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July 18, 2018

The Honorable R. Alexander Acosta  
Secretary  
U.S. Department of Labor  
200 Constitution Avenue, NW  
Washington, DC 20210

Dear Secretary Acosta:

As noted in my letter dated August 7, 2017, the Job Corps program is intended to help some of our nation's most disadvantaged youth receive high-quality education, workforce development, and support services so they are more responsible and productive citizens. Job Corps participants must have a safe environment as they work toward a better life through career education. Unfortunately, year after year, the Department of Labor (the Department) Inspector General (IG) has found Job Corps centers routinely fail to provide a safe learning environment. This issue continues to be one the Department's top management problems in the IG's annual agency reviews. The ongoing work of the Committee on Education and the Workforce (Committee), the Government Accountability Office (GAO), and the IG underscore the serious need for program improvements to better ensure student safety.

On September 9, 2017, the Committee sent a letter to each Job Corps center operator requesting information about the number and type of significant incidents that occurred at their centers since 2015 and the response of center staff to these incidents. The Committee also requested center operators provide their internal manuals, which establish their standard operating procedures for responding to and documenting these incidents.

One clear conclusion from the responses is that, while likely not intentional, many operators failed to comply fully with the Department's Policy and Requirements Handbook (PRH) for the Job Corps program. Additionally, while center operators must ensure that all staff are prepared to document and respond to significant incidents that occur on center property, nine operators failed to demonstrate they have even established internal policies for effectively responding to these incidents. Failing to prepare center staff effectively to respond appropriately risks student safety and harms the ability of the Department to provide proper oversight of the program. It is vital that the Department ensure all centers comply with the PRH.

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The Committee also found some Job Corps center operators appear to misunderstand or willfully ignore program requirements requiring contact with law enforcement. At least three operators have not followed the program's policies regarding contact with law enforcement. As you are aware, on July 24, 2017, Job Corps established new requirements for contact with law enforcement following potentially criminal behavior. In our review of the submitted data, assaults are the incident type least likely to be reported to local law enforcement. Unfortunately, this failure is not a surprise given the IG found that Job Corps operators failed to establish adequate cooperative agreements with local, state and federal law enforcement offices.<sup>1</sup> It is imperative the Department ensure centers are in compliance with the reporting requirements.

There are also significant discrepancies between the findings of the December 2017 IG report on Job Corps and the self-reported responses to the Committee from center operators. For example, the IG found center officials failed to convene a fact-finding board in almost 10 percent of all significant incidents. The operators self-reported their compliance with these requirements close to 100 percent of the time.<sup>2</sup>

Additionally, the IG found that center operators contacted law enforcement in only 33 percent of incidents involving potentially serious criminal misconduct.<sup>3</sup> Again, center operators self-reported nearly perfect adherence to Job Corps' policies regarding law enforcement contact for serious criminal activity. These findings underscore the need for the Department to ensure operators are correctly reporting and addressing significant safety incidents.

Such discrepancies demonstrate some of the challenges faced by the Department in effectively overseeing the Job Corps program. They demonstrate a misunderstanding, willful or otherwise, of program requirements on the part of center operators.

During this process, the Committee also spoke with operators about the significant event reporting process and several raised the need to address potentially duplicative reporting requirements for center operators. These operators state that some information relating to significant incidents must be entered into both their center information system and the Department's significant incident reporting system. While this does not explain away concerns surrounding safety in the program, I encourage the Department to take steps to ensure that significant incident reporting is appropriately streamlined to ensure data accuracy. As part of such an effort, your staff should undertake a full review of the PRH to ensure it clearly and efficiently communicates contractor responsibilities and the programmatic priorities of the current administration.

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<sup>1</sup> Department of Labor Office of Inspector General, *Review of Job Corps Center Safety and Security* (2017), <https://www.oig.dol.gov/public/reports/oa/2017/26-17-001-03-370.pdf>.

<sup>2</sup> Department of Labor Office of Inspector General, *Job Corps Took Action to Mitigate Violence, Drugs, and Other Student Misconduct at Centers, But More Needs to be Done* (2017), <https://www.oig.dol.gov/public/reports/oa/2018/26-18-003-03-370.pdf>.

<sup>3</sup> Ibid.

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On July 16, the GAO released a report reviewing significant safety incidents in the Job Corps program.<sup>4</sup> Specifically, their review found over 2,400 assaults occurring at Job Corps sites were reported in Program Year 2016. They also found over 100 sexual assaults occurring on Job Corps sites during the same period. Likely due to incidents like these, 31 percent of students considered leaving Job Corps due to safety concerns, according to student safety surveys cited in the GAO report. This is an astounding figure. Overall, the entire Job Corps student safety survey results display a troubling trend: students are less likely to report feeling safe the longer they participate in the program. The youth served by Job Corps deserve better. After increased Committee and IG oversight, the GAO notes that the Department “initiated multiple actions to improve center safety and security, but the new monitoring strategy was implemented inconsistently and ETA [Employment and Training Administration] lacks a comprehensive plan” to improve center safety and security. In addition to developing a comprehensive plan, GAO also found the need to streamline reporting requirements for Department regional staff. This could help ensure they can focus more on on-site monitoring and address center compliance with the issues found by the IG and the Committee.

Active congressional oversight is essential to making improvements in underperforming federal programs, and I know you share my commitment to ensuring improved experiences and outcomes for Job Corps program participants. I am pleased the IG and GAO have noted the Department’s recent efforts to address these long-standing problems, and I am encouraged by your commitment to fix this problem. The Department has the responsibility to clarify the requirements of the program, ensure that center operators understand and adhere to the requirements of the program, and to exclude negligent operators from participating in the program. To be clear, while providing a safe environment is foundational to meeting the larger goals of the program, the Committee remains concerned with the poor performance of the program overall. The Committee requests continued, regular briefings between the Department and Committee staff regarding your work to address these concerns. The Committee looks forward to continuing to work together to make reforms to this program and ensure the progress initiated under your leadership continues.

Sincerely,



Virginia Foxx  
Chairwoman

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<sup>4</sup> Government Accountability Office, *DOL Could Enhance Safety and Security at Centers with Consistent Monitoring and Comprehensive Planning* (July 2018), <https://www.gao.gov/assets/700/692572.pdf>.