

The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

The Older Americans Act of 1965, referred to in subsec. (b)(2)(M), is Pub. L. 89-73, July 14, 1965, 79 Stat. 218. Title V of the Act, known as the “Older Americans Community Services Employment Act”, is classified generally to subchapter IX (§3056 et seq.) of chapter 35 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 3001 of Title 42 and Tables.

The Community Services Block Grant Act, referred to in subsec. (b)(2)(O), is subtitle B (§671 et seq.) of title VI of Pub. L. 97-35, Aug. 13, 1981, 95 Stat. 511, which is classified generally to chapter 106 (§9901 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 9901 of Title 42 and Tables.

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

AMENDMENTS

2008—Subsec. (b)(2). Pub. L. 110-246, §4002(b)(1)(B), (2)(R), substituted “Food and Nutrition Act of 2008” for “Food Stamp Act of 1977” in subpars. (E) and (F).

2006—Subsec. (b)(2)(A). Pub. L. 109-270, §2(h)(7)(B), substituted “Carl D. Perkins Career and Technical Education Act of 2006” for “Carl D. Perkins Vocational and Applied Technology Education Act”.

Pub. L. 109-270, §2(h)(7)(A), which directed the substitution of “career and technical education programs at the secondary level” for “secondary vocational education programs”, was executed by making the substitution for “Secondary vocational education programs” to reflect the probable intent of Congress.

Subsec. (b)(2)(B). Pub. L. 109-270, §2(h)(8)(B), substituted “Carl D. Perkins Career and Technical Education Act of 2006” for “Carl D. Perkins Vocational and Applied Technology Education Act”.

Pub. L. 109-270, §2(h)(8)(A), which directed the substitution of “career and technical education programs at the postsecondary level” for “postsecondary vocational education programs”, was executed by making the substitution for “Postsecondary vocational education programs” to reflect the probable intent of Congress.

Subsec. (d)(2)(B). Pub. L. 109-270, §2(h)(9), substituted “Carl D. Perkins Career and Technical Education Act of 2006” for “Carl D. Perkins Vocational and Applied Technology Education Act”.

1998—Subsec. (b)(1). Pub. L. 105-277 inserted at end “For purposes of this paragraph, the activities and programs described in subparagraphs (A) and (B) of paragraph (2) shall not be considered to be 2 or more activities or programs for purposes of the unified plan. Such activities or programs shall be considered to be 1 activity or program.”

EFFECTIVE DATE OF REPEAL

Repeal effective on the first day of the first full program year after July 22, 2014 [probably July 1, 2015], see section 506 of Pub. L. 113-128, set out as an Effective Date note under section 3101 of Title 29, Labor.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, except as otherwise provided, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of Title 7, Agriculture.

Amendment by section 4002(b)(1)(B), (2)(R) of Pub. L. 110-246 effective Oct. 1, 2008, see section 4407 of Pub. L. 110-246, set out as a note under section 1161 of Title 2, The Congress.

§ 9272. Definitions for indicators of performance

(a) In general

In order to ensure nationwide comparability of performance data, the Secretary of Labor and the Secretary of Education, after consultation with the representatives described in subsection (b) of this section, shall issue definitions for indicators of performance and levels of performance established under titles I [29 U.S.C. 2801 et seq.] and II [20 U.S.C. 9201 et seq.].

(b) Representatives

The representatives referred to in subsection (a) of this section are representatives of States (as defined in section 2801 of title 29) and political subdivisions, business and industry, employees, eligible providers of employment and training activities (as defined in section 2801 of title 29), educators, participants in activities carried out under this Act, State Directors of adult education, providers of adult education, providers of literacy services, individuals with expertise in serving the employment and training needs of eligible youth (as defined in section 2801 of title 29), parents, and other interested parties, with expertise regarding activities authorized under this Act.

(Pub. L. 105-220, title V, §502, Aug. 7, 1998, 112 Stat. 1244.)

REPEAL OF SECTION

Pub. L. 113-128, title V, §§506, 511(a), July 22, 2014, 128 Stat. 1703, 1705, provided that, effective on the first day of the first full program year after July 22, 2014 [probably July 1, 2015], this section is repealed.

REFERENCES IN TEXT

Title I, referred to in subsec. (a), is title I of Pub. L. 105-220, Aug. 7, 1998, 112 Stat. 939, which is classified principally to chapter 30 (§2801 et seq.) of Title 29, Labor. For complete classification of title I to the Code, see Tables.

Title II, referred to in subsec. (a), is title II of Pub. L. 105-220, Aug. 7, 1998, 112 Stat. 1059, as amended, known as the Adult Education and Family Literacy Act, which is classified principally to subchapter I (§9201 et seq.) of this chapter. For complete classification of title II to the Code, see Short Title note set out under section 9201 of this title and Tables.

This Act, referred to in subsec. (b), is Pub. L. 105-220, Aug. 7, 1998, 112 Stat. 936, as amended, known as the Workforce Investment Act of 1998. For complete classification of this Act to the Code, see Short Title note set out under section 9201 of this title and Tables.

EFFECTIVE DATE OF REPEAL

Repeal effective on the first day of the first full program year after July 22, 2014 [probably July 1, 2015], see section 506 of Pub. L. 113-128, set out as an Effective Date note under section 3101 of Title 29, Labor.

§ 9273. Incentive grants

(a) In general

Beginning on July 1, 2000, the Secretary shall award a grant to each State that exceeds the State adjusted levels of performance for title I [29 U.S.C. 2801 et seq.], the adjusted levels of performance for title II [20 U.S.C. 9201 et seq.], and the levels of performance for programs under Public Law 105-332 (20 U.S.C. 2301 et seq.),¹ for

¹ See References in Text note below.

the purpose of carrying out an innovative program consistent with the requirements of any one or more of the programs within title I, title II, or such Public Law, respectively.

(b) Application

(1) In general

The Secretary may provide a grant to a State under subsection (a) of this section only if the State submits an application to the Secretary for the grant that meets the requirements of paragraph (2).

(2) Requirements

The Secretary may review an application described in paragraph (1) only to ensure that the application contains the following assurances:

(A) The legislature of the State was consulted with respect to the development of the application.

(B) The application was approved by the Governor, the eligible agency (as defined in section 9202 of this title), and the State agency responsible for programs established under Public Law 105-332 (20 U.S.C. 2301 et seq.).¹

(C) The State and the eligible agency, as appropriate, exceeded the State adjusted levels of performance for title I [29 U.S.C. 2801 et seq.], the expected levels of performance for title II [20 U.S.C. 9201 et seq.], and the levels of performance for programs under Public Law 105-332 (20 U.S.C. 2301 et seq.).¹

(c) Amount

(1) Minimum and maximum grant amounts

Subject to paragraph (2), a grant provided to a State under subsection (a) of this section shall be awarded in an amount that is not less than \$750,000 and not more than \$3,000,000.

(2) Proportionate reduction

If the amount available for grants under this section for a fiscal year is insufficient to award a grant to each State or eligible agency that is eligible for a grant, the Secretary shall reduce the minimum and maximum grant amount by a uniform percentage.

(d) Expected levels of performance as consideration

Notwithstanding any other provision of this section, for fiscal year 2000, the Secretary shall not consider the expected levels of performance under Public Law 105-332 (20 U.S.C. 2301 et seq.)¹ and shall not award a grant under subsection (a) of this section based on the levels of performance for that Act.

(Pub. L. 105-220, title V, §503, Aug. 7, 1998, 112 Stat. 1244; Pub. L. 105-277, div. A, §101(f) [title VIII, §404(f)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-417; Pub. L. 106-246, div. B, title II, §2403(a)(1), July 13, 2000, 114 Stat. 555.)

REPEAL OF SECTION

Pub. L. 113-128, title V, §§ 506, 511(a), July 22, 2014, 128 Stat. 1703, 1705, provided that, effective on the first day of the first full program year after July 22, 2014 [probably July 1, 2015], this section is repealed.

REFERENCES IN TEXT

Title I, referred to in subsecs. (a) and (b)(2)(C), is title I of Pub. L. 105-220, Aug. 7, 1998, 112 Stat. 939, which is

classified principally to chapter 30 (§2801 et seq.) of Title 29, Labor. For complete classification of title I to the Code, see Tables.

Title II, referred to in subsecs. (a) and (b)(2)(C), is title II of Pub. L. 105-220, Aug. 7, 1998, 112 Stat. 1059, as amended, known as the Adult Education and Family Literacy Act, which is classified principally to subchapter I (§9201 et seq.) of this chapter. For complete classification of title II to the Code, see Short Title note set out under section 9201 of this title and Tables.

Public Law 105-332 (20 U.S.C. 2301 et seq.), referred to in subsecs. (a), (b)(2)(B), (C), and (d), is Pub. L. 105-332, Oct. 31, 1998, 112 Stat. 3076, known as the Carl D. Perkins Vocational and Applied Technology Education Amendments of 1998. For complete classification of this Act to the Code, see Short Title of 1998 Amendment note set out under section 2301 of this title and Tables.

AMENDMENTS

2000—Subsecs. (a), (b)(2)(B), (C). Pub. L. 106-246, §2403(a)(1)(A), substituted “under Public Law 105-332 (20 U.S.C. 2301 et seq.)” for “under Public Law 88-210 (as amended; 20 U.S.C. 2301 et seq.)”.

Subsec. (d). Pub. L. 106-246, §2403(a)(1)(B), added subsec. (d).

1998—Subsec. (a). Pub. L. 105-277 substituted “adjusted” for “expected” before “levels of performance for title II”.

EFFECTIVE DATE OF REPEAL

Repeal effective on the first day of the first full program year after July 22, 2014 [probably July 1, 2015], see section 506 of Pub. L. 113-128, set out as an Effective Date note under section 3101 of Title 29, Labor.

§ 9274. Privacy

(a) Effect on privacy protections

Nothing in this Act shall be construed to supersede the privacy protections afforded parents and students under section 1232g of this title.

(b) Prohibition on development of national database

(1) In general

Nothing in this Act shall be construed to permit the development of a national database of personally identifiable information on individuals receiving services under title I of this Act [29 U.S.C. 2801 et seq.].

(2) Limitation

Nothing in paragraph (1) shall be construed to prevent the proper administration of national programs under subtitles C and D of title I of this Act [29 U.S.C. 2881 et seq., 2911 et seq.] or to carry out program management activities consistent with title I of this Act [29 U.S.C. 2801 et seq.].

(Pub. L. 105-220, title V, §504, Aug. 7, 1998, 112 Stat. 1245.)

REPEAL OF SECTION

Pub. L. 113-128, title V, §§ 506, 511(a), July 22, 2014, 128 Stat. 1703, 1705, provided that, effective on the first day of the first full program year after July 22, 2014 [probably July 1, 2015], this section is repealed.

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 105-220, Aug. 7, 1998, 112 Stat. 936, as amended, known as the Workforce Investment Act of 1998. Title I of the Act is classified principally to chapter 30 (§2801 et seq.) of Title 29, Labor. Subtitles C and D of title I of the Act are classi-