

§ 501(h), Oct. 13, 1982, 96 Stat. 1397; renumbered title VI, § 601(h), Pub. L. 100-628, title VII, § 712(a)(1), (2), Nov. 7, 1988, 102 Stat. 3248; renumbered § 16, Pub. L. 105-220, title III, § 309(1), Aug. 7, 1998, 112 Stat. 1082, provided that: "This Act [enacting this chapter] may be cited as the 'Wagner-Peyser Act'."

TRANSFER OF FUNCTIONS

Functions, powers, and duties of Secretary of Labor under this chapter, insofar as relates to prescription of personnel standards on a merit basis, transferred to Office of Personnel Management, see section 4728(a)(2)(A) of Title 42, The Public Health and Welfare.

Functions of all other officers of Department of Labor and functions of all agencies and employees of that Department were, with exception of functions vested by Administrative Procedure Act (see sections 551 et seq. and 701 et seq. of Title 5, Government Organization and Employees) in hearing examiners employed by such Department, transferred to Secretary of Labor, with power vested in him to authorize their performance or performance of any of his functions by any of those officers, agencies, and employees, by Reorg. Plan No. 6 of 1950, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1263, set out in the Appendix to Title 5.

United States Employment Service transferred to Department of Labor, functions of Federal Security Administrator with respect to employment services, and Bureau of Employment Security transferred to Secretary of Labor by Reorg. Plan No. 2 of 1949, § 1, eff. Aug. 20, 1949, 14 F.R. 5225, 63 Stat. 1065, set out in the Appendix to Title 5.

Section 1 of Reorg. Plan No. 2 of 1949, also provided that functions transferred by this section shall be performed by Secretary of Labor or, subject to his direction and control, by such officers, agencies, and employees of Department of Labor as he shall designate.

Act June 16, 1948, ch. 472, title I, 62 Stat. 446, provided in part that: "Effective July 1, 1948, the United States Employment Service, including its functions under title IV of the Servicemen's Readjustment Act of 1944, is transferred to the Federal Security Agency, and on and after such date the functions of the Secretary of Labor with respect to the United States Employment Service are transferred to the Federal Security Administrator and shall be performed by him or, under his direction and control, by such officers and employees of the Federal Security Agency as he may designate. There are transferred to the Federal Security Agency, for use in connection with the functions transferred by the provisions of this paragraph, the personnel, property, and records of the Department of Labor related to the United States Employment Service, and the balances of such prior appropriations, allocations, and other funds available to the United States Employment Service as the Director of the Bureau of the Budget may determine. The provisions of section 9 of the Reorganization Act of 1945 (Public Law 263, Seventy-ninth Congress) shall apply to the transfer effected by this paragraph in like manner as if such transfer were a reorganization of the agencies and functions concerned under the provisions of that Act."

United States Employment Service and all functions of Social Security Board in Federal Security Agency relating to employment service transferred to War Manpower Commission by Ex. Ord. No. 9247, Sept. 17, 1942, 7 F.R. 7379. That Commission was terminated by Ex. Ord. No. 9617, Sept. 19, 1945, 10 F.R. 11929, and the United States Employment Service transferred to the Department of Labor.

Reorg. Plan No. I of 1939, § 201, eff. July 1, 1939, 4 F.R. 2728, 53 Stat. 1424, set out in the Appendix to Title 5, Government Organization and Employees, consolidated United States Employment Service in Department of Labor and its functions and personnel, with other offices and agencies, under one agency to be known as Federal Security Agency with a Federal Security Administrator at head thereof.

Section 203 of Reorg. Plan No. I of 1939, provided that functions of United States Employment Service should

be consolidated with unemployment compensation functions of Social Security Board and should be administered in Social Security Board in connection with unemployment compensation functions under direction and supervision of Federal Security Administrator.

Section 203 of Reorg. Plan No. I of 1939, further, abolished office of Director of United States Employment Service and transferred all functions of that office to Social Security Board, to be exercised by Board, and provided that functions of Secretary of Labor relating to administration of United States Employment Service should be transferred to, and exercised by, Federal Security Administrator.

ADMINISTRATION OF MANPOWER IN DISTRICT OF COLUMBIA

Pub. L. 93-198, title II, § 204(a), Dec. 24, 1973, 87 Stat. 783, provided that: "All functions of the Secretary of Labor (hereafter in this section referred to as the Secretary) under section 3 of the Act [section 49b of this title] entitled 'An Act to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes', approved June 6, 1933 (29 U.S.C. 49-49k), with respect to the maintenance of a public employment service for the District [of Columbia], are transferred [effective July 1, 1974] to the Commissioner [of the District of Columbia established under Reorg. Plan No. 3 of 1967 (now the Mayor)]. After the effective date of this transfer [July 1, 1974], the Secretary shall maintain with the District the same relationship with respect to a public employment service in the District, including the financing of such service, as he has with the States (with respect to a public employment service in the States) generally."

RECRUITMENT AND DISTRIBUTION OF FARM LABOR

Act July 3, 1948, ch. 823, § 1, 62 Stat. 1238, authorized the Federal Security Administrator to recruit foreign workers within the Western Hemisphere and workers in Puerto Rico for temporary agricultural employment in the continental United States and to direct, supervise, coordinate, and provide for the transportation of those workers from such places of recruitment to and between places of employment within the continental United States and return to the places of recruitment not later than June 30, 1949.

Act July 3, 1948, ch. 823, § 2, 62 Stat. 1239, appropriated \$2,500,000, for fiscal year ending June 30, 1949, to carry out the purposes of section 1 of act July 3, 1948.

FARM PLACEMENT SERVICE

Act Apr. 28, 1947, ch. 43, § 2, 61 Stat. 55, provided that the provisions of the Farm Labor Supply Appropriation Act, 1944 were not to be construed to limit or interfere with any of the functions of the United States Employment Service or State public employment services with respect to maintaining a farm placement service as authorized under this chapter.

DEFINITIONS OF TERMS IN PUB. L. 113-128

Except as otherwise provided, definitions in section 3 of Pub. L. 113-128, which is classified to section 3102 of this title, apply to this section.

§ 49a. Definitions

For purposes of this chapter—

(1) the terms "chief elected official", "institution of higher education", "one-stop center", "one-stop partner", "training services", "workforce development activity", and "workplace learning advisor", have the meaning given the terms in section 3102 of this title;

(2) the term "local workforce development board" means a local workforce development board established under section 3122 of this title;

(3) the term “one-stop delivery system” means a one-stop delivery system described in section 3151(e) of this title;

(4) the term “Secretary” means the Secretary of Labor;

(5) the term “State” means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands; and

(6) the term “employment service office” means a local office of a State agency; and

(7) except in section 49l-2 of this title, the term “State agency”, used without further description, means an agency designated or authorized under section 49c of this title.

(June 6, 1933, ch. 49, §2, 48 Stat. 114; Pub. L. 97-300, title VI, §601(a), formerly title V, §501(a), Oct. 13, 1982, 96 Stat. 1392; renumbered title VI, §601(a), Pub. L. 100-628, title VII, §712(a)(1), (2), Nov. 7, 1988, 102 Stat. 3248; Pub. L. 105-220, title III, §301, Aug. 7, 1998, 112 Stat. 1080; Pub. L. 113-128, title III, §302, July 22, 2014, 128 Stat. 1624.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning act June 6, 1933, ch. 49, 48 Stat. 113, known as the Wagner-Peyser Act, which was classified to this chapter and section 338 of former Title 39, The Postal Service. Section 338 of former title 39 was repealed and reenacted as section 4152 of former Title 39, The Postal Service, by Pub. L. 86-682, Sept. 2, 1960, 74 Stat. 578. Section 4152 of former title 39 was repealed and reenacted as section 3202 of Title 39, Postal Service, by Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 719.

AMENDMENTS

2014—Par. (1). Pub. L. 113-128, §302(1), added par. (1) and struck out former par. (1) which read as follows: “the term ‘chief elected official’ has the same meaning given that term under the Workforce Investment Act of 1998”.

Par. (2). Pub. L. 113-128, §302(2), substituted “development board” for “investment board” in two places and substituted “section 3122 of this title” for “section 117 of the Workforce Investment Act of 1998”.

Par. (3). Pub. L. 113-128, §302(3), substituted “section 3151(e) of this title” for “section 134(c) of the Workforce Investment Act of 1998”.

Pars. (6), (7). Pub. L. 113-128, §302(4)–(6), added pars. (6) and (7).

1998—Par. (1). Pub. L. 105-220, §301(1), struck out “or officials” after “elected official” and substituted “Workforce Investment Act of 1998” for “Job Training Partnership Act”.

Par. (2). Pub. L. 105-220, §301(2), (4), added par. (2) and struck out former par. (2) which read as follows: “the term ‘private industry council’ has the same meaning given that term under the Job Training Partnership Act”.

Par. (3). Pub. L. 105-220, §301(4), added par. (3). Former par. (3) redesignated (4).

Par. (4). Pub. L. 105-220, §301(2), (3), (5), redesignated par. (3) as (4), substituted “Labor; and” for “Labor;”, and struck out former par. (4) which read as follows: “the term ‘service delivery area’ has the same meaning given that term under the Job Training Partnership Act; and”.

1982—Pub. L. 97-300 amended section generally, substituting provisions relating to definitions for provisions which authorized appointment of personnel and payment of office expenses.

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 this title.

EFFECTIVE DATE OF 1998 AMENDMENT

Pub. L. 105-220, title III, §311, Aug. 7, 1998, 112 Stat. 1086, which provided that the amendments made by subtitle A (§§301-311) of title III of Pub. L. 105-220 (enacting section 49l-2 of this title and amending this section, sections 49b, 49c, 49d, 49e to 49g, 49j, and 49k of this title, and section 655a of Title 42, The Public Health and Welfare) would take effect on July 1, 1999, was repealed by Pub. L. 113-128, title V, §511(a), July 22, 2014, 128 Stat. 1705.

EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97-300 effective Oct. 1, 1983, but with Secretary authorized to use funds appropriated for fiscal 1983 to plan for orderly implementation of amendment, see section 181(i) of Pub. L. 97-300, which was formerly classified to section 1591(i) of this title.

DEFINITIONS OF TERMS IN PUB. L. 113-128

Except as otherwise provided, definitions in section 3 of Pub. L. 113-128, which is classified to section 3102 of this title, apply to this section.

§ 49b. Duties of Secretary

(a) Assistance to State public employment service offices

The Secretary shall assist in coordinating the State public employment service offices throughout the country and in increasing their usefulness by developing and prescribing minimum standards of efficiency, assisting them in meeting problems peculiar to their localities, promoting uniformity in their administrative and statistical procedure, furnishing and publishing information as to opportunities for employment and other information of value in the operation of the system, and maintaining a system for clearing labor between the States.

(b) Provision of unemployment compensation information

It shall be the duty of the Secretary to assure that unemployment insurance and employment service offices in each State, as appropriate, upon request of a public agency administering or supervising the administration of a State program funded under part A of title IV of the Social Security Act [42 U.S.C. 601 et seq.], of a public agency charged with any duty or responsibility under any program or activity authorized or required under part D of title IV of such Act [42 U.S.C. 651 et seq.], or of a State agency charged with the administration of the supplemental nutrition assistance program in a State under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), shall (and, notwithstanding any other provision of law, is authorized to) furnish to such agency making the request, from any data contained in the files of any such office, information with respect to any individual specified in the request as to (1) whether such individual is receiving, has received, or has made application for, unemployment compensation, and the amount of any such compensation being received by such individual, (2) the current (or most recent) home address of such individual, and (3) whether such individual has refused an offer of employment and, if so, a description of