

(A) education and related services and activities designed to meet educational needs, such as those specified in clauses (iv) through (vii) of subsection (c)(2)(A), during at least 50 percent of the time during which the participants participate in the program; and

(B) work and skill development activities, such as those specified in clauses (i), (ii), (iii), and (viii) of subsection (c)(2)(A), during at least 40 percent of the time during which the participants participate in the program.

(4) Authority restriction

No provision of this section may be construed to authorize any agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution (including a school) or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system.

(5) State and local standards

All educational programs and activities supported with funds provided under subsection (c) shall be consistent with applicable State and local educational standards. Standards and procedures for the programs and activities that relate to awarding academic credit for and certifying educational attainment in such programs and activities shall be consistent with applicable State and local educational standards.

(f) Levels of performance and indicators

(1) In general

The Secretary shall annually establish expected levels of performance for YouthBuild programs relating to each of the primary indicators of performance for eligible youth activities described in section 3141(b)(2)(A)(ii) of this title.

(2) Additional indicators

The Secretary may establish expected levels of performance for additional indicators for YouthBuild programs, as the Secretary determines appropriate.

(g) Management and technical assistance

(1) Secretary assistance

The Secretary may enter into contracts with 1 or more entities to provide assistance to the Secretary in the management, supervision, and coordination of the program carried out under this section.

(2) Technical assistance

(A) Contracts and grants

The Secretary shall enter into contracts with or make grants to 1 or more qualified national nonprofit agencies, in order to provide training, information, technical assistance, program evaluation, and data management to recipients of grants under subsection (c).

(B) Reservation of funds

Of the amounts available under subsection (i) to carry out this section for a fiscal year,

the Secretary shall reserve 5 percent to carry out subparagraph (A).

(3) Capacity building grants

(A) In general

In each fiscal year, the Secretary may use not more than 3 percent of the amounts available under subsection (i) to award grants to 1 or more qualified national nonprofit agencies to pay for the Federal share of the cost of capacity building activities.

(B) Federal share

The Federal share of the cost described in subparagraph (A) shall be 25 percent. The non-Federal share shall be provided from private sources.

(h) Subgrants and contracts

Each recipient of a grant under subsection (c) to carry out a YouthBuild program shall provide the services and activities described in this section directly or through subgrants, contracts, or other arrangements with local educational agencies, institutions of higher education, State or local housing development agencies, other public agencies, including agencies of Indian tribes, or private organizations.

(i) Authorization of appropriations

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

- (1) \$77,534,000 for fiscal year 2015;
- (2) \$83,523,000 for fiscal year 2016;
- (3) \$85,256,000 for fiscal year 2017;
- (4) \$87,147,000 for fiscal year 2018;
- (5) \$89,196,000 for fiscal year 2019; and
- (6) \$91,087,000 for fiscal year 2020.

(Pub. L. 113-128, title I, §171, July 22, 2014, 128 Stat. 1576.)

REFERENCES IN TEXT

Act of August 16, 1937, commonly known as the National Apprenticeship Act, referred to in subsec. (b)(10)(A), is act Aug. 16, 1937, ch. 663, 50 Stat. 664, which is classified generally to chapter 4C (§50 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 50 of this title and Tables.

The Fair Housing Act, referred to in subsec. (c)(3)(B)(xxi), is title VIII of Pub. L. 90-284, Apr. 11, 1968, 82 Stat. 81, which is classified principally to subchapter I (§3601 et seq.) of chapter 45 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 3601 of Title 42 and Tables.

EFFECTIVE DATE

Section effective on the first day of the first full program year after July 22, 2014 [probably July 1, 2015], see section 506 of Pub. L. 113-128, set out as a note under section 3101 of this title.

§ 3227. Authorization of appropriations

(a) Native American programs

There are authorized to be appropriated to carry out section 3221 of this title (not including subsection (k) of such section)—

- (1) \$46,082,000 for fiscal year 2015;
- (2) \$49,641,000 for fiscal year 2016;
- (3) \$50,671,000 for fiscal year 2017;
- (4) \$51,795,000 for fiscal year 2018;
- (5) \$53,013,000 for fiscal year 2019; and

(6) \$54,137,000 for fiscal year 2020.

(b) Migrant and seasonal farmworker programs

There are authorized to be appropriated to carry out section 3222 of this title—

- (1) \$81,896,000 for fiscal year 2015;
- (2) \$88,222,000 for fiscal year 2016;
- (3) \$90,052,000 for fiscal year 2017;
- (4) \$92,050,000 for fiscal year 2018;
- (5) \$94,214,000 for fiscal year 2019; and
- (6) \$96,211,000 for fiscal year 2020.

(c) Technical assistance

There are authorized to be appropriated to carry out section 3223 of this title—

- (1) \$3,000,000 for fiscal year 2015;
- (2) \$3,232,000 for fiscal year 2016;
- (3) \$3,299,000 for fiscal year 2017;
- (4) \$3,372,000 for fiscal year 2018;
- (5) \$3,451,000 for fiscal year 2019; and
- (6) \$3,524,000 for fiscal year 2020.

(d) Evaluations and research

There are authorized to be appropriated to carry out section 3224 of this title—

- (1) \$91,000,000 for fiscal year 2015;
- (2) \$98,029,000 for fiscal year 2016;
- (3) \$100,063,000 for fiscal year 2017;
- (4) \$102,282,000 for fiscal year 2018;
- (5) \$104,687,000 for fiscal year 2019; and
- (6) \$106,906,000 for fiscal year 2020.

(e) Assistance for veterans

If, as of July 22, 2014, any unobligated funds appropriated to carry out section 2913 of this title, as in effect on the day before July 22, 2014, remain available, the Secretary of Labor shall continue to use such funds to carry out such section, as in effect on such day, until all of such funds are expended.

(f) Assistance for eligible workers

If, as of July 22, 2014, any unobligated funds appropriated to carry out subsections (f) and (g) of section 2918 of this title, as in effect on the day before July 22, 2014, remain available, the Secretary of Labor shall continue to use such funds to carry out such subsections, as in effect on such day, until all of such funds are expended.

(Pub. L. 113-128, title I, § 172, July 22, 2014, 128 Stat. 1585.)

REFERENCES IN TEXT

Sections 2913 and 2918 of this title, referred to in subsections (e) and (f), were repealed by Pub. L. 113-128, title V, § 511(a), July 22, 2014, 128 Stat. 1705, effective July 1, 2015.

EFFECTIVE DATE

Section effective on the first day of the first full program year after July 22, 2014 [probably July 1, 2015], see section 506 of Pub. L. 113-128, set out as a note under section 3101 of this title.

PART E—ADMINISTRATION

DEFINITION OF “SECRETARY”

In this part, Secretary means the Secretary of Labor, see section 3151(b)(1)(C)(ii)(II) of this title.

§ 3241. Requirements and restrictions

(a) Benefits

(1) Wages

(A) In general

Individuals in on-the-job training or individuals employed in activities under this

subchapter shall be compensated at the same rates, including periodic increases, as trainees or employees who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills, and such rates shall be in accordance with applicable law, but in no event less than the higher of the rate specified in section 206(a)(1) of this title or the applicable State or local minimum wage law.

(B) Rule of construction

The reference in subparagraph (A) to section 206(a)(1) of this title shall not be applicable for individuals in territorial jurisdictions in which section 206(a)(1) of this title does not apply.

(2) Treatment of allowances, earnings, and payments

Allowances, earnings, and payments to individuals participating in programs under this subchapter shall not be considered as income for the purposes of determining eligibility for and the amount of income transfer and in-kind aid furnished under any Federal or federally assisted program based on need, other than as provided under the Social Security Act (42 U.S.C. 301 et seq.).

(b) Labor standards

(1) Limitations on activities that impact wages of employees

No funds provided under this subchapter shall be used to pay the wages of incumbent employees during their participation in economic development activities provided through a statewide workforce development system.

(2) Displacement

(A) Prohibition

A participant in a program or activity authorized under this subchapter (referred to in this section as a “specified activity”) shall not displace (including a partial displacement, such as a reduction in the hours of nonovertime work, wages, or employment benefits) any currently employed employee (as of the date of the participation).

(B) Prohibition on impairment of contracts

A specified activity shall not impair an existing contract for services or collective bargaining agreement, and no such activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization and employer concerned.

(3) Other prohibitions

A participant in a specified activity shall not be employed in a job if—

(A) any other individual is on layoff from the same or any substantially equivalent job;

(B) the employer has terminated the employment of any regular employee or otherwise reduced the workforce of the employer with the intention of filling the vacancy so created with the participant; or