



**Side-by-Side Comparison of Title I Provisions in House and Senate WIA Reauthorization Bills**

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This document summarizes and compares provisions in current law and the following WIA reauthorization proposals:

- The House bill (H.R. 1261), introduced by Rep. McKeon (R-CA) and passed by the House of Representatives on May 8, 2003.
- The Senate bill (S. 1627), introduced by Senators Gregg (R-NH), Kennedy (D-MA), Enzi (R-WY), and Murray (D-WA) and passed by the Senate on November 14, 2003.

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Current Law	House Bill (H.R. 1261)	Senate Bill (S. 1627)
<b>Purpose</b>		
<p>“To provide workforce investment activities, through statewide and local workforce investment systems, that increase the employment, retention, and earnings of participants, and increase occupational skill attainment by participants, and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the Nation.”</p>	<p>Adds language stating, “It is also the purpose of this subtitle to provide workforce investment activities in a manner that promotes the informed choice of participants and actively involves participants in decisions affecting their participation in such activities.”</p>	<p>Modifies purpose language to specify twelve purposes:</p> <ul style="list-style-type: none"> <li>• To provide workforce investment activities that increase employment, retention, self-sufficiency and earnings of participants and increase occupational skill attainment; and as a result, to improve the quality of the workforce, reduce welfare dependency, increase self-sufficiency, and enhance the productivity and competitiveness of the nation.</li> <li>• To enhance the workforce investment system of the nation by strengthening one-stop centers, providing for more effective governance, promoting access to a more comprehensive array of services, establishing a targeted approach to serving youth, improving performance accountability, and promoting state and local flexibility.</li> <li>• To provide workforce investment activities in a manner that promotes the informed choice of participants and actively involves participants in decisions affecting their participation in such activities.</li> <li>• To provide workforce investment systems that are demand-driven and responsive to the needs of all employers.</li> <li>• To provide workforce investment systems that work in all areas of the nation, including urban and rural areas.</li> <li>• To allow flexibility to meet state, local, regional, and individual workforce investment needs.</li> <li>• To recognize and reinforce the vital link between economic development and workforce investment activities.</li> <li>• To provide for accurate data collection, reporting, and performance measures that are not unduly burdensome.</li> <li>• To address the ongoing shortage of essential skills in the U.S. workforce related to</li> </ul>

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		<p>manufacturing and knowledge-based economies.</p> <ul style="list-style-type: none"> <li>• To equip workers with higher skills and contribute to lifelong education.</li> <li>• To eliminate training disincentives for hard-to-serve populations and minority workers, including effectively utilizing community programs, services, and agencies.</li> <li>• To educate limited English proficient individuals about skills and language so the individuals are employable.</li> <li>• To increase the employment, retention, and earnings of individuals with disabilities.</li> </ul>
<b>Adult Funding</b>		
<p>Authorizes separate formula funding streams for adults and dislocated workers for FY1999-2003. Separate funding for the Employment Service is also authorized for FY1999-2003 through the Wagner-Peyser Act.</p>	<p>Consolidates Adult, Dislocated Worker, and Employment Service funding streams into a single funding stream for “Comprehensive Employment and Training Activities for Adults.” Authorizes funding through this funding stream for FY2004-2009. Provides that no state shall receive an allotment less than the total amount of adult, dislocated worker, and Wagner-Peyser funds the state received in FY2003.</p>	<p>Same as current law: Does not consolidate Adult, Dislocated Worker, and Employment Service funding streams.</p> <p>Authorizes separate formula funding streams for FY2004-2009.</p>
<b>Youth Funding</b>		
<p>Authorizes youth formula funding stream for FY1999-2003.</p> <p>At a minimum, 30 percent of funds must be used to serve out-of-school youth.</p> <p>Not more than 5 percent of youth served in a local area may be individuals who do not meet income criteria, provided they meet other barrier-related eligibility criteria.</p>	<p>Authorizes funding through youth funding stream for FY2004-2009.</p> <p>Not more than 30 percent of funds for statewide activities and not more than 30 percent of funds available to local areas may be spent on activities for in-school youth. Activities for in-school youth may only be carried out in non-school hours or periods when school is not in session (such as before or after school or during summer recess).</p> <p>Removes exception to allow 5 percent of youth served to receive services if they do not meet income criteria but meet other barrier-related</p>	<p>Authorizes funding through youth funding stream for FY2004-2009.</p> <p>Not more than 60 percent of funds for statewide activities and not more than 60 percent of funds available to local areas may be spent on activities for in-school youth.</p> <p>For in-school youth required to attend school under compulsory school attendance laws, the priority in providing such assistance shall be for the individual to attend school regularly.</p> <p>Not more than 5 percent of youth served in a</p>

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<p>Authorizes up to \$250M in additional funding for competitive grants to local areas of high poverty through <b>Youth Opportunity Grants (YOGs)</b>.</p>	<p>eligibility criteria.</p> <p>Eliminates <b>Youth Opportunity Grants</b> and creates <b>Youth Challenge Grants</b>.</p> <p><b>Youth Challenge Grants:</b>  <b>Funding:</b> Provides that 25 percent of annual appropriation of youth formula funds is used for Youth Challenge Grants. In fiscal years in which the appropriation exceeds \$1B, \$250M would be reserved for Youth Challenge Grants.  <b>Competitive Grants:</b> Not less than 80 percent must be used for competitive grants to states, local boards, Native American entities, and public or private entities applying in conjunction with local boards.</p> <ul style="list-style-type: none"> <li>• Grants are for one year and may be renewed for four additional years.</li> <li>• Secretary may require a match from grantees to provide a non-federal share of the cost.</li> <li>• Program participants may be youth ages 14-19.</li> <li>• Funds may be used for activities designed to assist youth in acquiring skills, credentials, and employment experience necessary to succeed in labor market.</li> <li>• Secretary may reserve up to 5 percent of competitive funds for technical assistance and evaluation.</li> </ul> <p><b>Discretionary Grants:</b> Up to 20 percent may be used for discretionary grants to public or private entities to provide activities to assist youth in preparing for, entering, and retaining employment.</p> <ul style="list-style-type: none"> <li>• Funds may be used for out-of-school youth and for assisting in-school youth to stay in school and gain work experience.</li> <li>• Eligibility for youth ages 14-19.</li> </ul>	<p>local area may be individuals who would otherwise be required to be low-income but do not meet low-income criteria; such youth must meet other barrier-related eligibility criteria.</p> <p>Eliminates <b>Youth Opportunity Grants</b> and creates <b>Youth Challenge Grants</b>.</p> <p><b>Youth Challenge Grants:</b>  <b>Funding:</b> If amount appropriated for a year exceeds \$1B, then of the next \$250M:</p> <ul style="list-style-type: none"> <li>• Secretary shall reserve greater of \$10M or 4 percent for youth farmworker activities;</li> <li>• Of the remainder, Secretary shall reserve not more than 1.5 percent for youth Native American activities;</li> <li>• Remainder shall be used for youth challenge grants.</li> </ul> <p><b>Competitive Grants:</b> Similar to House, but:</p> <ul style="list-style-type: none"> <li>• Grants are for two years and may be renewed for a period of not more than three succeeding years.</li> <li>• The Secretary shall require matching funds not less than 10 percent of the cost of activities carried out under the grant.</li> <li>• Program participants may be youth ages 14-21.</li> <li>• Specifies factors Secretary must consider in awarding grants.</li> <li>• Requires equitable geographic distribution of grants.</li> <li>• Specifies that State Board must have opportunity to review application (except for applications by Native American entities), comments must accompany application.</li> <li>• Secretary shall reserve up to 3 percent of competitive funds for technical assistance and evaluation.</li> </ul> <p><b>Discretionary Grants:</b> Similar to House, but:</p> <ul style="list-style-type: none"> <li>• Eligibility for youth ages 14-21.</li> <li>• Secretary shall require non-federal match of</li> </ul>

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	<ul style="list-style-type: none"> <li>Secretary may require a match from grantees to provide a non-federal share of the cost and may require grantees to participate in evaluations.</li> </ul>	<p>not less than 10 percent.</p> <ul style="list-style-type: none"> <li>Secretary shall require equitable distribution of grants to rural areas.</li> </ul>
<b>Infrastructure Funding</b>		
<p>No express provision; partners may agree to share infrastructure costs under terms of negotiated memoranda of understanding.</p>	<p><b>State Mechanism Option:</b> Authorizes governors to specify a portion of federal funds from required and additional partners to be provided to the Governor to be used to provide infrastructure funding for one-stops “notwithstanding any other provision of law.”</p> <ul style="list-style-type: none"> <li>Governor shall make determination of amounts in consultation with state board.</li> <li>In making determination, Governor shall consider proportionate use of one-stop centers by each partner, the costs of administration for purposes not related to one-stop centers for each partner, and such other factors as State Board determines are appropriate, which may include number of centers in local area that have been certified, population served by such centers, and performance of such centers.</li> <li>Funds could be taken only from funds available for administrative costs under the partner program and would be subject to the limits on portions of funding that can be used for administrative costs under the partner program.</li> <li>Programs that are federal direct spending under Sec. 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall not be required to provide an amount in excess of the amount determined to be equivalent to the program’s proportionate use of one-stop centers in the state.</li> <li>Funds would be allocated to certified one-stops based on a formula developed by the state board.</li> </ul>	<p>Lays out two options for funding of One-Stop Infrastructure—local option and state mechanism option.</p> <p><b>Local Option:</b> Allows the local board, chief elected officials, and one-stop partners in a local area to choose to fund the costs of the infrastructure through methods described in the local memorandum of understanding, if all partners, the local board, and elected officials agree to the methods.</p> <p>If local board, chief elected officials, and partners are unable to reach agreement as of July 1, 2004, then state mechanism option will apply.</p> <p><b>State Mechanism Option:</b> Like House, provides for state specification of partner contributions to infrastructure, but with these differences:</p> <ul style="list-style-type: none"> <li>Only applicable to required partners.</li> <li>Determination to be made by Governor after consultation with chief local elected officials, local boards and state board.</li> <li>In making determination, Governor directed to calculate proportionate use of one-stop centers by each partner and costs of administration for purposes not related to one-stop center for each partner.</li> <li>If state constitution places independent policymaking authority with another entity for adult education and literacy, postsecondary vocational and technical activities under Perkins Act, or vocational rehabilitation services, chief officer of that entity shall determine amount for affected program(s) in consultation with Governor.</li> <li>Contributions capped from:</li> </ul>

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	<p><b>Costs of infrastructure</b> are defined as “nonpersonnel costs that are necessary for the general operation of a one-stop center, including rental costs of the facilities, the costs of utilities and maintenance, equipment (including adaptive technology for individuals with disabilities), strategic planning activities for the center, and common outreach activities.”</p> <p><b>Other Funds:</b> Specifies that required and additional partners must make a portion of their federal funds or noncash resources available to pay costs relating to the operation of the one-stop delivery system that are not paid for with the above infrastructure funds (to the extent not inconsistent with the federal law involved) including:</p> <ul style="list-style-type: none"> <li>• Infrastructure costs in excess of above infrastructure funds</li> <li>• Common costs that are in addition to infrastructure costs</li> <li>• Costs of provision of core services applicable to each program</li> </ul> <p>The method of determining the portion of funds to be provided by each program will be determined as part of local Memoranda of Understanding (MOU).</p>	<ul style="list-style-type: none"> <li>• WIA and Wagner-Peyser at 3 percent;</li> <li>• Other partners at 1.5 percent unless existing MOU provides for larger contribution;</li> <li>• Vocational rehabilitation starting at .75 percent in the second program year after enactment and gradually increasing to 1.5 percent for the fifth and succeeding years.</li> <li>• Native American programs are not required to make contributions.</li> <li>• Governor must establish appeals process for one-stop partners.</li> <li>• Bill does not say that required provision of funds by partners is “notwithstanding any other provision of law.”</li> </ul> <p><b>Costs of infrastructure:</b> Same definition as House.</p> <p><b>Other Funds:</b> Similar to House requirement, but only applicable to required partners, and specifies that costs shall include costs of provision of core services applicable to each program and may include common costs not paid through infrastructure mechanism.</p>
<b>One-Stop System Partners</b>		
<p><b>Required Partners:</b></p> <ul style="list-style-type: none"> <li>• WIA</li> <li>• Wagner-Peyser</li> <li>• Adult Education and Literacy programs</li> <li>• Rehabilitation Act programs</li> <li>• Welfare-to-Work</li> <li>• Older Americans Act programs</li> <li>• Perkins postsecondary vocational education activities</li> <li>• Trade Adjustment Assistance and NAFTA-TAA programs</li> <li>• Veterans Employment and Training</li> </ul>	<p><b>Required Partners:</b> Retains current law with these changes.</p> <ul style="list-style-type: none"> <li>• Adds TANF, unless the governor opts out and notifies HHS and DOL Secretaries in writing.</li> <li>• Eliminates Wagner-Peyser and Welfare-to-Work as required partners.</li> </ul> <p><b>Responsibilities of Required Partners:</b> Same as current law.</p>	<p><b>Required Partners:</b> Retains current law with these changes.</p> <ul style="list-style-type: none"> <li>• Adds TANF, unless the governor opts out and notifies HHS and DOL Secretaries in writing.</li> <li>• Requires collocation of employment service offices at one-stop centers.</li> <li>• Eliminates Welfare-to-Work as a required partner.</li> </ul> <p><b>Roles and Responsibilities of Required Partners:</b> Adds the following section to current law: Required partners must:</p> <ul style="list-style-type: none"> <li>• Provide access through the one-stop system to</li> </ul>

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<ul style="list-style-type: none"> <li>• Community Service Block Grant employment and training activities</li> <li>• HUD employment and training activities</li> <li>• Unemployment compensation programs</li> </ul> <p><b>Responsibilities of Required Partners:</b> Required partners must:</p> <ul style="list-style-type: none"> <li>• Make available to participants through a one-stop system the core services applicable to such program or activity; and</li> <li>• Participate in the operation of the system consistent with terms of a memorandum of understanding and with the requirements of federal law applicable to the program.</li> </ul> <p><b>Additional Partners:</b> May add if local board and chief elected official approve participation:</p> <ul style="list-style-type: none"> <li>• TANF</li> <li>• Food Stamp employment, training, and work programs</li> <li>• National and Community Service Act programs</li> <li>• Other federal, state, or local programs, including private sector programs</li> </ul> <p><b>Grandfathering:</b> Includes grandfather provision for pre-WIA one-stops.</p>	<p><b>Additional Partners:</b> Adds the following:</p> <ul style="list-style-type: none"> <li>• Employment and training programs administered by Social Security Administration, including Ticket to Work program</li> <li>• Child support enforcement programs under IV-D of the Social Security Act</li> <li>• Programs for individuals with disabilities, including programs carried out by state agencies relating to mental health, mental retardation, and developmental disabilities, state Medicaid agencies, State Independent Living Councils, and Independent Living Centers</li> </ul> <p><b>Grandfathering:</b> Eliminates one-stop grandfather provision for pre-WIA one-stops.</p>	<p>programs and activities carried out by the entity, including making the core services applicable to such program or activity available at comprehensive one-stop centers (and any other appropriate locations).</p> <ul style="list-style-type: none"> <li>• Use a portion of funds to maintain the one-stop system, including payment of infrastructure costs consistent with the provisions of law applicable to infrastructure costs.</li> <li>• Enter into local MOUs with local boards and to operate programs as defined in MOUs.</li> <li>• Participate in the operation of the one-stop system consistent with terms of the MOU, WIA, and applicable federal laws.</li> <li>• Provide representation on the state board if specified.</li> </ul> <p><b>Additional Partners:</b> Adds the following:</p> <ul style="list-style-type: none"> <li>• Employment and training programs administered by the Social Security Administration, including the Ticket to Work and Self-Sufficiency program;</li> <li>• Employment and training programs carried out by the Small Business Administration;</li> <li>• Food Stamp Act employment and training programs.</li> </ul> <p><b>Grandfathering:</b> Eliminates one-stop grandfather provision for pre-WIA one-stops.</p>
<b>State Allotments: <i>Adult/Dislocated Worker Formula</i></b>		
<p><b>Adult:</b> Not more than ¼ of 1 percent is reserved for outlying areas and the remainder is distributed to states with:</p> <ul style="list-style-type: none"> <li>• 33 1/3 percent based on relative number of unemployed individuals in areas of substantial unemployment (at least 6.5 percent)</li> <li>• 33 1/3 percent based on relative excess number of unemployed individuals (number above 4.5 percent)</li> <li>• 33 1/3 percent based on relative number of disadvantaged adults</li> </ul>	<p><b>Consolidated Adult Block Grant:</b> 10 percent reserved by Secretary, of which:</p> <ul style="list-style-type: none"> <li>• Not less than 75 percent must be used for National Dislocated Worker Grants.</li> <li>• Not more than 20 percent may be used for demonstration projects.</li> <li>• Not more than 5 percent may be used to provide technical assistance.</li> </ul> <p>Of the remaining 90 percent, not more than ¼ of 1 percent is reserved for outlying areas and the</p>	<p><b>Does not consolidate funding streams into block grant.</b></p> <p><b>Adult:</b> The formula for allotting the Adult funding to states is revised as follows:</p> <ul style="list-style-type: none"> <li>• 40 percent based on relative number of unemployed individuals in areas of substantial unemployment</li> <li>• 25 percent based on relative number of individuals in civilian labor force</li> <li>• 35 percent based on relative number of</li> </ul>

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<ul style="list-style-type: none"> <li>Hold harmless and small state minimum provisions</li> </ul> <p><b>Dislocated Worker:</b> 20 percent of funds reserved by Secretary for technical assistance, demonstration projects, National Emergency Grants, and assistance to outlying areas. The remainder is distributed to states based on:</p> <ul style="list-style-type: none"> <li>33 1/3 percent based on relative number of unemployed individuals</li> <li>33 1/3 percent based on relative excess number (number above 4.5 percent) of unemployed individuals</li> <li>33 1/3 percent based on relative number of individuals in each state who have been unemployed for 15 weeks or more</li> </ul> <p><b>Reallotment:</b> The Secretary is directed to reallot the amount by which a state's unobligated balance exceeds 20 percent of its allotment for the program year.</p> <p><b>Accrued Expenditures:</b> Not defined in statute.</p>	<p>remainder is distributed to states based on the following formula:</p> <ul style="list-style-type: none"> <li>In FY2004, 26 percent is distributed based on FY2003 Wagner-Peyser allotments if the amount available in FY2004 is no greater than the amount available in FY2003, with another formula based on relative number of individuals in civilian labor force for allocating any funds in excess of FY2003 levels; in FY2005 and thereafter, 26 percent is allotted based on the allotment percentage of the previous fiscal year unless the available amount is increased.</li> <li>74 percent is distributed based primarily on: <ul style="list-style-type: none"> <li>60 percent based on relative number of unemployed individuals</li> <li>25 percent based on relative excess number (number above 4.5 percent) of unemployed individuals</li> <li>15 percent based on relative number of disadvantaged adults</li> <li>Restructured hold harmless and small state minimum provisions</li> </ul> </li> </ul> <p><b>Reallotment:</b> The Secretary is directed to reallot the amount by which a state's unexpended balance, excluding accrued expenditures, exceeds 30 percent of the total amount available to the state during the year.</p> <p><b>Accrued Expenditures:</b> Defined as including "the sum of actual cash disbursements for direct charges for goods and services, the net increase or decrease in the amounts owed by recipients, goods and other property received for services performed by employees, contractors, subgrantees, or other payees, and other amounts becoming owned for which no current service or performance is required."</p>	<p>disadvantaged adults</p> <p><b>Dislocated Worker:</b> Same as current law.</p> <p><b>Reallotment:</b> Same as House.</p> <p><b>Accrued Expenditures:</b> Defined as the "charges incurred by recipients of funds under this title for a given period requiring the provision of funds for goods or other tangible property received; services performed by employees, contractors, subgrantees, subcontractors, and other payees; and other amounts becoming owed under programs assisted under this title for which no current services or performance is required, such as annuities, insurance claims, other benefit payments."</p>
<b>State Allotments: Youth Formula</b>		
In years in which the appropriation exceeds \$1B, a portion of funds in excess of \$1B shall be reserved	Eliminates funding for migrant and seasonal farmworker programs and Youth Opportunity	In years in which the appropriation exceeds \$1B, a portion of funds in excess of \$1B shall be



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<p>for migrant and seasonal farmworker programs and up to \$250M for Youth Opportunity Grants. The remaining amount in excess of \$1B shall be used for funding to outlying areas and to states for Native American programs and for youth activities and statewide workforce investment activities.</p> <p>Remainder is distributed to states with:</p> <ul style="list-style-type: none"> <li>• 33 1/3 percent based on relative number of unemployed individuals in areas of substantial unemployment</li> <li>• 33 1/3 percent based on relative excess number of unemployed individuals</li> <li>• 33 /13 percent based on relative number of disadvantaged youth</li> <li>• Hold harmless and small state minimum provisions</li> </ul> <p><b>Reallotment:</b> <i>Same as Adult Formula above.</i></p>	<p>Grants. 25 percent of the amount appropriated for youth required to be reserved for Challenge Grants (up to a maximum of \$250M).</p> <p><b>Of the remaining funds:</b></p> <ul style="list-style-type: none"> <li>• Not more ¼ of 1 percent reserved for assistance to outlying areas.</li> <li>• Not more than 1 ½ percent reserved for Native American programs.</li> </ul> <p>If the total amount available to states is the same or less than what was provided in PY2003 (\$997 million), then funds would be allotted based on the formula in current law. Additional appropriations (above \$977 million) would be allotted to states with:</p> <ul style="list-style-type: none"> <li>• 33 1/3 percent based on the relative number of individuals in the civilian labor force ages 16-19</li> <li>• 33 1/3 percent based on relative number of unemployed individuals</li> <li>• 33 1/3 percent based on relative number of disadvantaged youth ages 16-21.</li> <li>• Hold harmless and slightly modified small state minimum provisions</li> </ul> <p><b>Reallotment:</b> <i>Same as Adult Formula above.</i></p> <p><b>Accrued Expenditures:</b> <i>Same as Adult Formula above.</i></p>	<p>reserved for Youth Opportunity Grants up to \$250 million. The Secretary shall reserve the greater of \$10 million or 4 percent for youth migrant and seasonal farm worker activities.</p> <p><b>Of the remaining funds:</b></p> <ul style="list-style-type: none"> <li>• Same as House except a) portion of formula based on relative number of youth in civilian labor force would be calculated based on number of 16-21 year olds in the state's civilian labor force rather than 16-19 year olds; b) calculation of number of disadvantaged youth based on numbers in families whose income does not exceed higher of poverty line or 70 percent of lower living standard income level. (House calculation based on poverty line).</li> </ul> <p><b>Reallotment:</b> <i>Same as Adult Formula above.</i></p> <p><b>Accrued Expenditures:</b> <i>Same as Adult Formula above.</i></p>
<b>State Board Membership</b>		
<p>Membership must include:</p> <ul style="list-style-type: none"> <li>• Governor</li> <li>• 2 members of each chamber of the state legislature, and</li> <li>• Representatives appointed by the governor, including: <ul style="list-style-type: none"> <li>○ Business representatives</li> <li>○ Chief elected officials (representing both cities and counties where appropriate)</li> <li>○ Labor representatives</li> </ul> </li> </ul>	<p>Revises current law membership requirements as follows:</p> <ul style="list-style-type: none"> <li>• Adds that state rehabilitation agency directors and economic development agency officials be members of state board.</li> <li>• Removes requirement that representative of youth organization be member of state board.</li> <li>• Removes requirement that representatives of individuals and organizations with experience and expertise in the delivery of workforce</li> </ul>	<p>Same as House, except adds representatives of small businesses.</p>

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<ul style="list-style-type: none"> <li>○ Youth organization representatives</li> <li>○ Representatives of individuals and organizations with experience and expertise in the delivery of workforce investment activities including chief executive officers of community colleges and community based organizations</li> <li>○ Lead state officials of mandatory partner agencies</li> <li>○ Other representatives and state agency officials that the governor may designate</li> </ul> <p>Members must represent diverse regions of the state and a majority must be business representatives.</p> <p>State may use an alternative entity as a state board if it was in existence on December 31, 1997; was established under JTPA or is substantially similar to a state board required under WIA; and includes representatives of business and labor organizations.</p>	<p>investment activities, including chief executive officers of community colleges and community-based organizations, be on state board.</p> <p>Also adds the following permissible partners, which, if made mandatory by the governor, would be required members of the state board:</p> <ul style="list-style-type: none"> <li>● Employment and training programs administered by the Social Security Administration, including Ticket-to-Work program</li> <li>● Programs under the IV-D Child Support program</li> <li>● Programs carried out in the local areas for individuals with disabilities, including programs carried out by state agencies relating to mental health, mental retardation, and developmental disabilities; state Medicaid agencies; State Independent Living Councils; and Independent Living Centers.</li> </ul> <p>Eliminates alternative entity grandfathering provisions.</p>	<p>Also adds the following permissible partners, which, if made mandatory by the governor, would be required members of the state board:</p> <ul style="list-style-type: none"> <li>● Employment and training programs administered by the Social Security Administration, including Ticket-to-Work program</li> <li>● Employment and training programs carried out by the Small Business Administration</li> <li>● Food Stamp Act employment and training programs</li> </ul> <p>Current law alternative entity grandfathering provision applies, but Secretary may require State to establish a state board consistent with generally applicable WIA requirements if state fails to “perform successfully.” (Performed successfully defined as performed at 80 percent or more of the adjusted performance level for core indicators for 2 consecutive years.)</p>
<b>State Board Functions</b>		
<p>Functions are to assist governor in:</p> <ul style="list-style-type: none"> <li>● Development of the state plan</li> <li>● Development of continuous improvement of statewide activities, including linkages to assure coordination and nonduplication of activities and review of local plans</li> <li>● Commenting at least once annually on Perkins performance measures</li> <li>● Designation of local areas</li> <li>● Development of adult and youth allocation formulas</li> <li>● Development and continuous improvement of comprehensive state performance measures</li> <li>● Preparation of annual report to Secretary of DOL</li> <li>● Development of statewide employment statistics</li> </ul>	<p>Current law with the following amendments:</p> <ul style="list-style-type: none"> <li>● Adds function of assisting governor in development and review of statewide policies affecting integrated service provision, including one-stop certification criteria, one-stop infrastructure funding allocation, and equitable and efficient cost allocation in one-stop delivery systems.</li> <li>● Removes requirement that state board review Perkins performance measures.</li> <li>● Requires state board to assist governor to develop criteria for appointment and certification of local boards.</li> </ul>	<p>Current law with the following amendments:</p> <ul style="list-style-type: none"> <li>● Adds assisting governor in development, implementation, and revision of the state plan.</li> <li>● Adds reviewing and providing comment on state plans of all one-stop partner programs, where applicable, including commenting at least once annually on Perkins performance measures.</li> <li>● Adds development and review of statewide policies affecting coordinated service provision through one-stops, including: <ul style="list-style-type: none"> <li>○ Development of objective procedures and criteria for use by local boards in assessing the effectiveness and continuous improvement of one-stop centers.</li> </ul> </li> </ul>

Current Law	House Bill (H.R. 1261)	Senate Bill (S. 1627)
<p>system under Wagner-Peyser Act</p> <ul style="list-style-type: none"> <li>Development of application for incentive grants</li> </ul>	<p><b>Certification of One-Stops:</b> Requires state board to set up criteria and procedures for certifying one-stops and specifies that certification is a requirement to receive infrastructure funds. Criteria for certification shall include minimum standards relating to scope and degree of service integration and how the centers ensure that providers meet the employment needs of local employers and participants.</p> <p>Explicitly authorizes state board to hire staff.</p>	<ul style="list-style-type: none"> <li>Development of guidance for the allocation of one-stop center infrastructure funds</li> <li>Development of a variety of other specified statewide policies and strategies (details not summarized here).</li> <li>Identification and dissemination on best practices for effective operation of one-stops.</li> <li>Conduct of other matters as may promote statewide objectives for, and enhance performance of, one-stop delivery system.</li> <li>Adds development of statewide criteria to be used by chief elected officials for appointment of local boards.</li> <li>Adds increasing availability of skills training, employment opportunities, and career advancement for hard-to-serve populations.</li> </ul> <p>Explicitly authorizes state board to hire staff.</p>

### State Plans

<p><b>Term:</b> Requires a state plan that outlines a 5-year strategy for the statewide workforce investment system.</p> <p><b>Contents of Plan:</b></p> <ul style="list-style-type: none"> <li>Description of the state board,</li> <li>Description of the state-imposed requirements,</li> <li>Description of the state performance accountability system,</li> <li>Information describing the needs of the state regarding current and projected employment opportunities, the job skills necessary to obtain such employment, skills and economic development needs of the state, and the type and availability of workforce investment activities in the State,</li> <li>Identification of local areas designated in the State,</li> <li>Identification of the criteria to be used for the appointment of members of local boards,</li> </ul>	<p><b>Term:</b> Requires 2-year plans rather than 5-year plans.</p> <p><b>Contents of Plan:</b></p> <ul style="list-style-type: none"> <li>Adds the following to the list of special populations for which plan must specify how service needs will be met: Homeless; ex-offenders; and formerly self-employed and transitioning farmers, ranchers, and fisherman.</li> <li>Adds requirement to describe how services will be provided to individuals with disabilities consistent with Sec. 188 and Executive Order 13217 (concerning community-based alternatives).</li> </ul>	<p><b>Term:</b> Requires 4-year plans rather than 5-year plans.</p> <p>States must review and amend plans after 2 years to reflect labor market and economic conditions. Revised plan may also include redesignation of local areas and the levels of performance for the third and fourth years of the plan.</p> <p><b>Contents of Plan:</b></p> <ul style="list-style-type: none"> <li>Adds the following to list of programs for which description of procedures to assure coordination non-duplication must be included: OASDI, SSI, Medicaid, SSBG, Rehabilitation Act programs, and programs carried out by state agencies related to mental retardation and developmental disabilities.</li> <li>Modifies language on leveraging resources to including maximizing effectiveness, expanding</li> </ul>
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Current Law	House Bill (H.R. 1261)	Senate Bill (S. 1627)
<ul style="list-style-type: none"> <li>• Detailed plans required under section 8 of the Wagner-Peyser Act,</li> <li>• Description of the procedures that will be taken by the state to assure coordination of and avoid duplication among WIA; Wagner-Peyser; Title I of the Rehabilitation Act; TANF, Food Stamp employment, training and work activities; Older Americans Act programs; Trade Adjustment Assistance; veterans employment and training services; National and Community Service Act activities; CSBG employment and training activities; HUD employment and training activities; and unemployment insurance programs,</li> <li>• Description of common data collection and reporting processes for above listed programs,</li> <li>• Description of the public comment and input process,</li> <li>• Information regarding leveraging of resources,</li> <li>• Assurances of fiscal control and fund accounting procedures to ensure the proper disbursement of funds,</li> <li>• Description of the methods and factors state will use to distribute funds to local areas,</li> <li>• Information specifying actions that constitute conflict of interest,</li> <li>• Description of state strategy for assisting local areas in development and implementation of fully operational one-stop delivery system,</li> <li>• Description of the appeals process,</li> <li>• Description of the competitive process for grants and contracts,</li> <li>• Description of adult and dislocated worker training activities to be provided, rapid response activities, procedures the local boards will use to identify eligible providers of training services (other than for on-the-job training and customized training),</li> <li>• Lists special populations for which plan must specify how service needs will be met: dislocated workers and displaced homemakers, low-income individuals (including recipients of</li> </ul>		<p>access to education and training services, and expanding participation of businesses, employees, and individuals.</p> <ul style="list-style-type: none"> <li>• Modifies language on eligible training providers to exclude only <i>local</i> customized training services (as opposed to all customized training services)</li> <li>• Replaces list of special populations for which plan must specify how service needs will be met with hard-to-serve populations and individuals training for non traditional employment.</li> <li>• Adds requirement to describe how services will be provided to individuals with disabilities consistent with Sec. 188 and Executive Order 13217 (concerning community-based alternatives).</li> <li>• Replaces reference to youth opportunity grants with reference to youth challenge grants.</li> </ul> <p>Adds descriptions of the following:</p> <ul style="list-style-type: none"> <li>• How state will use technology to facilitate access to services in remote areas.</li> <li>• State strategy for coordinating economic development and workforce investment activities.</li> <li>• State strategy for regional cooperation.</li> <li>• How state will meet the needs of all businesses in state, which may include incumbent worker training programs, sectoral or industry cluster strategies, regional skills alliances, career ladder programs, and utilization of effective business intermediaries.</li> <li>• How state will provide incentives and technical assistance to local areas in more fully engaging all employers.</li> <li>• State strategy to ensure cooperation between transportation and workforce investment providers</li> <li>• State strategy to ensure coordination to make available skills training, employment services and career advancement for ex-offenders.</li> </ul>

Current Law	House Bill (H.R. 1261)	Senate Bill (S. 1627)
<p>public assistance), individuals training for nontraditional employment, and others with multiple barriers to employment (including older individuals and individuals with disabilities),</p> <ul style="list-style-type: none"> <li>Description of the state strategy for providing youth activities, criteria local boards will use in awarding grants to youth providers, how the state will coordinate youth activities with Job Corps and the youth opportunity grant activities.</li> </ul>		<ul style="list-style-type: none"> <li>How state will assist local areas in assuring physical and programmatic accessibility at one-stops.</li> <li>Process and methodology to be used by state boards to review, provide guidance on, and establish criteria and procedures related to one-stop service delivery and assessment, and to determine infrastructure contributions.</li> <li>State strategy for ensuring activities are placing men and women in jobs, education, or training that lead to comparable pay.</li> <li>Technical assistance available to one-stop operators and training providers for strategies to serve hard-to-serve populations and promote placement in non-traditional employment.</li> </ul>
<b>Statewide Activities: Adults and Dislocated Workers</b>		
<p><b>Required Activities:</b></p> <ul style="list-style-type: none"> <li>Statewide rapid response activities</li> <li>Disseminating state list of eligible providers, performance and program cost information</li> <li>Conducting evaluations</li> <li>Providing incentive grants to local areas for regional cooperation, local coordination of activities, and exemplary performance on local performance measures</li> <li>Providing technical assistance to local areas that fail to meet local performance measures</li> <li>Assisting in the establishment and operation of one-stop delivery systems</li> <li>Operating a fiscal and management accountability information system</li> </ul>	<p><b>Required Activities:</b></p> <ul style="list-style-type: none"> <li>Governor required to use not less than 50 percent of reserved funds to support provision of core services in local areas by distributing funds to local areas. Such funds may be used to provide state personnel to deliver the services in local areas in consultation with local boards.</li> <li>Remaining funds must be used for rapid response activities and may be used to provide permissible activities described below.</li> </ul>	<p><b>Required Activities:</b> Replaces current law with new list of activities, including:</p> <ul style="list-style-type: none"> <li>Statewide rapid response activities. Authorizes Governor to use rapid response funds that remain unexpended after the first program year for which the funds were allotted to carry out other statewide activities.</li> <li>Disseminating state list of eligible providers of training services, including nontraditional training services; information identifying eligible providers of on-the-job training and customized training; provider performance and program cost information; and information on physical and programmatic accessibility for individuals with disabilities.</li> <li>Conducting evaluations.</li> <li>Providing incentive grants to local areas for regional cooperation, local coordination of activities, performance by local areas, and providing expanded access to education and training services, especially through leveraging of non-WIA resources.</li> <li>Developing strategies for ensuring that activities are placing men and women in jobs,</li> </ul>

Current Law	House Bill (H.R. 1261)	Senate Bill (S. 1627)
<p><b>Allowable Activities:</b></p> <ul style="list-style-type: none"> <li>• Not more than 5 percent can be used for administrative activities</li> <li>• Providing capacity building and technical assistance</li> <li>• Research and demonstrations</li> <li>• Innovative incumbent worker training programs</li> <li>• Programs targeted to empowerment zones and enterprise communities</li> <li>• Support for identification of eligible training providers</li> <li>• Innovative programs for displaced homemakers</li> <li>• Programs to increase the number of individuals training for and placed in nontraditional employment</li> <li>• Other activities that the state determines necessary to assist local areas in carrying out local activities</li> </ul>	<p><b>Allowable Activities:</b> Replaces current law language with new list of activities including:</p> <ul style="list-style-type: none"> <li>• Not more than 5 percent can be used for administrative activities</li> <li>• Supporting the provision of core services</li> <li>• Conducting evaluations</li> <li>• Providing incentive grants to local areas for regional cooperation, local coordination of activities, and exemplary performance on local performance measures</li> <li>• Providing technical assistance and capacity building to local areas, one-stop operators, partners, and eligible providers, including development and training of staff, development of exemplary program activities, and provision of technical assistance to local areas that fail to meet performance measures</li> <li>• Operating a fiscal and management accountability system</li> <li>• Monitoring and oversight of activities</li> <li>• Implementing innovative programs, such as incumbent worker training programs, programs that serve individuals with disabilities</li> <li>• Developing strategies for effectively serving</li> </ul>	<p>education, and training that lead to comparable pay.</p> <ul style="list-style-type: none"> <li>• Providing technical assistance and capacity building to local areas, one-stop operators, partners, and eligible providers, including development and training of staff, development of exemplary program activities, and provision of technical assistance to local areas that fail to meet performance measures, which may include development and training of staff to provide opportunities for hard-to-serve populations to enter high-wage, high-skilled and nontraditional occupations.</li> <li>• Operating a fiscal and management accountability system.</li> <li>• Carrying out monitoring and oversight of adult, dislocated worker, and youth activities.</li> </ul> <p><b>Allowable Activities:</b> Replaces current law language with new list of activities including:</p> <ul style="list-style-type: none"> <li>• Implementing innovative programs and strategies designed to meet the needs of all businesses in the State, which may include (among other activities listed) incumbent worker training, sectoral and industry cluster strategies and partnerships;</li> <li>• Developing strategies to serve hard-to-serve populations and for coordinating programs and services among one-stop partners;</li> <li>• Implementing innovative programs for displaced homemakers, which may include an individual who is within 2 years of exhausting lifetime eligibility under TANF;</li> <li>• Implementing programs to increase the number of individuals training for and placed in nontraditional employment;</li> <li>• Facilitating remote access to services;</li> <li>• Supporting the provision of core services;</li> <li>• Coordinating with the child welfare system;</li> <li>• Improving coordination with economic development activities, child support services, cooperative extension programs, programs for</li> </ul>

Current Law	House Bill (H.R. 1261)	Senate Bill (S. 1627)
	<p>hard-to-serve populations and for integrating programs and services among one-stop partners</p> <ul style="list-style-type: none"> <li>• Implementing innovative programs for displaced homemakers, which may include public assistance recipients within 2 years of exhausting lifetime TANF eligibility</li> <li>• Implementing programs to increase number of individuals training for and placed in nontraditional employment</li> </ul>	<p>individuals with disabilities, and with the corrections system to facilitate employment services for ex-offenders;</p> <ul style="list-style-type: none"> <li>• Developing and disseminating workforce and labor market information;</li> <li>• Conducting research and demonstration projects; and</li> <li>• Adopting, calculating, or commissioning a minimum self-sufficiency standard that specifies the income needs of families.</li> </ul>
<b>Statewide Activities: Youth</b>		
<p><b>Required Activities:</b></p> <ul style="list-style-type: none"> <li>• All required activities for adult funds listed above</li> <li>• Disseminating a list of eligible providers of youth activities and of training services</li> <li>• Providing additional assistance to local areas that have high concentrations of eligible youth to carry out activities</li> </ul> <p><b>Allowable Activities:</b></p> <ul style="list-style-type: none"> <li>• All allowable activities for adult funds listed above</li> <li>• Carrying out required local activities (described below) on a statewide basis.</li> </ul>	<p><b>Required Activities:</b> None. Strikes required activities and lists authorized activities (described below).</p> <p><b>Allowable Activities:</b></p> <ul style="list-style-type: none"> <li>• All allowable activities for adult funds listed above</li> <li>• Additional assistance to areas that have high concentrations of eligible youth</li> <li>• Supporting the provision of core services</li> <li>• Conducting evaluations, research, and demonstration projects</li> <li>• Providing incentive grants to local areas for regional cooperation, local coordination of activities, and exemplary performance on local performance measures</li> <li>• Providing technical assistance and capacity building to local areas, one-stop operators, partners, and eligible providers, including development and training of staff, development of exemplary program activities, and provision of technical assistance to local areas that fail to meet performance measures</li> <li>• Operating a fiscal and management accountability system</li> <li>• Monitoring and oversight of activities</li> </ul>	<p><b>Required Activities:</b> Same as House.</p> <p><b>Allowable Activities:</b></p> <ul style="list-style-type: none"> <li>• All allowable activities for adult funds listed above</li> <li>• Additional assistance to areas that have high concentrations of eligible youth</li> <li>• Supporting the provision of core services</li> <li>• Conducting evaluations, research and demonstration projects</li> <li>• Providing incentive grants to local areas for regional cooperation, local coordination of activities, and performance by local areas</li> <li>• Providing technical assistance and capacity building to local areas, one-stop operators, partners, and eligible providers, including development and training of staff, development of exemplary program activities, provision of technical assistance to local areas that fail to meet performance measures, and provision of technology to facilitate remote access to services</li> <li>• Operating a fiscal and management accountability system</li> <li>• Monitoring and oversight of activities</li> <li>• Supporting the development of alternative programs that enhance the choices of eligible youth and encourage youth to reenter secondary education, enroll in postsecondary education and advanced training, and obtain</li> </ul>

Current Law	House Bill (H.R. 1261)	Senate Bill (S. 1627)
<p><b>Administrative Costs:</b> Not more than 5 percent can be used for administrative activities.</p> <p><b>Prohibition on Use of Funds:</b> No funds can be used to develop or implement education curricula for school systems.</p>	<p><b>Administrative Costs:</b> Same as current law.</p> <p><b>Prohibition on Use of Funds:</b> Same as current law.</p>	<p>career path employment</p> <p><b>Administrative Costs:</b> Same as current law.</p> <p><b>Prohibition on Use of Funds:</b> Same as current law.</p>
<b>Within State Allocations: <i>Adult/Dislocated Worker Funding</i></b>		
<p><b>Adult:</b> 15 percent of funds reserved at state level for statewide workforce investment activities. Of the remaining 85 percent:</p> <ul style="list-style-type: none"> <li>• Funds allocated to local areas based on each of the three factors used by Secretary to determine state allocation.</li> <li>• Alternatively, a state may distribute at least 70 percent of funds as outlined above and remainder based on other factors relating to excess poverty and unemployment developed by state board and included in state plan.</li> </ul> <p><b>Dislocated Worker:</b> 15 percent of funds reserved at state level for statewide workforce investment activities. Governor may reserve up to an additional 25 percent for rapid response activities. Remaining funds allocated to local areas based on formula prescribed by governor.</p> <p><b>Reallocation:</b> The amount by which a local area's unobligated balance exceeds 20 percent of its allocation for the program year may be reallocated.</p> <p><b>Administrative Costs:</b> 10 percent cap on amount of adult and dislocated worker funds that can be used for administrative costs at local level.</p> <p><b>Transferability:</b> Up to 20 percent of funds at the local level may be transferred between adult and dislocated worker funding streams with approval of governor; increased to 30 percent for FY2003.</p>	<p><b>Consolidated Adult Block Grant:</b> Governor may reserve up to 50 percent for statewide activities (not less than half of which must be used to support provision of core services in local areas; see <b>Statewide Activities</b>). Of the remainder:</p> <ul style="list-style-type: none"> <li>• 85 percent must be allocated to local areas based on same factors used by Secretary to determine state allocation.</li> <li>• 15 percent allocated to local areas based on an objective and geographically equitable formula developed by governor in consultation with state board and local boards.</li> </ul> <p><b>Reallocation:</b> Governor may reallocate amount by which a local area's unobligated balance at the end of the program year, excluding accrued expenditures, exceeds 30 percent of its allocation for the program year.</p> <p><b>Administrative Costs:</b> 10 percent cap on use of funds by local boards for administrative costs.</p> <p><b>Transferability:</b> Eliminates transfer authority since a consolidated adult program is created.</p>	<p><b>Adult and Dislocated Worker:</b> Same as current law.</p> <p><b>Reallocation:</b> Same as House.</p> <p><b>Administrative Costs:</b> Same as current law.</p> <p><b>Transferability:</b> Same as current law.</p>
<b>Within State Allocations: <i>Youth Funding</i></b>		
Not more than 15 percent of youth formula funds	Reduces the amount of youth formula funds that	Not more than 15 percent of youth formula funds



Current Law	House Bill (H.R. 1261)	Senate Bill (S. 1627)
<p>can be reserved at the state level. Funds allocated to local areas based on each of the three factors used by Secretary to determine state allocation.</p> <p><b>Reallocation and Administrative Costs:</b> <i>Same as Adult Funding above.</i></p>	<p>can be reserved at the state level to not more than 10 percent. Of the remainder:</p> <ul style="list-style-type: none"> <li>• 80 percent allocated to local areas based on same factors used by Secretary to determine state allocation.</li> <li>• 20 percent allocated to local areas by Governor in accordance with such demographic and economic factors as the Governor, after consultation with state and local boards, determines appropriate.</li> </ul> <p><b>Reallocation and Administrative Costs:</b> <i>Same as Adult Funding above.</i></p>	<p>can be reserved at the state level (same as current law). Of the remainder:</p> <ul style="list-style-type: none"> <li>• At least 80 percent allocated to local areas based on same factors used by Secretary to determine state allocation.</li> <li>• Not more than 20 percent may be allocated by Governor to local areas where there are a significant number of eligible youth after Governor consults with state and local boards.</li> </ul> <p><b>Reallocation and Administrative Costs:</b> <i>Same as Adult Funding above.</i></p>
<b>Local Board Membership and Functions</b>		
<p><b>Membership</b> must include representatives of:</p> <ul style="list-style-type: none"> <li>• Business</li> <li>• Local educational entities, including representatives of local educational agencies, local school boards, entities providing adult education and literacy, and postsecondary educational institutions (including representatives of community colleges where such entities exist)</li> <li>• Labor organizations</li> <li>• Community-based organizations</li> <li>• Economic development agencies</li> <li>• Each one-stop partner</li> <li>• Other entities the chief local elected official determines appropriate</li> </ul> <p>Majority of members must be business representatives.</p> <p>Requires establishment of <b>Youth Councils</b> as a subgroup of local board to develop portion of local plan relating to youth; recommend providers of youth activities to be awarded grants/contracts and conduct oversight of providers; coordinate WIA-funded youth activities; and other duties determined appropriate by chair of local board.</p>	<p><b>Membership:</b> Makes the following modifications to membership composition:</p> <ul style="list-style-type: none"> <li>• Eliminates requirement that one-stop partners be on local board; specifies that board may establish council of one-stop partners and other councils.</li> <li>• Makes Youth Councils optional.</li> <li>• Requires business representatives be from among leading industries in local area and include both large and small businesses.</li> <li>• Modifies provision relating to educational entities to require participation by local secondary school system superintendents, administrators of entities providing adult education and literacy, and presidents or chief executive officers of postsecondary educational institutions (including community colleges where such entities exist).</li> <li>• Requires representatives from faith-based organizations.</li> <li>• Members required to represent diverse geographic sections within local area.</li> </ul>	<p><b>Membership:</b> Makes the following modifications to membership composition:</p> <ul style="list-style-type: none"> <li>• Eliminates requirement that one-stop partners be on local board; specifies that board may establish council of one-stop partners and other councils.</li> <li>• Makes Youth Councils optional; if local board does not establish Youth Council, representatives with experience serving out-of-school youth must be included on board.</li> <li>• Business representatives must collectively represent businesses that are in high-growth and emerging industries, and representatives of small businesses.</li> <li>• Modifies provision relating to educational entities to require participation by a superintendent or other high-level official representing local school districts; the president or highest ranking official of a local institution of higher education; and an administrator of local entities providing adult education and literacy activities.</li> <li>• Specifies that representatives of community-based organizations must include organizations representing hard-to-serve populations.</li> <li>• Members required to represent diverse</li> </ul>

Current Law	House Bill (H.R. 1261)	Senate Bill (S. 1627)
<p>Allows <b>alternative entities</b> to be grandfathered in as local boards if they 1) existed as of December 31, 1997; 2) were established under JTPA or are substantially similar to local boards; and 3) include representatives of business and labor.</p> <p><b>Functions:</b></p> <ul style="list-style-type: none"> <li>• Develop and submit a local plan,</li> <li>• Designate or certify one-stop operators,</li> <li>• Identify eligible providers of youth activities by awarding grants or contracts on a competitive basis,</li> <li>• Identify eligible providers of training services,</li> <li>• If the one-stop operator does not provide intensive services, identify eligible providers of intensive services by awarding contracts,</li> <li>• Develop a budget,</li> <li>• Conduct oversight,</li> <li>• Negotiate and reach agreement on local performance measures,</li> <li>• Assist the governor in developing the statewide employment statistics system under the Wagner-Peyser Act,</li> <li>• Coordinate workforce investment activities with economic development strategies and develop other employer linkages with such activities, and</li> <li>• Promote the active participation of private sector employers.</li> </ul>	<p>Eliminates <b>alternative entity</b> grandfathering provisions.</p> <p><b>Functions:</b> Makes the following changes to current law:</p> <ul style="list-style-type: none"> <li>• For identification of youth providers, strikes reference to awarding grants or contracts on a competitive basis based on recommendations of youth council</li> <li>• For program oversight, adds language requiring local boards to “ensure the appropriate use and management of the funds.”</li> </ul>	<p>geographic sections within local area.</p> <p>Modifies <b>alternative entity</b> provisions to require entity to have been in existence on August 7, 1998, pursuant to state law. Eliminates requirement that entity have been established pursuant to JTPA or be substantially similar to the local board described in WIA statute..</p> <p><b>Functions:</b> Adds the following functions to local boards:</p> <ul style="list-style-type: none"> <li>• For identification of youth providers, adds reference to new exception that allows local boards to award sole-source contracts if there are insufficient eligible providers of youth activities in local area.</li> <li>• Work to ensure there are sufficient providers of intensive and training services to maximize consumer choice, including providers with expertise in assisting individuals with disabilities.</li> <li>• For program oversight, adds language requiring local boards to “ensure the appropriate use and management of the funds.”</li> <li>• Develop strategies for technology improvements to facilitate access to services in remote areas.</li> <li>• Adds authority to establish one-stop partner councils, youth councils, and other councils the local board determines appropriate.</li> </ul>
<b>Local Plans</b>		
<p><b>Term:</b> Requires local board to develop and submit to governor a comprehensive 5-year local plan in partnership with appropriate chief elected official.</p> <p><b>Contents:</b></p> <ul style="list-style-type: none"> <li>• Identification of the local workforce investment needs of businesses, jobseekers, and workers, the current and projected employment</li> </ul>	<p><b>Term:</b> Requires 2-year plans rather than 5-year plans.</p> <p><b>Contents:</b></p> <ul style="list-style-type: none"> <li>• Eliminates requirement that local plan include copies of MOUs with partners.</li> </ul>	<p><b>Term:</b> Requires 4-year rather than 5-year plans. States must review and amend plans after 2 years to reflect labor market and economic conditions.</p> <p><b>Contents:</b> Makes the following modifications to current law:</p> <ul style="list-style-type: none"> <li>• Eliminates requirement that local plan include copies of MOUs with partners.</li> </ul>

Current Law	House Bill (H.R. 1261)	Senate Bill (S. 1627)
<p>opportunities, and the job skills necessary to obtain such employment opportunities,</p> <ul style="list-style-type: none"> <li>• Description of the one-stop system, including how the local board will ensure the continuous improvement of the eligible providers of services, and a copy of each MOU between the LWIB and each one-stop partner,</li> <li>• Description of the local levels of performance,</li> <li>• Description and assessment of the type and availability of adult and dislocated worker employment and training activities in the area,</li> <li>• Description of how the LWIB will coordinate workforce activities with statewide rapid response activities,</li> <li>• Description of the type and availability of youth services,</li> <li>• Description of the process for public input and comment on the local plan prior to submission,</li> <li>• Identification of the entity responsible for the disbursal of grant funds,</li> <li>• Description of the competitive process to be used to award grants, and</li> <li>• Other such information as the Governor may require.</li> </ul>		<ul style="list-style-type: none"> <li>• Adds description of how local board will facilitate access to services in remote areas, including through use of technology.</li> <li>• Adds description of how local board will ensure physical and programmatic accessibility for individuals with disabilities at one-stop centers.</li> <li>• Adds description of how local board will coordinate workforce investment activities with economic development activities.</li> <li>• Adds description of strategies and services that will be initiated to more fully engage all employers, including small employers, to make the workforce system more relevant to needs of businesses, and to better coordinate with economic development; may include implementation of innovative initiatives such as incumbent worker training programs, sectoral and industry cluster strategies, regional skills alliance initiatives, career ladder programs, and utilization of effective business intermediaries.</li> <li>• Adds description of how the local board will increase access to employment and training services through WIA-funded programs and leveraging of other resources.</li> <li>• Adds description of how the local board will coordinate workforce investment activities with provision of transportation in local area.</li> </ul>
<b>Local Area Designation</b>		
<p><b>Factors of Consideration:</b> Governors required to designate local areas and take into consideration:</p> <ul style="list-style-type: none"> <li>• Geographic areas served by local educational agencies and intermediate educational agencies</li> <li>• Geographic areas served by postsecondary educational institutions and area vocational education schools</li> <li>• Extent to which local areas are consistent with labor market areas</li> <li>• Distance individuals will need to travel to receive services</li> <li>• Resources available to effectively administer required activities</li> </ul>	<p><b>Factors of Consideration:</b> Adds promotion of efficiency in delivery of services as a consideration for designation of local areas.</p>	<p><b>Factors of Consideration:</b> Adds promotion of effectiveness in the administration and provision of services as a consideration for designation of local areas.</p>

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<p><b>Single State Local Areas:</b> Governor of a state that was a single state service delivery area under JTPA as of July 1, 1998, may designate state as single state local area under WIA.</p> <p><b>Automatic Designation:</b> Governor required to automatically approve any request for designation as a local area for:</p> <ul style="list-style-type: none"> <li>• Any unit of local government with population of 500,000 or more;</li> <li>• A JTPA rural concentrated employment grant recipient of demonstrated effectiveness that served as a service delivery area or substate area under JTPA (if request submitted); or</li> <li>• A JTPA area in a state that has a population of not more than 1,100,000 and a population density greater than 900 persons per square mile.</li> </ul> <p><b>Temporary and Subsequent Designation:</b> Governors required to approve request for continued local area designation from any unit of local government with a population of 200,000 or more that was a service delivery area under JTPA, if governor determines local area performed successfully during preceding 2-year period and sustained fiscal integrity.</p> <p><b>Performed successfully</b> defined as meeting or exceeding performance standards. <b>Sustained fiscal integrity</b> defined as Secretary has not made a final determination in prior 3 years for which data are available that grant recipient or administrative entity misexpended funds due to willful disregard, gross negligence, or failure to observe accepted standards of administration.</p> <p><b>Appeals Process:</b> Provides for appeal process (as established in state plan) for local government or grant recipient that requests, but is not granted, designation as a local area.</p>	<p><b>Single State Local Areas:</b> Same as current law.</p> <p><b>Automatic Designation:</b> Eliminates automatic local area designation requirement for a JTPA area in a state that has a population of not more than 1,100,000 and a population density greater than 900 persons per square mile; provides for automatic designation of rural concentrated employment program grant recipients.</p> <p>Gives governors authority to deny request for continued automatic local area designation, if governor determines local area not to have performed successfully during preceding 2-year period.</p> <p><b>Temporary and Subsequent Designation:</b> Same as current law.</p> <p><b>Performed successfully and sustained fiscal integrity</b> defined as in current law.</p> <p><b>Appeals Process:</b> Current law.</p>	<p><b>Single State Local Areas:</b> Allows states that were not single state local areas prior to WIA to be designated as such only if no local area (that meets the standard for automatic designation) seeks designation as a separate local area.</p> <p><b>Automatic Designation:</b> Revises structure to provide for automatic designation as follows:</p> <ul style="list-style-type: none"> <li>• Unit of local government with a population of 500,000 or more;</li> <li>• Served by a rural concentrated grant recipient;</li> <li>• Had previous status as a JTPA area in a state that had a population of not more than 1,100,000 and a population density greater than 900 persons per square mile.</li> </ul> <p>In each case, automatic designation status only continues after initial 2-year period if area performed successfully and sustained fiscal integrity.</p> <p><b>Temporary and Subsequent Designation:</b> Eliminates provisions for temporary and subsequent designations by units of government with population of or exceeding 200,000.</p> <p><b>Performed successfully</b> defined as 80 percent or more adjusted performance level for core indicators of performance for 2 consecutive years. <b>Sustained fiscal integrity</b> defined as “the Secretary has not made a formal determination during the preceding 2-year period that either the grant recipient or the administrative entity of the area misexpended funds provided under this title due to willful disregard of the requirements of the Act involved, gross negligence, or failure to comply with accepted standards of administration.”</p> <p><b>Appeals Process:</b> Eliminates option to appeal to Secretary of Labor as part of appeals process.</p>

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<p><b>Regional Planning:</b> State may require regional planning by local boards for a designated region in the state, may require regional planning by local boards to participate in a planning process for establishment of regional performance measures, and may award regional incentive grants to designated regions that meet or exceed regional performance measures.</p>	<p><b>Regional Planning:</b> Provides that a state may require local boards for a designated region to prepare a single regional plan that incorporates elements required in local plans and that is submitted and approved in lieu of separate local plans.</p>	<p><b>Regional Planning:</b> A state may require regional planning by local boards for a designated region that results in establishment of regional performance measures and may award regional incentive grants. If a state requires regional planning, state is required to provide technical assistance. Regional plan is not done in lieu of local plan.</p>
<b>Local Activities: Adults and Dislocated Workers</b>		
<p><b>Required Activities:</b></p> <ul style="list-style-type: none"> <li>• Establish one-stop delivery system</li> <li>• Provide <b>core services</b> including: <ul style="list-style-type: none"> <li>○ Eligibility determination for WIA services</li> <li>○ Outreach, intake, and orientation</li> <li>○ Initial assessment of skill levels, aptitudes, abilities, and supportive service needs</li> <li>○ Job search and placement assistance, and, where appropriate, career counseling</li> <li>○ Employment statistics information</li> <li>○ Performance and program cost information on local providers</li> <li>○ Local area performance information</li> <li>○ Accurate information on availability of supportive services, including child care and transportation, and referral to such services, as appropriate</li> <li>○ Information regarding filing unemployment compensation claims</li> <li>○ Assistance in establishing eligibility for Welfare-to-Work activities and other programs of financial aid assistance for education and training</li> <li>○ For WIA participants placed in unsubsidized employment, follow-up services for not less than 12 months after first day of employment, as appropriate.</li> </ul> </li> <li>• Provide <b>intensive services</b>, including: <ul style="list-style-type: none"> <li>○ Comprehensive and specialized assessments of skills and service needs</li> </ul> </li> </ul>	<p><b>Required Activities:</b> Same as current law.</p> <p><b>Core services:</b> Amends current law by adding:</p> <ul style="list-style-type: none"> <li>• Eligibility determinations for all one-stop partner programs;</li> <li>• Labor exchange services, including job search and placement assistance; and where appropriate career counseling;</li> <li>• Appropriate recruitment services for employers;</li> <li>• Reemployment services provided to unemployment claimants; and</li> <li>• Administration of the work test for unemployment compensation.</li> </ul> <p>Eliminates requirement to provide assistance in establishing eligibility for Welfare-to-Work activities.</p> <p><b>Intensive services</b> are retained, but revised as follows:</p> <ul style="list-style-type: none"> <li>• Case management no longer restricted only to participants seeking training services.</li> <li>• Adds internships and work experience.</li> </ul>	<p><b>Required Activities:</b> Amends current law by adding the following additional activities:</p> <ul style="list-style-type: none"> <li>• To designate a dedicated business liaison in the local area who may be funded with funds provided under this title or from other sources to establish and develop relationships and networks with large and small employers and their intermediaries; and</li> <li>• In order to avoid duplication of services and enhance coordination of services, to require the collocation of employment services provided under the Wagner-Peyser Act at the comprehensive one-stop centers.</li> </ul> <p><b>Core Services:</b> Amends current law by adding the following required activities:</p> <ol style="list-style-type: none"> <li>1. Labor exchange services, which includes,</li> <li>• Job search and placement assistance, and in appropriate cases, career counseling, including exposure to high-wage, high-skill jobs; and nontraditional employment; and</li> <li>• Appropriate recruitment and other business services for all employers, including small employers, in the local area, which may include services described in this subsection, including information and referral to specialized business services not traditionally offered through the one-stop delivery system.</li> <li>2. Provision of accurate information, in formats that are usable and understandable to all one-</li> </ol>

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<ul style="list-style-type: none"> <li>○ Development of individual employment plans</li> <li>○ Group counseling</li> <li>○ Individual counseling and career planning</li> <li>○ Case management for participants seeking training</li> <li>○ Short-term pre-vocational services</li> <li>● Provide <b>training services</b>, including: <ul style="list-style-type: none"> <li>○ Occupational skills training, including training for nontraditional employment</li> <li>○ On-the-job training</li> <li>○ Programs that combine workplace training with related instruction</li> <li>○ Training programs operated by the private sector</li> <li>○ Skill upgrading and training</li> <li>○ Entrepreneurial training</li> <li>○ Job readiness training</li> <li>○ Adult education and literacy activities provided in combination with the above activities</li> <li>○ Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training</li> </ul> </li> </ul> <p><b>Permissible Activities for Adults and Dislocated Workers:</b></p> <ul style="list-style-type: none"> <li>● Customized screening and referral of qualified training participants to employment</li> <li>● Customized employment-related services to employers on a fee-for-service basis</li> <li>● Supportive services to participants in core, intensive, or training services who are unable to obtain supportive services through other programs</li> <li>● Needs-related payments to training participants who do not qualify for (or have ceased to qualify for) Unemployment Insurance</li> </ul>	<ul style="list-style-type: none"> <li>● Adds literacy activities relating to basic work readiness and financial literacy activities.</li> <li>● Adds out-of-area job search assistance and relocation assistance.</li> </ul> <p><b>Training Services:</b> Maintains current law list of activities.</p> <p><b>Permissible Activities:</b> Current law is amended by adding the following activities:</p> <ul style="list-style-type: none"> <li>● Customer support to navigate among multiple services and activities for special populations that face barriers to employment, including individuals with disabilities.</li> <li>● Employment and training assistance provided in coordination with child support enforcement activities.</li> <li>● Work support activities designed to assist low-wage workers in retaining and enhancing employment, including assistance in accessing financial supports, provision of employment and training activities during nontraditional hours, and provision of on-site child care.</li> </ul>	<p>stop customers, relating to the availability of supportive services or assistance, including child care, child support, Medicaid, SCHIP, Food Stamps, EITC, TANF assistance and other TANF-funded supportive services and transportation, and referral to such services or assistance as appropriate.</p> <p>Eliminates requirement to provide assistance in establishing eligibility for Welfare-to-Work activities.</p> <p><b>Intensive Services:</b> Same as House but adds English language acquisition and integrated training programs.</p> <p><b>Training Services:</b> Adds English language acquisition and integrated training programs to list of training services.</p> <p><b>Permissible Activities:</b> Amends current law by adding the following permissible activities:</p> <ul style="list-style-type: none"> <li>● Customer support to enable members of hard-to-serve populations, including individuals with disabilities, to navigate among multiple services and activities for such populations.</li> <li>● Technical assistance and capacity building for serving individuals with disabilities in local areas for one-stop operators, one-stop partners, and eligible providers, including the development and training of staff, the provision of outreach, intake, assessments, and service delivery, and the development of performance measures.</li> <li>● Employment and training assistance provided in coordination with child support enforcement activities.</li> <li>● Activities to improve coordination between employment and training assistance and child support services and assistance.</li> <li>● Activities to improve coordination between employment and training assistance and cooperative extension programs carried out by</li> </ul>

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		<p>the Department of Agriculture.</p> <ul style="list-style-type: none"> <li>• Activities to facilitate remote access to services at one-stop centers, including facilitating access through use of technology.</li> <li>• Activities to improve coordination with local economic development activities.</li> <li>• To improve services and linkages between the local workforce investment system and all employers, including small employers.</li> <li>• Training programs for displaced homemakers and for individuals training for nontraditional occupations.</li> <li>• Activities to adjust the self-sufficiency standards for local factors, or activities to adopt, calculate, or commission a self-sufficiency standard.</li> <li>• Activities to improve coordination between employment and training assistance and programs carried out for individuals with disabilities, including programs carried out by the state agencies relating to mental retardation and developmental disabilities, statewide independent living councils, and centers for independent living.</li> <li>• Work support activities designed to assist low-wage workers in retaining and enhancing employment, including assistance in accessing financial supports, provision of employment and training activities during nontraditional hours, and provision of on-site child care.</li> </ul> <p><b>Senate bill includes a new section of permissible activities that focuses on Business:</b> Services and strategies that meet the workforce development needs of local employers, which:</p> <ul style="list-style-type: none"> <li>• May be provided through effective business intermediaries working in conjunction with the local board; and</li> <li>• May be provided on a fee-for service basis or through leveraging of economic development resources and other resources as deemed</li> </ul>

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<p><b>Incumbent worker training programs:</b> Local funds may not be used for incumbent worker training programs.</p>	<p><b>Incumbent worker training programs:</b> Programs must be carried out in conjunction with employers for purpose of assisting workers to obtain skills necessary to retain employment and avert layoffs. Local board may use up to 10 percent of funds to pay for the federal share of the cost. Employers must pay the non-federal share of the costs as established by governor (or delegated to local boards), which shall be not less than:</p> <ul style="list-style-type: none"> <li>• 10 percent for employers with 50 or fewer employees;</li> <li>• 25 percent for employers with more than 50, but less than 100 employees;</li> <li>• 50 percent for employers with 100 or more employees.</li> <li>• Wages paid by employer during training may be counted toward employer payment.</li> </ul>	<p>appropriate by the local board.</p> <p><b>Services may include:</b></p> <ul style="list-style-type: none"> <li>• Identifying for and disseminating to business, educators, and job seekers, information related to workforce, economic, and community development needs, and opportunities of the local economy;</li> <li>• Development and delivery of innovative workforce investment services and strategies, which may include sectoral, industry cluster, regional skills alliances, career ladder, skills upgrading, skill standard development and certification, apprenticeship, and other effective initiatives;</li> <li>• Participation in seminars and classes offered in partnership with relevant organizations focusing on the workforce-related needs of area employers and job seekers;</li> <li>• Training, consulting, needs analysis, and brokering services for area businesses, including the organization and aggregation of training for individual employers and coalitions of employers with similar interests, products, or workforce needs;</li> <li>• Assistance to area employers in the aversion of layoffs and in managing reductions in force in coordination with rapid response activities;</li> <li>• Marketing of WIA business services;</li> <li>• Information referral on concerns affecting local employers; and</li> <li>• Other business services and strategies designed to better engage employers in workforce development activities and to make the workforce investment system more relevant to the needs of area businesses.</li> </ul> <p><b>Incumbent worker training programs:</b> Same as House.</p>
<p><b>Local Activities: Youth</b></p>		
<p><b>Required Program Design:</b> Programs for eligible youth that</p>	<p><b>Required Program Design:</b> Makes the following changes:</p>	<p><b>Required Program Design:</b> Makes the following changes:</p>



Current Law	House Bill (H.R. 1261)	Senate Bill (S. 1627)
<ul style="list-style-type: none"> <li>• Provide an objective assessment of the academic levels, skill levels, and service needs of each participant, which assessment shall include a review of basic skills, occupational skills, prior work experience, employability, interests, aptitudes, supportive service needs, and developmental needs.</li> <li>• Provide service strategies that identify an employment goal, appropriate achievement objectives, and appropriate services, taking into account the above assessment.</li> <li>• Provide preparation for postsecondary educational opportunities; strong linkages between academic and occupational learning; preparation for unsubsidized employment opportunities; effective connections to intermediaries with strong links to the job market and local and regional employers.</li> </ul> <p><b>Required Program Elements:</b></p> <ul style="list-style-type: none"> <li>• Tutoring, study skills training, and instruction, leading to completion of secondary school, including dropout prevention strategies</li> <li>• Alternative secondary school services</li> <li>• Summer employment opportunities that are directly linked to academic and occupational learning</li> <li>• Paid and unpaid work experiences</li> <li>• Occupational skills training</li> <li>• Leadership development opportunities</li> <li>• Supportive services</li> <li>• Adult mentoring</li> <li>• Follow-up services</li> <li>• Comprehensive guidance and counseling</li> </ul>	<ul style="list-style-type: none"> <li>• Provides that services must be directly linked to one or more of the law’s performance outcomes.</li> <li>• Adds activities leading to the attainment of a secondary school diploma or GED (including recognized alternative standards for individuals with disabilities).</li> <li>• Adds preparation for advanced training.</li> <li>• Changes strong linkages between occupational learning by adding the phrase “that lead to the attainment of recognized credentials.”</li> <li>• Alters effective connections to intermediaries to “Effective connections to employers in sectors of the local labor market experiencing high growth in employment opportunities.”</li> </ul> <p><b>Required Program Elements:</b> Maintains current law and adds:</p> <ul style="list-style-type: none"> <li>• GED preparation</li> <li>• On-the job training</li> <li>• Financial literacy skills</li> </ul>	<ul style="list-style-type: none"> <li>• Provides that services must be directly linked to one or more of the law’s performance measures.</li> <li>• Adds activities leading to the attainment of a secondary school diploma or its equivalent, or another recognized credential;</li> <li>• Alters preparation for postsecondary education opportunities to include preparation for advanced training opportunities as well;</li> <li>• Alters strong linkages between academic and occupation learning by focusing on academic instruction which is based on the content and standards set by the No Child Left Behind legislation and placing a focus on occupational learning that leads to the attainment of recognized credentials;</li> <li>• Alters effective connections to intermediaries to “effective connections to all employers, including small employers, in sectors of the local and regional labor markets that are experiencing high growth in employment opportunities.</li> </ul> <p><b>Required Program Elements:</b> Maintains current law with the following changes:</p> <ul style="list-style-type: none"> <li>• Alters first program element to include “leading to the completion of the requirements for a secondary school diploma or its recognized equivalent (including recognized alternative standards for individuals with disabilities) or for another recognized credential including dropout prevention strategies;</li> <li>• Adds a priority on exposing youth to technology and nontraditional jobs in the alternative secondary school services element;</li> <li>• Adds on-the-job training opportunities;</li> <li>• Adds opportunities to acquire financial literacy skills;</li> <li>• Adds entrepreneurial skills training and microenterprise services; and</li> <li>• Adds information about average wages for a range of jobs available, including technology</li> </ul>

Current Law	House Bill (H.R. 1261)	Senate Bill (S. 1627)
		jobs.
<b>Limitations on Use of Funds</b>		
<p>No WIA funds may be used for employment-generating activities, economic development activities, investment in revolving loan funds, capitalization of businesses, investment in contract-bidding resource centers, and similar activities that are not directly related to training for eligible individuals.</p> <p>No funds for statewide and local workforce investment systems may be used for foreign travel.</p> <p>No youth funds can be used to develop or implement education curricula for school systems.</p>	<p>Eliminates restriction on use of WIA funds for employment-generating activities, economic development activities, investment in revolving loan funds, capitalization of businesses, investment in contract-bidding resource centers, and similar activities that are not directly related to training for eligible individuals.</p> <p>Adds requirement that WIA funds cannot be used to establish or operate stand-alone, fee-for-service enterprises (does not include one-stop centers) that compete with private sector employment agencies.</p> <p>Maintains restriction that no youth funds can be used to develop or implement education curricula for school systems.</p>	<p>Retains current law with one revision: Eliminates restriction on use of WIA funds for economic development activities.</p> <p>Maintains restriction that no youth funds can be used to develop or implement education curricula for school systems.</p>
<b>Eligibility for Services: <i>Adults (Sequence of Services)</i></b>		
<p><b>Intensive Services:</b> Adults (including dislocated workers) who meet the following criteria are eligible for intensive services:</p> <ul style="list-style-type: none"> <li>• Are unemployed and are unable to obtain employment through core services; and</li> <li>• Have been determined by a one-stop operator to be in need of more intensive services to obtain employment; or</li> <li>• Are employed, but are determined by a one-stop operator to need intensive services to obtain or retain employment that allows for self-sufficiency.</li> </ul>	<p><b>Intensive Services:</b> Adults (including dislocated workers) who meet the following criteria are eligible for intensive services:</p> <ul style="list-style-type: none"> <li>• Are unemployed and are determined by the one-stop operator to be unlikely or unable to obtain suitable employment through core services and in need of intensive services in order to obtain suitable employment; or</li> <li>• Are employed, but are determined by a one-stop operator to need intensive services to obtain or retain suitable employment.</li> </ul> <p><b>“Suitable employment”</b> defined by governor.</p>	<p><b>Intensive Services:</b> Adults (including dislocated workers) who meet the following criteria are eligible for intensive services:</p> <ul style="list-style-type: none"> <li>• Are unemployed and are determined by the one-stop operator or partner to be unlikely or unable to obtain employment that leads to self-sufficiency or wages comparable to or higher than previous employment through core services and in need of intensive services to obtain such employment; or</li> <li>• Are employed, but are determined by a one-stop operator or partner to need intensive services to obtain or retain employment that leads to self-sufficiency.</li> </ul> <p>From Definitions Section: <b>“Self-sufficiency”</b> defined as: the income needs of families, by family size, the number and ages of children in the family, and sub-state geographical considerations.</p>

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<p><b>Training Services:</b> Adults and dislocated workers who meet the following criteria are eligible:</p> <ul style="list-style-type: none"> <li>• Have met eligibility requirements for intensive services and are unable to obtain or retain employment through such services;</li> <li>• After interview, evaluation, or assessment, and case management, have been determined by one-stop operator or partner to need training and have skills and qualifications to successfully participate in the selected training;</li> <li>• Select training directly linked to employment opportunities in the local area or another area where willing to relocate; and</li> <li>• Are unable to obtain other grant assistance, including Pell grants, or require assistance beyond other grant assistance, including Pell grants.</li> </ul>	<p><b>Training Services:</b> Adults (including dislocated workers) who meet the following criteria are eligible:</p> <ul style="list-style-type: none"> <li>• After interview, evaluation, or assessment, and case management, have been determined by a one-stop operator or one-stop partner, as appropriate, to: <ul style="list-style-type: none"> <li>○ Be unlikely or unable to obtain or retain suitable employment through intensive services;</li> <li>○ Be in need of training services to obtain or retain suitable employment; and</li> <li>○ Have the skills and qualifications necessary to successfully participate in the selected training program.</li> </ul> </li> <li>• Select training directly linked to employment opportunities in the local area or another area where willing to commute or relocate; and</li> <li>• Are unable to obtain other grant assistance, including Pell grants, or require assistance beyond other grant assistance, including Pell grants. Amount of federal student financial aid received may be taken into account in determining eligibility.</li> <li>• Who are determined eligible in accordance with the priority system.</li> <li>• “Suitable employment” defined by governor.</li> </ul>	<p><b>Training Services:</b> Adults (including dislocated workers) who meet the following criteria are eligible:</p> <ul style="list-style-type: none"> <li>• After interview, evaluation, or assessment, and case management, have been determined by a one-stop operator or one-stop partner, as appropriate, to: <ul style="list-style-type: none"> <li>○ Be unlikely or unable to obtain or retain employment, that leads to self-sufficiency or wages comparable to or higher than previous employment, through intensive services;</li> <li>○ Be in need of training services to obtain or retain such employment; and</li> <li>○ Have the skills and qualifications necessary to successfully participate in the selected training program.</li> </ul> </li> <li>• Select training directly linked to employment opportunities in the local area or another area where willing to commute or relocate; and</li> <li>• Are unable to obtain other grant assistance, including Pell grants, or require assistance beyond other grant assistance, including Pell grants.</li> <li>• Are determined eligible in accordance with the priority system.</li> </ul> <p><b>New Special Rule:</b> A new interview, assessment, or evaluation is not required to determine eligibility for intensive and training services if the one-stop operator determines that it is appropriate to use a recent assessment of the participant conducted at another education or training program.</p>
<b>Eligibility for Services: Adults (Definitions)</b>		
<p><b>Priority Populations:</b> Priority for intensive and training services is given to public assistance recipients and low-income individuals when adult funds allocated to a local area are limited.</p> <p><b>Low-Income Individual:</b> An individual who:</p>	<p><b>Priority Populations:</b> Priority for intensive and training services given to unemployed individuals. If the funds in a local area for serving recipients of public assistance and other low-income individuals, including single parents, displaced homemakers, and pregnant single women, is limited, priority also</p>	<p><b>Priority Populations:</b> Same as current law.</p> <p><b>Low-Income Individual:</b> Adds “receives or is</p>

Current Law	House Bill (H.R. 1261)	Senate Bill (S. 1627)
<ul style="list-style-type: none"> <li>• Receives, or is a member of a family that receives, cash payments under a federal, state program;</li> <li>• Received a total family income that does not exceed the higher of the poverty line or 70 percent of the lower living standard income level;</li> <li>• Received Food Stamps;</li> <li>• Is homeless;</li> <li>• Is a foster child; or</li> <li>• In cases permitted by DOL regulations, is an individual with a disability whose own income meets one of the first two requirements above, but whose family income does not.</li> </ul> <p><b>Dislocated Worker:</b> Includes four basic categories of individuals (definition simplified here):</p> <ul style="list-style-type: none"> <li>• Has been terminated or laid off, is eligible for or has exhausted entitlement to unemployment compensation; and is unlikely to return to a previous industry or occupation;</li> <li>• Has been terminated or laid off, or has received a notice of termination or layoff, as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise;</li> <li>• Was self-employed but is unemployed as a result of economic conditions in the community or because of natural disasters, or</li> <li>• Is a displaced homemaker.</li> </ul> <p><b>Displaced Homemaker:</b> An individual who has been providing unpaid services to family members in the home and who has been dependent on the income of another family member but is no longer supported by that income; and is unemployed or underemployed and is experiencing difficulty in obtaining and upgrading employment.</p>	<p>given to such recipients and individuals.</p> <p>The Governor and the appropriate local board shall direct the one-stop operators in the local area with regard to making determinations with respect to the priority of services.</p> <p><b>Low-Income Individual:</b></p> <ul style="list-style-type: none"> <li>• Removes 70 percent of the lower living standard income level from the definition.</li> <li>• Adds “receives or is eligible to receive free or reduced price lunch.”</li> </ul> <p><b>Dislocated Worker:</b> Same as current law.</p> <p><b>Displaced Homemaker:</b> Same as current law.</p>	<p>eligible to receive free or reduced price lunch.”</p> <p><b>Dislocated Worker:</b> Adds a fifth category to current definition: a spouse of a member of the Armed Forces on active duty for more than 30 days who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change of station, or is the spouse of a member of the Armed Forces on active duty who meets the criteria of a displaced homemaker.</p> <p><b>Displaced Homemaker:</b> Adds to current definition: A dependent spouse of a member of the Armed Forces on active duty for more than 30 days whose family income is significantly reduced because of a deployment, a call or order to duty, a permanent change of station, or the service-connected death or disability of the member.</p> <p><b>Hard-to-Serve Population:</b> Populations of individuals who are hard to serve, including displaced homemakers, low-income individuals, Native Americans, individuals with disabilities, older individuals, ex-offenders, homeless individuals, individuals with limited English proficiency, individuals with a low level of literacy, individuals facing substantial cultural barriers, migrant and seasonal farm workers, individuals within 2 years of exhausting TANF benefits and other such groups as the Governor determines to be hard to serve.</p>
<b>Adult Training Services (Vouchers and Contracts)</b>		
<p><b>ITAs:</b> Training services must be provided though the use of individual training accounts, with a few exceptions where contracts are allowed.</p>	<p><b>Enhanced ITAs</b> may include, in addition to WIA funds, funds from other programs and sources that will assist individuals in obtaining training services.</p>	<p><b>ITAs:</b> Changes the name of individual training accounts to <b>Career Scholarship Accounts</b>. Each local board may, through one-stop centers,</p>

Current Law	House Bill (H.R. 1261)	Senate Bill (S. 1627)
<p><b>Contracts:</b></p> <ul style="list-style-type: none"> <li>• On-the-job training or customized training</li> <li>• Insufficient number of eligible training providers in the local area to accomplish the purposes of ITAs</li> <li>• If there is a training program of demonstrated effectiveness to serve special participant populations that face multiple barriers to employment.</li> </ul> <p><b>Customized Training</b> is defined as training that is designed to meet the special requirements of an employer and for which the employer pays for not less than 50 percent of the cost of the training.</p>	<p><b>Contracts:</b></p> <ul style="list-style-type: none"> <li>• Adds individuals with disabilities to the list of special populations for the purposes of contracting for training.</li> <li>• Maintains on-the-job training, customized training, and special populations contracting options.</li> </ul> <p><b>Customized Training:</b> Changes employer contribution requirement to “a significant portion” as determined by the local board.</p>	<p>coordinate career scholarship accounts with other federal, state, local, or private job training programs or sources to assist the individual in obtaining training services.</p> <p><b>Contracts:</b></p> <ul style="list-style-type: none"> <li>• Replaces “special populations” with new hard-to-serve population” definition.</li> <li>• Maintains on-the-job training, customized training, and special populations contracting options.</li> <li>• Adds the following new option for contracts: To award a contract to an institution of higher education in order to facilitate the training of multiple individuals in high-demand occupations, if such contract does not limit customer choice.</li> </ul> <p><b>Customized Training:</b> Changes employer contribution requirements to “a significant portion” as determined by the local board, taking into account the size of the employer and other such factors as the local board determines appropriate.</p>
<b>Eligibility for Services: Youth</b>		
<p><b>Eligible Youth:</b> An individual who is not less than age 14 and not more than age 21 who is a low-income individual and is an individual with one or more of the following: deficient in basic literacy skills; a school dropout; homeless, a runaway, or a foster child; pregnant or a parent; an offender; an individual who requires additional assistance to complete an educational program, or to secure and hold employment.</p> <p><b>Out-of-School Youth:</b> An eligible youth who is a school dropout or an eligible youth who has received a secondary school diploma or its equivalent but is basic skills deficient, unemployed, or underemployed.</p>	<p><b>Eligible Youth:</b> Removes current definitions of eligible youth and out-of-school youth.</p> <p><b>Out-of-School Youth</b> are eligible if they are not younger than age <b>16 or older than age 24</b> and one or more of the following: school dropouts; recipients of a secondary school diploma or GED (including recognized alternative standards for individuals with disabilities) who are deficient in basic skills; court-involved youth attending an alternative school; youth in foster care or who have been in foster care.</p>	<p><b>Eligible Youth:</b> Removes current definitions of eligible youth and out-of-school youth.</p> <p><b>Out-of-school Youth</b> are eligible if they are not younger than age <b>16 nor older than age 21</b> and are one of the following:</p> <ul style="list-style-type: none"> <li>• A school dropout.</li> <li>• A youth who is within the age for compulsory school attendance but has not attended for at least one quarter of the school year.</li> <li>• A recipient of a secondary school diploma or its equivalent but who is deficit in basic skills including limited English proficiency, is a low-income individual, and is not attending any school.</li> <li>• Subject to the juvenile justice system or ordered by the courts to an alternative school.</li> </ul>

Current Law	House Bill (H.R. 1261)	Senate Bill (S. 1627)
<p><b>Limitation:</b> Not more than 5 percent of the individuals assisted under this section may be individuals who are not low-income provided they have one or more barriers.</p>	<p><b>In-School Youth</b> are eligible if they are low-income individuals and one or more of the following:</p> <ul style="list-style-type: none"> <li>• Deficient in literacy skills</li> <li>• Homeless, runaway, or foster children</li> <li>• Pregnant or parents</li> <li>• Offenders</li> <li>• Individuals who require additional assistance to complete an educational program, or to secure and hold employment</li> </ul> <p>Gives priority for services to school dropouts.</p> <p><b>Limitation:</b> Strikes this provision.</p> <p><b>Non-School Hours Required:</b> Activities for in-school youth shall only be carried out in non-school hours or periods when school is not in session (such as before and after school or during school recess.)</p>	<ul style="list-style-type: none"> <li>• A low-income individual who is pregnant or parenting and not attending school.</li> <li>• A youth not attending school or a youth attending an alternative school who is homeless, a runaway, a foster child, eligible for assistance under the John Chafee Foster Care Independence program, or is in an out-of-home placement.</li> <li>• A low-income individual who requires additional assistance to complete an educational program or to secure or hold employment.</li> </ul> <p><b>In-School Youth</b> are eligible if they are not younger than <b>14 nor older than age 21</b> and a low-income individual and one or more of the following:</p> <ul style="list-style-type: none"> <li>• Deficient in basic literacy skills, including limited English proficiency,</li> <li>• Homeless, a runaway, a foster child, a child eligible for assistance under the John Chafee Foster Care Independence program, or in an out-of-home placement,</li> <li>• Pregnant or parenting,</li> <li>• An offender, or</li> <li>• An individual who requires additional assistance to complete an educational program, or to secure or hold employment.</li> </ul> <p><b>Limitation:</b> Not more than 5 percent of the individuals, in the case of individuals for whom low income is a requirement for eligibility, may be individuals who are not low income.</p> <p><b>Compulsory School Attendance:</b> In providing assistance to an individual who is required to attend school under state compulsory school attendance laws, the priority in providing such assistance shall be for the individual to attend school regularly.</p>

**Eligible Training Providers**

**Eligibility:** To be eligible to receive funds, provider is required to be:

1) A postsecondary institution that is eligible to receive federal funds under the Higher Education Act of 1965 and that provides a program that leads to an associate or baccalaureate degree, or certificate; 2) an entity that carries out programs under the National Apprenticeship Act; or 3) another public or private provider of a program of training services. Entities in categories (1) and (2) automatically receive initial eligibility upon application. Other providers are required to submit performance and program cost information and meet appropriate performance levels in order receive initial eligibility. For subsequent eligibility, all providers must submit performance and program cost information and annually meet appropriate performance levels.

**Eligibility:** Removes current eligibility requirements for training providers and gives governors broad authority to develop criteria and procedures for certifying training providers that is both performance and non-performance based. In general the criteria established shall take into account:

- The performance of providers, taking into consideration the characteristics of the population served and relevant economic conditions.
- Such other factors as the Governor determines are appropriate to ensure the quality of services, the accountability of providers, how the centers ensure that such providers meet the needs of local employers and participants, and the informed choice of such participants.

**Other Provisions:**

- Providers must submit appropriate, accurate, and timely information.
- The criteria shall provide for periodic review and renewal of training provider eligibility.
- Governor may authorize local areas to establish additional criteria or modify the governor’s criteria.

**Eligibility:** Same as House except that Governor must consult with state board to establish criteria and procedures. In general the criteria established shall take into account:

- The performance of providers, taking into consideration characteristics of the population served and relevant economic conditions;
- The need to ensure access to training services throughout the state, including any rural areas;
- The information such providers are required to report to state agencies with respect to Federal and state programs (other than WIA programs), including partner programs;
- The requirements for state licensing of training providers, and the licensing status of each provider;
- To the extent practicable, encouraging the use of industry recognized standards and certification;
- The ability to provide services to hard-to-serve populations, including individuals with disabilities;
- Other factors the governor determines are appropriate to ensure:
  - The quality of services provided;
  - The accountability of the providers;
  - That one-stop centers will ensure that such providers meet the needs of local employers and participants;
  - The informed choice of participants; and
  - That required information collection is not unduly burdensome or costly to providers.

**Other Provisions:** Same as House with these exceptions:

- The criteria shall provide for annual review and renewal of training provider eligibility.
- Local areas have authority to establish additional criteria, or may require higher levels of performance than established by the governor.

<p><b>Providers of on-the-job or customized training</b> shall not be subject to these requirements.</p>	<ul style="list-style-type: none"> <li>• Procedures developed by governor shall identify application process for training provider to become eligible, roles of state and local areas in receiving and renewing applications and making eligibility determinations, and process for providers to appeal denial or termination of eligibility.</li> <li>• Governor shall ensure that appropriate list or lists of eligible providers, along with such information as governor determines appropriate, is provided to local boards to be made available to participants and the public.</li> <li>• During the development of the criteria, procedures, and information required under this section, the Governor shall provide an opportunity for interested members of the public, including representatives of business and labor organizations, to submit comments regarding such criteria, procedures and information</li> </ul> <p>Strikes exception for <b>providers of on-the-job training or customized training</b>.</p>	<ul style="list-style-type: none"> <li>• Special Rule: An entity that carries out programs under the National Apprenticeship Act shall be included on the list of eligible providers for so long as such entity remains certified by the Department of Labor.</li> <li>• The requirements of this section shall be implemented no later than December 31, 2004.</li> <li>• Establishes procedures for sanctioning providers that intentionally supply inaccurate information or substantially violate WIA requirements.</li> </ul> <p>Retains current law exception for <b>providers of on-the-job or customized training</b>, but states that a one-stop operator shall collect such performance information from these providers as the governor may require, determine whether the providers meet such criteria as the governor may require, and disseminate information identifying providers that meet the criteria as eligible providers.</p>
<p><b>Youth Activities Providers</b></p>		
<p>Local board required to identify eligible providers of youth activities by awarding grants or contracts on a competitive basis, based on youth council recommendations and state plan criteria.</p>	<p>Removes requirement that grants or contracts be awarded based on youth council recommendations. Allows sole-source grants or contracts if local board determines that there are an insufficient number of eligible providers for grants to be awarded on a competitive basis.</p>	<p>Same as House.</p>
<p><b>Incentive Grants</b></p>		
<p><b>State Incentive Grants:</b> Requires Secretary to award grants between \$750,000 and \$3M to states that exceed their adjusted WIA performance levels, their expected Adult Education performance levels, and their Perkins performance levels. <b>Use of Funds:</b> State incentive grants are awarded for the purpose of carrying out an innovative program consistent with the requirements of any one or more of the programs within WIA, Adult Education, or Perkins.</p>	<p><b>State Incentive Grants:</b> Restructures incentive grants to be awarded to states based on meeting or exceeding WIA performance measures; on performance in serving special populations, including the levels of service provided and the performance outcomes; and such other factors relating to performance as the Secretary determines appropriate. <b>Use of Funds:</b> State incentive grants awarded may be used to carry out adult, dislocated worker, and youth activities, including demonstrations and innovative programs</p>	<p><b>State Incentive Grants:</b> Beginning on July 1, 2005, the Secretary shall award a grant to each state on the basis:</p> <ul style="list-style-type: none"> <li>• Of exceeding the state adjusted levels of performance, Adult Education performance levels, and their Perkins performance levels for the purpose of carrying out innovative programs;</li> <li>• Of exemplary performance of the States in serving hard-to-serve populations;</li> <li>• Coordinating multiple systems into a more</li> </ul>



<p><b>Local Incentive Grants:</b> States <i>required</i> to provide incentive grants to local areas for regional cooperation among local boards, for local coordination of activities, and exemplary performance on local performance measures. <b>Use of Funds:</b> Not specified in statute, but regulations state that “local incentive grant funds may be used for any activities allowed under WIA title I-B.”</p>	<p>for special populations.</p> <p><b>Local Incentive Grants:</b> States <i>may</i> provide incentive grants to local areas for regional cooperation among local boards, for local coordination of activities, and exemplary performance on local performance measures. Governors <i>may</i> also award incentive grants to local areas based on exemplary performance in serving special populations, including levels of service and performance outcomes. <b>Use of Funds:</b> Local incentive grants awarded may be used to carry out adult, dislocated worker, and youth activities, and such demonstration or innovative programs to serve special populations as approved by the Governor.</p>	<p>effective workforce investment system, including Wagner-Peyser Act employment services and WIA core activities, as well as partner programs;</p> <ul style="list-style-type: none"> <li>• Expanding access to training through increased leveraging of non-WIA resources;</li> <li>• Implementing innovative business and economic development initiatives; or</li> <li>• Such other factors relating to WIA performance as the Secretary determines appropriate.</li> </ul> <p><b>Use of Funds:</b> State incentive grants may be used to carry out WIA adult, dislocated worker, and youth activities, Adult Education and Literacy Act activities, and Perkins Act activities, including demonstration projects and innovative programs for hard-to-serve populations.</p> <p><b>Local Incentive Grants:</b> The Governor shall award incentive grants on the basis:</p> <ul style="list-style-type: none"> <li>• That the local area met or exceeded the performance measures;</li> <li>• Of exemplary performance in serving the hard-to-serve populations; or</li> <li>• Of local areas that are effectively coordinating multiple systems into a comprehensive workforce investment system, effectively expanding access to training (including through increased leveraging of non-WIA resources), or implementing innovative business and economic development initiatives.</li> </ul> <p><b>Use of Funds:</b> Same as House.</p>
<b>National Emergency Grants</b>		
<p>Authorizes Secretary to provide grants to states, local areas, and other entities to provide employment and training assistance to workers affected by major dislocations and to states that suffer emergencies or major disasters.</p> <p>Requires Secretary to designate a national dislocated worker office to coordinate employment and training activities for dislocated workers, including National Emergency Grants.</p>	<p>Renames National Emergency Grants as “<b>National Dislocated Worker Grants.</b>”</p> <p>Eliminates national dislocated worker office.</p>	<p>Renames National Emergency Grants as “<b>National Dislocated Worker Grants.</b>”</p> <p>Adds that the Secretary is authorized to award national dislocated worker grants to a State or local board:</p> <ul style="list-style-type: none"> <li>• To provide additional assistance where a higher than average demand for employment and training services for dislocated members of the Armed Forces, or spouses, exceeds state</li> </ul>

<p><b>Additional Assistance:</b> Provides for not more than \$15M for additional National Emergency Grants assistance to the 8 states whose PY 1998 adult funding allocation divided by current program year adult funding allocation yields the greatest quotient.</p>	<p><b>Additional Assistance:</b> Eliminates provision allowing additional National Emergency Grants assistance to the 8 states whose PY 1998 adult funding allocation divided by current program year adult funding allocation yields the greatest quotient.</p>	<p>and local resources and where such programs are to be carried out in partnership with the Department of Defense and the Department of Veterans Affairs transition assistance programs; and</p> <ul style="list-style-type: none"> <li>• To provide assistance to a State for statewide or local use in order to address cases in which there have been worker dislocations across multiple sectors or across multiple local areas and such workers remain dislocated, to coordinate the State plan with emerging economic development needs; and to train eligible individuals who are dislocated workers.</li> </ul> <p>The Secretary shall issue a final decision on an application for a national dislocated worker grant not later than 60 calendar days after receipt of application. The Secretary shall issue a notice of obligation for such grant not later than 10 days after the award of the grant.</p> <p>Eliminates national dislocated worker office.</p> <p><b>Additional Assistance:</b> Provides for not more than \$20M to for additional National Dislocated Worker grants to states whose PY 2003 adult funding allocation is greater than its current program year adult funding allocation would be.</p>
<p><b>State Performance Accountability</b></p>		
<p><b>Core Indicators for Adults and Older Youth (19-21):</b></p> <ul style="list-style-type: none"> <li>• Entry into unsubsidized employment</li> <li>• Retention in unsubsidized employment 6 months after employment entry</li> <li>• Earnings change 6 months after entry into unsubsidized employment</li> <li>• Credential rate among those who enter into unsubsidized employment</li> </ul>	<p>Removes eligible youth age 19 through 21 from the adult core indicators.</p> <p><b>Core Indicators for Adults and Dislocated Workers:</b></p> <ul style="list-style-type: none"> <li>• Adds efficiency of program in obtaining employment, retention, and earnings measures.</li> <li>• Eliminates credential rate measure.</li> <li>• Eliminates exclusion of individuals who participate in only self-service and informational activities.</li> </ul> <p><b>Core Indicators for Youth (16-24):</b> Replaces</p>	<p>Removes eligible youth age 19 through 21 from the adult core indicators.</p> <p><b>Core Indicators for Adults and Dislocated Workers:</b> Same as current law with one change:</p> <ul style="list-style-type: none"> <li>• Alters earnings indicator to “increases in earnings from unsubsidized employment.” (Eliminates measurement at 6 months after employment entry.)</li> </ul> <p><b>Core Indicators for Eligible Youth:</b> Same as House except:</p> <ul style="list-style-type: none"> <li>• In addition to high school diploma and their</li> </ul>

<p><b>Core Indicators for Dislocated Workers:</b> Same as for Adults except that earnings replacement rate at 6 months is measured, rather than earnings change.</p> <p>The above indicators exclude individuals who participate in only self-service and informational activities.</p> <p><b>Core Indicators for Younger Youth (14-18):</b></p> <ul style="list-style-type: none"> <li>• Attainment of basic skills and work readiness or occupational skills;</li> <li>• Attainment of high school diplomas and their recognized equivalents; and</li> <li>• Placement and retention in postsecondary education or advanced training, or placement and retention in military service, employment, or qualified apprenticeships.</li> </ul> <p><b>Customer Satisfaction Indicators:</b></p> <ul style="list-style-type: none"> <li>• Customer satisfaction of employers and participants.</li> </ul> <p><b>State Adjusted Levels of Performance:</b> Set for first three years; adjusted levels for fourth and fifth years set prior to fourth year.</p> <p><b>Adjustment Factors:</b> Factors taken into account in adjusting performance levels:</p> <ul style="list-style-type: none"> <li>• Extent to which levels will assist state in attaining high level of customer satisfaction;</li> <li>• How levels compare with adjusted levels of other states taking into account factors including differences in economic conditions, participant characteristics at entry, and services to be provided; and</li> <li>• Extent to which levels promote continuous improvement in performance and ensure optimal return on investment of federal funds.</li> </ul>	<p>current law with core indicators as follows:</p> <ul style="list-style-type: none"> <li>• Entry into employment, education or advanced training, or military service</li> <li>• Attainment of high school diploma or GED (including recognized alternative standards for individuals with disabilities)</li> <li>• Attainment of literacy or numeracy gains</li> <li>• Efficiency of program in obtaining the outcomes above</li> </ul> <p><b>Customer Satisfaction Indicators:</b> Removes customer satisfaction from required core indicators and lists it as an additional indicator that a state may identify.</p> <p><b>State Adjusted Levels of Performance:</b> Set for two years, consistent with new provision for 2-year state and local plans.</p> <p><b>Adjustment Factors:</b> Performance levels shall be adjusted based on factors in current law with the following revisions:</p> <ul style="list-style-type: none"> <li>• Eliminates consideration of whether levels will assist the state in attaining a high level of customer satisfaction.</li> <li>• Provides that taking into account economic conditions when setting performance levels includes considerations “such as unemployment rates and job losses or gains in particular industries.”</li> <li>• Provides that consideration of participant characteristics when setting performance levels includes considerations “such as indicators of poor work history, lack of work experience, low levels of literacy or English proficiency, disability status, and welfare dependency.”</li> </ul>	<p>recognized equivalents, credential measure also includes postsecondary certificates.</p> <ul style="list-style-type: none"> <li>• Does not include efficiency measure.</li> </ul> <p><b>Additional Indicators:</b> A state may identify additional indicators including indicators identified in collaboration with state business and industry associations, with employee representatives where applicable, and with local boards, to measure the performance of the workforce investment system in serving the workforce needs of business and industry in the state.</p> <p><b>Customer Satisfaction Indicators:</b> Does not eliminate requirement for customer satisfaction indicators.</p> <p><b>State Adjusted Levels of Performance:</b> Set for the first 2 program years covered by the 4-year state plan; adjusted levels for third and fourth years set prior to third year.</p> <p><b>Adjustment Factors: Factors taken into account in adjusting performance levels:</b></p> <ul style="list-style-type: none"> <li>• Does not eliminate consideration of whether levels will assist state in attaining a high level of customer satisfaction and takes into account the following additional factors:</li> <li>• How levels compare with adjusted levels of other states and shall ensure that the levels are adjusted using objective statistical methods based on economic conditions, “such as unemployment rates and job losses or gains in particular industries” and participant characteristics, “such as indicators of poor work history, lack of work experience, lack of educational or occupational skills attainment, dislocation from high-wage and benefit employment, low levels of literacy or English proficiency, disability status, homelessness and welfare dependency.”</li> <li>• The extent to which the levels involved will assist the state in meeting the national goals.</li> </ul>
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<p><b>Sanctions for state failure to meet performance measures:</b> If a state fails to meet state adjusted levels of performance relating to core and customer satisfaction indicators for a program for any program year, the Secretary shall, upon request provide technical assistance. If such failure continues for a second consecutive year, the secretary may reduce by not more than 5 percent, the amount of the grant that would be payable for the immediately succeeding program year. Such penalty shall be based on the degree of failure to meet state adjusted levels of performance.</p>	<p><b>Sanctions for state failure to meet performance measures:</b> Maintains current law.</p>	<p><b>National Goals:</b> In order to promote enhanced performance outcomes, to facilitate agreements on third and fourth year performance levels, and to measure systemwide performance, the Secretary shall establish long-term national performance goals in accordance with the Government Performance and Results Act of 1993 in consultation with states and other appropriate parties.</p> <p><b>Sanctions for state failure to meet performance measures:</b> If a state fails to meet state adjusted levels of performance relating to core indicators for a program for any program year, the Secretary shall, upon request provide technical assistance. If a state performs at less than 80 percent of the adjusted level of performance for core indicators for 2 consecutive years, the secretary may reduce, by not more than 5 percent, the amount of the grant that would be payable for the immediately succeeding program year. Such penalty shall be based on the degree of failure to meet state adjusted levels of performance.</p> <p><b>Use of Core Indicators for Other Programs:</b> In addition WIA adult, dislocated worker, and youth programs, the Secretary shall use the indicators of performance to assess the effectiveness of Wagner-Peyser programs and Perkins postsecondary vocational education activities.</p>
<p><b>Local Performance Accountability</b></p>		
<p><b>Factors taken into account in adjusting performance levels:</b> Local performance measures consist of the same core indicators and customer satisfaction indicators required for states.</p> <p><b>Sanctions for local failure to meet performance measures:</b> If a local area fails to meet levels of</p>	<p><b>Factors taken into account in adjusting performance levels:</b> Same set of factors considered for states will be considered when local area performance levels are set; in addition, disability status of participants will be considered.</p> <p><b>Sanctions for local failure to meet performance measures:</b> Same as current law.</p>	<p><b>Factors taken into account in adjusting performance levels:</b> Same set of factors considered for states will be considered when local performance levels are set; in addition, requires that the levels are adjusted using objective statistical methods.</p> <p><b>Sanctions for local failure to meet performance measures:</b> If a local area fails to</p>

<p>performance in relation to core and customer satisfaction indicators, the Governor, or upon request of the governor, the Secretary, shall provide technical assistance. If such failure continues for a second year, the Governor shall take corrective actions, which may require appointment of a new local board, prohibit use of eligible providers and one-stop partners identified as achieving a poor level of performance, or take other such actions as the Governor determines are appropriate.</p> <p><b>Appeals process:</b> A local area subject to a reorganization plan for failing to meet performance levels for 2 consecutive years, may appeal to the governor to rescind or revise the plan within 30 days of receiving notice. Within 30 days of receiving the decision of the governor, state may appeal to Secretary.</p>	<p><b>Appeals process:</b> Eliminates right to appeal to Secretary after unsuccessful appeal to governor if local area subjected to reorganization plan for failure to meet performance standards.</p>	<p>meet levels of performance in relation to core indicators, the Governor, or upon request of the governor, the Secretary, shall provide technical assistance. If a local area performs at less than 80 percent of adjusted performance levels for 2 consecutive years, the Governor shall take corrective actions, which may require appointment of a new local board, prohibit use of eligible providers and one-stop partners identified as achieving a poor level of performance, redesignate the local area, or take other such actions as the Governor determines are appropriate.</p> <p><b>Appeals process:</b> Eliminates right to appeal to Secretary after unsuccessful appeal to governor if local area subjected to reorganization plan for failure to meet performance standards.</p>
<b>Reporting Requirements</b>		
<p><b>State Annual Reports:</b> States required to submit annual report to Secretary on progress in state achieving performance measures, progress of local areas in achieving local performance measures, and status of required state evaluations. At minimum, reports must also include additional information on participants relating to:</p> <ul style="list-style-type: none"> <li>• Entry into employment</li> <li>• Wages at employment entry</li> <li>• Cost of activities relative to effect on participant performance</li> <li>• Retention and earnings 12 months after employment entry</li> <li>• Performance on indicators for participants who receive training compared to those who received only services other than training (excluding participants who received only self-service and informational activities)</li> <li>• Performance on indicators by public assistance recipients, out-of-school youth, veterans,</li> </ul>	<p><b>State Annual Reports:</b></p> <ul style="list-style-type: none"> <li>• Same as current law, but requires performance on indicators to include participants who received only self-service and informational activities.</li> <li>• Adds language stating that in preparing reports “States shall establish procedures, consistent with guidelines issued by the Secretary, to ensure the information contained in the report is valid and reliable.”</li> </ul>	<p><b>State Annual Reports:</b> Adds the following requirements to current law:</p> <ul style="list-style-type: none"> <li>• Amount and percentage of state and local adult and dislocated worker funds expended for programs and strategies to meet business needs</li> <li>• Requires performance on indicators to include participants who received only self-service and informational activities</li> <li>• Performance of noncustodial parents with child support obligations, and homeless individuals</li> <li>• Number of participants served and the cost per participant</li> <li>• Amount of adult and dislocated worker funds spent on core, intensive, and training services</li> <li>• Adds language stating that in preparing reports “States shall establish procedures, consistent with guidelines issued by the Secretary, to ensure the information contained in the report is valid and reliable.”</li> </ul>

<p>individuals with disabilities, displaced homemakers, and older individuals</p> <p><b>Evaluation of State Programs:</b> State required to periodically submit, to state and local boards, reports containing results of evaluation studies to promote efficiency and effectiveness of statewide workforce investment system in improving employability for jobseekers and competitiveness for employers.</p> <p><b>Data Reports:</b> State and local boards required to make accessible reports with information regarding programs and activities carried out pertaining to:</p> <ul style="list-style-type: none"> <li>• Relevant demographic characteristics (including race, ethnicity, sex, and age)</li> <li>• Programs and activities in which participants are enrolled, and length of time that participants are engaged in such programs and activities</li> <li>• Outcomes for participants, including occupations and placement in nontraditional employment</li> <li>• Specified costs of the programs and activities</li> <li>• Information necessary to prepare reports to comply with nondiscrimination provisions</li> </ul> <p><b>Quarterly Financial Reports:</b> Local boards required to submit quarterly financial reports to the governor with respect to programs and activities carried out. Reports required to include information identifying all program and activity costs by cost category in accordance with generally accepted accounting principles and by year of the appropriation involved.</p> <p><b>Annual Report to Congress:</b> Secretary required to submit annual report to Congress that includes:</p> <ul style="list-style-type: none"> <li>• Summary of achievements, failures, and problems in meeting WIA objectives</li> <li>• Summary of major findings from WIA research, evaluations, pilot projects, and experiments conducted in prior fiscal year</li> <li>• Recommendations for modifications in programs and activities based on analysis of findings</li> <li>• Such other recommendations for legislative or</li> </ul>	<p><b>Evaluation of State Programs:</b> Same as current law.</p> <p><b>Data Reports:</b> Same as current law.</p> <p><b>Quarterly Financial Reports:</b> Same as current law.</p> <p><b>Annual Report to Congress:</b> Same as current law.</p>	<p><b>Evaluation of State Programs:</b> Requires reports to include information on promoting self-sufficiency and comparable pay between men and women.</p> <p><b>Data Reports:</b> Same as current law.</p> <p><b>Quarterly Financial Reports:</b> Same as current law.</p> <p><b>Annual Report to Congress:</b> Retains current law with one added reporting requirement:</p> <ul style="list-style-type: none"> <li>• The negotiated levels of performance for the states, the states' request for adjustment of such levels, and the adjustment of such levels that are made.</li> </ul>
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<p>administrative action as the Secretary determines appropriate</p>		
<p><b>Technical Assistance</b></p>		
<p><b>General TA to States and Local Areas:</b> Requires Secretary to provide, coordinate, and support development of appropriate training, technical assistance, staff development, and other activities, including assistance in replicating programs of demonstrated effectiveness. After consultation with the state or local area, Secretary may award grants and enter into contracts and cooperative agreements in order to provide technical assistance.</p> <p><b>Dislocated Worker TA:</b> Provides for dislocated worker technical assistance to states not meeting performance measures for dislocated workers, for continuous improvement of dislocated worker services, and training of staff who provide rapid response services.</p> <p><b>Best Practices Coordination:</b> No provision.</p>	<p><b>General TA to States and Local Areas:</b> Adds language that requires Secretary to also provide technical assistance that includes training of staff providing rapid response services, training of other WIA staff, peer review activities, and assistance regarding accounting and program operation practices (when such assistance would not be duplicative to assistance provided by the state).</p> <p><b>Dislocated Worker TA:</b> Eliminates dislocated worker technical assistance.</p> <p><b>Best Practices Coordination:</b> Requires Secretary to establish a system for states to share best practices information.</p>	<p><b>General TA to States and Local Areas:</b> Adds language that requires Secretary to also provide technical assistance that includes training of staff providing rapid response services, training of other WIA staff, training of members of state and local boards, and peer review activities. In addition to current provision for grants, contracts, and cooperative agreements, Secretary also required to hire staff qualified to provide technical assistance.</p> <p><b>Dislocated Worker TA:</b> Requires dislocated worker technical assistance to be administered by the Employment and Training Administration, rather than the current dislocated worker office (which is eliminated).</p> <p><b>Best Practices Coordination:</b> Requires Secretary to establish a system for states to share best practices information, to evaluate and disseminate best practices information and identify knowledge gaps, and to commission research to address knowledge gaps.</p>
<p><b>Demonstration and Research Projects</b></p>		
<p><b>Demonstration and Pilot Projects:</b> Secretary required to carry out, through grants and contracts, demonstration and pilot projects that include provision of direct services to individuals to enhance employment opportunities and an evaluation component. Projects may include:</p> <ul style="list-style-type: none"> <li>• Establishment of advanced manufacturing technology skill centers</li> <li>• Skills upgrade training for employed workers who reside and are employed in enterprise communities and empowerment zones</li> <li>• Joint programs with Department of Defense to develop training using computer-based and</li> </ul>	<p><b>Demonstration and Pilot Projects:</b> Restructures allowable projects to include the following:</p> <ul style="list-style-type: none"> <li>• Assistance to national employers in connecting with the workforce investment system to facilitate recruitment and employment of needed workers and to provide information to such system on skills and occupations in demand</li> <li>• Promoting development of systems that will improve program effectiveness and efficiency</li> <li>• Focusing on opportunities for employment in industries and sectors of industries that are experiencing or are likely to experience high rates of growth</li> </ul>	<p><b>Demonstration and Pilot Projects:</b> Restructures allowable projects to include the following:</p> <ul style="list-style-type: none"> <li>• Assistance to national employers in connecting with the workforce investment system to facilitate recruitment and employment of needed workers for career ladder jobs and to provide information on skills and occupations in demand</li> <li>• Promoting the development of systems that will improve the maximum effectiveness of programs.</li> <li>• Focusing on opportunities for employment in industries and sectors of industries that are</li> </ul>

<p>other innovative learning technologies</p> <ul style="list-style-type: none"> <li>• Promotion of distance learning</li> <li>• Assistance in providing comprehensive services to increase employment rates of out-of-school youth residing in target high-poverty areas within empowerment zones and enterprise communities</li> <li>• Partnerships with national organizations with expertise in employment and training services for individuals with disabilities</li> <li>• Assisting public housing authorities that provide public housing residents with job training that demonstrates success in upgrading skills and promoting employment</li> <li>• Assisting local areas to develop and implement self-sufficiency standards to evaluate degree to which participants are achieving self-sufficiency</li> </ul>	<ul style="list-style-type: none"> <li>• State and local projects to test innovative approaches to delivering employment-related services</li> <li>• Partnerships with national organizations with expertise in employment and training services for individuals with disabilities</li> <li>• Assisting public housing authorities that provide public housing residents with job training that demonstrates success in upgrading skills and promoting employment</li> <li>• Projects that provide retention grants to qualified job training programs upon placement or retention of a low-income individual trained by that program in employment with a single employer for a period of 1 year; such employment must provide income of not less than 200 percent of poverty</li> </ul>	<p>experiencing or are likely to experience high rates of growth and jobs with wages leading to self-sufficiency</p> <ul style="list-style-type: none"> <li>• Computerized, individualized, self-paced training projects targeted to dislocated, disadvantaged, or incumbent workers utilizing equipment and curriculum designed in partnership with industries for employment in the operations, repair, and maintenance of high-tech equipment that is used in integrated systems technology</li> <li>• Projects carried out by states and local areas to test innovative approaches to delivering employment-related services</li> <li>• Establishing partnerships with national organizations with special expertise in developing, organizing, and administering employment and training services, for individuals with disabilities at the national, state, and local levels</li> <li>• Assisting public housing authorities that provide public housing residents with job training that demonstrates success in upgrading skills and promoting employment</li> <li>• Projects that provide retention grants to qualified job training programs offering instruction, assessment, or professional coaching, upon placement of a low-income individual trained by the program in employment and retention of that individual with that employer for a period of 1 year; such employment must provide income that is at least \$10,000 more than the individual's federally adjusted income for the previous year and not less than 200 percent of poverty. Retention grants shall be made taking into account the economic benefit received by the federal government from the employment and retention of the individual, including the economic benefit from tax revenue and decreased public subsidies</li> <li>• Targeted innovation projects that improve access to and delivery of employment and training services, with emphasis on projects</li> </ul>
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<p><b>Entities eligible</b> to receive grants and contracts include:</p> <ul style="list-style-type: none"> <li>• Those with expertise in conducting national demonstration projects, utilizing state-of-the-art demonstration methods, or conducting evaluations of workforce investment projects; or</li> <li>• State and local entities with expertise in operating or overseeing workforce investment programs.</li> </ul> <p><b>Research Projects:</b> Requires Secretary to carry out research projects, through grants and contracts that will contribute to the solution of employment problems in the U.S. In addition, requires a 2-year study on formula improvement for distribution of adult employment and training funds.</p> <p><b>Dislocated Worker Projects:</b> Requires Secretary to use not more than 10 percent of funds for demonstration and pilot projects to carry out projects relating to the employment and training needs of dislocated workers.</p> <p><b>Skill Certification Pilot Projects:</b> No provision.</p>	<p>Eliminates language about <b>eligible entities</b>.</p> <p><b>Research Projects:</b> Replaces existing formula improvement study with requirement that Secretary conduct studies to determine net impacts of programs, services, and activities. Secretary required to disseminate public reports containing results of studies.</p> <p><b>Dislocated Worker Projects:</b> Eliminates dislocated worker projects.</p> <p><b>Skill Certification Pilot Projects:</b> No provision.</p>	<p>that incorporate advanced technologies to facilitate connection of individuals to information and tools needed to upgrade skills</p> <ul style="list-style-type: none"> <li>• Projects that promote use of distance learning, enabling students to take courses through use of media technology such as videos, teleconferencing computers, and the Internet</li> </ul> <p>Projects that provide comprehensive education and training services, and support services, in coordination with local boards, for populations in targeted high-poverty areas where the greatest barriers to work exist, including ex-offenders, out-of-school youth, and public assistance recipient populations</p> <p>Eliminates language about <b>eligible entities</b>.</p> <p><b>Research Projects:</b> Replaces existing formula improvement study with the following:</p> <ul style="list-style-type: none"> <li>• Requires studies to determine the net impacts of programs, services, and activities. Secretary required to disseminate public reports containing results of studies.</li> <li>• Allows for study on resources available to assist out-of-school youth.</li> <li>• Requires study on the role and benefits of industry-based credentialing and certification.</li> <li>• Allows for study of the effectiveness of the workforce investment system in meeting business needs.</li> </ul> <p><b>Dislocated Worker Projects:</b> Same as current law.</p> <p><b>Skill Certification Pilot Projects:</b> Authorizes \$30M to be appropriated for fiscal year 2004 and requires Secretary to establish and carry out not more than 10 pilot projects to establish a system of industry-validated national certification of skills, including not more than 8 national certifications of skills in high-technology industries and no more than 2 cross-disciplinary national certifications of skills in homeland security technology.</p> <ul style="list-style-type: none"> <li>• The certification requirements shall be based</li> </ul>
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		<p>on applicable skill standards for the industry that have been developed by or linked to the National Science Foundation's Advanced Technological Education Program.</p> <ul style="list-style-type: none"> <li>• Grants to eligible entities will be made for periods of not less than 36 months and not more than 48 months.</li> <li>• Eligible entities required to work in conjunction with a local board and include as a principal participant one or more of the following: an educational institution, an advanced technology education center, a local workforce investment board, a representative of a business in a target industry, a representative of an industry association, labor organization, or community development organization.</li> </ul> <p><b>Integrated Workforce Training Programs for Adults with Limited English Proficiency:</b>  Authorizes \$10M to be appropriated for fiscal year 2004 and requires Secretary of Labor, in consultation with Secretary of Education, to establish and implement a national demonstration project designed to analyze and provide data on workforce training programs that integrate English language acquisition and occupational training.</p> <ul style="list-style-type: none"> <li>• Not less than 10 grants, on a competitive basis, to eligible entities for a period of time not less than 24 months and not more than 48 months.</li> <li>• Eligible entities required to work in conjunction with a local board and include as a principal participant one or more of the following: an employer or employer association, a nonprofit provider of occupational skills training, a community-based organization, an educational institution, a labor organization, a local board.</li> <li>• Goal of programs is to prepare limited English proficient adults for, and place such adults in employment in, growing industries with identifiable career ladder paths.</li> </ul>
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<b>Administrative Provisions</b>		
<p><b>Program Year:</b> With the exception of youth funds, appropriations shall be available for obligation only on the basis of the a program year, which shall begin July 1 in the fiscal year for which the appropriation is made. Youth funds shall be available for obligation beginning April 1 in the fiscal year for which the appropriation is made.</p> <p><b>Grievance Procedure:</b> Requires Secretary to investigate allegations of violations if decision relating to violation has not been reached within 60 days and either party appeals to Secretary or a decision has been reached within 60 days and party to which decision is adverse appeals to Secretary.</p> <p><b>Nondiscrimination:</b> Prohibits discrimination in participation, benefits, or employment because of race, color, religion, sex, national origin, age, disability, or political affiliation or belief.</p>	<p><b>Program Year:</b> All appropriations shall be available for obligation only on the basis of a program year, which shall begin on July 1 in the fiscal year for which the appropriation is made.</p> <p><b>Grievance Procedure:</b> Eliminates requirement for Secretary to investigate, but says Secretary may investigate.</p> <p><b>Nondiscrimination:</b> Allows recipient of WIA funds that is a religious corporation, association, educational institution, or society to discriminate in employment on the basis of religion.</p>	<p><b>Program Year:</b> Same as current law.</p> <p><b>Grievance Procedure:</b> Same as current law.</p> <p><b>Nondiscrimination:</b> Same as current law.</p>
<b>Waivers</b>		
<p><b>Waiver Authority:</b> Secretary may waive, for any state or local area, any WIA statutory or regulatory requirement (except requirements relating wage and labor standards, including nondisplacement protections, worker rights, participation and protection of workers and participants, grievance procedures and judicial review, nondiscrimination, allocation of funds to local areas, eligibility of providers or participants, the establishment and functions of local area and local boards, and procedures for review and approval of plans) and certain specified Wagner-Peyser statutory and regulatory requirements.</p> <p><b>Waiver Requests:</b> Governor requesting a waiver required to submit a plan to Secretary describing requirements to be waived, actions taken to remove state or local statutory or regulatory waivers, goal of waiver and expected outcomes,</p>	<p><b>Waiver Authority:</b> Same as current law.</p> <p><b>Waiver Requests:</b> In lieu of current law waiver request submission requirements, Secretary may establish expedited procedure for extending approved waivers to additional states.</p>	<p><b>Waiver Authority:</b> Adds “the funding of infrastructure costs for one-stop centers” to the list of WIA statutory or regulatory requirements that the Secretary may not waive.</p> <p><b>Waiver Requests:</b> Requires Secretary to expedite waiver requests that have been approved for a state under current law waiver request submission requirements.</p>

<p>individuals impacted, process used to monitor implementation, and process by which notice and opportunity to comment on request has been provided to local board. Secretary required to provide waiver with 90 days if and only to the extent Secretary determines requirements requested to be waived impede ability to implement plan and state has executed MOU with Secretary required state to meet (or ensure that local area meets) agreed upon outcomes and to implement other appropriate measures to ensure accountability.</p>		
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