

## REFERENCES IN TEXT

The Social Security Act, referred to in subsec. (a)(2), is act Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended. Title II of the Act is classified generally to subchapter II (§401 et seq.) of chapter 7 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

## PRIOR PROVISIONS

Provisions similar to this section were contained in section 1706 of this title prior to repeal by Pub. L. 105-220.

**§ 2898. Special provisions****(a) Enrollment**

The Secretary shall ensure that women and men have an equal opportunity to participate in the Job Corps program, consistent with section 2885 of this title.

**(b) Studies, evaluations, proposals, and data**

The Secretary shall assure that all studies, evaluations, proposals, and data produced or developed with Federal funds in the course of carrying out the Job Corps program shall become the property of the United States.

**(c) Transfer of property****(1) In general**

Notwithstanding title II of the Federal Property and Administrative Services Act of 1949<sup>1</sup> and any other provision of law, the Secretary and the Secretary of Education shall receive priority by the Secretary of Defense for the direct transfer, on a nonreimbursable basis, of the property described in paragraph (2) for use in carrying out programs under this Act or under any other Act.

**(2) Property**

The property described in this paragraph is real and personal property under the control of the Department of Defense that is not used by such Department, including property that the Secretary of Defense determines is in excess of current and projected requirements of such Department.

**(d) Gross receipts**

Transactions conducted by a private for-profit or nonprofit entity that is an operator or service provider for a Job Corps center shall not be considered to be generating gross receipts. Such an operator or service provider shall not be liable, directly or indirectly, to any State or subdivision of a State (nor to any person acting on behalf of such a State or subdivision) for any gross receipts taxes, business privilege taxes measured by gross receipts, or any similar taxes imposed on, or measured by, gross receipts in connection with any payments made to or by such entity for operating or providing services to a Job Corps center. Such an operator or service provider shall not be liable to any State or subdivision of a State to collect or pay any sales, excise, use, or similar tax imposed on the sale to or use by such operator or service provider of any property, service, or other item in connection with the operation of or provision of services to a Job Corps center.

<sup>1</sup> See References in Text note below.

**(e) Management fee**

The Secretary shall provide each operator and (in an appropriate case, as determined by the Secretary) service provider with an equitable and negotiated management fee of not less than 1 percent of the amount of the funding provided under the appropriate agreement specified in section 2887 of this title.

**(f) Donations**

The Secretary may accept on behalf of the Job Corps or individual Job Corps centers charitable donations of cash or other assistance, including equipment and materials, if such donations are available for appropriate use for the purposes set forth in this subchapter.

**(g) Sale of property**

Notwithstanding any other provision of law, if the Administrator of General Services sells a Job Corps center facility, the Administrator shall transfer the proceeds from the sale to the Secretary, who shall use the proceeds to carry out the Job Corps program.

(Pub. L. 105-220, title I, §158, Aug. 7, 1998, 112 Stat. 1016.)

## REFERENCES IN TEXT

The Federal Property and Administrative Services Act of 1949, referred to in subsec. (c)(1), is act June 30, 1949, ch. 288, 63 Stat. 377, as amended. Title II of the Act, which was classified principally to subchapter II (§§ 481, 483, 484, 485, 486, 487 to 490, 491, 492) of chapter 10 and section 758 of former Title 40, Public Buildings, Property, and Works, was repealed by Pub. L. 107-217, §6(b), Aug. 21, 2002, 116 Stat. 1304, the first section of which enacted Title 40, Public Buildings, Property, and Works. For disposition of sections of former Title 40 to revised Title 40, see Table preceding section 101 of Title 40. For complete classification of this Act to the Code, see Tables.

## PRIOR PROVISIONS

Provisions similar to this section were contained in sections 1707 and 1709 of this title prior to repeal by Pub. L. 105-220.

**§ 2899. Management information****(a) Financial management information system****(1) In general**

The Secretary shall establish procedures to ensure that each operator, and each service provider, maintains a financial management information system that will provide—

(A) accurate, complete, and current disclosures of the costs of Job Corps operations; and

(B) sufficient data for the effective evaluation of activities carried out through the Job Corps program.

**(2) Accounts**

Each operator and service provider shall maintain funds received under this subchapter in accounts in a manner that ensures timely and accurate reporting as required by the Secretary.

**(3) Fiscal responsibility**

Operators shall remain fiscally responsible and control costs, regardless of whether the funds made available for Job Corps centers are