

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4309

To require a local hiring preference for certain defense contracts and subcontracts performed in or near labor surplus areas and closing military bases.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 1994

Mr. HAMBURG (for himself, Mr. FILNER, Mr. MILLER of California, Mr. FARR of California, and Ms. WOOLSEY) introduced the following bill; which was referred to the Committee on Armed Services

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## A BILL

To require a local hiring preference for certain defense contracts and subcontracts performed in or near labor surplus areas and closing military bases.

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. LOCAL HIRING PREFERENCE FOR CONTRACTS**

4 **PERFORMED NEAR LABOR SURPLUS AREAS**

5 **AND CLOSING MILITARY BASES.**

6 (a) **CONTRACTS COVERED.**—Each contract entered  
7 into by the Department of Defense during fiscal year 1995  
8 for construction services to be performed in whole or in  
9 part in a labor surplus area (or within 30 miles of such

1 an area) and within 30 miles of a military installation ap-  
2 proved for closure or realignment under a base closure  
3 law, and each subcontract under such a contract, shall in-  
4 clude the provision described in subsection (b).

5 (b) REQUIREMENT.—Each contract and subcontract  
6 described in subsection (a) shall include a provision requir-  
7 ing the contractor or subcontractor to employ, for the pur-  
8 pose of performing such contract or subcontract, individ-  
9 uals—

10 (1) who are residents of such labor surplus area  
11 or the county in which such labor surplus area is lo-  
12 cated; and

13 (2) who possess or would be able to acquire  
14 promptly the necessary skills for any craft or trade  
15 needed to perform the contract or subcontract.

16 (c) WAIVER AUTHORITY.—(1) The Secretary of De-  
17 fense may waive the requirements of this section for a con-  
18 tract or subcontract covered by this section if the Sec-  
19 retary determines that requiring the provision described  
20 in subsection (b) in the contract or subcontract is incon-  
21 sistent with the national security objectives of the United  
22 States.

23 (2) The Secretary of Defense may allow a contractor  
24 of a contract or subcontract covered by this section to  
25 make an exception to the requirement of subsection (b)(1)

1 in the case of a particular craft or trade needed to perform  
2 the contract or subcontract if there is no individual resid-  
3 ing or available for hire in the labor surplus area or county  
4 who possesses the skills for that craft or trade.

5 (d) DEFINITION.—In this section, the term “base clo-  
6 sure law” means the following:

7 (1) The provisions of title II of the Defense Au-  
8 thorization Amendments and Base Closure and Re-  
9 alignment Act (Public Law 100–526; 10 U.S.C.  
10 2687 note).

11 (2) The Defense Base Closure and Realignment  
12 Act of 1990 (part A of title XXIX of Public Law  
13 101–510; 10 U.S.C. 2687 note).

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