

(2)(BB), May 22, 2008, 122 Stat. 1096, 1097; Pub. L. 110-246, § 4(a), title IV, § 4002(b)(1)(B), (2)(BB), June 18, 2008, 122 Stat. 1664, 1857, 1859; Pub. L. 113-79, title IV, § 4030(s), Feb. 7, 2014, 128 Stat. 815.)

## REFERENCES IN TEXT

The Food and Nutrition Act of 2008, referred to in text, is Pub. L. 88-525, Aug. 31, 1964, 78 Stat. 703, which is classified generally to chapter 51 (§2011 et seq.) of Title 7, Agriculture. For complete classification of this Act to the Code, see Short Title note set out under section 2011 of Title 7 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 L. 110-234 were repealed by section 4(a) of Pub.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.

## PRIOR PROVISIONS

A prior section 3056g, Pub. L. 89-73, title V, § 509, as added Pub. L. 106-501, title V, § 501, Nov. 13, 2000, 114 Stat. 2280, related to employment assistance and Federal housing and food stamp programs, prior to the general amendment of this subchapter by Pub. L. 109-365.

Another prior section 3056g, Pub. L. 89-73, title V, § 509, as added Pub. L. 100-175, title I, § 166, Nov. 29, 1987, 101 Stat. 958, related to employment assistance and Federal housing and food stamp programs, prior to the general amendment of this subchapter by Pub. L. 106-501.

## AMENDMENTS

2014—Pub. L. 113-79 substituted “supplemental nutrition assistance programs” for “food stamp programs” in section catchline.

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

## 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)(BB) 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.

### § 3056h. Eligibility for workforce investment activities

Eligible individuals under this subchapter may be considered by local workforce investment boards and one-stop operators established under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.) to satisfy the requirements for receiving services under such title I that are applicable to adults.

(Pub. L. 89-73, title V, § 510, as added Pub. L. 109-365, title V, § 501, Oct. 17, 2006, 120 Stat. 2580; amended Pub. L. 113-128, title V, § 512(w)(6), July 22, 2014, 128 Stat. 1715.)

## AMENDMENT OF SECTION

*Pub. L. 113-128, title V, §§ 506, 512(w)(6), July 22, 2014, 128 Stat. 1703, 1715, provided that, effective on the first day of the first full program year after July 22, 2014 [probably July 1, 2015], this section is amended by striking “by local workforce investment boards and one-stop oper-*

*ators established under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)” and inserting “by local workforce development boards and one-stop operators established under title I of the Workforce Innovation and Opportunity Act” and by striking “such title I” and inserting “such title”. See 2014 Amendment note below.*

## REFERENCES IN TEXT

The Workforce Investment Act of 1998, referred to in text, is Pub. L. 105-220, Aug. 7, 1998, 112 Stat. 936. Title I of the Act is classified principally to chapter 30 (§2801 et seq.) of Title 29, Labor. For complete classification of this Act to the Code, see Short Title note set out under section 9201 of Title 20, Education, and Tables.

## PRIOR PROVISIONS

A prior section 3056h, Pub. L. 89-73, title V, § 510, as added Pub. L. 106-501, title V, § 501, Nov. 13, 2000, 114 Stat. 2280, related to eligibility for workforce investment activities, prior to the general amendment of this subchapter by Pub. L. 109-365.

Another prior section 3056h, Pub. L. 89-73, title V, § 510, as added Pub. L. 102-375, title V, § 506, Sept. 30, 1992, 106 Stat. 1269; amended Pub. L. 103-171, § 2(20), Dec. 2, 1993, 107 Stat. 1989; Pub. L. 105-277, div. A, § 101(f) [title VIII, § 405(d)(33)(D), (f)(25)(D)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-426, 2681-433, related to dual eligibility, prior to the general amendment of this subchapter by Pub. L. 106-501.

## AMENDMENTS

2014—Pub. L. 113-128 substituted “by local workforce development boards and one-stop operators established under title I of the Workforce Innovation and Opportunity Act” for “by local workforce investment boards and one-stop operators established under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)” and “such title” for “such title I”.

## EFFECTIVE DATE OF 2014 AMENDMENT

Amendment by Pub. L. 113-128 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.

### § 3056i. Coordination with the Workforce Investment Act of 1998

#### (a) Partners

Grantees under this subchapter shall be one-stop partners as described in subparagraphs (A) and (B)(vi) of section 121(b)(1) of the Workforce Investment Act of 1998 (29 U.S.C. 2841(b)(1)) in the one-stop delivery system established under section 134(c) of such Act (29 U.S.C. 2864(c)) for the appropriate local workforce investment areas, and shall carry out the responsibilities relating to such partners.

#### (b) Coordination

In local workforce investment areas where more than 1 grantee under this subchapter provides services, the grantees shall—

- (1) coordinate their activities related to the one-stop delivery systems; and
- (2) be signatories of the memorandum of understanding established under section 121(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2841(c)).

(Pub. L. 89-73, title V, § 511, as added Pub. L. 109-365, title V, § 501, Oct. 17, 2006, 120 Stat. 2580; amended Pub. L. 113-128, title V, § 512(w)(7), July 22, 2014, 128 Stat. 1716.)

## AMENDMENT OF SECTION

*Pub. L. 113-128, title V, §§506, 512(w)(7), July 22, 2014, 128 Stat. 1703, 1716, provided that, effective on the first day of the first full program year after July 22, 2014 [probably July 1, 2015], this section is amended as follows:*

*in subsection (a), by striking “Grantees under this subchapter shall be one-stop partners as described in subparagraphs (A) and (B)(vi) of section 121(b)(1) of the Workforce Investment Act of 1998 (29 U.S.C. 2841(b)(1)) in the one-stop delivery system established under section 134(c) of such Act (29 U.S.C. 2864(c)) for the appropriate local workforce investment areas” and inserting “Grantees under this subchapter shall be one-stop partners as described in subparagraphs (A) and (B)(v) of section 121(b)(1) of the Workforce Innovation and Opportunity Act in the one-stop delivery system established under section 121(e) of such Act for the appropriate local workforce development areas”;* and

*in subsection (b)(2), by striking “be signatories of the memorandum of understanding established under section 121(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2841(c))” and inserting “be signatories of the memorandum of understanding established under section 121(c) of the Workforce Innovation and Opportunity Act”.*

*See 2014 Amendment notes below.*

## PRIOR PROVISIONS

A prior section 3056i, Pub. L. 89-73, title V, §511, as added Pub. L. 106-501, title V, §501, Nov. 13, 2000, 114 Stat. 2280, provided that assistance under this subchapter was not financial assistance described in section 1255a(h)(1)(A) of title 8, prior to the general amendment of this subchapter by Pub. L. 109-365. See section 3056j of this title.

Another prior section 3056i, Pub. L. 89-73, title V, §511, as added Pub. L. 102-375, title V, §507, Sept. 30, 1992, 106 Stat. 1269, related to treatment of assistance, prior to the general amendment of this subchapter by Pub. L. 106-501.

## AMENDMENTS

2014—Subsec. (a). Pub. L. 113-128, §512(w)(7)(A), substituted “Grantees under this subchapter shall be one-stop partners as described in subparagraphs (A) and (B)(v) of section 121(b)(1) of the Workforce Innovation and Opportunity Act in the one-stop delivery system established under section 121(e) of such Act for the appropriate local workforce development areas” for “Grantees under this subchapter shall be one-stop partners as described in subparagraphs (A) and (B)(vi) of section 121(b)(1) of the Workforce Investment Act of 1998 (29 U.S.C. 2841(b)(1)) in the one-stop delivery system established under section 134(c) of such Act (29 U.S.C. 2864(c)) for the appropriate local workforce investment areas”.

Subsec. (b)(2). Pub. L. 113-128, §512(w)(7)(B), substituted “be signatories of the memorandum of understanding established under section 121(c) of the Workforce Innovation and Opportunity Act” for “be signatories of the memorandum of understanding established under section 121(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2841(c))”.

## EFFECTIVE DATE OF 2014 AMENDMENT

Amendment by Pub. L. 113-128 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.

## § 3056j. Treatment of assistance

Assistance provided under this subchapter shall not be considered to be financial assistance described in section 1255a(h)(1)(A) of title 8.

(Pub. L. 89-73, title V, §512, as added Pub. L. 109-365, title V, §501, Oct. 17, 2006, 120 Stat. 2580.)

## PRIOR PROVISIONS

A prior section 3056j, Pub. L. 89-73, title V, §512, as added Pub. L. 106-501, title V, §501, Nov. 13, 2000, 114 Stat. 2280, related to coordination with the Workforce Investment Act of 1998, prior to the general amendment of this subchapter by Pub. L. 109-365. See section 3056i of this title.

## § 3056k. Performance

## (a) Measures and indicators

## (1) Establishment and implementation of measures and indicators

The Secretary shall establish and implement, after consultation with grantees, subgrantees, and host agencies under this subchapter, States, older individuals, area agencies on aging, and other organizations serving older individuals, core measures of performance and additional indicators of performance for each grantee for projects and services carried out under this subchapter. The core measures of performance and additional indicators of performance shall be applicable to each grantee under this subchapter without regard to whether such grantee operates the program directly or through subcontracts, subgrants, or agreements with other entities.

## (2) Content

## (A) Composition of measures and indicators

## (i) Measures

The core measures of performance established by the Secretary in accordance with paragraph (1) shall consist of core indicators of performance specified in subsection (b)(1) and the expected levels of performance applicable to each core indicator of performance.

## (ii) Additional indicators

The additional indicators of performance established by the Secretary in accordance with paragraph (1) shall be the additional indicators of performance specified in subsection (b)(2).

## (B) Continuous improvement

The measures described in subparagraph (A)(i) shall be designed to promote continuous improvement in performance.

## (C) Expected levels of performance

The Secretary and each grantee shall reach agreement on the expected levels of performance for each program year for each of the core indicators of performance specified in subparagraph (A)(i). The agreement shall take into account the requirement of subparagraph (B) and the factors described in subparagraph (D), and other appropriate factors as determined by the Secretary, and shall be consistent with the requirements of subparagraph (E). Funds may not be awarded