

for “those veterans who have been recently discharged or released from active duty”.

Subsec. (c). Pub. L. 96-466, §507(2), substituted provisions that the report include, by State, specification of the numbers of eligible veterans, veterans of the Vietnam era, disabled veterans, special disabled veterans, and eligible persons who registered for assistance with the public employment service system and, of each of such categories, the number referred to jobs, the number placed in permanent jobs, the number referred to and the number placed in employment and job training programs supported by the Federal Government, the number counseled, and the number who received some reportable service for provisions that the report include, by State, the number of recently discharged or released eligible veterans, veterans with service-connected disabilities, other eligible veterans, and eligible persons who requested assistance through the public employment service and, of these, the number placed in suitable employment or job training opportunities or who were otherwise assisted, with separate reference to occupational training and public service employment under appropriate Federal law.

1977—Subsec. (c). Pub. L. 95-202 directed that “2004” be substituted for “2001”. Since subsec. (c) already contained a reference to “2004” not “2001”, the amendment has been carried as a reenactment of subsec. (c) without change.

1976—Subsec. (a)(1). Pub. L. 94-502, §604(1), substituted “such veteran’s and eligible person’s” for “his”.

Subsec. (c). Pub. L. 94-502, §604(2), (3), substituted “occupational training and public service employment” for “occupational training” and “section 2004, 2006, or 2007(a)” for “section 2004 or 2006”.

1974—Subsec. (a)(1). Pub. L. 93-508, §401(f)(1), substituted “active duty and each eligible person” for “active duty”.

Subsec. (b). Pub. L. 93-508, §401(f)(2), added subsec. (b) and redesignated former subsec. (b) as (c).

Subsec. (c). Pub. L. 93-508, §401(f)(2), (3), redesignated former subsec. (b) as (c) and substituted “other eligible veterans, and eligible persons” for “and other eligible veterans”.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by section 4(a)(3)(B) of Pub. L. 107-288 effective Nov. 7, 2002, and applicable for program and fiscal years under this chapter beginning on or after such date, see section 4(a)(4) of Pub. L. 107-288, set out as a note under section 4102A of this title.

Pub. L. 107-288, §5(d)(2), Nov. 7, 2002, 116 Stat. 2046, provided that: “The amendments made by paragraph (1) [amending this section] shall apply to reports for program years beginning on or after July 1, 2003.”

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-466 effective Oct. 1, 1980, see section 802(e) of Pub. L. 96-466, set out as a note under section 4101 of this title.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-202 effective Nov. 23, 1977, see section 501 of Pub. L. 95-202, set out as a note under section 101 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 OF 1974 AMENDMENT

Amendment by Pub. L. 93-508 effective Dec. 3, 1974, see section 503 of Pub. L. 93-508, set out as a note under section 3452 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.

PUBLICATION OF LABOR-MARKET STATISTICS RELATING TO VETERANS WHO SERVED IN VIETNAM THEATRE OF OPERATIONS

Pub. L. 96-466, title V, §513, Oct. 17, 1980, 94 Stat. 2207, provided that:

“(a) When the Commissioner of the Bureau of Labor Statistics publishes annual labor-market statistics relating specifically to veterans who served in the Armed Forces during the Vietnam era, the Commissioner shall also publish separate labor-market statistics on the same subject matter which apply only to veterans who served in the Vietnam theatre of operations. When the Commissioner of the Bureau of Labor Statistics publishes labor-market statistics which relate specifically to veterans who served in the Armed Forces during the Vietnam era in addition to those statistics published on an annual basis to which the preceding sentence applies, the Commissioner shall also, if feasible, publish separate labor-market statistics on the same subject matter which apply only to veterans who served in the Vietnam theatre of operations.

“(b) For the purposes of this section, veterans who during the Vietnam era served in Vietnam, in air missions over Vietnam, or in naval missions in the waters adjacent to Vietnam shall be considered to be veterans who served in the Vietnam theatre of operations.”

[Pub. L. 96-466, title VIII, §802(e), Oct. 17, 1980, 94 Stat. 2218, provided in part that the provisions of section 513 of Pub. L. 96-466, set out above, shall become effective on Oct. 1, 1980.]

§ 4108. Cooperation and coordination

(a) In carrying out the Secretary’s responsibilities under this chapter, the Secretary shall from time to time consult with the Secretary of Veterans Affairs and keep the Secretary of Veterans Affairs fully advised of activities carried out and all data gathered pursuant to this chapter to insure maximum cooperation and coordination between the Department of Labor and the Department of Veterans Affairs.

(b) The Secretary of Veterans Affairs shall provide to appropriate employment service offices and Department of Labor offices, as designated by the Secretary, on a monthly or more frequent basis, the name and address of each employer located in the areas served by such offices that offer a program of job training which has been approved by the Secretary of Veterans Affairs under section 7 of the Veterans’ Job Training Act (29 U.S.C. 1721 note).

(Added Pub. L. 92-540, title V, §502(a), Oct. 24, 1972, 86 Stat. 1097, §2008; amended Pub. L. 94-502, title VI, §606(4), Oct. 15, 1976, 90 Stat. 2405; Pub. L. 100-323, §§6(b)(1), (2)(A), 15(a)(2), May 20, 1988, 102 Stat. 564, 574; Pub. L. 101-237, title IV, §423(b)(8), Dec. 18, 1989, 103 Stat. 2093; renumbered §4108, Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406.)

REFERENCES IN TEXT

Section 7 of the Veterans’ Job Training Act, referred to in subsec. (b), is section 7 of Pub. L. 98-77, which is set out as a note under section 1721 of Title 29, Labor.

PRIOR PROVISIONS

Prior section 4108, added Pub. L. 93-82, title II, §204(a), Aug. 2, 1973, 87 Stat. 190; amended Pub. L. 94-123, §5(e), Oct. 22, 1975, 89 Stat. 675; Pub. L. 94-581,

title I, §110(7), title II, §§205(f), 209(a)(1), (2), (c)(4), 210(c)(5), Oct. 21, 1976, 90 Stat. 2849, 2859, 2860, 2862, 2864; Pub. L. 96-22, title V, §501, June 13, 1979, 93 Stat. 64; Pub. L. 96-330, title I, §113(a), Aug. 26, 1980, 94 Stat. 1038; Pub. L. 97-295, §4(83), Oct. 12, 1982, 96 Stat. 1312; Pub. L. 101-237, title II, §206(a), Dec. 18, 1989, 103 Stat. 2067, related to personnel administration, prior to repeal by Pub. L. 102-40, title IV, §401(a)(3), May 7, 1991, 105 Stat. 210. See sections 7402, 7421, 7423, and 7424 of this title.

Another prior section 4108, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1246; Pub. L. 86-568, title I, §114(g), July 1, 1960, 74 Stat. 301; Pub. L. 87-574, §3, Aug. 6, 1962, 76 Stat. 308; Pub. L. 87-793, §803(a), Oct. 11, 1962, 76 Stat. 860, related 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].”