AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 803

OFFERED BY MS. FOXX OF NORTH CAROLINA

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

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

5 SEC. 2. TABLE OF CONTENTS.

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

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

TITLE I—AMENDMENTS TO THE WORKFORCE INVESTMENT ACT OF 1998

Subtitle A—Workforce Investment Definitions

Sec. 101. Definitions.

Subtitle B—Statewide and Local Workforce Investment Systems

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

Sec. 115. Authorization of appropriations.

Subtitle C—Job Corps

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

Subtitle D—National Programs

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

Subtitle E—Administration

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

Subtitle F—State Unified Plan

Sec. 140. State unified plan.

TITLE II—ADULT EDUCATION AND FAMILY LITERACY EDUCATION

Sec. 201. Amendment.

TITLE III—AMENDMENTS TO THE WAGNER-PEYSER ACT

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

TITLE IV—REPEALS AND CONFORMING AMENDMENTS

- Sec. 401. Repeals.
- Sec. 402. Amendment to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.
- Sec. 403. Amendments to the Food and Nutrition Act of 2008.
- Sec. 404. Amendments to section 412 of the Immigration and Nationality Act.
- Sec. 405. Amendments relating to the Second Chance Act of 2007.
- Sec. 406. Amendments to the Omnibus Crime Control and Safe Streets Act of 1968.

- Sec. 407. H–1B nonimmigrant petitioner account.
- Sec. 408. Conforming amendments to the United States Code.
- Sec. 409. Conforming amendment to table of contents.

TITLE V—AMENDMENTS TO THE REHABILITATION ACT OF 1973

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

1 SEC. 3. REFERENCES.

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

8 SEC. 4. EFFECTIVE DATE.

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

1	TITLE I—AMENDMENTS TO THE
1	WORKFORCE INVESTMENT
2	ACT OF 1998
4	Subtitle A—Workforce Investment
5	Definitions
6	SEC. 101. DEFINITIONS.
7	Section 101 (29 U.S.C. 2801) is amended—
8	(1) by striking paragraphs (13) and (24);
8 9	
	(2) by redesignating paragraphs (1) through
10	(12) as paragraphs (3) through (14), and para-
11	graphs (14) through (23) as paragraphs (15)
12	through (24), respectively;
13	(3) by striking paragraphs (52) and (53) ;
14	(4) by inserting after "In this title:" the fol-
15	lowing new paragraphs:
16	"(1) Accrued expenditures.—The term 'ac-
17	crued expenditures' means charges incurred by re-
18	cipients of funds under this title for a given period
19	requiring the provision of funds for goods or other
20	tangible property received; services performed by
21	employees, contractors, subgrantees, subcontractors,
22	and other payees; and other amounts becoming owed
23	under programs assisted under this title for which
24	no current services or performance is required, such

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as annuities, insurance claims, and other benefit
 payments.

3 "(2) Administrative costs.—The term 'ad-4 ministrative costs' means expenditures incurred by 5 State and local workforce investment boards, direct 6 recipients (including State grant recipients under 7 subtitle B and recipients of awards under subtitles 8 C and D), local grant recipients, local fiscal agents 9 or local grant subrecipients, and one-stop operators 10 in the performance of administrative functions and 11 in carrying out activities under this title which are 12 not related to the direct provision of workforce in-13 vestment services (including services to participants 14 and employers). Such costs include both personnel 15 and non-personnel and both direct and indirect.";

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

19 (6) by amending paragraph (5) (as so redesig-20 nated) to read as follows:

21 "(5) AREA CAREER AND TECHNICAL EDU22 CATION SCHOOL.—The term 'area career and tech23 nical education school' has the meaning given the
24 term in section 3(3) of the Carl D. Perkins Career

and Technical Education Act of 2006 (20 U.S.C.
 2302(3)).";

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

(8) in paragraph (10)(C) (as so redesignated), 6 by striking "not less than 50 percent of the cost of 7 the training" and inserting "a significant portion of 8 9 the cost of training, as determined by the local 10 board (or, in the case of an employer in multiple 11 local areas in the State, as determined by the Gov-12 ernor), taking into account the size of the employer 13 and such other factors as the local board determines 14 to be appropriate";

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

16 (A) in subparagraph (A)(ii)(II), by striking
17 "section 134(c)" and inserting "section
18 121(e)";

19	(B) in subparagraph (B)(iii)—
20	(i) by striking " $134(d)(4)$ " and insert-
21	ing "134(c)(4)"; and
22	(ii) by striking "intensive services de-
23	scribed in section $134(d)(3)$ " and inserting
24	"work ready services described in section

117(d)(5)(C)";

1	(C) in subparagraph (C), by striking "or"
2	after the semicolon;
3	(D) in subparagraph (D), by striking the
4	period and inserting "; or"; and
5	(E) by adding at the end the following:
6	"(E)(i) is the spouse of a member of the
7	Armed Forces on active duty for a period of
8	more than 30 days (as defined in section
9	101(d)(2) of title 10, United States Code) who
10	has experienced a loss of employment as a di-
11	rect result of relocation to accommodate a per-
12	manent change in duty station of such member;
13	or
14	"(ii) is the spouse of a member of the
15	Armed Forces on active duty who meets the cri-
16	teria described in paragraph (12)(B).";
17	(10) in paragraph $(12)(A)$ (as redesignated)—
18	(A) by striking "and" after the semicolon
19	and inserting "or";
20	(B) by striking "(A)" and inserting
21	"(A)(i)"; and
22	(C) by adding at the end the following:
23	"(ii) is the spouse of a member of the
24	Armed Forces on active duty for a period of
25	more than 30 days (as defined in section

1	101(d)(2) of title 10, United States Code)
2	whose family income is significantly reduced be-
3	cause of a deployment (as defined in section
4	991(b) of title 10, United States Code, or pur-
5	suant to paragraph (4) of such section), a call
6	or order to active duty pursuant to a provision
7	of law referred to in section $101(a)(13)(B)$ of
8	title 10, United States Code, a permanent
9	change of station, or the service-connected (as
10	defined in section $101(16)$ of title 38, United
11	States Code) death or disability of the member;
12	and";
13	(11) in paragraph (13) (as so redesignated), by
13 14	(11) in paragraph (13) (as so redesignated), by inserting "or regional" after "local" each place it
14	inserting "or regional" after "local" each place it
14 15	inserting "or regional" after "local" each place it appears;
14 15 16	inserting "or regional" after "local" each place it appears; (12) in paragraph (14) (as so redesignated)—
14 15 16 17	inserting "or regional" after "local" each place it appears; (12) in paragraph (14) (as so redesignated)— (A) in subparagraph (A), by striking "sec-
14 15 16 17 18	<pre>inserting "or regional" after "local" each place it appears; (12) in paragraph (14) (as so redesignated)— (A) in subparagraph (A), by striking "sec- tion 122(e)(3)" and inserting "section 122";</pre>
14 15 16 17 18 19	 inserting "or regional" after "local" each place it appears; (12) in paragraph (14) (as so redesignated)— (A) in subparagraph (A), by striking "section 122(e)(3)" and inserting "section 122"; (B) by striking subparagraph (B), and in-
14 15 16 17 18 19 20	<pre>inserting "or regional" after "local" each place it appears; (12) in paragraph (14) (as so redesignated)— (A) in subparagraph (A), by striking "sec- tion 122(e)(3)" and inserting "section 122"; (B) by striking subparagraph (B), and in- serting the following:</pre>
14 15 16 17 18 19 20 21	 inserting "or regional" after "local" each place it appears; (12) in paragraph (14) (as so redesignated)— (A) in subparagraph (A), by striking "section 122(e)(3)" and inserting "section 122"; (B) by striking subparagraph (B), and inserting the following: "(B) work ready services, means a provider

1	(13) in paragraph (15) (as so redesignated), by
2	striking "adult or dislocated worker" and inserting
3	"individual";
4	(14) in paragraph (25)—
5	(A) in subparagraph (B), by striking
6	"higher of—" and all that follows through
7	clause (ii) and inserting "poverty line for an
8	equivalent period;";
9	(B) by redesignating subparagraphs (D)
10	through (F) as subparagraphs (E) through (G),
11	respectively; and
12	(C) by inserting after subparagraph (C)
13	the following:
14	"(D) receives or is eligible to receive free
15	or reduced price lunch under the Richard B.
16	Russell National School Lunch Act (42 U.S.C.
17	1751 et seq.);";
18	(15) in paragraph (32), by striking "the Repub-
19	lic of the Marshall Islands, the Federated States of
20	Micronesia,";
21	(16) by amending paragraph (33) to read as
22	follows:
23	"(33) Out-of-school youth.—The term 'out-
24	of-school youth' means—

1	"(A) an at-risk youth who is a school drop-
2	out; or
3	"(B) an at-risk youth who has received a
4	secondary school diploma or its recognized
5	equivalent but is basic skills deficient, unem-
6	ployed, or underemployed.".
7	(17) in paragraph (38) , by striking
8	"134(a)(1)(A)" and inserting "134(a)(1)(B)";
9	(18) by amending paragraph (49) to read as
10	follows:
11	"(49) VETERAN.—The term 'veteran' has the
12	same meaning given the term in section $2108(1)$ of
13	title 5, United States Code.";
14	(19) by amending paragraph (50) to read as
15	follows:
16	"(50) CAREER AND TECHNICAL EDUCATION.—
17	The term 'career and technical education' has the
18	meaning given the term in section 3 of the Carl D.
19	Perkins Career and Technical Education Act of
20	2006 (20 U.S.C. 2302).";
21	(20) in paragraph (51) by striking ", and a
22	youth activity"; and
23	(21) by adding at the end the following:

1	"(52) AT-RISK YOUTH.—Except as provided in
2	subtitle C, the term 'at-risk youth' means an indi-
3	vidual who—
4	"(A) is not less than age 16 and not more
5	than age 24;
6	"(B) is a low-income individual; and
7	"(C) is an individual who is one or more
8	of the following:
9	"(i) a secondary school dropout;
10	"(ii) a youth in foster care (including
11	youth aging out of foster care);
12	"(iii) a youth offender;
13	"(iv) a youth who is an individual
14	with a disability; or
15	"(v) a migrant youth.
16	"(53) Industry or sector partnership.—
17	The term 'industry or sector partnership' means a
18	partnership of a State or local board and one or
19	more industries and other entities that have the ca-
20	pability to help the State or local board determine
21	the immediate and long term skilled workforce needs
22	of in-demand industries and other occupations im-
23	portant to the State or local economy, respectively.
24	"(54) INDUSTRY-RECOGNIZED CREDENTIAL.—
25	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 re cruitment, screening, or hiring.

"(55) Recognized postsecondary creden-5 6 TIAL.—The term 'recognized postsecondary creden-7 tial' means a credential awarded by a training pro-8 vider or postsecondary educational institution based 9 on completion of all requirements for a program of 10 study, including coursework or tests or other per-11 formance evaluations. The term includes an indus-12 try-recognized credential, a certificate of completion 13 of an apprenticeship, or an associate or bacca-14 laureate degree.".

15 Subtitle B—Statewide and Local

16 Workforce Investment Systems

17 SEC. 102. PURPOSE.

18 Section 106 (29 U.S.C. 2811) is amended by adding 19 at the end the following: "It is also the purpose of this 20 subtitle to provide workforce investment activities in a 21 manner that enhances employer engagement, promotes 22 customer choices in the selection of training services, and 23 ensures accountability in the use of the taxpayer funds.".

24 SEC. 103. STATE WORKFORCE INVESTMENT BOARDS.

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

1	(1) in subsection (b)—
2	(A) in paragraph (1)—
3	(i) by striking subparagraph (B);
4	(ii) by redesignating subparagraph
5	(C) as subparagraph (B); and
6	(iii) in subparagraph (B) (as so redes-
7	ignated)—
8	(I) by amending clause (i)(I), by
9	striking "section $117(b)(2)(A)(i)$ " and
10	inserting "section 117(b)(2)(A)";
11	(II) by amending clause (i)(II) to
12	read as follows:
13	"(II) represent businesses, in-
14	cluding large and small businesses,
15	with immediate and long-term employ-
16	ment opportunities in in-demand in-
17	dustries and other occupations impor-
18	tant to the State economy; and";
19	(III) by striking clause (iii) and
20	inserting the following:
21	"(iii) a State agency official respon-
22	sible for economic development; and";
23	(IV) by striking clauses (iv)
24	through (vi);

1	(V) by amending clause (vii) to
2	read as follows:
3	"(vii) such other representatives and
4	State agency officials as the Governor may
5	designate, including—
6	"(I) members of the State legis-
7	lature;
8	"(II) representatives of individ-
9	uals and organizations that have expe-
10	rience with respect to youth activities;
11	"(III) representatives of individ-
12	uals and organizations that have expe-
13	rience and expertise in the delivery of
14	workforce investment activities, in-
15	cluding chief executive officers of com-
16	munity colleges and community-based
17	organizations within the State;
18	"(IV) representatives of the lead
19	State agency officials with responsi-
20	bility for the programs and activities
21	that are described in section 121(b)
22	and carried out by one-stop partners;
23	or
24	"(V) representatives of veterans
25	service organizations; and"; and

1	(VI) by redesignating clause (vii)
2	(as so amended) as clause (iv); and
3	(B) by amending paragraph (3) to read as
4	follows:
5	"(3) MAJORITY.—A ² / ₃ majority of the mem-
6	bers of the board shall be representatives described
7	in paragraph (1)(B)(i).";
8	(2) in subsection (c), by striking "(b)(1)(C)(i)"
9	and inserting "(b)(1)(B)(i)";
10	(3) by amending subsection (d) to read as fol-
11	lows:
12	"(d) FUNCTIONS.—The State board shall assist the
13	Governor of the State as follows:
14	"(1) STATE PLAN.—Consistent with section
15	112, develop a State plan.
16	"(2) Statewide workforce development
17	SYSTEM.—Review and develop statewide policies and
18	programs in the State in a manner that supports a
19	comprehensive Statewide workforce development sys-
20	tem that will result in meeting the workforce needs
21	of the State and its local areas. Such review shall in-
22	clude determining whether the State should consoli-
23	date additional programs into the Workforce Invest-
24	ment Fund in accordance with section 501(e).

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

8 "(4) EMPLOYER ENGAGEMENT.—Develop strat-9 egies across local areas that meet the needs of em-10 ployers and support economic growth in the State by 11 enhancing communication, coordination, and collabo-12 ration among employers, economic development enti-13 ties, and service providers.

14 "(5) DESIGNATION OF LOCAL AREAS.—Des15 ignate local areas as required under section 116.

16 "(6) ONE-STOP DELIVERY SYSTEM.—Identify
17 and disseminate information on best practices for ef18 fective operation of one-stop centers, including use
19 of innovative business outreach, partnerships, and
20 service delivery strategies.

21 "(7) PROGRAM OVERSIGHT.—Conduct the fol22 lowing program oversight:

23 "(A) Reviewing and approving local plans24 under section 118.

1	"(B) Ensuring the appropriate use and
2	management of the funds provided for State
3	employment and training activities authorized
4	under section 134.
5	"(C) Preparing an annual report to the
6	Secretary described in section 136(d).
7	"(8) DEVELOPMENT OF PERFORMANCE MEAS-
8	URES.—Develop and ensure continuous improvement
9	of comprehensive State performance measures, in-
10	cluding State adjusted levels of performance, as de-
11	scribed under section 136(b).";
12	(4) by striking subsection (e) and redesignating
13	subsection (f) as subsection (e);
14	(5) in subsection (e) (as so redesignated), by in-
15	serting "or participate in any action taken" after
16	"vote";
17	(6) by inserting after subsection (e) (as so re-
18	designated), the following:
19	"(f) STAFF.—The State board may employ staff to
20	assist in carrying out the functions described in subsection
21	(d)."; and
22	(7) in subsection (g), by inserting "electronic
23	means and" after "on a regular basis through".
24	SEC. 104. STATE PLAN.
25	Section 112 (29 U.S.C. 2822)—

1	(1) in subsection (a)—
2	(A) by striking "127 or"; and
3	(B) by striking "5-year strategy" and in-
4	serting "3-year strategy";
5	(2) in subsection (b)—
6	(A) by amending paragraph (4) to read as
7	follows:
8	"(4) information describing—
9	"(A) the economic conditions in the State;
10	"(B) the immediate and long-term skilled
11	workforce needs of in-demand industries, small
12	businesses, and other occupations important to
13	the State economy;
14	"(C) the knowledge and skills of the work-
15	force in the State; and
16	((D) workforce development activities (in-
17	cluding education and training) in the State;";
18	(B) by amending paragraph (7) to read as
19	follows:
20	"(7) a description of the State criteria for de-
21	termining the eligibility of training providers in ac-
22	cordance with section 122, including how the State
23	will take into account the performance of providers
24	and whether the training programs relate to occupa-
25	tions that are in-demand;";

1	(C) by amending paragraph (8) to read as
2	follows:
3	"(8)(A) a description of the procedures that will
4	be taken by the State to assure coordination of, and
5	avoid duplication among, the programs and activities
6	identified under section $501(b)(2)$; and
7	"(B) a description of common data collection
8	and reporting processes used for the programs and
9	activities described in subparagraph (A), which are
10	carried out by one-stop partners, including—
11	"(i) assurances that such processes use
12	quarterly wage records for performance meas-
13	ures described in section $136(b)(2)(A)$ that are
14	applicable to such programs or activities; or
15	"(ii) if such wage records are not being
16	used for the performance measures, an identi-
17	fication of the barriers to using such wage
18	records and a description of how the State will
19	address such barriers within one year of the ap-
20	proval of the plan;";
21	(D) in paragraph (9), by striking ", includ-
22	ing comment by representatives of businesses
23	and representatives of labor organizations,";

1	(E) in paragraph (11), by striking "under
2	sections 127 and 132" and inserting "under
3	section 132";
4	(F) by striking paragraph (12);
5	(G) by redesignating paragraphs (13)
6	through (18) as paragraphs (12) through (17) ,
7	respectively;
8	(H) in paragraph (12) (as so redesig-
9	nated), by striking "111(f)" and inserting
10	"111(e)";
11	(I) in paragraph (13) (as so redesignated),
12	by striking "134(c)" and inserting "121(e)";
13	(J) in paragraph (14) (as so redesignated),
14	by striking "116(a)(5)" and inserting
15	''116(a)(4)'';
16	(K) in paragraph (16) (as so redesig-
17	nated)—
18	(i) in subparagraph (A)—
19	(I) in clause (ii), by striking "to
20	dislocated workers";
21	(II) in clause (iii), by striking
22	"134(d)(4)" and inserting
23	''134(c)(4)'';
24	(III) by striking "and" at the
25	end of clause (iii);

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

"(iv) how the State will serve the em-3 4 ployment and training needs of dislocated workers (including displaced homemakers), 5 6 low-income individuals (including recipients 7 of public assistance such as supplemental 8 nutrition assistance program benefits pur-9 suant to the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.)), long-term 10 11 unemployed individuals (including individ-12 uals who have exhausted entitlement to 13 State and Federal unemployment com-14 pensation), English learners, homeless in-15 dividuals, individuals training for nontradi-16 tional employment, youth (including out-of-17 school youth and at-risk youth), older 18 workers, ex-offenders, migrant and sea-19 sonal farmworkers, refugee and entrants, 20 veterans (including disabled and homeless 21 veterans), and Native Americans; and"; 22 and 23 (V) by adding at the end the fol-

lowing new clause:

25 "(v) how the State will—

1	"(I) consistent with section 188
2	and Executive Order 13217 (42
3	U.S.C. 12131 note), serve the employ-
4	ment and training needs of individuals
5	with disabilities; and
6	((II) consistent with sections 504
7	and 508 of the Rehabilitation Act of
8	1973, include the provision of out-
9	reach, intake, assessments, and serv-
10	ice delivery, the development of per-
11	formance measures, the training of
12	staff, and other aspects of accessibility
13	to programs and services under this
14	subtitle;"; and
15	(ii) in subparagraph (B), by striking
16	"to the extent practicable" and inserting
17	"in accordance with the requirements of
18	the Jobs for Veterans Act (Public Law
19	107-288) and the amendments made by
20	such Act"; and
21	(L) by striking paragraph (17) (as so re-
22	designated) and inserting the following:
23	((17) a description of the strategies and serv-
24	ices that will be used in the State—

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 State economy;
5	"(B) to meet the needs of employers in the
6	State; and
7	"(C) to better coordinate workforce devel-
8	opment programs with economic development
9	activities;
10	"(18) a description of how the State board will
11	convene (or help to convene) industry or sector part-
12	nerships that lead to collaborative planning, resource
13	alignment, and training efforts across multiple firms
14	for a range of workers employed or potentially em-
15	ployed by a targeted industry cluster—
16	"(A) to encourage industry growth and
17	competitiveness and to improve worker training,
18	retention, and advancement in targeted indus-
19	try clusters;
20	"(B) to address the immediate and long-
21	term skilled workforce needs of in-demand in-
22	dustries and other occupations important to the
23	State economy, and
24	"(C) to address critical skill gaps within
25	and across industries;

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

assistance to be provided for encouraging regional
cooperation within the State and across State borders, as appropriate;

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

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

19 "(A) one-stop partner program contribu20 tions for the cost of the infrastructure of one21 stop centers under section 121(h)(1); and

22 "(B) the formula for allocating such infra23 structure funds to local areas under section
24 121(h)(3);

1	"(23) a description of the strategies and serv-
2	ices that will be used in the State to assist at-risk
3	youth and out-of-school youth in acquiring the edu-
4	cation and skills, credentials (including recognized
5	postsecondary credentials and industry-recognized
6	credentials), and employment experience to succeed
7	in the labor market, including—
8	"(A) training and internships in in-demand
9	industries or occupations important to the State
10	and local economy;
11	"(B) dropout recovery activities that are
12	designed to lead to the attainment of a regular
13	secondary school diploma or its recognized
14	equivalent, or other State recognized equivalent
15	(including recognized alternative standards for
16	individuals with disabilities); and
17	"(C) activities combining remediation of
18	academic skills, work readiness training, and
19	work experience, and including linkages to post-
20	secondary education and training and career-
21	ladder employment; and
22	"(24) a description of—
23	"(A) how the State will furnish employ-
24	ment, training, supportive, and placement serv-

1	ices to veterans, including disabled and home-
2	less veterans;
3	"(B) the strategies and services that will
4	be used in the State to assist and expedite re-
5	integration of homeless veterans into the labor
6	force; and
7	"(C) the veteran population to be served in
8	the State.";
9	(3) in subsection (c), by striking "period,
10	that—" all that follows through paragraph (2) and
11	inserting "period, that the plan is inconsistent with
12	the provisions of this title."; and
13	(4) in subsection (d), by striking "5-year" and
14	inserting "3-year".
15	SEC. 105. LOCAL WORKFORCE INVESTMENT AREAS.
16	Section 116 (29 U.S.C. 2831) is amended—
17	(1) in subsection (a)—
18	(A) in paragraph (1)—
19	(i) in subparagraph (A)—
20	(I) by striking "Except as pro-
21	vided in subsection (b), and consistent
22	with paragraphs (2), (3), and (4), in"
23	and inserting "In"; and
24	(II) by striking "127 or"; and

1	(ii) by amending subparagraph (B) to
2	read as follows:
3	"(B) CONSIDERATIONS.—In making the
4	designation of local areas, the Governor shall
5	take into consideration the following:
6	"(i) The extent to which such local
7	areas are consistent with labor market
8	areas.
9	"(ii) The extent to which labor market
10	areas align with economic development re-
11	gions.
12	"(iii) Whether such local areas have
13	the appropriate education and training
14	providers to meet the needs of the local
15	workforce.
16	"(iv) The distance that individuals
17	will need to travel to receive services pro-
18	vided in such local areas.";
19	(B) by amending paragraph (2) to read as
20	follows:
21	"(2) TECHNICAL ASSISTANCE.—The Secretary
22	shall, if requested by the Governor of a State, pro-
23	vide the State with technical assistance in making
24	the determinations required under paragraph (1) .

1	The Secretary shall not issue regulations governing
2	determinations to be made under paragraph (1).";
3	(C) by striking paragraph (3) and insert-
4	ing the following:
5	"(3) Designation on recommendation of
6	STATE BOARD.—The Governor may approve a re-
7	quest from any unit of general local government (in-
8	cluding a combination of such units) for designation
9	as a local area under paragraph (1) if the State
10	board determines, taking into account the factors
11	described in clauses (i) through (iv) of paragraph
12	(1)(B), and recommends to the Governor, that such
13	area shall be so designated.";
14	(D) by striking paragraph (4); and
15	(E) by redesignating paragraph (5) as
16	paragraph (4);
17	(2) by amending subsection (b) to read as fol-
18	lows:
19	"(b) SINGLE STATES.—Consistent with subsection
20	(a)(1)(B), the Governor may designate a State as a single
21	State local area for the purposes of this title."; and
22	(3) in subsection (c)—
23	(A) in paragraph (1), by adding at the end
24	the following: "The State may require the local
25	boards for the designated region to prepare a

1	single regional plan that incorporates the ele-
2	ments of the local plan under section 118 and
3	that is submitted and approved in lieu of sepa-
4	rate local plans under such section."; and
5	(B) in paragraph (2), by striking "employ-
6	ment statistics" and inserting "workforce and
7	labor market information".
8	SEC. 106. LOCAL WORKFORCE INVESTMENT BOARDS.
9	Section 117 (29 U.S.C. 2832) is amended—
10	(1) in subsection (b)—
11	(A) in paragraph (2)—
12	(i) in subparagraph (A)—
13	(I) by striking "include—" and
14	all that follows through "representa-
15	tives" and inserting "include rep-
16	resentatives";
17	(II) by striking clauses (ii)
18	through (vi);
19	(III) by redesignating subclauses
20	(I) through (III) as clauses (i)
21	through (iii), respectively (and by
22	moving the margins of such clauses 2
23	ems to the left);

1	(IV) by striking clause (ii) (as so
2	redesignated) and inserting the fol-
3	lowing:
4	"(ii) represent businesses, including
5	large and small businesses, with immediate
6	and long-term employment opportunities in
7	in-demand industries and other occupa-
8	tions important to the local economy;
9	and"; and
10	(V) by striking the semicolon at
11	the end of clause (iii) (as so redesig-
12	nated) and inserting "; and"; and
13	(ii) by amending subparagraph (B) to
14	read as follows:
15	"(B) may include such other individuals or
16	representatives of entities as the chief elected
17	official in the local area may determine to be
18	appropriate, including—
19	"(i) a superintendent of the local sec-
20	ondary school system, the president or
21	chief executive officer of a postsecondary
22	educational institution (including a com-
23	munity college, where such an entity ex-
24	ists), or an administrator of local entities

1	providing adult education and literacy ac-
2	tivities;
3	"(ii) representatives of community-
4	based organizations (including organiza-
5	tions representing individuals with disabil-
6	ities and veterans, for a local area in which
7	such organizations are present); or
8	"(iii) representatives of veterans serv-
9	ice organizations.";
10	(B) in paragraph (4)—
11	(i) by striking "A majority" and in-
12	serting "A ² / ₃ majority"; and
13	(ii) by striking "(2)(A)(i)" and insert-
14	ing " $(2)(A)$ "; and
15	(C) in paragraph (5) by striking
16	"(2)(A)(i)" and inserting "(2)(A)";
17	(2) by striking subsection $(c)(1)(C)$;
18	(3) by amending subsection (d) to read as fol-
19	lows:
20	"(d) Functions of Local Board.—The functions
21	of the local board shall include the following:
22	"(1) LOCAL PLAN.—Consistent with section
23	118, each local board, in partnership with the chief
24	elected official for the local area involved, shall de-
25	velop and submit a local plan to the Governor.

4	
1	"(2) Workforce research and regional
2	LABOR MARKET ANALYSIS.—
3	"(A) IN GENERAL.—The local board
4	shall—
5	"(i) conduct, and regularly update, an
6	analysis of—
7	"(I) the economic conditions in
8	the local area;
9	"(II) the immediate and long-
10	term skilled workforce needs of in-de-
11	mand industries and other occupa-
12	tions important to the local economy;
13	"(III) the knowledge and skills of
14	the workforce in the local area; and
15	"(IV) workforce development ac-
16	tivities (including education and train-
17	ing) in the local area; and
18	"(ii) assist the Governor in developing
19	the statewide workforce and labor market
20	information system described in section
21	15(e) of the Wagner-Peyser Act.
22	"(B) EXISTING ANALYSIS.—A local board
23	shall use existing analysis by the local economic
24	development entity or related entity in order to
25	carry out requirements of subparagraph (A)(i).

1	"(3) Employer engagement.—The local
2	Board shall meet the needs of employers and sup-
3	port economic growth in the local area by enhancing
4	communication, coordination, and collaboration
5	among employers, economic development entities,
6	and service providers.
7	"(4) Budget and administration.—
8	"(A) BUDGET.—
9	"(i) IN GENERAL.—The local board
10	shall develop a budget for the activities of
11	the local board in the local area, consistent
12	with the requirements of this subsection.
13	"(ii) TRAINING RESERVATION.—In de-
14	veloping a budget under clause (i), the
15	local board shall reserve a percentage of
16	funds to carry out the activities specified
17	in section $134(c)(4)$. The local board shall
18	use the analysis conducted under para-
19	graph $(2)(A)(i)$ to determine the appro-
20	priate percentage of funds to reserve under
21	this clause.
22	"(B) Administration.—
23	"(i) GRANT RECIPIENT.—
24	"(I) IN GENERAL.—The chief
25	elected official in a local area shall

1	serve as the local grant recipient for,
2	and shall be liable for any misuse of,
3	the grant funds allocated to the local
4	area under section 133, unless the
5	chief elected official reaches an agree-
6	ment with the Governor for the Gov-
7	ernor to act as the local grant recipi-
8	ent and bear such liability.
9	"(II) DESIGNATION.—In order to
10	assist in administration of the grant
11	funds, the chief elected official or the
12	Governor, where the Governor serves
13	as the local grant recipient for a local
14	area, may designate an entity to serve
15	as a local grant subrecipient for such
16	funds or as a local fiscal agent. Such
17	designation shall not relieve the chief
18	elected official or the Governor of the
19	liability for any misuse of grant funds
20	as described in subclause (I).
21	"(III) DISBURSAL.—The local
22	grant recipient or an entity designated
23	under subclause (II) shall disburse the
24	grant funds for workforce investment
25	activities at the direction of the local

1	board, pursuant to the requirements
2	of this title. The local grant recipient
3	or entity designated under subclause
4	(II) shall disburse the funds imme-
5	diately on receiving such direction
6	from the local board.
7	"(ii) Staff.—The local board may
8	employ staff to assist in carrying out the
9	functions described in this subsection.
10	"(iii) Grants and donations.—The
11	local board may solicit and accept grants
12	and donations from sources other than
13	Federal funds made available under this
14	Act.
15	"(5) Selection of operators and pro-
16	VIDERS.—
17	"(A) Selection of one-stop opera-
18	TORS.—Consistent with section 121(d), the
19	local board, with the agreement of the chief
20	elected official—
21	"(i) shall designate or certify one-stop
22	operators as described in section
23	121(d)(2)(A); and
24	"(ii) may terminate for cause the eli-
25	gibility of such operators.

1	"(B) Identification of eligible train-
2	ING SERVICE PROVIDERS.—Consistent with this
3	subtitle, the local board shall identify eligible
4	providers of training services described in sec-
5	tion $134(c)(4)$, in the local area.
6	"(C) Identification of eligible pro-
7	VIDERS OF WORK READY SERVICES.—If the
8	one-stop operator does not provide the services
9	described in section $134(c)(2)$ in the local area,
10	the local board shall identify eligible providers
11	of such services in the local area by awarding
12	contracts.
13	"(6) Program oversight.—The local board,
14	in partnership with the chief elected official, shall be
15	responsible for—
16	"(A) ensuring the appropriate use and
17	management of the funds provided for local em-
18	ployment and training activities authorized
19	under section 134(b); and
20	"(B) conducting oversight of the one-stop
21	delivery system in the local area authorized
22	under section 121.
23	"(7) NEGOTIATION OF LOCAL PERFORMANCE
24	MEASURES.—The local board, the chief elected offi-
25	cial, and the Governor shall negotiate and reach

1	agreement on local performance measures as de-
2	scribed in section 136(c).
3	"(8) Technology improvements.—The local
4	board shall develop strategies for technology im-
5	provements to facilitate access to services authorized
6	under this subtitle and carried out in the local area,
7	including in remote areas.";
8	(4) in subsection (e)—
9	(A) by inserting "electronic means and"
10	after "regular basis through"; and
11	(B) by striking "and the award of grants
12	or contracts to eligible providers of youth activi-
13	ties,";
14	(5) in subsection (f)—
15	(A) in paragraph (1)(A), by striking "sec-
16	tion $134(d)(4)$ " and inserting "section
17	134(c)(4)"; and
18	(B) by striking paragraph (2) and insert-
19	ing the following:
20	"(2) Work ready services, designation, or
21	CERTIFICATION AS ONE-STOP OPERATORS.—A local
22	board may provide work ready services described in
23	section $134(c)(2)$ through a one-stop delivery system
24	described in section 121 or be designated or certified

1	as a one-stop operator only with the agreement of
2	the chief elected official and the Governor.";
3	(6) in subsection $(g)(1)$, by inserting "or par-
4	ticipate in any action taken" after "vote"; and
5	(7) by striking subsections (h) and (i).
6	SEC. 107. LOCAL PLAN.
7	Section 118 (29 U.S.C. 2833) is amended—
8	(1) in subsection (a), by striking "5-year" and
9	inserting "3-year";
10	(2) by amending subsection (b) to read as fol-
11	lows:
12	"(b) CONTENTS.—The local plan shall include—
13	((1) a description of the analysis of the local
14	area's economic and workforce conditions conducted
15	under section $117(d)(2)(A)(i)$, and an assurance
16	that the local board will use such analysis to carry
17	out the activities under this subtitle;
18	"(2) a description of the one-stop delivery sys-
19	tem in the local area, including—
20	"(A) a description of how the local board
21	will ensure—
22	"(i) the continuous improvement of el-
23	igible providers of services through the sys-
24	tem; and

1	"(ii) that such providers meet the em-
2	ployment needs of local businesses and
3	participants; and
4	"(B) a description of how the local board
5	will facilitate access to services provided
6	through the one-stop delivery system consistent
7	with section $117(d)(8)$;
8	"(3) a description of the strategies and services
9	that will be used in the local area—
10	"(A) to more fully engage employers, in-
11	cluding small businesses and employers in in-
12	demand industries and occupations important
13	to the local economy;
14	"(B) to meet the needs of employers in the
15	local area;
16	"(C) to better coordinate workforce devel-
17	opment programs with economic development
18	activities; and
19	"(D) to better coordinate workforce devel-
20	opment programs with employment, training,
21	and literacy services carried out by nonprofit
22	organizations, including public libraries, as ap-
23	propriate;
24	"(4) a description of how the local board will
25	convene (or help to convene) industry or sector part-

1	nerships that lead to collaborative planning, resource
2	alignment, and training efforts across multiple firms
3	for a range of workers employed or potentially em-
4	ployed by a targeted industry cluster—
5	"(A) to encourage industry growth and
6	competitiveness and to improve worker training,
7	retention, and advancement in targeted indus-
8	try clusters;
9	"(B) to address the immediate and long-
10	term skilled workforce needs of in-demand in-
11	dustries, small businesses, and other occupa-
12	tions important to the local economy; and
13	"(C) to address critical skill gaps within
14	and across industries;
15	"(5) a description of how the funds reserved
16	under section 117(d)(4)(A)(ii) will be used to carry
17	out activities described in section 134(c)(4);
18	"(6) a description of how the local board will
19	coordinate workforce investment activities carried
20	out in the local area with statewide activities, as ap-
21	propriate;
22	"(7) a description of how the local area will—
23	"(A) coordinate activities with the local
24	area's disability community and with services
25	provided under section 614(d)(1)(A)(i)(VIII) of

1	the Individuals with Disabilities Education Act
2	(20 U.S.C. 1414(d)(1)(A)(i)(VIII)) by local
3	educational agencies serving such local area to
4	make available comprehensive, high-quality
5	services to individuals with disabilities;
6	"(B) consistent with section 188 and Exec-
7	utive Order 13217 (42 U.S.C. 12131 note),
8	serve the employment and training needs of in-
9	dividuals with disabilities; and
10	"(C) consistent with sections 504 and 508 $$
11	of the Rehabilitation Act of 1973, include the
12	provision of outreach, intake, assessments, and
13	service delivery, the development of perform-
14	ance measures, the training of staff, and other
15	aspects of accessibility to programs and services
16	under this subtitle;
17	"(8) a description of the local levels of perform-
18	ance negotiated with the Governor and chief elected
19	official pursuant to section 136(c), to be—
20	"(A) used to measure the performance of
21	the local area; and
22	"(B) used by the local board for measuring
23	performance of the local fiscal agent (where ap-
24	propriate), eligible providers, and the one-stop
25	delivery system, in the local area;

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

5 "(10) a description of how the local area will 6 serve the employment and training needs of dis-7 located workers (including displaced homemakers), 8 low-income individuals (including recipients of public 9 assistance such as the Supplemental Nutrition As-10 sistance Program), long-term unemployed individ-11 uals (including individuals who have exhausted enti-12 tlement to State and Federal unemployment com-13 pensation), English learners, homeless individuals, 14 individuals training for nontraditional employment, 15 youth (including out-of-school youth and at-risk 16 youth), older workers, ex-offenders, migrant and sea-17 sonal farmworkers, refugee and entrants, veterans 18 (including disabled veterans and homeless veterans), 19 and Native Americans;

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

1	((12) a description of the strategies and serv-
2	ices that will be used in the local area to assist at-
3	risk youth and out-of-school youth in acquiring the
4	education and skills, credentials (including recog-
5	nized postsecondary credentials and industry-recog-
6	nized credentials), and employment experience to
7	succeed in the labor market, including—
8	"(A) training and internships in in-demand
9	industries or occupations important to the local
10	economy;
11	"(B) dropout recovery activities that are
12	designed to lead to the attainment of a regular
13	secondary school diploma or its recognized
14	equivalent, or other State recognized equivalent
15	(including recognized alternative standards for
16	individuals with disabilities); and
17	"(C) activities combining remediation of
18	academic skills, work readiness training, and
19	work experience, and including linkages to post-
20	secondary education and training and career-
21	ladder employment;
22	"(13) a description of—
23	"(A) how the local area will furnish em-
24	ployment, training, supportive, and placement

1	services to veterans, including disabled and
2	homeless veterans;
3	"(B) the strategies and services that will
4	be used in the local area to assist and expedite
5	reintegration of homeless veterans into the
6	labor force; and
7	"(C) the veteran population to be served in
8	the local area;
9	"(14) a description of—
10	"(A) the duties assigned to the veteran
11	employment specialist consistent with the re-
12	quirements of section 134(f);
13	"(B) the manner in which the veteran em-
14	ployment specialist is integrated into the One-
15	Stop Career System described in section 121;
16	"(C) the date on which the veteran em-
17	ployment specialist was assigned; and
18	"(D) whether the veteran employment spe-
19	cialist has satisfactorily competed such training
20	by the National Veterans' Employment and
21	Training Services Institute; and
22	((15) such other information as the Governor
23	may require.";
24	(3) in subsection $(c)(1)$, by striking "such
25	means" and inserting "electronic means such"; and

1	(4) in subsection $(c)(2)$, by striking ", including
2	representatives of business and representatives of
3	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 the one-
15	stop delivery system to the program and
16	activities carried out by the entity, includ-
17	ing making the work ready services de-
18	scribed in section $134(c)(2)$ that are appli-
19	cable to the program 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 of the entity to main-
24	tain the one-stop delivery system, including
25	payment of the infrastructure costs of one-

1	stop centers in accordance with subsection
2	(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 programs carried out by
14	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 (viii), as so redesig-
24	nated, by striking "and" at the end;

1	(v) in clause (ix), as so redesignated,
2	by striking the period and inserting ";
3	and"; and
4	(vi) by adding at the end the fol-
5	lowing:
6	"(x) subject to subparagraph (C), pro-
7	grams authorized under part A of title IV
8	of the Social Security Act (42 U.S.C. 601
9	et seq.) .";
10	(C) by inserting after subparagraph (B)
11	the following:
12	"(C) Determination by the gov-
13	ERNOR.—Each entity carrying out a program
14	described in subparagraph $(B)(x)$ shall carry
15	out the required partner activities described in
16	subparagraph (A) unless the Governor of the
17	State in which the local area is located provides
18	the Secretary and Secretary of Health and
19	Human Services written notice of a determina-
20	tion by the Governor that such entities shall not
21	carry out such required partner activities."; and
22	(D) in paragraph (2)—
23	(i) in subparagraph (A)(i), by striking
24	"section $134(d)(2)$ " and inserting "section
25	134(c)(2)"; and

	10
1	(ii) in subparagraph (B)—
2	(I) by striking clauses (i), (ii),
3	and (v);
4	(II) in clause (iv), by striking
5	"and" at the end;
6	(III) by redesignating clauses
7	(iii) and (iv) as clauses (i) and (ii), re-
8	spectively; and
9	(IV) by adding at the end the fol-
10	lowing:
11	"(iii) employment and training pro-
12	grams administered by the Commissioner
13	of the Social Security Administration;
14	"(iv) employment and training pro-
15	grams carried out by the Administrator of
16	the Small Business Administration;
17	"(v) employment, training, and lit-
18	eracy services carried out by public librar-
19	ies; and
20	"(vi) other appropriate Federal, State,
21	or local programs, including programs in
22	the private sector.";
23	(2) in subsection $(c)(2)$, by amending subpara-
24	graph (A) to read as follows:
25	"(A) provisions describing—

1	"(i) the services to be provided
2	through the one-stop delivery system con-
3	sistent with the requirements of this sec-
4	tion, including the manner in which the
5	services will be coordinated through such
6	system;
7	"(ii) how the costs of such services
8	and the operating costs of such system will
9	be funded, through cash and in-kind con-
10	tributions, to provide a stable and equi-
11	table funding stream for ongoing one-stop
12	system operations, including the funding of
13	the infrastructure costs of one-stop centers
14	in accordance with subsection (h);
15	"(iii) methods of referral of individ-
16	uals between the one-stop operator and the
17	one-stop partners for appropriate services
18	and activities, including referrals for non-
19	traditional employment; and
20	"(iv) the duration of the memo-
21	randum of understanding and the proce-
22	dures for amending the memorandum dur-
23	ing the term of the memorandum, and as-
24	surances that such memorandum shall be
25	reviewed not less than once every 3-year

1	period to ensure appropriate funding and
2	delivery of services; and";
3	(3) in subsection (d)—
4	(A) in the heading for paragraph (1), by
5	striking "Designation and certification"
6	and inserting "LOCAL DESIGNATION AND CER-
7	TIFICATION'';
8	(B) in paragraph (2)—
9	(i) by striking "section 134(c)" and
10	inserting "subsection (e)";
11	(ii) by amending subparagraph (A) to
12	read as follows:
13	"(A) shall be designated or certified as a
14	one-stop operator through a competitive proc-
15	ess; and"; and
16	(iii) in subparagraph (B), by striking
17	clause (ii) and redesignating clauses (iii)
18	through (vi) as clauses (ii) through (v), re-
19	spectively; and
20	(C) in paragraph (3), by striking "voca-
21	tional" and inserting "career and technical";
22	(4) by amending subsection (e) to read as fol-
23	lows:
24	"(e) Establishment of One-Stop Delivery Sys-
25	TEM.—

1	"(1) IN GENERAL.—There shall be established
2	in a State that receives an allotment under section
3	132(b) a one-stop delivery system, which shall—
4	"(A) provide the work ready services de-
5	scribed in section $134(c)(2)$;
6	"(B) provide access to training services as
7	described in section $134(c)(4)$, including serving
8	as the point of access to career enhancement
9	accounts for training services to participants in
10	accordance with paragraph $(4)(F)$ of such sec-
11	tion;
12	"(C) provide access to the activities carried
13	out under section 134(d), if any;
14	"(D) provide access to programs and ac-
15	tivities carried out by one-stop partners that
16	are described in subsection (b) of this section;
17	and
18	"(E) provide access to the information de-
19	scribed in section 15(e) of the Wagner-Peyser
20	Act (29 U.S.C. 491–2(e)).
21	"(2) ONE-STOP DELIVERY.—At a minimum, the
22	one-stop delivery system—
23	"(A) shall make each of the programs,
24	services, and activities described in paragraph

1	(1) accessible at not less than one physical cen-
2	ter in each local area of the State; and
3	"(B) may also make programs, services,
4	and activities described in paragraph (1) avail-
5	able—
6	"(i) through a network of affiliated
7	sites that can provide one or more of the
8	programs, services, and activities to indi-
9	viduals; and
10	"(ii) through a network of eligible
11	one-stop partners—
12	"(I) in which each partner pro-
13	vides one or more of the programs,
14	services, and activities to such individ-
15	uals and is accessible at an affiliated
16	site that consists of a physical loca-
17	tion or an electronically- or techno-
18	logically-linked access point; and
19	"(II) that assures individuals
20	that information on the availability of
21	the work ready services will be avail-
22	able regardless of where the individ-
23	uals initially enter the statewide work-
24	force investment system, including in-
25	formation made available through an

1	access point described in subclause
2	(I).
3	"(3) Specialized centers.—The centers and
4	sites described in paragraph (2) may have a speciali-
5	zation in addressing special needs."; and
6	(5) by adding at the end the following:
7	"(g) Certification of One-Stop Centers.—
8	"(1) IN GENERAL.—
9	"(A) IN GENERAL.—The State board shall
10	establish objective procedures and criteria for
11	certifying, at least once every 3 years, one-stop
12	centers for the purpose of awarding the one-
13	stop infrastructure funding described in sub-
14	section (h).
15	"(B) CRITERIA.—The criteria for certifi-
16	cation under this subsection shall include—
17	"(i) meeting all of the expected levels
18	of performance for each of the core indica-
19	tors of performance as outlined in the
20	State plan under section 112;
21	"(ii) meeting minimum standards re-
22	lating to the scope and degree of service
23	integration achieved by the centers involv-
24	ing the programs provided by the one-stop
25	partners; and

1	"(iii) meeting minimum standards re-
2	lating to how the centers ensure that eligi-
3	ble providers meet the employment needs
4	of local employers and participants.
5	"(C) EFFECT OF CERTIFICATION.—One-
6	stop centers certified under this subsection shall
7	be eligible to receive the infrastructure grants
8	authorized under subsection (h).
9	"(2) LOCAL BOARDS.—Consistent with the cri-
10	teria developed by the State, the local board may de-
11	velop additional criteria of higher standards to re-
12	spond to local labor market and demographic condi-
13	tions and trends.
14	"(h) One-Stop Infrastructure Funding.—
15	"(1) PARTNER CONTRIBUTIONS.—
16	"(A) PROVISION OF FUNDS.—Notwith-
17	standing any other provision of law, as deter-
18	mined under subparagraph (B), a portion of the
19	Federal funds provided to the State and areas
20	within the State under the Federal laws author-
21	izing the one-stop partner programs described
22	in subsection $(b)(1)(B)$ and participating addi-
23	tional partner programs described in $(b)(2)(B)$
24	for a fiscal year shall be provided to the Gov-

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ernor by such programs to carry out this subsection.

3	"(B) DETERMINATION OF GOVERNOR.—
4	"(i) IN GENERAL.—Subject to sub-
5	paragraph (C), the Governor, in consulta-
6	tion with the State board, shall determine
7	the portion of funds to be provided under
8	subparagraph (A) by each one-stop partner
9	and in making such determination shall
10	consider the proportionate use of the one-
11	stop centers by each partner, the costs of
12	administration for purposes not related to
13	one-stop centers for each partner, and
14	other relevant factors described in para-
15	graph (3).
16	"(ii) Special Rule.—In those States

17 where the State constitution places policy-18 making authority that is independent of 19 the authority of the Governor in an entity or official with respect to the funds pro-20 21 vided for adult education and literacy ac-22 tivities authorized under title II of this Act 23 and for postsecondary career education activities authorized under the Carl D. Per-24 25 kins Career and Technical Education Act,

1	the determination described in clause (i)
2	with respect to such programs shall be
3	made by the Governor with the appropriate
4	entity or official with such independent
5	policy-making authority.
6	"(iii) Appeal by one-stop part-
7	NERS — The Governor shall establish a

- NERS.—The Governor shall establish a 1 8 procedure for the one-stop partner admin-9 istering a program described in subsection 10 (b) to appeal a determination regarding the portion of funds to be contributed 11 under this paragraph on the basis that 12 13 such determination is inconsistent with the 14 criteria described in the State plan or with 15 the requirements of this paragraph. Such 16 procedure shall ensure prompt resolution 17 of the appeal.
 - "(C) Limitations.—

19 "(i) PROVISION FROM ADMINISTRA20 TIVE FUNDS.—The funds provided under
21 this paragraph by each one-stop partner
22 shall be provided only from funds available
23 for the costs of administration under the
24 program administered by such partner,
25 and shall be subject to the limitations with

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respect to the portion of funds under such 2 programs that may be used for administration. 3

"(ii) 4 Federal DIRECT SPENDING PROGRAMS.—Programs that are Federal 5 6 direct spending under section 250(c)(8) of 7 the Balanced Budget and Emergency Def-8 icit Control Act of 1985 (2)U.S.C. 9 900(c)(8)) shall not, for purposes of this paragraph, be required to provide an 10 11 amount in excess of the amount deter-12 mined to be equivalent to the proportionate 13 use of the one-stop centers by such pro-14 grams in 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 the in-20 frastructure 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 described in paragraph (1). 25 The formula shall include such factors as the State board determines are appropriate, which may include factors such as the number of centers in the
local area that have been certified, the population
served by such centers, and the performance of such
centers.

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, the 11 costs of utilities and maintenance, and equipment 12 (including assistive technology for individuals with disabilities). 13

14 "(i) Other Funds.—

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

1	section (h), to the extent not inconsistent with the
2	Federal law involved including—
3	"(A) infrastructure costs that are in excess
4	of the funds provided under subsection (h);
5	"(B) common costs that are in addition to
6	the costs of infrastructure; and
7	"(C) the costs of the provision of work
8	ready services applicable to each program.
9	"(2) DETERMINATION AND GUIDANCE.—The
10	method for determining the appropriate portion of
11	funds and noncash resources to be provided by each
12	program under paragraph (1) shall be determined as
13	part of the memorandum of understanding under
14	subsection (c). The State board shall provide guid-
15	ance to facilitate the determination of appropriate
16	allocation of the funds and noncash resources in
17	local areas.".
18	SEC. 109. IDENTIFICATION OF ELIGIBLE PROVIDERS OF
19	TRAINING SERVICES.
20	Section 122 (29 U.S.C. 2842) is amended to read as
21	follows:
22	"SEC. 122. IDENTIFICATION OF ELIGIBLE PROVIDERS OF
23	TRAINING SERVICES.
24	"(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	"(2) Providers.—Subject to the provisions of
8	this section, to be eligible to receive the funds pro-
9	vided under section 133(b) for the provision of train-
10	ing services, the provider shall be—
11	"(A) a postsecondary educational institu-
12	tion that—
13	"(i) is eligible to receive Federal funds
14	under title IV of the Higher Education Act
15	of 1965 (20 U.S.C. 1070 et seq.); and
16	"(ii) provides a program that leads to
17	a recognized postsecondary credential;
18	"(B) an entity that carries out programs
19	under the Act of August 16, 1937 (commonly
20	known as the 'National Apprenticeship Act'; 50
21	Stat. 664, chapter 663; 29 U.S.C. 50 et seq.);
22	or
22 23	or "(C) another public or private provider of

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 section
5	to be included on the list of eligible providers of
6	training services described in subsection (d). A pro-
7	vider described in paragraph (2)(B) shall be in-
8	cluded on the list of eligible providers of training
9	services described in subsection (d) for so long as
10	the provider remains certified by the Secretary of
11	Labor to carry out the programs described in para-
12	graph $(2)(B)$.
13	"(b) Criteria.—
14	"(1) IN GENERAL.—The criteria established
15	pursuant to subsection (a) shall take into account—
16	"(A) the performance of providers of train-
17	ing services with respect to the performance
18	measures described in section 136 and other
19	matters for which information is required under
20	paragraph (2) and other appropriate measures
21	of performance outcomes for those participants
21 22	
	of performance outcomes for those participants

25 demand;

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

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

7 "(E) the information such providers are
8 required to report to State agencies with re9 spect to other Federal and State programs
10 (other than the program carried out under this
11 subtitle), including one-stop partner programs;
12 and

13 "(F) such other factors as the Governor14 determines are appropriate.

15 "(2) INFORMATION.—The criteria established 16 by the Governor shall require that a provider of 17 training services submit appropriate, accurate, and 18 timely information to the State for purposes of car-19 rying out subsection (d), with respect to participants 20 receiving training services under this subtitle in the 21 applicable program, including—

22 "(A) information on recognized postsec23 ondary credentials received by such partici24 pants;

	00
1	"(B) information on costs of attendance
2	for such participants;
3	"(C) information on the program comple-
4	tion rate for such participants; and
5	"(D) information on the performance of
6	the provider with respect to the performance
7	measures described in section 136 for such par-
8	ticipants.
9	"(3) RENEWAL.—The criteria established by
10	the Governor shall also provide for a review every 3
11	years and renewal of eligibility under this section for
12	providers of training services.
13	"(4) LOCAL CRITERIA.—A local board in the
14	State may establish criteria in addition to the cri-
15	teria established by the Governor, or may require
16	higher levels of performance than required under the
17	criteria established by the Governor, for purposes of
18	determining the eligibility of providers of training
19	services to receive funds described in subsection (a)
20	to provide the services in the local area involved.
21	"(5) LIMITATION.—In carrying out the require-
22	ments of this subsection, no personally identifiable
23	information regarding a student, including Social
24	Security number, student identification number, or

other identifier, may be disclosed without the prior

1	written consent of the parent or eligible student in
2	compliance with section 444 of the General Edu-
3	cation Provisions Act (20 U.S.C. 1232g).
4	"(c) PROCEDURES.—The procedures established
5	under subsection (a) shall—
6	"(1) identify—
7	"(A) the application process for a provider
8	of training services to become eligible to receive
9	funds under section 133(b) for the provision of
10	training services; and
11	"(B) the respective roles of the State and
12	local areas in receiving and reviewing applica-
13	tions and in making determinations of eligibility
14	based on the criteria established under this sec-
15	tion; and
16	"(2) establish a process for a provider of train-
17	ing services to appeal a denial or termination of eli-
18	gibility under this section that includes an oppor-
19	tunity for a hearing and prescribes appropriate time
20	limits to ensure prompt resolution of the appeal.
21	"(d) Information To Assist Participants in
22	CHOOSING PROVIDERS.—In order to facilitate and assist
23	participants under chapter 5 in choosing providers of
24	training services, the Governor shall ensure that an appro-
25	priate list or lists of providers determined eligible under

this section in the State, including information provided
 under subsection (b)(2) with respect to such providers, is
 provided to the local boards in the State and is made avail able to such participants and to members of the public
 through the one-stop delivery system in the State.

6 "(e) ENFORCEMENT.—

7 "(1) IN GENERAL.—The criteria and proce8 dures established under this section shall provide the
9 following:

"(A) INTENTIONALLY SUPPLYING INAC-10 CURATE INFORMATION.—Upon a determination, 11 12 by an individual or entity specified in the cri-13 teria or procedures, that a provider of training 14 services, or individual providing information on 15 behalf of the provider, intentionally supplied inaccurate information under this section, the eli-16 17 gibility of such provider to receive funds under 18 chapter 5 shall be terminated for a period of 19 time that is not less than 2 years.

20 "(B) SUBSTANTIAL VIOLATIONS.—Upon a
21 determination, by an individual or entity speci22 fied in the criteria or procedures, that a pro23 vider of training services substantially violated
24 any requirement under this title, the eligibility
25 of such provider to receive funds under the pro-

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gram involved shall be terminated for a period of time that is not less than 10 years.

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

9 "(2) CONSTRUCTION.—Paragraph (1) shall be 10 construed to provide remedies and penalties that 11 supplement, but do not supplant, other civil and 12 criminal remedies and penalties.

13 "(f) AGREEMENTS WITH OTHER STATES.—States
14 may enter into agreements, on a reciprocal basis, to per15 mit eligible providers of training services to accept career
16 enhancement accounts provided in another State.

17 "(g) RECOMMENDATIONS.—In developing the cri18 teria, procedures, and information required under this sec19 tion, the Governor shall solicit and take into consideration
20 the recommendations of local boards and providers of
21 training services within the State.

"(h) OPPORTUNITY TO SUBMIT COMMENTS.—During the development of the criteria, procedures, requirements for information, and the list of eligible providers
required under this section, the Governor shall provide an

opportunity for interested members of the public to submit
 comments regarding such criteria, procedures, and infor mation.

4 "(i) ON-THE-JOB TRAINING OR CUSTOMIZED TRAIN5 ING EXCEPTION.—

6 "(1) IN GENERAL.—Providers of on-the-job 7 training or customized training shall not be subject 8 to the requirements of subsections (a) through (d). 9 "(2) Collection and dissemination of in-10 FORMATION.—A one-stop operator in a local area 11 shall collect such performance information from on-12 the-job training and customized training providers 13 as the Governor may require, determine whether the 14 providers meet such performance criteria as the Gov-15 ernor may require, and disseminate information 16 identifying providers that meet the criteria as eligi-17 ble providers, and the performance information, 18 through the one-stop delivery system. Providers de-19 termined to meet the criteria shall be considered to 20 be identified as eligible providers of training serv-21 ices.".

22 SEC. 110. GENERAL AUTHORIZATION.

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

1	(1) by striking the heading for chapter 5 and
2	inserting the following: "EMPLOYMENT AND
3	TRAINING ACTIVITIES"; and
4	(2) in section 131 (29 U.S.C. 2861)—
5	(A) by striking "paragraphs (1)(B) and
6	(2)(B) of"; and
7	(B) by striking "adults, and dislocated
8	workers," and inserting "individuals".
9	SEC. 111. STATE ALLOTMENTS.
10	Section 132 (29 U.S.C. 2862) is amended—
11	(1) by amending subsection (a) to read as fol-
12	lows:
13	"(a) IN GENERAL.—The Secretary shall—
14	"(1) reserve $\frac{1}{2}$ of 1 percent of the total amount
15	appropriated under section 137 for a fiscal year, of
16	which—
17	"(A) 50 percent shall be used to provide
18	technical assistance under section 170; and
19	"(B) 50 percent shall be used for evalua-
20	tions under section 172;
21	((2)) reserve not more than 1 percent of the
22	total amount appropriated under section 137 for a
23	fiscal year to make grants to, and enter into con-
24	tracts or cooperative agreements with Indian tribes,
25	tribal organizations, Alaska-Native entities, Indian-

1	controlled organizations serving Indians, or Native
2	Hawaiian organizations to carry out employment
3	and training activities;
4	"(3) reserve not more than 25 percent of the
5	total amount appropriated under section 137 for a
6	fiscal year to carry out the Jobs Corps program
7	under subtitle C;
8	((4) reserve not more than 3.5 percent of the
9	total amount appropriated under section 137 for a
10	fiscal year to—
11	"(A) make grants to State or local boards
12	to provide employment and training assistance
13	to workers affected by major economic disloca-
14	tions, such as plant closures, mass layoffs, or
15	closures and realignments of military installa-
16	tions; and
17	"(B) provide assistance to Governors of
18	States with an area that has suffered an emer-
19	gency or a major disaster (as such terms are
20	defined in paragraphs (1) and (2) , respectively,
21	of section 102 of the Robert T. Stafford Dis-
22	aster Relief and Emergency Assistance Act (42 $$
23	U.S.C. 5122)) to provide disaster relief employ-
24	ment in the area.

1	"(5) from the remaining amount appropriated
2	under section 137 for a fiscal year (after reserving
3	funds under paragraphs (1) through (4) , make al-
4	lotments in accordance with subsection (b) of this
5	section."; and
6	(2) by amending subsection (b) to read as fol-
7	lows:
8	"(b) Workforce Investment Fund.—
9	"(1) RESERVATION FOR OUTLYING AREAS.—
10	"(A) IN GENERAL.—From the amount
11	made available under subsection $(a)(5)$ for a
12	fiscal year, the Secretary shall reserve not more
13	than $\frac{1}{4}$ of 1 percent to provide assistance to
14	the outlying areas.
15	"(B) RESTRICTION.—The Republic of
16	Palau shall cease to be eligible to receive fund-
17	ing under this subparagraph upon entering into
18	an agreement for extension of United States
19	educational assistance under the Compact of
20	Free Association (approved by the Compact of
21	Free Association Amendments Act of 2003
22	(Public Law 99–658)) after the date of enact-
23	ment of the SKILLS Act.
24	"(2) STATES.—

1	"(A) IN GENERAL.—After determining the
2	amount to be reserved under paragraph (1), the
3	Secretary shall allot the remainder of the
4	amount referred to in subsection $(a)(5)$ for a
5	fiscal year to the States pursuant to subpara-
6	graph (B) for employment and training activi-
7	ties and statewide workforce investment activi-
8	ties.
9	"(B) FORMULA.—Subject to subpara-
10	graphs (C) and (D), of the remainder—
11	"(i) 25 percent shall be allotted on the
12	basis of the relative number of unemployed
13	individuals in areas of substantial unem-
14	ployment in each State, compared to the
15	total number of unemployed individuals in
16	areas of substantial unemployment in all
17	States;
18	"(ii) 25 percent shall be allotted on
19	the basis of the relative number of individ-
20	uals in the civilian labor force in each
21	State, compared to the total number of
22	such individuals in all States;
23	"(iii) 25 percent shall be allotted on
24	the basis of the relative number of individ-
25	uals in each State who have been unem-

1	ployed for 15 weeks or more, compared to
2	the total number of individuals in all
3	States who have been unemployed for 15
4	weeks or more; and
5	"(iv) 25 percent shall be allotted on
6	the basis of the relative number of dis-
7	advantaged youth in each State, compared
8	to the total number of disadvantaged youth
9	in all States.
10	"(C) MINIMUM AND MAXIMUM PERCENT-
11	AGES.—
12	"(i) MINIMUM PERCENTAGE.—The
13	Secretary shall ensure that no State shall
14	receive an allotment under this paragraph
15	for—
16	((I) each of fiscal years 2014
17	through 2016, that is less than 100
18	percent of the allotment percentage of
19	the State for fiscal year 2012; and
20	"(II) fiscal year 2017 and each
21	succeeding fiscal year, that is less
22	than 90 percent of the allotment per-
23	centage of the State for the preceding
24	fiscal year.

1	"(ii) MAXIMUM PERCENTAGE.—Sub-
2	ject to clause (i), the Secretary shall en-
3	sure that no State shall receive an allot-
4	ment under this paragraph for—
5	"(I) each of fiscal years 2014
6	through 2016, that is more than 130
7	percent of the allotment percentage of
8	the State for fiscal year 2012; and
9	$((\Pi)$ fiscal year 2017 and each
10	succeeding fiscal year, that is more
11	than 130 percent of the allotment per-
12	centage of the State for the preceding
13	fiscal year.
14	"(D) Small state minimum allot-
15	MENT.—Subject to subparagraph (C), the Sec-
16	retary shall ensure that no State shall receive
17	an allotment under this paragraph for a fiscal
18	year that is less than $\frac{1}{5}$ of 1 percent of the re-
19	mainder described in subparagraph (A) for the
20	fiscal year.
21	"(E) DEFINITIONS.—For the purpose of
22	the formula specified in this paragraph:
23	"(i) Allotment percentage.—The
24	term 'allotment percentage'—

1	((I) used with respect to fiscal
2	year 2012, means the percentage of
3	the amounts allotted to States under
4	title I of this Act, title V of the Older
5	Americans Act of 1965 (42 U.S.C.
6	3056 et seq.), the Women in Appren-
7	ticeship and Nontraditional Occupa-
8	tions Act (29 U.S.C. 2501 et seq.),
9	sections 4103A and 4104 of title 38,
10	United States Code, and sections 1
11	through 14 of the Wagner-Peyser Act
12	(29 U.S.C. 49 et seq.), as such provi-
13	sions were in effect for fiscal year
14	2012, that is received under such pro-
15	visions by the State involved for fiscal
16	year 2012; and
17	"(II) used with respect to fiscal
18	year 2016 or a succeeding fiscal year,
19	means the percentage of the amounts
20	allotted to States under this para-
21	graph for the fiscal year that is re-
22	ceived under this paragraph by the
23	State involved for the fiscal year.
24	"(ii) DISADVANTAGED YOUTH.—The
25	term 'disadvantaged youth' means an indi-

1	vidual who is not less than age 16 and not
2	more than age 24 who receives an income,
3	or is a member of a family that received a
4	total family income, that in relation to
5	family size, does not exceed the higher
6	of—
7	"(I) the poverty line; or
8	"(II) 70 percent of the lower liv-
9	ing standard income level.
10	"(iii) Individual.—The term 'indi-
11	vidual' means an individual who is age 16
10	or older.".
12	01 01001
12 13	SEC. 112. WITHIN STATE ALLOCATIONS.
13	SEC. 112. WITHIN STATE ALLOCATIONS.
13 14	SEC. 112. WITHIN STATE ALLOCATIONS. Section 133 is amended—
13 14 15	SEC. 112. WITHIN STATE ALLOCATIONS. Section 133 is amended— (1) by amending subsection (a) to read as fol-
13 14 15 16	SEC. 112. WITHIN STATE ALLOCATIONS. Section 133 is amended— (1) by amending subsection (a) to read as follows:
 13 14 15 16 17 	SEC. 112. WITHIN STATE ALLOCATIONS. Section 133 is amended— (1) by amending subsection (a) to read as follows: "(a) RESERVATIONS FOR STATEWIDE WORKFORCE
 13 14 15 16 17 18 	SEC. 112. WITHIN STATE ALLOCATIONS. Section 133 is amended— (1) by amending subsection (a) to read as fol- lows: "(a) RESERVATIONS FOR STATEWIDE WORKFORCE INVESTMENT ACTIVITIES.—
 13 14 15 16 17 18 19 	SEC. 112. WITHIN STATE ALLOCATIONS. Section 133 is amended— (1) by amending subsection (a) to read as fol- lows: "(a) RESERVATIONS FOR STATEWIDE WORKFORCE INVESTMENT ACTIVITIES.— "(1) STATEWIDE EMPLOYMENT AND TRAINING
 13 14 15 16 17 18 19 20 	SEC. 112. WITHIN STATE ALLOCATIONS. Section 133 is amended— (1) by amending subsection (a) to read as fol- lows: "(a) RESERVATIONS FOR STATEWIDE WORKFORCE INVESTMENT ACTIVITIES.— "(1) STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—The Governor of a State shall reserve
 13 14 15 16 17 18 19 20 21 	SEC. 112. WITHIN STATE ALLOCATIONS. Section 133 is amended— (1) by amending subsection (a) to read as fol- lows: "(a) RESERVATIONS FOR STATEWIDE WORKFORCE INVESTMENT ACTIVITIES.— "(1) STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—The Governor of a State shall reserve up to 15 percent of the total amount allotted to the
 13 14 15 16 17 18 19 20 21 22 	 SEC. 112. WITHIN STATE ALLOCATIONS. Section 133 is amended— (1) by amending subsection (a) to read as follows: "(a) RESERVATIONS FOR STATEWIDE WORKFORCE INVESTMENT ACTIVITIES.— "(1) STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—The Governor of a State shall reserve up to 15 percent of the total amount allotted to the State under section 132(b)(2) for a fiscal year to

1	"(2) Statewide rapid response activi-
2	TIES.—Of the amount reserved under paragraph (1)
3	for a fiscal year, the Governor of the State shall re-
4	serve not more than 25 percent for statewide rapid
5	response activities described in section $134(a)(4)$.
6	"(3) STATEWIDE GRANTS FOR INDIVIDUALS
7	WITH BARRIERS TO EMPLOYMENT.—Of the amount
8	reserved under paragraph (1) for a fiscal year, the
9	Governor of a State shall reserve 15 percent to carry
10	out statewide activities described in section
11	134(a)(5).
12	"(4) STATE ADMINISTRATIVE COST LIMIT.—Not
13	more than 5 percent of the funds reserved under
14	paragraph (1) may be used by the Governor of a
15	State for administrative costs of carrying out the
16	statewide activities described in section 134(a).";
17	(2) by amending subsection (b) to read as fol-
18	lows:
19	"(b) WITHIN STATE ALLOCATION.—
20	"(1) Methods.—The Governor, acting in ac-
21	cordance with the State plan, and after consulting
22	with chief elected officials in the local areas, shall—
23	"(A) allocate the funds that are allotted to
24	the State for employment and training activities

1	and not reserved under subsection (a), in ac-
2	cordance with paragraph $(2)(A)$; and
3	"(B) award the funds that are reserved by
4	the State under subsection $(a)(3)$ through com-
5	petitive grants to eligible entities, in accordance
6	with section $134(a)(1)(C)$.
7	"(2) Formula allocations for the work-
8	FORCE INVESTMENT FUND.—
9	"(A) Allocation.—In allocating the
10	funds described in paragraph $(1)(A)$ to local
11	areas, a State shall allocate—
12	"(i) 25 percent on the basis described
13	in section 132(b)(2)(B)(i);
14	"(ii) 25 percent on the basis described
15	in section 132(b)(2)(B)(ii);
16	"(iii) 25 percent on the basis de-
17	scribed in section 132(b)(2)(B)(iii); and
18	"(iv) 25 percent on the basis de-
19	scribed in section 132(b)(2)(B)(iv).
20	"(B) MINIMUM AND MAXIMUM PERCENT-
21	AGES.—
22	"(i) MINIMUM PERCENTAGE.—The
23	State shall ensure that no local area shall
24	receive an allocation under this paragraph
25	for—

1	"(I) each of fiscal years 2014
2	through 2016, that is less than 100
3	percent of the allocation percentage of
4	the local area for fiscal year 2012;
5	and
6	((II) fiscal year 2017 and each
7	succeeding fiscal year, that is less
8	than 90 percent of the allocation per-
9	centage of the local area for the pre-
10	ceding fiscal year.
11	"(ii) Maximum percentage.—Sub-
12	ject to clause (i), the State shall ensure
13	that no local area shall receive an alloca-
14	tion for a fiscal year under this paragraph
15	for—
16	"(I) each of fiscal years 2014
17	through 2016, that is more than 130
18	percent of the allocation percentage of
19	the local area for fiscal year 2012;
20	and
21	"(II) fiscal year 2017 and each
22	succeeding fiscal year, that is more
23	than 130 percentage of the allocation
24	percentage of the local area for the
25	preceding fiscal year.

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

"(i) used with respect to fiscal year 4 the 5 2012.means percentage of the 6 amounts allocated to local areas under title 7 I of this Act, title V of the Older Ameri-8 cans Act of 1965 (42 U.S.C. 3056 et seq.), 9 the Women in Apprenticeship and Nontraditional Occupations Act (29 U.S.C. 10 11 2501 et seq.), sections 4103A and 4104 of 12 title 38, United States Code, and sections 13 1 through 14 of the Wagner-Peyser Act 14 (29 U.S.C. 49 et seq.), as such provisions 15 were in effect for fiscal year 2012, that is 16 received under such provisions by the local 17 area involved for fiscal year 2012; and

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

(3) in subsection (c)—

1	(A) by amending paragraph (1) to read as
2	follows:
3	"(1) IN GENERAL.—The Governor, may in ac-
4	cordance with this subsection, reallocate to eligible
5	local areas within the State amounts that are allo-
6	cated under subsection (b) for employment and
7	training activities and that are available for realloca-
8	tion.";
9	(B) in paragraph (2), by striking "para-
10	graph $(2)(A)$ or (3) of subsection (b) for such
11	activities" and inserting "subsection (b) for
12	such activities";
13	(C) by amending paragraph (3) to read as
14	follows:
15	"(3) REALLOCATIONS.—In making reallocations
16	to eligible local areas of amounts available pursuant
17	to paragraph (2) for a program year, the Governor
18	shall allocate to each eligible local area within the
19	State an amount based on the relative amount allo-
20	cated to such local area under subsection $(b)(2)$ for
21	such activities for such prior program year, as com-
22	pared to the total amount allocated to all eligible
23	local areas in the State under subsection $(b)(2)$ for
24	such activities for such prior program year."; and

1	(D) in paragraph (4), by striking "para-
2	graph $(2)(A)$ or (3) of"; and
3	(4) by adding at the end the following new sub-
4	section:
5	"(d) Local Administrative Cost Limit.—Of the
6	amounts allocated to a local area under this section for
7	a fiscal year, not more than 10 percent of the amount
8	may be used by the local board involved for the adminis-
9	trative costs of carrying out local workforce investment ac-
10	tivities in the local area under this chapter.".
11	SEC. 113. USE OF FUNDS FOR EMPLOYMENT AND TRAINING
12	ACTIVITIES.
13	Section 134 is amended—
14	(1) by amending subsection (a) to read as fol-
15	lows:
16	
	"(a) Statewide Employment and Training Ac-
17	"(a) STATEWIDE EMPLOYMENT AND TRAINING AC- TIVITIES.—
17 18	
	TIVITIES.—
18	TIVITIES.— "(1) IN GENERAL.—
18 19	TIVITIES.— "(1) IN GENERAL.— "(A) DISTRIBUTION OF STATEWIDE AC-
18 19 20	TIVITIES.— "(1) IN GENERAL.— "(A) DISTRIBUTION OF STATEWIDE AC- TIVITIES.—Funds reserved by a Governor for a
18 19 20 21	TIVITIES.— "(1) IN GENERAL.— "(A) DISTRIBUTION OF STATEWIDE AC- TIVITIES.—Funds reserved by a Governor for a State as described in section 133(a)(1)—
 18 19 20 21 22 	TIVITIES.— "(1) IN GENERAL.— "(A) DISTRIBUTION OF STATEWIDE AC- TIVITIES.—Funds reserved by a Governor for a State as described in section 133(a)(1)— "(i) shall be used to carry out the

1	"(ii) may be used to carry out any of
2	the statewide employment and training ac-
3	tivities described in paragraph (3).
4	"(B) STATEWIDE RAPID RESPONSE ACTIVI-
5	TIES.—Funds reserved by a Governor for a
6	State as described in section $133(a)(2)$ shall be
7	used to carry out the statewide rapid response
8	activities described in paragraph (4).
9	"(C) STATEWIDE GRANTS FOR INDIVID-
10	UALS WITH BARRIERS TO EMPLOYMENT.—
11	Funds reserved by a Governor for a State as
12	described in section $133(a)(3)$ shall be used to
13	carry out the Statewide Grants for Individuals
14	with Barriers to Employment competition de-
15	scribed in paragraph (5).
16	"(2) Required statewide employment and
17	TRAINING ACTIVITIES.—A State shall use funds re-
18	served as described in section $133(a)(1)$ to carry out
19	statewide employment and training activities, which
20	shall include—
21	"(A) disseminating the State list of eligible
22	providers of training described in section
23	122(d), information identifying eligible pro-
24	viders of on-the-job training and customized
25	training described in section 122(i), and per-

1	formance information and program cost infor-
2	mation described in section $122(b)(2)$;
3	"(B) supporting the provision of work
4	ready services described in subsection $(c)(2)$ in
5	the one-stop delivery system;
6	"(C) implementing strategies and services
7	that will be used in the State to assist at-risk
8	youth and out-of-school youth in acquiring the
9	education and skills, recognized postsecondary
10	credentials, and employment experience to suc-
11	ceed in the labor market;
12	"(D) conducting evaluations under section
13	136(e) of activities authorized under this chap-
14	ter in coordination with evaluations carried out
15	by the Secretary under section 172;
16	"(E) providing technical assistance to local
17	areas that fail to meet local performance meas-
18	ures;
19	"(F) operating a fiscal and management
20	accountability system under section 136(f); and
21	"(G) carrying out monitoring and over-
22	sight of activities carried out under this chap-
23	ter.
24	"(3) Allowable statewide employment
25	AND TRAINING ACTIVITIES.—A State may use funds

reserved as described in section 133(a)(1) to carry
 out statewide employment and training activities
 which may include—

4 "(A) implementing innovative programs 5 and strategies designed to meet the needs of all 6 employers in the State, including small employ-7 ers, which may include incumbent worker train-8 ing programs, sectoral and industry cluster 9 strategies and partnerships, career ladder pro-10 grams, micro-enterprise and entrepreneurial 11 training and support programs, utilization of ef-12 fective business intermediaries, activities to im-13 prove linkages between the one-stop delivery 14 system in the State and all employers (includ-15 ing small employers) in the State, and other 16 business services and strategies that better en-17 gage employers in workforce investment activi-18 ties and make the workforce investment system 19 more relevant to the needs of State and local 20 businesses, consistent with the objectives of this 21 title:

"(B) providing incentive grants to local
areas for regional cooperation among local
boards (including local boards in a designated
region as described in section 116(c)), for local

1	coordination of activities carried out under this
2	Act, and for exemplary performance by local
3	areas on the local performance measures;
4	"(C) developing strategies for effectively
5	integrating programs and services among one-
6	stop partners;
7	"(D) carrying out activities to facilitate re-
8	mote access to services provided through a one-
9	stop delivery system, including facilitating ac-
10	cess through the use of technology;
11	"(E) incorporating pay-for-performance
12	contracting strategies as an element in funding
13	activities under this section;
14	"(F) carrying out the State option under
15	subsection $(f)(8)$; and
16	"(G) carrying out other activities author-
17	ized under this section that the State deter-
18	mines to be necessary to assist local areas in
19	carrying out activities described in subsection
20	(c) or (d) through the statewide workforce in-
21	vestment system.
22	"(4) STATEWIDE RAPID RESPONSE ACTIVI-
23	TIES.—A State shall use funds reserved as described
24	in section $133(a)(2)$ to carry out statewide rapid re-
25	sponse activities, which shall include—

1 "(A) provision of rapid response activities, 2 carried out in local areas by the State or by an entity designated by the State, working in con-3 4 junction with the local boards and the chief 5 elected officials in the local areas; and 6 "(B) provision of additional assistance to 7 local areas that experience disasters, mass lav-8 offs or plant closings, or other events that pre-9 cipitate substantial increases in the number of 10 unemployed individuals, carried out in local 11 areas by the State or by an entity designated 12 by the State, working in conjunction with the 13 local boards and the chief elected officials in the 14 local areas. 15 "(5) STATEWIDE GRANTS FOR INDIVIDUALS 16 WITH BARRIERS TO EMPLOYMENT.-17 "(A) IN GENERAL.—Of the funds reserved 18 as described in section 133(a)(3), the Governor 19 of a State— 20 "(i) may reserve up to 5 percent to 21 provide technical assistance to, and con-22 duct evaluations as described in section 23 136(e), of the programs and activities carried out under this paragraph; and 24

1	"(ii) using the remainder, shall award
2	grants on a competitive basis to eligible en-
3	tities described in subparagraph (B) to
4	carry out employment and training pro-
5	grams authorized under this paragraph for
6	individuals with barriers to employment
7	that meet specific performance outcomes
8	and criteria established by the Governor.
9	"(B) ELIGIBLE ENTITY DEFINED.—For
10	purposes of this paragraph, the term 'eligible
11	entity' means an entity that—
12	"(i) is a—
13	"(I) local board or a consortium
14	of local boards;
15	"(II) nonprofit entity, for-profit
16	entity, or a consortium of nonprofit or
17	for-profit entities; or
18	"(III) consortium of the entities
19	described in subclauses (I) and (II);
20	"(ii) has a demonstrated record of
21	placing individuals into unsubsidized em-
22	ployment and serving hard to serve individ-
23	uals; and
24	"(iii) agrees to be reimbursed pri-
25	marily on the basis of achievement of spec-

1	ified performance outcomes and criteria es-
2	tablished by the Governor.
3	"(C) GRANT PERIOD.—
4	"(i) IN GENERAL.—A grant under
5	this paragraph shall be awarded for a pe-
6	riod of 1 year.
7	"(ii) Grant renewal.—A Governor
8	of a State may renew, for up to 4 addi-
9	tional 1-year periods, a grant awarded
10	under this paragraph.
11	"(D) ELIGIBLE PARTICIPANTS.—To be eli-
12	gible to participate in activities under this para-
13	graph, an individual shall be a low-income indi-
14	vidual age 16 or older or a member of a low-
15	income family.
16	"(E) USE OF FUNDS.—An eligible entity
17	receiving a grant under this paragraph shall use
18	such funds for activities that are designed to
19	assist eligible participants in obtaining employ-
20	ment and acquiring the education and skills
21	necessary to succeed in the labor market.
22	"(F) Applications.—To be eligible to re-
23	ceive a grant under this paragraph, an eligible
24	entity shall submit an application to a State at
25	such time, in such manner, and containing such

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information as the State may require, includ-

-	mornation as the state may require, morat
2	ing—
3	"(i) a description of how the strate-
4	gies and activities will be aligned with the
5	State plan submitted under section 112
6	and the local plan submitted under section
7	118 with respect to the areas of the State
8	that will be the focus of grant activities
9	under this paragraph;
10	"(ii) a description of the educational
11	and skills training programs and activities
12	the eligible entity will provide to eligible
13	participants under this paragraph;
14	"(iii) how the eligible entity will col-
15	laborate with State and local workforce in-
16	vestment systems established under this
17	title in the provision of such programs and
18	activities;
19	"(iv) a description of the programs of
20	demonstrated effectiveness on which the
21	provision of such educational and skills
22	training programs and activities are based,
23	and a description of how such programs
24	and activities will improve the education
25	and skills training for eligible participants;

1	"(v) a description of the populations
2	to be served and the skill needs of those
3	populations, and the manner in which eligi-
4	ble participants will be recruited and se-
5	lected as participants;
6	"(vi) a description of the private, pub-
7	lic, local, and State resources that will be
8	leveraged, in addition to the grant funds
9	provided for the programs and activities
10	under this paragraph, and how the entity
11	will ensure the sustainability of such pro-
12	grams and activities after grant funds are
13	no longer available;
14	"(vii) a description of the extent of
15	the involvement of employers in such pro-
16	grams and activities;
17	"(viii) a description of the levels of
18	performance the eligible entity expects to
19	achieve with respect to the indicators of
20	performance for all individuals specified in
21	section in $136(b)(2);$
22	"(ix) a detailed budget and a descrip-
23	tion of the system of fiscal controls, and
24	auditing and accountability procedures
25	that will be used to ensure fiscal soundness

1	for the programs and activities provided
2	under this paragraph; and
3	"(x) any other criteria the Governor
4	may require.";
5	(2) by amending subsection (b) to read as fol-
6	lows:
7	"(b) Local Employment and Training Activi-
8	TIES.—Funds allocated to a local area under section
9	133(b)—
10	"(1) shall be used to carry out employment and
11	training activities described in subsection (c); and
12	"(2) may be used to carry out employment and
13	training activities described in subsection (d).";
14	(3) by striking subsection (c);
15	(4) by redesignating subsections (d) and (e), as
16	subsections (c) and (d), respectively;
17	(5) in subsection (c) (as so redesignated)—
18	(A) by amending paragraph (1) to read as
19	follows:
20	"(1) IN GENERAL.—Funds allocated to a local
21	area under section 133(b) shall be used—
22	"(A) to establish a one-stop delivery sys-
23	tem as described in section 121(e);
24	"(B) to provide the work ready services de-
25	scribed in paragraph (2) through the one-stop

1	delivery system in accordance with such para-
2	graph; and
3	"(C) to provide training services described
4	in paragraph (4) in accordance with such para-
5	graph.";
6	(B) in paragraph (2)—
7	(i) in the heading, by striking "CORE
8	SERVICES" and inserting "WORK READY
9	SERVICES'';
10	(ii) in the matter preceding subpara-
11	graph (A)—
12	(I) by striking "(1)(A)" and in-
13	serting ''(1)(B)";
14	(II) by striking "core services"
15	and inserting "work ready services";
16	and
17	(III) by striking "who are adults
18	or dislocated workers";
19	(iii) by redesignating subparagraph
20	(K) as subparagraph (V);
21	(iv) by redesignating subparagraphs
22	(B) through (J) as subparagraphs (C)
23	through (K), respectively;
24	(v) by inserting after subparagraph
25	(A) the following:

1	"(B) assistance in obtaining eligibility de-
2	terminations under the other one-stop partner
3	programs through activities, where appropriate
4	and consistent with the authorizing statute of
5	the one-stop partner program, such as assisting
6	in the submission of applications, the provision
7	of information on the results of such applica-
8	tions, and the provision of intake services and
9	information;";
10	(vi) by amending subparagraph (E),
11	as so redesignated, to read as follows:
12	"(E) labor exchange services, including—
13	"(i) job search and placement assist-
14	ance, and where appropriate, career coun-
15	seling;
16	"(ii) appropriate recruitment services
17	for employers, including small employers,
18	in the local area, which may include serv-
19	ices described in this subsection, including
20	information and referral to specialized
21	business services not traditionally offered
22	through the one-stop delivery system; and
23	"(iii) reemployment services provided
24	to unemployment claimants, including
25	claimants identified as in need of such

1	services under the worker profiling system
2	established under section 303(j) of the So-
3	cial Security Act (42 U.S.C. 503(j));";
4	(vii) in subparagraph (F), as so redes-
5	ignated, by striking "employment statis-
6	tics" and inserting "workforce and labor
7	market";
8	(viii) in subparagraph (G), as so re-
9	designated, by striking "and eligible pro-
10	viders of youth activities described in sec-
11	tion 123,";
12	(ix) in subparagraph (H), as so redes-
13	ignated, by inserting "under section 136"
14	after "local performance measures";
15	(x) in subparagraph (J), as so redes-
16	ignated, by inserting "and the administra-
17	tion of the work test for the unemployment
18	compensation system" after "compensa-
19	tion";
20	(xi) by amending subparagraph (K),
21	as so redesignated, to read as follows:
22	"(K) assistance in establishing eligibility
23	for programs of financial aid assistance for
24	training and education programs that are not

1	
1	funded under this Act and are available in the
2	local area;"; and
3	(xii) by inserting the following new
4	subparagraphs after subparagraph (K), as
5	so redesignated:
6	"(L) the provision of information from of-
7	ficial publications of the Internal Revenue Serv-
8	ice regarding Federal tax credits available to in-
9	dividuals relating to education, job training and
10	employment;
11	"(M) comprehensive and specialized assess-
12	ments of the skill levels and service needs of
13	workers, which may include—
14	"(i) diagnostic testing and use of
15	other assessment tools; and
16	"(ii) in-depth interviewing and evalua-
17	tion to identify employment barriers and
18	appropriate employment goals;
19	"(N) development of an individual employ-
20	ment plan, to identify the employment goals,
20 21	ment plan, to identify the employment goals, appropriate achievement objectives, and appro-
21	appropriate achievement objectives, and appro-

1	"(P) individual counseling and career plan-
2	ning;
3	"(Q) case management;
4	"(R) short-term pre-career services, includ-
5	ing development of learning skills, communica-
6	tions skills, interviewing skills, punctuality, per-
7	sonal maintenance skills, and professional con-
8	duct, to prepare individuals for unsubsidized
9	employment or training;
10	"(S) internships and work experience;
11	"(T) literacy activities relating to basic
12	work readiness, information and communication
13	technology literacy activities, and financial lit-
14	eracy activities, if such activities are not avail-
15	able to participants in the local area under pro-
16	grams administered under the Adult Education
17	and Family Literacy Act (20 U.S.C. 2901 et
18	seq.);
19	"(U) out-of-area job search assistance and
20	relocation assistance; and"; and
21	(C) by amending paragraph (3) to read as
22	follows:
23	"(3) Delivery of services.—The work ready
24	services described in paragraph (2) shall be provided
25	through the one-stop delivery system and may be

1	provided through contracts with public, private for-
2	profit, and private nonprofit service providers, ap-
3	proved by the local board.";
4	(D) in paragraph (4)—
5	(i) by amending subparagraph (A) to
6	read as follows:
7	"(A) IN GENERAL.—Funds described in
8	paragraph (1)(C) shall be used to provide train-
9	ing services to individuals who—
10	"(i) after an interview, evaluation, or
11	assessment, and case management, have
12	been determined by a one-stop operator or
13	one-stop partner, as appropriate, to—
14	"(I) be in need of training serv-
15	ices to obtain or retain employment;
16	and
17	"(II) have the skills and quali-
18	fications to successfully participate in
19	the selected program of training serv-
20	ices;
21	"(ii) select programs of training serv-
22	ices that are directly linked to the employ-
23	ment opportunities in the local area in-
24	volved or in another area in which the indi-

1	vidual receiving such services are willing to
2	commute or relocate; and
3	"(iii) who meet the requirements of
4	subparagraph (B);"; and
5	(ii) in subparagraph (B)(i), by strik-
6	ing "Except" and inserting "Notwith-
7	standing section 479B of the Higher Edu-
8	cation Act of 1965 (20 U.S.C. 1087uu)
9	and except";
10	(iii) by amending subparagraph (D) to
11	read as follows:
12	"(D) TRAINING SERVICES.—Training serv-
13	ices authorized under this paragraph may in-
14	clude—
15	"(i) occupational skills training;
16	"(ii) on-the-job training;
17	"(iii) skill upgrading and retraining;
18	"(iv) entrepreneurial training;
19	"(v) education activities leading to a
20	regular secondary school diploma or its
21	recognized equivalent in combination with,
22	concurrently or subsequently, occupational
23	skills training;
24	"(vi) adult education and literacy ac-
25	tivities provided in conjunction with other

1	training authorized under this subpara-
2	graph;
3	"(vii) workplace training combined
4	with related instruction;
5	"(viii) occupational skills training that
6	incorporates English language acquisition;
7	"(ix) customized training conducted
8	with a commitment by an employer or
9	group of employers to employ an individual
10	upon successful completion of the training;
11	and
12	"(x) training programs operated by
13	the private sector.";
14	(iv) by striking subparagraph (E) and
15	redesignating subparagraphs (F) and (G)
16	as subparagraphs (E) and (F), respec-
17	tively; and
18	(v) in subparagraph (E) (as so redes-
19	ignated)—
20	(I) in clause (ii)—
21	(aa) in the matter preceding
22	subclause (I), by striking "sub-
23	section (c)" and inserting "sec-
24	tion 121";

1	(bb) in subclause (I), by
2	striking "section 122(e)" and in-
3	serting "section $122(d)$ " and by
4	striking "section 122(h)" and in-
5	serting "section 122(i)"; and
6	(cc) in subclause (II), by
7	striking "subsections (e) and
8	(h)" and inserting "subsection
9	(i)"; and
10	(II) by striking clause (iii) and
11	inserting the following:
12	"(iii) CAREER ENHANCEMENT AC-
13	COUNTS.—An individual who seeks train-
14	ing services and who is eligible pursuant to
15	subparagraph (A), may, in consultation
16	with a case manager, select an eligible pro-
17	vider of training services from the list or
18	identifying information for providers de-
19	scribed in clause (ii)(I). Upon such selec-
20	tion, the one-stop operator involved shall,
21	to the extent practicable, refer such indi-
22	vidual to the eligible provider of training
23	services, and arrange for payment for such
24	services through a career enhancement ac-
25	count.

1	"(iv) COORDINATION.—Each local
2	board may, through one-stop centers, co-
3	ordinate career enhancement accounts with
4	other Federal, State, local, or private job
5	training programs or sources to assist the
6	individual in obtaining training services.
7	"(v) Assistance.—Each local board
8	may, through one-stop centers, assist indi-
9	viduals receiving career enhancement ac-
10	counts in obtaining funds (in addition to
11	the funds provided under this section)
12	from other programs and sources that will
13	assist the individual in obtaining training
14	services."; and
15	(vi) in subparagraph (F) (as so redes-
16	ignated)—
17	(I) in the subparagraph heading,
18	by striking "INDIVIDUAL TRAINING
19	ACCOUNTS" and inserting "CAREER
20	ENHANCEMENT ACCOUNTS";
21	(II) in clause (i) by striking "in-
22	dividual training accounts" and in-
23	serting "career enhancement ac-
24	counts'';
25	(III) in clause (ii)—

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1	(aa) by striking "an indi-
2	vidual training account" and in-
3	serting "a career enhancement
4	account'';
5	(bb) by striking "subpara-
6	graph (F)" and inserting "sub-
7	paragraph (E)";
8	(cc) in subclause (II), by
9	striking "individual training ac-
10	counts" and inserting "career en-
11	hancement accounts";
12	(dd) in subclause (II) by
13	striking "or" after the semicolon;
14	(ee) in subclause (III) by
15	striking the period and inserting
16	"; or"; and
17	(ff) by adding at the end the
18	following:
19	"(IV) the local board determines
20	that it would be most appropriate to
21	award a contract to an institution of
22	higher education in order to facilitate
23	the training of multiple individuals in
24	in-demand sectors or occupations, if

1	such contract does not limit customer
2	choice.";
3	(IV) in clause (iii), by striking
4	"adult or dislocated worker" and in-
5	serting "individual"; and
6	(V) in clause (iv)—
7	(aa) by redesignating sub-
8	clause (IV) as subclause (V) and
9	inserting after subclause (III) the
10	following:
11	"(IV) Individuals with disabil-
12	ities.";
13	(6) in subsection (d) (as so redesignated)—
14	(A) by amending paragraph (1) to read as
15	follows:
16	"(1) Discretionary one-stop delivery ac-
17	TIVITIES.—
18	"(A) IN GENERAL.—Funds allocated to a
19	local area under section $133(b)(2)$ may be used
20	to provide, through the one-stop delivery sys-
21	tem—
22	"(i) customized screening and referral
23	of qualified participants in training serv-
24	ices to employers;

"(ii) customized employment-related
 services to employers on a fee-for-service
 basis;

4 "(iii) customer supports, including
5 transportation and childcare, to navigate
6 among multiple services and activities for
7 special participant populations that face
8 multiple barriers to employment, including
9 individuals with disabilities;

"(iv) employment and training assistance provided in coordination with child
support enforcement activities of the State
agency carrying out subtitle D of title IV
of the Social Security Act (42 U.S.C. 651
et seq.);

"(v) incorporating pay-for-performance contracting strategies as an element in funding activities under this section;

"(vi) activities to facilitate remote access to services provided through a onestop delivery system, including facilitating
access through the use of technology; and
"(vii) activities to carry out business
services and strategies that meet the workforce investment needs of local area em-

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1	ployers, as determined by the local board,
2	consistent with the local plan under section
3	118.".
4	(B) by striking paragraphs (2) and (3) ;
5	and
6	(C) by adding at the end the following:
7	"(2) Incumbent worker training pro-
8	GRAMS.—
9	"(A) IN GENERAL.—The local board may
10	use funds allocated to a local area under section
11	133(b)(2) to carry out incumbent worker train-
12	ing programs in accordance with this para-
13	graph.
14	"(B) TRAINING ACTIVITIES.—The training
15	programs for incumbent workers under this
16	paragraph shall be carried out by the local area
17	in conjunction with the employers of such work-
18	ers for the purpose of assisting such workers in
19	obtaining the skills necessary to retain employ-
20	ment and avert layoffs.
21	"(C) Employer match required.—
22	"(i) IN GENERAL.—Employers partici-
23	pating in programs under this paragraph
24	shall be required to pay a proportion of the
25	costs of providing the training to the in-

1	cumbent workers of the employers. The
2	local board shall establish the required por-
3	tion of such costs, which may include in-
4	kind contributions.
5	"(ii) CALCULATION OF MATCH.—The
6	wages paid by an employer to a worker
7	while they are attending training may be
8	included as part of the required payment
9	of the employer."; and
10	(7) by adding at the end the following:
11	"(e) Priority for Placement in Private Sector
12	JOBS.—In providing employment and training activities
13	authorized under this section, the State and local board
14	shall give priority to placing participants in jobs in the
15	private sector.
16	"(f) Veteran Employment Specialist.—
17	"(1) IN GENERAL.—Subject to paragraph (8), a
18	local board shall hire and employ one or more vet-
19	eran employment specialist to carry out employment,
20	training, and placement services under this sub-
21	section in the local area served by the local board.
22	"(2) PRINCIPAL DUTIES.—A veteran employ-
23	ment specialist in a local area shall—

1	"(A) conduct outreach to employers in the
2	local area to assist veterans, including disabled
3	veterans, in gaining employment, including—
4	"(i) conducting seminars for employ-
5	ers; and
6	"(ii) in conjunction with employers,
7	conducting job search workshops, and es-
8	tablishing job search groups; and
9	"(B) facilitate employment, training, sup-
10	portive, and placement services furnished to
11	veterans, including disabled and homeless vet-
12	erans, in the local area.
13	"(3) HIRING PREFERENCE FOR VETERANS AND
14	INDIVIDUALS WITH EXPERTISE IN SERVING VET-
15	ERANS.—Subject to paragraph (8), a local board
16	shall, to the maximum extent practicable, employ
17	veterans or individuals with expertise in serving vet-
18	erans to carry out the services described in para-
19	graph (2) in the local area served by the local board.
20	In hiring an individual to serve as a veteran employ-
21	ment specialist, a local board shall give preference to
22	veterans and other individuals in the following order:
23	"(A) To service-connected disabled vet-
24	erans.

1	"(B) If no veteran described in subpara-
2	graph (A) is available, to veterans.
3	"(C) If no veteran described in subpara-
4	graph (A) or (B) is available, to any member of
5	the Armed Forces transitioning out of military
6	service.
7	"(D) If no veteran described in subpara-
8	graph (A), (B), or (C) is available, to any
9	spouse of a veteran or a spouse of a member of
10	the Armed Forces transitioning out of military
11	service.
12	"(E) If no veteran described in subpara-
13	graph (A), (B), or (C) is available and no
14	spouse described in paragraph (D) is available,
15	to any other individuals with expertise in serv-
16	ing veterans.
17	"(4) Administration and reporting.—
18	"(A) IN GENERAL.—Each veteran employ-
19	ment specialist shall be administratively respon-
20	sible to the manager of the one-stop delivery
21	center in the local area and shall provide, at a
22	minimum, quarterly reports to the manager of
23	such center and to the Director for Veterans'
24	Employment and Training for the State on the
25	performance and compliance by the specialist

1	with Federal law and regulations with respect
2	to the—
3	"(i) principal duties and special serv-
4	ices for veterans described in paragraph
5	(2); and
6	"(ii) hiring preferences described in
7	paragraph (3) for veterans and individuals
8	with expertise in serving veterans.
9	"(B) REPORT TO SECRETARY.—Each
10	State shall submit to the Secretary an annual
11	report on the qualifications used by the local
12	board in making hiring determinations for a
13	veteran employment specialist and the salary
14	structure under which such specialist is com-
15	pensated.
16	"(C) Report to congress.—The Sec-
17	retary shall submit to the Committee on Edu-
18	cation and the Workforce and the Committee
19	on Veterans' Affairs of the House of Represent-
20	atives and the Committee on Health, Edu-
21	cation, Labor, and Pensions and the Committee
22	on Veterans' Affairs of the Senate an annual
23	report summarizing the reports submitted
24	under subparagraph (B), including summaries

of outcomes achieved by participating veterans
 disaggregated by local areas.

3 "(5) PART-TIME EMPLOYEES.—A part-time vet4 eran employment specialist shall perform the func5 tions of a veteran employment specialist under this
6 subsection on a halftime basis.

7 "(6) TRAINING REQUIREMENTS.—Each veteran
8 employment specialist described in paragraph (2)
9 shall satisfactorily complete training provided by the
10 National Veterans' Employment and Training Insti11 tute during the three-year period that begins on the
12 date on which the employee is so assigned.

13 "(7) Specialist's duties.—A full-time vet-14 eran employment specialist shall perform only duties 15 related to the employment, training, supportive, and 16 placement services under this subsection, and shall 17 not perform other non-veteran-related duties if such 18 duties detract from the specialist's ability to perform 19 the specialist's duties related to employment, train-20 ing, and placement services under this subsection.

21 "(8) STATE OPTION.—At the request of a local
22 board, a State may assume the duties assigned to
23 the local board under paragraphs (1) and (3), in24 cluding the hiring and employment of one or more

1	veteran employment specialist for placement in the
2	local area served by the local board.".
3	SEC. 114. PERFORMANCE ACCOUNTABILITY SYSTEM.
4	Section 136 (29 U.S.C. 2871) is amended—
5	(1) in subsection (b)—
6	(A) by amending paragraphs (1) and (2)
7	to read as follows:
8	"(1) IN GENERAL.—For each State, the State
9	performance measures shall consist of—
10	"(A)(i) the core indicators of performance
11	described in paragraph (2)(A); and
12	"(ii) additional indicators of performance
13	(if any) identified by the State under paragraph
14	(2)(B); and
15	"(B) a State adjusted level of performance
16	for each indicator described in subparagraph
17	(A).
18	"(2) Indicators of performance.—
19	"(A) CORE INDICATORS OF PERFORM-
20	ANCE.—
21	"(i) IN GENERAL.—The core indica-
22	tors of performance for the program of em-
23	ployment and training activities authorized
24	under sections $132(a)(2)$ and 134 , the pro-
25	gram of adult education and literacy activi-

1	ties authorized under title II, and the pro-
2	gram authorized under title I of the Reha-
3	bilitation Act of 1973 (29 U.S.C. 720 et
4	seq.), other than section 112 or part C of
5	that title (29 U.S.C. 732, 741), shall con-
6	sist of the following indicators of perform-
7	ance, each disaggregated by the popu-
8	lations identified in the State and local
9	plans:
10	"(I) The percentage and number
11	of program participants who are in
12	unsubsidized employment during the
13	second full calendar quarter after exit
14	from the program.
15	"(II) The percentage and number
16	of program participants who are in
17	unsubsidized employment during the
18	fourth full calendar quarter after exit
19	from the program.
20	"(III) The median earnings of
21	program participants who are in un-
22	subsidized employment during the sec-
23	ond full calendar quarter after exit
24	from the program compared to the
25	median earnings of such participants

1prior to the training received under2such program.

3 "(IV) The percentage and num-4 ber of program participants who ob-5 tain a recognized postsecondary cre-6 dential, a registered apprenticeship, 7 an industry-recognized credential, or a regular secondary school diploma or 8 9 its recognized equivalent (subject to 10 clause (ii)), during participation in or 11 within 1 year after exit from program. "(V) The percentage and number 12 13 of program participants who, during a 14 program year— "(aa) are in an education or 15 16 training program that leads to a 17 recognized postsecondary creden-

18 tial, a registered apprenticeship

or on-the-job training program,
an industry-recognized credential,
a regular secondary school diploma or its recognized equiva-

lent, or unsubsidized employment; and

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"(bb) are achieving measur-
able basic skill gains toward such
a credential or employment.
"(VI) The percentage and num-
ber of program participants who ob-
tain unsubsidized employment in the
field relating to the training services
described in section $134(c)(4)$ that
such participants received.
"(ii) INDICATOR RELATING TO CRE-
DENTIAL.—For purposes of clause (i)(IV),
program participants who obtain a regular
secondary school diploma or its recognized
equivalent shall be included in the percent-
age counted as meeting the criterion under
such clause only if such participants, in
addition to obtaining such diploma or its
recognized equivalent, have, within 1 year
after exit from the program, obtained or
retained employment, have been removed
from public assistance, or are in an edu-
cation or training program leading to a
recognized postsecondary credential.
"(B) ADDITIONAL INDICATORS.—A State
may identify in the State plan additional indica-

1	tors for workforce investment activities author-
2	ized under this subtitle."; and
3	(B) in paragraph (3)—
4	(i) in subparagraph (A)—
5	(I) in the heading, by striking
6	"AND CUSTOMER SATISFACTION INDI-
7	CATOR'';
8	(II) in clause (i), by striking
9	"and the customer satisfaction indi-
10	cator described in paragraph (2)(B)";
11	(III) in clause (ii), by striking
12	"and the customer satisfaction indi-
13	cator of performance, for the first 3"
14	and inserting ", for all 3";
15	(IV) in clause (iii)—
16	(aa) in the heading, by
17	striking "FOR FIRST 3 YEARS";
18	and
19	(bb) by striking "and the
20	customer satisfaction indicator of
21	performance, for the first 3 pro-
22	gram years" and inserting "for
23	all 3 program years'';
24	(V) in clause (iv)—
25	(aa) by striking "or (v)";

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

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

1	elected official, and the Governor shall ensure such
2	levels are adjusted based on the specific economic
3	characteristics (such as unemployment rates and job
4	losses or gains in particular industries), demographic
5	characteristics, or other characteristics of the popu-
6	lation to be served in the local area.";
7	(3) in subsection (d)—
8	(A) in paragraph (1)—
9	(i) by striking "127 or";
10	(ii) by striking "and the customer sat-
11	isfaction indicator" each place it appears;
12	and
13	(iii) in the last sentence, by inserting
14	before the period the following: ", and on
15	the amount and percentage of the State's
16	annual allotment under section 132 the
17	State spends on administrative costs and
18	on the amount and percentage of its an-
19	nual allocation under section 133 each
20	local area in the State spends on adminis-
21	trative costs";
22	(B) in paragraph (2)—
23	(i) by striking subparagraphs (A),
24	(B), and (D);

1	(ii) by redesignating subparagraph
2	(C) as subparagraph (A);
3	(iii) by redesignating subparagraph
4	(E) as subparagraph (B);
5	(iv) in subparagraph (B), as so redes-
6	ignated—
7	(I) by striking "(excluding par-
8	ticipants who received only self-service
9	and informational activities)"; and
10	(II) by striking "and" at the end;
11	(v) by striking subparagraph (F);
12	(vi) by adding at the end the fol-
13	lowing:
14	"(C) with respect to each local area in the
15	State—
16	"(i) the number of individuals who re-
17	ceived work ready services described under
18	section $134(c)(2)$ and the number of indi-
19	viduals who received training services de-
20	scribed under section $134(c)(4)$ during the
21	most recent program year and fiscal year,
22	and the preceding 5 program years, where
23	the individuals received the training,
24	disaggregated by the type of entity that

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1	provided the training, and the amount of
2	funds spent on each type of service;
3	"(ii) the number of individuals who
4	successfully exited out of work ready serv-
5	ices described under section $134(c)(2)$ and
6	the number of individuals who exited out
7	of training services described under section
8	134(c)(4) during the most recent program
9	year and fiscal year, and the preceding 5
10	program years, and where the individuals
11	received the training, disaggregated by the
12	type of entity that provided the training;
13	and
14	"(iii) the average cost per participant
15	of those individuals who received work
16	ready services described under section
17	134(c)(2) and the average cost per partici-
18	pant of those individuals who received
19	training services described under section

134(c)(4) during the most recent program

year and fiscal year, and the preceding 5

program years, and where the individuals

received the training, disaggregated by the

type of entity that provided the training;

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and

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1	"(E) the amount of funds spent on train-
2	ing services and discretionary one-stop delivery
3	activities, disaggregated by the populations
4	identified in the State and local plans.";
5	(C) in paragraph (3)(A), by striking
6	"through publication" and inserting "through
7	electronic means"; and
8	(D) by adding at the end the following:
9	"(4) DATA VALIDATION.—In preparing the re-
10	ports described in this subsection, each State shall
11	establish procedures, consistent with guidelines
12	issued by the Secretary, to ensure the information
13	contained in the report is valid and reliable.
14	"(5) STATE AND LOCAL POLICIES.—
15	"(A) STATE POLICIES.—Each State that
16	receives an allotment under section 132 shall
17	maintain a central repository of policies related
18	to access, eligibility, availability of services, and
19	other matters and plans approved by the State
20	board and make such repository available to the
21	public, including by electronic means.
22	"(B) LOCAL POLICIES.—Each local area
23	that receives an allotment under section 133
24	shall maintain a central repository of policies
25	related to access, eligibility, availability of serv-

1	ices, and other matters and plans approved by
2	the local board and make such repository avail-
3	able to the public, including by electronic
4	means.";
5	(4) in subsection (g)—
6	(A) in paragraph $(1)(A)$, by striking "or
7	(B)";
8	(B) in paragraph $(1)(B)$, by striking "may
9	reduce by not more than 5 percent," and insert-
10	ing "shall reduce"; and
11	(C) by striking paragraph (2) and insert-
12	ing the following:
13	"(2) Funds resulting from reduced al-
14	LOTMENTS.—The Secretary shall return to the
15	Treasury the amount retained, as a result of a re-
16	duction in an allotment to a State made under para-
17	graph (1)(B).";
18	(5) in subsection $(h)(1)$, by striking "or (B) ";
19	(6) in subsection $(h)(2)$ —
20	(A) in subparagraph (A), by amending the
	(A) in subparagraph (A), by amending the matter preceding clause (i) to read as follows:
20	
20 21	matter preceding clause (i) to read as follows:

1	development of a reorganization plan. Such
2	plan shall—'';
3	(B) by redesignating subparagraphs (B)
4	and (C) as subparagraphs (C) and (D), respec-
5	tively;
6	(C) by inserting after subparagraph (A),
7	the following:
8	"(B) REDUCTION IN THE AMOUNT OF
9	GRANT.—If such failure continues for a third
10	consecutive year, the Governor of a State shall
11	reduce the amount of the grant that would (in
12	the absence of this subparagraph) be payable to
13	the local area under such program for the pro-
14	gram year after such third consecutive year.
15	Such penalty shall be based on the degree of
16	failure to meet local levels of performance.";
17	(D) in subparagraph (C)(i) (as so redesig-
18	nated), by striking "a reorganization plan
19	under subparagraph (A) may, not later than 30
20	days after receiving notice of the reorganization
21	plan, appeal to the Governor to rescind or re-
22	vise such plan" and inserting "corrective ac-
23	tions under subparagraphs (A) and (B) may,
24	not later than 30 days after receiving notice of

1	the actions, appeal to the Governor to rescind
2	or revise such actions"; and
3	(E) in subparagraph (D) (as so redesig-
4	nated), by striking "subparagraph (B)" each
5	place it appears and inserting "subparagraph
6	(C)";
7	(7) in subsection $(i)(1)(B)$, by striking "sub-
8	section $(b)(2)(C)$ " and inserting "subsection
9	(b)(2)(B)'';
10	(8) in subsection $(i)(1)(C)$, by striking
11	"(b)(3)(A)(vi)" and inserting "(b)(3)(A)(v)";
12	(9) in subsection $(i)(2)$, by striking "the activi-
13	ties described in section 502 concerning";
14	(10) in subsection $(i)(3)$, by striking "described
15	in paragraph (1) and in the activities described in
16	section 502" and inserting "and activities described
17	in this subsection'; and
18	(11) by adding at the end the following new
19	subsection:
20	"(j) Use of Core Indicators for Other Pro-
21	GRAMS.—In addition to the programs carried out under
22	chapter 5, and consistent with the requirements of the ap-
23	plicable authorizing laws, the Secretary shall use the core
24	indicators of performance described in subsection

scribed under section 121(b)(1)(B) that are carried out
 by the Secretary.".

3 SEC. 115. AUTHORIZATION OF APPROPRIATIONS.

4 Section 137 (29 U.S.C. 2872) is amended to read as5 follows:

6 "SEC. 137. AUTHORIZATION OF APPROPRIATIONS.

7 "There are authorized to be appropriated to carry out
8 the activities described in section 132, \$6,245,318,000 for
9 fiscal year 2014 and each of the 6 succeeding fiscal
10 years.".

11 Subtitle C—Job Corps

12 SEC. 116. JOB CORPS PURPOSES.

13 Paragraph (1) of section 141 (29 U.S.C. 2881(1))14 is amended to read as follows:

15 "(1) to maintain a national Job Corps program 16 for at-risk youth, carried out in partnership with 17 States and communities, to assist eligible youth to 18 connect to the workforce by providing them with in-19 tensive academic, career and technical education, 20 and service-learning opportunities, in residential and 21 nonresidential centers, in order for such youth to ob-22 tain regular secondary school diplomas and recog-23 nized postsecondary credentials leading to successful 24 careers in in-demand industries that will result in 25 opportunities for advancement;".

1	SEC. 117. JOB CORPS DEFINITIONS.
2	Section 142 (29 U.S.C. 2882) is amended—
3	(1) in paragraph (2) —
4	(A) in the paragraph heading, by striking
5	"APPLICABLE";
6	(B) by striking "applicable";
7	(C) by striking "customer service"; and
8	(D) by striking "intake" and inserting "as-
9	sessment'';
10	(2) in paragraph (4), by striking "before com-
11	pleting the requirements" and all that follows and
12	inserting "prior to becoming a graduate."; and
13	(3) in paragraph (5), by striking "has com-
14	pleted the requirements" and all that follows and in-
15	serting the following: "who, as a result of participa-
16	tion in the Job Corps program, has received a reg-
17	ular secondary school diploma, completed the re-
18	quirements of a career and technical education and
19	training program, or received, or is making satisfac-
20	tory progress (as defined under section 484(c) of the
21	Higher Education Act of 1965 (20 U.S.C. $1091(c)$)
22	toward receiving, a recognized postsecondary creden-
23	tial, including an industry-recognized credential that
24	prepares individuals for employment leading to eco-
25	nomic self-sufficiency.".

127 1 SEC. 118. INDIVIDUALS ELIGIBLE FOR THE JOB CORPS. 2 Section 144 (29 U.S.C. 2884) is amended— 3 (1) by amending paragraph (1) to read as fol-4 lows: 5 "(1) not less than age 16 and not more than 6 age 24 on the date of enrollment;"; 7 (2) in paragraph (3)(B), by inserting "secondary" before "school"; and 8 9 (3) in paragraph (3)(E), by striking "voca-10 tional" and inserting "career and technical edu-11 cation and". 12 SEC. 119. RECRUITMENT, SCREENING, SELECTION, AND AS-13 SIGNMENT OF ENROLLEES. 14 Section 145 (29 U.S.C. 2885) is amended— 15 (1) in subsection (a)— 16 (A) in paragraph (2)(C)(i) by striking "vo-17 cational" and inserting "career and technical 18 education and training"; and 19 (B) in paragraph (3)— 20 (i) by striking "To the extent practicable, the" and inserting "The"; 21 22 (ii) in subparagraph (A)— (I) by striking "applicable"; and 23 24 (II) by inserting "and" after the

semicolon;

1	(iii) by striking subparagraphs (B)
2	and (C); and
3	(iv) by adding at the end the fol-
4	lowing:
5	"(B) organizations that have a dem-
6	onstrated record of effectiveness in placing at-
7	risk youth into employment.";
8	(2) in subsection (b)—
9	(A) in paragraph (1)—
10	(i) in subparagraph (B), by inserting
11	"and agrees to such rules" after "failure
12	to observe the rules"; and
13	(ii) by amending subparagraph (C) to
14	read as follows:
15	"(C) the individual has passed a back-
16	ground check conducted in accordance with pro-
17	cedures established by the Secretary, which
18	shall include—
19	"(i) a search of the State criminal
20	registry or repository in the State where
21	the individual resides and each State where
22	the individual previously resided;
23	"(ii) a search of State-based child
24	abuse and neglect registries and databases
25	in the State where the individual resides

1	and each State where the individual pre-
2	viously resided;
3	"(iii) a search of the National Crime
4	Information Center;
5	"(iv) a Federal Bureau of Investiga-
6	tion fingerprint check using the Integrated
7	Automated Fingerprint Identification Sys-
8	tem; and
9	"(v) a search of the National Sex Of-
10	fender Registry established under the
11	Adam Walsh Child Protection and Safety
12	Act of 2006 (42 U.S.C. 16901 et seq.).";
13	and
14	(B) by adding at the end the following new
15	paragraph:
16	"(3) Individuals convicted of a crime.—
17	An individual shall be ineligible for enrollment if the
18	individual—
19	"(A) makes a false statement in connection
20	with the criminal background check described in
21	paragraph (1)(C);
22	"(B) is registered or is required to be reg-
23	istered on a State sex offender registry or the
24	National Sex Offender Registry established
25	under the Adam Walsh Child Protection and

1	Safety Act of 2006 (42 U.S.C. 16901 et seq.);
2	0 r
3	"(C) has been convicted of a felony con-
4	sisting of—
5	"(i) homicide;
6	"(ii) child abuse or neglect;
7	"(iii) a crime against children, includ-
8	ing child pornography;
9	"(iv) a crime involving rape or sexual
10	assault; or
11	"(v) physical assault, battery, or a
12	drug-related offense, committed within the
13	past 5 years.";
14	(3) in subsection (c)—
15	(A) in paragraph (1)—
16	(i) by striking "2 years" and inserting
17	"year"; and
18	(ii) by striking "an assignment" and
19	inserting "a";
20	(B) in paragraph (2)—
21	(i) in the matter preceding subpara-
22	graph (A), by striking ", every 2 years,";
23	(ii) in subparagraph (B), by striking
24	"and" at the end; and
25	(iii) in subparagraph (C)—

1	(I) by inserting "the education
2	and training" after "including"; and
3	(II) by striking the period at the
4	end and inserting "; and"; and
5	(C) by adding at the end the following:
6	"(D) the performance of the Job Corps
7	center relating to the indicators described in
8	paragraphs (1) and (2) in section $159(c)$, and
9	whether any actions have been taken with re-
10	spect to such center pursuant to section
11	159(f)."; and
12	(4) in subsection (d)—
13	(A) in paragraph (1)—
14	(i) in the matter preceding subpara-
15	graph (A), by striking "is closest to the
16	home of the enrollee, except that the" and
17	inserting "offers the type of career and
18	technical education and training selected
19	by the individual and, among the centers
20	that offer such education and training, is
21	closest to the home of the individual. The";
22	(ii) by striking subparagraph (A); and
23	(iii) by redesignating subparagraphs
24	(B) and (C) as subparagraphs (A) and
25	(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)—
9	(i) in subparagraph (A), by striking
10	"vocational" both places it appears and in-
11	serting "career and technical"; and
12	(ii) in subparagraph (B)—
13	(I) by striking "may" and insert-
14	ing "shall"; and
15	(II) by inserting "that, to the ex-
16	tent practicable, resides in the State
17	in which the Job Corps center is lo-
18	cated" before "to provide";
19	(B) in paragraph (2)—
20	(i) in subparagraph (A)—
21	(I) by striking "subsections (c)
22	and (d) of section 303 of the Federal
23	Property and Administrative Services
24	Act of 1949 (41 U.S.C. 253)" and in-
25	serting "subsections (a) and (b) of

	100
1	section 3304 of title 41, United States
2	Code"; and
3	(II) by striking "industry coun-
4	cil" and inserting "workforce coun-
5	cil";
6	(ii) in subparagraph (B)(i)—
7	(I) by amending subclause (II) to
8	read as follows:
9	"(II) the ability of the entity to
10	offer career and technical education
11	and training that the workforce coun-
12	cil proposes under section 154(c);";
13	(II) in subclause (III), by strik-
14	ing "is familiar with the surrounding
15	communities, applicable" and insert-
16	ing "demonstrates relationships with
17	the surrounding communities, employ-
18	ers, workforce boards," and by strik-
19	ing "and" at the end;
20	(III) by amending subclause (IV)
21	to read as follows:
22	"(IV) the performance of the en-
23	tity, if any, relating to operating or
24	providing activities described in this
25	subtitle to a Job Corps center, includ-

1	ing the entity's demonstrated effec-
2	tiveness in assisting individuals in
3	achieving the primary and secondary
4	indicators of performance described in
5	paragraphs (1) and (2) of section
6	159(c); and"; and
7	(IV) by adding at the end the fol-
8	lowing new subclause:
9	"(V) the ability of the entity to
10	demonstrate a record of successfully
11	assisting at-risk youth to connect to
12	the workforce, including by providing
13	them with intensive academic, and ca-
14	reer and technical education and
15	training."; and
16	(iii) in subparagraph (B)(ii), by strik-
17	ing ", as appropriate";
18	(2) in subsection (b), by striking "In any year,
19	no more than 20 percent of the individuals enrolled
20	in the Job Corps may be nonresidential participants
21	in the Job Corps.";
22	(3) by amending subsection (c) to read as fol-
23	lows:
24	"(c) Civilian Conservation Centers.—

1 "(1) IN GENERAL.—The Job Corps centers may 2 include Civilian Conservation Centers, operated 3 under an agreement between the Secretary of Labor 4 and the Secretary of Agriculture, that are located 5 primarily in rural areas. Such centers shall adhere 6 to all the provisions of this subtitle, and shall pro-7 vide, in addition to education, career and technical 8 education and training, and workforce preparation 9 skills training described in section 148, programs of 10 work experience to conserve, develop, or manage 11 public natural resources or public recreational areas 12 or to develop community projects in the public inter-13 est.

14 "(2) SELECTION PROCESS.—The Secretary
15 shall select an entity that submits an application
16 under subsection (d) to operate a Civilian Conserva17 tion Center on a competitive basis, as provided in
18 subsection (a)."; and

(4) by striking subsection (d) and inserting thefollowing:

"(d) APPLICATION.—To be eligible to operate a Job
Corps center under this subtitle, an entity shall submit
an application to the Secretary at such time, in such manner, and containing such information as the Secretary may
require, including—

"(1) a description of the program activities that
 will be offered at the center, including how the ca reer and technical education and training reflect
 State and local employment opportunities, including
 in in-demand industries;

6 "(2) a description of the counseling, placement, 7 and support activities that will be offered at the cen-8 ter, including a description of the strategies and pro-9 cedures the entity will use to place graduates into 10 unsubsidized employment upon completion of the 11 program;

"(3) a description of the demonstrated record
of effectiveness that the entity has in placing at-risk
youth into employment, including past performance
of operating a Job Corps center under this subtitle;
"(4) a description of the relationships that the

entity has developed with State and local workforce
boards, employers, State and local educational agencies, and the surrounding communities in an effort
to promote a comprehensive statewide workforce investment system;

"(5) a description of the strong fiscal controls
the entity has in place to ensure proper accounting
of Federal funds, and a description of how the entity
will meet the requirements of section 159(a);

1	"(6) a description of the strategies and policies
2	the entity will utilize to reduce participant costs;
3	((7) a description of the steps taken to control
4	costs in accordance with section $159(a)(3)$;
5	"(8) a detailed budget of the activities that will
6	be supported using funds under this subtitle;
7	"(9) a detailed budget of the activities that will
8	be supported using funds from non-Federal re-
9	sources;
10	((10) an assurance the entity will comply with
11	the administrative cost limitation included in section
12	151(c);
13	((11) an assurance the entity is licensed to op-
14	erate in the State in which the center is located; and
15	((12) an assurance the entity will comply with
16	and meet basic health and safety codes, including
17	those measures described in section 152(b).
18	"(e) LENGTH OF AGREEMENT.—The agreement de-
19	scribed in subsection $(a)(1)(A)$ shall be for not longer than
20	a 2-year period. The Secretary may renew the agreement
21	for 3 one-year periods if the entity meets the requirements
22	of subsection (f).
23	"(f) Renewal.—
24	"(1) IN GENERAL.—Subject to paragraph (2),

25 the Secretary may renew the terms of an agreement

described in subsection (a)(1)(A) for an entity to op erate a Job Corps center if the center meets or ex ceeds each of the indicators of performance de scribed in section 159(c)(1).

5 "(2) RECOMPETITION.—

6 "(A) IN GENERAL.—Notwithstanding para-7 graph (1), the Secretary shall not renew the 8 terms of the agreement for an entity to operate 9 a Job Corps center if such center is ranked in 10 the bottom quintile of centers described in sec-11 tion 159(f)(2) for any program year. Such enti-12 ty may submit a new application under sub-13 section (d) only if such center has shown sig-14 nificant improvement on the indicators of per-15 formance described in section 159(c)(1) over 16 the last program year.

17 "(B) VIOLATIONS.—The Secretary shall
18 not select an entity to operate a Job Corps cen19 ter if such entity or such center has been found
20 to have a systemic or substantial material fail21 ure that involves—

22 "(i) a threat to the health, safety, or
23 civil rights of program participants or
24 staff;

1"(ii) the misuse of funds received2under this subtitle;

3 "(iii) loss of legal status or financial
4 viability, loss of permits, debarment from
5 receiving Federal grants or contracts, or
6 the improper use of Federal funds;

7 "(iv) failure to meet any other Fed8 eral or State requirement that the entity
9 has shown an unwillingness or inability to
10 correct, after notice from the Secretary,
11 within the period specified; or

12 "(v) an unresolved area of noncompli-13 ance.

14 "(g) CURRENT GRANTEES.—Not later than 60 days 15 after the date of enactment of the SKILLS Act and not-16 withstanding any previous grant award or renewals of 17 such award under this subtitle, the Secretary shall require 18 all entities operating a Job Corps center under this sub-19 title to submit an application under subsection (d) to carry 20 out the requirements of this section.".

21 SEC. 121. PROGRAM ACTIVITIES.

22 Section 148 (29 U.S.C. 2888) is amended—

23 (1) by amending subsection (a) to read as fol-24 lows:

"(a) ACTIVITIES PROVIDED THROUGH JOB CORPS
 CENTERS.—

3	"(1) IN GENERAL.—Each Job Corps center
4	shall provide enrollees with an intensive, well-orga-
5	nized, and supervised program of education, career,
6	and technical education and training, work experi-
7	ence, recreational activities, physical rehabilitation
8	and development, and counseling. Each Job Corps
9	center shall provide enrollees assigned to the center
10	with access to work-ready services described in sec-
11	tion $134(c)(2)$.
12	"(2) Relationship to opportunities.—
13	"(A) IN GENERAL.—The activities pro-
14	vided under this subsection shall be targeted to
15	helping enrollees, on completion of their enroll-
16	ment—
17	"(i) secure and maintain meaningful
18	unsubsidized employment;
19	"(ii) complete secondary education
20	and obtain a regular secondary school di-
21	ploma;
22	"(iii) enroll in and complete postsec-
23	ondary education or training programs, in-
24	cluding obtaining recognized postsecondary

1	credentials, industry-recognized creden-
2	tials, and registered apprenticeships; or
3	"(iv) satisfy Armed Forces require-
4	ments.
5	"(B) LINK TO EMPLOYMENT OPPORTUNI-
6	TIES.—The career and technical education and
7	training provided shall be linked to the employ-
8	ment opportunities in in-demand industries in
9	the State in which the Job Corps center is lo-
10	cated."; and
11	(2) in subsection (b)—
12	(A) in the subsection heading, by striking
13	"Education and Vocational" and inserting
14	"Academic and Career and Technical
15	Education and";
16	(B) by striking "may" after "The Sec-
17	retary" and inserting "shall"; and
18	(C) by striking "vocational" each place it
19	appears and inserting "career and technical";
20	and
21	(3) by amending paragraph (3) of subsection
22	(c) to read as follows:
23	"(3) DEMONSTRATION.—Each year, any oper-
24	ator seeking to enroll additional enrollees in an ad-
25	vanced career training program shall demonstrate,

1	before the operator may carry out such additional
2	enrollment, that—
3	"(A) participants in such program have
4	achieved a satisfactory rate of completion and
5	placement in training-related jobs; and
6	"(B) such operator has met or exceeded
7	the indicators of performance described in para-
8	graphs (1) and (2) of section $159(c)$ for the
9	previous year.".
10	SEC. 122. COUNSELING AND JOB PLACEMENT.
11	Section 149 (29 U.S.C. 2889) is amended—
12	(1) in subsection (a), by striking "vocational"
13	and inserting "career and technical education and";
14	(2) in subsection (b), by striking "make every
15	effort to arrange to"; and
16	(3) by striking subsection (d).
17	SEC. 123. SUPPORT.
18	Subsection (b) of section 150 (29 U.S.C. 2890) is
19	amended to read as follows:
20	"(b) Transition Allowances and Support for
21	GRADUATES.—The Secretary shall arrange for a transi-
22	tion allowance to be paid to graduates. The transition al-
23	lowance shall be incentive-based to reflect a graduate's
24	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 redesig-
12	nated)—
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 beneficial relationship between Job Corps centers in the State 4 5 and nearby communities. Such activities may include the use of any local workforce development boards established 6 7 under section 117 to provide a mechanism for joint discussion of common problems and for planning programs of 8 mutual interest.". 9

10 SEC. 126. WORKFORCE COUNCILS.

Section 154 (29 U.S.C. 2894) is amended to read asfollows:

13 "SEC. 154. WORKFORCE COUNCILS.

(54352019)

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 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 as5 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 ar10 rangements as the Secretary considers appropriate, tech11 nical assistance and training for the Job Corps program
12 for the purposes of improving program quality.

13 "(b) ACTIVITIES.—In providing training and tech14 nical assistance and for allocating resources for such as15 sistance, the Secretary shall—

"(1) assist entities, including those entities not
currently operating a Job Corps center, in developing the application described in section 147(d);

"(2) assist Job Corps centers and programs in
correcting deficiencies and violations under this subtitle;

"(3) assist Job Corps centers and programs in
meeting or exceeding the indicators of performance
described in paragraph (1) and (2) of section 159(c);
and

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 (29 U.S.C. 2989) is amended—
6	(1) by amending paragraph (1) in subsection
7	(c), by striking "title II of the Federal Property and
8	Administrative Services Act of 1949 (40 U.S.C. 481
9	et seq.)" and inserting "chapter of 5 title 40, United
10	States Code,";
11	(2) by striking subsection (e); and
12	(3) by redesignating subsections (f) and (g) as
13	subsections (e) and (f), respectively.
14	SEC. 129. PERFORMANCE ACCOUNTABILITY MANAGEMENT.
15	Section 159 (29 U.S.C. 2899) is amended—
16	(1) in the section heading, by striking " MAN-
17	AGEMENT INFORMATION " and inserting "PER-
18	FORMANCE ACCOUNTABILITY AND MANAGE-
19	MENT'';
20	(2) in subsection $(a)(3)$, by inserting before the
21	period at the end the following: ", or operating costs
22	for such centers result in a budgetary shortfall";
23	(3) by striking subsections (c) through (g); and
24	(4) by inserting after subsection (b) the fol-
25	lowing:

1	"(c) Indicators of Performance.—
2	"(1) PRIMARY INDICATORS.—The annual pri-
3	mary indicators of performance for Job Corps cen-
4	ters shall include—
5	"(A) the percentage and number of enroll-
6	ees who graduate from the Job Corps center;
7	"(B) the percentage and number of grad-
8	uates who entered unsubsidized employment re-
9	lated to the career and technical education and
10	training received through the Job Corps center,
11	except that such calculation shall not include
12	enrollment in education, the military or volun-
13	teer service;
14	"(C) the percentage and number of grad-
15	uates who obtained a recognized postsecondary
16	credential, including an industry-recognized cre-
	, 6 , 6
17	dential or a registered apprenticeship; and
17 18	
	dential or a registered apprenticeship; and
18	dential or a registered apprenticeship; and "(D) the cost per successful performance
18 19	dential or a registered apprenticeship; and "(D) the cost per successful performance outcome, which is calculated by comparing the
18 19 20	dential or a registered apprenticeship; and "(D) the cost per successful performance outcome, which is calculated by comparing the number of graduates who were placed in unsub-
18 19 20 21	dential or a registered apprenticeship; and "(D) the cost per successful performance outcome, which is calculated by comparing the number of graduates who were placed in unsub- sidized employment or obtained a recognized
18 19 20 21 22	dential or a registered apprenticeship; and "(D) the cost per successful performance outcome, which is calculated by comparing the number of graduates who were placed in unsub- sidized employment or obtained a recognized credential, including an industry-recognized cre-
 18 19 20 21 22 23 	dential or a registered apprenticeship; and "(D) the cost per successful performance outcome, which is calculated by comparing the number of graduates who were placed in unsub- sidized employment or obtained a recognized credential, including an industry-recognized cre- dential, to total program costs, including all op-

1	"(2) Secondary indicators.—The annual
2	secondary indicators of performance for Job Corps
3	centers shall include—
4	"(A) the percentage and number of grad-
5	uates who entered unsubsidized employment not
6	related to the career and technical education
7	and training received through the Job Corps
8	center;
9	"(B) the percentage and number of grad-
10	uates who entered into postsecondary education;
11	"(C) the percentage and number of grad-
12	uates who entered into the military;
13	"(D) the average wage of graduates who
14	are in unsubsidized employment—
15	"(i) on the first day of employment;
16	and
17	"(ii) 6 months after the first day;
18	((E) the number and percentage of grad-
19	uates who entered unsubsidized employment
20	and were retained in the unsubsidized employ-
21	ment—
22	"(i) 6 months after the first day of
23	employment; and
24	"(ii) 12 months after the first day of
25	employment;

1 "(F) the percentage and number of enroll-2 ees compared to the percentage and number of 3 enrollees the Secretary has established targets 4 in section 145(c)(1); 5 "(G) the cost per training slot, which is 6 calculated by comparing the program's max-7 imum number of students that can be enrolled 8 in a Job Corps center at any given time during 9 the program year to the number of enrollees in 10 the same program year; and "(H) the number and percentage of former 11 12 enrollees, including the number dismissed under 13 the zero tolerance policy described in section 14 152(b). 15 "(3) INDICATORS OF PERFORMANCE FOR RE-CRUITERS.—The annual indicators of performance 16 17 for recruiters shall include the measurements de-18 scribed in subparagraph (A) of paragraph (1) and 19 subparagraphs (F), (G), and (H) of paragraph (2). 20 "(4) Indicators of performance of career

TRANSITION SERVICE PROVIDERS.—The annual indicators of performance of career transition service
providers shall include the measurements described
in subparagraphs (B) and (C) of paragraph (1) and

subparagraphs, (B), (C), (D), and (E) of paragraph
 (2).

3 "(d) ADDITIONAL INFORMATION.—The Secretary 4 shall collect, and submit in the report described in sub-5 section (f), information on the performance of each Job 6 Corps center, and the Job Corps program, regarding— 7 "(1) the number and percentage of former en-8 rollees who obtained a regular secondary school di-9 ploma; 10 "(2) the number and percentage of former en-11 rollees who entered unsubsidized employment; 12 "(3) the number and percentage of former enrollees who obtained a recognized postsecondary cre-13 14 dential, including an industry-recognized credential; "(4) the number and percentage of former en-15 rollees who entered into military service; and 16 17 "(5) any additional information required by the 18 Secretary. 19 "(e) METHODS.—The Secretary shall collect the in-20 formation described in subsections (c) and (d), using 21 methods described in section 136(i)(2) and consistent with 22 State law, by entering into agreements with the States to 23 access such data for Job Corps enrollees, former enrollees, 24 and graduates.

25 "(f) TRANSPARENCY AND ACCOUNTABILITY.—

1	"(1) REPORT.—The Secretary shall collect and
2	annually submit to the Committee on Education and
3	the Workforce of the House of Representatives and
4	the Committee on Health, Education. Labor and
5	Pensions of the Senate, as well as make available to
6	the public by electronic means, a report containing—
7	"(A) information on the performance of
8	each Job Corps center, and the Job Corps pro-
9	gram, on the performance indicators described
10	in paragraphs (1) and (2) of subsection (c);
11	"(B) a comparison of each Job Corps cen-
12	ter, by rank, on the performance indicators de-
13	scribed in paragraphs (1) and (2) of subsection
14	(e);
15	"(C) a comparison of each Job Corps cen-
16	ter, by rank, on the average performance of all
17	primary indicators described in paragraph (1)
18	of subsection (c);
19	"(D) information on the performance of
20	the service providers described in paragraphs
21	(3) and (4) of subsection (c) on the perform-
22	ance indicators established under such para-
23	graphs; and
24	"(E) a comparison of each service pro-
25	vider, by rank, on the performance of all service

1	providers described in paragraphs (3) and (4)
2	of subsection (c) on the performance indicators
3	established under such paragraphs.
4	"(2) Assessment.—The Secretary shall con-
5	duct an annual assessment of the performance of
6	each Job Corps center which shall include informa-
7	tion on the Job Corps centers that—
8	"(A) are ranked in the bottom 10 percent
9	on the performance indicator described in para-
10	graph $(1)(C)$; or
11	"(B) have failed a safety and health code
12	review described in subsection (g).
13	"(3) Performance improvement.—With re-
14	spect to a Job Corps center that is identified under
15	paragraph (2) or reports less than 50 percent on the
16	performance indicators described in subparagraphs
17	(A), (B), or (C) of subsection $(c)(1)$, the Secretary
18	shall develop and implement a 1 year performance
19	improvement plan. Such a plan shall require action
20	including—
21	"(A) providing technical assistance to the
22	center;
23	"(B) changing the management staff of
24	the center;
25	"(C) replacing the operator of the center;

1	"(D) reducing the capacity of the center;
2	Oľ
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;
10	(4) in subsection (a) (as so redesignated)—
11	(A) by inserting "the training of staff pro-
12	viding rapid response services, the training of
13	other staff of recipients of funds under this
14	title, assistance regarding accounting and pro-
15	gram operation practices (when such assistance
16	would not be duplicative to assistance provided
17	by the State), technical assistance to States
18	that do not meet State performance measures
19	described in section 136," after "localities,";
20	and
21	(B) by striking "from carrying out activi-
22	ties" and all that follows up to the period and
23	inserting "to implement the amendments made

24 by the SKILLS Act";

(5) in subsection (b) (as so redesignated)—

1	(A) by striking "paragraph (1)" and in-
2	serting "subsection (a)";
3	(B) by striking ", or recipient of financial
4	assistance under any of sections 166 through
5	169,"; and
6	(C) by striking "or grant recipient";
7	(6) in subsection (c) (as so redesignated), by
8	striking "paragraph (1)" and inserting "subsection
9	(a)"; and
10	(7) by inserting, after subsection (c) (as so re-
11	designated), the following:
12	"(d) Best Practices Coordination.—The Sec-
13	retary shall—
14	"(1) establish a system through which States
1 7	
15	may share information regarding best practices with
15	may share information regarding best practices with
15 16 17	may share information regarding best practices with regard to the operation of workforce investment ac-
15 16 17 18	may share information regarding best practices with regard to the operation of workforce investment ac- tivities under this Act; and
15 16 17 18 19	may share information regarding best practices with regard to the operation of workforce investment ac- tivities under this Act; and "(2) evaluate and disseminate information re-
15 16	may share information regarding best practices with regard to the operation of workforce investment ac- tivities under this Act; and "(2) evaluate and disseminate information re- garding best practices and identify knowledge
15 16 17 18 19 20	may share information regarding best practices with regard to the operation of workforce investment ac- tivities under this Act; and "(2) evaluate and disseminate information re- garding best practices and identify knowledge gaps.".
 15 16 17 18 19 20 21 	 may share information regarding best practices with regard to the operation of workforce investment activities under this Act; and "(2) evaluate and disseminate information regarding best practices and identify knowledge gaps.". SEC. 131. EVALUATIONS.
 15 16 17 18 19 20 21 22 	 may share information regarding best practices with regard to the operation of workforce investment activities under this Act; and "(2) evaluate and disseminate information regarding best practices and identify knowledge gaps.". SEC. 131. EVALUATIONS. Section 172 (29 U.S.C. 2917) is amended—

1	and activities carried out under section 171" and in-
2	serting "the Secretary, through grants, contracts, or
3	cooperative agreements, shall conduct, at least once
4	every 5 years, an independent evaluation of the pro-
5	grams and activities funded under this Act";
6	(2) in subsection $(a)(4)$ is amended to read as
7	follows:
8	"(4) the impact of receiving services and not re-
9	ceiving services under such programs and activities
10	on the community, businesses, and individuals;";
11	(3) in subsection (c) is amended to read as fol-
12	lows:
13	"(c) Techniques.—Evaluations conducted under
13 14	"(c) TECHNIQUES.—Evaluations conducted under this section shall utilize appropriate and rigorous method-
14	this section shall utilize appropriate and rigorous method-
14 15	this section shall utilize appropriate and rigorous method- ology and research designs, including the use of control
14 15 16	this section shall utilize appropriate and rigorous method- ology and research designs, including the use of control groups chosen by scientific random assignment methodolo-
14 15 16 17	this section shall utilize appropriate and rigorous method- ology and research designs, including the use of control groups chosen by scientific random assignment methodolo- gies, quasi-experimental methods, impact analysis and the
14 15 16 17 18	this section shall utilize appropriate and rigorous method- ology and research designs, including the use of control groups chosen by scientific random assignment methodolo- gies, quasi-experimental methods, impact analysis and the use of administrative data. The Secretary shall conduct
14 15 16 17 18 19	this section shall utilize appropriate and rigorous method- ology and research designs, including the use of control groups chosen by scientific random assignment methodolo- gies, quasi-experimental methods, impact analysis and the use of administrative data. The Secretary shall conduct an impact analysis, as described in subsection (a)(4), of
 14 15 16 17 18 19 20 	this section shall utilize appropriate and rigorous method- ology and research designs, including the use of control groups chosen by scientific random assignment methodolo- gies, quasi-experimental methods, impact analysis and the use of administrative data. The Secretary shall conduct an impact analysis, as described in subsection (a)(4), of the formula grant program under subtitle B not later than
 14 15 16 17 18 19 20 21 	this section shall utilize appropriate and rigorous method- ology and research designs, including the use of control groups chosen by scientific random assignment methodolo- gies, quasi-experimental methods, impact analysis and the use of administrative data. The Secretary shall conduct an impact analysis, as described in subsection (a)(4), of the formula grant program under subtitle B not later than 2015, and thereafter shall conduct such an analysis not

25 the Senate" and inserting "the Committee on

1	Health, Education, Labor, and Pensions of the Sen-
2	ate"; and
3	(5) by adding at the end, the following:
4	"(g) Public Availability.—The results of the eval-
5	uations conducted under this section shall be made pub-
6	licly available, including by posting such results on the De-
7	partment's website.".
8	Subtitle E—Administration
9	SEC. 132. REQUIREMENTS AND RESTRICTIONS.
10	Section 181 (29 U.S.C. 2931) is amended—
11	(1) in subsection $(b)(6)$, by striking ", including
12	representatives of businesses and of labor organiza-
13	tions";
14	(2) in subsection $(c)(2)(A)$, in the matter pre-
15	ceding clause (i), by striking "shall" and inserting
16	"may";
17	(3) in subsection (e)—
18	(A) by striking "training for" and insert-
19	ing "the entry into employment, retention in
20	employment, or increases in earnings of"; and
21	(B) by striking "subtitle B" and inserting
22	"this Act";
23	(4) in subsection $(f)(4)$, by striking
24	(134(a)(3)(B)) and inserting $(134(a)(6))$; and
25	(5) by adding at the end the following:

1 "(g) SALARY AND BONUS LIMITATION.—No funds 2 provided under this title shall be used by a recipient or 3 subrecipient of such funds to pay the salary and bonuses 4 of an individual, either as direct costs or indirect costs, at a rate in excess of Level II of the Federal Executive 5 6 Pay Schedule (5 U.S.C. 5313). This limitation shall not 7 apply to vendors providing goods and services as defined 8 in OMB Circular A–133. Where States are recipients of 9 such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from 10 11 subrecipients of such funds, taking into account factors 12 including the relative cost-of-living in the State, the com-13 pensation levels for comparable State or local government 14 employees, and the size of the organizations that admin-15 ister the programs.

- 16 "(h) GENERAL AUTHORITY.—
- 17 ((1))IN GENERAL.—The Employment and 18 Training Administration of the U.S. Department of 19 Labor (hereinafter in this Act referred to as the 'Ad-20 ministration') shall administer all programs author-21 ized under title I and III of this Act. The Adminis-22 tration shall be headed by an Assistant Secretary 23 appointed by the President by and with the advice 24 and consent of the Senate. Except for titles II and 25 IV, the Administration shall be the principal agency,

1 and the Assistant Secretary shall be the principal of-2 ficer, of such Department for carrying out this Act. 3 (2)QUALIFICATIONS.—The Assistant Sec-4 retary shall be an individual with substantial experi-5 ence in workforce development and in workforce de-6 velopment management. The Assistant Secretary shall also, to the maximum extent possible, possess 7 8 knowledge and have worked in or with the State or 9 local workforce investment system or have been a 10 member of the business community. In the perform-11 ance of the functions of the office, the Assistant Sec-12 retary shall be directly responsible to the Secretary 13 or the Under Secretary as designed by the Sec-14 retary. The functions of the Assistant Secretary 15 shall not be delegated to any officer not directly re-16 sponsible, both with respect to program operation 17 and administration, to the Assistant Secretary. Any 18 reference in this Act to duties to be carried out by 19 the Assistant Secretary shall be considered to be a 20 reference to duties to be carried out by the Secretary 21 acting through the Assistant Secretary.". 22 SEC. 133. PROMPT ALLOCATION OF FUNDS. 23

23 Section 182 (29 U.S.C. 2932) is amended—

- 24 (1) in subsection (c), by striking "127 or"; and
- 25 (2) in subsection (e)—

1	(A) by striking "sections 128 and 133"
2	and inserting "section 133"; and
3	(B) by striking "127 or".
4	SEC. 134. FISCAL CONTROLS; SANCTIONS.
5	Section 184(a)(2) (29 U.S.C. 2934(a)(2)) is amend-
6	ed—
7	(1) by striking "(A)" and all that follows
8	through "Each" and inserting "Each"; and
9	(2) by striking subparagraph (B).
10	SEC. 135. REPORTS TO CONGRESS.
11	Section 185 (29 U.S.C. 2935) is amended—
12	(1) in subsection (c)—
13	(A) in paragraph (2), by striking "and"
14	after the semicolon;
15	(B) in paragraph (3), by striking the pe-
16	riod and inserting "; and"; and
17	(C) by adding at the end the following:
18	"(4) shall have the option to submit or dissemi-
19	nate electronically any reports, records, plans, or any
20	other data that are required to be collected or dis-
21	seminated under this title."; and
22	(2) in subsection $(e)(2)$, by inserting "and the
23	Secretary shall submit to the Committee on Edu-
24	cation and the Workforce of the House of Rep-
25	resentatives and the Committee on Health, Edu-

1	cation, Labor, and Pensions of the Senate," after
2	"Secretary,".
3	SEC. 136. ADMINISTRATIVE PROVISIONS.
4	Section 189 (29 U.S.C. 2939) is amended—
5	(1) in subsection (g)—
6	(A) by amending paragraph (1) to read as
7	follows:
8	"(1) IN GENERAL.—Appropriations for any fis-
9	cal year for programs and activities carried out
10	under this title shall be available for obligation only
11	on the basis of a program year. The program year
12	shall begin on July 1 in the fiscal year for which the
13	appropriation is made."; and
14	(B) in paragraph (2)—
15	(i) by striking "each State" and in-
16	serting "each recipient"; and
17	(ii) by striking "171 or";
18	(2) in subsection (i)—
19	(A) by striking paragraphs (2) and (3);
20	(B) by redesignating paragraph (4) as
21	paragraph (2);
22	(C) by amending paragraph $(2)(A)$, as so
23	redesignated—
24	(i) by striking "requirements of sub-
25	paragraph (B)" and all that follows

1	through "any of the statutory or regu-
2	latory requirements of subtitle B" and in-
3	serting "requirements of subparagraph (B)
4	or (D), any of the statutory or regulatory
5	requirements of subtitle B";
6	(ii) by striking clause (ii); and
7	(iii) in clause (i), by striking "; and"
8	and inserting a period at the end; and
9	(D) by adding at the end the following:
10	"(D) EXPEDITED PROCESS FOR EXTEND-
11	ING APPROVED WAIVERS TO ADDITIONAL
12	STATES.—In lieu of the requirements of sub-
13	paragraphs (B) and (C), the Secretary may es-
14	tablish an expedited procedure for the purpose
15	of extending to additional States the waiver of
16	statutory or regulatory requirements that have
17	been approved for a State pursuant to a request
18	under subparagraph (B). Such procedure shall
19	ensure that the extension of such waivers to ad-
20	ditional States are accompanied by appropriate
21	conditions relating the implementation of such
22	waivers.
23	"(E) EXTERNAL CONDITIONS.—The Sec-
24	retary shall not require or impose new or addi-
25	tional requirements, which are not specified

1	under this Act, on a State in exchange for pro-
2	viding a waiver to the State or a local area in
3	the State under this paragraph.".
4	SEC. 137. STATE LEGISLATIVE AUTHORITY.
5	Section 191(a) (29 U.S.C. 2941(a)) is amended—
6	(1) by striking "consistent with the provisions
7	of this title" and inserting "consistent with State
8	law and the provisions of this title"; and
9	(2) by striking "consistent with the terms and
10	conditions required under this title" and inserting
11	"consistent with State law and the terms and condi-
12	tions required under this title".
13	SEC. 138. GENERAL PROGRAM REQUIREMENTS.
13 14	SEC. 138. GENERAL PROGRAM REQUIREMENTS. Section 195 (29 U.S.C. 2945) is amended—
14	Section 195 (29 U.S.C. 2945) is amended—
14 15	Section 195 (29 U.S.C. 2945) is amended— (1) in paragraph (7), by inserting at the end
14 15 16	Section 195 (29 U.S.C. 2945) is amended— (1) in paragraph (7), by inserting at the end the following:
14 15 16 17	 Section 195 (29 U.S.C. 2945) is amended— (1) in paragraph (7), by inserting at the end the following: "(D) Funds received by a public or private non-
14 15 16 17 18	 Section 195 (29 U.S.C. 2945) is amended— (1) in paragraph (7), by inserting at the end the following: "(D) Funds received by a public or private non-profit entity that are not described in paragraph
14 15 16 17 18 19	 Section 195 (29 U.S.C. 2945) is amended— (1) in paragraph (7), by inserting at the end the following: "(D) Funds received by a public or private non-profit entity that are not described in paragraph (B), such as funds privately raised from philan-
 14 15 16 17 18 19 20 	 Section 195 (29 U.S.C. 2945) is amended— (1) in paragraph (7), by inserting at the end the following: "(D) Funds received by a public or private non-profit entity that are not described in paragraph (B), such as funds privately raised from philan-thropic foundations, businesses, or other private en-
 14 15 16 17 18 19 20 21 	 Section 195 (29 U.S.C. 2945) is amended— (1) in paragraph (7), by inserting at the end the following: "(D) Funds received by a public or private non-profit entity that are not described in paragraph (B), such as funds privately raised from philan-thropic foundations, businesses, or other private entities, shall not be considered to be income under
 14 15 16 17 18 19 20 21 22 	 Section 195 (29 U.S.C. 2945) is amended— (1) in paragraph (7), by inserting at the end the following: "(D) Funds received by a public or private non-profit entity that are not described in paragraph (B), such as funds privately raised from philan-thropic foundations, businesses, or other private entities, shall not be considered to be income under this title and shall not be subject to the require-

25 paragraphs:

1 "(14) Funds provided under this title shall not 2 be used to establish or operate stand-alone fee-for-3 service enterprises that compete with private sector 4 employment agencies within the meaning of section 5 701(c) of the Civil Rights Act of 1964 (42 U.S.C. 6 2000e(c)), except that for purposes of this para-7 graph, such an enterprise does not include one-stop 8 centers.

9 "(15) Any report required to be submitted to 10 Congress, or to a Committee of Congress, under this 11 title shall be submitted to both the chairmen and 12 ranking minority members of the Committee on 13 Education and the Workforce of the House of Rep-14 resentatives and the Committee on Health, Edu-15 cation, Labor, and Pensions of the Senate.".

16 SEC. 139. FEDERAL AGENCY STAFF.

17 Subtitle E of title I (29 U.S.C. 2931 et seq.) is 18 amended by adding at the end the following new section:

19 "SEC. 196. FEDERAL AGENCY STAFF.

20 "The Director of the Office of Management and21 Budget shall—

22 "(1) not later than 60 days after the date of
23 the enactment of the SKILLS Act—

24 "(A) identify the number of Federal gov-25 ernment employees who work on or administer

each of the programs authorized under this Act
 or repealed under section 401 of the SKILLS
 Act, as such programs were in effect on the day
 before such date of enactment; and

5 "(B) identify the number of full-time equivalent employees who work on or admin-6 7 ister each of the programs authorized under 8 this Act or repealed under section 401 of the 9 SKILLS Act, as such programs were in effect 10 on the day before such date of enactment, and 11 that have been eliminated or consolidated on or 12 after such date of enactment;

"(2) not later than 90 after such date of enactment, publish the information described in paragraph (1) on the Office of Management and Budget
website;

17 "(3) not later than 1 year after such date of en-18 actment—

19 "(A) reduce the workforce of the Federal
20 Government by the number of full-time equiva21 lent employees identified under paragraph
22 (1)(B); and

23 "(B) submit to Congress a report on how
24 the Director carried out the requirements of
25 subparagraph (A).".

1 Subtitle F—State Unified Plan

2 SEC. 140. STATE UNIFIED PLAN.

3 Section 501 (20 U.S.C. 9271) is amended—

4 (1) by amending subsection (b) to read as fol-5 lows:

6 "(b) STATE UNIFIED PLAN.—

7 "(1) IN GENERAL.—A State may develop and 8 submit to the appropriate Secretaries a State unified 9 plan for 2 or more of the activities or programs set 10 forth in paragraph (2). The State unified plan shall 11 cover one or more of the activities set forth in sub-12 paragraphs (A) and (B) of paragraph (2) and may 13 cover one or more of the activities set forth in sub-14 paragraphs (C) through (N) of paragraph (2). For 15 purposes of this paragraph, the activities and pro-16 grams described in subparagraphs (A) and (B) of 17 paragraph (2) shall not be considered to be 2 or 18 more activities or programs for purposes of the uni-19 fied plan. Such activities or programs shall be con-20 sidered to be 1 activity or program.

21 "(2) ACTIVITIES AND PROGRAMS.—The activi22 ties and programs referred to in paragraph (1) are
23 as follows:

24 "(A) Programs and activities authorized
25 under title I.

1	"(B) Programs and activities authorized
2	under title II.
3	"(C) Programs authorized under the Reha-
4	bilitation Act of 1973.
5	"(D) Secondary career education programs
6	authorized under the Carl D. Perkins Career
7	and Applied Technology Education Act.
8	"(E) Postsecondary career education pro-
9	grams authorized under the Carl D. Perkins
10	Career and Applied Technology Education Act.
11	"(F) Programs and activities authorized
12	under title II of the Trade Act of 1974.
13	"(G) National Apprenticeship Act of 1937.
14	"(H) Programs authorized under the Com-
15	munity Services Block Grant Act.
16	"(I) Programs authorized under the part A
17	of title IV of the Social Security Act.
18	"(J) Programs authorized under State un-
19	employment compensation laws (in accordance
20	with applicable Federal law).
21	"(K) Work programs authorized under sec-
22	tion 6(0) of the Food Stamp Act of 1977.
23	"(L) Programs and activities authorized
24	title I of the Housing and Community Develop-
25	ment Act of 1974.

1	"(M) Programs and activities authorized
2	under the Public Workers and Economic Devel-
3	opment Act of 1965.
4	"(N) Activities as defined under chapter
5	41 of title 38, United States Code."; and
6	(2) by adding at the end, the following:
7	"(e) Additional Employment and Training
8	FUNDS.—
9	"(1) PURPOSE.—It is the purpose of this sub-
10	section to reduce inefficiencies in the administration
11	of federally-funded State and local employment and
12	training programs.
13	"(2) IN GENERAL.—In developing a State uni-
14	fied plan for the activities or programs described in
15	subsection $(b)(2)$ and subject to paragraph (4) and
16	the State plan approval process under subsection
17	(d), a State may propose to consolidate the amount,
18	in whole or part, provided for the activities or pro-
19	grams dedicated to employment and training into
20	the Workforce Investment Fund under section
21	132(b) to improve the administration of State and
22	local employment and training programs.
23	"(3) REQUIREMENTS.—A State with a State
24	unified plan approved under subsection (d) for pur-

1	poses of consolidation under paragraph (2) and that
2	is carrying out such consolidation shall—
3	"(A) continue to meet the program re-
4	quirements, limitations, and prohibitions of any
5	Federal statute authorizing the activity or pro-
6	gram consolidated into the Workforce Invest-
7	ment Fund;
8	"(B) meet the intent and purpose of the
9	activity or program consolidated into the Work-
10	force Investment Fund; and
11	"(C) continue to make reservations and al-
12	lotments under subsections (a) and (b) of sec-
13	tion 133.
14	"(4) EXCEPTIONS.—A State may not consoli-
15	date funds under paragraph (2) that are allocated to
16	the State under—
17	"(A) the Carl D. Perkins Career and Tech-
18	nical Education Act of 2006; or
19	"(B) the Rehabilitation Act of 1973.".
20	TITLE II—ADULT EDUCATION
21	AND FAMILY LITERACY EDU-
22	CATION
23	SEC. 201. AMENDMENT.
24	Title II (20 U.S.C. 2901 et seq.) is amended to read
25	as follows:

TITLE II—ADULT EDUCATION AND FAMILY LITERACY EDU CATION

4 "SEC. 201. SHORT TITLE.

5 "This title may be cited as the 'Adult Education and6 Family Literacy Education Act'.

7 "SEC. 202. PURPOSE.

8 "It is the purpose of this title to provide instructional 9 opportunities for adults seeking to improve their literacy 10 skills, including their basic reading, writing, speaking, and 11 math skills, and support States and local communities in 12 providing, on a voluntary basis, adult education and family 13 literacy education programs, in order to—

"(1) increase the literacy of adults, including
the basic reading, writing, speaking, and math skills,
to a level of proficiency necessary for adults to obtain employment and self-sufficiency and to successfully advance in the workforce;

19 "(2) assist adults in the completion of a sec-20 ondary school education (or its equivalent) and the 21 transition to a postsecondary educational institution; 22 "(3) assist adults who are parents to enable 23 them to support the educational development of their 24 children and make informed choices regarding their 25 children's education including, through instruction in

basic reading, writing, speaking, and math skills;
 and

3 "(4) assist adults who are not proficient in
4 English in improving their reading, writing, speak5 ing, listening, comprehension, and math skills.

6 "SEC. 203. DEFINITIONS.

7 "In this title:

8 "(1) ADULT EDUCATION AND FAMILY LITERACY 9 EDUCATION PROGRAMS.—The term 'adult education 10 and family literacy education programs' means a se-11 quence of academic instruction and educational serv-12 ices below the postsecondary level that increase an 13 individual's ability to read, write, and speak English 14 and perform mathematical computations leading to a 15 level of proficiency equivalent to at least a secondary 16 school completion that is provided for individuals— 17 "(A) who are at least 16 years of age; 18 "(B) who are not enrolled or required to be 19 enrolled in secondary school under State law; 20 and 21 "(C) who— 22

"(i) lack sufficient mastery of basic reading, writing, speaking, and math skills to enable the individuals to function effectively in society;

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	110
1	"(ii) do not have a secondary school
2	diploma or its equivalent and have not
3	achieved an equivalent level of education;
4	or
5	"(iii) are English learners.
6	"(2) ELIGIBLE AGENCY.—The term 'eligible
7	agency'—
8	"(A) means the primary entity or agency
9	in a State or an outlying area responsible for
10	administering or supervising policy for adult
11	education and family literacy education pro-
12	grams in the State or outlying area, respec-
13	tively, consistent with the law of the State or
14	outlying area, respectively; and
15	"(B) may be the State educational agency,
16	the State agency responsible for administering
17	workforce investment activities, or the State
18	agency responsible for administering community
19	or technical colleges.
20	"(3) ELIGIBLE PROVIDER.—The term 'eligible
21	provider' means an organization of demonstrated ef-
22	fectiveness which is—
23	"(A) a local educational agency;
24	"(B) a community-based or faith-based or-
25	ganization;

	1 • 1
1	"(C) a volunteer literacy organization;
2	"(D) an institution of higher education;
3	"(E) a public or private educational agen-
4	cy;
5	"(F) a library;
6	"(G) a public housing authority;
7	"(H) an institution that is not described in
8	any of subparagraphs (A) through (G) and has
9	the ability to provide adult education, basic
10	skills, and family literacy education programs to
11	adults and families; or
12	"(I) a consortium of the agencies, organi-
13	zations, institutions, libraries, or authorities de-
14	scribed in any of subparagraphs (A) through
15	(H).
16	"(4) ENGLISH LANGUAGE ACQUISITION PRO-
17	GRAM.—The term 'English language acquisition pro-
18	gram' means a program of instruction—
19	"(A) designed to help English learners
20	achieve competence in reading, writing, speak-
21	ing, and comprehension of the English lan-
22	guage; and
23	"(B) that may lead to—
24	"(i) attainment of a secondary school
25	diploma or its recognized equivalent;

1	"(ii) transition to success in postsec-
2	ondary education and training; and
3	"(iii) employment or career advance-
4	ment.
5	"(5) FAMILY LITERACY EDUCATION PRO-
6	GRAM.—The term 'family literacy education pro-
7	gram' means an educational program that—
8	"(A) assists parents and students, on a
9	voluntary basis, in achieving the purposes of
10	this title as described in section 202; and
11	"(B) is of sufficient intensity in terms of
12	hours and of sufficient quality to make sustain-
13	able changes in a family, is evidence-based, and,
14	for the purpose of substantially increasing the
15	ability of parents and children to read, write,
16	and speak English, integrates—
17	"(i) interactive literacy activities be-
18	tween parents and their children;
19	"(ii) training for parents regarding
20	how to be the primary teacher for their
21	children and full partners in the education
22	of their children;
23	"(iii) parent literacy training that
24	leads to economic self-sufficiency; and

1	"(iv) an age-appropriate education to
2	prepare children for success in school and
3	life experiences.
4	"(6) GOVERNOR.—The term 'Governor' means
5	the chief executive officer of a State or outlying
6	area.
7	"(7) Individual with a disability.—
8	"(A) IN GENERAL.—The term 'individual
9	with a disability' means an individual with any
10	disability (as defined in section 3 of the Ameri-
11	cans with Disabilities Act of 1990).
12	"(B) Individuals with disabilities.—
13	The term 'individuals with disabilities' means
14	more than one individual with a disability.
15	"(8) ENGLISH LEARNER.—The term 'English
16	learner' means an adult or out-of-school youth who
17	has limited ability in reading, writing, speaking, or
18	understanding the English language, and—
19	"(A) whose native language is a language
20	other than English; or
21	"(B) who lives in a family or community
22	environment where a language other than
23	English is the dominant language.
24	"(9) INTEGRATED EDUCATION AND TRAIN-
25	ING.—The term 'integrated education and training'

means services that provide adult education and literacy activities contextually and concurrently with
workforce preparation activities and workforce training for a specific occupation or occupational cluster.
Such services may include offering adult education
services concurrent with postsecondary education
and training, including through co-instruction.

8 "(10) INSTITUTION OF HIGHER EDUCATION.—
9 The term 'institution of higher education' has the
10 meaning given the term in section 101 of the Higher
11 Education Act of 1965.

12 "(11) LITERACY.—The term 'literacy' means an 13 individual's ability to read, write, and speak in 14 English, compute, and solve problems at a level of 15 proficiency necessary to obtain employment and to 16 successfully make the transition to postsecondary 17 education.

18 "(12) LOCAL EDUCATIONAL AGENCY.—The
19 term 'local educational agency' has the meaning
20 given the term in section 9101 of the Elementary
21 and Secondary Education Act of 1965.

22 "(13) OUTLYING AREA.—The term 'outlying
23 area' has the meaning given the term in section 101
24 of this Act.

1	"(14) Postsecondary educational institu-
2	TION.—The term 'postsecondary educational institu-
3	tion' means—
4	"(A) an institution of higher education
5	that provides not less than a 2-year program of
6	instruction that is acceptable for credit toward
7	a bachelor's degree;
8	"(B) a tribally controlled community col-
9	lege; or
10	"(C) a nonprofit educational institution of-
11	fering certificate or apprenticeship programs at
12	the postsecondary level.
13	"(15) SECRETARY.—The term 'Secretary'
14	means the Secretary of Education.
15	"(16) STATE.—The term 'State' means each of
16	the several States of the United States, the District
17	of Columbia, and the Commonwealth of Puerto Rico.
18	"(17) STATE EDUCATIONAL AGENCY.—The
19	term 'State educational agency' has the meaning
20	given the term in section 9101 of the Elementary
21	and Secondary Education Act of 1965.
22	"(18) Workplace Literacy program.—The
23	term 'workplace literacy program' means an edu-
24	cational program that is offered in collaboration be-
25	tween eligible providers and employers or employee

organizations for the purpose of improving the pro ductivity of the workforce through the improvement

3 of reading, writing, speaking, and math skills.

4 "SEC. 204. HOME SCHOOLS.

5 "Nothing in this title shall be construed to affect 6 home schools, whether or not a home school is treated as 7 a home school or a private school under State law, or to 8 compel a parent engaged in home schooling to participate 9 in adult education and family literacy education activities 10 under this title.

11 "SEC. 205. AUTHORIZATION OF APPROPRIATIONS.

12 "There are authorized to be appropriated to carry out
13 this title, \$606,294,933 for fiscal years 2014 and for each
14 of the 6 succeeding fiscal years.

15 "Subtitle A—Federal Provisions

16 "SEC. 211. RESERVATION OF FUNDS; GRANTS TO ELIGIBLE

17 AGENCIES; ALLOTMENTS.

18 "(a) RESERVATION OF FUNDS.—From the sums ap19 propriated under section 205 for a fiscal year, the Sec20 retary shall reserve 2.0 percent to carry out section 242.

21 "(b) Grants to Eligible Agencies.—

"(1) IN GENERAL.—From the sums appropriated under section 205 and not reserved under
subsection (a) for a fiscal year, the Secretary shall
award a grant to each eligible agency having a State

1	plan approved under section 224 in an amount equal
2	to the sum of the initial allotment under subsection
3	(c)(1) and the additional allotment under subsection
4	(c)(2) for the eligible agency for the fiscal year, sub-
5	ject to subsections (f) and (g).
6	"(2) Purpose of grants.—The Secretary
7	may award a grant under paragraph (1) only if the
8	eligible agency involved agrees to expend the grant
9	in accordance with the provisions of this title.
10	"(c) Allotments.—
11	"(1) INITIAL ALLOTMENTS.—From the sums
12	appropriated under section 205 and not reserved
13	under subsection (a) for a fiscal year, the Secretary
14	shall allot to each eligible agency having a State
15	plan approved under section 224—
16	((A) \$100,000, in the case of an eligible
17	agency serving an outlying area; and
18	"(B) \$250,000, in the case of any other el-
19	igible agency.
20	"(2) Additional allotments.—From the
21	sums appropriated under section 205, not reserved
22	under subsection (a), and not allotted under para-
23	graph (1), for a fiscal year, the Secretary shall allot
24	to each eligible agency that receives an initial allot-
25	ment under paragraph (1) an additional amount

1	that bears the same relationship to such sums as the
2	number of qualifying adults in the State or outlying
3	area served by the eligible agency bears to the num-
4	ber of such adults in all States and outlying areas.
5	"(d) QUALIFYING ADULT.—For the purpose of sub-
6	section (c)(2), the term 'qualifying adult' means an adult
7	who—
8	"(1) is at least 16 years of age;
9	((2) is beyond the age of compulsory school at-
10	tendance under the law of the State or outlying
11	area;
12	"(3) does not have a secondary school diploma
13	or its recognized equivalent; and
14	"(4) is not enrolled in secondary school.
15	"(e) Special Rule.—
16	"(1) IN GENERAL.—From amounts made avail-
17	able under subsection (c) for the Republic of Palau,
18	the Secretary shall award grants to Guam, American
19	Samoa, the Commonwealth of the Northern Mariana
20	Islands, or the Republic of Palau to carry out activi-
21	ties described in this title in accordance with the
22	provisions of this title as determined by the Sec-
23	retary.
24	"(2) TERMINATION OF ELIGIBILITY.—Notwith-
25	standing any other provision of law, the Republic of

1	Palau shall be eligible to receive a grant under this
2	title until an agreement for the extension of United
3	States education assistance under the Compact of
4	Free Association for the Republic of Palau becomes
5	effective.
6	"(f) Hold-Harmless Provisions.—
7	"(1) IN GENERAL.—Notwithstanding subsection
8	(c) and subject to paragraph (2), for—
9	"(A) fiscal year 2014, no eligible agency
10	shall receive an allotment under this title that
11	is less than 90 percent of the allotment the eli-
12	gible agency received for fiscal year 2012 under
13	this title; and
14	"(B) fiscal year 2015 and each succeeding
15	fiscal year, no eligible agency shall receive an
16	allotment under this title that is less than 90
17	percent of the allotment the eligible agency re-
18	ceived for the preceding fiscal year under this
19	title.
20	"(2) RATABLE REDUCTION.—If, for any fiscal
21	year the amount available for allotment under this
22	title is insufficient to satisfy the provisions of para-
23	graph (1), the Secretary shall ratable reduce the
24	payments to all eligible agencies, as necessary.

1 "(g) REALLOTMENT.—The portion of any eligible 2 agency's allotment under this title for a fiscal year that the Secretary determines will not be required for the pe-3 4 riod such allotment is available for carrying out activities under this title, shall be available for reallotment from 5 time to time, on such dates during such period as the Sec-6 7 retary shall fix, to other eligible agencies in proportion to 8 the original allotments to such agencies under this title 9 for such year.

10 "SEC. 212. PERFORMANCE ACCOUNTABILITY SYSTEM.

11 "Programs and activities authorized under this title 12 are subject to the performance accountability provisions 13 described in paragraph (2)(A) and (3) of section 136(b) 14 and may, at a State's discretion, include additional indica-15 tors identified in the State plan approved under section 16 224.

17 "Subtitle B—State Provisions

18 "SEC. 221. STATE ADMINISTRATION.

19 "Each eligible agency shall be responsible for the fol-20 lowing activities under this title:

21 "(1) The development, submission, implementa-22 tion, and monitoring of the State plan.

23 "(2) Consultation with other appropriate agen24 cies, groups, and individuals that are involved in, or

interested in, the development and implementation
 of activities assisted under this title.

3 "(3) Coordination and avoidance of duplication
4 with other Federal and State education, training,
5 corrections, public housing, and social service pro6 grams.

7 "SEC. 222. STATE DISTRIBUTION OF FUNDS; MATCHING RE8 QUIREMENT.

9 "(a) STATE DISTRIBUTION OF FUNDS.—Each eligi10 ble agency receiving a grant under this title for a fiscal
11 year—

12 "(1) shall use an amount not less than 82.513 percent of the grant funds to award grants and con-14 tracts under section 231 and to carry out section 15 225, of which not more than 10 percent of such 16 amount shall be available to carry out section 225; 17 ((2)) shall use not more than 12.5 percent of 18 the grant funds to carry out State leadership activi-19 ties under section 223; and

20 "(3) shall use not more than 5 percent of the
21 grant funds, or \$65,000, whichever is greater, for
22 the administrative expenses of the eligible agency.

23 "(b) MATCHING REQUIREMENT.—

24 "(1) IN GENERAL.—In order to receive a grant
25 from the Secretary under section 211(b), each eligi-

ble agency shall provide, for the costs to be incurred
by the eligible agency in carrying out the adult education and family literacy education programs for
which the grant is awarded, a non-Federal contribution in an amount that is not less than—

6 "(A) in the case of an eligible agency serv-7 ing an outlying area, 12 percent of the total 8 amount of funds expended for adult education 9 and family literacy education programs in the 10 outlying area, except that the Secretary may 11 decrease the amount of funds required under 12 this subparagraph for an eligible agency; and

"(B) in the case of an eligible agency serving a State, 25 percent of the total amount of
funds expended for adult education and family
literacy education programs in the State.

"(2) NON-FEDERAL CONTRIBUTION.—An eligible agency's non-Federal contribution required under
paragraph (1) may be provided in cash or in kind,
fairly evaluated, and shall include only non-Federal
funds that are used for adult education and family
literacy education programs in a manner that is consistent with the purpose of this title.

1 "SEC. 223. STATE LEADERSHIP ACTIVITIES.

2 "(a) IN GENERAL.—Each eligible agency may use
3 funds made available under section 222(a)(2) for any of
4 the following adult education and family literacy education
5 programs:

6 "(1) The establishment or operation of profes7 sional development programs to improve the quality
8 of instruction provided pursuant to local activities
9 required under section 231(b).

"(2) The provision of technical assistance to eligible providers of adult education and family literacy
education programs, including for the development
and dissemination of evidence based research instructional practices in reading, writing, speaking,
math, and English language acquisition programs.

"(3) The provision of assistance to eligible providers in developing, implementing, and reporting
measurable progress in achieving the objectives of
this title.

20 "(4) The monitoring and evaluation of the qual21 ity of, and the improvement in, adult education and
22 literacy activities.

23 "(5) The provision of technology assistance, in24 cluding staff training, to eligible providers of adult
25 education and family literacy education programs,
26 including distance education activities, to enable the

eligible providers to improve the quality of such ac tivities.

3 "(6) The development and implementation of
4 technology applications or distance education, in5 cluding professional development to support the use
6 of instructional technology.

7 "(7) Coordination with other public programs,
8 including programs under title I of this Act, and
9 other welfare-to-work, workforce development, and
10 job training programs.

11 "(8) Coordination with existing support serv-12 ices, such as transportation, child care, and other 13 assistance designed to increase rates of enrollment 14 in, and successful completion of, adult education and 15 family literacy education programs, for adults en-16 rolled in such activities.

17 "(9) The development and implementation of a
18 system to assist in the transition from adult basic
19 education to postsecondary education.

20 "(10) Activities to promote workplace literacy21 programs.

"(11) Other activities of statewide significance,
including assisting eligible providers in achieving
progress in improving the skill levels of adults who
participate in programs under this title.

"(12) Integration of literacy, instructional, and
 occupational skill training and promotion of linkages
 with employees.

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).

"(c) STATE-IMPOSED REQUIREMENTS.—Whenever a 8 State or outlying area implements any rule or policy relat-9 ing to the administration or operation of a program au-10 11 thorized under this title that has the effect of imposing 12 a requirement that is not imposed under Federal law (including any rule or policy based on a State or outlying 13 area interpretation of a Federal statute, regulation, or 14 15 guideline), the State or outlying area shall identify, to eligible providers, the rule or policy as being imposed by the 16 17 State or outlying area.

18 "SEC. 224. STATE PLAN.

19 "(a) 3-YEAR PLANS.—

20 "(1) IN GENERAL.—Each eligible agency desir21 ing a grant under this title for any fiscal year shall
22 submit to, or have on file with, the Secretary a 323 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
13 14	educational enhancement, including English learners;
14	learners;
14 15	learners; "(9) a description of how the adult education
14 15 16	learners; "(9) a description of how the adult education and family literacy education programs that will be
14 15 16 17	learners; "(9) a description of how the adult education and family literacy education programs that will be carried out with any funds received under this title
14 15 16 17 18	learners; "(9) a description of how the adult education and family literacy education programs that will be carried out with any funds received under this title will be integrated with other adult education, career
14 15 16 17 18 19	learners; "(9) a description of how the adult education and family literacy education programs that will be carried out with any funds received under this title will be integrated with other adult education, career development, and employment and training activities
14 15 16 17 18 19 20	learners; "(9) a description of how the adult education and family literacy education programs that will be carried out with any funds received under this title will be integrated with other adult education, career development, and employment and training activities in the State or outlying area served by the eligible
14 15 16 17 18 19 20 21	learners; "(9) a description of how the adult education and family literacy education programs that will be carried out with any funds received under this title will be integrated with other adult education, career development, and employment and training activities in the State or outlying area served by the eligible agency;

"(A) how the State will build the capacity
 of community-based and faith-based organiza tions to provide adult education and family lit eracy education programs; and

"(B) how the State will increase the par-5 6 ticipation of business and industry in adult edu-7 cation and family literacy education programs; "(11) an assessment of the adequacy of the sys-8 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
postsecondary education to develop adult education
that prepares students to enter postsecondary education without the need for remediation upon completion of secondary school equivalency programs.

"(c) PLAN REVISIONS.—When changes in conditions
or other factors require substantial revisions to an approved State plan, the eligible agency shall submit the revisions of the State plan to the Secretary.

24 "(d) CONSULTATION.—The eligible agency shall—

"(1) submit the State plan, and any revisions to
 the State plan, to the Governor, the chief State
 school officer, or the State officer responsible for ad ministering community or technical colleges, or out lying area for review and comment; and

6 "(2) ensure that any comments regarding the 7 State plan by the Governor, the chief State school 8 officer, or the State officer responsible for admin-9 istering community or technical colleges, and any re-10 vision to the State plan, are submitted to the Sec-11 retary.

12 "(e) PLAN APPROVAL.—The Secretary shall—

13 "(1) approve a State plan within 90 days after 14 receiving the plan unless the Secretary makes a writ-15 ten determination within 30 days after receiving the 16 plan that the plan does not meet the requirements 17 of this section or is inconsistent with specific provi-18 sions of this subtitle; and

19 "(2) not finally disapprove of a State plan be-20 fore offering the eligible agency the opportunity, 21 prior to the expiration of the 30-day period begin-22 ning on the date on which the eligible agency re-23 ceived the written determination described in para-24 graph (3), to review the plan and providing technical

1	assistance in order to assist the eligible agency in
2	meeting the requirements of this subtitle.
3	"SEC. 225. PROGRAMS FOR CORRECTIONS EDUCATION AND
4	OTHER INSTITUTIONALIZED INDIVIDUALS.
5	"(a) Program Authorized.—From funds made
6	available under section $222(a)(1)$ for a fiscal year, each
7	eligible agency shall carry out corrections education and
8	education for other institutionalized individuals.
9	"(b) USES OF FUNDS.—The funds described in sub-
10	section (a) shall be used for the cost of educational pro-
11	grams for criminal offenders in correctional institutions
12	and for other institutionalized individuals, including aca-
13	demic programs for—
14	"(1) basic skills education;
15	((2) special education programs as determined
16	by the eligible agency;
17	"(3) reading, writing, speaking, and math pro-
18	grams;
19	"(4) secondary school credit or diploma pro-
20	grams or their recognized equivalent; and
21	"(5) integrated education and training.
22	"(c) PRIORITY.—Each eligible agency that is using
23	assistance provided under this section to carry out a pro-
24	gram for criminal offenders within a correctional institu-
	gram for erminiar orienders within a correctionar mistica

1	to leave the correctional institution within 5 years of par-
2	ticipation in the program.
3	"(d) DEFINITIONS.—For purposes of this section:
4	"(1) Correctional institution.—The term
5	'correctional institution' means any—
6	"(A) prison;
7	"(B) jail;
8	"(C) reformatory;
9	"(D) work farm;
10	"(E) detention center; or
11	"(F) halfway house, community-based re-
12	habilitation center, or any other similar institu-
13	tion designed for the confinement or rehabilita-
14	tion of criminal offenders.
15	"(2) CRIMINAL OFFENDER.—The term 'crimi-
16	nal offender' means any individual who is charged
17	with, or convicted of, any criminal offense.
18	"Subtitle C—Local Provisions
19	"SEC. 231. GRANTS AND CONTRACTS FOR ELIGIBLE PRO-
20	VIDERS.
21	"(a) GRANTS AND CONTRACTS.—From grant funds
22	made available under section $222(a)(1)$, each eligible agen-
23	cy shall award multi-year grants or contracts, on a com-
24	petitive basis, to eligible providers within the State or out-
25	lying area that meet the conditions and requirements of

this title to enable the eligible providers to develop, imple-1 2 ment, and improve adult education and family literacy 3 education programs within the State. "(b) LOCAL ACTIVITIES.—The eligible agency shall 4 5 require eligible providers receiving a grant or contract 6 under subsection (a) to establish or operate— 7 "(1) programs that provide adult education and 8 literacy activities; 9 "(2) programs that provide integrated employ-10 ment and training activities; or 11 "(3) credit-bearing postsecondary coursework. 12 "(c) DIRECT AND EQUITABLE ACCESS; SAME PROC-ESS.—Each eligible agency receiving funds under this title 13 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);		

"(2) the past effectiveness of the eligible provider in improving the basic academic skills of adults
and, for eligible providers receiving grants in the
prior year, the success of the eligible provider receiving funding under this title in exceeding its performance goals in the prior year;

9 "(3) the commitment of the eligible provider to 10 serve individuals in the community who are the most 11 in need of basic academic skills instruction services, 12 including individuals with disabilities and individuals 13 who are low-income or have minimal reading, writ-14 ing, speaking, and math skills, or are English learn-15 ers;

"(4) the program is of sufficient intensity and
quality for participants to achieve substantial learning gains;

19 "(5) educational practices are evidence-based;

20 "(6) the activities of the eligible provider effec21 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 perform23 ance;

24 "(12) the local communities have a dem-25 onstrated need for additional English language ac-

quisition programs, and integrated education and
 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 edu8 cation programs offer rigorous reading, writing,
9 speaking, and math content that are evidence based;
10 and

11 "(15) applications of technology, and services to 12 be provided by the eligible providers, are of sufficient 13 intensity and duration to increase the amount and 14 quality of learning and lead to measurable learning 15 gains within specified time periods.

16 "(e) SPECIAL RULE.—Eligible providers may use
17 grant funds under this title to serve children participating
18 in family literacy programs assisted under this part, pro19 vided that other sources of funds available to provide simi20 lar services for such children are used first.

21 "SEC. 232. LOCAL APPLICATION.

"Each eligible provider desiring a grant or contract
under this title shall submit an application to the eligible
agency containing such information and assurances as the
eligible agency may require, including—

"(1) a description of how funds awarded under
 this title will be spent consistent with the require ments of this title;
 "(2) a description of any cooperative arrange ments the eligible provider has with other agencies,

6 institutions, or organizations for the delivery of
7 adult education and family literacy education pro8 grams; and

9 "(3) each of the demonstrations required by10 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 eligi14 ble provider—

15 "(1) at least 95 percent shall be expended for
16 carrying out adult education and family literacy edu17 cation programs; and

18 "(2) the remaining amount shall be used for 19 planning, administration, personnel and professional 20 development, development of measurable goals in 21 reading, writing, speaking, and math, and inter-22 agency coordination.

23 "(b) SPECIAL RULE.—In cases where the cost limits
24 described in subsection (a) are too restrictive to allow for
25 adequate planning, administration, personnel develop-

ment, and interagency coordination, the eligible provider
 may negotiate with the eligible agency in order to deter mine an adequate level of funds to be used for noninstruc tional purposes.

5 **"Subtitle D—General Provisions**

6 "SEC. 241. ADMINISTRATIVE PROVISIONS.

7 "Funds made available for adult education and fam8 ily literacy education programs under this title shall sup9 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 pro14 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, re18 search-based instruction, and reporting require19 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 professional25 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.

"(3) Improving the coordination, efficiency, and
effectiveness of adult education and workforce development services at the national, State, and local levels.

"(4) Determining how participation in adult
education, English language acquisition, and family
literacy education programs prepares individuals for
entry into and success in postsecondary education
and employment, and in the case of prison-based
services, the effect on recidivism.

"(5) Evaluating how different types of providers, including community and faith-based organizations or private for-profit agencies measurably improve the skills of participants in adult education,
English language acquisition, and family literacy
education programs.

1 "(6) Identifying model integrated basic and 2 workplace skills education programs, including pro-3 grams for English learners coordinated literacy and employment services, and effective strategies for 4 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.". TITLE III—AMENDMENTS TO 10 THE WAGNER-PEYSER ACT 11 12 SEC. 301. AMENDMENTS TO THE WAGNER-PEYSER ACT. 13 The Wagner-Peyser Act (29 U.S.C. 49 et seq.) is 14 amended by amending section 15 to read as follows: **"SEC. 15. WORKFORCE AND LABOR MARKET INFORMATION** 15 16 SYSTEM. 17 "(a) System Content.— 18 "(1) IN GENERAL.—The Secretary of Labor, in 19 accordance with the provisions of this section, shall 20 oversee the development, maintenance, and contin-21 uous improvement of a nationwide workforce and 22 labor market information system that includes— 23 "(A) statistical data from cooperative sta-24 tistical survey and projection programs and 25 data from administrative reporting systems

1	that, taken together, enumerate, estimate, and
2	project employment opportunities and condi-
3	tions at national, State, and local levels in a
4	timely manner, including statistics on—
5	"(i) employment and unemployment
6	status of national, State, and local popu-
7	lations, including self-employed, part-time,
8	and seasonal workers;
9	"(ii) industrial distribution of occupa-
10	tions, as well as current and projected em-
11	ployment opportunities, wages, benefits
12	(where data is available), and skill trends
13	by occupation and industry, with particular
14	attention paid to State and local condi-
15	tions;
16	"(iii) the incidence of, industrial and
17	geographical location of, and number of
18	workers displaced by, permanent layoffs
19	and plant closings; and
20	"(iv) employment and earnings infor-
21	mation maintained in a longitudinal man-
22	ner to be used for research and program
23	evaluation;
24	"(B) information on State and local em-
25	ployment opportunities, and other appropriate

1	statistical data related to labor market dynam-
2	ics, which—
3	"(i) shall be current and comprehen-
4	sive;
5	"(ii) shall meet the needs identified
6	through the consultations described in sub-
7	paragraphs (A) and (B) of subsection
8	(e)(2); and
9	"(iii) shall meet the needs for the in-
10	formation identified in section 121;
11	"(C) technical standards (which the Sec-
12	retary shall publish annually) for data and in-
13	formation described in subparagraphs (A) and
14	(B) that, at a minimum, meet the criteria of
15	chapter 35 of title 44, United States Code;
16	"(D) procedures to ensure compatibility
17	and additivity of the data and information de-
18	scribed in subparagraphs (A) and (B) from na-
19	tional, State, and local levels;
20	"(E) procedures to support standardization
21	and aggregation of data from administrative re-
22	porting systems described in subparagraph (A)
23	of employment-related programs;

1	"(F) analysis of data and information de-
2	scribed in subparagraphs (A) and (B) for uses
3	such as—
4	"(i) national, State, and local policy-
5	making;
6	"(ii) implementation of Federal poli-
7	cies (including allocation formulas);
8	"(iii) program planning and evalua-
9	tion; and
10	"(iv) researching labor market dynam-
11	ics;
12	"(G) wide dissemination of such data, in-
13	formation, and analysis in a user-friendly man-
14	ner and voluntary technical standards for dis-
15	semination mechanisms; and
16	"(H) programs of—
17	"(i) training for effective data dis-
18	semination;
19	"(ii) research and demonstration; and
20	"(iii) programs and technical assist-
21	ance.
22	"(2) INFORMATION TO BE CONFIDENTIAL.—
23	"(A) IN GENERAL.—No officer or em-
24	ployee of the Federal Government or agent of
25	the Federal Government may—

1	"(i) use any submission that is fur-
2	nished for exclusively statistical purposes
3	under the provisions of this section for any
4	purpose other than the statistical purposes
5	for which the submission is furnished;
6	"(ii) disclose to the public any publi-
7	cation or media transmittal of the data
8	contained in the submission described in
9	clause (i) that permits information con-
10	cerning an individual subject to be reason-
11	ably inferred by either direct or indirect
12	means; or
13	"(iii) permit anyone other than a
14	sworn officer, employee, or agent of any
15	Federal department or agency, or a con-
16	tractor (including an employee of a con-
17	tractor) of such department or agency, to
18	examine an individual submission described
19	in clause (i),
20	without the consent of the individual, agency, or
21	other person who is the subject of the submis-
22	sion or provides that submission.
23	"(B) Immunity from legal process.—
24	Any submission (including any data derived
25	from the submission) that is collected and re-

1 tained by a Federal department or agency, or 2 an officer, employee, agent, or contractor of such a department or agency, for exclusively 3 4 statistical purposes under this section shall be 5 immune from the legal process and shall not, 6 without the consent of the individual, agency, or 7 other person who is the subject of the submis-8 sion or provides that submission, be admitted 9 as evidence or used for any purpose in any ac-10 tion, suit, or other judicial or administrative 11 proceeding.

12 "(C) RULE OF CONSTRUCTION.—Nothing 13 in this section shall be construed to provide im-14 munity from the legal process for such submis-15 sion (including any data derived from the submission) if the submission is in the possession 16 17 of any person, agency, or entity other than the 18 Federal Government or an officer, employee, 19 agent, or contractor of the Federal Government, 20 or if the submission is independently collected, 21 retained, or produced for purposes other than 22 the purposes of this Act.

23 "(b) System Responsibilities.—

24 "(1) IN GENERAL.—The workforce and labor25 market information system described in subsection

1	(a) shall be planned, administered, overseen, and
2	evaluated through a cooperative governance struc-
3	ture involving the Federal Government and States.
4	"(2) DUTIES.—The Secretary, with respect to
5	data collection, analysis, and dissemination of work-
6	force and labor market information for the system,
7	shall carry out the following duties:
8	"(A) Assign responsibilities within the De-
9	partment of Labor for elements of the work-
10	force and labor market information system de-
11	scribed in subsection (a) to ensure that all sta-
12	tistical and administrative data collected is con-
13	sistent with appropriate Bureau of Labor Sta-
14	tistics standards and definitions.
15	"(B) Actively seek the cooperation of other
16	Federal agencies to establish and maintain
17	mechanisms for ensuring complementarity and
18	nonduplication in the development and oper-
19	ation of statistical and administrative data col-
20	lection activities.
21	"(C) Eliminate gaps and duplication in
22	statistical undertakings, with the systemization
23	of wage surveys as an early priority.
24	"(D) In collaboration with the Bureau of
25	Labor Statistics and States, develop and main-

1	tain the elements of the workforce and labor
2	market information system described in sub-
3	section (a), including the development of con-
4	sistent procedures and definitions for use by the
5	States in collecting the data and information
6	described in subparagraphs (A) and (B) of sub-
7	section $(a)(1)$.
8	"(E) Establish procedures for the system
9	to ensure that—
10	"(i) such data and information are
11	timely;
12	"(ii) paperwork and reporting for the
13	system are reduced to a minimum; and
14	"(iii) States and localities are fully in-
15	volved in the development and continuous
16	improvement of the system at all levels.
17	"(c) NATIONAL ELECTRONIC TOOLS TO PROVIDE
18	SERVICES.—The Secretary is authorized to assist in the
19	development of national electronic tools that may be used
20	to facilitate the delivery of work ready services described
21	in section $134(c)(2)$ and to provide workforce information
22	to individuals through the one-stop delivery systems de-
23	scribed in section 121 and through other appropriate de-
24	livery systems.
25	"(d) Coordination With the States.—

"(1) IN GENERAL.—The Secretary, working
through the Bureau of Labor Statistics and the Employment and Training Administration, shall regularly consult with representatives of State agencies
carrying out workforce information activities regarding strategies for improving the workforce and labor
market information system.

"(2) FORMAL CONSULTATIONS.—At least twice 8 9 each year, the Secretary, working through the Bu-10 reau of Labor Statistics, shall conduct formal con-11 sultations regarding programs carried out by the 12 Bureau of Labor Statistics with representatives of 13 each of the Federal regions of the Bureau of Labor 14 Statistics, elected (pursuant to a process established 15 by the Secretary) from the State directors affiliated 16 with State agencies that perform the duties de-17 scribed in subsection (e)(2).

18 "(e) STATE RESPONSIBILITIES.—

19 "(1) IN GENERAL.—In order to receive Federal
20 financial assistance under this section, the Governor
21 of a State shall—

"(A) be responsible for the management of
the portions of the workforce and labor market
information system described in subsection (a)
that comprise a statewide workforce and labor

1	market information system and for the State's
2	participation in the development of the annual
3	plan;
4	"(B) establish a process for the oversight
5	of such system;
6	"(C) consult with State and local employ-
7	ers, participants, and local workforce invest-
8	ment boards about the labor market relevance
9	of the data to be collected and disseminated
10	through the statewide workforce and labor mar-
11	ket information system;
12	"(D) consult with State educational agen-
13	cies and local educational agencies concerning
14	the provision of employment statistics in order
15	to meet the needs of secondary school and post-
16	secondary school students who seek such infor-
17	mation;
18	"(E) collect and disseminate for the sys-
19	tem, on behalf of the State and localities in the
20	State, the information and data described in
21	subparagraphs (A) and (B) of subsection
22	(a)(1);
23	"(F) maintain and continuously improve
24	the statewide workforce and labor market infor-
25	mation system in accordance with this section;

1	"(G) perform contract and grant respon-
2	sibilities for data collection, analysis, and dis-
3	semination for such system;
4	"(H) conduct such other data collection,
5	analysis, and dissemination activities as will en-
6	sure an effective statewide workforce and labor
7	market information system;
8	"(I) actively seek the participation of other
9	State and local agencies in data collection, anal-
10	ysis, and dissemination activities in order to en-
11	sure complementarity, compatibility, and useful-
12	ness of data;
13	"(J) participate in the development of the
14	annual plan described in subsection (c); and
15	"(K) utilize the quarterly records described
16	in section $136(f)(2)$ to assist the State and
17	other States in measuring State progress on
18	State performance measures.
19	"(2) RULE OF CONSTRUCTION.—Nothing in
20	this section shall be construed as limiting the ability
21	of a Governor to conduct additional data collection,
22	analysis, and dissemination activities with State
23	funds or with Federal funds from sources other than
24	this section.

"(f) NONDUPLICATION REQUIREMENT.—None of the
 functions and activities carried out pursuant to this sec tion shall duplicate the functions and activities carried out
 under the Carl D. Perkins Career and Technical Edu cation Act of 2006 (20 U.S.C. 2301 et seq.).

6 "(g) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated to carry out this section
8 \$63,473,000 for fiscal year 2014 and each of the 6 suc9 ceeding fiscal years.

10 "(h) DEFINITION.—In this section, the term 'local
11 area' means the smallest geographical area for which data
12 can be produced with statistical reliability.".

13 TITLE IV—REPEALS AND 14 CONFORMING AMENDMENTS

15 SEC. 401. REPEALS.

16 The following provisions are repealed:

17 (1) Chapter 4 of subtitle B of title I, and sec18 tions 123, 155, 166, 167, 168, 169, 171, 173, 173A,
19 174, 192, 194, 502, 503, and 506 of the Workforce
20 Investment Act of 1998.

21 (2) Title V of the Older Americans Act of 1965
22 (42 U.S.C. 3056 et seq.).

23 (3) Sections 1 through 14 of the Wagner24 Peyser Act (29 U.S.C. 49 et seq.).

1	(4) Twenty-First Century Workforce Commis-
2	sion Act (29 U.S.C. 2701 note).
3	(5) Youth Conservation Corps Act of 1970 (16
4	U.S.C. 1701 et seq.).
5	(6) Section 821 of the Higher Education
6	Amendments of 1998 (20 U.S.C. 1151) (Grants to
7	States for workplace and community transition
8	training for incarcerated individuals).
9	(7) The Women in Apprenticeship and Non-
10	traditional Occupations Act $(29 \text{ U.S.C. } 2501 \text{ et})$
11	seq.).
12	(8) Sections $4103A$ and 4104 of title 38 ,
13	United States Code.
14	SEC. 402. AMENDMENT TO THE COMPREHENSIVE ENVIRON-
15	MENTAL RESPONSE, COMPENSATION, AND LI-
16	ABILITY ACT OF 1980.
17	Section $104(k)(6)$ of the Comprehensive Environ-
18	mental Response, Compensation, and Liability Act of
19	
17	1980 (42 U.S.C. 9604) is amended by striking ", train-
20	
	1980 (42 U.S.C. 9604) is amended by striking ", train-
20	1980 (42 U.S.C. 9604) is amended by striking ", train- ing,".
20 21	1980 (42 U.S.C. 9604) is amended by striking ", training,".SEC. 403. AMENDMENTS TO THE FOOD AND NUTRITION ACT

1	(1) by striking "and (2)" and inserting " (2) ",
2	and

3 (2) by inserting before the period at the end the4 following:

5 ", and (3) when referencing employment and training ac6 tivities under section 6(d)(4), a State board as defined in
7 section 101 of the Workforce Investment Act of 1998 (29)
8 U.S.C. 2801)".

9 (b) ELIGIBLE HOUSEHOLDS.—Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended— 10 11 (1) in subsection (d)(14) by striking "section 12 6(d)(4)(I)" and inserting "section 6(d)(4)(C)", and 13 (2) in subsection (g)(3) by striking "constitutes" 14 adequate participation in an employment and training program under section 6(d)" and inserting "al-15 16 lows the individual to participate in employment and 17 training activities under section 6(d)(4)".

18 (c) ELIGIBILITY DISQUALIFICATIONS.—Section
19 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C.
20 2015(d)(4)) is amended to read as follows:

21 "(4) Employment and training.—

22 "(A) IMPLEMENTATION.—Each State
23 agency shall provide employment and training
24 services authorized under section 134 of the
25 Workforce Investment Act of 1998 (29 U.S.C.

1	2864) to eligible members of households partici-
2	pating in the supplemental nutrition assistance
3	program in gaining skills, training, work, or ex-
4	perience that will increase their ability to obtain
5	regular employment.
6	"(B) STATEWIDE WORKFORCE DEVELOP-
7	MENT SYSTEM.—Consistent with subparagraph
8	(A), employment and training services shall be
9	provided through the statewide workforce devel-
10	opment system, including the One-Stop delivery
11	system, authorized by the Workforce Invest-
12	ment Act of 1998 (29 U.S.C. 2801 et seq.).
13	"(C) Reimbursements.—
13 14	"(C) REIMBURSEMENTS.— "(i) ACTUAL COSTS.—The State agen-
14	"(i) ACTUAL COSTS.—The State agen-
14 15	"(i) ACTUAL COSTS.—The State agen- cy shall provide payments or reimburse-
14 15 16	"(i) ACTUAL COSTS.—The State agen- cy shall provide payments or reimburse- ment to participants served under this
14 15 16 17	"(i) ACTUAL COSTS.—The State agen- cy shall provide payments or reimburse- ment to participants served under this paragraph for—
14 15 16 17 18	"(i) ACTUAL COSTS.—The State agen- cy shall provide payments or reimburse- ment to participants served under this paragraph for— "(I) the actual costs of transpor-
14 15 16 17 18 19	 "(i) ACTUAL COSTS.—The State agen- cy shall provide payments or reimburse- ment to participants served under this paragraph for— "(I) the actual costs of transpor- tation and other actual costs (other
 14 15 16 17 18 19 20 	"(i) ACTUAL COSTS.—The State agen- cy shall provide payments or reimburse- ment to participants served under this paragraph for— "(I) the actual costs of transpor- tation and other actual costs (other than dependent care costs) that are
 14 15 16 17 18 19 20 21 	"(i) ACTUAL COSTS.—The State agen- cy shall provide payments or reimburse- ment to participants served under this paragraph for— "(I) the actual costs of transpor- tation and other actual costs (other than dependent care costs) that are reasonably necessary and directly re-

1 "(II) the actual costs of such de-2 pendent care expenses that are deter-3 mined by the State agency to be nec-4 essary for the individual to participate 5 in employment and training activities 6 (other than an individual who is the 7 caretaker relative of a dependent in a 8 family receiving benefits under part A 9 of title IV of the Social Security Act 10 (42 U.S.C. 601 et seq.) in a local area 11 where an employment, training, or education program under title IV of 12 13 such Act is in operation), except that 14 no such payment or reimbursement 15 shall exceed the applicable local mar-16 ket rate. 17 "(ii) SERVICE CONTRACTS AND 18 VOUCHERS.—In lieu of providing reim-19 bursements or payments for dependent 20 care expenses under clause (i), a State 21 agency may, at its option, arrange for de-22 pendent care through providers by the use 23 of purchase of service contracts or vouch-24 ers or by providing vouchers to the house-25 hold.

1	"(iii) Value of reimbursements.—
2	The value of any dependent care services
3	provided for or arranged under clause (ii),
4	or any amount received as a payment or
5	reimbursement under clause (i), shall—
6	"(I) not be treated as income for
7	the purposes of any other Federal or
8	federally assisted program that bases
9	eligibility for, or the amount of bene-
10	fits on, need; and
11	"(II) not be claimed as an em-
12	ployment-related expense for the pur-
13	poses of the credit provided under sec-
14	tion 21 of the Internal Revenue Code
15	of 1986 (26 U.S.C. 21).".
16	(d) Administration.—Section $11(e)(19)$ of the
17	Food and Nutrition Act of 2008 (7 U.S.C. $2020(e)(11)$
18	is amended to read as follows:
19	"(19) the plans of the State agency for pro-
20	viding employment and training services under sec-
21	tion $6(d)(4)$;".
22	(e) Administrative Cost-Sharing and Quality
23	CONTROL.—Section 16(h) of the Food and Nutrition Act
24	of 2008 (7 U.S.C. 2025) is amended—
25	(1) in paragraph (1) —

1	(A) in subparagraph (A) by striking "carry
2	out employment and training programs" and
3	inserting "provide employment and training
4	services to eligible households under section
5	6(d)(4)", and
6	(B) in subparagraph (D) by striking "op-
7	erating an employment and training program"
8	and inserting "providing employment and train-
9	ing services consistent with section $6(d)(4)$ ",
10	(2) in paragraph (3) by striking "related to
11	participation in an employment and training pro-
12	gram" and inserting "the individual participating in
13	employment and training activities",
14	(3) in paragraph (4) by striking "for operating
15	an employment and training program" and inserting
16	"to provide employment and training services", and
17	(4) by amending paragraph (5) to read as fol-
18	lows:
19	"(5) MONITORING.—The Secretary, in conjunc-
20	tion with the Secretary of Labor, shall monitor each
21	State agency responsible for administering employ-
22	ment and training services under section $6(d)(4)$ to
23	ensure funds are being spent effectively and effi-
24	ciently. Each program of employment and training
25	receiving funds under section $6(d)(4)$ shall be sub-

1	ject to the requirements of the performance account-
2	ability system, including having to meet the state
3	performance measures included in section 136 of the
4	Workforce Investment Act (29 U.S.C. 2871).".
5	(f) RESEARCH, DEMONSTRATION, AND EVALUA-
6	TIONS.—Section 17 of the Food and Nutrition Act of
7	2008 (7 U.S.C. 2026) is amended—
8	(1) in subsection (b) by striking paragraph (3) ,
9	and
10	(2) in subsection (g)—
11	(A) by inserting ", in conjunction with the
12	Secretary of Labor," after "Secretary", and
13	(B) by striking "programs established"
14	and inserting "activities provided to eligible
15	households".
16	(g) Minnesota Family Investment Project.—
17	Section 22(b)(4) of the Food and Nutrition Act of 2008
18	(7 U.S.C. 2031(b)(4)) is amended by striking "equivalent
19	to those offered under the employment and training pro-
20	gram''.
21	SEC. 404. AMENDMENTS TO SECTION 412 OF THE IMMIGRA-
22	TION AND NATIONALITY ACT.
23	(a) Conditions and Considerations.—Section
24	412(a) of the Immigration and Nationality Act (8 U.S.C.
25	1522(a)) is amended—

1	(1) in paragraph (1) —
2	(A) in subparagraph (A)(i), by striking
3	"make available sufficient resources for employ-
4	ment training and placement" and inserting
5	"provide refugees with the opportunity to access
6	employment and training services, including job
7	placement,"; and
, 8	(B) in subparagraph (B)(ii), by striking
9	"services;" and inserting "services provided
10	through the Workforce Investment Act of 1998
10	
	(29 U.S.C. 2801 et seq.);";
12	(2) in paragraph $(2)(C)(iii)(II)$, by inserting
13	"and training" after "employment";
13 14	"and training" after "employment"; (3) in paragraph (6)(A)(ii)—
14	(3) in paragraph (6)(A)(ii)—
14 15	(3) in paragraph (6)(A)(ii)—(A) by striking "insure" and inserting "en-
14 15 16	(3) in paragraph (6)(A)(ii)—(A) by striking "insure" and inserting "ensure";
14 15 16 17	 (3) in paragraph (6)(A)(ii)— (A) by striking "insure" and inserting "ensure"; (B) by inserting "and training" after "em-
14 15 16 17 18	 (3) in paragraph (6)(A)(ii)— (A) by striking "insure" and inserting "ensure"; (B) by inserting "and training" after "employment"; and
14 15 16 17 18 19	 (3) in paragraph (6)(A)(ii)— (A) by striking "insure" and inserting "ensure"; (B) by inserting "and training" after "employment"; and (C) by inserting after "available" the fol-
14 15 16 17 18 19 20	 (3) in paragraph (6)(A)(ii)— (A) by striking "insure" and inserting "ensure"; (B) by inserting "and training" after "employment"; and (C) by inserting after "available" the following: "through the one-stop delivery system
 14 15 16 17 18 19 20 21 	 (3) in paragraph (6)(A)(ii)— (A) by striking "insure" and inserting "ensure"; (B) by inserting "and training" after "employment"; and (C) by inserting after "available" the following: "through the one-stop delivery system under section 121 of the Workforce Investment Act of 1998 (29 U.S.C. 2841)"; and
 14 15 16 17 18 19 20 21 22 	 (3) in paragraph (6)(A)(ii)— (A) by striking "insure" and inserting "ensure"; (B) by inserting "and training" after "employment"; and (C) by inserting after "available" the following: "through the one-stop delivery system under section 121 of the Workforce Investment

1 (b) PROGRAM OF INITIAL RESETTLEMENT.—Section 2 412(b)(2) of such Act (8 U.S.C. 1522(b)(2)) is amend-3 ed---4 (1) by striking ":orientation, instruction" and 5 inserting "orientation and instruction"; and (2) by striking ", and job training for refugees, 6 7 and such other education and training of refugees, 8 as facilitates" and inserting "for refugees to facilitate". 9 10 (c) PROJECT GRANTS AND CONTRACTS FOR SERV-11 ICES FOR REFUGEES.—Section 412(c) of such Act (8) U.S.C. 1522(c)) is amended— 12 13 (1) in paragraph (1)— 14 (A) in subparagraph (A)(i), by inserting "and training" after "employment"; and 15 (B) by striking subparagraph (C); 16 17 (2) in paragraph (2)(B), by striking "para-18 graph—" through "in a manner" and inserting 19 "paragraph in a manner"; and 20 (3) by adding at the end the following: 21 "(3) In carrying out this section, the Director shall 22 ensure that employment and training services are provided 23 through the statewide workforce development system, as 24 appropriate, authorized by the Workforce Investment Act 1 of 1998 (29 U.S.C. 2801 et seq.). Such action may in-2 clude—

3 "(A) making employment and training services
4 as described under section 134 of such Act (29
5 U.S.C. 2864) available to refugees; and

6 "(B) providing refugees with access to a one7 stop delivery system under section 121 of such Act
8 (29 U.S.C. 2841).".

9 (d) CASH ASSISTANCE AND MEDICAL ASSISTANCE TO
10 REFUGEES.—Section 412(e) of such Act (8 U.S.C.
11 1522(e)) is amended—

(1) in paragraph (2)(A)(i), by inserting "and
training" after "providing employment"; and

14 (2) in paragraph (3), by striking "The" and in15 serting "Consistent with subsection (c)(3), the".

16 SEC. 405. AMENDMENTS RELATING TO THE SECOND17CHANCE ACT OF 2007.

18 (a) FEDERAL PRISONER REENTRY INITIATIVE.—
19 Section 231 of the Second Chance Act of 2007 (42 U.S.C.
20 17541) is amended—

21 (1) in subsection (a)(1)(E)—

22 (A) by inserting "the Department of Labor
23 and" before "other Federal agencies"; and

1	(B) by inserting "State and local work-
2	force investment boards," after "community-
3	based organizations,";
4	(2) in subsection (c)—
5	(A) in paragraph (2), by striking at the
6	end "and";
7	(B) in paragraph (3), by striking at the
8	end the period and inserting "; and"; and
9	(C) by adding at the end the following new
10	paragraph:
11	"(4) to coordinate reentry programs with the
12	employment and training services provided through
13	the statewide workforce investment system under
14	subtitle B of title I of the Workforce Investment Act
15	of 1998 (29 U.S.C. 2811 et seq.)."; and
16	(3) in subsection (d), by adding at the end the
17	following new paragraph:
18	"(6) INTERACTION WITH THE WORKFORCE IN-
19	VESTMENT SYSTEM.—
20	"(A) IN GENERAL.—In carrying out this
21	section, the Director shall ensure that employ-
22	ment and training services, including such em-
23	ployment and services offered through reentry
24	programs, are provided, as appropriate, through
25	the statewide workforce investment system

1	under subtitle B of title I of the Workforce In-
2	vestment Act of 1998 (29 U.S.C. 2811 et seq.).
3	Such action may include—
4	"(i) making employment and training
5	services available to prisoners prior to and
6	immediately following the release of such
7	prisoners; or
8	"(ii) providing prisoners with access
9	by remote means to a one-stop delivery
10	system under section 121 of the Workforce
11	Investment Act of 1998 (29 U.S.C. 2841)
12	in the State in which the prison involved is
13	located.
14	"(B) SERVICE DEFINED.—In this para-
15	graph, the term 'employment and training serv-
16	ices' means those services described in section
17	134 of the Workforce Investment Act of 1998
18	(29 U.S.C. 2864) offered by the Bureau of
19	Prisons, including—
20	"(i) the skills assessment described in
21	subsection $(a)(1)(A);$
22	"(ii) the skills development plan de-
23	scribed in subsection $(a)(1)(B)$; and

1	"(iii) the enhancement, development,
2	and implementation of reentry and skills
3	development programs.".
4	(b) DUTIES OF THE BUREAU OF PRISONS.—Section
5	4042(a)(5)(E) of title 18, United States Code, is amend-
6	ed—
7	(1) in clause (ii), by striking "Employment"
8	and inserting "Employment and training services (as
9	defined in paragraph (6) of section $231(d)$ of the
10	Second Chance Act of 2007), including basic skills
11	attainment, consistent with such paragraph";
12	(2) by striking clause (iii); and
13	(3) by redesignating clauses (iv), (v), (vi), and
13 14	(3) by redesignating clauses (iv), (v), (vi), and (vii) as clauses (iii), (iv), (v), and (vi), respectively.
14	(vii) as clauses (iii), (iv), (v), and (vi), respectively.
14 15	(vii) as clauses (iii), (iv), (v), and (vi), respectively. SEC. 406. AMENDMENTS TO THE OMNIBUS CRIME CONTROL
14 15 16	 (vii) as clauses (iii), (iv), (v), and (vi), respectively. SEC. 406. AMENDMENTS TO THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968.
14 15 16 17	 (vii) as clauses (iii), (iv), (v), and (vi), respectively. SEC. 406. AMENDMENTS TO THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968. Section 2976 of the Omnibus Crime Control and Safe
14 15 16 17 18	 (vii) as clauses (iii), (iv), (v), and (vi), respectively. SEC. 406. AMENDMENTS TO THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968. Section 2976 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w) is amended—
14 15 16 17 18 19	 (vii) as clauses (iii), (iv), (v), and (vi), respectively. SEC. 406. AMENDMENTS TO THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968. Section 2976 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w) is amended— (1) in subsection (b)—
 14 15 16 17 18 19 20 	 (vii) as clauses (iii), (iv), (v), and (vi), respectively. SEC. 406. AMENDMENTS TO THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968. Section 2976 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w) is amended— (1) in subsection (b)— (A) in paragraph (1), by striking "voca-
 14 15 16 17 18 19 20 21 	 (vii) as clauses (iii), (iv), (v), and (vi), respectively. SEC. 406. AMENDMENTS TO THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968. Section 2976 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w) is amended— (1) in subsection (b)— (A) in paragraph (1), by striking "vocational" and inserting "career and technical edu-

1	(B) by redesignating each of paragraphs
2	(4) through (7) as paragraphs (5) through (8) ,
3	respectively; and
4	(C) by inserting after paragraph (3) the
5	following new paragraph:
6	"(4) coordinating employment and training
7	services provided through the statewide workforce
8	investment system under subtitle B of title I of the
9	Workforce Investment Act of 1998 (29 U.S.C. 2811
10	et seq.), including a one-stop delivery system under
11	section 121 of such Act (29 U.S.C. 2841), for of-
12	fenders upon release from prison, jail, or a juvenile
13	facility, as appropriate;";
14	(2) in subsection $(d)(2)$, by inserting ", includ-
15	ing local workforce investment boards established
16	under section 117 of the Workforce Investment Act
17	of 1998 (29 U.S.C. 2832)," after "nonprofit organi-
18	zations";
19	(3) in subsection (e)—
20	(A) in paragraph (3), by striking "victim
21	services, and employment services" and insert-
22	ing "and victim services";
23	(B) by redesignating paragraphs (4) and
24	(5) as paragraphs (5) and (6) , respectively; and

1	(C) by inserting after paragraph (3) the
2	following new paragraph:
3	"(4) provides employment and training services
4	through the statewide workforce investment system
5	under subtitle B of title I of the Workforce Invest-
6	ment Act of 1998 (29 U.S.C. 2811 et seq.), includ-
7	ing a one-stop delivery system under section 121 of
8	such Act (29 U.S.C. 2841); and";
9	(4) in subsection (k)—
10	(A) in paragraph (1)(A), by inserting ", in
11	accordance with paragraph (2) " after "under
12	this section";
13	(B) by redesignating paragraphs (2) and
14	(3) as paragraphs (3) and (4) , respectively; and
15	(C) by inserting after paragraph (1) the
16	following new paragraph:
17	"(2) Employment and training.—The Attor-
18	ney General shall require each grantee under this
19	section to measure the core indicators of perform-
20	ance as described in section $136(b)(2)(A)$ of the
21	Workforce Investment Act of 1998 (29 U.S.C.
22	2871(b)(2)(A)) with respect to the program of such
23	grantee funded with a grant under this section.".

1	SEC. 407. H–1B NONIMMIGRANT PETITIONER ACCOUNT.
2	Section 286(s) of the Immigration and Nationality
3	Act (8 U.S.C. 1356(s)) is amended—
4	(1) by striking paragraph (2) ;
5	(2) by redesignating paragraphs (3) and (4) as
6	paragraphs (2) and (3), respectively;
7	(3) in paragraph (2) (as so redesignated), by
8	striking "30 percent" and inserting "50 percent";
9	(4) in paragraph $(3)(A)$ (as so redesignated), by
10	striking "10 percent" and inserting "25 percent";
11	(5) by inserting after paragraph (3) (as so re-
12	designated) the following:
13	"(4) Use of fees for gifted and talented
14	STUDENT GRANT PROGRAMS.—
15	"(A) IN GENERAL.—15 percent of the
16	amounts deposited into the H–1B Non-
17	immigrant Petitioner Account shall be trans-
18	ferred to the Department of Education to re-
19	main available until expended to make grants to
20	States to carry out activities that build the ca-
21	pacity of elementary schools, secondary schools,
22	and institutions of higher education to meet the
23	academic needs of gifted and talented students.
24	"(B) Allotments.—In awarding grants
25	under this paragraph, the Secretary of Edu-
26	cation shall allocate to each State with an ap-

1	proved application under subparagraph (C) an
2	amount that bears the same relationship to the
3	remainder as the amount the State received
4	under subpart 2 of part A of title I of the Ele-
5	mentary and Secondary Education Act of 1965
6	(20 U.S.C. 6331 et seq.) for the preceding fis-
7	cal year bears to the amount all States received
8	under that subpart for the preceding fiscal
9	year.
10	"(C) Application.—Each State desiring
11	a grant under this paragraph shall submit an
12	application to the Secretary of Education at
13	such time and in such manner as the Secretary
14	of Education shall require. Such application
15	shall describe how the State will—
16	"(i) award not less than 95 percent of
17	the funds received under this paragraph to
18	local educational agencies and institutions
19	of higher education in the State;
20	"(ii) ensure that local educational
21	agencies and institutions of higher edu-
22	cation in the State use funds received
23	under this paragraph to meet the academic
24	needs of gifted and talented students; and

1	"(iii) coordinate, and ensure that local
2	educational agencies and institutions of
3	higher education in the State coordinate,
4	funds received under this paragraph with
5	other federal funds, including funds re-
6	ceived under the Elementary and Sec-
7	ondary Education Act of 1965 (20 U.S.C.
8	6301 et seq.).
9	"(D) DEFINITIONS.—For the purpose of
10	this paragraph—
11	"(i) the terms 'State', 'local edu-
12	cational agency', 'elementary school', and
13	'secondary school' have the meanings given
14	such terms in section 9101 of the Elemen-
15	tary and Secondary Education Act of
16	1965; and
17	"(ii) the term 'institution of higher
18	education' has the meaning given such
19	term in section 102(a) of the Higher Edu-
20	cation Act of 1965."; and
21	(6) in paragraph (6) —
22	(A) by striking "For fiscal year 1999," and
23	all that follows through "Beginning with fiscal
24	year 2000, 5 percent" and inserting "5 per-
25	cent"; and

1	(B) in the last sentence, by striking the pe-
2	riod at the end and inserting "and for carrying
3	out the Secretary's responsibilities under sec-
4	tion $212(n)(2)$.".
5	SEC. 408. CONFORMING AMENDMENTS TO THE UNITED
6	STATES CODE.
7	Title 38, United States Code, is amended—
8	(1) by striking the item relating to section
9	4103A and section 4104 in the table of sections at
10	the beginning of chapter 41 of such title;
11	(2) in section 4102A—
12	(A) in subsection (b)—
13	(i) by striking paragraphs (5), (6),
14	and (7);
15	(ii) by redesignating paragraph (8) as
16	paragraph (5);
17	(B) by striking subsections (c) and (h);
18	(C) by redesignating subsection (d), (e),
19	(f), and (g) as subsection (c), (d), (e), and (f);
20	(D) in subsection $(e)(1)$ (as so redesig-
21	nated)—
22	(i) by striking ", including disabled
23	veterans' outreach program specialists and
24	local veterans' employment representatives
25	providing employment, training, and place-

1	ment services under this chapter in a
2	State"; and
3	(ii) by striking "for purposes of sub-
4	section (c)".
5	(3) in section $4109(a)$, by striking "disabled
6	veterans' outreach program specialists, local vet-
7	erans' employment representatives' and inserting
8	"veteran employment specialists appointed under
9	section 134(f) of the Workforce Investment Act of
10	1998'';
11	(4) in section $4109(d)(1)$, by striking "disabled
12	veterans' outreach program specialists and local vet-
13	erans' employment representatives' and inserting
14	"veteran employment specialists appointed under
15	section 134(f) of the Workforce Investment Act of
16	1998";
17	(5) in section $4112(d)$ —
18	(A) in paragraph (1), by striking "disabled
19	veterans' outreach program specialist" and in-
20	serting "veteran employment specialist ap-
21	pointed under section 134(f) of the Workforce
22	Investment Act of 1998"; and
23	(B) by striking paragraph (2) and redesig-
24	nating paragraph (3) as paragraph (2) ;

1	(6) in section $3672(d)(1)$, by striking "disabled
2	veterans' outreach program specialists under section
3	4103A" and inserting "veteran employment special-
4	ists appointed under section 134(f) of the Workforce
5	Investment Act of 1998"; and
6	(7) in section 4104A—
7	(A) in subsection $(b)(1)$, by striking sub-
8	paragraph (A) and inserting the following:
9	"(A) the appropriate veteran employment
10	specialist (in carrying out the functions de-
11	scribed in section 134(f) of the Workforce In-
12	vestment Act of 1998);"; and
13	(B) in subsection $(c)(1)$, by striking sub-
14	paragraph (A) and inserting the following:
15	"(A) collaborate with the appropriate vet-
16	eran employment specialist (as described in sec-
17	tion 134(f)) and the appropriate State boards
18	and local boards (as such terms are defined in
19	section 101 of the Workforce Investment Act of
20	1998 (29 U.S.C. 2801));".
21	SEC. 409. CONFORMING AMENDMENT TO TABLE OF CON-
22	TENTS.
23	The table of contents in section 1(b) is amended to
24	read as follows:
	"Sec. 1. Short title; table of contents.
	"TITLE I—WORKFORCE INVESTMENT SYSTEMS

"Subtitle A—Workforce Investment Definitions

"Sec. 101. Definitions.

"Subtitle B—Statewide and Local Workforce Investment Systems

"Sec. 106. Purpose.

"Chapter 1—State Provisions

"Sec. 111. State workforce investment boards.

"Sec. 112. State plan.

"Chapter 2—Local Provisions

"Sec. 116. Local workforce investment areas.

"Sec. 117. Local workforce investment boards.

"Sec. 118. Local plan.

"Chapter 3—Workforce Investment Activities Providers

- "Sec. 121. Establishment of one-stop delivery systems.
- "Sec. 122. Identification of eligible providers of training services.
- "Sec. 123. [Repealed].

"Chapter 4—[Repealed]

"Chapter 5—Employment and Training Activities

- "Sec. 131. General authorization.
- "Sec. 132. State allotments.
- "Sec. 133. Within State allocations.
- "Sec. 134. Use of funds for employment and training activities.

"Chapter 6—General Provisions

- "Sec. 136. Performance accountability system.
- "Sec. 137. Authorization of appropriations.

"Subtitle C—Job Corps

- "Sec. 141. Purposes.
- "Sec. 142. Definitions.
- "Sec. 143. Establishment.
- "Sec. 144. Individuals eligible for the Job Corps.
- "Sec. 145. Recruitment, screening, selection, and assignment of enrollees.
- "Sec. 146. Enrollment.
- "Sec. 147. Job Corps centers.
- "Sec. 148. Program activities.
- "Sec. 149. Counseling and job placement.
- "Sec. 150. Support.
- "Sec. 151. Operations.
- "Sec. 152. Standards of conduct.
- "Sec. 153. Community participation.
- "Sec. 154. Workforce councils.
- "Sec. 155. [Repealed].
- "Sec. 156. Technical assistance to centers.
- "Sec. 157. Application of provisions of Federal law.
- "Sec. 158. Special provisions.

- "Sec. 159. Management information.
- "Sec. 160. General provisions.
- "Sec. 161. Closure of low-performing Job Corps centers.
- "Sec. 162. Reforms to remove political favoritism in the opening of new Job Corps centers.

"Subtitle D—National Programs

- "Sec. 166. [Repealed].
- "Sec. 167. [Repealed].
- "Sec. 168. [Repealed].
- "Sec. 169. [Repealed].
- "Sec. 170. Technical assistance.
- "Sec. 171. [Repealed].
- "Sec. 172. Evaluations.
- "Sec. 173. [Repealed].
- "Sec. 173A. [Repealed].
- "Sec. 174. [Repealed].

"Subtitle E—Administration

- "Sec. 181. Requirements and restrictions.
- "Sec. 182. Prompt allocation of funds.
- "Sec. 183. Monitoring.
- "Sec. 184. Fiscal controls; sanctions.
- "Sec. 185. Reports; recordkeeping; investigations.
- "Sec. 186. Administrative adjudication.
- "Sec. 187. Judicial review.
- "Sec. 188. Nondiscrimination.
- "Sec. 189. Administrative provisions.
- "Sec. 190. References.
- "Sec. 191. State legislative authority.
- "Sec. 192. [Repealed].
- "Sec. 193. Use of certain real property.
- "Sec. 194. [Repealed].
- "Sec. 195. General program requirements.
- "Sec. 196. Federal agency staff.

"Subtitle F—Repeals and Conforming Amendments

- "Sec. 199. Repeals.
- "Sec. 199A. Conforming amendments.

"TITLE II—ADULT EDUCATION AND FAMILY LITERACY EDUCATION

- "Sec. 201. Short title.
- "Sec. 202. Purpose.
- "Sec. 203. Definitions.
- "Sec. 204. Home schools.
- "Sec. 205. Authorization of appropriations.

"Subtitle A—Federal Provisions

"Sec. 211. Reservation of funds; grants to eligible agencies; allotments.

"Sec. 212. Performance accountability system.

"Subtitle B—State Provisions

- "Sec. 221. State administration.
- "Sec. 222. State distribution of funds; matching requirement.
- "Sec. 223. State leadership activities.
- "Sec. 224. State plan.
- "Sec. 225. Programs for corrections education and other institutionalized individuals.

"Subtitle C—Local Provisions

- "Sec. 231. Grants and contracts for eligible providers.
- "Sec. 232. Local application.
- "Sec. 233. Local administrative cost limits.

"Subtitle D—General Provisions

- "Sec. 241. Administrative provisions.
- "Sec. 242. National activities.

"TITLE III—WORKFORCE INVESTMENT-RELATED ACTIVITIES

"Subtitle A—Wagner-Peyser Act

- "Sec. 301. Definitions.
- "Sec. 302. Functions.
- "Sec. 303. Designation of State agencies.
- "Sec. 304. Appropriations.
- "Sec. 305. Disposition of allotted funds.
- "Sec. 306. State plans.
- "Sec. 307. Repeal of Federal advisory council.
- "Sec. 308. Regulations.
- "Sec. 309. Employment statistics.
- "Sec. 310. Technical amendments.
- "Sec. 311. Effective date.

"Subtitle B—Linkages With Other Programs

- "Sec. 321. Trade Act of 1974.
- "Sec. 322. Veterans' employment programs.
- "Sec. 323. Older Americans Act of 1965.

"Subtitle C—[Repealed]

"Subtitle D—Application of Civil Rights and Labor-Management Laws to the Smithsonian Institution

"Sec. 341. Application of civil rights and labor-management laws to the Smithsonian Institution.

"TITLE IV—REHABILITATION ACT AMENDMENTS OF 1998

- "Sec. 401. Short title.
- "Sec. 402. Title.
- "Sec. 403. General provisions.
- "Sec. 404. Vocational rehabilitation services.
- "Sec. 405. Research and training.
- "Sec. 406. Professional development and special projects and demonstrations.
- "Sec. 407. National Council on Disability.
- "Sec. 408. Rights and advocacy.

- "Sec. 409. Employment opportunities for individuals with disabilities.
- "Sec. 410. Independent living services and centers for independent living.
- "Sec. 411. Repeal.
- "Sec. 412. Helen Keller National Center Act.
- "Sec. 413. President's Committee on Employment of People With Disabilities.
- "Sec. 414. Conforming amendments.

"TITLE V—GENERAL PROVISIONS

- "Sec. 501. State unified plan.
- "Sec. 502. [Repealed].
- "Sec. 503. [Repealed].
- "Sec. 504. Privacy.
- "Sec. 505. Buy-American requirements.
- "Sec. 506. [Repealed].
- "Sec. 507. Effective date.".

TITLE V—AMENDMENTS TO THE 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:
- 8 (2) in paragraph (6), by striking the period and
 9 inserting "; and"; and
- 10 (3) by adding at the end the following:
- "(7) there is a substantial need to improve and
 expand services for students with disabilities under
 this Act.".

14 SEC. 502. REHABILITATION SERVICES ADMINISTRATION.

- 15 (a) Rehabilitation Services Administration.—
- 16 The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.)
- 17 is amended—
- 18 (1) in section 3(a) (29 U.S.C. 702(a))—

1	(A) by striking "Office of the Secretary"
2	and inserting "Department of Education";
3	(B) by striking "President by and with the
4	advice and consent of the Senate" and inserting
5	"Secretary"; and
6	(C) by striking ", and the Commissioner
7	shall be the principal officer,";
8	(2) by striking "Commissioner" each place it
9	appears (except in section 21) and inserting "Direc-
10	tor'';
11	(3) in section 12(c) (29 U.S.C. 709), by strik-
12	ing "Commissioner's" and inserting "Director's";
13	(4) in the heading for subparagraph (B) of sec-
14	tion 100(d)(2), by striking "COMMISSIONER" and in-
15	serting "DIRECTOR";
16	(5) in the heading for section 706, by striking
17	"COMMISSIONER" and inserting "DIRECTOR";
18	(6) in the heading for paragraph (3) of section
19	723(a), by striking "COMMISSIONER" and inserting
20	"DIRECTOR"; and
21	(7) in section 21 (29 U.S.C. 718)—
22	(A) in subsection $(b)(1)$ —
23	(i) by striking "Commissioner" the
24	first place it appears and inserting "Direc-

1	tor of the Rehabilitation Services Adminis-
2	tration'';
3	(ii) by striking "(referred to in this
4	subsection as the 'Director')"; and
5	(iii) by striking "The Commissioner
6	and the Director" and inserting "Both
7	such Directors"; and
8	(B) by striking "the Commissioner and the
9	Director" each place it appears and inserting
10	"both such Directors".
11	(b) EFFECTIVE DATE; APPLICATION.—The amend-
12	ments made by subsection (a) shall—
13	(1) take effect on the date of the enactment of
14	this Act; and
15	(2) apply with respect to the appointments of
16	Directors of the Rehabilitation Services Administra-
17	tion made on or after the date of enactment of this
18	Act, and the Directors so appointed.
19	SEC. 503. DEFINITIONS.
20	Section 7 of the Rehabilitation Act of 1973 (29
21	U.S.C. 705) is amended—
22	(1) by redesignating paragraphs (35) through
23	(39) as paragraphs (36) through (40) , respectively;
24	(2) in subparagraph (A)(ii) of paragraph (36)
25	(as redesignated by paragraph (1)), by striking

1	"paragraph (36)(C)" and inserting "paragraph
2	(37)(C)"; and
3	(3) by inserting after paragraph (34) the fol-
4	lowing:
5	"(35)(A) The term 'student with a disability'
6	means an individual with a disability who—
7	"(i) is not younger than 16 and not
8	older than 21;
9	"(ii) has been determined to be eligi-
10	ble under section 102(a) for assistance
11	under this title; and
12	"(iii)(I) is eligible for, and is receiv-
13	ing, special education under part B of the
14	Individuals with Disabilities Education Act
15	(20 U.S.C. 1411 et seq.); or
16	"(II) is an individual with a disability,
17	for purposes of section 504.
18	"(B) The term 'students with disabilities'
19	means more than 1 student with a disability.".
20	SEC. 504. 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 $(10)(B)$ by striking "on the el-
24	igible individuals" and all that follows through "sec-
25	tion $136(d)(2)$ " and inserting "of information nec-

1	essary to assess the State's performance on the core
2	indicators of performance described in section
3	136(b)(2)(A)'';
4	(2) in paragraph (11) —
5	(A) in subparagraph (D)(i), by inserting
6	before the semicolon the following: ", which
7	may be provided using alternative means of
8	meeting participation (such as video conferences
9	and conference calls)"; and
10	(B) by adding at the end the following:
11	"(G) COORDINATION WITH ASSISTIVE
12	TECHNOLOGY PROGRAMS.—The State plan shall
13	include an assurance that the designated State
14	unit and the lead agency or implementing entity
15	responsible for carrying out duties under the
16	Assistive Technology Act of 1998 (29 U.S.C.
17	3001 et seq.) have developed working relation-
18	ships and coordinate their activities.";
19	(3) in paragraph (15) —
20	(A) in subparagraph (A)—
21	(i) in clause (i)—
22	(I) in subclause (II), by striking
23	"and" at the end;
24	(II) in subclause (III), by adding
25	"and" at the end; and

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(III) by adding at the end the
following:
"(IV) students with disabilities,
including their need for transition
services;";
(ii) by redesignating clauses (ii) and
(iii) as clauses (iii) and (iv), respectively;
and
(iii) by inserting after clause (i) the
following:
"(ii) include an assessment of the
transition services provided under this Act,
and coordinated with transition services
under the Individuals with Disabilities
Education Act, as to those services meet-
ing the needs of individuals with disabil-
ities;"; and
(B) in subparagraph (D)—
(i) by redesignating clauses (iii), (iv),
and (v) as clauses (iv), (v), and (vi), re-
spectively; and
(ii) by inserting after clause (ii) the
following:
"(iii) the methods to be used to im-
prove and expand vocational rehabilitation

1	services for students with disabilities, in-
2	cluding the coordination of services de-
3	signed to facilitate the transition of such
4	students from the receipt of educational
5	services in school to the receipt of voca-
6	tional rehabilitation services under this
7	title or to postsecondary education or em-
8	ployment;";
9	(4) in paragraph (22) —
10	(A) by striking "carrying out part B of
11	title VI, including"; and
12	(B) by striking "that part to supplement
13	funds made available under part B of";
14	(5) in paragraph (24)(A), by striking "part A
15	of title VI" and inserting "section 109A"; and
16	(6) by adding at the end the following:
17	"(25) Collaboration with industry.—The
18	State plan shall describe how the designated State
19	agency will carry out the provisions of section 109A,
20	including—
21	"(A) the criteria such agency will use to
22	award grants under such section; and
23	"(B) how the activities carried out under
24	such grants will be coordinated with other serv-
25	ices provided under this title.

"(26) SERVICES FOR STUDENTS WITH DISABIL ITIES.—The State plan shall provide an assurance
 satisfactory to the Secretary that the State—

"(A) has developed and implemented strat-4 5 egies to address the needs identified in the as-6 sessment described in paragraph (15), and 7 achieve the goals and priorities identified by the 8 State, to improve and expand vocational reha-9 bilitation services for students with disabilities 10 on a statewide basis in accordance with para-11 graph (15); and

"(B) from funds reserved under section
110A, shall carry out programs or activities designed to improve and expand vocational rehabilitation services for students with disabilities
that—

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. 505. 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, including services described in
5	clauses (i) through (iii) of section $101(a)(26)(B)$;";
6	(2) in subsection (b), by striking paragraph (6)
7	and inserting the following:
8	"(6)(A)(i) Consultation and technical assistance
9	services to assist State and local educational agen-
10	cies in planning for the transition of students with
11	disabilities from school to post-school activities, in-
12	cluding employment.
13	"(ii) Training and technical assistance de-
14	scribed in section 101(a)(26)(B)(iv).
15	"(B) Services for groups of individuals with dis-
16	abilities who meet the requirements of clauses (i)
17	and (iii) of section 7(35)(A), including services de-
18	scribed in clauses (i), (ii), (iii), and (v) of section
19	101(a)(26)(B), to assist in the transition from
20	school to post-school activities."; and
21	(3) in subsection (b) by inserting at the end,
22	the following:
23	((7) The establishment, development, or im-
24	provement of assistive technology demonstration,
25	loan, reutilization, or financing programs in coordi-

nation with activities authorized under the Assistive 1 2 Technology Act of 1998 (29 U.S.C. 3001) to pro-3 mote access to assistive technology for individuals 4 with disabilities and employers.". 5 SEC. 506. STANDARDS AND INDICATORS. 6 Section 106 of the Rehabilitation Act of 1973 (29 7 U.S.C. 726(a)) is amended— (1) by striking subsection (a) and inserting the 8 9 following: 10 "(a) STANDARDS AND INDICATORS.—The performance standards and indicators for the vocational rehabili-11 12 tation program carried out under this title— 13 "(1) shall be subject to paragraphs (2)(A) and 14 (3) of section 136(b) of the Workforce Investment 15 Act of 1998; and "(2) may, at a State's discretion, include addi-16 17 tional indicators identified in the State plan sub-18 mitted under section 101."; and 19 (2) in subsection (b)(2)(B), by striking clause 20 (i) and inserting the following: "(i) on a biannual basis, review the 21 22 program improvement efforts of the State 23 and, if the State has not improved its per-24 formance to acceptable levels, as deter-25 mined by the Director, direct the State to

make revisions to the plan to improve per formance; and".

3 SEC. 507. COLLABORATION WITH INDUSTRY.

4 The Rehabilitation Act of 1973 is amended by insert5 ing after section 109 (29 U.S.C. 729) the following:

6 "SEC. 109A. COLLABORATION WITH INDUSTRY.

7 "(a) 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 eligi10 ble entities to create practical job and career readiness and
11 training programs, and to provide job placements and ca12 reer advancement.

"(b) APPLICATION.—To receive a grant under this
section, an eligible entity shall submit an application to
a designated State agency at such time, in such manner,
and containing such information as such agency shall require. Such application shall include, at a minimum—

18 "(1) a plan for evaluating the effectiveness of19 the program;

"(2) a plan for collecting and reporting the
data and information described under subparagraphs
(A) through (C) of section 101(a)(10), as determined appropriate by the designated State agency;
and

1 "(3) a plan for providing for the non-Federal 2 share of the costs of the program. "(c) ACTIVITIES.—An eligible entity receiving a grant 3 under this section shall use the grant funds to carry out 4 5 a program that provides one or more of the following: "(1) Job development, job placement, and ca-6 7 reer advancement services for individuals with dis-8 abilities. 9 "(2) Training in realistic work settings in order 10 to prepare individuals with disabilities for employ-11 ment and career advancement in the competitive 12 market. 13 "(3) Providing individuals with disabilities with 14 such support services as may be required in order to 15 maintain the employment and career advancement for which the individuals have received training. 16 17 "(d) AWARDS.—Grants under this section shall— 18 "(1) be awarded for a period not to exceed 5 19 years; and 20 "(2) be awarded competitively. 21 "(e) ELIGIBLE ENTITY DEFINED.—For the purposes 22 of this section, the term 'eligible entity' means a for-profit 23 business, alone or in partnership with one or more of the following: 24

"(1) Community rehabilitation program pro viders.

3 "(2) Indian tribes.

4 "(3) Tribal organizations.

5 "(f) FEDERAL SHARE.—The Federal share of a pro6 gram under this section shall not exceed 80 percent of the
7 costs of the program.

8 "(g) ELIGIBILITY FOR SERVICES.—An individual 9 shall be eligible for services provided under a program 10 under this section if the individual is determined under 11 section 102(a)(1) to be eligible for assistance under this 12 title.".

13 SEC. 508. RESERVATION FOR EXPANDED TRANSITION14SERVICES.

15 The Rehabilitation Act of 1973 is amended by insert-16 ing after section 110 (29 U.S.C. 730) the following:

17 "SEC. 110A. RESERVATION FOR EXPANDED TRANSITION
18 SERVICES.

"Each State shall reserve not less than 10 percent
of the funds allotted to the State under section 110(a)
to carry out programs and activities under sections
101(a)(26)(B) and 103(b)(6).".

23 SEC. 509. CLIENT ASSISTANCE PROGRAM.

Section 112(e)(1) of the Rehabilitation Act of 1973
(29 U.S.C. 732(e)(1)) is amended by redesignating sub-

paragraph (D) as subparagraph (E) and inserting after
 subparagraph (C) the following:

3	"(D) The Secretary shall make grants to
4	the protection and advocacy system serving the
5	American Indian Consortium to provide services
6	in accordance with this section. The amount of
7	such grants shall be the same as provided to
8	territories under this subsection.".

9 SEC. 510. TITLE III AMENDMENTS.

10 Title III of the Rehabilitation Act of 1973 (29 U.S.C.
11 771 et seq.) is amended—

12 (1) in section 301(a)—

13 (A) in paragraph (2), by inserting "and"14 at the end;

15 (B) by striking paragraphs (3) and (4);16 and

17 (C) by redesignating paragraph (5) as18 paragraph (3);

19 (2) in section 302(g)—

20 (A) in the heading, by striking "AND IN-

- 21 SERVICE TRAINING"; and
 - (B) by striking paragraph (3);
- (3) in section 303(c)—
- 24 (A) in paragraph (4)—

1	(i) by amending subparagraph (A)(ii)
2	to read as follows:
3	"(ii) to coordinate and work closely
4	with the parent training and information
5	centers established pursuant to section 671
6	of the Individuals with Disabilities Edu-
7	cation Act, the community parent resource
8	centers established pursuant to section 672
9	of such Act, and the eligible entities receiv-
10	ing awards under section 673 of such Act;
11	and"; and
12	(ii) in subparagraph (C), by inserting
13	", and demonstrate the capacity for serv-
14	ing," after "serve"; and
15	(B) by adding at the end the following:
16	"(8) RESERVATION.—From the amount appro-
17	priated to carry out this subsection for a fiscal year,
18	20 percent of such amount or \$500,000, whichever
19	is less, shall be reserved to carry out paragraph
20	(6).'';
21	(4) by striking sections 304 and 305; and
22	(5) by redesignating section 306 as section 304.
23	SEC. 511. REPEAL OF TITLE VI.
a (

24 The Rehabilitation Act of 1973 (29 U.S.C. 701 et25 seq.) is amended by repealing title VI.

1 SEC. 512. CHAIRPERSON.

2 Section 705(b)(5) of the Rehabilitation Act of 1973
3 (29 U.S.C. 796d(b)(5)) is amended to read as follows:

4 "(5) CHAIRPERSON.—The Council shall select a
5 chairperson from among the voting membership of
6 the Council.".

7 SEC. 513. AUTHORIZATIONS OF APPROPRIATIONS.

8 The Rehabilitation Act of 1973 (29 U.S.C. 701 et
9 seq.) is further amended—

(1) in section 100(b)(1) (29 U.S.C. 720(b)(1)),
by striking "such sums as may be necessary for fiscal years 1999 through 2003" and inserting
"\$3,121,712,000 for fiscal year 2014 and each of
the 6 succeeding fiscal years";

15 (2) in section 110(c) (29 U.S.C. 730(c)), by
16 amending paragraph (2) to read as follows:

"(2) The sum referred to in paragraph (1) shall
be, as determined by the Secretary, not less than 1
percent and not more than 1.5 percent of the
amount referred to in paragraph (1) for each of fiscal years 2014 through 2020.";

(3) in section 112(h) (29 U.S.C. 732(h)) by
striking "such sums as may be necessary for fiscal
years 1999 through 2003" and inserting
"\$12,240,000 for fiscal year 2014 and each of the
6 succeeding fiscal years";

1	(4) by amending subsection (a) of section 201
2	(29 U.S.C. 761(a)) to read as follows: "(a) There
3	are authorized to be appropriated \$108,817,000 for
4	fiscal year 2014 and each of the 6 succeeding fiscal
5	years to carry out this title.";
6	(5) in section $302(i)$ (29 U.S.C. $772(i)$) by
7	striking "such sums as may be necessary for each of
8	the fiscal years 1999 through 2003" and inserting
9	"\$35,515,000 for fiscal year 2014 and each of the
10	6 succeeding fiscal years";
11	(6) in section 303(e) (29 U.S.C. 773(e)) by
12	striking "such sums as may be necessary for each of
13	the fiscal years 1999 through 2003" and inserting
14	$``\$5,\!325,\!000$ for fiscal year 2014 and each of the 6
15	succeeding fiscal years'';
16	(7) in section 405 (29 U.S.C. 785) by striking
17	"such sums as may be necessary for each of the fis-
18	cal years 1999 through 2003" and inserting
19	$``\$3,\!258,\!000$ for fiscal year 2014 and each of the 6
20	succeeding fiscal years'';
21	(8) in section $502(j)$ (29 U.S.C. $792(j)$) by
22	striking "such sums as may be necessary for each of
23	the fiscal years 1999 through 2003" and inserting
24	``\$7,400,000 for fiscal year 2014 and each of the 6
25	succeeding fiscal years";

1	(9) in section $509(l)$ (29 U.S.C. $794e(l)$) by
2	striking "such sums as may be necessary for each of
3	the fiscal years 1999 through 2003" and inserting
4	"\$18,031,000 for fiscal year 2014 and each of the
5	6 succeeding fiscal years";
6	(10) in section 714 (29 U.S.C. 796e–3), by
7	striking "such sums as may be necessary for each of
8	the fiscal years 1999 through 2003" and inserting
9	``\$23,359,000 for fiscal year 2014 and each of the
10	6 succeeding fiscal years";
11	(11) in section 727 (29 U.S.C. 796f-6), by
12	striking "such sums as may be necessary for each of
13	the fiscal years 1999 through 2003" and inserting
14	"\$79,953,000 for fiscal year 2014 and each of the
15	6 succeeding fiscal years"; and
16	(12) in section 753 (29 U.S.C. 7961), by strik-
17	ing "such sums as may be necessary for each of the
18	fiscal years 1999 through 2003" and inserting
19	"\$34,018,000 for fiscal year 2014 and each of the
20	6 succeeding fiscal years".
21	SEC. 514. CONFORMING AMENDMENTS.
22	Section 1(b) of the Rehabilitation Act of 1973 is
23	amended—
24	(1) by inserting after the item relating to sec-
25	tion 109 the following:
	"Sec. 109A. Collaboration with industry.";

1	(2) by inserting after the item relating to sec-
2	tion 110 the following:
	"Sec. 110A. Reservation for expanded transition services.";
3	(3) by striking the item related to section 304
4	and inserting the following:
	"Sec. 304. Measuring of project outcomes and performance.";
5	(4) by striking the items related to sections 305
6	and 306; and
7	(5) by striking the items related to title VI.

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