

ance improvement plan. Such a plan shall require action to be taken during a 1-year period, including—

- (A) providing technical assistance to the center;
- (B) changing the career and technical education and training offered at the center;
- (C) changing the management staff of the center;
- (D) replacing the operator of the center;
- (E) reducing the capacity of the center;
- (F) relocating the center; or
- (G) closing the center.

(3) Additional performance improvement

In addition to the performance improvement plans required under paragraph (2), the Secretary may develop and implement additional performance improvement plans. Such a plan shall require improvements, including the actions described in such paragraph, for a Job Corps center that fails to meet criteria established by the Secretary other than the expected levels of performance described in such paragraph.

(4) Civilian Conservation Centers

With respect to a Civilian Conservation Center that fails to meet the expected levels of performance relating to the primary indicators of performance specified in subsection (c)(1) or fails to improve performance as described in paragraph (2) after 3 program years, the Secretary, in consultation with the Secretary of Agriculture, shall select an entity to operate the Civilian Conservation Center on a competitive basis, in accordance with the requirements of section 3197 of this title.

(g) Participant health and safety

(1) Center

The Secretary shall ensure that a review by an appropriate Federal, State, or local entity of the physical condition and health-related activities of each Job Corps center occurs annually.

(2) Work-based learning locations

The Secretary shall require that an entity that has entered into a contract to provide work-based learning activities for any Job Corps enrollee under this part shall comply with the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.) or, as appropriate, under the corresponding State Occupational Safety and Health Act of 1970 requirements in the State in which such activities occur.

(h) Buildings and facilities

The Secretary shall collect, and submit in the report described in subsection (c)(4), information regarding the state of Job Corps buildings and facilities. Such report shall include—

- (1) a review of requested construction, rehabilitation, and acquisition projects, by each Job Corps center; and
- (2) a review of new facilities under construction.

(i) National and community service

The Secretary shall include in the report described in subsection (c)(4) available information regarding the national and community

service activities of enrollees, particularly those enrollees at Civilian Conservation Centers.

(j) Closure of Job Corps center

Prior to the closure of any Job Corps center, the Secretary shall ensure—

- (1) that the proposed decision to close the center is announced in advance to the general public through publication in the Federal Register or other appropriate means;

- (2) the establishment of a reasonable comment period, not to exceed 30 days, for interested individuals to submit written comments to the Secretary; and

- (3) that the Member of Congress who represents the district in which such center is located is notified within a reasonable period of time in advance of any final decision to close the center.

(Pub. L. 113-128, title I, § 159, July 22, 2014, 128 Stat. 1554.)

Editorial Notes

REFERENCES IN TEXT

The Occupational Safety and Health Act of 1970, referred to in subsec. (g)(2), is Pub. L. 91-596, Dec. 29, 1970, 84 Stat. 1590, which is classified principally to chapter 15 (§ 651 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 651 of this title and Tables.

Statutory Notes and Related Subsidiaries

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.

§ 3210. General provisions

The Secretary is authorized to—

- (1) disseminate, with regard to the provisions of section 3204 of title 39, data and information in such forms as the Secretary shall determine to be appropriate, to public agencies, private organizations, and the general public;

- (2) subject to section 3207(b) of this title, collect or compromise all obligations to or held by the Secretary and exercise all legal or equitable rights accruing to the Secretary in connection with the payment of obligations until such time as such obligations may be referred to the Attorney General for suit or collection; and

- (3) expend funds made available for purposes of this part—

- (A) for printing and binding, in accordance with applicable law (including regulation); and

- (B) without regard to any other law (including regulation), for rent of buildings and space in buildings and for repair, alteration, and improvement of buildings and space in buildings rented by the Secretary, except that the Secretary shall not expend funds under the authority of this subparagraph—

- (i) except when necessary to obtain an item, service, or facility, that is required in the proper administration of this part, and that otherwise could not be obtained,

or could not be obtained in the quantity or quality needed, or at the time, in the form, or under the conditions in which the item, service, or facility is needed; and

(ii) prior to having given written notification to the Administrator of General Services (if the expenditure would affect an activity that otherwise would be under the jurisdiction of the General Services Administration) of the intention of the Secretary to make the expenditure, and the reasons and justifications for the expenditure.

(Pub. L. 113–128, title I, § 160, July 22, 2014, 128 Stat. 1558.)

Statutory Notes and Related Subsidiaries

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.

§ 3211. Job Corps oversight and reporting

(a) Temporary financial reporting

(1) In general

During the periods described in paragraphs (2) and (3)(B), the Secretary shall prepare and submit to the applicable committees financial reports regarding the Job Corps program under this part. Each such financial report shall include—

(A) information regarding the implementation of the financial oversight measures suggested in the May 31, 2013, report of the Office of Inspector General of the Department of Labor entitled “The U.S. Department of Labor’s Employment and Training Administration Needs to Strengthen Controls over Job Corps Funds”;

(B) a description of any budgetary shortfalls for the program for the period covered by the financial report, and the reasons for such shortfalls; and

(C) a description and explanation for any approval for contract expenditures that are in excess of the amounts provided for under the contract.

(2) Timing of reports

The Secretary shall submit a financial report under paragraph (1) once every 6 months beginning on July 22, 2014, for a 3-year period. After the completion of such 3-year period, the Secretary shall submit a financial report under such paragraph once a year for the next 2 years, unless additional reports are required under paragraph (3)(B).

(3) Reporting requirements in cases of budgetary shortfalls

If any financial report required under this subsection finds that the Job Corps program under this part has a budgetary shortfall for the period covered by the report, the Secretary shall—

(A) not later than 90 days after the budgetary shortfall was identified, submit a report to the applicable committees explaining how the budgetary shortfall will be addressed; and

(B) submit an additional financial report under paragraph (1) for each 6-month period subsequent to the finding of the budgetary shortfall until the Secretary demonstrates, through such report, that the Job Corps program has no budgetary shortfall.

(b) Third-party review

Every 5 years after July 22, 2014, the Secretary shall provide for a third-party review of the Job Corps program under this part that addresses all of the areas described in subparagraphs (A) through (G) of section 3224(a)(2) of this title. The results of the review shall be submitted to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

(c) Criteria for Job Corps center closures

By not later than December 1, 2014, the Secretary shall establish written criteria that the Secretary shall use to determine when a Job Corps center supported under this part is to be closed and how to carry out such closure, and shall submit such criteria to the applicable committees.

(d) Definition of applicable committees

In this section, the term “applicable committees” means—

(1) the Committee on Education and the Workforce of the House of Representatives;

(2) the Subcommittee on Labor, Health and Human Services, Education, and Related Agencies of the Committee of Appropriations of the House of Representatives;

(3) the Committee on Health, Education, Labor, and Pensions of the Senate; and

(4) the Subcommittee on Labor, Health and Human Services, Education, and Related Agencies of the Committee of Appropriations of the Senate.

(Pub. L. 113–128, title I, § 161, July 22, 2014, 128 Stat. 1558.)

Statutory Notes and Related Subsidiaries

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.

§ 3212. Authorization of appropriations

There are authorized to be appropriated to carry out this part—

(1) \$1,688,155,000 for fiscal year 2015;

(2) \$1,818,548,000 for fiscal year 2016;

(3) \$1,856,283,000 for fiscal year 2017;

(4) \$1,897,455,000 for fiscal year 2018;

(5) \$1,942,064,000 for fiscal year 2019; and

(6) \$1,983,236,000 for fiscal year 2020.

(Pub. L. 113–128, title I, § 162, July 22, 2014, 128 Stat. 1559.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective on the first day of the first full program year after July 22, 2014 (July 1, 2015), see section