

lated to administration, prior to repeal by section 204(a) of Pub. L. 93-82.

#### AMENDMENTS

1991—Pub. L. 102-83 renumbered section 2008 of this title as this section.

1989—Pub. L. 101-237 substituted “Secretary of Veterans Affairs” and “Department of Veterans Affairs” for “Administrator” and “Veterans’ Administration”, respectively, wherever appearing.

1988—Pub. L. 100-323, §6(b)(2)(A), struck out “with the Veterans’ Administration” after “Cooperation and coordination” in section catchline.

Subsec. (a). Pub. L. 100-323, §15(a)(2), struck out “of Labor” after “Secretary”.

Pub. L. 100-323, §6(b)(1)(A), designated existing provisions as subsec. (a).

Subsec. (b). Pub. L. 100-323, §6(b)(1)(B), added subsec. (b).

1976—Pub. L. 94-502 substituted “the Secretary’s” for “his” and “the Administrator fully advised” for “him fully advised”.

#### EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by section 6(b)(1), (2)(A) of Pub. L. 100-323 effective on 60th day after May 20, 1988, and amendment by section 15(a)(2) of Pub. L. 100-323 effective May 20, 1988, see section 16(a), (b)(2) of Pub. L. 100-323, set out as a note under section 3104 of this title.

#### EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-502 effective Dec. 1, 1976, see section 703(c) of Pub. L. 94-502, set out as an Effective Date note under section 3693 of this title.

#### EFFECTIVE DATE

Section effective 90 days after Oct. 24, 1972, see section 601(b) of Pub. L. 92-540, set out as an Effective Date of 1972 Amendment note under section 4101 of this title.

### § 4109. National Veterans’ Employment and Training Services Institute

(a) In order to provide for such training as the Secretary considers necessary and appropriate for the efficient and effective provision of employment, job-training, intensive services, placement, job-search, and related services to veterans, the Secretary shall establish and make available such funds as may be necessary to operate a National Veterans’ Employment and Training Services Institute for the training of disabled veterans’ outreach program specialists, local veterans’ employment representatives, Directors for Veterans’ Employment and Training, and Assistant Directors for Veterans’ Employment and Training, Regional Administrators for Veterans’ Employment and Training, and such other personnel involved in the provision of employment, job-training, intensive services, placement, or related services to veterans as the Secretary considers appropriate, including travel expenses and per diem for attendance at the Institute.

(b) In implementing this section, the Secretary shall, as the Secretary considers appropriate, provide, out of program funds designated for the Institute, training for Veterans’ Employment and Training Service personnel, including travel expenses and per diem to attend the Institute.

(c)(1) Nothing in this section shall be construed as preventing the Institute to enter into contracts or agreements with departments or agencies of the United States or of a State, or

with other organizations, to carry out training of personnel of such departments, agencies, or organizations in the provision of services referred to in subsection (a).

(2) All proceeds collected by the Institute under a contract or agreement referred to in paragraph (1) shall be applied to the applicable appropriation.

(d)(1) The Secretary shall require that each disabled veterans’ outreach program specialist and local veterans’ employment representative who receives training provided by the Institute, or its successor, is given a final examination to evaluate the specialist’s or representative’s performance in receiving such training.

(2) The results of such final examination shall be provided to the entity that sponsored the specialist or representative who received the training.

(Added Pub. L. 97-306, title III, §308(a), Oct. 14, 1982, 96 Stat. 1440, §2009; amended Pub. L. 100-323, §8(a), May 20, 1988, 102 Stat. 566; renumbered §4109, Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406; Pub. L. 107-288, §5(a)(1)(F), (e), Nov. 7, 2002, 116 Stat. 2044, 2046; Pub. L. 112-56, title II, §240(a), Nov. 21, 2011, 125 Stat. 727.)

#### PRIOR PROVISIONS

Prior section 4109, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1246; Pub. L. 93-82, title II, §205(a), Aug. 2, 1973, 87 Stat. 192; Pub. L. 96-330, title I, §114, Aug. 26, 1980, 94 Stat. 1039; Pub. L. 96-385, title V, §508(b), Oct. 7, 1980, 94 Stat. 1538; Pub. L. 97-72, title IV, §402(a), Nov. 3, 1981, 95 Stat. 1062; Pub. L. 97-295, §4(84), Oct. 12, 1982, 96 Stat. 1312; Pub. L. 99-272, title XV, §15204(b), Apr. 7, 1986, 100 Stat. 335; Pub. L. 99-509, title VII, §7003(a), Oct. 21, 1986, 100 Stat. 1949, related to retirement rights, prior to repeal by Pub. L. 102-40, title IV, §401(a)(3), May 7, 1991, 105 Stat. 210. See section 7426 of this title.

#### AMENDMENTS

2011—Subsec. (d). Pub. L. 112-56 added subsec. (d).

2002—Subsec. (a). Pub. L. 107-288, §5(a)(1)(F), substituted “intensive services,” for “counseling,” in two places.

Subsec. (c). Pub. L. 107-288, §5(e), added subsec. (c).

1991—Pub. L. 102-83 renumbered section 2009 of this title as this section.

1988—Pub. L. 100-323 amended section generally, substituting provisions relating to a National Veterans’ Employment and Training Services Institute for provisions relating to national veterans’ employment and training programs.

#### EFFECTIVE DATE OF 2011 AMENDMENT

Pub. L. 112-56, title II, §240(b), Nov. 21, 2011, 125 Stat. 727, provided that: “Subsection (d) of section 4109 of title 38, United States Code, as added by subsection (a), shall apply with respect to training provided by the National Veterans’ Employment and Training Services Institute that begins on or after the date that is 180 days after the date of the enactment of this Act [Nov. 21, 2011].”

#### EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-323 effective on 60th day after May 20, 1988, see section 16(b)(2) of Pub. L. 100-323, set out as a note under section 3104 of this title.

### § 4110. Advisory Committee on Veterans Employment, Training, and Employer Outreach

(a)(1) There is hereby established within the Department of Labor an advisory committee to be known as the Advisory Committee on Veter-

ans Employment, Training, and Employer Outreach.

(2) The advisory committee shall—

(A) assess the employment and training needs of veterans and their integration into the workforce;

(B) determine the extent to which the programs and activities of the Department of Labor are meeting such needs;

(C) assist the Assistant Secretary of Labor for Veterans' Employment and Training in carrying out outreach activities to employers with respect to the training and skills of veterans and the advantages afforded employers by hiring veterans;

(D) make recommendations to the Secretary, through the Assistant Secretary of Labor for Veterans' Employment and Training, with respect to outreach activities and the employment and training of veterans; and

(E) carry out such other activities that are necessary to make the reports and recommendations referred to in subsection (f) of this section.

(b) The Secretary of Labor shall, on a regular basis, consult with and seek the advice of the advisory committee with respect to the matters referred to in subsection (a)(2) of this section.

(c)(1) The Secretary of Labor shall appoint at least 12, but no more than 16, individuals to serve as members of the advisory committee as follows:

(A) Seven individuals, one each from among representatives nominated by each of the following organizations:

(i) The National Society of Human Resource Managers.

(ii) The Business Roundtable.

(iii) The National Association of State Workforce Agencies.

(iv) The United States Chamber of Commerce.

(v) The National Federation of Independent Business.

(vi) A nationally recognized labor union or organization.

(vii) The National Governors Association.

(B) Not more than five individuals from among representatives nominated by veterans service organizations that have a national employment program.

(C) Not more than five individuals who are recognized authorities in the fields of business, employment, training, rehabilitation, or labor and who are not employees of the Department of Labor.

(2) A vacancy in the advisory committee shall be filled in the manner in which the original appointment was made.

(d) The following, or their representatives, shall be ex officio, nonvoting members of the advisory committee:

(1) The Secretary of Veterans Affairs.

(2) The Secretary of Defense.

(3) The Director of the Office of Personnel Management.

(4) The Assistant Secretary of Labor for Veterans Employment and Training.

(5) The Assistant Secretary of Labor for Employment and Training.

(6) The Administrator of the Small Business Administration.

(e)(1) The advisory committee shall meet at least quarterly.

(2) The Secretary of Labor shall appoint the chairman of the advisory committee who shall serve in that position for no more than 2 consecutive years.

(3)(A) Members of the advisory committee shall serve without compensation.

(B) Members of the advisory committee shall be allowed reasonable and necessary travel expenses, including per diem in lieu of subsistence, at rates authorized for persons serving intermittently in the Government service in accordance with the provisions of subchapter I of chapter 57 of title 5 while away from their homes or regular places of business in the performance of the responsibilities of the advisory committee.

(4) The Secretary of Labor shall provide staff and administrative support to the advisory committee through the Veterans Employment and Training Service.

(f)(1) Not later than December 31 of each year, the advisory committee shall submit to the Secretary and to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the employment and training needs of veterans, with special emphasis on disabled veterans, for the previous fiscal year. Each such report shall contain—

(A) an assessment of the employment and training needs of veterans and their integration into the workforce;

(B) an assessment of the outreach activities carried out by the Secretary of Labor to employers with respect to the training and skills of veterans and the advantages afforded employers by hiring veterans;

(C) an evaluation of the extent to which the programs and activities of the Department of Labor are meeting such needs;

(D) a description of the activities of the advisory committee during that fiscal year;

(E) a description of activities that the advisory committee proposes to undertake in the succeeding fiscal year; and

(F) any recommendations for legislation, administrative action, and other action that the advisory committee considers appropriate.

(2) In addition to the annual reports made under paragraph (1), the advisory committee may make recommendations to the Secretary of Labor with respect to the employment and training needs of veterans at such times and in such manner as the advisory committee determines appropriate.

(g) Within 60 days after receiving each annual report referred to in subsection (f)(1), the Secretary of Labor shall transmit to Congress a copy of the report together with any comments concerning the report that the Secretary considers appropriate.

(h) The advisory committee shall continue until terminated by law.

(Added Pub. L. 97-306, title III, §308(a), Oct. 14, 1982, 96 Stat. 1441, §2010; amended Pub. L. 100-323, §§10, 15(a)(2), (3), (b)(1), May 20, 1988, 102 Stat. 566, 574; Pub. L. 101-237, title IV, §423(b)(8)(A), Dec. 18, 1989, 103 Stat. 2093; Pub. L.

102-16, §8(a), Mar. 22, 1991, 105 Stat. 52; renumbered §4110 and amended Pub. L. 102-83, §§4(b)(1), (2)(E), 5(a), Aug. 6, 1991, 105 Stat. 404-406; Pub. L. 102-568, title V, §504, Oct. 29, 1992, 106 Stat. 4340; Pub. L. 103-446, title XII, §1201(a)(5), (g)(3), (i)(7), Nov. 2, 1994, 108 Stat. 4682, 4687, 4688; Pub. L. 109-233, title II, §202(a)(1), (2), (b)-(d), June 15, 2006, 120 Stat. 403, 404; Pub. L. 109-461, title VI, §604(b), Dec. 22, 2006, 120 Stat. 3439; Pub. L. 110-387, title IX, §901(a)(4), Oct. 10, 2008, 122 Stat. 4142.)

#### PRIOR PROVISIONS

Prior section 4110, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1246; Pub. L. 88-207, Dec. 17, 1963, 77 Stat. 402; Pub. L. 98-160, title II, §205, Nov. 21, 1983, 97 Stat. 1001; Pub. L. 99-576, title VII, §701(88), Oct. 28, 1986, 100 Stat. 3299, related to disciplinary boards, prior to repeal by Pub. L. 102-40, title IV, §401(a)(3), May 7, 1991, 105 Stat. 210. See section 7464 of this title.

#### AMENDMENTS

2008—Subsec. (c)(1). Pub. L. 110-387 substituted “16” for “15” in introductory provisions.

2006—Pub. L. 109-233, §202(a)(2), amended section catchline generally, substituting “Advisory Committee on Veterans Employment, Training, and Employer Outreach” for “Advisory Committee on Veterans Employment and Training”.

Subsec. (a)(1). Pub. L. 109-233, §202(a)(1), substituted “Advisory Committee on Veterans Employment, Training, and Employer Outreach” for “Advisory Committee on Veterans Employment and Training”.

Subsec. (a)(2). Pub. L. 109-233, §202(b), inserted “and their integration into the workforce” after “veterans” in subpar. (A), added subpars. (C) and (D), and redesignated former subpar. (C) as (E).

Subsec. (c)(1). Pub. L. 109-233, §202(c)(1), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “The Secretary of Labor shall appoint at least 12, but no more than 18, individuals to serve as members of the advisory committee consisting of—

“(A) representatives nominated by veterans’ organizations that have a national employment program; and

“(B) not more than 6 individuals who are recognized authorities in the fields of business, employment, training, rehabilitation, or labor and who are not employees of the Department of Labor.”

Subsec. (c)(1)(A). Pub. L. 109-461 substituted “Seven” for “Six” in introductory provisions and added cl. (vii).

Subsec. (d)(3) to (12). Pub. L. 109-233, §202(c)(2), struck out pars. (3), (4), (8), and (10) to (12) which related to certain ex officio, nonvoting members of the advisory committee and redesignated pars. (5) to (7) and (9) as (3) to (6), respectively.

Subsec. (f)(1). Pub. L. 109-233, §202(d)(1), substituted first sentence for former first sentence which read “Not later than July 1 of each year, the advisory committee shall submit to the Secretary of Labor a report on the employment and training needs of veterans.”

Subsec. (f)(1)(A). Pub. L. 109-233, §202(d)(2), inserted “and their integration into the workforce” after “veterans”.

Subsec. (f)(1)(B) to (F). Pub. L. 109-233, §202(d)(3)-(6), added subpars. (B), (D), and (E), and redesignated former subpars. (B) and (C) as (C) and (F), respectively.

1994—Subsec. (c)(1). Pub. L. 103-446, §1201(g)(3), substituted “shall appoint” for “shall, within 90 days after the date of the enactment of this section, appoint”.

Subsec. (d)(9). Pub. L. 103-446, §1201(a)(5), substituted “Administrator of the Small Business Administration” for “Secretary of the Small Business Administration”.

Subsec. (e)(3)(B). Pub. L. 103-446, §1201(i)(7), struck out “, United States Code,” after “title 5” and substituted “the advisory committee” for “the Board”.

1992—Subsec. (c)(1)(A). Pub. L. 102-568 struck out “are chartered by Federal law and” after “that”.

1991—Pub. L. 102-83, §5(a), renumbered section 2010 of this title as this section.

Pub. L. 102-16 amended section generally, substituting present catchline and text consisting of subsecs. (a) to (h) for former catchline which read “Secretary of Labor’s Committee on Veterans’ Employment” and former text consisting of subsecs. (a) to (c).

Subsec. (d)(9). Pub. L. 102-83, §4(b)(1), (2)(E), substituted “Secretary” for “Administrator”.

1989—Subsec. (b)(1)(A). Pub. L. 101-237 substituted “Secretary of Veterans Affairs” for “Administrator”.

1988—Subsec. (b). Pub. L. 100-323, §15(b)(1), inserted “and Training” after “for Veterans’ Employment”.

Pub. L. 100-323, §15(a)(3), substituted “Notwithstanding section 2002A(b) of this title, the” for “The”.

Pub. L. 100-323, §15(a)(2), struck out “of Labor” after “Secretary” in first sentence.

Subsec. (b)(1)(D) to (I). Pub. L. 100-323, §10, added subpars. (D), (H), and (I) and redesignated former subpars. (D) to (F) as (E) to (G), respectively.

#### CHANGE OF NAME

Pub. L. 109-233, title II, §202(a)(4), June 15, 2006, 120 Stat. 403, provided that: “Any reference to the Advisory Committee established under section 4110 of such title [this title] in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Advisory Committee on Veterans Employment, Training, and Employer Outreach.”

#### EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by section 10 of Pub. L. 100-323 effective on 60th day after May 20, 1988, and amendment by section 15(a)(2), (3), (b)(1) of Pub. L. 100-323 effective May 20, 1988, see section 16(b)(2) of Pub. L. 100-323, set out as a note under section 3104 of this title.

#### TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of reporting provisions in subsec. (g) of this section, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 125 of House Document No. 103-7.

#### TERMINATION OF ADVISORY COMMITTEES

Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

#### § 4110A. Special unemployment study

(a)(1) The Secretary, through the Bureau of Labor Statistics, shall conduct an annual study of unemployment among each of the following categories of veterans:

(A) Veterans who were called to active duty while members of the National Guard or a Reserve Component.

(B) Veterans who served in combat or in a war zone in the Post 9/11 Global Operations theaters.

(C) Veterans who served on active duty during the Post 9/11 Global Operations period who did not serve in the Post 9/11 Global Operations theaters.

(D) Veterans of the Vietnam era who served in the Vietnam theater of operations during the Vietnam era.