

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

# H. R. 2149

To modify the project for replacement of Locks and Dams 52 and 53, Lower Ohio River, Illinois and Kentucky, to provide a local resident hiring preference.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 19, 1993

Mr. BARLOW introduced the following bill; which was referred to the  
Committee on Public Works and Transportation

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## A BILL

To modify the project for replacement of Locks and Dams 52 and 53, Lower Ohio River, Illinois and Kentucky, to provide a local resident hiring preference.

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. PROJECT MODIFICATION.**

4 (a) LOCAL HIRING PREFERENCE.—The project for  
5 navigation, Lower Ohio River, Locks and Dams 52 and  
6 53, Illinois and Kentucky, authorized by section 3(a)(6)  
7 of the Water Resources Development Act of 1988 (102  
8 Stat. 4013), is modified to direct the Secretary of the  
9 Army to include in all contracts entered into for carrying

1 out the project a provision requiring the contractor to en-  
2 sure that preference in hiring for work under the contract  
3 is given to qualified persons who regularly reside in the  
4 area where the project is situated; except—

5 (1) to the extent that qualified persons regu-  
6 larly residing in the area are not available;

7 (2) for the reasonable needs of the contractor  
8 or subcontractor to employ supervisory or specially  
9 experienced individuals necessary to assure execution  
10 of the contract; or

11 (3) for the obligation of the contractor or sub-  
12 contractor to offer employment to present or former  
13 employees as the result of a lawful collective bar-  
14 gaining agreement if the number of such employees  
15 does not exceed 20 percent of the total number of  
16 employees employed by the contractor or subcontrac-  
17 tor for purposes of carrying out work under the  
18 contract.

19 (b) IDENTIFICATION OF AREA; RESIDENCY GUIDE-  
20 LINES.—For purposes of subsection (a), the Secretary of  
21 Labor shall identify the geographic boundaries of the area  
22 to which the preference applies and shall establish resi-  
23 dency requirements or other guidelines for qualifying as  
24 a person who regularly resides in the area.

1       (c) LIST OF AVAILABLE POSITIONS.—Each contrac-  
2 tor subject to subsection (a) applies shall be responsible  
3 for furnishing a list of all positions for which the contrac-  
4 tor or a subcontractor may require laborers, mechanics,  
5 or other employees under the contract to the United  
6 States Employment Service office in the area in which the  
7 project described in subsection (a) is located. The contrac-  
8 tor shall furnish the list to the appropriate office prior  
9 to initiating work under the contract and shall inform that  
10 office of any revisions to the list in a timely manner.

11       (d) CONTRACTOR REPORTS.—

12           (1) DATES OF SUBMISSION.—Each contractor  
13 subject to subsection (a) shall submit calendar year  
14 quarterly reports to the contracting officer of the  
15 Army Corps of Engineers by the 10th of the month  
16 following the end of each quarter of the calendar  
17 year.

18           (2) CONTENTS.—The reports shall state the  
19 total number of employees employed by the contrac-  
20 tor or subcontractor for carrying out work under the  
21 contract and shall state the number of employees  
22 who regularly reside within commuting distance of  
23 the site of the work. If the number of nonresident  
24 employees employed by the contractor or any sub-  
25 contractor exceeds 20 percent of the total number of

1 employees employed by the contractor or subcontrac-  
2 tor, the contractor shall include a statement in the  
3 report indicating what steps the contractor has  
4 taken or plans to take to increase the number of  
5 resident employees.

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