)),
18 by inserting “of the National Institute on Disability
19 and Rehabilitation Research” after “Director”;

20 (7) in the heading for section 706 (29 U.S.C.
21 796d–1), by striking “**COMMISSIONER**” and insert-
22 ing “**DIRECTOR**”; and

23 (8) in the heading for paragraph (3) of section
24 723(a) (29 U.S.C. 796f–2(a)), by striking “COMMIS-
25 SIONER” and inserting “DIRECTOR”.

1 (b) EFFECTIVE DATE; APPLICATION.—The amend-
 2 ments made by subsection (a) shall—

3 (1) take effect on the date of the enactment of
 4 this Act; and

5 (2) apply with respect to the appointments of
 6 Directors of the Rehabilitation Services Administra-
 7 tion made on or after the date of enactment of this
 8 Act, and the Directors so appointed.

9 **SEC. 503. DEFINITIONS.**

10 Section 7 of the Rehabilitation Act of 1973 (29
 11 U.S.C. 705) is amended—

12 (1) by redesignating paragraphs (35) through
 13 (39) as paragraphs (36) through (40), respectively;

14 (2) in subparagraph (A)(ii) of paragraph (36)
 15 (as redesignated by paragraph (1)), by striking
 16 “paragraph (36)(C)” and inserting “paragraph
 17 (37)(C)”; and

18 (3) by inserting after paragraph (34) the fol-
 19 lowing:

20 “(35)(A) The term ‘student with a disability’
 21 means an individual with a disability who—

22 “(i) is not younger than 16 and not older
 23 than 21;

1 “(ii) has been determined to be eligible
2 under section 102(a) for assistance under this
3 title; and

4 “(iii)(I) is eligible for, and is receiving,
5 special education under part B of the Individ-
6 uals with Disabilities Education Act (20 U.S.C.
7 1411 et seq.); or

8 “(II) is an individual with a disability, for
9 purposes of section 504.

10 “(B) The term ‘students with disabilities’
11 means more than 1 student with a disability.”.

12 **SEC. 504. CARRYOVER.**

13 Section 19(a)(1) of the Rehabilitation Act of 1973
14 (29 U.S.C. 716(a)(1)) is amended by striking “part B of
15 title VI,”.

16 **SEC. 505. TRADITIONALLY UNDERSERVED POPULATIONS.**

17 Section 21 of the Rehabilitation Act of 1973 (29
18 U.S.C. 718) is amended, in paragraphs (1) and (2)(A) of
19 subsection (b), and in subsection (c), by striking “VI,”.

20 **SEC. 506. STATE PLAN.**

21 Section 101(a) of the Rehabilitation Act of 1973 (29
22 U.S.C. 721(a)) is amended—

23 (1) in paragraph (10)—

24 (A) in subparagraph (B), by striking “on
25 the eligible individuals” and all that follows and

1 inserting “of information necessary to assess
2 the State’s performance on the core indicators
3 of performance described in section
4 136(b)(2)(A) of the Workforce Investment Act
5 of 1998 (29 U.S.C. 2871(b)(2)(A)).”; and

6 (B) in subparagraph (E)(ii), by striking “,
7 to the extent the measures are applicable to in-
8 dividuals with disabilities”;

9 (2) in paragraph (11)—

10 (A) in subparagraph (D)(i), by inserting
11 before the semicolon the following: “, which
12 may be provided using alternative means of
13 meeting participation (such as participation
14 through video conferences and conference
15 calls)”; and

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

17 “(G) COORDINATION WITH ASSISTIVE
18 TECHNOLOGY PROGRAMS.—The State plan shall
19 include an assurance that the designated State
20 unit and the lead agency or implementing entity
21 responsible for carrying out duties under the
22 Assistive Technology Act of 1998 (29 U.S.C.
23 3001 et seq.) have developed working relation-
24 ships and coordinate their activities.”;

25 (3) in paragraph (15)—

1 (A) in subparagraph (A)—

2 (i) in clause (i)—

3 (I) in subclause (II), by striking
4 “and” at the end;

5 (II) in subclause (III), by adding
6 “and” at the end; and

7 (III) by adding at the end the
8 following:

9 “(IV) students with disabilities,
10 including their need for transition
11 services;”;

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

15 (iii) by inserting after clause (i) the
16 following:

17 “(ii) include an assessment of the
18 transition services provided under this Act,
19 and coordinated with transition services
20 provided under the Individuals with Dis-
21 abilities Education Act (20 U.S.C. 1400 et
22 seq.), about the extent to which those 2
23 types of services meet the needs of individ-
24 uals with disabilities;”;

1 (B) in subparagraph (B)(ii), by striking
 2 “and under part B of title VI”; and

3 (C) in subparagraph (D)—

4 (i) by redesignating clauses (iii), (iv),
 5 and (v) as clauses (iv), (v), and (vi), re-
 6 spectively;

7 (ii) by inserting after clause (ii) the
 8 following:

9 “(iii) the methods to be used to im-
 10 prove and expand vocational rehabilitation
 11 services for students with disabilities, in-
 12 cluding the coordination of services de-
 13 signed to facilitate the transition of such
 14 students from the receipt of educational
 15 services in school to the receipt of voca-
 16 tional rehabilitation services under this
 17 title or to postsecondary education or em-
 18 ployment;”; and

19 (iii) in clause (v), as redesignated by
 20 clause (i) of this subparagraph, by striking
 21 “evaluation standards” and inserting “per-
 22 formance standards”;

23 (4) in paragraph (22)—

24 (A) in the paragraph heading, by striking
 25 “STATE PLAN SUPPLEMENT”;

1 (B) by striking “carrying out part B of
2 title VI, including”; and

3 (C) by striking “that part to supplement
4 funds made available under part B of”;

5 (5) in paragraph (24)—

6 (A) in the paragraph heading, by striking
7 “CONTRACTS” and inserting “GRANTS”; and

8 (B) in subparagraph (A)—

9 (i) in the subparagraph heading, by
10 striking “CONTRACTS” and inserting
11 “GRANTS”; and

12 (ii) by striking “part A of title VI”
13 and inserting “section 109A”; and

14 (6) by adding at the end the following:

15 “(25) COLLABORATION WITH INDUSTRY.—The
16 State plan shall describe how the designated State
17 agency will carry out the provisions of section 109A,
18 including—

19 “(A) the criteria such agency will use to
20 award grants under such section; and

21 “(B) how the activities carried out under
22 such grants will be coordinated with other serv-
23 ices provided under this title.

1 “(26) SERVICES FOR STUDENTS WITH DISABIL-
2 ITIES.—The State plan shall provide an assurance
3 satisfactory to the Secretary that the State—

4 “(A) has developed and implemented strat-
5 egies to address the needs identified in the as-
6 sessments described in paragraph (15), and
7 achieve the goals and priorities identified by the
8 State in that paragraph, to improve and expand
9 vocational rehabilitation services for students
10 with disabilities on a statewide basis in accord-
11 ance with paragraph (15); and

12 “(B) from funds reserved under section
13 110A, shall carry out programs or activities de-
14 signed to improve and expand vocational reha-
15 bilitation services for students with disabilities
16 that—

17 “(i) facilitate the transition of stu-
18 dents with disabilities from the receipt of
19 educational services in school, to the re-
20 ceipt of vocational rehabilitation services
21 under this title, including, at a minimum,
22 those services specified in the interagency
23 agreement required in paragraph (11)(D);

24 “(ii) improve the achievement of post-
25 school goals of students with disabilities,

1 including improving the achievement
2 through participation (as appropriate when
3 career goals are discussed) in meetings re-
4 garding individualized education programs
5 developed under section 614 of the Individ-
6 uals with Disabilities Education Act (20
7 U.S.C. 1414);

8 “(iii) provide career guidance, career
9 exploration services, job search skills and
10 strategies, and technical assistance to stu-
11 dents with disabilities;

12 “(iv) support the provision of training
13 and technical assistance to State and local
14 educational agencies and designated State
15 agency personnel responsible for the plan-
16 ning and provision of services to students
17 with disabilities; and

18 “(v) support outreach activities to stu-
19 dents with disabilities who are eligible for,
20 and need, services under this title.”.

21 **SEC. 507. SCOPE OF SERVICES.**

22 Section 103 of the Rehabilitation Act of 1973 (29
23 U.S.C. 723) is amended—

24 (1) in subsection (a), by striking paragraph
25 (15) and inserting the following:

1 “(15) transition services for students with dis-
 2 abilities, that facilitate the achievement of the em-
 3 ployment outcome identified in the individualized
 4 plan for employment involved, including services de-
 5 scribed in clauses (i) through (iii) of section
 6 101(a)(26)(B);”;

7 (2) in subsection (b), by striking paragraph (6)
 8 and inserting the following:

9 “(6)(A)(i) Consultation and technical assistance
 10 services to assist State and local educational agen-
 11 cies in planning for the transition of students with
 12 disabilities from school to post-school activities, in-
 13 cluding employment.

14 “(ii) Training and technical assistance de-
 15 scribed in section 101(a)(26)(B)(iv).

16 “(B) Services for groups of individuals with dis-
 17 abilities who meet the requirements of clauses (i)
 18 and (iii) of section 7(35)(A), including services de-
 19 scribed in clauses (i), (ii), (iii), and (v) of section
 20 101(a)(26)(B), to assist in the transition from
 21 school to post-school activities.”; and

22 (3) in subsection (b), by inserting at the end
 23 the following:

24 “(7) The establishment, development, or im-
 25 provement of assistive technology demonstration,

1 loan, reutilization, or financing programs in coordi-
 2 nation with activities authorized under the Assistive
 3 Technology Act of 1998 (29 U.S.C. 3001 et seq.) to
 4 promote access to assistive technology for individuals
 5 with disabilities and employers.”.

6 **SEC. 508. STANDARDS AND INDICATORS.**

7 (a) IN GENERAL.—Section 106 of the Rehabilitation
 8 Act of 1973 (29 U.S.C. 726) is amended—

9 (1) in the section heading, by striking “**EVAL-**
 10 **UATION STANDARDS**” and inserting “**PERFORM-**
 11 **ANCE STANDARDS**”;

12 (2) by striking subsection (a) and inserting the
 13 following:

14 “(a) STANDARDS AND INDICATORS.—The perform-
 15 ance standards and indicators for the vocational rehabili-
 16 tation program carried out under this title—

17 “(1) shall be subject to paragraphs (2)(A) and
 18 (3) of section 136(b) of the Workforce Investment
 19 Act of 1998 (29 U.S.C. 2871(b)); and

20 “(2) may, at a State’s discretion, include addi-
 21 tional indicators identified in the State plan sub-
 22 mitted under section 101.”; and

23 (3) in subsection (b)(2)(B), by striking clause
 24 (i) and inserting the following:

1 “(i) on a biannual basis, review the
 2 program improvement efforts of the State
 3 and, if the State has not improved its per-
 4 formance to acceptable levels, as deter-
 5 mined by the Director, direct the State to
 6 make revisions to the plan to improve per-
 7 formance; and”.

8 (b) CONFORMING AMENDMENTS.—Section 107 of the
 9 Rehabilitation Act of 1973 (29 U.S.C. 727) is amended—

10 (1) in subsections (a)(1)(B) and (b)(2), by
 11 striking “evaluation standards” and inserting “per-
 12 formance standards”; and

13 (2) in subsection (c)(1)(B), by striking “an
 14 evaluation standard” and inserting “a performance
 15 standard”.

16 **SEC. 509. EXPENDITURE OF CERTAIN AMOUNTS.**

17 Section 108(a) of the Rehabilitation Act of 1973 (29
 18 U.S.C. 728(a)) is amended by striking “under part B of
 19 title VI, or”.

20 **SEC. 510. COLLABORATION WITH INDUSTRY.**

21 The Rehabilitation Act of 1973 is amended by insert-
 22 ing after section 109 (29 U.S.C. 728a) the following:

23 **“SEC. 109A. COLLABORATION WITH INDUSTRY.**

24 “(a) ELIGIBLE ENTITY DEFINED.—For the purposes
 25 of this section, the term ‘eligible entity’ means a for-profit

1 business, alone or in partnership with one or more of the
2 following:

3 “(1) Community rehabilitation program pro-
4 viders.

5 “(2) Indian tribes.

6 “(3) Tribal organizations.

7 “(b) **AUTHORITY.**—A State shall use not less than
8 one-half of one percent of the payment the State receives
9 under section 111 for a fiscal year to award grants to eligi-
10 ble entities to pay for the Federal share of the cost of
11 carrying out collaborative programs, to create practical job
12 and career readiness and training programs, and to pro-
13 vide job placements and career advancement.

14 “(c) **AWARDS.**—Grants under this section shall—

15 “(1) be awarded for a period not to exceed 5
16 years; and

17 “(2) be awarded competitively.

18 “(d) **APPLICATION.**—To receive a grant under this
19 section, an eligible entity shall submit an application to
20 a designated State agency at such time, in such manner,
21 and containing such information as such agency shall re-
22 quire. Such application shall include, at a minimum—

23 “(1) a plan for evaluating the effectiveness of
24 the collaborative program;

1 “(2) a plan for collecting and reporting the
2 data and information described under subparagraphs
3 (A) through (C) of section 101(a)(10), as deter-
4 mined appropriate by the designated State agency;
5 and

6 “(3) a plan for providing for the non-Federal
7 share of the costs of the program.

8 “(e) ACTIVITIES.—An eligible entity receiving a grant
9 under this section shall use the grant funds to carry out
10 a program that provides one or more of the following:

11 “(1) Job development, job placement, and ca-
12 reer advancement services for individuals with dis-
13 abilities.

14 “(2) Training in realistic work settings in order
15 to prepare individuals with disabilities for employ-
16 ment and career advancement in the competitive
17 market.

18 “(3) Providing individuals with disabilities with
19 such support services as may be required in order to
20 maintain the employment and career advancement
21 for which the individuals have received training.

22 “(f) ELIGIBILITY FOR SERVICES.—An individual
23 shall be eligible for services provided under a program
24 under this section if the individual is determined under

1 section 102(a)(1) to be eligible for assistance under this
2 title.

3 “(g) FEDERAL SHARE.—The Federal share for a
4 program under this section shall not exceed 80 percent
5 of the costs of the program.”.

6 **SEC. 511. RESERVATION FOR EXPANDED TRANSITION**
7 **SERVICES.**

8 The Rehabilitation Act of 1973 is amended by insert-
9 ing after section 110 (29 U.S.C. 730) the following:

10 **“SEC. 110A. RESERVATION FOR EXPANDED TRANSITION**
11 **SERVICES.**

12 “Each State shall reserve not less than 10 percent
13 of the funds allotted to the State under section 110(a)
14 to carry out programs or activities under sections
15 101(a)(26)(B) and 103(b)(6).”.

16 **SEC. 512. CLIENT ASSISTANCE PROGRAM.**

17 Section 112(e)(1) of the Rehabilitation Act of 1973
18 (29 U.S.C. 732(e)(1)) is amended by redesignating sub-
19 paragraph (D) as subparagraph (E) and inserting after
20 subparagraph (C) the following:

21 “(D) The Secretary shall make grants to the protec-
22 tion and advocacy system serving the American Indian
23 Consortium under the Developmental Disabilities and Bill
24 of Rights Act of 2000 (42 U.S.C. 15001 et seq.) to provide
25 services in accordance with this section, as determined by

1 the Secretary. The amount of such grants shall be the
 2 same as the amount provided to territories under this sub-
 3 section.”.

4 **SEC. 513. RESEARCH.**

5 Section 204(a)(2)(A) of the Rehabilitation Act of
 6 1973 (29 U.S.C. 764(a)(2)(A)) is amended by striking
 7 “VI,”.

8 **SEC. 514. TITLE III AMENDMENTS.**

9 Title III of the Rehabilitation Act of 1973 (29 U.S.C.
 10 771 et seq.) is amended—

11 (1) in section 301(a) (21 U.S.C. 771(a))—

12 (A) in paragraph (2), by inserting “and”
 13 at the end;

14 (B) by striking paragraphs (3) and (4);
 15 and

16 (C) by redesignating paragraph (5) as
 17 paragraph (3);

18 (2) in section 302 (29 U.S.C. 772)—

19 (A) in subsection (g)—

20 (i) in the heading, by striking “AND
 21 IN-SERVICE TRAINING”; and

22 (ii) by striking paragraph (3); and

23 (B) in subsection (h), by striking “section
 24 306” and inserting “section 304”;

25 (3) in section 303 (29 U.S.C. 773)—

1 (A) in subsection (b)(1), by striking “sec-
 2 tion 306” and inserting “section 304”; and

3 (B) in subsection (c)—

4 (i) in paragraph (4)—

5 (I) by amending subparagraph

6 (A)(ii) to read as follows:

7 “(ii) to coordinate activities and work
 8 closely with the parent training and infor-
 9 mation centers established pursuant to sec-
 10 tion 671 of the Individuals with Disabil-
 11 ities Education Act (20 U.S.C. 1471), the
 12 community parent resource centers estab-
 13 lished pursuant to section 672 of such Act
 14 (29 U.S.C. 1472), and the eligible entities
 15 receiving awards under section 673 of such
 16 Act (20 U.S.C. 1473); and”;

17 (II) in subparagraph (C), by in-

18 serting “, and demonstrate the capac-
 19 ity for serving,” after “serve”; and

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

22 “(8) RESERVATION.—From the amount appro-
 23 priated to carry out this subsection for a fiscal year,
 24 20 percent of such amount or \$500,000, whichever

1 is less, shall be reserved to carry out paragraph
2 (6).”;

3 (4) by striking sections 304 and 305 (29 U.S.C.
4 774, 775); and

5 (5) by redesignating section 306 (29 U.S.C.
6 776) as section 304.

7 **SEC. 515. REPEAL OF TITLE VI.**

8 Title VI of the Rehabilitation Act of 1973 (29 U.S.C.
9 795 et seq.) is repealed.

10 **SEC. 516. TITLE VII GENERAL PROVISIONS.**

11 (a) PURPOSE.—Section 701(3) of the Rehabilitation
12 Act of 1973 (29 U.S.C. 796(3)) is amended by striking
13 “State programs of supported employment services receiv-
14 ing assistance under part B of title VI,”.

15 (b) CHAIRPERSON.—Section 705(b)(5) of the Reha-
16 bilitation Act of 1973 (29 U.S.C. 796d(b)(5)) is amended
17 to read as follows:

18 “(5) CHAIRPERSON.—The Council shall select a
19 chairperson from among the voting membership of
20 the Council.”.

21 **SEC. 517. AUTHORIZATIONS OF APPROPRIATIONS.**

22 The Rehabilitation Act of 1973 (29 U.S.C. 701 et
23 seq.) is further amended—

24 (1) in section 100 (29 U.S.C. 720)—

1 (A) in subsection (b)(1), by striking “such
2 sums as may be necessary for fiscal years 1999
3 through 2003” and inserting “\$3,066,192,000
4 for fiscal year 2015 and each of the 6 suc-
5 ceeding fiscal years”; and

6 (B) in subsection (d)(1)(B), by striking
7 “2003” and inserting “2021”;

8 (2) in section 110(c) (29 U.S.C. 730(c)), by
9 amending paragraph (2) to read as follows:

10 “(2) The sum referred to in paragraph (1) shall be,
11 as determined by the Secretary, not less than 1 percent
12 and not more than 1.5 percent of the amount referred to
13 in paragraph (1) for each of fiscal years 2015 through
14 2020.”;

15 (3) in section 112(h) (29 U.S.C. 732(h)), by
16 striking “such sums as may be necessary for fiscal
17 years 1999 through 2003” and inserting
18 “\$11,600,000 for fiscal year 2015 and each of the
19 6 succeeding fiscal years”;

20 (4) by amending subsection (a) of section 201
21 (29 U.S.C. 761(a)) to read as follows: “(a) There
22 are authorized to be appropriated \$103,125,000 for
23 fiscal year 2015 and each of the 6 succeeding fiscal
24 years to carry out this title.”;

1 (5) in section 302(i) (29 U.S.C. 772(i)), by
2 striking “such sums as may be necessary for each of
3 the fiscal years 1999 through 2003” and inserting
4 “\$33,657,000 for fiscal year 2015 and each of the
5 6 succeeding fiscal years”;

6 (6) in section 303(e) (29 U.S.C. 773(e)), by
7 striking “such sums as may be necessary for each of
8 the fiscal years 1999 through 2003” and inserting
9 “\$5,046,000 for fiscal year 2015 and each of the 6
10 succeeding fiscal years”;

11 (7) in section 405 (29 U.S.C. 785), by striking
12 “such sums as may be necessary for each of the fis-
13 cal years 1999 through 2003” and inserting
14 “\$3,081,000 for fiscal year 2015 and each of the 6
15 succeeding fiscal years”;

16 (8) in section 502(j) (29 U.S.C. 792(j)), by
17 striking “such sums as may be necessary for each of
18 the fiscal years 1999 through 2003” and inserting
19 “\$7,013,000 for fiscal year 2015 and each of the 6
20 succeeding fiscal years”;

21 (9) in section 509(l) (29 U.S.C. 794e(l)), by
22 striking “such sums as may be necessary for each of
23 the fiscal years 1999 through 2003” and inserting
24 “\$17,088,000 for fiscal year 2015 and each of the
25 6 succeeding fiscal years”;

1 (10) in section 714 (29 U.S.C. 796e–3), by
 2 striking “such sums as may be necessary for each of
 3 the fiscal years 1999 through 2003” and inserting
 4 “\$22,137,000 for fiscal year 2015 and each of the
 5 6 succeeding fiscal years”;

6 (11) in section 727 (29 U.S.C. 796f–6), by
 7 striking “such sums as may be necessary for each of
 8 the fiscal years 1999 through 2003” and inserting
 9 “\$75,772,000 for fiscal year 2015 and each of the
 10 6 succeeding fiscal years”; and

11 (12) in section 753 (29 U.S.C. 796l), by strik-
 12 ing “such sums as may be necessary for each of the
 13 fiscal years 1999 through 2003” and inserting
 14 “\$32,239,000 for fiscal year 2015 and each of the
 15 6 succeeding fiscal years”.

16 **SEC. 518. CONFORMING AMENDMENTS.**

17 Section 1(b) of the Rehabilitation Act of 1973 is
 18 amended—

19 (1) by inserting after the item relating to sec-
 20 tion 109 the following:

“Sec. 109A. Collaboration with industry.”;

21 (2) by inserting after the item relating to sec-
 22 tion 110 the following:

“Sec. 110A. Reservation for expanded transition services.”;

1 (3) by striking the item related to section 304
2 and inserting the following:

“Sec. 304. Measuring of project outcomes and performance.”;

3 (4) by striking the items related to sections 305
4 and 306;

5 (5) by striking the items related to title VI; and

6 (6) by striking the item related to section 706
7 and inserting the following:

“Sec. 706. Responsibilities of the Director.”.

8 **TITLE VI—STUDIES BY THE** 9 **COMPTROLLER GENERAL**

10 **SEC. 601. STUDY BY THE COMPTROLLER GENERAL ON EX-** 11 **HAUSTING FEDERAL PELL GRANTS BEFORE** 12 **ACCESSING WIA FUNDS.**

13 Not later than 12 months after the date of enactment
14 of this Act, the Comptroller General of the United States
15 shall complete and submit to the Committee on Education
16 and the Workforce of the House of Representatives and
17 the Committee on Health, Education, Labor, and Pen-
18 sions of the Senate a report that—

19 (1) evaluates the effectiveness of subparagraph
20 (B) of section 134(d)(4) of the Workforce Invest-
21 ment Act of 1998 (29 U.S.C. 2864(d)(4)(B)) (as
22 such subparagraph was in effect on the day before
23 the date of enactment of this Act), including—

1 (A) a review of the regulations and guid-
2 ance issued by the Secretary of Labor to State
3 and local areas on how to comply with such
4 subparagraph;

5 (B) a review of State policies to determine
6 how local areas are required to comply with
7 such subparagraph;

8 (C) a review of local area policies to deter-
9 mine how one-stop operators are required to
10 comply with such subparagraph; and

11 (D) a review of a sampling of individuals
12 receiving training services under section
13 134(d)(4) of the Workforce Investment Act of
14 1998 (29 U.S.C. 2864(d)(4)) to determine if,
15 before receiving such training services, such in-
16 dividuals have exhausted funds received through
17 the Federal Pell Grant program under title IV
18 of the Higher Education Act of 1965 (20
19 U.S.C. 1070 et seq.); and

20 (2) makes appropriate recommendations with
21 respect to the matters evaluated under paragraph
22 (1).

1 **SEC. 602. STUDY BY THE COMPTROLLER GENERAL ON AD-**
2 **MINISTRATIVE COST SAVINGS.**

3 (a) STUDY.—Not later than 12 months after the date
4 of the enactment of this Act, the Comptroller General of
5 the United States shall complete and submit to the Com-
6 mittee on Education and the Workforce of the House of
7 Representatives and the Committee on Health, Education,
8 Labor, and Pensions of the Senate a report that—

9 (1) determines the amount of administrative
10 costs at the Federal and State levels for the most re-
11 cent fiscal year for which satisfactory data are avail-
12 able for—

13 (A) each of the programs authorized under
14 the Workforce Investment Act of 1998 (29
15 U.S.C. 2801 et seq.) or repealed under section
16 401 of this Act, as such programs were in ef-
17 fect for such fiscal year; and

18 (B) each of the programs described in sub-
19 paragraph (A) that have been repealed or con-
20 solidated on or after the date of enactment of
21 this Act;

22 (2) determines the amount of administrative
23 cost savings at the Federal and State levels as a re-
24 sult of repealing and consolidating programs by cal-
25 culating the differences in the amount of administra-

1 tive costs between subparagraph (A) and subpara-
2 graph (B) of paragraph (1); and

3 (3) estimates the administrative cost savings at
4 the Federal and State levels for a fiscal year as a
5 result of States consolidating amounts under section
6 501(e) of the Workforce Investment Act of 1998 (20
7 U.S.C. 9271(e)) to reduce inefficiencies in the ad-
8 ministration of federally funded State and local em-
9 ployment and training programs.

10 (b) DEFINITION.—For purposes of this section, the
11 term “administrative costs” has the meaning given the
12 term in section 101 of the Workforce Investment Act of
13 1998 (29 U.S.C. 2801).

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