

(b) In the event that, in the opinion of the Commissioner, State constitutional, legislative, or administrative restrictions prevent full participation of private agencies or organizations in the operation of work study programs under this title, the Commissioner shall withhold the allocation provided for that State until a satisfactory plan or implementation meets the requirements of the Commissioner. In the absence of such satisfactory plan and implementation, the Commissioner is authorized to make grants from such State allocation directly to community action boards in order that work-study programs may be provided by contract arrangements or otherwise.

ADMINISTRATION OF STATE PLANS

SEC. 308. (a) The Commissioner shall not finally disapprove any State plan submitted under this part, or any modification thereof, without first affording the State agency administering the plan reasonable notice and opportunity for a hearing.

(b) Whenever the Commissioner, after reasonable notice and opportunity for hearing to such State agency, finds—

(1) that the State plan has been so changed that it no longer complies with the provisions of section 304(a), or

(2) that in the administration of the plan there is a failure to comply substantially with any such provision,

the Commissioner shall notify such State agency that the State will not be regarded as eligible to participate in the program under this part until he is satisfied that there is no longer any such failure to comply.

JUDICIAL REVIEW

SEC. 309. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under section 304(a) or with his final action under section 308(b), such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner shall thereupon file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

(b) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(c) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

OATH OF ALLEGIANCE

SEC. 310. The provisions of section 221(d) shall apply with respect to enrollees in programs assisted under part A of this title and to all officers and employees any part of whose salaries are paid from sums made available under this title.

PART B—COORDINATOR

STATEMENT OF PURPOSE

SEC. 311. It is the purpose of this part to assist needy youths to find part-time employment with private enterprises on a work-study arrangement, which will enable them to continue or resume their education at the secondary level, through the services of a coordinator who will counsel, test, and coordinate with the employment services to locate employment.