

(4) the number of former enrollees who entered postsecondary education;

(5) the number of former enrollees who entered unsubsidized employment related to the vocational training received through the Job Corps program and the number who entered unsubsidized employment not related to the vocational training received;

(6) the number of former enrollees and graduates who obtained a secondary school diploma or its recognized equivalent;

(7) the number and percentage of dropouts from the Job Corps program including the number dismissed under the zero tolerance policy described in section 2892(b) of this title; and

(8) any additional information required by the Secretary.

**(e) Methods**

The Secretary may collect the information described in subsections (c) and (d) of this section using methods described in section 2871(f)(2) of this title consistent with State law.

**(f) Performance assessments and improvements**

**(1) Assessments**

The Secretary shall conduct an annual assessment of the performance of each Job Corps center. Based on the assessment, the Secretary shall take measures to continuously improve the performance of the Job Corps program.

**(2) Performance improvement plans**

With respect to a Job Corps center that fails to meet the expected levels of performance relating to the core performance measures specified in subsection (c) of this section, the Secretary shall develop and implement a performance improvement plan. Such a plan shall require action including—

- (A) providing technical assistance to the center;
- (B) changing the vocational 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 plans**

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 paragraph (2), for a Job Corps center that fails to meet criteria established by the Secretary other than the expected levels of performance described in paragraph (2).

**(g) 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. 105-220, title I, §159, Aug. 7, 1998, 112 Stat. 1017; Pub. L. 105-277, div. A, §101(f) [title VIII, §401(6)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-411.)

AMENDMENTS

1998—Subsec. (c)(1)(G). Pub. L. 105-277, §101(f) [title VIII, §401(6)(A)], substituted “postsecondary” for “post-secondary”.

Subsec. (c)(3). Pub. L. 105-277, §101(f) [title VIII, §401(6)(B)], substituted “containing,” for “containing”.

Subsec. (d)(4). Pub. L. 105-277, §101(f) [title VIII, §401(6)(A)], substituted “postsecondary” for “post-secondary”.

**§ 2900. 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 2897(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 subchapter—

(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 subchapter, 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. 105-220, title I, §160, Aug. 7, 1998, 112 Stat. 1020.)

## PRIOR PROVISIONS

Provisions similar to this section were contained in section 1708 of this title prior to repeal by Pub. L. 105-220.

**§ 2901. Authorization of appropriations**

There are authorized to be appropriated to carry out this subchapter such sums as may be necessary for each of the fiscal years 1999 through 2003.

(Pub. L. 105-220, title I, §161, Aug. 7, 1998, 112 Stat. 1021.)

## SUBCHAPTER IV—NATIONAL PROGRAMS

**§ 2911. Native American programs****(a) Purpose****(1) In general**

The purpose of this section is to support employment and training activities for Indian, Alaska Native, and Native Hawaiian individuals in order—

(A) to develop more fully the academic, occupational, and literacy skills of such individuals;

(B) to make such individuals more competitive in the workforce; and

(C) to promote the economic and social development of Indian, Alaska Native, and Native Hawaiian communities in accordance with the goals and values of such communities.

**(2) Indian policy**

All programs assisted under this section shall be administered in a manner consistent with the principles of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) and the government-to-government relationship between the Federal Government and Indian tribal governments.

**(b) Definitions**

As used in this section:

**(1) Alaska Native**

The term “Alaska Native” means a Native as such term is defined in section 1602(b) of title 43.

**(2) Indian, Indian tribe, and tribal organization**

The terms “Indian”, “Indian tribe”, and “tribal organization” have the meanings given such terms in subsections (d), (e), and (l), respectively, of section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

**(3) Native Hawaiian and Native Hawaiian organization**

The terms “Native Hawaiian” and “Native Hawaiian organization” have the meanings given such terms in section 7517 of title 20.

**(c) Program authorized****(1) In general**

The Secretary shall, on a competitive basis, make grants to, or enter into contracts or cooperative agreements with, Indian tribes, tribal organizations, Alaska Native entities, In-

dian-controlled organizations serving Indians, or Native Hawaiian organizations to carry out the authorized activities described in subsection (d) of this section.

**(2) Exception**

The competition for grants, contracts, or cooperative agreements conducted under paragraph (1) shall be conducted every 2 years, except that if a recipient of such a grant, contract, or agreement has performed satisfactorily, the Secretary may waive the requirements for such competition on receipt from the recipient of a satisfactory 2-year program plan for the succeeding 2-year period of the grant, contract, or agreement.

**(d) Authorized activities****(1) In general**

Funds made available under subsection (c) of this section shall be used to carry out the activities described in paragraph (2) that—

(A) are consistent with this section; and

(B) are necessary to meet the needs of Indians or Native Hawaiians preparing to enter, reenter, or retain unsubsidized employment.

**(2) Workforce investment activities and supplemental services****(A) In general**

Funds made available under subsection (c) of this section shall be used for—

(i) comprehensive workforce investment activities for Indians or Native Hawaiians; or

(ii) supplemental services for Indian or Native Hawaiian youth on or near Indian reservations and in Oklahoma, Alaska, or Hawaii.

**(B) Special rule**

Notwithstanding any other provision of this section, individuals who were eligible to participate in programs under section 1671 of this title (as such section was in effect on the day before August 7, 1998) shall be eligible to participate in an activity assisted under this section.

**(e) Program plan**

In order to receive a grant or enter into a contract or cooperative agreement under this section an entity described in subsection (c) of this section shall submit to the Secretary a program plan that describes a 2-year strategy for meeting the needs of Indian, Alaska Native, or Native Hawaiian individuals, as appropriate, in the area served by such entity. Such plan shall—

(1) be consistent with the purpose of this section;

(2) identify the population to be served;

(3) identify the education and employment needs of the population to be served and the manner in which the activities to be provided will strengthen the ability of the individuals served to obtain or retain unsubsidized employment;

(4) describe the activities to be provided and the manner in which such activities are to be integrated with other appropriate activities; and