

Section 2397b, Pub. L. 88-210, title III, §384, as added Pub. L. 101-392, title III, §311, Sept. 25, 1990, 104 Stat. 800, related to eligible grant recipients.

Section 2397c, Pub. L. 88-210, title III, §385, as added Pub. L. 101-392, title III, §311, Sept. 25, 1990, 104 Stat. 800, related to applications for grants, consultation, and use of grants.

Section 2397d, Pub. L. 88-210, title III, §386, as added Pub. L. 101-392, title III, §311, Sept. 25, 1990, 104 Stat. 801, related to amount of grants.

Section 2397e, Pub. L. 88-210, title III, §387, as added Pub. L. 101-392, title III, §311, Sept. 25, 1990, 104 Stat. 802, related to effect of grant receipt on eligibility under other programs.

Section 2397f, Pub. L. 88-210, title III, §388, as added Pub. L. 101-392, title III, §311, Sept. 25, 1990, 104 Stat. 802, related to grant adjustments.

Section 2397g, Pub. L. 88-210, title III, §389, as added Pub. L. 101-392, title III, §311, Sept. 25, 1990, 104 Stat. 803, related to report on facilities and facilities improvement.

Section 2397h, Pub. L. 88-210, title III, §390, as added Pub. L. 101-392, title III, §311, Sept. 25, 1990, 104 Stat. 803, defined terms for purposes of tribally controlled postsecondary vocational institutions grant program.

#### SHORT TITLE

Pub. L. 88-210, title III, §381, as added by Pub. L. 101-392, title III, §311, Sept. 25, 1990, 104 Stat. 799, which provided that part H of title III of Pub. L. 88-210, enacting part H (§2397 et seq.) of former subchapter III of this chapter, could be cited as the “Tribally Controlled Vocational Institutions Support Act of 1990”, was omitted in the general amendment of Pub. L. 88-210 by Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3076.

### § 2398. Limitation on Federal regulations

The Secretary may issue regulations under this chapter only to the extent necessary to administer and ensure compliance with the specific requirements of this chapter.

(Pub. L. 88-210, title III, §318, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 744.)

#### PRIOR PROVISIONS

A prior section 2398, Pub. L. 88-210, title III, §318, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3123, related to participation of private school personnel, prior to the general amendment of this chapter by Pub. L. 109-270.

Prior sections 2401 to 2404 were omitted in the general amendment of this chapter by Pub. L. 105-332.

Section 2401, Pub. L. 88-210, title IV, §401, as added Pub. L. 98-524, §1, Oct. 19, 1984, 98 Stat. 2466; amended Pub. L. 101-392, title IV, §402, Sept. 25, 1990, 104 Stat. 806, related to research objectives.

Section 2402, Pub. L. 88-210, title IV, §402, as added Pub. L. 98-524, §1, Oct. 19, 1984, 98 Stat. 2466; amended Pub. L. 101-392, title IV, §403, Sept. 25, 1990, 104 Stat. 806, related to research activities.

Section 2403, Pub. L. 88-210, title IV, §403, as added Pub. L. 98-524, §1, Oct. 19, 1984, 98 Stat. 2467; amended Pub. L. 101-392, title IV, §404, Sept. 25, 1990, 104 Stat. 807, related to national assessment of vocational education programs.

Section 2404, Pub. L. 88-210, title IV, §404, as added Pub. L. 98-524, §1, Oct. 19, 1984, 98 Stat. 2468; amended Pub. L. 101-392, title IV, §405, Sept. 25, 1990, 104 Stat. 809; Pub. L. 103-382, title III, §351(a)(2), Oct. 20, 1994, 108 Stat. 3966, related to National Center or Centers for Research in Vocational Education.

#### PART B—STATE ADMINISTRATIVE PROVISIONS

### § 2411. Joint funding

#### (a) General authority

Funds made available to eligible agencies under this chapter may be used to provide additional funds under an applicable program if—

(1) such program otherwise meets the requirements of this chapter and the requirements of the applicable program;

(2) such program serves the same individuals that are served under this chapter;

(3) such program provides services in a coordinated manner with services provided under this chapter; and

(4) such funds are used to supplement, and not supplant, funds provided from non-Federal sources.

#### (b) Applicable program

For the purposes of this section, the term “applicable program” means any program under any of the following provisions of law:

(1) Chapters 2 and 3 of subtitle B of title I of the Workforce Innovation and Opportunity Act [29 U.S.C. 3161 et seq., 3171 et seq.].

(2) The Wagner-Peyser Act [29 U.S.C. 49 et seq.].

#### (c) Use of funds as matching funds

For the purposes of this section, the term “additional funds” does not include funds used as matching funds.

(Pub. L. 88-210, title III, §321, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 745; amended Pub. L. 113-128, title V, §512(e)(7), July 22, 2014, 128 Stat. 1707.)

#### REFERENCES IN TEXT

The Workforce Innovation and Opportunity Act, referred to in subsec. (b)(1), is Pub. L. 113-128, July 22, 2014, 128 Stat. 1425. Chapters 2 and 3 of subtitle B of title I of the Act are classified generally to subparts 2 (§3161 et seq.) and 3 (§3171 et seq.), respectively, of part B of subchapter I of chapter 32 of Title 29, Labor. For complete classification of this Act to the Code, see Short Title note set out under section 3101 of Title 29 and Tables.

The Wagner-Peyser Act, referred to in subsec. (b)(2), is act June 6, 1933, ch. 49, 48 Stat. 113, as amended, which is classified generally to chapter 4B (§49 et seq.) of Title 29, Labor. For complete classification of this Act to the Code, see Short Title note set out under section 49 of Title 29 and Tables.

#### PRIOR PROVISIONS

A prior section 2411, Pub. L. 88-210, title III, §321, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3123, related to joint funding, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 2411, Pub. L. 88-210, title IV, §411, as added Pub. L. 101-392, title IV, §406(a), Sept. 25, 1990, 104 Stat. 812, authorized grants for demonstration programs, prior to the general amendment of this chapter by Pub. L. 105-332.

Another prior section 2411, Pub. L. 88-210, title IV, §411, as added Pub. L. 98-524, §1, Oct. 19, 1984, 98 Stat. 2470, related to programs and projects Secretary was authorized to carry out from available funds, prior to the general amendment of part B of former subchapter IV of this chapter by Pub. L. 101-392.

A prior section 321 of Pub. L. 88-210 was classified to section 2381 of this title, prior to the general amendment of this chapter by Pub. L. 105-332.

Another prior section 321 of Pub. L. 88-210 was classified to section 2371 of this title, prior to repeal by Pub. L. 101-392.

#### AMENDMENTS

2014—Subsec. (b)(1). Pub. L. 113-128 substituted “Chapters 2 and 3 of subtitle B of title I of the Workforce Innovation and Opportunity Act” for “Chapters 4 and 5 of subtitle B of title I of Public Law 105-220”.

## 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 (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.

**§ 2412. Prohibition on use of funds to induce out-of-State relocation of businesses**

No funds provided under this chapter shall be used for the purpose of directly providing incentives or inducements to an employer to relocate a business enterprise from one State to another State if such relocation will result in a reduction in the number of jobs available in the State where the business enterprise is located before such incentives or inducements are offered.

(Pub. L. 88-210, title III, §322, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 745.)

## PRIOR PROVISIONS

A prior section 2412, Pub. L. 88-210, title III, §322, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3124, prohibited use of funds to induce out-of-State relocation of businesses, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 2412, Pub. L. 88-210, title IV, §412, as added Pub. L. 101-392, title IV, §406(a), Sept. 25, 1990, 104 Stat. 812, authorized grants for development, production, and distribution of instructional telecommunications materials and services, prior to the general amendment of this chapter by Pub. L. 105-332.

A prior section 322 of Pub. L. 88-210 was classified to section 2382 of this title, prior to the general amendment of this chapter by Pub. L. 105-332.

Another prior section 322 of Pub. L. 88-210 was classified to section 2372 of this title, prior to repeal by Pub. L. 101-392.

**§ 2413. State administrative costs**

**(a) General rule**

Except as provided in subsection (b), for each fiscal year for which an eligible agency receives assistance under this chapter, the eligible agency shall provide, from non-Federal sources for the costs the eligible agency incurs for the administration of programs under this chapter, an amount that is not less than the amount provided by the eligible agency from non-Federal sources for such costs for the preceding fiscal year.

**(b) Exception**

If the amount made available from Federal sources for the administration of programs under this chapter for a fiscal year (referred to in this section as the “determination year”) is less than the amount made available from Federal sources for the administration of programs under this chapter for the preceding fiscal year, then the amount the eligible agency is required to provide from non-Federal sources for costs the eligible agency incurs for the administration of programs under this chapter for the determination year under subsection (a) shall bear the same ratio to the amount the eligible agency provided from non-Federal sources for such costs for the preceding fiscal year, as the amount made available from Federal sources for the administration of programs under this chapter for the determination year bears to the amount made available from Federal sources for

the administration of programs under this chapter for the preceding fiscal year.

(Pub. L. 88-210, title III, §323, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 745.)

## PRIOR PROVISIONS

A prior section 2413, Pub. L. 88-210, title III, §323, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3124, related to State administrative costs, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 2413, Pub. L. 88-210, title IV, §413, as added Pub. L. 101-392, title IV, §406(a), Sept. 25, 1990, 104 Stat. 813, authorized establishment of demonstration centers for training of dislocated workers, prior to the general amendment of this chapter by Pub. L. 105-332.

Another prior section 2413, Pub. L. 88-210, title IV, §413, as added Pub. L. 98-524, §1, Oct. 19, 1984, 98 Stat. 2471, related to program of competitive grants to State boards for State programs involving loan of high-technology, state-of-the-art equipment to eligible recipients for use in local vocational education programs, prior to the general amendment of part B of former subchapter IV of this chapter by Pub. L. 101-392.

A prior section 323 of Pub. L. 88-210 was classified to section 2383 of this title, prior to the general amendment of this chapter by Pub. L. 105-332.

Another prior section 323 of Pub. L. 88-210 was classified to section 2373 of this title, prior to repeal by Pub. L. 101-392.

**§ 2414. Student assistance and other Federal programs**

**(a) Attendance costs not treated as income or resources**

The portion of any student financial assistance received under this chapter that is made available for attendance costs described in subsection (b) shall not be considered as income or resources in determining eligibility for assistance under any other program funded in whole or in part with Federal funds.

**(b) Attendance costs**

The attendance costs described in this subsection are—

(1) tuition and fees normally assessed a student carrying an academic workload as determined by the institution, and including costs for rental or purchase of any equipment, materials, or supplies required of all students in that course of study; and

(2) an allowance for books, supplies, transportation, dependent care, and miscellaneous personal expenses for a student attending the institution on at least a half-time basis, as determined by the institution.

**(c) Costs of career and technical education services**

Funds made available under this chapter may be used to pay for the costs of career and technical education services required in an individualized education program developed pursuant to section 1414(d) of this title and services necessary to meet the requirements of section 794 of title 29 with respect to ensuring equal access to career and technical education.

(Pub. L. 88-210, title III, §324, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 746.)

## PRIOR PROVISIONS

A prior section 2414, Pub. L. 88-210, title III, §324, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3124,