

ices, address the specialized employment and training needs of particular service populations, or address industry-wide skill shortages, to the extent such projects are consistent with the priorities specified in the plan published under paragraph (1).

(B) Design of grants

Agreements for grants or contracts awarded under this paragraph shall be designed to obtain information relating to the provision of services under different economic conditions or to various demographic groups in order to provide guidance at the national and State levels about how best to administer specific employment and training services.

(6) Limitations

(A) Competitive awards

A grant or contract awarded for carrying out a project under this subsection in an amount that exceeds \$100,000 shall be awarded only on a competitive basis, except that a noncompetitive award may be made in the case of a project that is funded jointly with other public or private sector entities that provide a substantial portion of assistance under the grant or contract for the project.

(B) Time limits

A grant or contract shall not be awarded under this subsection to the same organization for more than 3 consecutive years unless such grant or contract is competitively reevaluated within such period.

(C) Peer review

(i) In general

The Secretary shall utilize a peer review process—

(I) to review and evaluate all applications for grants in amounts that exceed \$500,000 that are submitted under this section; and

(II) to review and designate exemplary and promising programs under this section.

(ii) Availability of funds

The Secretary is authorized to use funds provided under this section to carry out peer review activities under this subparagraph.

(D) Priority

In awarding grants or contracts under this subsection, priority shall be provided to entities with recognized expertise in the methods, techniques, and knowledge of workforce investment activities. The Secretary shall establish appropriate time limits for the duration of such projects.

(c) Dislocated worker projects

Of the amount made available pursuant to section 3172(a)(2)(A) of this title for any program year, the Secretary shall use not more than 10 percent of such amount to carry out demonstration and pilot projects, multiservice projects, and multistate projects relating to the employment and training needs of dislocated workers. Of the requirements of this section, such

projects shall be subject only to the provisions relating to review and evaluation of applications under subsection (b)(6)(C). Such projects may include demonstration and pilot projects relating to promoting self-employment, promoting job creation, averting dislocations, assisting dislocated farmers, assisting dislocated fishermen, and promoting public works. Such projects shall be administered by the Secretary, acting through the Assistant Secretary for Employment and Training.

(Pub. L. 113–128, title I, §169, July 22, 2014, 128 Stat. 1568.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in subsec. (b)(4)(A), (J), is Pub. L. 113–128, July 22, 2014, 128 Stat. 1425, known as the Workforce Innovation and Opportunity Act, which enacted this chapter, repealed chapter 30 (§2801 et seq.) of this title and chapter 73 (§9201 et seq.) of Title 20, Education, and made amendments to numerous other sections and notes in the Code. For complete classification of this Act to the Code, see Short Title note set out under section 3101 of this title and Tables.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Education and the Workforce of House of Representatives changed to Committee on Education and Labor of House of Representatives by House Resolution No. 6, One Hundred Sixteenth Congress, Jan. 9, 2019.

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.

§ 3224a. Job training grants

(1) In general

The Secretary of Labor shall use funds available under section 1356(s)(2) of title 8 to award grants to eligible entities to provide job training and related activities for workers to assist them in obtaining or upgrading employment in industries and economic sectors identified pursuant to paragraph (4) that are projected to experience significant growth and ensure that job training and related activities funded by such grants are coordinated with the public workforce investment system.

(2) Use of funds

(A) Training provided

Funds under this section may be used to provide job training services and related activities that are designed to assist workers (including unemployed and employed workers) in gaining the skills and competencies needed to obtain or upgrade career ladder employment positions in the industries and economic sectors identified pursuant to paragraph (4).

(B) Enhanced training programs and information

In order to facilitate the provision of job training services described in subparagraph (A), funds under this section may be used to

assist in the development and implementation of model activities such as developing appropriate curricula to build core competencies and train workers, identifying and disseminating career and skill information, and increasing the integration of community and technical college activities with activities of businesses and the public workforce investment system to meet the training needs for the industries and economic sectors identified pursuant to paragraph (4).

(3) Eligible entities

Grants under this section may be awarded to partnerships of private and public sector entities, which may include—

(A) businesses or business-related nonprofit organizations, such as trade associations;

(B) education and training providers, including community colleges and other community-based organizations; and

(C) entities involved in administering the workforce development system, as defined in section 3102 of this title, and economic development agencies.

(4) High growth industries and economic sectors

For purposes of this section, the Secretary of Labor, in consultation with State workforce investment boards, shall identify industries and economic sectors that are projected to experience significant growth, taking into account appropriate factors, such as the industries and sectors that—

(A) are projected to add substantial numbers of new jobs to the economy;

(B) are being transformed by technology and innovation requiring new skill sets for workers;

(C) are new and emerging businesses that are projected to grow; or

(D) have a significant impact on the economy overall or on the growth of other industries and economic sectors.

(5) Equitable distribution

In awarding grants under this section, the Secretary of Labor shall ensure an equitable distribution of such grants across geographically diverse areas.

(6) Leveraging of resources and authority to require match

(A) Leveraging of resources

In awarding grants under this section, the Secretary of Labor shall take into account, in addition to other factors the Secretary determines are appropriate—

(i) the extent to which resources other than the funds provided under this section will be made available by the eligible entities applying for grants to support the activities carried out under this section; and

(ii) the ability of such entities to continue to carry out and expand such activities after the expiration of the grants.

(B) Authority to require match

The Secretary of Labor may require the provision of specified levels of a matching share of cash or noncash resources from resources other than the funds provided under this section for projects funded under this section.

(7) Performance accountability

The Secretary of Labor shall require grantees to report on the employment outcomes obtained by workers receiving training under this section using indicators of performance that are consistent with other indicators used for employment and training programs administered by the Secretary, such as entry into employment, retention in employment, and increases in earnings. The Secretary of Labor may also require grantees to participate in evaluations of projects carried out under this section.

(Pub. L. 105-277, div. C, title IV, §414(c), Oct. 21, 1998, 112 Stat. 2681-653; Pub. L. 106-313, title I, §111, Oct. 17, 2000, 114 Stat. 1257; Pub. L. 108-447, div. J, title IV, §428, Dec. 8, 2004, 118 Stat. 3358; Pub. L. 113-128, title V, §512(a), July 22, 2014, 128 Stat. 1705.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 2916a of this title and set out as a note under section 2916 of this title.

Section was enacted as part of the American Competitiveness and Workforce Improvement Act of 1998 and also as part of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, and not as part of title I of the Workforce Innovation and Opportunity Act which comprises this subchapter.

AMENDMENTS

2014—Par. (3)(C). Pub. L. 113-128 substituted “entities involved in administering the workforce development system, as defined in section 3102 of this title” for “entities involved in administering the workforce investment system established under title I of the Workforce Investment Act of 1998”.

2004—Pub. L. 108-447 amended section catchline and text generally, substituting provisions relating to job training grants for provisions relating to demonstration programs and projects to provide technical skills training for workers.

2000—Pub. L. 106-313 amended section catchline and text generally. Prior to amendment, text read as follows:

“(1) IN GENERAL.—In establishing demonstration programs under section 1732(c) of this title, as in effect on October 21, 1998, or demonstration programs or projects under section 2916(b) of this title, the Secretary of Labor shall use funds available under section 1356(s)(2) of title 8 to establish demonstration programs or projects to provide technical skills training for workers, including both employed and unemployed workers.

“(2) GRANTS.—The Secretary of Labor shall award grants to carry out the programs and projects described in paragraph (1) to—

“(A)(i) private industry councils established under section 1512 of this title, as in effect on October 21, 1998; or

“(ii) local boards that will carry out such programs or projects through one-stop delivery systems established under section 2841 of this title; or

“(B) regional consortia of councils or local boards described in subparagraph (A).”

Statutory Notes and Related Subsidiaries

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 2004 AMENDMENT

Amendment by Pub. L. 108-447 effective 90 days after Dec. 8, 2004, see section 430(a) of Pub. L. 108-447, set out as a note under section 1182 of Title 8, Aliens and Nationality.

§ 3225. National dislocated worker grants**(a) Definitions**

In this section:

(1) Emergency or disaster

The term “emergency or disaster” means—

(A) an emergency or a major disaster, as defined in paragraphs (1) and (2), respectively, of section 5122 of title 42; or

(B) an emergency or disaster situation of national significance that could result in a potentially large loss of employment, as declared or otherwise recognized by the chief official of a Federal agency with authority for or jurisdiction over the Federal response to the emergency or disaster situation.

(2) Disaster area

The term “disaster area” means an area that has suffered or in which has occurred an emergency or disaster.

(b) In general**(1) Grants**

The Secretary is authorized to award national dislocated worker grants—

(A) to an entity described in subsection (c)(1)(B) to provide employment and training assistance to workers affected by major economic dislocations, such as plant closures, mass layoffs, or closures and realignments of military installations;

(B) to provide assistance to—

(i) the Governor of any State within the boundaries of which is a disaster area, to provide disaster relief employment in the disaster area; or

(ii) the Governor of any State to which a substantial number of workers from an area in which an emergency or disaster has been declared or otherwise recognized have relocated;

(C) to provide additional assistance to a State board or local board for eligible dislocated workers in a case in which the State board or local board has expended the funds provided under this section to carry out activities described in subparagraphs (A) and (B) and can demonstrate the need for additional funds to provide appropriate services for such workers, in accordance with requirements prescribed by the Secretary; and

(D) to provide additional assistance to a State board or local board serving an area where—

(i) a higher-than-average demand for employment and training activities for dislocated members of the Armed Forces, spouses described in section 3102(15)(E) of this title, or members of the Armed Forces described in subsection (c)(2)(A)(iv), exceeds State and local resources for providing such activities; and

(ii) such activities are to be carried out in partnership with the Department of De-

fense and Department of Veterans Affairs transition assistance programs.

(2) Decisions and obligations

The Secretary shall issue a final decision on an application for a national dislocated worker grant under this subsection not later than 45 calendar days after receipt of the application. The Secretary shall issue a notice of obligation for such grant not later than 10 days after the award of such grant.

(c) Employment and training assistance requirements**(1) Grant recipient eligibility****(A) Application**

To be eligible to receive a grant under subsection (b)(1)(A), an entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(B) Eligible entity

In this paragraph, the term “entity” means a State, a local board, an entity described in section 3221(c) of this title, an entity determined to be eligible by the Governor of the State involved, and any other entity that demonstrates to the Secretary the capability to effectively respond to the circumstances relating to particular dislocations.

(2) Participant eligibility**(A) In general**

In order to be eligible to receive employment and training assistance under a national dislocated worker grant awarded pursuant to subsection (b)(1)(A), an individual shall be—

(i) a dislocated worker;

(ii) a civilian employee of the Department of Defense or the Department of Energy employed at a military installation that is being closed, or that will undergo realignment, within the next 24 months after the date of the determination of eligibility;

(iii) an individual who is employed in a nonmanagerial position with a Department of Defense contractor, who is determined by the Secretary of Defense to be at risk of termination from employment as a result of reductions in defense expenditures, and whose employer is converting operations from defense to nondefense applications in order to prevent worker layoffs; or

(iv) a member of the Armed Forces who—

(I) was on active duty or full-time National Guard duty;

(II)(aa) is involuntarily separated (as defined in section 1141 of title 10) from active duty or full-time National Guard duty; or

(bb) is separated from active duty or full-time National Guard duty pursuant to a special separation benefits program under section 1174a of title 10, or the voluntary separation incentive program under section 1175 of that title;