Wagner-Peyser

SEC. 15. EMPLOYMENT STATISTICS.

    ``(a) System Content.--

        ``(1) In general.--The Secretary, in accordance with the

    provisions of this section, shall oversee the development,

    maintenance, and continuous improvement of a nationwide employment

    statistics system of employment statistics that includes--

            ``(A) statistical data from cooperative statistical survey

        and projection programs and data from administrative reporting

        systems that, taken together, enumerate, estimate, and project

        employment opportunities and conditions at national, State, and

        local levels in a timely manner, including statistics on--

                ``(i) employment and unemployment status of national,

            State, and local populations, including self-employed,

            part-time, and seasonal workers;

                ``(ii) industrial distribution of occupations, as well

            as current and projected employment opportunities, wages,

            benefits (where data is available), and skill trends by

            occupation and industry, with particular attention paid to

            State and local conditions;

                ``(iii) the incidence of, industrial and geographical

            location of, and number of workers displaced by, permanent

            layoffs and plant closings; and

                ``(iv) employment and earnings information maintained

            in a longitudinal manner to be used for research and

            program evaluation;

            ``(B) information on State and local employment

        opportunities, and other appropriate statistical data related

        to labor market dynamics, which--

                ``(i) shall be current and comprehensive;

                ``(ii) shall meet the needs identified through the

            consultations described in subparagraphs (A) and (B) of

            subsection (e)(2); and

                ``(iii) shall meet the needs for the information

            identified in section 134(d);

            ``(C) technical standards (which the Secretary shall

        publish annually) for data and information described in

        subparagraphs (A) and (B) that, at a minimum, meet the criteria

        of chapter 35 of title 44, United States Code;

            ``(D) procedures to ensure compatibility and additivity of

        the data and information described in subparagraphs (A) and (B)

        from national, State, and local levels;

            ``(E) procedures to support standardization and aggregation

        of data from administrative reporting systems described in

        subparagraph (A) of employment-related programs;

            ``(F) analysis of data and information described in

        subparagraphs (A) and (B) for uses such as--

                ``(i) national, State, and local policymaking;

                ``(ii) implementation of Federal policies (including

            allocation formulas);

                ``(iii) program planning and evaluation; and

                ``(iv) researching labor market dynamics;

            ``(G) wide dissemination of such data, information, and

        analysis in a user-friendly manner and voluntary technical

        standards for dissemination mechanisms; and

            ``(H) programs of--

                ``(i) training for effective data dissemination;

                ``(ii) research and demonstration; and

                ``(iii) programs and technical assistance.

        ``(2) Information to be confidential.--

            ``(A) In general.--No officer or employee of the Federal

        Government or agent of the Federal Government may--

                ``(i) use any submission that is furnished for

            exclusively statistical purposes under the provisions of

            this section for any purpose other than the statistical

            purposes of this section for which the submission is

            furnished;

                ``(ii) make any publication or media transmittal of the

            data contained in the submission described in clause (i)

            that permits information concerning individual subjects to

            be reasonably inferred by either direct or indirect means;

            or

                ``(iii) permit anyone other than a sworn officer,

            employee, or agent of any Federal department or agency, or

            a contractor (including an employee of a contractor) of

            such department or agency, to examine an individual

            submission described in clause (i);

        without the consent of the individual, agency, or other person

        who is the subject of the submission or provides that

        submission.

            ``(B) Immunity from legal process.--Any submission

        (including any data derived from the submission) that is

        collected and retained by a Federal department or agency, or an

        officer, employee, agent, or contractor of such a department or

        agency, for exclusively statistical purposes under this section

        shall be immune from the legal process and shall not, without

        the consent of the individual, agency, or other person who is

        the subject of the submission or provides that submission, be

        admitted as evidence or used for any purpose in any action,

        suit, or other judicial or administrative proceeding.

            ``(C) Rule of construction.--Nothing in this section shall

        be construed to provide immunity from the legal process for

        such submission (including any data derived from the

        submission) if the submission is in the possession of any

        person, agency, or entity other than the Federal Government or

        an officer, employee, agent, or contractor of the Federal

        Government, or if the submission is independently collected,

        retained, or produced for purposes other than the purposes of

        this Act.

    ``(b) System Responsibilities.--

        ``(1) In general.--The employment statistics system described

    in subsection (a) shall be planned, administered, overseen, and

    evaluated through a cooperative governance structure involving the

    Federal Government and States.

        ``(2) Duties.--The Secretary, with respect to data collection,

    analysis, and dissemination of labor employment statistics for the

    system, shall carry out the following duties:

            ``(A) Assign responsibilities within the Department of

        Labor for elements of the employment statistics system

        described in subsection (a) to ensure that all statistical and

        administrative data collected is consistent with appropriate

        Bureau of Labor Statistics standards and definitions.

            ``(B) Actively seek the cooperation of other Federal

        agencies to establish and maintain mechanisms for ensuring

        complementarity and nonduplication in the development and

        operation of statistical and administrative data collection

        activities.

            ``(C) Eliminate gaps and duplication in statistical

        undertakings, with the systemization of wage surveys as an

        early priority.

            ``(D) In collaboration with the Bureau of Labor Statistics

        and States, develop and maintain the elements of the employment

        statistics system described in subsection (a), including the

        development of consistent procedures and definitions for use by

        the States in collecting the data and information described in

        subparagraphs (A) and (B) of subsection (a)(1).

            ``(E) Establish procedures for the system to ensure that--

                ``(i) such data and information are timely;

                ``(ii) paperwork and reporting for the system are

            reduced to a minimum; and

                ``(iii) States and localities are fully involved in the

            development and continuous improvement of the system at all

            levels, including ensuring the provision, to such States

            and localities, of budget information necessary for

            carrying out their responsibilities under subsection (e).

    ``(c) Annual Plan.--The Secretary, working through the Bureau of

Labor Statistics, and in cooperation with the States, and with the

assistance of other appropriate Federal agencies, shall prepare an

annual plan which shall be the mechanism for achieving cooperative

management of the nationwide employment statistics system described in

subsection (a) and the statewide employment statistics systems that

comprise the nationwide system. The plan shall--

        ``(1) describe the steps the Secretary has taken in the

    preceding year and will take in the following 5 years to carry out

    the duties described in subsection (b)(2);

        ``(2) include a report on the results of an annual consumer

    satisfaction review concerning the performance of the system,

    including the performance of the system in addressing the needs of

    Congress, States, localities, employers, jobseekers, and other

    consumers;

        ``(3) evaluate the performance of the system and recommend

    needed improvements, taking into consideration the results of the

    consumer satisfaction review, with particular attention to the

    improvements needed at the State and local levels;

        ``(4) justify the budget request for annual appropriations by

    describing priorities for the fiscal year succeeding the fiscal

    year in which the plan is developed and priorities for the 5

    subsequent fiscal years for the system;

        ``(5) describe current (as of the date of the submission of the

    plan) spending and spending needs to carry out activities under

    this section, including the costs to States and localities of

    meeting the requirements of subsection (e)(2); and

        ``(6) describe the involvement of States in the development of

    the plan, through formal consultations conducted by the Secretary

    in cooperation with representatives of the Governors of every

    State, and with representatives of local workforce investment

    boards, pursuant to a process established by the Secretary in

    cooperation with the States.

    ``(d) Coordination With the States.--The Secretary, working through

the Bureau of Labor Statistics, and in cooperation with the States,

shall--

        ``(1) develop the annual plan described in subsection (c) and

    address other employment statistics issues by holding formal

    consultations, at least once each quarter (beginning with the

    calendar quarter in which the Workforce Investment Act of 1998 is

    enacted) on the products and administration of the nationwide

    employment statistics system; and

        ``(2) hold the consultations with representatives from each of

    the 10 Federal regions of the Department of Labor, elected

    (pursuant to a process established by the Secretary) by and from

    the State employment statistics directors affiliated with the State

    agencies that perform the duties described in subsection (e)(2).

    ``(e) State Responsibilities.--

        ``(1) Designation of state agency.--In order to receive Federal

    financial assistance under this section, the Governor of a State shall--

            ``(A) designate a single State agency to be responsible for

        the management of the portions of the employment statistics

        system described in subsection (a) that comprise a statewide

        employment statistics system and for the State's participation

        in the development of the annual plan; and

            ``(B) establish a process for the oversight of such system.

        ``(2) Duties.--In order to receive Federal financial assistance

    under this section, the State agency shall--

            ``(A) consult with State and local employers, participants,

        and local workforce investment boards about the labor market

        relevance of the data to be collected and disseminated through

        the statewide employment statistics system;

            ``(B) consult with State educational agencies and local

        educational agencies concerning the provision of employment

        statistics in order to meet the needs of secondary school and

        postsecondary school students who seek such information;

            ``(C) collect and disseminate for the system, on behalf of

        the State and localities in the State, the information and data

        described in subparagraphs (A) and (B) of subsection (a)(1);

            ``(D) maintain and continuously improve the statewide

        employment statistics system in accordance with this section;

            ``(E) perform contract and grant responsibilities for data

        collection, analysis, and dissemination for such system;

            ``(F) conduct such other data collection, analysis, and

        dissemination activities as will ensure an effective statewide

        employment statistics system;

            ``(G) actively seek the participation of other State and

        local agencies in data collection, analysis, and dissemination

        activities in order to ensure complementary, compatibility, and

        usefulness of data;

            ``(H) participate in the development of the annual plan

        described in subsection (c); and

            ``(I) utilize the quarterly records described in section

        136(f)(2) of the Workforce Investment Act of 1998 to assist the

        State and other States in measuring State progress on State

        performance measures.

        ``(3) Rule of construction.--Nothing in this section shall be

    construed as limiting the ability of a State agency to conduct additional

    data collection, analysis, and dissemination activities with State

    funds or with Federal funds from sources other than this section.

    ``(f) Nonduplication Requirement.--None of the functions and

activities carried out pursuant to this section shall duplicate the

functions and activities carried out under the Carl D. Perkins

Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.).

    ``(g) Authorization of Appropriations.--There are authorized to be

appropriated to carry out this section such sums as may be necessary

for each of the fiscal years 1999 through 2004.

    ``(h) Definition.--In this section, the term `local area' means the

smallest geographical area for which data can be produced with

statistical reliability.''.