

“(2) In carrying out the responsibilities of the Secretary of Labor under this subtitle, the Secretary of Labor shall make maximum use of the services of Directors and Assistant Directors for Veterans’ Employment and Training, disabled veterans’ outreach program specialists, and employees of local offices, appointed pursuant to sections 4103, 4103A, and 4104 of title 38, United States Code. To the extent that the implementing official withholds approval of eligible persons’ applications under this subtitle pursuant to section 4485(b)(2)(B), the Secretary of Labor shall take steps to assist such eligible persons in taking advantage of opportunities that may be available to them under any other program carried out with funds provided by the Secretary of Labor.

“(d) SMALL BUSINESS.—The implementing official shall request and obtain from the Administrator of the Small Business Administration a list of small business concerns and shall, on a regular basis, update such list. Such list shall be used to identify and promote possible training and employment opportunities for eligible persons.

“(e) ASSISTANCE TO PARTICIPATE.—The Secretary, the Secretary of Veterans Affairs, and the Secretary of Labor shall assist eligible persons and employers desiring to participate under this subtitle in making application and completing necessary certifications.

“(f) COLLECTION OF CERTAIN INFORMATION.—The Secretary of Labor shall, on a not less frequent than quarterly basis, collect and compile from the heads of State employment services and Directors for Veterans’ Employment and Training for each State information available to such heads and Directors, and derived from programs carried out in their respective States, with respect to the numbers of eligible persons who receive counseling services pursuant to section 4493, who are referred to employers participating under this subtitle, who participate in programs of job training under this subtitle (including a description of the nature of the training and salaries that are part of such programs), and who complete such programs, and the reasons for eligible persons’ noncompletion.

“SEC. 4495. AUTHORIZATION OF APPROPRIATIONS.

“(a) IN GENERAL.—(1) Of the amounts authorized to be appropriated in section 301 [106 Stat. 2360] for Defense Agencies, \$75,000,000 shall be made available for the purpose of making payments to employers under this subtitle. Of the amounts made available pursuant to section 1302(a) of the National Defense Authorization Act for Fiscal Year 1994 [Pub. L. 103-160, 107 Stat. 1783], \$25,000,000 shall be made available for the purpose of making payments to employers under this subtitle. The Secretary of Veterans Affairs and the Secretary of Labor shall submit an estimate to the Secretary of the amount needed to carry out any agreement entered into under section 4484(a), including administrative costs referred to in paragraph (3). Such agreements shall include administrative procedures to ensure the prompt and timely payments to employers by the implementing official.

“(2) Amounts made available pursuant to this section for a fiscal year shall remain available until the end of the second fiscal year following the fiscal year in which such amounts were appropriated.

“(3) Of the amounts made available pursuant to this section for a fiscal year, six percent of such amounts may be used for the purpose of administering this subtitle, including reimbursing expenses incurred.

“(b) AVAILABILITY OF DEOBLIGATED FUNDS.—Notwithstanding any other provision of law, any funds made available pursuant to this section for a fiscal year which are obligated for the purpose of making payments under section 4487 on behalf of an eligible person (including funds so obligated which previously had been obligated for such purpose on behalf of another eligible person and were thereafter deobligated) and are later deobligated shall immediately upon deobligation become available to the implementing official for obligation for such purpose. The further obligation of such

funds by such official for such purpose shall not be delayed, directly or indirectly, in any manner by any officer or employee in the executive branch.

“SEC. 4496. TIME PERIODS FOR APPLICATION AND INITIATION OF TRAINING.

“Assistance may not be paid to an employer under this subtitle—

“(1) on behalf of an eligible person who initially applies for a program of job training under this subtitle after September 30, 1996; or

“(2) for any such program which begins after March 31, 1997.

“SEC. 4497. TREATMENT OF CERTAIN PROVISIONS OF LAW UPON TRANSFER OF AMOUNTS PROVIDED UNDER THIS ACT.

“(a) CONTINGENT AMENDMENT.—If a transfer is made in accordance with section 4501(c) of the full amount of the amount provided under section 4495(a) for the program established under section 4484(a), then, effective as of the date of the enactment of this Act [Oct. 23, 1992], the first sentence of section 4484(a) is amended by striking ‘the Secretary shall carry out’ and inserting ‘the Secretary may carry out’.

“(b) PUBLICATION IN THE FEDERAL REGISTER.—If the transfer described in subsection (a) is made, then the Secretary of Defense shall promptly publish in the Federal Register a notice of such transfer. Such notice shall specify the date on which such transfer occurred.”

[Pub. L. 103-446, title VI, § 610(a)(2)(B), Nov. 2, 1994, 108 Stat. 4673, provided that: “The amendment made by subparagraph (A) [amending section 4486(d)(2) of Pub. L. 102-484, set out above] shall apply with respect to programs of training under the Service Members Occupational Conversion and Training Act of 1992 [subtitle G of title XLIV of Pub. L. 102-484, set out above] beginning after the date of the enactment of this Act [Nov. 2, 1994].”]

[For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.]

**[§ 1143a. Repealed. Pub. L. 115-232, div. A, title V, § 553(a)(1), Aug. 13, 2018, 132 Stat. 1772]**

Section, added Pub. L. 102-484, div. D, title XLIV, § 4462(a)(1), Oct. 23, 1992, 106 Stat. 2738; amended Pub. L. 103-337, div. A, title V, § 542(a)(3), Oct. 5, 1994, 108 Stat. 2768; Pub. L. 107-296, title XVII, § 1704(b)(1), Nov. 25, 2002, 116 Stat. 2314; Pub. L. 112-239, div. A, title X, § 1076(f)(14), Jan. 2, 2013, 126 Stat. 1952, related to encouraging members and former members of the armed forces to enter into public and community service jobs after discharge or release from active duty.

#### Statutory Notes and Related Subsidiaries

##### INCREASED EARLY RETIREMENT RETIRED PAY FOR PUBLIC OR COMMUNITY SERVICE

Pub. L. 102-484, div. D, title XLIV, § 4464, Oct. 23, 1992, 106 Stat. 2741, which related to increased early retirement retired pay for public or community service, was repealed by Pub. L. 115-232, div. A, title V, § 553(c), Aug. 13, 2018, 132 Stat. 1772, applicable with respect to an individual who retires from the Armed Forces on or after Aug. 13, 2018.

#### **§ 1144. Employment assistance, job training assistance, and other transitional services: Department of Labor**

(a) IN GENERAL.—(1) The Secretary of Labor, in conjunction with the Secretary of Defense,