

(3) does not have a secondary school diploma or its recognized equivalent; and

(4) is not enrolled in secondary school.

**(e) Special rule**

**(1) In general**

From amounts made available under subsection (c) for the Republic of Palau, the Secretary shall award grants to Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or the Republic of Palau to carry out activities described in this subchapter in accordance with the provisions of this subchapter, as determined by the Secretary.

**(2) Award basis**

The Secretary shall award grants pursuant to paragraph (1) on a competitive basis and pursuant to the recommendations from the Pacific Region Educational Laboratory in Honolulu, Hawaii.

**(3) Termination of eligibility**

Notwithstanding any other provision of law, the Republic of Palau shall be eligible to receive a grant under this subchapter except during the period described in section 3102(45) of this title.

**(4) Administrative costs**

The Secretary may provide not more than 5 percent of the funds made available for grants under this subsection to pay the administrative costs of the Pacific Region Educational Laboratory regarding activities assisted under this subsection.

**(f) Hold-harmless provisions**

**(1) In general**

Notwithstanding subsection (c), for fiscal year 2015 and each succeeding fiscal year, no eligible agency shall receive an allotment under this section that is less than 90 percent of the allotment the eligible agency received for the preceding fiscal year under this section.

**(2) Ratable reduction**

If for any fiscal year the amount available for allotment under this subchapter is insufficient to satisfy the provisions of paragraph (1) the Secretary shall ratably reduce the payments to all eligible agencies, as necessary.

**(g) Reallotment**

The portion of any eligible agency's allotment under this subchapter for a fiscal year that the Secretary determines will not be required for the period such allotment is available for carrying out activities under this subchapter, shall be available for reallotment from time to time, on such dates during such period as the Secretary shall fix, to other eligible agencies in proportion to the original allotments to such agencies under this subchapter for such year.

(Pub. L. 113-128, title II, §211, July 22, 2014, 128 Stat. 1612.)

EFFECTIVE DATE

Section 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 a note under section 3101 of this title.

**§ 3292. Performance accountability system**

Programs and activities authorized in this subchapter are subject to the performance accountability provisions described in section 3141 of this title.

(Pub. L. 113-128, title II, §212, July 22, 2014, 128 Stat. 1614.)

EFFECTIVE DATE

Section 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 a note under section 3101 of this title.

**§ 3293. Educational assistance and training**

**(a) Use of fund**

The Secretary of Labor shall provide for grants to States to provide educational assistance and training for United States workers. The Secretary shall consult with the Secretary of Education in making grants under this section.

**(b) Allocation of funds**

Within the purposes described in subsection (a), funds in the account used under this section shall be allocated among the States based on a formula, established jointly by the Secretaries of Labor and Education, that takes into consideration—

(1) the location of foreign workers admitted into the United States,

(2) the location of individuals in the United States requiring and desiring the educational assistance and training for which the funds can be applied, and

(3) the location of unemployed and underemployed United States workers.

**(c) Disbursement to States**

(1) Within the purposes and allocations established under this section, disbursements shall be made to the States, in accordance with grant applications submitted to and approved jointly by the Secretaries of Labor and Education, to be applied in a manner consistent with the guidelines established by such Secretaries in consultation with the States. In applying such grants, the States shall consider providing funding to joint labor-management trust funds and other such non-profit organizations which have demonstrated capability and experience in directly training and educating workers.

(2) Not more than 5 percent of the funds disbursed to any State under this section may be used for administrative expenses.

**(d) Limitation on Federal overhead**

The Secretaries shall provide that not more than 2 percent of the amount of funds disbursed to States under this section may be used by the Federal Government in the administration of this section.

**(e) Annual report**

The Secretary of Labor shall report annually to the Congress on the grants to States provided under this section.