

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 251

To amend the Job Training Partnership Act to improve the Defense Conversion Adjustment Program, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JANUARY 28 (legislative day, JANUARY 5), 1993

Mr. PELL introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

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## A BILL

To amend the Job Training Partnership Act to improve the Defense Conversion Adjustment Program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Defense Worker Dis-  
5 location Act”.

6 **SEC. 2. RETRAINING.**

7 (a) IN GENERAL.—Section 325(a) of the Job Train-  
8 ing Partnership Act (29 U.S.C. 1662d(a)) is amended—

9 (1) in the first sentence, by striking “From  
10 the” and inserting “(1) From the”;

1           (2) by inserting after the first sentence the fol-  
2           lowing: “The Secretary may make the grants in any  
3           State in which the Governor has received a notifica-  
4           tion regarding a closure, cancellation, or reduction  
5           under section 4201(b) of the Defense Economic Ad-  
6           justment, Diversification, Conversion, and Stabiliza-  
7           tion Act of 1990, and in which eligible employees  
8           have received notification of warning from their em-  
9           ployer regarding the closure, cancellation, or reduc-  
10          tion.”; and

11          (3) by striking the last sentence and inserting  
12          the following:

13          “(2) To be eligible to receive a grant, an entity re-  
14          ferred to in paragraph (1) shall submit an application to  
15          the Secretary at such time, in such manner, and contain-  
16          ing such information as the Secretary may require, includ-  
17          ing the date on which the entity anticipates that the eligi-  
18          ble employees affected will lose employment, and informa-  
19          tion relating to the notifications described in paragraph  
20          (1).

21          “(3) The Secretary shall approve or deny the applica-  
22          tion not later than the later of—

23                  “(A) 15 days after the date described in para-  
24          graph (2); or

1           “(B) 30 days after submission of the applica-  
2           tion.”.

3           (b) USE OF FUNDS.—Section 325 of such Act is  
4 amended by striking subsection (c) and inserting the fol-  
5 lowing new subsection:

6           “(c)(1) Grants under subsection (a) may be used—

7           “(A) to provide retraining, as described in sec-  
8           tion 314(d) or to update existing skills, with respect  
9           to an eligible employee described in subsection  
10          (f)(3)(A); and

11          “(B) notwithstanding any other provision of  
12          this Act, to pay for the Federal share of providing  
13          such retraining with respect to an employee of eligi-  
14          ble defense contractors or eligible defense sub-  
15          contractors if—

16                  “(i) the employee is currently involved in  
17                  defense work;

18                  “(ii) the retraining is designed to enable  
19                  employee to achieve placement and retention in  
20                  unsubsidized employment that involves  
21                  nondefense work and in which the employee has  
22                  not previously been substantially engaged; and

23                  “(iii) the employer certifies that the em-  
24                  ployee would have become an eligible employee

1 described in subsection (f)(3)(A), without the  
2 retraining.

3 “(2) The Federal share of providing the retaining  
4 described in paragraph (1)(B) shall be 75 percent.”.

5 (c) ADMINISTRATION.—Section 325 of such Act is  
6 amended by—

7 (1) redesignating subsection (d) as subsection  
8 (e); and

9 (2) by inserting after subsection (c) the follow-  
10 ing new subsection:

11 “(d)(1)(A) Not later than 15 days after the approval  
12 of an application of an entity under subsection (a)(3), the  
13 Secretary shall make available to the entity 50 percent of  
14 the amount of the grant.

15 “(B) On submission of the report described in sub-  
16 paragraph (C), the Secretary shall make available to the  
17 entity the remainder of the grant.

18 “(C) Each recipient of a grant under this section  
19 shall prepare and submit to the Secretary a report con-  
20 taining such information as the Secretary may require re-  
21 garding eligible employees participating in the program,  
22 and the current education skill levels and occupational  
23 abilities of the employees.

24 “(D) Grants made under this section may be used  
25 to reimburse an entity for funds expended under another

1 provision of this title for the purposes described in sub-  
2 section (c).

3 “(E) Grants made under this section to an entity  
4 shall be in addition to assistance under any other provision  
5 of this title, and shall be made without regard to whether  
6 the entity has expended funds available under such pro-  
7 vision.

8 “(2)(A) For purposes of the requirements of title I,  
9 and in particular of section 141(a), an eligible employee  
10 shall be deemed to be a person who can benefit from, and  
11 is most in need of, services provided under this section.

12 “(B) Notwithstanding any other provision of this Act,  
13 in prescribing performance standards under section 106  
14 for this section, the Secretary shall prescribe standards  
15 solely based on placement and retention in unsubsidized  
16 employment. Services provided to eligible employees under  
17 this section consistent with individual readjustment plans  
18 shall be presumed to be in compliance with such standards  
19 unless any person demonstrates that the services are not  
20 in compliance.”.

21 (d) DEFINITIONS.—Section 325 of such Act is  
22 amended by adding at the end the following new sub-  
23 section:

24 “(f) For purposes of this section:

1           “(1) The term “eligible defense contractor”  
2 means a person that is—

3           “(A) awarded a contract by the Depart-  
4 ment of Defense; and

5           “(B) affected by a notification issued  
6 under section 4201(b) of the Defense Economic  
7 Adjustmnet, Diversification, Conversion, and  
8 Stabilization Act of 1990.

9           “(2) The term “eligible defense subcontractor”  
10 means a subcontractor—

11           “(A) for a person awarded a contract by  
12 the Department of Defense;

13           “(B) that is affected by such a notifica-  
14 tion; and

15           “(C) that is certified by a State agency de-  
16 scribed in section 3306(e) of the Internal Reve-  
17 nue Code of 1986.

18           “(3) The term ‘eligible employee’ means—

19           “(A) an eligible dislocated worker, includ-  
20 ing such a worker of an eligible defense con-  
21 tractor or eligible defense subcontractor, who  
22 has been terminated or laid off, or has received  
23 a notice of termination or layoff, as a con-  
24 sequence of reductions in expenditures by the  
25 United States for defense or by closures of

1 United States military facilities, as determined  
2 in accordance with regulations of the Secretary;  
3 and

4 “(B) an employee described in subsection  
5 (c)(1)(B).

6 “(4) The term ‘employer’ includes an eligible  
7 defense contractor and an eligible defense sub-  
8 contractor.”.

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