

115TH CONGRESS  
1ST SESSION

# H. R. 1000

To establish the National Full Employment Trust Fund to create employment opportunities for the unemployed.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 9, 2017

Mr. CONYERS (for himself, Mr. NADLER, Ms. KAPTUR, Ms. WILSON of Florida, Ms. SLAUGHTER, Mr. ELLISON, Ms. SCHAKOWSKY, Ms. MOORE, Mr. CAPUANO, Mr. GRIJALVA, Mr. POCAN, Mr. MCGOVERN, Ms. NORTON, Mr. VEASEY, Mr. SERRANO, Ms. CLARKE of New York, Mrs. LAWRENCE, Mr. LEWIS of Georgia, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GARAMENDI, Mr. RYAN of Ohio, Mr. MEEKS, Ms. JUDY CHU of California, Mr. AL GREEN of Texas, Mrs. BEATTY, Mr. NOLAN, and Mr. RASKIN) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To establish the National Full Employment Trust Fund to create employment opportunities for the unemployed.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act shall be cited as the “Humphrey-Hawkins  
3 21st Century Full Employment and Training Act of  
4 2017” or the “Jobs for All Act”.

5 **SEC. 2. FINDINGS AND PURPOSE.**

6 (a) FINDINGS.—Congress finds the following:

7 (1) The Full Employment and Balanced  
8 Growth Act of 1978 established an interim 5-year  
9 target of 3-percent unemployment for individuals 20  
10 years of age and older, and 4 percent for individuals  
11 age 16 and over within 5 years, with full employ-  
12 ment to be achieved “as soon as practicable” there-  
13 after.

14 (2) The Federal Government has previously es-  
15 tablished full employment as a national goal in na-  
16 tional legislation, including the Employment Act of  
17 1946 and the Full Employment and Balanced  
18 Growth Act of 1978.

19 (3) Pursuant to these Acts, the Congress de-  
20 clared it is the continuing policy and responsibility  
21 of the Federal Government to use all practicable  
22 means to create and maintain conditions which pro-  
23 mote useful employment opportunities for all who  
24 seek them, including the self-employed. Pursuant to  
25 these Acts, the Congress declared and established as  
26 a national goal the fulfillment of the right to full op-

1        opportunities for useful paid employment at fair rates  
2        of compensation of all individuals able, willing, and  
3        seeking to work.

4            (4) The Nation has suffered substantial unem-  
5        ployment and underemployment, and idleness of pro-  
6        ductive resources over prolonged periods of time, im-  
7        posing numerous economic and social costs on the  
8        Nation.

9            (5) The Nation has been deprived of the full  
10       supply of goods and services, the full utilization of  
11       labor and capital resources, and the related increases  
12       in economic well-being that would occur under condi-  
13       tions of genuine full employment.

14           (6) The current output of goods and services is  
15       insufficient to meet pressing national priorities for  
16       infrastructure, transportation, energy, education,  
17       health care, child and elder care, and many other  
18       necessary public and human services.

19           (7) Unemployment and underemployment ex-  
20       pose many workers and families to significant, so-  
21       cial, psychological and physiological costs, including  
22       disruption of family life, the loss of individual dig-  
23       nity and self-respect, and the aggravation of physical  
24       and psychological illnesses.

1           (8) Persisting unemployment and underemploy-  
2           ment have devastating financial consequences, re-  
3           sulting in the loss of income and spending power for  
4           families, and interfering with their ability to save  
5           and accumulate assets for a secure family life and  
6           retirement. High levels of unemployment and inad-  
7           equate consumer demand also contribute to poor  
8           conditions for retail businesses, manufacturers and  
9           many other firms to grow and prosper. In the real  
10          estate sector, the Congress finds that continuing  
11          high levels of unemployment contribute to fore-  
12          closures, evictions, and commercial vacancies, under-  
13          mining the quality of neighborhood and community  
14          life, and hampering prospects for economic recovery  
15          and national prosperity.

16          (9) The historic promise of this earlier legisla-  
17          tion has not been fully realized, and we re-declare  
18          and reaffirm our support for achieving a national  
19          goal of jobs for all at living wages.

20          (10) The United States has a duty under Arti-  
21          cles 55 and 56 of the United Nations Charter to  
22          promote “full employment” and the “universal re-  
23          spect for, and observance of, human rights and fun-  
24          damental freedoms for all without distinction as to  
25          race, sex, language, or religion”. The human rights

1 the United States has a duty to promote pursuant  
2 to this obligation are set forth in the Universal Dec-  
3 laration of Human Rights. Article 23 of the Uni-  
4 versal Declaration states that “Everyone has the  
5 right to work” and to “just and favorable remunera-  
6 tion” that insures for his or her family “an existence  
7 worthy of human dignity, and supplemented, if nec-  
8 essary, by other means of social protection”.

9 (11) The Congress has a strong interest in  
10 seeking the progressive reduction and elimination of  
11 job disparities among groups of workers who experi-  
12 ence chronically higher rates of unemployment and  
13 underemployment.

14 (12) Even at the top of the business cycle, when  
15 national unemployment rates drop to the 4-percent  
16 to 5-percent range, job vacancy surveys show that  
17 the economy does not provide enough jobs to employ  
18 everyone who wants to work. Reliance on direct job  
19 creation to close the economy’s job gap is especially  
20 important at such times, because it provides a  
21 means of creating additional jobs without adding  
22 significantly to inflationary pressures, a very dif-  
23 ficult goal to achieve at the top of the business cycle  
24 via macroeconomic policy interventions.

1           (13) The Congress intends to maximize the cre-  
2           ation of private, public and nonprofit sector jobs  
3           through improved use of general economic and struc-  
4           tural policies, including measures to encourage pri-  
5           vate sector investment and capital formation; an in-  
6           creased public investment in research and develop-  
7           ment, infrastructure, energy, education, public serv-  
8           ices and the environment, and other essential goods  
9           and services.

10          (b) PURPOSE.—It is the purpose of the Humphrey-  
11       Hawkins 21st Century Full Employment and Training  
12       Act of 2015 to fulfill the right to useful work at living  
13       wages for all persons seeking employment by establishing  
14       a Full Employment Trust Fund to fund and operate a  
15       national program of public service employment and to pro-  
16       vide additional labor market opportunities to complement  
17       those offered by the existing private, public, and nonprofit  
18       sectors.

19       **SEC. 3. DEFINITIONS.**

20           In this Act the following definitions apply:

21           (1) INDIAN TRIBE.—The term “Indian tribe”  
22           has the meaning given such term in section 102(17)  
23           of the Housing and Community Development Act  
24           (42 U.S.C. 5302(17)).

1           (2) SECRETARY.—The term “Secretary” means  
2     the Secretary of Labor.

3           (3) SMALL BUSINESS.—The term “small busi-  
4     ness” has the meaning given the term “small busi-  
5     ness concern” under section 3 of the Small Business  
6     Act (15 U.S.C. 632).

7           (4) STATE.—The term “State” has the mean-  
8     ing given such term in section 102(2) of the Hous-  
9     ing and Community Development Act (42 U.S.C.  
10    5302(2)).

11          (5) TRUST FUND.—The term “Trust Fund” re-  
12     fers to the Full Employment Trust Fund established  
13     under section 4.

14          (6) UNIT OF GENERAL LOCAL GOVERNMENT.—  
15     The term “unit of general local government” has the  
16     meaning given such term in section 102(1) of the  
17     Housing and Community Development Act (42  
18     U.S.C. 5302(1)).

19          (7) URBAN COUNTY.—The term “urban coun-  
20     ty” has the meaning given such term in section  
21     102(6) of the Housing and Community Development  
22     Act (42 U.S.C. 5302(6)).

1 **SEC. 4. ESTABLISHMENT OF FULL EMPLOYMENT NATIONAL**  
2 **TRUST FUND.**

3 (a) IN GENERAL.—The Secretary shall establish a  
4 Full Employment National Trust Fund (in this Act re-  
5 ferred to as the “Trust Fund”) for the purposes of—

6 (1) providing funding for the Employment Op-  
7 portunity Grants established in section 5; and

8 (2) issuing funds to the Secretary to fund pro-  
9 grams under the Workforce Innovation and Oppor-  
10 tunity Act of 2014 (29 U.S.C. 3101 et seq.).

11 (b) FINANCING THE TRUST FUND.—Subject to the  
12 availability of appropriations for this purpose, the Sec-  
13 retary of the Treasury shall annually make available to  
14 the Secretary of Labor for deposit into the Trust Fund  
15 an amount equal to the amount collected for that year  
16 through the tax described in section 4475 of the Internal  
17 Revenue Code of 1986, as added by section 8.

18 (c) LOANS FROM THE FEDERAL RESERVE SYS-  
19 TEM.—

20 (1) IN GENERAL.—If the amount available in  
21 the Trust Fund for allocation under section 5 is in-  
22 sufficient to prevent the national unemployment rate  
23 from rising more than one full percentage point  
24 above its previously attained level, the Board of Gov-  
25 ernors of the Federal Reserve System shall lend  
26 such additional amounts to the Trust Fund as are



1        necessary to allow the Secretary of Labor to make  
2        such additional allocations under section 5 as are  
3        necessary to restore the national unemployment rate  
4        to its allowable 1-percent range of upward variation.

5            (2) REPAYMENT.—Amounts lent to the Trust  
6        Fund by the Board of Governors of the Federal Re-  
7        serve System under paragraph (1) shall be repaid by  
8        the Trust Fund over 10 years, with interest payable  
9        at the same average rate the Federal Government  
10       contracts to pay on 10-year bonds sold during the  
11       period beginning 45 days prior to the date the loans  
12       were made to the Trust Fund and ending 45 days  
13       following such date.

14        (d) SEPARATE TRUST FUND ACCOUNTS.—The Trust  
15       Fund shall consist of 2 separate accounts as follows:

16            (1) One account shall consist of 67 percent of  
17        the funds made available for deposit under sub-  
18        section (b) and shall be for the Employment Oppor-  
19        tunity Grants established in section 5.

20            (2) The other account shall consist of 33 per-  
21        cent of the funds made available for deposit under  
22        subsection (b) and shall be available to the Secretary  
23        to fund programs under the Workforce Innovation  
24        and Opportunity Act of 2014 (29 U.S.C. 3101 et  
25        seq.).

1 (e) WEB SITE.—The Secretary shall establish an  
2 Internet Web site to serve as an information clearinghouse  
3 for job training and employment opportunities funded by  
4 the Trust Fund.

5 (f) TRAINING STIPEND.—The Secretary shall pro-  
6 mulgate regulations requiring entities that receive funds  
7 under programs under the Workforce Innovation and Op-  
8 portunity Act of 2014 (29 U.S.C. 3101 et seq.) that are  
9 funded by the account described in subsection (d)(2) to  
10 establish training stipends for individuals who participate  
11 in such programs.

12 (g) RESEARCH FACILITY.—The Secretary, through  
13 studies conducted by the Department of Labor or through  
14 independent studies, shall—

15 (1) review the effectiveness of job training and  
16 job creation programs funded under this Act;

17 (2) disseminate information concerning best  
18 practices for achieving the goals of the Act as well  
19 as common difficulties encountered in that endeavor;  
20 and

21 (3) acquire a better understanding of the true  
22 net cost of the job training and job creation pro-  
23 grams funded under this Act by documenting the in-  
24 direct effects of those programs on the revenues re-

1       ceived and costs incurred by different levels of gov-  
2       ernment.

3   **SEC. 5. EMPLOYMENT OPPORTUNITY GRANTS.**

4       (a) GRANTS.—Subject to the availability of funds in  
5   the Trust Fund, the Secretary shall make grants to eligi-  
6   ble entities for the purpose of creating employment oppor-  
7   tunities for unemployed and underemployed individuals in  
8   activities designed to address community needs and reduce  
9   disparities in health, housing, education, job readiness,  
10   and public infrastructure that have impeded these commu-  
11   nities from realizing their full economic potential.

12       (b) ELIGIBLE ENTITIES.—Entities eligible to receive  
13   grants under this section shall include States, Indian  
14   tribes, units of general local government, elementary and  
15   secondary educational institutions that derive their sup-  
16   port entirely or primarily from public funds, educational  
17   institutions that participate in the Federal Work-Study  
18   Program, and not-for-profit organizations that qualify as  
19   tax-exempt under section 501(c)(3), (5), (8), (9), (19), or  
20   (26) of the Internal Revenue Code.

21       (c) USE OF FUNDS.—A recipient of a grant under  
22   this section shall use the grant for the following purposes:

23               (1) Construction, re-construction, rehabilitation,  
24       and site improvements of residences or public facili-  
25       ties, including improvements in the energy efficiency

1 or environmental quality of such public facilities or  
2 residences.

3 (2) Provision of human services, including child  
4 care, health care, support services for individuals  
5 and families with special needs, education, after-  
6 school and vacation programs for children, and rec-  
7 reational and cultural enrichment programs for per-  
8 sons of all ages.

9 (3) Programs that provide disadvantaged youth  
10 with opportunities for employment, education, lead-  
11 ership development, entrepreneurial skills develop-  
12 ment, and training.

13 (4) The repair, remodeling and beautification of  
14 schools, community centers, libraries and other com-  
15 munity-based public facilities, and the augmentation  
16 of staffing for the services they provide.

17 (5) The restoration and revitalization of aban-  
18 doned and vacant properties to alleviate blight in  
19 distressed and foreclosure-affected areas of a unit of  
20 general local government.

21 (6) The expansion of emergency food programs  
22 to reduce hunger and promote family stability.

23 (7) The augmentation of staffing in Head  
24 Start, child care, and other early childhood edu-  
25 cation programs to promote school readiness, early

1 literacy, life-long learning, and family involvement in  
2 their children's education.

3 (8) The renovation and enhancement of mainte-  
4 nance of parks, playgrounds, and other public  
5 spaces.

6 (9) Supplemental labor for existing federally or  
7 State-funded infrastructure projects.

8 (10) Supplemental labor for existing federally  
9 or State-funded projects aimed at expanding access  
10 to broadband or wireless Internet service.

11 (11) The implementation of environmental ini-  
12 tiatives designed to conserve natural resources, re-  
13 mediate environmental damage, reverse climate  
14 change, and achieve environmental sustainability.

15 (12) The enhancement of emergency prepared-  
16 ness for natural and other community disasters and  
17 of post-emergency assistance for the victims of disas-  
18 ters.

19 (13) The expansion of work-study opportunities  
20 for secondary and post-secondary students, and the  
21 creation of "bridge employment" opportunities for  
22 recent graduates who have been unable to find work  
23 in the occupations for which they have trained.

1           (14) Other activities that address public needs  
2           and which can be implemented as quickly as the ac-  
3           tivities described in paragraphs (1) through (11).

4           (d) CONSULTATION REQUIRED.—Each grant recipi-  
5           ent shall consult with community leaders, including labor  
6           organizations, nonprofit community-based organizations,  
7           local government officials, and local residents to—

8                 (1) assess the needs of the community served  
9                 by the grant recipient;

10                (2) determine sectors of the local economy that  
11                are in need of employees;

12                (3) make recommendations for new employment  
13                opportunities in the areas described in subsection  
14                (c); and

15                (4) assess the effectiveness of job placements  
16                made under this Act.

17           (e) CONDITIONS.—As a condition of receiving a grant  
18           under this section, a grant recipient shall—

19                (1) agree to comply with the nondiscrimination  
20                policy set forth under section 109 of the Housing  
21                and Community Development Act of 1974 (42  
22                U.S.C. 5309);

23                (2) with respect to the funds allocated for each  
24                project funded under the grant—

1 (A) allocate not less than 80 percent for  
2 wages, benefits, and support services, including  
3 child care services, for individuals, supervisory  
4 and management personnel, employed on such  
5 project; and

6 (B) allocate the remaining funds to defray  
7 the nonlabor costs of the project, including nec-  
8 essary capital goods, supplies, materials, rental  
9 payments, transportation costs, and other simi-  
10 lar expenses;

11 (3) use revenue generated by a project funded  
12 under the grant (whether in the form of fees paid  
13 for services provided by the project, reimbursements  
14 for expenses incurred in undertaking the project, or  
15 income from the sale of goods or services produced  
16 by the project) in excess of the costs of the project  
17 to—

18 (A) supplement the project budget; or

19 (B) support other projects funded by the  
20 grant in conformity with the purposes of this  
21 Act and subject to the same rules and require-  
22 ments that apply to other such projects;

23 (4) ensure that employment on any project  
24 funded under the grant is carried out in accordance  
25 with subsection (c);

1           (5) institute an outreach program with commu-  
2           nity organizations and service providers in low-in-  
3           come communities to provide information about  
4           placements funded under the grant to individuals  
5           suited to perform community infrastructure work;  
6           and

7           (6) ensure that not less than 35 percent of indi-  
8           viduals employed under the grant are individuals de-  
9           scribed in paragraph (4)(B) of subsection (f).

10          (f) EMPLOYMENT DESCRIBED.—Employment funded  
11 under this section shall meet the following specifications:

12           (1) Any employer that employs an individual  
13           whose employment is funded under the grant shall—

14                   (A) continue to employ such individual for  
15                   not less than 12 months, subject to the individ-  
16                   ual's satisfactory performance of the reasonable  
17                   requirements of the individual's employment;

18                   (B) if such an individual desires full-time  
19                   employment, employ such individual for not less  
20                   than 35 hours per week and not more than 40  
21                   hours, and if such an individual desires part-  
22                   time work, employ such individual for a mutu-  
23                   ally agreed number of hours per week that is  
24                   less than 35 hours per week;



1           (C) comply with responsible contractor  
2 standards, as determined by the relevant official  
3 in the unit of local general government;

4           (D) provide compensation to such indi-  
5 vidual on a per hour basis equal to the com-  
6 pensation provided to public sector employees  
7 who perform similar work in the community  
8 where such individual is employed or, if no pub-  
9 lic sector employees perform such similar work,  
10 provide compensation to such individual that is  
11 comparable to the compensation provided to  
12 private-sector employees who perform similar  
13 work in the community where such individual is  
14 employed;

15           (E) if such employment is in construction,  
16 provide compensation to any laborer or me-  
17 chanic employed under the grant at rates not  
18 less than those prevailing on similar construc-  
19 tion in the locality as determined by the Sec-  
20 retary in accordance with subchapter IV of  
21 chapter 31 of title 40, United States Code; and

22           (F) offer assistance to such individual in  
23 applying for social benefits for which such indi-  
24 vidual or the members of such individual's fam-  
25 ily may be eligible.

1           (2) No individual whose employment is funded  
2           under the grant may work for an employer at which  
3           a collective bargaining agreement is in effect cov-  
4           ering the same or similar work, unless—

5                   (A) the consent of the union at such em-  
6           ployer is obtained; and

7                   (B) negotiations have taken place between  
8           such union and the employer as to the terms  
9           and conditions of such employment.

10          (3)(A) An employer may not employ an indi-  
11         vidual for a position funded under this Act, if—

12                   (i) employing such individual will result in  
13           the layoff or partial displacement (such as a re-  
14           duction in hours, wages, or employee benefits)  
15           of an existing employee of the employer; or

16                   (ii) such individual will perform the same  
17           or substantially similar work that had pre-  
18           viously been performed by an employee of the  
19           employer who—

20                           (I) has been laid off or partially dis-  
21                           placed (as such term is described in sub-  
22                           clause (I)); and

23                           (II) has not been offered by the em-  
24                           ployer, to be restored to the position the

1 employee had immediately prior to being  
2 laid off or partially displaced.

3 (B) For the purposes of this paragraph, a posi-  
4 tion shall be considered to have been eliminated by  
5 an employer if the position has remained unfilled  
6 and the unit or organization has not sought to fill  
7 such position for at least a period of one month.

8 (C) An individual may not be hired for a posi-  
9 tion funded under this Act in a manner that in-  
10 fringes upon the promotional opportunities of an ex-  
11 isting employee (as of the date of such hiring) of an  
12 employer receiving funds under this Act.

13 (4) An individual seeking employment in a job  
14 funded under this Act shall have their eligibility for  
15 such employment certified by the State employment  
16 service in the State where the job is located. To be  
17 certified as eligible for such employment, the indi-  
18 vidual shall satisfy at least one of the following con-  
19 ditions as of the date the individual is hired to fill  
20 a job funded under this Act:

21 (A) The individual is receiving unemploy-  
22 ment insurance benefits.

23 (B) The individual is unemployed, is a  
24 member of a targeted group as defined by sec-  
25 tion 51(d) of the Internal Revenue Code of

1           1986, and has been seeking employment, with  
2           the assistance of the State employment service,  
3           for not less than 30 days prior to the date on  
4           which the individual is so hired.

5           (C) The individual is unemployed and has  
6           been seeking employment, with the assistance of  
7           the State employment service, for not less than  
8           60 days prior to the date the individual is so  
9           hired.

10          (D) The individual has been employed  
11          part-time while seeking full-time employment  
12          with the assistance of the State employment  
13          service for not less than 13 weeks prior to the  
14          date the individual is so hired.

15          (5) An individual employed in a job funded  
16          under this Act shall—

17                (A) notwithstanding the individual's em-  
18                ployment in a job funded under this Act, be  
19                registered with the appropriate State employ-  
20                ment service as available for and seeking work;

21                (B) respond appropriately, as a person  
22                available for and seeking employment, to refer-  
23                rals by the State employment service concerning  
24                available jobs;

1           (C) apply for suitable jobs for which the  
2           individual has been referred by the State em-  
3           ployment service; and

4           (D) accept a suitable job if such job is of-  
5           fered to the individual.

6       For purposes of subparagraphs (C) and (D), the  
7       term “suitable job” means a job that a newly unem-  
8       ployed individual receiving unemployment insurance  
9       benefits would be required to accept in order to  
10      avoid forfeiting the individual’s eligibility for contin-  
11      ued receipt of unemployment insurance benefits  
12      under the laws of the State in which the individual  
13      is employed in a job funded under this Act. An indi-  
14      vidual employed under this Act shall be granted time  
15      off with pay to comply with subparagraph (C). An  
16      individual who fails to comply with the requirements  
17      set forth in subparagraphs (C) and (D) without good  
18      cause shall be subject to disqualification for employ-  
19      ment in a job funded under this act for a period not  
20      to exceed 13 weeks, after which time the individual’s  
21      eligibility shall be restored provided they have satis-  
22      fied the eligibility requirements set forth in para-  
23      graph 4. Any such disqualification must be effected  
24      in accord with the laws, regulations and procedures  
25      that govern an individual’s disqualification from con-

1       tinued receipt of Unemployment Insurance benefits  
2       in the State, except that no wages paid or owing to  
3       the individual for work already performed can be  
4       forfeited as a result of such proceeding.

5           (6) An individual employed in a job funded  
6       under this Act who terminates that employment in  
7       order to accept other employment, and who subse-  
8       quently is terminated from that other employment  
9       without fault on the individual's part, shall be eligi-  
10      ble for immediate reemployment in a job funded  
11      under this Act.

12          (7) In hiring individuals for positions funded  
13      under this Act, or using funds under this Act to con-  
14      tinue to provide employee compensation for existing  
15      employees, an employer shall comply with all appli-  
16      cable Federal, State, and local laws, personnel poli-  
17      cies and regulations, and collective bargaining agree-  
18      ments, as if such individual was hired, or such em-  
19      ployee compensation were provided, without assist-  
20      ance under this Act.

21          (8) An individual hired for a position funded  
22      under this Act shall—

23              (A) be considered an employee of the em-  
24      ployer, by which such individual was hired; and

1 (B) receive the same employee compensa-  
 2 tion, have the same rights and responsibilities  
 3 and job classifications, and be subject to the  
 4 same job standards, employer policies, and col-  
 5 lective bargaining agreements as if such indi-  
 6 vidual were hired without assistance under this  
 7 Act.

8 (g) AWARD OF GRANTS.—

9 (1) SELECTION CRITERIA.—In selecting a  
 10 project to receive funding for employing the individ-  
 11 uals described in subsection (f)(4), a grant recipient  
 12 shall consider—

13 (A) the input of all participants in a pro-  
 14 posed project, including labor organizations,  
 15 community organizations, and employers;

16 (B) the needs of the community intended  
 17 to benefit from such project;

18 (C) the long-term goals and short-term ob-  
 19 jectives to address such needs; and

20 (D) any recommendations for programs  
 21 and activities developed to meet such needs.

22 (2) PRIORITY GIVEN TO CERTAIN PROJECTS.—

23 A grant recipient under this section shall give pri-  
 24 ority to projects that—

1 (A) serve areas with the greatest level of  
2 economic need, determined for each such area  
3 by—

4 (i) the unemployment rate;

5 (ii) the rate of poverty;

6 (iii) the number of census tracts with  
7 concentrated poverty;

8 (iv) the lowest median income;

9 (v) the percentage of vacant and  
10 abandoned properties;

11 (vi) the percentage of home fore-  
12 closures; and

13 (vii) the indicators of poor resident  
14 health, including high rates of chronic dis-  
15 ease, infant mortality, and life expectancy;

16 (B) integrate education and job skills  
17 training, including basic skills instruction and  
18 secondary education services;

19 (C) coordinate to the maximum extent fea-  
20 sible with pre-apprenticeship and apprenticeship  
21 programs; and

22 (D) provide jobs in sectors where job  
23 growth is most likely, as determined by the Sec-  
24 retary, and in which career advancement oppor-  
25 tunities exist to maximize long-term, sustain-



1           able employment for individuals after employ-  
2           ment funded under this Act ends.

3           (h) ALLOCATION OF GRANTS.—The total amount of  
4   grant funding awarded under this section for a fiscal year  
5   shall not exceed 90 percent of the funds available in the  
6   account described in section 4(d)(1) for such year. The  
7   Secretary shall develop criteria for the allocation of these  
8   funds. These criteria shall ensure, to the extent reasonably  
9   possible, that—

10           (1) the number of jobs created with those funds  
11       in each community will be proportionate to the level  
12       of unemployment, involuntary part-time employment,  
13       and non-labor-force participation by persons who  
14       want and are available to accept jobs in each com-  
15       munity, and

16           (2) the type of jobs created with those funds in  
17       each community will be designed to match the quali-  
18       fications of unemployed and under-employed job-  
19       seekers in those communities, taking into consider-  
20       ation available training opportunities.

21   If the total number of jobs created in a particular commu-  
22   nity under this Act falls short of the number needed to  
23   provide jobs for substantially all job seekers, the Secretary  
24   of Labor shall have the authority to establish and admin-  
25   ister its own job creation projects in the community.

1 (i) REPORTS.—

2 (1) REPORTS BY GRANT RECIPIENTS.—Not  
3 later than 90 days after the last day of each fiscal  
4 year in which assistance under this section is fur-  
5 nished, a recipient of a grant under this section shall  
6 submit to the Secretary a report containing the fol-  
7 lowing:

8 (A) A description of the progress made in  
9 accomplishing the objectives of this chapter.

10 (B) A summary of the use of the grant  
11 during the preceding fiscal year.

12 (C) For units of general local government,  
13 a listing of each entity receiving funds and the  
14 amount of such grants, as well as a brief sum-  
15 mary of the projects funded for each such unit,  
16 the extent of financial participation by other  
17 public or private entities, and the impact on  
18 employment and economic activity of such  
19 projects during the previous fiscal year.

20 (D) For States, a listing of each unit of  
21 general local government receiving funds and  
22 the amount of such grants, as well as a brief  
23 summary of the projects funded for each such  
24 unit, the extent of financial participation by  
25 other public or private entities, and the impact

1 on employment and economic activity of such  
2 projects during the previous fiscal year.

3 (E) The amount of money received and ex-  
4 pended during the fiscal year.

5 (F) The number of individuals assisted  
6 under the grant whose household income is low-  
7 income, very low-income, or extremely low-in-  
8 come (as such terms are used for purposes of  
9 the Housing Act of 1937 and the regulations  
10 thereunder (42 U.S.C. 1437 et seq.)).

11 (G) The amount expended on administra-  
12 tive costs during the fiscal year.

13 (2) REPORT TO CONGRESS.—At least once  
14 every 6 months, the Secretary shall submit to Con-  
15 gress a report on the use of grants awarded under  
16 this section and any progress in job creation.

17 (j) ESTABLISHMENT OF ARBITRATION PROCE-  
18 DURE.—

19 (1) IN GENERAL.—Each grant recipient under  
20 this section shall agree to the arbitration procedure  
21 described in this subsection to resolve disputes de-  
22 scribed in subsections (k) and (l).

23 (2) WRITTEN GRIEVANCES.—

24 (A) IN GENERAL.—If an employee (or an  
25 employee representative) wishes to use the arbi-

1           tration procedure described in this subsection,  
2           such party shall file a written grievance within  
3           the time period required under subsection (k)  
4           or (l), as applicable, simultaneously with the  
5           chief executive officer of a unit or State in-  
6           volved in the dispute and the Secretary.

7           (B) IN-PERSON MEETING.—Not later than  
8           10 days after the date of the filing of the griev-  
9           ance, the chief executive officer (or the designee  
10          of the chief executive officer) shall have an in-  
11          person meeting with the party to resolve the  
12          grievance.

13       (3) ARBITRATION.—

14           (A) SUBMISSION.—If the grievance is not  
15           resolved within the time period described in  
16           paragraph (2)(B), a party, by written notice to  
17           the other party involved, may submit such  
18           grievance to binding arbitration before a quali-  
19           fied arbitrator who is jointly selected and inde-  
20           pendent of the parties.

21           (B) APPOINTMENT BY SECRETARY.—If the  
22           parties cannot agree on an arbitrator within 5  
23           days of submitting the grievance to binding ar-  
24           bitration under subparagraph (A), one of the  
25           parties may submit a request to the Secretary

1 to appoint a qualified and independent arbi-  
2 trator. The Secretary shall appoint a qualified  
3 and independent arbitrator within 15 days after  
4 receiving the request.

5 (C) HEARING.—Unless the parties mutu-  
6 ally agree otherwise, the arbitrator shall con-  
7 duct a hearing on the grievance and issue a de-  
8 cision not later than 30 days after the date  
9 such arbitrator is selected or appointed.

10 (D) COSTS.—

11 (i) IN GENERAL.—Except as provided  
12 in clause (ii), the cost of an arbitration  
13 proceeding shall be divided evenly between  
14 the parties to the arbitration.

15 (ii) EXCEPTION.—If a grieving party  
16 prevails under an arbitration proceeding,  
17 the recipient of a grant under this section  
18 shall pay the cost of such proceeding, in-  
19 cluding attorneys' fees.

20 (k) DISPUTES CONCERNING THE ALLOTMENT OF  
21 FUNDS.—In a case where a unit of general local govern-  
22 ment that is an entitlement community or a State has im-  
23 properly requested funds for services or functions to be  
24 provided by a community-based organization that are cus-  
25 tomarily provided by the unit or, in the case of a State,

1 by a unit located in the non-entitlement area of the State  
2 where services or functions will be provided by the organi-  
3 zation, an employee or employee representative of the unit  
4 or State may file a grievance under subsection (j) not later  
5 than 15 days after public notice of an intent to submit  
6 an application under this section is published. Upon re-  
7 ceiving a copy of the grievance, the Secretary shall with-  
8 hold the funds subject to such grievance, unless and until  
9 the grievance is resolved under subsection (j), by the par-  
10 ties or an arbitrator in favor of providing such funding.

11 (l) ALL OTHER DISPUTES.—

12 (1) IN GENERAL.—In the case of a dispute not  
13 covered under subsection (k) concerning compliance  
14 with the requirements of this section by a recipient  
15 of a grant under this section, an employee or em-  
16 ployee representative of the unit or State may file a  
17 grievance under subsection (k) not later than 90  
18 days after the dispute arises. In such cases, an arbi-  
19 trator may award such remedies as are necessary to  
20 make the grieving party whole, including the rein-  
21 statement of a displaced employee or the payment of  
22 back wages, and may submit recommendations to  
23 the Secretary to ensure further compliance with the  
24 requirements of this title, including recommenda-  
25 tions to suspend or terminate funding, or to require

1 the repayment of funds received under this title dur-  
 2 ing any period of noncompliance.

3 (2) EXISTING GRIEVANCE PROCEDURES.—A  
 4 party to a dispute described in paragraph (1) may  
 5 use the existing grievance procedure of a recipient of  
 6 a grant under this section, or the arbitration proce-  
 7 dure described in this subsection, to resolve such dis-  
 8 pute.

9 (m) PARTY DEFINED.—For purposes of subsections  
 10 (j), (k), and (l), the term “party” means the employee and  
 11 the recipient of a grant under this section, involved in a  
 12 dispute described in subsection (k) or (l).

13 (n) WHISTLEBLOWER HOTLINE; ENFORCEMENT BY  
 14 THE SECRETARY.—

15 (1) WHISTLEBLOWER HOTLINE.—The Sec-  
 16 retary shall post on a publicly accessible Internet  
 17 Web site of the Department of Labor the contact in-  
 18 formation for reporting noncompliance with this title  
 19 by a State, unit of general local government, com-  
 20 munity-based organization, or individual receiving  
 21 funding under this title.

22 (2) ENFORCEMENT BY THE SECRETARY.—

23 (A) IN GENERAL.—If the Secretary re-  
 24 ceives a complaint alleging noncompliance with  
 25 this title, the Secretary may conduct an inves-

1           tigation and after notice and an opportunity for  
 2           a hearing, may order such remedies as the Sec-  
 3           retary determines appropriate, including—

4                   (i) withholding further funds under  
 5                   this title to a noncompliant entity;

6                   (ii) requiring the entity to make an  
 7                   injured party whole; or

8                   (iii) requiring the entity to repay to  
 9                   the Secretary any funds received under  
 10                  this title during any period of noncompli-  
 11                  ance.

12           (B) RECOMMENDATION BY AN ARBI-  
 13           TRATOR.—A remedy described in subparagraph  
 14           (A) may also be ordered by the Secretary upon  
 15           recommendation by an arbitrator appointed or  
 16           selected under this section.

17 **SEC. 6. NATIONAL EMPLOYMENT CONFERENCE.**

18           (a) IN GENERAL.—Using funds described in section  
 19           4(d)(2), the Secretary shall convene a national employ-  
 20           ment conference not later than 1 year after the date of  
 21           enactment of this Act, and annually thereafter.

22           (b) SUBJECT.—The subject of the conference shall be  
 23           the role of this Act in addressing all aspects of the prob-  
 24           lems of unemployment, the sharing of best practices in ad-



1 dressing those problems, and the discussion of problems  
 2 in the administration of this Act.

3 **SEC. 7. INCLUSION OF MINORITY-SERVING, COMMUNITY-**  
 4 **BASED ORGANIZATIONS IN STATE AND**  
 5 **LOCAL WORKFORCE DEVELOPMENT BOARDS.**

6 (a) STATE BOARDS.—Section 101(b)(1)(C) of the  
 7 Workforce Innovation and Opportunity Act (29 U.S.C.  
 8 3111(b)(1)(C)) is amended—

9 (1) by striking “and” at the end of subclause  
 10 (II);

11 (2) by inserting “and” at the end of subclause  
 12 (III); and

13 (3) by adding at the end the following:

14 “(IV) are not less than 25 per-  
 15 cent of the chief executive officers of  
 16 minority-serving, community-based or-  
 17 ganizations;”.

18 (b) LOCAL BOARDS.—Section 107(b)(2)(C) of such  
 19 Act (29 U.S.C. 3122(b)(2)(A)) is amended by adding at  
 20 the end the following:

21 “(iv) shall include not less than 25  
 22 percent of the chief executive officers of  
 23 minority-serving, community-based organi-  
 24 zations;”.

1 (c) EFFECTIVE DATE.—The amendments made by  
 2 this section shall take effect as if enacted as part of the  
 3 Workforce Innovation and Opportunity Act (29 U.S.C.  
 4 3101 et seq.).

5 **SEC. 8. TAX ON SECURITIES TRANSACTIONS.**

6 (a) IN GENERAL.—Chapter 36 of the Internal Rev-  
 7 enue Code of 1986 is amended by inserting after sub-  
 8 chapter B the following new subchapter:

9 **“Subchapter C—Tax on Securities**  
 10 **Transactions**

11 **“SEC. 4475. TAX ON TRADING TRANSACTIONS.**

12 “(a) IMPOSITION OF TAX.—There is hereby imposed  
 13 a tax on the transfer of ownership in each covered trans-  
 14 action with respect to any security.

15 “(b) RATE OF TAX.—The tax imposed under sub-  
 16 section (a) with respect to any covered transaction shall  
 17 be the applicable percentage of the specified base amount  
 18 with respect to such covered transaction. The applicable  
 19 percentage shall be—

20 “(1) 0.2 percent in the case of a security de-  
 21 scribed in subparagraph (A) or (B) of subsection  
 22 (e)(1),

23 “(2) 0.06 percent in the case of a security de-  
 24 scribed in subparagraph (C) of subsection (e)(1),

1           “(3) 0.2 percent in the case of a security de-  
2       scribed in subparagraph (D) of subsection (e)(1) if  
3       the underlying assets on which the rights and obliga-  
4       tions created by the security are based consist of  
5       other securities described in subparagraph (A) or  
6       (B) of subsection (e)(1),

7           “(4) 0.2 percent in the case of a security de-  
8       scribed in subparagraph (F) of subsection (e)(1) if  
9       the index on which the rights and obligations created  
10      by the security are based is an index referencing the  
11      values of securities described in subparagraph (A) or  
12      (B) of subsection (e)(1)(A), and

13          “(5) 0.06 percent in the case of any security  
14      described in subparagraph (D), (E), or (F) of sub-  
15      section (e)(1) (other than a security described in  
16      paragraph (3) or (4)).

17          “(c) SPECIFIED BASE AMOUNT.—For purposes of  
18      this section, the term ‘specified base amount’ means—

19           “(1) except as provided in paragraph (2), the  
20      fair market value of the security (determined as of  
21      the time of the covered transaction), and

22           “(2) in the case of any payment described in  
23      subsection (h), the amount of such payment.

24          “(d) COVERED TRANSACTION.—For purposes of this  
25      section, the term ‘covered transaction’ means—

1           “(1) except as provided in paragraph (2), any  
2       purchase if—

3           “(A) such purchase occurs or is cleared on  
4       a facility located in the United States, or

5           “(B) the purchaser or seller is a United  
6       States person, and

7           “(2) any transaction with respect to a security  
8       described in subparagraph (D), (E), or (F) of sub-  
9       section (e)(1), if—

10          “(A) such security is traded or cleared on  
11       a facility located in the United States, or

12          “(B) any party with rights under such se-  
13       curity is a United States person.

14       “(e) SECURITY AND OTHER DEFINITIONS.—For pur-  
15       poses of this section—

16          “(1) IN GENERAL.—The term ‘security’  
17       means—

18          “(A) any share of stock in a corporation,

19          “(B) any partnership or beneficial owner-  
20       ship interest in a partnership or trust,

21          “(C) any note, bond, debenture, or other  
22       evidence of indebtedness, other than a State or  
23       local bond the interest of which is excluded  
24       from gross income under section 103(a),

1           “(D) any evidence of an interest in, or a  
 2           derivative financial instrument with respect to,  
 3           any security or securities described in subpara-  
 4           graph (A), (B), or (C),

5           “(E) any derivative financial instrument  
 6           with respect to any currency or commodity in-  
 7           cluding notional principal contracts, and

8           “(F) any other derivative financial instru-  
 9           ment any payment with respect to which is cal-  
 10          culated by reference to any specified index.

11          “(2) DERIVATIVE FINANCIAL INSTRUMENT.—  
 12          The term ‘derivative financial instrument’ includes  
 13          any option, forward contract, futures contract, no-  
 14          tional principal contract, or any similar financial in-  
 15          strument.

16          “(3) SPECIFIED INDEX.—The term ‘specified  
 17          index’ means any one or more of any combination  
 18          of—

19                 “(A) a fixed rate, price, or amount, or

20                 “(B) a variable rate, price, or amount,  
 21                 which is based on any current objectively deter-  
 22                 minable information which is not within the  
 23                 control of any of the parties to the contract or  
 24                 instrument and is not unique to any of the par-  
 25                 ties’ circumstances.

1 “(4) TREATMENT OF EXCHANGES.—

2 “(A) IN GENERAL.—An exchange shall be  
3 treated as the sale of the property transferred  
4 and a purchase of the property received by each  
5 party to the exchange.

6 “(B) CERTAIN DEEMED EXCHANGES.—In  
7 the case of a distribution treated as an ex-  
8 change for stock under section 302 or 331, the  
9 corporation making such distribution shall be  
10 treated as having purchased such stock for pur-  
11 poses of this section.

12 “(f) EXCEPTIONS.—

13 “(1) EXCEPTION FOR INITIAL ISSUES.—No tax  
14 shall be imposed under subsection (a) on any cov-  
15 ered transaction with respect to the initial issuance  
16 of any security described in subparagraph (A), (B),  
17 or (C) of subsection (e)(1).

18 “(2) EXCEPTION FOR CERTAIN TRADED SHORT-  
19 TERM INDEBTEDNESS.—A note, bond, debenture, or  
20 other evidence of indebtedness which—

21 “(A) is traded on a trading facility located  
22 in the United States, and

23 “(B) has a fixed maturity of not more  
24 than 60 days, shall not be treated as described  
25 in subsection (e)(1)(C).

1           “(3) EXCEPTION FOR SECURITIES LENDING AR-  
2           RANGEMENTS.—No tax shall be imposed under sub-  
3           section (a) on any covered transaction with respect  
4           to which gain or loss is not recognized by reason of  
5           section 1058.

6           “(4) EXCEPTION FOR INTERESTS IN MUTUAL  
7           FUNDS.—No tax shall be imposed under subsection  
8           (a) with respect to the purchase or sale of any inter-  
9           est in a regulated investment company (as defined in  
10          section 851).

11          “(g) BY WHOM PAID.—

12           “(1) IN GENERAL.—The tax imposed by this  
13          section shall be paid by—

14           “(A) in the case of a transaction which oc-  
15          curs or is cleared on a facility located in the  
16          United States, such facility, and

17           “(B) in the case of a purchase not de-  
18          scribed in subparagraph (A) which is executed  
19          by a broker (as defined in section 6045(c)(1)),  
20          the broker.

21           “(2) SPECIAL RULES FOR DIRECT, ETC.,  
22          TRANSACTIONS.—In the case of any transaction to  
23          which paragraph (1) does not apply, the tax imposed  
24          by this section shall be paid by—

1                   “(A) in the case of a transaction described  
2                   in subsection (d)(1)—

3                   “(i) the purchaser if the purchaser is  
4                   a United States person, and

5                   “(ii) the seller if the purchaser is not  
6                   a United States person, and

7                   “(B) in the case of a transaction described  
8                   in subsection (d)(2)—

9                   “(i) the payor if the payor is a United  
10                  States person, and

11                  “(ii) the payee if the payor is not a  
12                  United States person.

13           “(h) CERTAIN PAYMENTS TREATED AS SEPARATE  
14 TRANSACTIONS.—Except as otherwise provided by the  
15 Secretary, any payment with respect to a security de-  
16 scribed in subparagraph (D), (E), or (F) of subsection  
17 (e)(1) shall be treated as a separate transaction for pur-  
18 poses of this section, including—

19           “(1) any net initial payment, net final or termi-  
20 nating payment, or net periodical payment with re-  
21 spect to a notional principal contract (or similar fi-  
22 nancial instrument),

23           “(2) any payment with respect to any forward  
24 contract (or similar financial instrument), and



1           “(3) any premium paid with respect to any op-  
2           tion (or similar financial instrument).

3           “(i) ADMINISTRATION.—The Secretary shall carry  
4 out this section in consultation with the Securities and Ex-  
5 change Commission and the Commodity Futures Trading  
6 Commission.

7           “(j) GUIDANCE; REGULATIONS.—The Secretary  
8 shall—

9           “(1) provide guidance regarding such informa-  
10 tion reporting concerning covered transactions as the  
11 Secretary deems appropriate, including reporting by  
12 the payor of the tax in cases where the payor is not  
13 the purchaser, and

14           “(2) prescribe such regulations as are necessary  
15 or appropriate to prevent avoidance of the purposes  
16 of this section, including the use of non-United  
17 States persons in such transactions.

18           “(k) WHISTLEBLOWERS.—See section 7623 for pro-  
19 visions relating to whistleblowers.”.

20           (b) PENALTY FOR FAILURE TO INCLUDE COVERED  
21 TRANSACTION INFORMATION WITH RETURN.—Part I of  
22 subchapter B of chapter 68 of the Internal Revenue Code  
23 of 1986 is amended by inserting after section 6707A the  
24 following new section:

1 **“SEC. 6707B. PENALTY FOR FAILURE TO INCLUDE COV-**  
2 **ERED TRANSACTION INFORMATION WITH RE-**  
3 **TURN.**

4 “(a) IMPOSITION OF PENALTY.—Any person who  
5 fails to include on any return or statement any informa-  
6 tion with respect to a covered transaction which is re-  
7 quired pursuant to section 4475(j)(1) to be included with  
8 such return or statement shall pay a penalty in the  
9 amount determined under subsection (b).

10 “(b) AMOUNT OF PENALTY.—Except as otherwise  
11 provided in this subsection, the amount of the penalty  
12 under subsection (a) with respect to any covered trans-  
13 action shall be determined by the Secretary.

14 “(c) COVERED TRANSACTION.—For purposes of this  
15 section, the term ‘covered transaction’ has the meaning  
16 given such term by section 4475(d).

17 “(d) AUTHORITY TO RESCIND PENALTY.—

18 “(1) IN GENERAL.—The Commissioner of In-  
19 ternal Revenue may rescind all or any portion of any  
20 penalty imposed by this section with respect to any  
21 violation if rescinding the penalty would promote  
22 compliance with the requirements of this title and  
23 effective tax administration.

24 “(2) NO JUDICIAL APPEAL.—Notwithstanding  
25 any other provision of law, any determination under

1       this subsection may not be reviewed in any judicial  
2       proceeding.

3               “(3) RECORDS.—If a penalty is rescinded under  
4       paragraph (1), the Commissioner shall place in the  
5       file in the Office of the Commissioner the opinion of  
6       the Commissioner with respect to the determination,  
7       including—

8                       “(A) a statement of the facts and cir-  
9                       cumstances relating to the violation,

10                      “(B) the reasons for the rescission, and

11                      “(C) the amount of the penalty rescinded.

12       “(e) COORDINATION WITH OTHER PENALTIES.—The  
13       penalty imposed by this section shall be in addition to any  
14       other penalty imposed by this title.”.

15       (c) CLERICAL AMENDMENTS.—

16               (1) The table of sections for part I of sub-  
17       chapter B of chapter 68 of such Code is amended  
18       by inserting after the item relating to section 6707A  
19       the following new item:

      “Sec. 6707B. Penalty for failure to include covered transaction information  
          with return.”.

20               (2) The table of subchapters for chapter 36 of  
21       the Internal Revenue Code of 1986 is amended by  
22       inserting after the item relating to subchapter B the  
23       following new item:

      “SUBCHAPTER C. TAX ON TRADING TRANSACTIONS”.

1 (d) EFFECTIVE DATE.—The amendments made by  
2 this section shall apply to transactions occurring more  
3 than 180 days after the date of the enactment of this Act.

4 **SEC. 9. SUSPENSION BASED ON FINDING OF INFLATION**  
5 **DURING PERIOD OF LOW UNEMPLOYMENT.**

6 (a) DETERMINATION ON INFLATION.—Whenever the  
7 conditions specified in subsection (k) are satisfied, the  
8 Secretary shall make a determination as to whether there  
9 is good cause to believe that—

10 (1) job creation funded under this Act con-  
11 stitutes a significant contributing factor to the ele-  
12 vation of the rate of inflation above the level set  
13 forth in subsection (k); and

14 (2) a reduction in the number of persons em-  
15 ployed in jobs funded under this Act is necessary to  
16 restore the rate of inflation to a level below that set  
17 forth in subsection (k).

18 (b) SUSPENSION OF HIRING.—If the Secretary deter-  
19 mines that such good cause exists, the Secretary shall  
20 issue an interim order temporarily—

21 (1) suspending new hiring of persons described  
22 in subsections (f)(4)(A) and (f)(4)(D) of section 5  
23 for jobs funded under this Act; and

24 (2) freezing the hourly wage rates paid for jobs  
25 funded under this Act.

1       (c) PUBLICATION OF SUSPENSION ORDER.—At least  
2 7 days before the effective date of the interim order de-  
3 scribed in subsection (b), the Secretary shall cause a copy  
4 of the order to be sent by email to all applicants for and  
5 recipients of Employment Opportunity Grants under sec-  
6 tion 5 and published in the Federal Register along with  
7 a notice requesting public comment thereon. The comment  
8 period announced in this notice shall last for 30 days from  
9 the day the notice is published. The Secretary shall also  
10 announce the publication of the interim order and invite  
11 public comment thereon in a press conference called ex-  
12 pressly for that purpose and to which representatives of  
13 the national news media have been invited.

14       (d) NO REVIEW REQUIRED.—The Office of Manage-  
15 ment and Budget shall not be required to review the order  
16 described in subsection (b) and no impact statement or  
17 analysis of the order’s effect shall be required under any  
18 other statute.

19       (e) REVOCATION OR CONFIRMATION OF ORDER.—  
20 After the 30-day comment period described in subsection  
21 (c) has expired and the Secretary has considered the com-  
22 ments received relating to the interim order for a period  
23 not to exceed 15 additional days, the Secretary shall—

24               (1) either revoke the interim order or confirm  
25               it with or without changes;

1           (2) cause all applicants for and recipients of  
2       Employment Opportunity Grants under section 5 to  
3       be notified of such confirmation or revocation in the  
4       manner described in subsection (c)(1); and

5           (3) publish a notice in the Federal Register an-  
6       nouncing such confirmation or revocation along with  
7       a statement summarizing the views submitted by the  
8       public during the comment period and setting forth  
9       in reasonable detail the evidence, reasoning, and ar-  
10      guments relied upon and rejected in deciding wheth-  
11      er to revoke the interim order or confirm it with or  
12      without changes.

13       (f) CONTINUANCE OF AUTHORITY.—If the interim  
14      order is confirmed, either with or without changes, the  
15      Secretary shall have the authority to transfer funds from  
16      the account described in subsection (d)(1) of section 4 to  
17      the account described in subsection (d)(2) of section 4 to  
18      the extent necessary to provide additional training oppor-  
19      tunities for persons whose employment in jobs funded  
20      under this Act has been temporarily suspended.

21       (g) WAIVER.—Any person who would be eligible for  
22      employment in a job funded under this Act but for the  
23      order described in subsections (b) and (e) shall be afforded  
24      the opportunity to apply for a waiver of the order's appli-  
25      cation to them on the grounds that it would cause them

1 or their family to suffer undue hardship. The Secretary  
2 shall establish procedures and rules insuring that such  
3 waiver applications are considered and decided in an expe-  
4 ditious manner.

5 (h) NO EARLY TERMINATION, SUSPENSION IN HIR-  
6 ING, OR REDUCTION IN WAGES.—No person employed in  
7 a job funded under this Act shall have their employment  
8 prematurely terminated to achieve the purposes of this  
9 section. Hiring for jobs funded under this Act of persons  
10 described in subsections (f)(4)(B) and (f)(4)(C) of section  
11 5 may not be suspended to achieve the purposes of this  
12 section. The hourly wages paid for jobs funded under this  
13 Act may not be reduced to achieve the purposes of this  
14 section.

15 (i) WAIVER OF APPLICABILITY.—The Secretary shall  
16 have the authority to waive the applicability of the order  
17 described in sections (b) and (e) to recipients of Employ-  
18 ment Opportunity Grants to the extent necessary to pre-  
19 vent layoffs by the grant recipient of persons already em-  
20 ployed by them in jobs funded under this Act.

21 (j) DURATION OF ORDER.—The order described in  
22 subsections (b) and (e) shall remain in effect only as long  
23 as the conditions specified in subsection (k) are satisfied.

1       (k) INFLATIONARY TRIGGER.—The Secretary’s au-  
2   thority to act under this section shall arise only when both  
3   of the following conditions are jointly satisfied:

4           (1) The seasonally adjusted unemployment rate  
5       for the civilian labor force of the United States, as  
6       reported by the United States Bureau of Labor Sta-  
7       tistics in its most recent Employment Situation  
8       News Release, is less than 4.0 percent.

9           (2) The seasonally adjusted consumer price  
10      index for all urban consumers in the United States,  
11      as reported by the United States Bureau of Labor  
12      Statistics in its most recent Consumer Price Index  
13      News Release, is more than 3 percent above its level  
14      during the same period one year earlier.

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