

## Calendar No. 216

109TH CONGRESS  
1ST SESSION**H. R. 3761**

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 21, 2005

Received; read twice and placed on the calendar

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**AN ACT**

To provide special rules for disaster relief employment under the Workforce Investment Act of 1998 for individuals displaced by Hurricane Katrina.

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 “Flexibility for Dis-  
5 placed Workers Act”.

6 **SEC. 2. SPECIAL RULES FOR NATIONAL EMERGENCY**  
7 **GRANTS RELATED TO HURRICANE KATRINA.**

8 (a) USE OF GRANTS FOR PROJECTS OUTSIDE DIS-  
9 ASTER AREA.—Funds provided to States that submit ap-  
10 plications for assistance described in section 173(a)(2) of

1 the Workforce Investment Act of 1998 (29 U.S.C.  
2 2918(a)(2)) to address the effects of Hurricane Katrina  
3 may be used to provide disaster relief employment and  
4 other assistance under section 173(d)(1) of such Act (29  
5 U.S.C. 2918(d)(1)) on projects that provide assistance in  
6 areas outside of the disaster area (as such term is defined  
7 in section 173(a)(2) of such Act).

8 (b) EXPANDED ELIGIBILITY FOR DISASTER RELIEF  
9 EMPLOYMENT.—Funds provided to States that submit ap-  
10 plications for assistance described under section 173(a)(2)  
11 of the Workforce Investment Act of 1998 (29 U.S.C.  
12 2918(a)(2)) to address the effects of Hurricane Katrina  
13 may be used to provide disaster relief employment and  
14 other assistance under section 173(d)(1) of such Act, or  
15 public sector employment authorized under subsection (c)  
16 of this Act, to individuals affected by Hurricane Katrina,  
17 including those who have relocated from States in which  
18 a major disaster was declared under section 102 of the  
19 Robert T. Stafford Disaster Relief and Emergency Assist-  
20 ance Act (42 U.S.C. 5122) due to the effects of Hurricane  
21 Katrina, who were unemployed at the time of the disaster  
22 or who are without employment history, in addition to in-  
23 dividuals who are eligible for such employment under sec-  
24 tion 173(d)(2) of Workforce Investment Act of 1998.

1           (c) AUTHORIZATION FOR GENERAL PUBLIC SECTOR  
2 EMPLOYMENT.—Funds provided to States that submit ap-  
3 plications for assistance described in section 173(a)(2) of  
4 the Workforce Investment Act of 1998 to address the ef-  
5 fects of Hurricane Katrina may be used to provide to eligi-  
6 ble individuals temporary employment by public sector en-  
7 tities for a period not to exceed 6 months in addition to  
8 disaster relief employment described in section 173(d)(1)  
9 of such Act.

10           (d) EXTENSION OF THE DURATION OF DISASTER  
11 RELIEF EMPLOYMENT.—The Secretary of Labor may ex-  
12 tend the 6-month maximum duration of employment  
13 under this Act and under section 173(d) of the Workforce  
14 Investment Act of 1998 (29 U.S.C. 2918(d)) for not more  
15 than an additional 6 months due to extraordinary cir-  
16 cumstances.

17           (e) PRIORITY FOR DISASTER RELIEF EMPLOYMENT  
18 FUNDS.—In awarding national emergency grants to  
19 States under section 173(a)(2) of the Workforce Invest-  
20 ment Act of 1998 (29 U.S.C. 2918(a)(2)) to address the  
21 effects of Hurricane Katrina by providing disaster relief  
22 employment, the Secretary of Labor shall—

23                   (1) first, give priority to States in which areas  
24                   that have suffered major disasters (as defined in sec-  
25                   tion 102 of the Robert T. Stafford Disaster Relief

1 and Emergency Assistance Act (42 U.S.C. 5122))  
2 are located; and

3 (2) second, give priority to the remaining States  
4 that have been most heavily impacted by the demand  
5 for services by workers affected by Hurricane  
6 Katrina.

7 (f) ELIGIBILITY FOR NEEDS-RELATED PAYMENTS.—  
8 Funds provided to States that submit applications for as-  
9 sistance described in section 173(a)(2) of the Workforce  
10 Investment Act of 1998 (29 U.S.C. 2918(a)(2)) to address  
11 the effects of Hurricane Katrina may be used to provide  
12 needs-related payments (described in section 134(e)(3) of  
13 such Act (29 U.S.C. 2864(e)(3))) to individuals described  
14 in subsection (b) who do not qualify for (or have ceased  
15 to qualify for) unemployment compensation, and who are  
16 not employed on a project described under section 173(d)  
17 of such Act, for the purpose of enabling such individuals  
18 to participate in activities described in paragraphs (2),  
19 (3), or (4) of section 134(d) of such Act.

20 (g) USE OF AVAILABLE FUNDS.—With the approval  
21 of the Secretary of Labor, any State may use funds that  
22 remain available for expenditure under any grants award-  
23 ed to the State under section 173 of the Workforce Invest-  
24 ment Act of 1998 (29 U.S.C. 2918) or under this section,  
25 to provide any assistance authorized under such section

1 173 or this section, or personal protective equipment not  
2 otherwise available through public funds or private con-  
3 tributions, to assist workers affected by Hurricane  
4 Katrina, including workers who have relocated from areas  
5 for which an emergency or major disaster (as defined in  
6 section 102 of the Robert T. Stafford Disaster Relief and  
7 Emergency Assistance Act (42 U.S.C. 5122)) was de-  
8 clared, due to the effects of Hurricane Katrina.

9 (h) EXPANDED ELIGIBILITY FOR EMPLOYMENT AND  
10 TRAINING ACTIVITIES.—

11 (1) IN GENERAL.—In awarding national emer-  
12 gency grants under section 173(a)(1) of the Work-  
13 force Investment Act of 1998 (29 U.S.C.  
14 2918(a)(1)), the Secretary may award such a grant  
15 to an entity to provide employment and training as-  
16 sistance available under section 173(a)(1) of such  
17 Act to workers affected by Hurricane Katrina, in-  
18 cluding workers who have relocated from areas for  
19 which an emergency or major disaster (as defined in  
20 section 102 of the Robert T. Stafford Disaster Relief  
21 and Emergency Assistance Act (42 U.S.C. 5122))  
22 was declared, due to the effects of Hurricane  
23 Katrina.

24 (2) ELIGIBLE ENTITY.—In this subsection, the  
25 term “entity” means a State, a local board (as de-

1        fined in section 101 of the Workforce Investment  
2        Act of 1998 (29 U.S.C. 2801)), or an entity de-  
3        scribed in section 166(c) of such Act (29 U.S.C.  
4        2911(e)), that submits an application for assistance  
5        described in section 173(a)(1) of the Workforce In-  
6        vestment Act of 1998 to address the effects of Hur-  
7        ricane Katrina.

8        **SEC. 3. SENSE OF CONGRESS.**

9        (a) **MOBILE ONE-STOP CENTERS.**—It is the sense of  
10       Congress that States that operate mobile one-stop centers,  
11       established as part of one-stop delivery systems authorized  
12       under subtitle B of title I of the Workforce Investment  
13       Act of 1998 (29 U.S.C. 2811 et seq.) should, where pos-  
14       sible, make such centers available for use in the areas af-  
15       fected by Hurricane Katrina, and areas where large num-  
16       bers of workers affected by Hurricane Katrina have been  
17       relocated.

18       (b) **EXPANDED OPERATIONAL HOURS.**—It is the  
19       sense of Congress that one-stop operators (as such term  
20       is defined in section 101 of the Workforce Investment Act  
21       of 1998 (29 U.S.C. 2801) should increase access for work-  
22       ers affected by Hurricane Katrina to the one-stop delivery  
23       systems authorized under subtitle B of title I of such Act,  
24       including through the implementation of expanded oper-

- 1 ational hours at one-stop centers and on-site services for
- 2 individuals in temporary housing locations.

Passed the House of Representatives September 20,  
2005.

Attest:

JEFF TRANDAHL,

*Clerk.*

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