

L. 102-375, title VIII, §822(9), Sept. 30, 1992, 106 Stat. 1298.)

Editorial Notes

PRIOR PROVISIONS

A prior section 809 of Pub. L. 88-452 was renumbered section 810 and is classified to section 2991h of this title.

AMENDMENTS

1992—Subsecs. (a), (b). Pub. L. 102-375 substituted “Commissioner” for “Secretary”.

§ 2991h. Appeals, notice, and hearing

(a) The Commissioner shall prescribe procedures to assure that—

(1) financial assistance under this subchapter shall not be suspended, except in emergency situations, unless the assisted agency has been given reasonable notice and opportunity to show cause why such action should not be taken; and

(2) financial assistance under this subchapter shall not be terminated, and application for refunding shall not be denied, and a suspension of financial assistance shall not be continued for longer than thirty days, unless the assisted agency has been afforded reasonable notice and opportunity for a full and fair hearing.

(b) If an application is rejected on the grounds that the applicant is ineligible or that activities proposed by the applicant are ineligible for funding, the applicant may appeal to the Secretary, not later than 30 days after the date of receipt of notification of such rejection, for a review of the grounds for such rejection. On appeal, if the Secretary finds that an applicant is eligible or that its proposed activities are eligible, such eligibility shall not be effective until the next cycle of grant proposals are considered by the Administration.

(Pub. L. 88-452, title VIII, §810, formerly §809, as added Pub. L. 93-644, §11, Jan. 4, 1975, 88 Stat. 2326; renumbered §810, Pub. L. 100-175, title V, §502(3), Nov. 29, 1987, 101 Stat. 973; amended Pub. L. 102-375, title VIII, §822(10), Sept. 30, 1992, 106 Stat. 1298.)

Editorial Notes

PRIOR PROVISIONS

A prior section 810 of Pub. L. 88-452 was renumbered section 811 and is classified to section 2992 of this title.

Another prior section 810 of Pub. L. 88-452, title VIII, as added Pub. L. 90-222, title I, §110, Dec. 23, 1967, 81 Stat. 722, related to authority to establish full-time programs and was classified to section 2992 of this title, prior to repeal by Pub. L. 93-113, title VI, §603, Oct. 1, 1973, 87 Stat. 417.

AMENDMENTS

1992—Pub. L. 102-375 substituted “Commissioner” for “Secretary”, designated existing provisions as subsec. (a), and added subsec. (b).

§ 2992. Evaluation of projects

(a) **Description and measurement of project impact, effectiveness, and structure and mechanisms for delivery of services; frequency of evaluations**

(1) The Commissioner shall provide, directly or through grants or contracts, for the evalua-

tion of projects assisted under this subchapter including evaluations that describe and measure the impact of such projects, their effectiveness in achieving stated goals, their impact on related programs, and their structure and mechanisms for delivery of services, including, where appropriate, comparisons with appropriate control groups composed of persons who have not participated in such projects. Evaluations shall be conducted by persons not directly involved in the administration of the program or project evaluated.

(2) The projects assisted under this subchapter shall be evaluated in accordance with this section not less frequently than at 3-year intervals.

(b) General standards for evaluation

Prior to obligating funds for the programs and projects covered by this subchapter with respect to fiscal year 1976, the Commissioner shall develop and publish general standards for evaluation of program and project effectiveness in achieving the objectives of this subchapter. The extent to which such standards have been met shall be considered in deciding whether to renew or supplement financial assistance authorized under this subchapter.

(c) Independent evaluations

In carrying out evaluations under this subchapter, the Commissioner may require agencies which receive assistance under this subchapter to provide for independent evaluations.

(d) Specificity of views

In carrying out evaluations under this subchapter, the Commissioner shall, whenever feasible, arrange to obtain the specific views of persons participating in and served by programs and projects assisted under this subchapter about such programs and projects.

(e) Publication of results; submission to Congress

The Commissioner shall publish the results of evaluative research and summaries of evaluations of program and project impact and effectiveness not later than ninety days after the completion thereof. The Commissioner shall submit to the appropriate committees of the Congress copies of all such research studies and evaluation summaries.

(f) Evaluation results as United States property

The Commissioner shall take the necessary action to assure that all studies, evaluations, proposals, and data produced or developed with assistance under this subchapter shall become the property of the United States.

(Pub. L. 88-452, title VIII, §811, formerly §810, as added Pub. L. 93-644, §11, Jan. 4, 1975, 88 Stat. 2326; renumbered §811, Pub. L. 100-175, title V, §502(3), Nov. 29, 1987, 101 Stat. 973; amended Pub. L. 102-375, title VIII, §822(11), Sept. 30, 1992, 106 Stat. 1298.)

Editorial Notes

PRIOR PROVISIONS

A prior section 2992, Pub. L. 88-452, title VIII, §810, as added Pub. L. 90-222, title I, §110, Dec. 23, 1967, 81 Stat. 722, related to authority to establish full-time programs, prior to repeal by Pub. L. 93-113, title VI, §603, Oct. 1, 1973, 87 Stat. 417.

A prior section 811 of Pub. L. 88-452 was renumbered section 812 and is classified to section 2992a of this title.

Another prior section 811 of Pub. L. 88-452, title VIII, as added Pub. L. 90-222, title I, §110, Dec. 23, 1967, 81 Stat. 723; amended Pub. L. 92-424, §26(b), Sept. 19, 1972, 86 Stat. 703, related to terms of service and was classified to section 2992a of this title, prior to repeal by Pub. L. 93-113, title VI, §603, Oct. 1, 1973, 87 Stat. 417.

AMENDMENTS

1992—Subsec. (a). Pub. L. 102-375 substituted “Commissioner” for “Secretary”, designated existing provisions as par. (1), and added par. (2).

Subsecs. (b) to (f). Pub. L. 102-375, §822(11)(A), substituted “Commissioner” for “Secretary” wherever appearing.

§ 2992-1. Annual report

The Secretary shall, not later than January 31 of each year, prepare and transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives an annual report on the social and economic conditions of American Indians, Native Hawaiians, other Native American Pacific Islanders (including American Samoan Natives), and Alaska Natives, together with such recommendations to Congress as the Secretary considers to be appropriate.

(Pub. L. 88-452, title VIII, §811A, as added Pub. L. 102-375, title VIII, §822(12), Sept. 30, 1992, 106 Stat. 1299.)

§ 2992a. Labor standards

All laborers and mechanics employed by contractors or subcontractors in the construction, alteration, or repair, including painting or decorating, of buildings or other facilities in connection with projects assisted under this subchapter, shall be paid wages at rates not less than those prevailing on similar construction in the locality, as determined by the Secretary of Labor in accordance with sections 3141-3144, 3146, and 3147 of title 40. The Secretary of Labor shall have, with respect to such labor standards, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950, and section 3145 of title 40.

(Pub. L. 88-452, title VIII, §812, formerly §811, as added Pub. L. 93-644, §11, Jan. 4, 1975, 88 Stat. 2327; renumbered §812, Pub. L. 100-175, title V, §502(3), Nov. 29, 1987, 101 Stat. 973.)

Editorial Notes

REFERENCES IN TEXT

Reorganization Plan Numbered 14 of 1950, referred to in text, is Reorg. Plan No. 14 of 1950, eff. May 24, 1950, 15 F.R. 3176, 64 Stat. 1267, which is set out in the Appendix to Title 5, Government Organization and Employees.

CODIFICATION

In text, “sections 3141-3144, 3146, and 3147 of title 40” substituted for “the Davis-Bacon Act” and “section 3145 of title 40” substituted for “section 2 of the Act of June 1, 1934”, meaning section 2 of the Act of June 13, 1934, on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

PRIOR PROVISIONS

A prior section 2992a, Pub. L. 88-452, title VIII, §811, as added Pub. L. 90-222, title I, §110, Dec. 23, 1967, 81

Stat. 723; amended Pub. L. 92-424, §26(b), Sept. 19, 1972, 86 Stat. 703, related to terms of service, providing in: subsec. (a) for commitment to full-time service; subsec. (b) for one-year enrollment and shorter enrollment for volunteer associates; and subsec. (c) for oath or affirmation, prior to repeal by Pub. L. 93-113, title VI, §603, Oct. 1, 1973, 87 Stat. 417.

A prior section 812 of Pub. L. 88-452 was renumbered section 813 and is classified to section 2992b of this title.

Another prior section 812 of Pub. L. 88-452, title VIII, as added Pub. L. 90-222, title I, §110, Dec. 23, 1967, 81 Stat. 723, related to support of full-time volunteers and was classified to section 2992b of this title, prior to repeal by Pub. L. 93-113, title VI, §603, Oct. 1, 1973, 87 Stat. 417.

§ 2992a-1. Staff

In all personnel actions of the Administration, preference shall be given to individuals who are eligible for assistance under this subchapter. Such preference shall be implemented in the same fashion as the preference given to veterans referred to in section 2108(3)(C) of title 5. The Commissioner shall take such additional actions as may be necessary to promote recruitment of such individuals for employment in the Administration.

(Pub. L. 88-452, title VIII, §812A, as added Pub. L. 102-375, title VIII, §822(13), Sept. 30, 1992, 106 Stat. 1299.)

§ 2992b. Administration

Nothing in this subchapter shall be construed to prohibit interagency funding agreements made between the Administration and other agencies of the Federal Government for the development and implementation of specific grants or projects.

(Pub. L. 88-452, title VIII, §813, as added Pub. L. 102-375, title VIII, §822(14), Sept. 30, 1992, 106 Stat. 1299.)

Editorial Notes

PRIOR PROVISIONS

A prior section 2992b, Pub. L. 88-452, title VIII, §813, formerly §812, as added Pub. L. 93-644, §11, Jan. 4, 1975, 88 Stat. 2327; amended Pub. L. 95-568, §17(a)(41), Nov. 2, 1978, 92 Stat. 2443; Pub. L. 98-558, title X, §1003, Oct. 30, 1984, 98 Stat. 2905; renumbered §813, Pub. L. 100-175, title V, §502(3), Nov. 29, 1987, 101 Stat. 973, related to administration, delegation of authority, and interagency funding agreements, prior to repeal by Pub. L. 102-375, title VIII, §822(14), Sept. 30, 1992, 106 Stat. 1299.

Another prior section 2992b, Pub. L. 88-452, title VIII, §812, as added Pub. L. 90-222, title I, §110, Dec. 23, 1967, 81 Stat. 723, related to support of full-time volunteers, providing in: subsec. (a) for stipend and allowances; subsec. (b) for payment upon completion of term and advancement of accrued stipend; and subsec. (c) for counseling, prior to repeal by Pub. L. 93-113, title VI, §603, Oct. 1, 1973, 87 Stat. 417.

A prior section 813 of Pub. L. 88-452 was renumbered section 815 and is classified to section 2992c of this title.

§ 2992b-1. Additional requirements applicable to rulemaking

(a) In general

Notwithstanding subsection (a) of section 553 of title 5, and except as otherwise provided in this section, such section 553 shall apply with respect to the establishment and general oper-