

Recommendations for Improvement of the National Job Corps Program in a Reauthorized Workforce Investment Act

- * Changes are based upon the text of existing law
- * Recommended deletions are ~~crossed-out~~ in the text
- * Recommended additions are underlined
- * Justification for changes are provided in Footnotes

Introduction: An Approach toward the Purpose of the Job Corps that Places the Interests of Students First

In this first section of the subtitle, it is important to make absolutely clear that the Job Corps Program is established to prepare eligible youth for jobs and careers and economic independence; it was not created, nor should its primary purpose be, to serve as a springboard to higher education. That's the role of the public education system and, if that system fails, assistance is available from a host of Federal, State, local, religious and philanthropic programs, many of which target the same groups served by Job Corps.

Having stated the above, it is important to understand that it is not our intent to diminish the important role that academic training plays in preparing students for jobs and careers. To the contrary, what we are trying to make clear throughout this subtitle is that the role of academic training in Job Corps has always been, until recent years, primarily to teach those skills (e.g., math and English) that are an essential part of the trade each student has selected to pursue. Students will continue to be encouraged and assisted in earning a high school diploma (HSD) or GED, and those that clearly demonstrate the ability to successfully complete a degree program from an accredited institution of higher learning, have the will and desire to achieve that goal, and where financial support can be arranged, will be assisted in pursuing that objective.

It is also worth noting that Job Corps Graduates accepted into most Registered Apprenticeship Programs operated by organized labor earn college credit throughout their training, as a result of formal arrangements primarily with Community Colleges. A Job Corps referral to a Registered Apprenticeship Program is, therefore, a referral to Higher Education, and of all the Job Corps Graduates placed in Registered Apprenticeship Programs annually, National Training Contractors consistently are responsible for over 95 percent.

The distinction here is that **the purpose of Job Corps should remain as a job training and job placement Program**; this was the vision of its creators in 1964, the reason it was given the name Job Corps, and reaffirmed by the framers of the Workforce Investment Act (WIA) in 1998, which reauthorized and amended the Program. In those amendments, Congressional members required that an Industry Council (not an Academic Council) be established at each Job Corps center, and that "...owners of business concerns..." comprise a majority of the membership. In fact, although not prohibited, there is no specific requirement in the current statute that the academic community be represented on the Council.

We recognize and appreciate that academic skills are an important part of a multi-faceted process that helps construct a student's ability to become a Job Corps Graduate (discussed in more detail later) and be matched with a job related to his/her vocational skills training. Under the Program's current initiative, however, there is a strong belief that Job Corps should function primarily as a pathway to higher education, and policies have been instituted to support this objective. As an example, for the first time in the Program's 45 year history, placing a student in higher education is now designated a "Job Training Match," on the Job Corps Vocational Training Report Card. We believe that Job Corps funding and performance is greatly diminished by having two missions, and that our partnerships with employers continues to be negatively impacted.

One of the more damaging results of the current system, where students are designated Academic Graduates, even though they have not fully completed their vocational training, is that it gives these students a false sense of accomplishment and security. Not surprisingly, many are eager to return home with their prized credential, even though they are not prepared for a job because they have not completed their vocational training or benefited from Job Corps' other life-skills teaching components. Having attained little or no vocational skills, or Career Success Skills, these former students are unable to be matched with any well-paying job; in fact, as a result of the downturn in the economy and record numbers of unemployed, most of these former students are unable to find any employment. Equally damaging, is that by recognizing these students as Graduates of the Job Corps Program, the "word" has spread among the youth in local communities that Job Corps is the "Program of choice" if you want to earn a HSD or GED in a short period of time while receiving, at no cost: housing; meals; medical services; recreation; a weekly stipend and, when one separates from the center, an allowance as well as job placement support services.

There is one final point that is most relevant regarding this issue. The previous Secretary of Labor, The Honorable Elaine Chao, established a Job Corps Advisory Committee in July of 2007, with an extensive Charter and multi-disciplinary membership to make recommendations that ensure "...student achievement aimed at 21st century high-growth employment and to achieve the goal of a prepared workforce..." Following what the Report cited was an intensive and comprehensive nine-month process, the Committee submitted the final document to the Secretary in April 2008.

Portions of this Paper will, as appropriate, make reference to this Advisory Committee Report. However, as it relates to Sec. 141, the Purpose of the Job Corps Program, the Report contains the following statement, in addition to the above language: **"...the ultimate success of the Program hinges on a student's ability to get and keep a job."**

WIA Subtitle C---Job Corps

Subtitle C--Job Corps

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SEC. 141. PURPOSES.

The purposes of this subtitle are—

(1) to maintain a national Job Corps program, carried out in partnership with States and communities, to assist eligible youth who need and can benefit from an intensive program, operated in a group setting in residential and nonresidential centers, ~~to become more responsible, employable, and productive citizens;~~ to secure jobs that provide sustainable wages and benefits, and that lead to meaningful careers, including Military Service, and to become more responsible and productive citizens;

(2) to set forth standards and procedures for selecting individuals as enrollees in the Job Corps;

(3) to authorize the establishment of Job Corps centers in which enrollees will participate in intensive programs of activities described in this subtitle; and

(4) to prescribe various other powers, duties, and responsibilities incident to the operation and continuing development of the Job Corps.

SEC. 142. DEFINITIONS.

In this subtitle:

(1) Applicable local board.--The term ``applicable local board" means a local board--

(A) that provides information for a Job Corps center on local employment opportunities and the job skills needed to obtain the opportunities; and

(B) that serves communities in which the graduates of the Job Corps center seek employment.

(2) Applicable one-stop center.--The term ``applicable one-stop center" means a one-stop customer service center that provides services, such as referral, intake, recruitment, and placement, to a Job Corps center.

(3) Enrollee.--The term ``enrollee" means an individual who has voluntarily applied for, been selected for, and enrolled in the Job Corps program, and remains with the program, but has not yet become a graduate.

~~(4) Former enrollee.--The term ``former enrollee" means an individual who has voluntarily applied for, been selected for, and enrolled in the Job Corps program, but left the program before~~

~~completing the requirements of a vocational training program, or receiving a secondary school diploma or recognized equivalent, as a result of participation in the Job Corps program.~~¹

(5) (4) Graduate.--The term ``graduate" means an individual who has voluntarily applied for, been selected for, and enrolled in the Job Corps program and has completed the requirements of a vocational training program,~~or received a secondary school diploma or recognized equivalent,~~ as a result of participation in the Job Corps program.²

(6) (5) Job corps.--The term ``Job Corps" means the Job Corps described in section 143.

(7) (6) Job corps center.--The term ``Job Corps center" means a center described in section 147.

(8) (7) Operator.--The term ``operator" means an entity selected under this subtitle to operate a Job Corps center.

(9) (8) Region.--The term ``region" means an area served by a regional office of the Employment and Training Administration.

(10) (9) Service provider.--The term ``service provider" means an entity selected under this subtitle to provide services described in this subtitle to a Job Corps center.

SEC. 143. ESTABLISHMENT.

There shall be within the [Employment and Training Administration \(ETA\) of the Department of Labor](#), a “Job Corps” [Program, whose National Director shall report directly to the ETA Assistant Secretary of Labor.](#)³

¹ Justification: The term “Former Enrollee” should be eliminated in its entirety. From a number of perspectives, we believe that participants in the Job Corps Program, particularly those youth with a sincere desire to change their lives by making a commitment to fully participate in and complete the Program, are not served well if we don’t make Vocational Graduates the key objective. The time and money invested in serving Former Enrollees is significant, and has diminished the Program’s ability to fully and adequately serve Vocational Graduates as well as to meet the needs of employers for qualified, entry-level workers. By adopting this change, there would be more resources available to serve Vocational Graduates, including the potential to increase their separation allowance, thus easing the long-standing difficulty of securing adequate housing, transportation and other essential transition support needs for those that have stayed the course and changed their lives. Students that separate from the Program early would be referred to the One-Stop System for assistance.

² Justification: Consistent with the introduction above, in the recommended changes to Sec. 141, this particular change reinforces the position that while the attainment of a GED or HSD is desirable, the primary purpose of the Program remains to prepare eligible youth for jobs and careers that match their vocational training.

SEC. 144. INDIVIDUALS ELIGIBLE FOR THE JOB CORPS.

To be eligible to become an enrollee, an individual shall be--

(1) not less than age ~~16~~ 17 and not more than age 24 on the date of enrollment, except that—⁴

(A) ~~exclusive of enrollees that are determined to be disabled~~, not more than 20 percent of the individuals enrolled in the Job Corps may be not less than age 22 and not more than age 24 on the date of enrollment; and⁵

(B) either such maximum age limitation may be waived by the Secretary, in accordance with regulations of the Secretary, in the case of an individual with a disability;

(2) a low-income individual; and

³ Justification: This organizational change would reestablish the Job Corps Program as a single operating entity within ETA, where the Program has a better opportunity to coordinate services with other workforce development programs, especially youth initiatives and the Office of Apprenticeship.

⁴ Justification: The great majority of trades taught in Job Corps require employees to be at least 18 years of age. This is precisely the situation with regard to construction and automotive trades, and increasing the minimum age to 17 is justified by a number of factors. For example, there are age restrictions imposed by insurance companies providing liability coverage for employees, a host of Federal, State and local statutes that restrict the hiring of younger applicants for reasons dealing with the health and safety of workers, and the fact that States are increasingly changing their laws requiring applicants for a driver's license to be at least 17 years of age. Nearly all jobs in the construction and automotive trades require a valid driver's license, and it is a requirement of Registered Apprenticeship Programs.

Further, the Secretary's Job Corps Advisory Committee recognized the difficulty in serving younger students and, as a result, recommended the following: "Develop a pre-Job Corps Preparatory Enrollment Program for applicants who are less than 18 years of age." While we believe this to be too costly an approach to the issue, in their Report to the Secretary the Advisory Committee justified their recommendation, as follows: "Talking with students and staff during the subcommittee's site visits, the response was consistent that mixing younger youth with older, more mature students presents several problems. The older students' concerns were that the younger students are not there to learn, that they have a tendency to "goof off" more and not take learning a trade or obtaining their HSD/GED education seriously. Particularly if students come in early in their 16th year, by the time they complete their HSD/GED and trade, they are still at an age where they are not able to obtain long-term, full-time employment in the trade they obtained (participated in) at Job Corps." Further, if this younger age group remains eligible for the Program, the Advisory Committee recommends that "Due consideration should be given to a flexible performance rating for this population..."

We strongly believe that eliminating 16 year olds from the Program is the most productive approach to this issue.

⁵ Justification: The current wording of this subsection does not take into consideration the special circumstances involving disabled enrollees that have had no age limitation under the Program.

- (3) an individual who is one or more of the following:
- (A) Basic skills deficient.
 - (B) A school dropout.
 - (C) Homeless, a runaway, or a foster child.
 - (D) A parent.
 - (E) An individual who requires additional education, vocational training, or intensive counseling and related assistance, in order to participate successfully in regular schoolwork or to secure and hold employment.

SEC. 145. RECRUITMENT, SCREENING, SELECTION, AND ASSIGNMENT OF ENROLLEES.

(a) Standards and Procedures.—

(1) In general.--The Secretary shall prescribe specific standards and procedures for the recruitment, screening, and selection of eligible applicants for the Job Corps, after considering recommendations from the Governors, local boards, [Job Corps National Training Contractors \(NTCs\)](#) and other interested parties.⁶

(2) Methods.--In prescribing standards and procedures under paragraph (1), the Secretary, at a minimum, shall—

- (A) prescribe procedures for ~~informing enrollees that drug tests will be administered to the enrollees and the results received within 45 days after the enrollees enroll in the Job Corps~~ [having drug tests administered to Program applicants as part of the recruitment and screening process, and for formally notifying applicants that they must pass such tests before they can be accepted in the Job Corps Program and assigned to a Job Corps Center;](#)⁷

⁶ Justification: Several decades ago, Job Corps National Contractors in the construction trades, especially those representing organized labor, collaborated with Job Corps officials to develop special recruitment opportunities and referral procedures that involved NTC signatory employers, Registered Apprenticeship Program managers, local and District labor officials and associated trade organizations. For many years these arrangements were successful in helping Job Corps recruit eligible youth that had a sincere interest in the construction trades. In recent years, however, these efforts have greatly diminished, primarily due to the lack of support from Job Corps National Office officials. The recommended language presents an opportunity to refocus on these special recruitment activities and bring about positive change.

⁷ Justification: Requiring applicants to be drug tested prior to enrollment, not only presents the opportunity to identify youth who are not yet prepared for the Program, and save Federal resources, it sends a clear message to youth that Job Corps does not tolerate such behavior and that this test is just the

(B) establish standards for recruitment of Job Corps applicants;

(C) establish standards and procedures for—

(i) determining, for each applicant, whether the educational and vocational needs of the applicant can best be met through the Job Corps program or an alternative program in the community in which the applicant resides; and

(ii) obtaining from each applicant pertinent data relating to background, needs, and interests for determining eligibility and potential assignment;

(D) where appropriate, take measures to improve the professional capability of the individuals conducting screening of the applicants; and

(E) assure that an appropriate number of enrollees are from rural areas, [especially those areas of the country, such as the Appalachian Region, that have been economically depressed for decades and, therefore, requires special recruitment plans and activities.](#)⁸

(3) Implementation.--To the extent practicable, the standards and procedures shall be implemented through arrangements with--

beginning of a comprehensive program to ensure, to the best of our ability, that students will remain drug free throughout their participation in the Program. Further, with regard to this subject, the Secretary's Job Corps Advisory Committee recommended that "Job Corps should require young people to have a clean drug test prior to being admitted to the program, combined with adding interval testing as well as pre-employment testing." The Advisory Committee's Report goes on to say that "Failure of the initial drug test is a critical predictor of negative program outcomes," and backed-up this statement with convincing statistics. The Advisory Committee believed so strongly in pre-admission drug testing, that they offered the following: "Although this policy could have an impact on On-Board Strength (OBS), we believe the impact would be temporary and the program would adjust over time as it has in the past. However, during this transition period a dip in OBS performance should be expected and tolerated in order to achieve the long-term positive results."

⁸ Justification: Job Corps Recruitment Contractors need to be challenged and directed to focus beyond the achievement of strictly numerical goals, regardless of the eligible population and where they may reside, to include specific goals targeting areas of the country characterized by long-standing, economic and social challenges. These geographic locations, such as the Appalachian Region, require special recruitment strategies and programs, not solely to reach the eligible youth but to successfully work with them on such issues as living in a diverse cultural environment, which is present at most Job Corps Centers, adopting a willingness to relocate to jobs that may only be available in areas of the country outside of their present community and region.

- (A) applicable one-stop centers;
- (B) community action agencies, business organizations, and labor organizations; and
- (C) agencies and individuals that have contact with youth over substantial periods of time and are able to offer reliable information about the needs and problems of youth.

Outreach and Recruitment Contracts with any of the above entities or individuals that also have a contract to operate a Job Corps Center shall be prohibited.⁹

(4) Consultation.--The standards and procedures shall provide for necessary consultation with individuals and organizations, including court, probation, parole, law enforcement, education, welfare and medical authorities and advisers.

(5) Reimbursement.—With the exception of those individuals and entities identified following (a) (3) (C) above,¹⁰ the Secretary is authorized to enter into contracts with and make payments to individuals and organizations for the cost of conducting recruitment, screening, and selection of eligible applicants for the Job Corps, as provided for in this section. The Secretary shall make no payment to any individual or organization solely as compensation for referring the names of applicants for the Job Corps.

(b) Special Limitations on Selection.—

(1) In general.--No individual shall be selected as an enrollee unless the individual or organization implementing the standards and procedures described in subsection (a) determines that—

- (A) there is a reasonable expectation that the individual considered for selection can participate successfully in group situations and activities, and is not likely to engage in behavior that would prevent other enrollees from receiving the benefit of the Job Corps program or be incompatible with the maintenance of sound discipline and satisfactory relationships between the Job Corps center to which the individual might be

⁹ Justification: The addition of this provision will have the positive effect of eliminating conflicts of interest that currently exist throughout the Program. Specifically, certain recruitment contractors refer older, better educated and, generally, the most promising enrollees to centers operated by the recruiter's parent company. The twenty eight Federally-operated Civilian Conservation Corps Centers, in particular, have been the victim of this arrangement. Further, this change will provide greater opportunities for small and medium size businesses to seek recruitment and other Program-supported contracts.

¹⁰ Justification: The addition of this phrase is consistent with the language added following (a) (3) (C) above.

assigned and communities surrounding the Job Corps center;

(B) the individual manifests a basic understanding of both the rules to which the individual will be subject and of the consequences of failure to observe the rules; and

(C) the individual has passed a background check conducted in accordance with procedures that shall be established by the Secretary. While applicants shall not be denied acceptance in the Program solely on the basis of having contact with the criminal justice system, the procedures must contain clear and unambiguous guidance regarding the specific circumstances in which an individual will be denied acceptance in the Program.¹¹

(D) To ensure that all Recruitment Contractors strictly adhere to the requirements addressed in (A) and (B) above, and that the number of students that separate early from the Program is minimized, the Secretary shall closely monitor the performance of Recruitment Contractors, particularly the number of recruits that successfully enter the Program but are separated within 120 days of their arrival on Center. If, in any consecutive twelve month period, a Recruitment Contractor has 20% or more of their recruits separate from the Program within 120 consecutive days following their arrival at a Center, the Recruitment Contractor will no longer perform such services for that Center and the Recruitment Contract and budget will be modified accordingly. Similarly, if the percentage of those separated early from all Centers served by a Recruitment Contractor total 20% or more in any consecutive twelve month period, the contract shall be closed. These provisions will be made a part of each Recruitment Contract.¹²

(2) Individuals on probation, parole, or supervised release.--
An individual on probation, parole, or supervised release may be selected as an enrollee only if release from the supervision of the probation or parole official involved is satisfactory to the official and the Secretary and does not violate applicable laws

¹¹ Justification: First, by inserting the phrase “that shall be,” the Secretary will now be mandated to establish guidelines and procedures for conducting background checks, where no guidance presently exists. Second, in response to the inconsistency that is present among recruitment contractors regarding how this responsibility should be carried-out, the second sentence was added to ensure greater clarity and direction.

¹² Justification: This section of the statute has been ignored for quite some time, Centers have been receiving a significant number of recruits that are unable, incapable, and/or lack the motivation to fully complete the Program. By not implementing proper screening methods, and carefully monitoring and assessing performance, valuable resources are lost to the Program and more deserving, eligible youth are denied access.

(including regulations). ~~No individual shall be denied a position in the Job Corps solely on the basis of individual contact with the criminal justice system.~~¹³

~~(c) Assignment Plan.—~~

~~(1) In general.—Every 2 years, the Secretary shall develop and implement an assignment plan for assigning enrollees to Job Corps centers. In developing the plan, the Secretary shall, based on the analysis described in paragraph (2), establish targets, applicable to each Job Corps center, for—~~

~~(A) the maximum attainable percentage of enrollees at the Job Corps center that reside in the State in which the center is located; and~~

~~(B) the maximum attainable percentage of enrollees at the Job Corps center that reside in the region in which the center is located, and in surrounding regions.~~

~~(2) Analysis.—In order to develop the plan described in paragraph (1), the Secretary shall, every 2 years, analyze, for the Job Corps center—~~

~~(A) the size of the population of individuals eligible to participate in Job Corps in the State and region in which the Job Corps center is located, and in surrounding regions;~~

~~(B) the relative demand for participation in the Job Corps in the State and region, and in surrounding regions; and~~

~~(C) the capacity and utilization of the Job Corps center, including services provided through the center.~~¹⁴

~~(d)~~ (c) Assignment of Individual Enrollees.--

(1) In general.--After an individual has been selected for the Job Corps in accordance with the standards and procedures of the Secretary under subsection (a), the enrollee shall be assigned to the Job Corps center that is closest to the home of the enrollee, except that the Secretary may waive this requirement if--

(A) the enrollee chooses a vocational training program, or requires an English literacy program, that is not available at such center;

(B) the enrollee would be unduly delayed in participating

¹³ Justification: The policy stated by this last sentence is adequately addressed in (b) 1. (C), above.

¹⁴ Justification: The provisions comprising this subsection have not been fully acted upon for years. When first introduced, the concept behind Assignment Plans was difficult to understand, repeatedly challenged, and eventually became obsolete. The provisions of the current subsection (d), as amended below, offers adequate guidance regarding the assignment of individual enrollees.

in the Job Corps program because the closest center is operating at full capacity; or
 (C) the parent or guardian of the enrollee requests assignment of the enrollee to another Job Corps center due to circumstances in the community of the enrollee that would impair prospects for successful participation in the Job Corps program.

(2) Enrollees who are younger than 18.--An enrollee who is younger than 18 shall not be assigned to a Job Corps center other than the center closest to the home of the enrollee pursuant to paragraph (1) if the parent or guardian of the enrollee objects to the assignment.

(3) The Secretary shall ensure that the provisions of this subsection are closely monitored, to make certain they are being strictly observed and that any cost associated with assignments to distant Job Corps Centers are kept to a minimum and fully justified.¹⁵

SEC. 146. ENROLLMENT.

(a) Relationship Between Enrollment and Military Obligations.-- Enrollment in the Job Corps shall not relieve any individual of obligations under the Military Selective Service Act (50 U.S.C. App. 451 et seq.).

(b) Period of Enrollment.--No individual may be enrolled in the Job Corps for more than 2 years, except—

(1) a student that provided national service, as authorized by a Conservation Center Program, in which case the period of enrollment may be extended for an amount of time equal to the amount of time that the student provided national service.¹⁶

(2) in a case in which completion of an advanced career training program under section 148(c) would require an individual to participate in the Job Corps for not more than ~~one additional~~ year an additional eighteen months,¹⁷ or

¹⁵ Justification: Students continue to be transported to more distant centers without meaningful justification and at a significant cost to the system. This new subsection is intended to reduce the number of unjustified assignments through greater scrutiny.

¹⁶ Justification: This new provision recognizes the unique role that the 28 Job Corps Conservation Centers have in preserving our natural resources, very often National Forests. In this regard, students at these Centers learn valuable skills that help their transition to meaningful careers. Their time in Job Corps should not be diminished because of the time they voluntarily spend in national service.

(2) (3) as the Secretary may authorize in a special case.

SEC. 147. JOB CORPS CENTERS AND CIVILIAN CONSERVATION PROGRAM.

(a) Operators and Service Providers.--

(1) Eligible Entities.—

(A) Operators.--The Secretary shall enter into an agreement with a Federal, State, or local agency, an area vocational education school or, or a private organization, for the operation of each Job Corps center.

(B) Exception.--No private-for-profit organization shall be contracted directly, or as one of the principals in a partnership, to operate more than 10 Job Corps Centers at the same time.¹⁸

(B) Providers.--The Secretary may enter into an agreement with a local entity to provide activities described in this subtitle to the Job Corps center.

(2) Selection process.--

(A) Competitive basis.--Except as provided in subsections (c) and (d) of section 303 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253), the Secretary shall select on a competitive basis an entity to operate a Job Corps center and entities to provide activities described in this subtitle to the Job Corps center. In developing a solicitation for an operator or service provider,

¹⁷ Justification: Experience has demonstrated that students in Advanced Career Training Programs, such as Automotive Tech., which offers a variety of specialty training opportunities, need more than one additional year to complete Advanced Training and earn ASE Certification.

¹⁸ Justification: Currently, no limit exists on the number of Job Corps Centers that can be operated by Job Corps Contractors. Over time, this has led to a very small group of for-profit contractors operating a majority of the 94 non-federal centers. For example, three, for-profit contractors alone operate nearly 50% of these centers, and one enjoys a 25% share. Because of their size as an organization within the Job Corps system, the profits involved, and the volume of experienced staff built over the years, such contractors generally have a greater influence on the development and implementation of Job Corps policy and procedures at both the National and Regional level than other stakeholders in the system. Additionally, and equally important, because of the unfair advantage held by these few, large contractors, it is extremely difficult for other, potentially qualified contractors, particularly small businesses, to fairly compete for Center contracts. This situation limits innovation, creativity, and competitiveness between centers as well as operators. What has evolved is a system whereby the operation of Centers rotates between a very limited number of large contractors. When one of these contractors loses a Center due to substandard performance, they quickly compete for another Center to add to their “stable,” and are usually successful. Poor performance, therefore, is not a deterrent to being awarded additional centers.

the Secretary shall consult with the Governor of the State in which the center is located and the applicable local board regarding the contents of such solicitation, including elements that will promote the consistency of the activities carried out through the center with the objectives set forth in the State plan or in a local plan. [The Solicitation shall reference the exception described in Sec. 147 \(a\) \(1\) \(B\) of this subtitle.](#)

(B) Recommendations and considerations.--

(i) Operators.--In selecting an entity to operate a Job Corps center, the Secretary shall consider--

(I) the ability of the entity to coordinate the activities carried out through the Job Corps center with activities carried out under the appropriate State plan and local plans;

(II) the degree to which the vocational training that the entity proposes for the center reflects local employment opportunities in the local areas in which enrollees at the center intend to seek employment;

(III) the degree to which the entity is familiar with the surrounding communities, applicable one-stop centers, and the State and region in which the center is located; and

(IV) the past performance of the entity, if any, relating to operating or providing activities described in this subtitle to a Job Corps center.

(ii) Providers.--In selecting a service provider for a Job Corps center, the Secretary shall consider the factors described in sub clauses (I) through (IV) of clause (I), as appropriate.

(b) Character and Activities.--Job Corps centers may be residential or nonresidential in character, and shall be designed and operated so as to provide enrollees, in a well-supervised setting, with access to activities described in this subtitle. In any year, no more than 20 percent of the individuals enrolled in the Job Corps may be nonresidential participants in the Job Corps.

(c) Civilian Conservation ~~Centers~~ [Program](#)--

~~(1) In general.--The Job Corps centers may include Civilian Conservation Centers operated under agreements with the Secretary of Agriculture or the Secretary of the Interior, located primarily in rural areas, which shall provide, in addition to other vocational training and assistance, programs of work experience to conserve, develop, or manage public natural resources or public recreational areas or to develop community projects in the public~~

~~interest.~~

~~(2) Selection process.—The Secretary may select an entity to operate a Civilian Conservation Center on a competitive basis, as provided in subsection (a), if the center fails to meet such national performance standards as the Secretary shall establish.~~

(1) In General—The Civilian Conservation Program Centers shall be operated by the U.S. Forest Service under an Agreement between the Secretary of Agriculture and Secretary of Labor. Said Agreement is subject to review every four years, or sooner if both parties agree, and any proposed change to the Agreement must be reached by consensus. Both Departments will be mindful of the historic role of the Civilian Conservation Corps, its position within a Federal Agency, and its unique responsibility in preserving and enhancing our Nation’s natural resources and public recreational areas, especially when proposing any changes to the Agreement.

(2) The Department of Labor and the Department of Agriculture shall work collaboratively in the administration of the Civilian Conservation Centers. Both Departments shall endeavor to expand and improve the mission of the Civilian Conservation Program, to better develop and protect the nation’s natural resources, enhance national service, and provide an inimitable training experience for Job Corps enrollees. In doing so, both Departments shall jointly establish a performance matrix for the Civilian Conservation Program that takes into consideration the unique mission of the Civilian Conservation Program.

(3) The U.S. Forest Service shall establish an Office of Job Corps National Liaison which shall operate out of the Office of the Job Corps National Director at the U.S. Department of Labor. The individual selected by the Director of the U.S. Forest Service to serve in this capacity shall be a senior member within the U.S. Forest Service, have Civilian Conservation Corps Program responsibility, and shall report directly to the Director of the U.S. Forest Service.

The Job Corps National Liaison will serve as an advocate for Civilian Conservation Corps Centers, and in this capacity shall work collaboratively with the National Director of Job Corps, senior Labor Department officials and staff, as appropriate, as well as major providers of services to Civilian Conservation Corps Centers such as Job Corps National Training Contractors that have direct and productive linkages with Registered Apprenticeship Programs and signatory employers.

The National Director of Job Corps shall include the National Liaison in all senior-level staff meetings, including those involving the funding of Civilian Conservation Centers, all deliberations regarding Job Corps policy, and all other activities that impact on the operation and/or administration of Job Corps Centers, especially Civilian Conservation Corps Centers. Further, Job Corps Regional Directors that have Civilian Conservation Centers within their geographic jurisdiction shall work closely with the National Liaison on matters related to program performance and center administration, and the development of Regional policies that impact Civilian Conservation Centers.

(4) Civilian Conservation Centers are located primarily on Federal lands, in rural areas, and, therefore, shall provide, in addition to other vocational training and career preparation for students, programs of work experience to conserve, develop, and manage public natural resources, public recreational areas, and to develop community projects in the public interest. The Civilian Conservation Centers shall also establish and maintain programs of national service (e.g., forest fire suppression and emergency response teams) without penalty or affect to a Job Corps student's length of participation in the Program, the annual performance of Centers, and the annual performance of vocational training and placement programs, including those operated by National Training Contractors. In this regard, as applicable, each student's program leading to Graduation shall be adjusted and extended for at least an amount of time equal to that directly involved in National service. Such National service shall be designated and documented as Work-based Learning experience.

(5) Center performance indicators shall be adjusted to reflect the unique responsibilities and functioning of Civilian Conservation Centers, and the funding of these Centers shall not be adversely affected, including any proposed de-obligation of funds. With the advice and guidance of the National Liaison and appropriate Job Corps Regional Directors, such funds may be used for purposes of Civilian Conservation Center recruitment, Graduate transition services, and/or to improve Civilian Conservation Center facilities with the assistance of center construction training programs, where appropriate.

(6) If a Civilian Conservation Center falls below 10 percent of on-board-strength in any given quarter, the National Director of Job Corps, working in partnership with the National Liaison and appropriate Job Corps Regional Office Directors, shall ensure that corrective measures are taken to return the Center to capacity within a reasonable amount of time.

(7) The Department of Labor and the Department of Agriculture shall reach agreement on a management fee for the administration of the Civilian Conservation Centers. The fee shall not be lower than the average fee awarded to the operators of contract-based Job Corps Centers, and the use of these funds shall be to enhance program performance, at the Discretion of the National Director of the U.S. Forest Service.

(8) In an effort to maximize the unique opportunities that many Forest Service-managed, national sites offer to eligible Job Corps youth, to learn personal responsibility, become productive citizens, and initiate careers, the Secretary of Agriculture and the Secretary of Labor shall jointly develop a five year Plan to expand the current number of Civilian Conservation Centers. The Plan shall be jointly presented to the appropriate Committees of the Congress, no later than the start of the first session of Congress immediately following enactment of these amendments.

(9) Only the Secretary of Agriculture may contract, in whole or in part, a Civilian Conservation Center.¹⁹

(d) Indian Tribes.--

- (1) General authority.--The Secretary may enter into agreements with Indian tribes to operate Job Corps centers for Indians.
- (2) Definitions.--In this subsection, the terms "Indian" and "Indian tribe", have the meanings given such terms in subsections (d) and (e), respectively, of section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

SEC.148 PROGRAM ACTIVITIES.

(a) Activities Provided by Job Corps Centers.--

- (1) In general.--Each Job Corps center shall provide enrollees with an intensive, well organized, and fully supervised program of education, vocational training, work experience, recreational activities, physical rehabilitation and development, and counseling. Each Job Corps center shall provide enrollees assigned to the center with access to core services described in section 134(d)(2) and the intensive services described in section 134(d) (3).

(2) Center Operators shall make every effort to ensure that students requiring a valid drivers license in order to secure and retain employment, such as students enrolled in automotive and construction training programs, are provided the opportunity to attain such a license, prior to completing a trade and separating from a center. The Secretary is directed to closely monitor this important activity, to ensure that adequate resources are being provided and that students are earning a valid driver's license in sufficient numbers. However, under no circumstances will students be prevented from graduating and leaving the Program if they have not attained

¹⁹ Justification: This portion of the existing statute was in need of a major overhaul, primarily due to the important role the 28 Civilian Conservation Centers have in preserving natural resources, maintaining public recreational areas and, especially, in transforming challenged youth to productive citizens through specialized work experience and confidence-building activities. In the past, National Job Corps Office officials did not fully recognize or understand these contributions and, therefore, devoted little attention to this significant portion of the national Job Corps Program (currently, 23% of the all Job Corps Centers). Further, given the uniqueness of how Civilian Conservation Centers operate, and their many contributions to the public, the new language contains an opportunity for these Federally-managed Centers to expand.

a valid driver's license. ²⁰

(2) (3) Relationship to Opportunities.--

(A) ~~In general. The activities provided under this subsection shall provide work-based learning throughout the enrollment of the enrollees and assist the enrollees in obtaining meaningful unsubsidized employment, participating in secondary education or postsecondary education programs, enrolling in other suitable vocational training programs, or satisfying Armed Forces requirements, on completion of their enrollment.~~ Consistent with the purpose of the Job Corps Program, as specified by Sec. 141(1) of this subtitle, the activities provided under this subsection are targeted to ensuring that Job Corps students secure and maintain training-related jobs that provide sustainable wages and benefits and that lead to meaningful careers, which may include Military Service. To assist in achieving this objective, Work-based Learning opportunities, center and community work projects, and participation in structured, academic learning that supports vocational skills attainment shall be pursued. ²¹

(B) Link to employment opportunities.--The vocational training provided shall be linked to the employment opportunities in the local area in which the enrollee intends to seek employment after graduation, including Registered Apprenticeship Programs. ²²

²⁰ Justification: Employers in a number of trades offered by Job Corps, especially automotive and construction, generally will not hire workers if they do not have their own transportation. Further, the majority of registered apprenticeship programs in the construction trades require applicants to have a valid license in order to apply for the program.

For years, this issue has repeatedly been brought to the attention of Job Corps officials, with no resolution and only a minimum amount of funds made available for this purpose. Job Corps officials do not fully acknowledge the importance of having a valid driver's license and, therefore, have not required centers to establish and maintain State-sanctioned, driver's education programs. The vast majority of Center Operators have also shown little support in addressing this important matter, as demonstrated by the fact that when confronted with staffing reductions, driver's education instructors are among the first to be released.

²¹ Justification: This change more accurately describes the work-related activities in which students should and do participate, and is consistent with the recommended changes to Sec. 141 (1), which address the primary purpose of the Job Corps Program.

²² Justification: Registered Apprenticeship Programs provide meaningful career opportunities and should not be overlooked in this subsection.

(b) Education and Vocational Training.--The Secretary may arrange for education and vocational training of enrollees through local public or private educational agencies, vocational educational institutions, or technical institutes, whenever such entities provide education and training substantially equivalent in cost and quality to that which the Secretary could provide through other means. Further, to the extent that a Job Corps Center Operator and Job Corps Regional Office Director choose to include one or more of the construction trades as part of the center's vocational training offerings, those contractors who are interested and capable of providing such training and whose organizations successfully administer, on a nationwide basis, Registered Apprenticeship Programs in the construction trades, shall be presumptive deliverers of such training. The selection of any other provider of construction-related training, including the Center Contractor, shall be justified and approved in accordance with guidelines established by the Secretary.²³

(c) Advanced Career Training Programs.--

~~(1) In general.--The Secretary may arrange for programs of advanced career training for selected enrollees in which the enrollees may continue to participate for a period of not to exceed 1 year in addition to the period of participation to which the enrollees would otherwise be limited. The advanced career training may be provided through the eligible providers of training services identified under section 122.~~

The Secretary shall arrange for programs of Advanced Career Training (ACT), particularly in those trades operated by Job Corps National Training Contractors that have well-established, productive linkages with Registered Apprenticeship Programs and the support of signatory employers and contractors. Eligible students must have successfully completed a Job Corps training program, demonstrate the desire and commitment to complete the ACT Program, and be recommended by the vocational instructor. Students selected to participate shall be provided up to 18 months to complete the ACT Program, in addition to the period of participation to which the enrollee would otherwise be limited.

To ensure that all Center Operators actively support ACT Programs, by referring adequate numbers of eligible vocational program completers that are referred to and accepted in ACT Programs, the Secretary shall include appropriate measures in Center performance measurement

²³ Justification: Construction training programs operated directly by Center Contractors currently exist on Job Corps Centers nationwide, even though their performance is substantially below the performance of NTC-operated, pre-apprenticeship construction training programs. Further, Center-operated construction programs have no established linkages to registered apprenticeship programs or to signatory employers that support the hiring of Job Corps Graduates from NTC-operated construction programs. This particular statutory change, in effect, makes the National Training Contractors presumptive deliverers of construction training programs at all Job Corps Centers, with the first right of refusal should circumstances warrant.

systems, including those reporting solely on vocational training program performance. The Secretary shall also develop meaningful incentives that encourage participation in ACT Programs. In establishing such a system, the Secretary shall involve Center Operators, including Federally-managed centers, as well as National Training Contractors.²⁴

(2) Benefits.--

(A) In general.--During the period of participation in an advanced career training program, an enrollee shall be eligible for full Job Corps benefits, or a monthly stipend equal to the average value of the residential support, food, allowances, and other benefits provided to enrollees assigned to residential Job Corps centers.

(B) Calculation.--The total amount for which an enrollee shall be eligible under subparagraph (A) shall be reduced by the amount of any scholarship or other educational grant assistance received by such enrollee for advanced career training.

(3) Demonstration.--Each year, any operator seeking to enroll additional enrollees in an advanced career training program shall demonstrate that participants in such program have achieved a satisfactory rate of completion and placement in training-related jobs before the operator may carry out such additional enrollment.

(d) Continued Services.--The Secretary shall also provide continued services to graduates, including providing counseling regarding the workplace for 12 months after the date of graduation of the graduates. In selecting a provider for such services, the Secretary shall give priority to one-stop partners.

(e) Child Care.--The Secretary shall, to the extent practicable, provide child care at or near Job Corps centers, for individuals who require child care for their children in order to participate in the Job Corps.

²⁴ Justification: National Training Contractors currently operate Advanced Career Training Programs primarily in the automotive and transportation trades; however there are very few ACT Programs in the construction trades. This amendment would expand ACT opportunities to those currently providing pre-apprenticeship training in the construction trades. In addition, statutory language is also included to eliminate the long-standing disincentives in Job Corps performance measurement systems that discourage Center Operators from fully supporting ACT programs.

The Secretary's Job Corps Advisory Committee recognized this challenge and made the following statement: "Job Training Match (JTM) is a worthwhile and purposeful measure. However, the implementation of the measure created a disincentive for some centers to move students forward to Advanced Training or other beneficial placements due to the OMS rating system"

SEC. 149. COUNSELING AND JOB PLACEMENT.

(a) Counseling and Testing.--The Secretary shall arrange for counseling and testing for each enrollee at regular intervals to measure progress in the education and vocational training programs carried out through the Job Corps.

(b) Placement.--The Secretary shall arrange for counseling and testing for enrollees prior to their scheduled graduations to determine their capabilities and, based on their capabilities, shall make every effort to arrange to place the enrollees in jobs in the vocations for which the enrollees are trained or to assist the enrollees in obtaining further activities described in this subtitle. In arranging for the placement of graduates in jobs, the Secretary shall utilize the one-stop delivery system to the fullest extent possible.

(c) Status and Progress.--The Secretary shall determine the status and progress of enrollees scheduled for graduation and make every effort to assure that their needs for further activities described in this subtitle are met.

(d) Services to ~~Former Enrollees~~ Non-Graduates.--~~The Secretary may provide such services as the Secretary determines to be appropriate under this subtitle to former enrollees.~~ Non-Graduates shall be referred to the One-Stop Office closest to where they choose to reside and seek employment and/or further training.²⁵

SEC. 150. SUPPORT.

(a) Personal Allowances.--The Secretary may provide enrollees assigned to Job Corps centers with such personal allowances as the Secretary may determine to be necessary or appropriate to meet the needs of the enrollees

(b) In an effort to teach students the importance of managing their personal finances in a responsible manner, to encourage students to save a portion of their stipends and earnings from outside sources, and to help students meet transition costs when they Graduate from the Program, Center operators shall contact financial institutions in the local community to structure an arrangement advantageous to students in establishing individual savings accounts. In addition, the Secretary shall work with the head of the Federal Deposit Insurance Corporation (FDIC) to make available that organization's "Money Smart" Training Program

²⁵ Justification: Consistent with the changes made in Sec. 142, the term "Former Enrollees" will no longer be used. Instead, there will be only two designations of enrollees separating from the Job Corps Program: Graduates (vocational, not academic) and Non-Graduates.

at all Job Corps Centers, and any other FDIC educational programs that would be beneficial to students and Graduates.²⁶

(b) (c) Readjustment Allowances.—

(1) Graduates.--The Secretary shall arrange for a readjustment allowance to be paid to Graduates. The Secretary shall arrange for the allowance to be paid at the one-stop center nearest to the home of the graduate who is returning home, or at the one-stop center nearest to the location where the graduate has indicated an intent to seek employment. If the Secretary uses any organization, in lieu of a one-stop center, to provide placement services under this Act, the Secretary shall arrange for that organization to pay the readjustment allowance.

(2) ~~Former enrollees~~ Non-Graduates.--~~The Secretary may provide for a readjustment allowance to be paid to former enrollees. The provision of the readjustment allowance shall be subject to the same requirements as are applicable to the provision of the readjustment allowance paid to graduates under paragraph (1).~~ Non-Graduates shall not be entitled to a readjustment allowance.²⁷

SEC. 151. OPERATING PLAN.

(a) In General.--The provisions of the contract between the Secretary and an entity selected to operate a Job Corps center shall, at a minimum, serve as an operating plan for the Job Corps center.

(b) Additional Information.--The Secretary may require the operator, in order to remain eligible to operate the Job Corps center, to submit such additional information as the Secretary may require, which shall be considered part of the operating plan.

(c) Availability.--The Secretary shall make the operating plan described in subsections (a) and (b), excluding any proprietary information, available to the public.

²⁶ Justification: This type of hands-on learning is critical to students throughout their life and should be supported by all Centers. Further, because the allowance at separation is generally insufficient to fully meet all the transition needs of Graduates, students must be strongly encouraged to save throughout their participation in Job Corps, beginning with guidance on the subject during the recruitment process.

²⁷ Justification: Non-Graduates should not be entitled to a readjustment allowance for simply being enrolled in the Job Corps program. These funds are intended to assist Job Corps Graduates as they transition from the Job Corps system into the workforce by helping the graduate obtain housing and transportation, etc.

SEC. 152. STANDARDS OF CONDUCT.

(a) Provision and Enforcement.--The Secretary shall provide, and directors of Job Corps centers shall stringently enforce, standards of conduct within the centers. Such standards of conduct shall include provisions forbidding the actions described in subsection (b)(2)(A).

(b) Disciplinary Measures.—

(1) In general.--To promote the proper moral and disciplinary conditions in the Job Corps, the directors of Job Corps centers shall take appropriate disciplinary measures against enrollees. If such a director determines that an enrollee has committed a violation of the standards of conduct, the director shall dismiss the enrollee from the Job Corps if the director determines that the retention of the enrollee in the Job Corps will jeopardize the enforcement of such standards, [threaten the safety of staff](#), or diminish the opportunities of other enrollees.²⁸

(2) Zero tolerance policy and drug testing.—

(A) Guidelines.--The Secretary shall adopt guidelines establishing a zero tolerance policy for an act of violence, for use, sale, or possession of a controlled substance, for abuse of alcohol, or for other illegal or disruptive activity.

(B) Drug testing.--The Secretary shall require drug testing of all enrollees for controlled substances in accordance with procedures prescribed by the Secretary. ~~under section 145(a)~~.²⁹

(C) Definitions.--In this paragraph:

(i) Controlled substance.--The term "controlled substance" has the meaning given the term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(ii) Zero tolerance policy.--The term "zero tolerance policy" means a policy under which an enrollee shall be automatically dismissed from the Job Corps after a determination by the director that the enrollee has carried out an action described in subparagraph (A).

²⁸ Justification: It is important that this group be protected, as well.

²⁹ Justification: Section 145 (a) is no longer a valid reference as it has been changed to refer solely to the drug testing of potential enrollees (candidates for Job Corps) during the recruitment process. Provision (2) (B), above, requires the Secretary to prescribe procedures for the drug testing of enrollees (students at Centers).

(c) Appeal.--A disciplinary measure taken by a director under this section shall be subject to expeditious appeal in accordance with procedures established by the Secretary. However, a Center Director's decision to remove a student shall not be overturned unless overwhelming and compelling evidence to the contrary has been clearly established. In any case, the student shall not be returned to the Center at which the incident took place. Further, where actions by students may be criminal in nature they shall be treated as such; therefore, Job Corps guidelines and procedures dealing with these matters shall not replace or supersede the rule of law. In such cases, immediate contact shall be made with appropriate law enforcement officials. Where such incidences occur at Civilian Conservation Centers, the National Liaison shall also be immediately notified.³⁰

SEC. 153. COMMUNITY PARTICIPATION.

(a) Business and Community Liaison.--Each Job Corps center shall have a Business and Community Liaison (referred to in this Act as a "Liaison"), designated by the director of the center.

(b) Responsibilities.--The responsibilities of the Liaison shall include--

(1) establishing and developing relationships and networks with--

(A) local and distant employers; and

(B) applicable one-stop centers and applicable local boards, for the purpose of providing job opportunities for Job Corps graduates; and

(2) establishing and developing relationships with members of the community in which the Job Corps center is located, informing members of the community about the projects of the Job Corps center and changes in the rules, procedures, or activities of the center that may affect the community, and planning events of mutual interest to the community and the Job Corps center.

(3) working collaboratively with Job Corps National Training Contractors that have the sole responsibility for establishing and maintaining meaningful working relationships with their organizations' local and District Office officials, signatory employers and contractors, Registered Apprenticeship Program managers and affiliated trade organizations.³¹

³⁰ Justification: Currently, there are numerous violations of law committed by students that continue to be addressed solely within Job Corps' internal procedures. This has resulted in criminal actions, such as assaults on staff, to go unreported to appropriate law enforcement authorities. In some cases, the Regional and/or National Office of Job Corps have returned students to the same Center and even to the same training program where the alleged crime was committed. This change will hopefully lead to the treatment of such violations as criminal acts and not merely infractions of Job Corps rules.

³¹ Justification: This additional provision is intended to prevent any duplication of effort with regard to contacting NTC officials/staff, Registered Apprenticeship Program staff, and affiliated employers.

(c) New Centers.--The Liaison for a Job Corps center that is not yet operating shall establish and develop the relationships and networks described in subsection (b) at least 3 months prior to the date on which the center accepts the first enrollee at the center.

~~SEC. 154. INDUSTRY COUNCILS.~~

~~(a) In General.--Each Job Corps center shall have an Industry Council, appointed by the director of the center after consultation with the Liaison, in accordance with procedures established by the Secretary~~

~~(b) Industry Council Composition.--~~

~~(1) In general.--An industry council shall be comprised of--~~

~~(A) a majority of members who shall be local and distant owners of business concerns, chief executives or chief operating officers of nongovernmental employers, or other private sector employers, who--~~

~~(i) have substantial management, hiring, or policy responsibility; and~~

~~(ii) represent businesses with employment opportunities that reflect the employment opportunities of the applicable local area;~~

~~(B) representatives of labor organizations (where present) and representatives of employees; and~~

~~(C) enrollees and graduates of the Job Corps.~~

~~(2) Local board.--The industry council may include members of the applicable local boards who meet the requirements described in paragraph (1).~~

~~(b) Responsibilities.--The responsibilities of the Industry Council shall be--~~

~~(1) to work closely with all applicable local boards in order to determine, and recommend to the Secretary, appropriate vocational training for the center;~~

~~(2) to review all the relevant labor market information to--~~

~~(A) determine the employment opportunities in the local areas in which the enrollees intend to seek employment after graduation;~~

~~(B) determine the skills and education that are necessary to obtain the employment opportunities; and~~

~~(C) recommend to the Secretary the type of vocational training that should be implemented at the center to enable the enrollees to obtain the employment opportunities; and~~

~~(3) to meet at least once every 6 months to:~~

~~information and other relevant information, to determine and recommend to the Secretary, any necessary changes in the vocational training provided at the Center (d)(e) New Centers. The industry council for a Job Corps center that is not yet operating shall carry out the responsibilities described in subsection (b) at least 3 months prior to the date on which the center accepts the first enrollee at the~~

SEC. 154 VOCATIONAL OFFERINGS AT JOB CORPS CENTERS

(a) In order to ensure the relevancy of center vocational offerings, especially with regard to the current and projected needs of those Labor Markets where a majority of Graduates return to pursue careers, the Secretary of Labor shall develop policy and procedures that incorporate the following:

- (1) A thorough assessment by each Center Operator, including Civilian Conservation Centers, of: (a) relevant Labor Market Supply and Demand Information available from Federal, State and academic sources; (b) Center job placement data for the last completed program year consisting of the 12-month period ending June 30, and (c) as applicable, employment outlook data from Job Corps National Training Contractors having established linkages to Registered Apprenticeship Training Programs nationwide.
- (2) Based on the information assessed in (1) above, each Center Operator shall submit a written Report containing the necessary documentation to the appropriate Job Corps Regional Office Director, no later than February 28 of each year, justifying the continuation, expansion, reduction, or replacement of each Center vocational offering. Where a replacement trade is recommended the Report will justify the selection.
- (3) Civilian Conservation Centers shall participate in this process; however, each Center Report must first be reviewed and approved by the National Liaison, before it is submitted to the Job Corps Regional Office Director.
- (4) Job Corps Regional Directors will review each Center Report and formally respond to the recommendations no later than April 15. As applicable, the National Liaison and NTC COTR will receive a copy of Regional responses.

(b) In an effort to provide Job Corps officials and staff, including Federal personnel, with the technical skills necessary to identify and effectively utilize sources for Labor Market Supply and Demand Information, the Secretary shall develop and implement no, later than January 1, 2011, a comprehensive training program. The Secretary will utilize the expertise of the Department's Bureau of Labor Statistics and the Bureau's State partners, as needed. Initial training will be conducted through classroom instruction, while all follow up training will be available electronically. The

[training curricula shall be updated as necessary, based on recommendations from the Bureau of Labor Statistics.](#)³²

SEC. 155. ADVISORY COMMITTEES.

The Secretary may establish and use advisory committees in connection with the operation of the Job Corps program, and the operation of Job Corps centers, whenever the Secretary determines that the availability of outside advice and counsel on a regular basis would be of substantial benefit in identifying and overcoming problems, in planning program or center development, or in strengthening relationships between the Job Corps and agencies, institutions, or groups engaged in related activities. [In selecting individuals to serve on such committees, the Secretary shall ensure that the National Liaison, officials of Federally-operated Job Corps Centers, and National Vocational Training Contractors are included in sufficient numbers.](#)³³

SEC. 156. EXPERIMENTAL, RESEARCH, AND DEMONSTRATION PROJECTS.

The Secretary may carry out experimental, research, or demonstration projects relating to carrying out the Job Corps program and may waive any provisions of this subtitle that the Secretary finds would prevent the Secretary from carrying out the projects. [In planning these activities, the Secretary shall involve the National Liaison and, where appropriate, the National Training Contractors. Further, the Secretary shall not supersede other](#)

³² Justification: This section of the statute, which previously dealt with Center Industry Councils, has been eliminated because, with few exceptions, they have been ineffective, particularly in meeting their primary objective of ensuring that the trade mix on Job Corps Centers is relevant in terms of the needs of labor markets where students return to seek employment. The majority of Job Corps Centers serve students from more than one State and, within a given State, from a variety of labor markets. This has made it nearly impossible to construct a Council that is comprised of members from a variety of sectors representing labor markets other than the one where the Center is located. What has evolved over the past 11 years, are Industry Councils that, for the most part: are loosely composed of representatives that work and live near the Job Corps Center; contain members with little or no interest in what trades are offered at the Center because the majority of students leave the area upon graduation and, whose agenda's are controlled by the Center Director.

To ensure that Center vocational offerings are periodically reviewed and, when necessary modified, to ensure that they meet the employment needs of students, we have developed a process, ultimately defined in greater detail by the Secretary of Labor, that we believe is more realistic, objective, and based on statistical facts which is more productive and conclusive than the current methodology.

³³ Justification: In the past, these major system participants have either not been requested to participate, or were underrepresented.

[laws or violate the terms of any collective bargaining agreement when carrying out these projects.](#) ³⁴

SEC 157. APPLICATION OF PROVISIONS OF FEDERAL LAW.

(a) Enrollees Not Considered To Be Federal Employees.--

(1) In general.--Except as otherwise provided in this subsection and in section 8143(a) of title 5, United States Code, enrollees shall not be considered to be Federal employees and shall not be subject to the provisions of law relating to Federal employment, including such provisions regarding hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

(2) Provisions relating to taxes and social security benefits.--For purposes of the Internal Revenue Code of 1986 and title II of the Social Security Act (42 U.S.C. 401 et seq.), enrollees shall be deemed to be employees of the United States and any service performed by an individual as an enrollee shall be deemed to be performed in the employ of the United States.

(3) Provisions relating to compensation to federal employees for work injuries.--For purposes of subchapter I of chapter 81 of title 5, United States Code (relating to compensation to Federal employees for work injuries), enrollees shall be deemed to be civil employees of the Government of the United States within the meaning of the term "employee" as defined in section 8101 of title 5, United States Code, and the provisions of such subchapter shall apply as specified in section 8143(a) of title 5, United States Code.

(4) Federal tort claims provisions.--For purposes of the Federal tort claims provisions in title 28, United States Code, enrollees shall be considered to be employees of the Government.

(b) Adjustments and Settlements.--Whenever the Secretary finds a claim for damages to a person or property resulting from the operation of the Job Corps to be a proper charge against the United States, and the claim is not cognizable under section 2672 of title 28, United States Code, the Secretary may adjust and settle the claim in an amount not exceeding \$1,500.

(c) Personnel of the Uniformed Services.--Personnel of the uniformed services who are detailed or assigned to duty in the performance of agreements made by the Secretary for the support of the Job Corps shall not be counted in computing strength under any law limiting the strength of such services or in computing the percentage authorized by law for any grade in such services.

³⁴ Justification: Should the Secretary have to waive any provisions of this subtitle in order to carry out these projects, this language will offer certain worker protections not previously incorporated.

SEC. 158. 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 145.

(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 (40 U.S.C. 481 et seq.) 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.

(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 147 Job Corps Contractor with a fair and reasonable management fee. In determining the amount of the fee, the Secretary shall take into consideration the performance of each Contractor

and such other factors as the Secretary determines to be relevant. For those Contractors that are provided an opportunity to earn additional federal funds, based on performance incentives or other factors, their management fee shall be not less than 1.0%. For those Job Corps Contractors that do not have an opportunity to earn additional federal funds, their management fee shall be not less than 3.0%. As addressed in Sec. 147, subsection (6), the Department of Labor and the Department of Agriculture shall reach agreement on a management fee for the administration of Civilian Conservation Centers. The fee shall not be lower than the average fee awarded to Job Corps Center Contractors.³⁵

(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 subtitle.

(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.

(h) Labor Agreements.—The Secretary of Labor shall not implement any rule or regulation that conflicts with an existing Labor Agreement without first allowing appropriate bargaining at the level in which the Labor Agreement is in force, and between the parties covered by the Agreement.³⁶

SEC. 159. 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--

³⁵ Justification: First, this revised provision makes it absolutely clear that management fees are not limited to Center Contractors, as has been interpreted by a number of prior DOL officials, but available to all Job Corps Contractors as well as to the Civilian Conservation Corps Program. Second, all National Vocational Training Contractors representing organized labor have been limited to a 1% management fee since the fee was first authorized, despite their record of exemplary performance each year particularly in the area of Registered Apprenticeship Placements. Most other Job Corps Contractors are routinely provided management fees well over 5%, some approaching double digit, without any regard to their performance. It is hoped that the revised language will resolve this long-standing inequity.

³⁶ Justification: The Department of Labor has shown little regard in the past for honoring Labor Agreements. They have repeatedly disregarded the rights of Labor Organizations to negotiate on behalf of its members.

- (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.

(C) For each Program Year, a Report shall be submitted to the Secretary of Labor, Secretary of Agriculture and the Congress, describing the utilization of Career Technical Skills Training (CTST) Project funds, to include the following items: the total amount available nationally; the total amount provided to each Job Corps Center and Civilian Conservation Center; the total amount expended nationally and by each Center; a brief description of a sampling of on-Center and community CTST project; the total cost for each project using CTST funds and student labor, compared to what the total cost (labor and material) would have been by an outside contractor; the resulting savings per project and nationally for all projects; the center trade(s) providing the students and instructors that contributed to each project and whether the trade was funded as part of the Center Contract or Job Corps National Training Contract, and the total number of hours students worked on each project and nationally.

Both on-center and community projects performed by students and instructors not supported by CTST funds shall also be separately documented as part of this Report.

The Report shall incorporate a format and design that allows each Congressional Member, including delegates from the District of Columbia and Puerto Rico, to view CTST information by State, Congressional District, the District of Columbia and Puerto Rico.

In addition to the Annual Report on CTST expenditures, the Secretary of Labor and the Secretary of Agriculture will jointly develop an annual Report to the Congress describing projects to which Civilian Conservation Corps students and instructors were assigned.

The Secretary shall ensure that adequate funds are made available to produce and distribute both Annual Reports.³⁷

- (2) Accounts.--Each operator and service provider shall maintain funds received under this subtitle in accounts in a manner that ensures timely and accurate reporting as required by the

³⁷ Justification: When accounting for the cost of the Job Corps Program to elected officials and taxpayers, it is important to also recognize the savings resulting from Job Corps CTST- supported construction and rehabilitation projects, and related activities, that are voluntarily performed by Job Corps vocational students and instructors both on-centers and in surrounding communities.

Secretary.

(3) Fiscal responsibility.--Operators shall remain fiscally responsible and control costs, regardless of whether the funds made available for Job Corps centers are incrementally increased or decreased between fiscal years.

(b) Audit.--

(1) Access.--The Secretary, the Inspector General of the Department of Labor, the Comptroller General of the United States, and any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the operators and service providers described in subsection (a) that are pertinent to the Job Corps program, for purposes of conducting surveys, audits, and evaluations of the operators and service providers.

(2) Surveys, audits, and evaluations.--The Secretary shall survey, audit, or evaluate, or arrange for the survey, audit, or evaluation of, the operators and service providers, using Federal auditors or independent public accountants. The Secretary shall conduct such surveys, audits, or evaluations not less often than once every 3 years.

(c) Information on Indicators of Performance.--

~~(1) Establishment.--The Secretary shall, with continuity and consistency from year to year, establish indicators of performance, and expected levels of performance for Job Corps centers and the Job Corps program, relating to~~ On an annual basis, the Secretary of Labor shall establish indicators of compliance and expected levels of performance for all Job Corps Centers, including Civilian Conservation Centers, as described in the following subsections, (1) (A) through (G). To the extent practicable, the Secretary of Labor shall model such indicators and levels of performance on the Common Measures for Youth Programs established by OMB, and to maintain the consistency of these measures from program year to program year. In addition, performance data for the most recent 12-month period, current and projected economic conditions, and relevant Labor Market Supply and Demand Information for those labor markets where students return to seek employment, shall be assessed as part of this entire process.

With regard to the establishment of indicators of compliance and expected levels of performance for Civilian Conservation Centers, the Secretary of Labor shall consult with the Secretary of Agriculture and provide the Secretary with ample opportunity to provide input. Input and concurrence by the Secretary of Agriculture are essential because, as addressed in Sec. 147, subsection (c) of this subtitle, the development of performance indicators for Civilian Conservation Centers must take into consideration the responsibilities and functioning of these Centers, particularly as it relates to their unique role in protecting our Nation's natural resources and major public recreational areas.

The Secretary of Labor shall, every two years, convene a Workgroup for the purpose of reviewing the effectiveness of Job Corps performance measurement systems, individual indicators, annual goals, and determining if the information produced by these systems is being used in ways that composed of major stakeholders in the Job Corps Program, such as National Training Contractors, Job Corps and Civilian Conservation Center Operators and Center Directors, recruitment placement contractors, and others that the Secretary believes can contribute to the objectives of the Workgroup.³⁸

(A) the number of graduates and the rate of such graduation, analyzed by type of vocational training received through the Job Corps program and by whether the vocational training was provided by a Center Contractor, a Civilian Conservation Program, a local training contractor, or a National Training Contractor service provider;³⁹

(B) the number of Graduates 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, and the

³⁸ Justification: The multiplicity of conflicting Job Corps performance measurement systems that have emerged over the past decade, and the proliferation of changes that occur within these systems, often annually, have driven performance in directions that are contrary to the very mission of the Program. Over the past few years, especially, Contractors at all levels appear to be more concerned about achieving numbers than meaningful student achievement. In efforts by Contractors to meet performance goals and objectives, students very often become the victims. For example, students are frequently separated from the Program or moved into higher education before they acquire needed vocational skills; the result of how certain performance measurement systems are designed and structured. As a result, we have experienced declining support from the employer community, there is general confusion about the Program's mission, and performance has been on a downward spiral for the past 4-years.

The types of changes described above are needed to: bring performance indicators and goals more in line with other Youth Programs, as envisioned by the OMB; simplify and make consistent performance expectations that are consistent with Job Corps' mission and, above all, create performance measurement systems that move contractors to provide the very best services to students.

It is also critical that, periodically, economic downturns, as well as unprecedented national economic conditions such as those our Nation is now experiencing, be taken into consideration when establishing indicators of compliance, defining each indicator and, especially, in determining expected levels of performance during such challenging times. Performance Measurement Systems must, therefore, be flexible and able to adapt, sometimes quickly, to changing economic conditions, while those responsible for developing and maintaining these systems should, to the extent possible, anticipate the need for change and be flexible to involve system participants in the process. This has not occurred in the past.

³⁹ Justification: This change is needed to clearly identify that vocational training can be provided by four distinct entities: a Center Operator, a Civilian Conservation Program, a local vocational training provider, which may include Community Colleges, or a National Training Contractor.

number that entered Registered Apprenticeship Training Programs identified by whether the vocational training while at Job Corps was provided by the Center Operator, a Civilian Conservation Program, a local vocational training provider, or a National Training Contractor.
~~analyzed by whether the vocational training was provided by a local or national service provider and by whether the placement in the employment was conducted by a local or national service provider;~~⁴⁰

(C) the average wage and employer-paid benefits received by graduates who entered unsubsidized employment related to the vocational training received through the Job Corps program and the average wage received by graduates who entered unsubsidized employment unrelated to the vocational training received;⁴¹

⁴⁰ Justification: Despite repeated requests to Job Corps officials to have Registered Apprenticeship Placements incorporated in the vocational performance measurement system Career Technical Training Report (CTTR), there has been no change. Apprenticeship placements are required by contract for all National vocational training providers and should, therefore, be reported in the CTTR and made available to the Congress.

⁴¹ Justification: The importance of employer-paid benefits cannot be overstated as it relates to the needs of every worker, especially in today's economy. In as much as the wages of entry-level workers are far less than that of experienced workers, employer-paid benefits such as health care are as important, if not more essential, than entry wage. For this reason alone, it is important to include employer-paid benefits when considering the earnings of Graduates. Further, there is precedent for including employer paid benefits, as the total earnings of all Military placements (which was updated in October 2009) has been established at a level that includes both wages and benefits.

If the above language is adopted, it will be important for the Secretary to establish procedures for obtaining, verifying and recording employer-paid benefit information as part of Job Corps' various reporting and performance measurement systems. **The following language is offered for consideration as part of the regulations or policy issuance:**

With regard to subsection (C) above, the term "employer" also applies to Registered Apprenticeship Programs and the Military. Further, the Secretary shall develop, test and implement, within a year following the passage of this Act, a methodology for determining the dollar value of employer-paid benefits so that, when combined with a Graduate's wages, a more accurate and complete report of earnings, both initially and at 6 and 12 months following initial job placement, can be documented and reported. To ensure that the process for collecting and verifying benefit information is fair and accurate, and that it is not a burden on employers, the Secretary shall establish a Standing Advisory Committee, as authorized by section 155 of this subtitle. The Committee shall be referred to as the Secretary's Committee on Job Corps Graduate Earnings, and be comprised of: appropriate representatives from the Bureau of Labor Statistics; Job Corps National vocational Training Contractors, particularly those representing organized labor; the Job Corps National Director; the National Liaison, and any other individuals whose skills and knowledge the Secretary may deem essential in meeting this task.

It is expected that the Advisory Committee shall meet at least once annually, and that a written Report, including final recommendations, shall be provided to the Secretary at least two months prior to the start of each

(D) the average wage received by graduates placed in unsubsidized employment after completion of the Job Corps program--

- (i) on the first day of the employment;
 - (ii) 6 months after the first day of the employment;
 - and
 - (iii) 12 months after the first day of the employment,
- analyzed by type of vocational training received through the Job Corps program;

(E) the number of graduates who entered unsubsidized employment and were retained in the unsubsidized employment--

- (i) 6 months after the first day of the employment; and
- (ii) 12 months after the first day of the employment;

(F) in developing comprehensive and probing follow up surveys that can accurately collect the necessary information requested by Subsections (D) (ii) and (iii) and (E) (i) and (ii) above, the Secretary shall ensure that the special circumstances impacting Job Corps Graduates waiting to be officially enrolled in a Registered Apprenticeship Program, and Graduates already enrolled and fully participating in a Registered Apprenticeship Program are comprehensively addressed. In developing Survey Protocols, periodically reviewing their accuracy and relevance, and in modifying Survey Protocols, the Secretary shall involve representatives of Job Corps' National Training Contractors that have the greatest involvement with jointly administered (labor and management) Registered Apprenticeship Programs.⁴²

Job Corps Program Year. For purposes of this provision, the term "Benefits" is defined as medical, retirement (including 401K and pension), day care, and transportation expenses, all, or a substantial portion of which, paid for by the employer."

⁴² Justification: National Training Contractors have always had major concerns regarding the protocol used by Job Corps Contractors that perform follow-up surveys to determine the employment and earnings status of Graduates at 6 and 12 months following their first day of employment. Specifically, the NTCs routinely place Graduates in jointly administered (labor and management), Registered Apprenticeship Programs, as well as jobs made available by their industry partners. Therefore, one situation that has never been taken into consideration as part of the surveys' protocol concerns Graduates placed in a temporary job while waiting for the next Registered Apprenticeship class to open, or job opportunities in trade-related employment to become available. This situation usually is the result of economic factors affecting the local economy, the weather at certain times of year which impacts the level of work activity, and the periodic training cycle established by certain Registered Apprenticeship Program sponsors. As a result, temporary employment of Job Corps Graduates is necessary and can extend beyond the 6-month period when the first survey is conducted.

In addition to the above, another situation that occurs is when a Graduate is actually participating in a registered apprenticeship program at the time a survey call is made. In this case, when Graduates are asked by survey contractors if they are working, the Graduates may very well respond in the negative

- (~~F~~)(G) the number of graduates who entered unsubsidized employment--
- (i) for 32 hours per week or more;
 - (ii) for not less than 20 but less than 32 hours per week; and
 - (iii) for less than 20 hours per week;
- (~~G~~)(H) the number of graduates who entered post-secondary education or advanced training programs, including apprenticeship programs, as appropriate; and
- (~~H~~)(I) the number of graduates who attained job readiness and employment skills.

(2) Performance of Recruiters.--The Secretary shall also establish performance measures, and expected performance levels on the performance measures, for local and national recruitment service providers serving the Job Corps program. The performance measures shall relate to the number of enrollees retained in the Job Corps program for ~~30 days, and for 60 days~~ and 120 days after initial placement in the program, following initial arrival at the assigned Job Corps Center, and the number of enrollees that Graduated.⁴³

because they are attending apprenticeship classes, even though they are subject to being sent on a trade-related job at any time and earn wages and benefits.

The current survey protocols do not prompt questioners to ask those Graduates waiting to enter a Registered Apprenticeship Training Program, or enrolled in an Apprenticeship Program, the appropriate questions essential to determining their actual work status and earnings. As a result of not capturing this information, National Training Contractor performance is negatively impacted because NTCs produce over 95% of all registered apprenticeship placements in Job Corps, and Job Corps National Performance results are also negatively impacted. What follows is inaccurate reporting on the Career Technical Training Report, lowering the performance of individual NTC programs, and potentially making it difficult to justify NTC sole-source contract status. In recognition of this situation, the above language was developed.

⁴³ Justification: Recruitment Contractors are currently allowed to claim success for recruits that remain in the Program for just 30 or 60-days. Center Operators and NTCs are neither responsible for, nor do they directly participate in, the outreach, recruitment, and enrollee selection process; nevertheless, they have the burden of preparing these individuals for a career and independent living and are assigned performance goals annually directly related to this objective. It seems only equitable, therefore, that Recruitment Contractors assume a measure of responsibility for the youth they determine can be successful in the Job Corps Program. The above change in item (2) above, is intended to improve the number of recruits that remain in the Program for much more than 60-days.

(3) Report.--The Secretary shall collect, and annually submit a report to the appropriate committees of Congress containing information on the performance of each Job Corps center, and the Job Corps program, on the core performance measures, as compared to the expected performance level for each performance measure. The report shall also contain information on the performance of the service providers described in paragraph (2) on the performance measures established under such paragraph, as compared to the expected performance levels for the performance measures.

(d) Additional Information.--The Secretary shall also collect, and submit in the report described in subsection (c), information on the performance of each Job Corps center, and the Job Corps program, regarding--

(1) the number of enrollees served;

(2) the average level of learning gains for graduates and ~~former enrollees~~ non-graduates

(3) the number of ~~former enrollees~~ non-graduates and graduates who entered the Armed Forces;

(4) the number of ~~former enrollees~~ non-graduates and graduates who entered post-secondary education, advanced training programs, or Registered Apprenticeship Programs, including whether or not the Registered Apprenticeship Program is jointly administered by labor and management and, if so, the name of the provider;

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

(6) the number of ~~former enrollees~~ non-graduates and graduates who ~~obtained~~ entered post-secondary education while enrolled in Job Corps and earned a One-Year Certificate of Completion or an Associate of Arts (AA) Degree, or its recognized equivalent, from a fully accredited Community College or other institution of higher education ~~secondary school diploma while still enrolled in the Job Corps Program~~, and the same information for those non-graduates and graduates following separation from Job Corps;⁴⁴

(7) the number and percentage of dropouts from the Job Corps program including the number dismissed under the zero tolerance policy described in section 152(b); and

⁴⁴ Justification: To change this language to align with the recommended changes through-out this document regarding the removal of the language of former enrollee and adding language of Non-graduate and to ensure the tracking of categorized data on Registered Apprenticeship placements, post-secondary education placements, and advanced career training (ACT) placements.

- (8) any additional information required by the Secretary.
- (e) Methods.--The Secretary may collect the information described in subsections (c) and (d) using methods described in section 136(f)(2) 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), 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.

SEC. 160. GENERAL PROVISIONS.

The Secretary is authorized to--

- (1) disseminate, with regard to the provisions of section 3204

of title 39, United States Code, 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 157(b), 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 subtitle--

(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 subtitle, 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.

SEC. 161. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this subtitle such sums as may be necessary for each of the fiscal years ~~1999~~ 2010 through ~~2003~~2014.