Public Law 93-567

AN ACT

To provide assistance for unemployed persons.

December 31, 1974
[H. R. 16596]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Emergency Jobs and Unemployment Assistance Act of 1974".

Emergency Jobs and Unemployment Assistance Act of 1974.
29 USC 961 note.

TITLE I—PUBLIC SERVICE EMPLOYMENT

EMERGENCY JOB PROGRAMS AUTHORIZED

SEC. 101. The Comprehensive Employment and Training Act of 1973 is amended by redesignating title VI, and all references thereto, as title VII, by redesignating sections 601 through 615, and all references thereto, as sections 701 through 715, respectively, and by inserting after title V the following new title:

29 USC 981-992, 801 note.

"TITLE VI—EMERGENCY JOB PROGRAMS

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 601. There are authorized to be appropriated $2,500,000,000 for fiscal year 1975 for carrying out the provisions of this title. Any amounts so appropriated for such fiscal year which are not obligated prior to the end of such fiscal year shall remain available for obligation until December 31, 1975.

29 USC 961.

"FINANCIAL ASSISTANCE

"SEC. 602. (a) The Secretary shall enter into arrangements with eligible applicants in accordance with the provisions of this title in order to make financial assistance available for the purpose of providing transitional employment for unemployed and underemployed persons in jobs providing needed public services, and training and manpower services related to such employment which are otherwise unavailable, and enabling such persons to move into employment not supported under this Act.

29 USC 962.

"(b) Not less than 90 per centum of the funds appropriated pursuant to this title which are used by an eligible applicant for public service employment programs shall be expended only for wages and employment benefits to persons employed in public service jobs pursuant to this title.

"(c) The provisions of section 204(d) and sections 205 through 211 shall apply to financial assistance under this title.

29 USC 844-851.

"(d) In filling public service jobs with financial assistance under this title, eligible applicants shall give preferred consideration, to the maximum extent feasible and consistent with other provisions of this Act, to unemployed persons who have exhausted unemployment insurance benefits, to unemployed persons who are not eligible for unemployment insurance benefits (except for persons lacking work experience), and to unemployed persons who have been unemployed for fifteen or more weeks.

"(e) For purposes of this section, the term 'eligible applicants' means prime sponsors qualified under title I and Indian tribes on Federal or State reservations.

"Eligible applicants."
29 USC 811.

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"ALLOTMENT OF FUNDS

29 USC 963.

"SEC. 603. (a) (1) Not less than 90 per centum of the amounts appropriated under section 601 for any fiscal year shall be allotted among eligible applicants by the Secretary in accordance with the provisions of this subsection.

"(2) (A) Fifty per centum of the amount allotted under this subsection shall be allotted among eligible applicants in proportion to the relative number of unemployed persons who reside in areas within the jurisdiction of each such applicant as compared to the number of unemployed persons who reside in all such areas in all the States.

"(B) Twenty-five per centum of the amount allotted under this subsection shall be allotted among eligible applicants in accordance with the number of unemployed persons residing in areas of substantial unemployment (as defined in section 204(c)) within the jurisdiction of the applicant compared to the number of unemployed persons residing in all such areas.

29 USC 844.

"(C) Twenty-five per centum of the amount allotted under this subsection shall be allotted among eligible applicants on the basis of the relative excess number of unemployed persons who reside within the jurisdiction of the applicant as compared to the total excess number of unemployed persons who reside within the jurisdiction of all eligible applicants. For purposes of this subparagraph, the term 'excess number' means (i) the number which represents unemployed persons in excess of 4½ per centum of the labor force in the jurisdiction of the applicant in whose jurisdiction such persons reside or (ii), in the case of an applicant which is a State, the term 'excess number' means such number as defined in clause (i) or the number which represents unemployed persons in excess of 4½ per centum of the labor force in areas eligible for assistance under title II located in the geographical area served by such State prime sponsor under title I or II, whichever is greater.

"Excess number."

29 USC 811, 841.

"(b) The remainder of the amount appropriated under section 601 shall be available to the Secretary for financial assistance under section 602 as the Secretary deems appropriate to carry out the purposes of this title, taking into account changes in rates of unemployment.

"Jurisdiction."

29 USC 812.

"(c) For purposes of determining allocations under this section, the term 'jurisdiction' includes the jurisdiction of each unit of general local government as described in section 102(a)(2) whether or not such unit has entered into a combination of units of general local government for purposes of section 102(a)(3) or section 102(a)(4).

"SPECIAL PROVISION FOR AREAS OF EXCESSIVELY HIGH UNEMPLOYMENT AND TO EXPAND JOB OPPORTUNITIES

29 USC 964.

"SEC. 604. (a) Funds allocated from appropriations for carrying out this title to any eligible applicant, which certifies to the Secretary that the application of the provisions of this section is necessary in order to provide sufficient job opportunities in the area served by such eligible applicant, may be used for making payments to public employers to expand the provision of job opportunities of the type described in paragraphs (3), (4), (5), and (6) of section 304(a) of this Act.

29 USC 874.

"(b) In accordance with the provisions of subsection (c), and notwithstanding the provisions of sections 602(a) and 602(b), funds allotted under section 603 to eligible applicants may be used for—

"(1) public service employment programs without regard to the provisions of sections 205(b), 205(c)(4), 205(c)(6), 205(c)(16), 205(c)(19), and 208(a)(6).

29 USC 845.
29 USC 848.

"(2) providing employment for persons who have been unemployed for at least 15 days without regard to the provision of sec-

tion 205(a) relating to 30 days of unemployment, if the applicant certifies that the hiring of an individual will not violate the provisions of section 205(c)(8). 29 USC 845.

"(3) payment of wages (at rates not less than those prevailing on similar construction in the locality as determined by the Secretary in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5)), for unemployed and underemployed persons as employees of public employers in jobs on community capital improvement projects which would not otherwise be carried out, including the rehabilitation, alteration, or improvement of public buildings, roads and other public transportation facilities, health and education facilities, and other facilities for the improvement of the community in which the project is or will be located, and including construction, rehabilitation, alteration, or improvement of water and waste disposal facilities in communities having populations of 10,000 individuals or less which are outside the boundaries of a Standard Metropolitan Statistical Area (as defined by the Bureau of the Census). Community capital improvement projects. 40 USC 276a note.

"(c) The provisions of subsection (b) shall apply to any area having an unemployment rate in excess of 7 per centum, and to any area, without regard to the rate of unemployment of such area, if such area is served by a prime sponsor which qualifies under section 102(a)(4) or section 102(a)(5) or is in an area which is eligible for assistance under title II and which is served by a State prime sponsor, and if the prime sponsor for such area certifies to the Secretary that the application of such provisions is necessary in order to provide sufficient job opportunities, and gives public notice of such certification. 29 USC 812. 29 USC 841.

"EXPENDITURE OF FUNDS

"SEC. 605. Funds obligated for the purposes of providing public service employment under this title may be utilized by prime sponsors for projects and activities planned to extend over a twelve-month period from the commencement of any such project or activity. 29 USC 965.

"REALLOCATION OF FUNDS

"SEC. 606. The Secretary is authorized to make such reallocations as he deems appropriate of any amount of any allocation under this title to the extent that the Secretary determines that an eligible applicant will not be able to use such amount within a reasonable period of time. Any such amount may be reallocated only if the Secretary has provided thirty days' advance notice to the prime sponsor for such area and to the Governor of the State of the proposed reallocation, during which period of time the prime sponsor and the Governor may submit comments to the Secretary. After considering any comments submitted during such period of time, the Secretary shall notify the Governor and affected prime sponsors of any decision to reallocate funds, and shall publish any such decision in the Federal Register. Any such funds shall be reallocated to other areas within the same State." 29 USC 966. Publication in Federal Register.

PLACEMENT GOALS

SEC. 103. Section 211 of the Comprehensive Employment and Training Act of 1973 is amended by striking out "PROVISION" in the title and inserting in lieu thereof "PROVISIONS", by inserting "(a)" immediately before the first sentence, and by adding at the end thereof the following new subsection: 29 USC 851.

"(b) No officer or employee of the Department of Labor shall, by regulation or otherwise, impose on any eligible applicant, as a condition for the receipt of financial assistance under this title, any requirement that any eligible applicant must place in other jobs a specific

number or proportion of public service jobholders supported under this title. The Secretary may establish placement goals for eligible applicants, except that such goals must be identified as goals, not requirements, and any form or other document developed pursuant to such regulations shall give written notice to that effect. Any eligible applicant shall have the right, clearly stated in such regulations, to request a waiver of such goals if, in his judgment, such goals are not feasible. Such waiver, a request for which may be submitted at any time, may be granted by the Secretary where, in his judgment, local conditions warrant it. Wherever such a waiver has been granted, failure to meet placement goals shall not be cited in any official review or evaluation of that eligible applicant's programs."

Waiver.

VETERANS' EMPLOYMENT PROVISIONS

38 USC 2002 note.

SEC. 104. (a) The Director of the Veterans' Employment Service, Department of Labor, established by section 2002 of title 38, United States Code, together with the Secretary and Under Secretary of Labor and such Assistant Secretaries of Labor as the Secretary may designate, shall be responsible for formulating and monitoring the implementation of all departmental policies and programs as they affect veterans, especially those relating to unemployment, job training, employment, and placement under any provision of law.

(b) The Secretary of Labor, in consultation and cooperation with the Administrator of Veterans' Affairs and the Secretary of Health, Education, and Welfare, shall provide for an outreach and public information program utilizing, to the maximum extent, the facilities of the Departments of Labor and Health, Education, and Welfare and the Veterans' Administration in order to (A) exercise maximum efforts to produce jobs and job training opportunities for individuals who served in the Armed Forces and were discharged within 4 years before the date of their application for such jobs or job training and inform all eligible veterans about employment, job training, on-the-job training, and educational opportunities, under the Comprehensive Employment and Training Act of 1973, as amended by this Act, as provided for under title 38, United States Code, and under any other provision of law, and (B) inform all eligible applicants under the Comprehensive Employment and Training Act of 1973, Federal contractors and subcontractors, all Federal departments and agencies, educational institutions, labor unions, and other employers, of their responsibilities under this subsection and under all such laws, and (C) provide the entities described in clause (B) of this subsection technical assistance in carrying out those responsibilities. The Secretary of Labor, in consultation and cooperation with the Administrator of Veterans' Affairs and the Secretary of Health, Education, and Welfare shall report to the appropriate committees of the Congress not later than 90 days after the date of enactment of this Act on the steps taken and regulations issued to carry out the provisions of this section and of section 205(c)(5) of the Comprehensive Employment and Training Act of 1973.

29 USC 801 note.
38 USC 101 *et seq.*

Report to congressional committees.

29 USC 845.

SPECIAL REPORT

29 USC 849.

SEC. 105. Section 209 of such Act is amended by striking out "Sec. 209." and inserting in lieu thereof "Sec. 209. (a)". and by adding at the end of such section the following new subsection:

"(b) In compiling the data which the Secretary is required to report to the Congress under section 208(e), the Secretary shall obtain and compile information on practices and procedures implemented by prime sponsors affecting average annual wage rates paid to public service job holders and public service job opportunities described

29 USC 848.

under this title. The Secretary is authorized to make general recommendations to prime sponsors, on a regional and area basis, as he may deem appropriate, consistent with section 208(a)(3) (relating to the maximum annual wage rate per public service job holder), taking into account average wages in the various areas served and the cost of living in such areas, with the aim of maintaining the number of jobs on a nationwide average in federally supported wage rates equivalent to $7,800 per public service job holder." 29 USC 848.

TECHNICAL AMENDMENTS

SEC. 106. (a) Section 201 of the Comprehensive Employment and Training Act of 1973 is amended by striking out the words "of substantial unemployment" and inserting in lieu thereof "qualifying for assistance". 29 USC 841.

(b) Section 202(a) of such Act is amended by inserting before the words "under this title" the following: "for use in areas of substantial unemployment". 29 USC 842.

(c) Section 204(a)(2) of such Act is amended by striking out "and which include areas of substantial unemployment". 29 USC 844.

(d) (1) Section 204(d)(1) of such Act is amended by striking out the words "of substantial unemployment" each place they appear and inserting "qualifying for assistance".

(2) Section 204(d)(3) of such Act is amended by striking out "of substantial unemployment" and inserting in lieu thereof "qualifying for assistance".

(e) Section 205(a) of such Act is amended by striking out "of substantial unemployment" and inserting in lieu thereof "qualifying for assistance". 29 USC 845.

(f) Section 205(c)(3) of such Act is amended by striking out "areas of substantial unemployment" and inserting in lieu thereof "area qualifying for assistance".

(g) Section 210 of such Act is amended by striking out "for residents of the areas of substantial unemployment designated under this title" and inserting in lieu thereof the following: "for residents of the area qualifying for such assistance". 29 USC 850.

MISCELLANEOUS PROVISIONS

SEC. 107. (a) Section 701(a)(7) of such Act (as redesignated by section 101 of this Act) is amended by inserting after "education," the following: "child care,". 29 USC 981.

(b) Section 701(a)(7) of such Act (as redesignated by section 101 of this Act) is further amended by inserting after "work" the following: ", including part-time work for individuals who are unable, because of age, handicap, or other factors, to work full time,".

(c) Section 701(a) of such Act (as redesignated by section 101 of this Act) is amended by inserting after paragraph (13) the following new paragraph:

"(14) 'veterans outreach' means the veterans outreach services program carried out under subchapter IV of chapter 3 of title 38, United States Code, with full utilization of veterans receiving educational assistance or vocational rehabilitation under chapter 31 or 34 of such title 38." "Veterans outreach." 38 USC 240. 38 USC 1501, 1651.

(d) Section 703(1) of such Act (as redesignated by section 101 of this Act) is amended by inserting after "sex," the following: "age,". 29 USC 983.

NATIONAL ADVISORY COUNCIL ON VOCATIONAL EDUCATION

SEC. 108. Section 104(a) of the Vocational Education Act of 1963 (as amended) is amended by adding at the end thereof a new paragraph as follows: 20 USC 1244.

"(6) The National Council may accept gifts or grants and may accept transfer of funds from other departments or agencies.".

TITLE II—SPECIAL UNEMPLOYMENT ASSISTANCE PROGRAM

STATEMENT OF PURPOSE

26 USC 3304 note.

SEC. 201. It is the purpose of this title to establish a temporary Federal program of special unemployment assistance for workers who are unemployed during a period of aggravated unemployment and who are not otherwise eligible for unemployment allowances under any other law.

GRANTS TO STATES: AGREEMENT WITH STATES

26 USC 3304 note.

SEC. 202. Each State which enters into an agreement with the Secretary of Labor, pursuant to which it makes payments of special unemployment assistance in accordance with the provisions of this title and the rules and regulations prescribed by the Secretary of Labor hereunder, shall be paid by the United States from time to time, prior to audit or settlement by the General Accounting Office, such amounts as are deemed necessary by the Secretary of Labor to carry out the provisions of this title in the State. Assistance may be paid under this title to individuals only pursuant to such an agreement.

ELIGIBLE INDIVIDUALS

26 USC 3304 note.

SEC. 203. An individual shall be eligible to receive a payment of assistance or waiting period credit with respect to a week of unemployment occurring during and subsequent to a special unemployment assistance period in accordance with the provisions of this title if—

(1) the individual is not eligible for compensation under any State or Federal unemployment compensation law (including the Railroad Unemployment Insurance Act (45 U.S.C. 351 et seq.)) with respect to such week of unemployment, and is not receiving compensation with respect to such week of unemployment under the unemployment compensation law of Canada and is not eligible for assistance or an allowance payable with respect to such week of unemployment under such laws as the Public Works and Economic Development Act Amendments of 1974, the Disaster Relief Act of 1974, the Trade Expansion Act of 1962, as amended, or any successor legislation or similar legislation, as determined by the Secretary: *Provided*, That the individual meets the qualifying employment and wage requirements of the applicable State unemployment compensation law in a base year which, notwithstanding the State law, shall be the fifty-two-week period preceding the first week with respect to which the individual: (1) files a claim for assistance or waiting period credit under this title; (2) is totally or partially unemployed; and (3) meets such qualifying employment and wage requirements; and for the purpose of this proviso employment and wages which are not covered by the State law shall be treated as though they were covered, except that employment and wages covered by any State or Federal unemployment compensation law, including the Railroad Unemployment Insurance Act (45 U.S.C. 351 et seq.), shall be excluded to the extent that the individual is or was entitled to compensation for unemployment thereunder on the basis of such employment and wages; and

Ante, p. 143. 19 USC 1801 note.

(2) the individual is totally or partially unemployed, and is able to work, available for work, and seeking work, within the meaning of, or as required by, the applicable State unemployment compensation law, and is not subject to disqualification under that law; and

(3) the individual has filed a claim for assistance or waiting period credit under this title; and

(4) in the area in which the individual was last employed for at least five work days prior to filing a claim under this title for assistance or waiting period credit with respect to such week of unemployment, a special unemployment assistance period is in effect with respect to such week of unemployment: *Provided*, That if the individual, except for the imposition of a disqualification in accordance with subsection (b), was otherwise eligible for a payment of assistance or waiting period credit under this title with respect to a week of unemployment which began during a special unemployment assistance period, but did not exhaust entitlement to assistance during such period, entitlement shall continue after the end of the period but no assistance shall be paid under this title for any week of unemployment that begins more than twenty-six weeks after the end of such period; and

(5) the State in which the individual was last employed for at least five work days prior to filing a claim under this title for assistance or waiting period credit with respect to such week of unemployment, has an agreement with the Secretary of Labor under section 202 which is in effect with respect to such week of unemployment.

SPECIAL UNEMPLOYMENT ASSISTANCE PERIOD

SEC. 204. (a) A special unemployment assistance period shall commence in an area designated by the Secretary with the third week after the first week for which the Secretary determines that there is an "on" indicator for such area, and shall terminate with the third week after the first week for which the Secretary determines that there is an "off" indicator for such area except that no special unemployment assistance period shall have a duration of less than thirteen weeks. 26 USC 3304 note.

(b) The Secretary shall designate as an area under this section areas served by an entity which is eligible to be a prime sponsor under section 102(a) of the Comprehensive Employment and Training Act of 1973 (Public Law 93-203). 29 USC 812.

(c) There is an "on" indicator in an area for a week if for the most recent three consecutive calendar months for which data are available the Secretary determines that—

(1) the rate (seasonally adjusted) of national unemployment averaged 6 per centum or more; or

(2) the rate of unemployment in the area averaged 6.5 per centum or more.

(d) There is an "off" indicator for a week, if for the most recent three consecutive calendar months for which data are available the Secretary determines that both subsections (c)(1) and (c)(2) are not satisfied.

(e) The determinations made under this section shall take into account the rates of unemployment for three consecutive months, even though any or all of such months may have occurred not more than three complete calendar months prior to the enactment of this Act.

WEEKLY BENEFIT AMOUNT

SEC. 205. (a) The amount of assistance under this title to which an eligible individual shall be entitled for a week of unemployment shall 26 USC 3304 note.

be the weekly benefit amount for a week of unemployment that would be payable to the individual as regular compensation as computed under the provisions of the applicable State unemployment compensation law: *Provided*, That in computing the weekly benefit amount under this subsection the individual's base year, notwithstanding the State law, shall be the fifty-two-week period preceding the first week with respect to which the individual: (1) files a claim for assistance or waiting period credit under this title; (2) is totally or partially unemployed; and (3) meets the qualifying employment and wage requirements of subsection (a) of section 203; and for the purpose of this proviso employment and wages which are not covered by the applicable State unemployment compensation law shall be treated as though they were covered, except that employment and wages covered by any State or Federal unemployment compensation law, including the Railroad Unemployment Insurance Act (45 U.S.C. 351 et seq.), shall be excluded to the extent that the individual is or was entitled to compensation for unemployment thereunder on the basis of such employment and wages.

45 USC 367.

(b) Notwithstanding any provisions of State law, claims for assistance under this title may be determined, where an employment record is not available, on the basis of an affidavit submitted by an applicant. If an applicant knowingly provides false information in such affidavit, he shall be ineligible for any assistance under this title and shall, in addition, be subject to prosecution under section 1001 of title 18, United States Code.

MAXIMUM BENEFIT AMOUNT

26 USC 3304 note.

SEC. 206. The maximum amount of assistance under this title which an eligible individual shall be entitled to receive shall be the maximum amount of regular compensation that would be payable to such individual as computed under the provisions of the applicable State unemployment compensation law, but not exceeding twenty-six times the weekly benefit amount payable to the individual for a week of total unemployment as determined under subsection (a) of section 205: *Provided*, That for the purposes of this subsection the individual's base year, notwithstanding the State law, shall be the fifty-two-week period preceding the first week with respect to which the individual: (1) files a claim for assistance or waiting period credit under this title; (2) is totally or partially unemployed; and (3) meets the qualifying employment and wage requirements of section 203(a); and for the purpose of this proviso employment and wages which are not covered by the State law shall be treated as though they were covered, except that employment and wages covered by any State or Federal unemployment compensation law, including the Railroad Unemployment Insurance Act (45 U.S.C. 351 et seq.), shall be excluded to the extent that the individual is or was entitled to compensation for unemployment thereunder on the basis of such employment and wages.

APPLICABLE STATE LAW PROVISIONS

26 USC 3304 note.

SEC. 207. Except where inconsistent with the provisions of this title, the terms and conditions of the applicable State unemployment compensation law which apply to claims thereunder for regular compensation and the payment thereof shall apply to claims for assistance under this title and the payment thereof.

TERMINATION DATE

26 USC 3304 note.

SEC. 208. Notwithstanding any other provisions of this title, no payment of assistance under this title shall be made to any individual with

respect to any week of unemployment ending after March 31, 1976; and no individual shall be entitled to any compensation with respect to any initial claim for assistance or waiting period credit made after December 31, 1975.

AUTHORIZATION OF APPROPRIATIONS

SEC. 209. There are hereby authorized to be appropriated for purposes of this title such sums as may be necessary. 26 USC 3304 note.

DEFINITIONS

SEC. 210. (a) As used in the title, the term— 26 USC 3304 note.

(1) "Secretary" means the Secretary of Labor;

(2) "State" means the States of the United States, the District of Columbia, Puerto Rico, and the Virgin Islands;

(3) "applicable State unemployment compensation law" means the law of the State in which the individual was last employed for at least five work days prior to filing a claim for assistance or waiting period credit under this title; and

(4) "week" means a calendar week.

(b) Assistance under this title shall not be considered to be regular compensation for purposes of qualifying for benefits under the Federal-State Extended Unemployment Compensation Act of 1970, and claims filed under this title shall not be treated as claims for weeks of unemployment for purposes of determining the rate of insured unemployment under section 203(f)(1) of such Act. 26 USC 3304 note. 26 USC 3304 note.

TITLE III—JOB OPPORTUNITIES PROGRAM

SEC. 301. The Public Works and Economic Development Act of 1965 is amended by adding at the end thereof the following new title:

"TITLE X—JOB OPPORTUNITIES PROGRAM

"STATEMENT OF PURPOSE

"SEC. 1001. It is the purpose of this title to provide emergency financial assistance to stimulate, maintain or expand job creating activities in areas, both urban and rural, which are suffering from unusually high levels of unemployment. 42 USC 3246.

"DEFINITIONS

"SEC. 1002. For the purpose of this title— 42 USC 3246a.

"(1) the term 'eligible area' means—

"(A) any area, which the Secretary of Labor designates as an area which has a rate of unemployment, equal to or in excess of 6.5 per centum for three consecutive months.

"(B) any area designated pursuant to section 204(c) of the Comprehensive Employment and Training Act of 1973, and 29 USC 844.

"(C) any area which is designated by the Secretary of Commerce pursuant to section 401 of the Public Works and Economic Development Act of 1965 as a redevelopment area. 42 USC 3161.

"PROGRAM AUTHORIZED

"SEC. 1003. (a) To carry out the purposes of this title, the Secretary of Commerce, in accordance with the provisions of this title, is authorized from funds appropriated and made available under section 1007 of this title to provide financial assistance to programs and projects 42 USC 3246b.

identified through the review process described in section 1004 to expand or accelerate the job creating impact of such programs or projects for unemployed persons in eligible areas. Programs and projects for which funds are made available under this title shall not be approved until the officials of the appropriate units of general government in the affected area have an adequate opportunity to comment on the specific proposal.

"(b) Whenever funds are made available by the Secretary of Commerce under this title for any program or project, the head of the department, agency, or instrumentality of the Federal Government administering the law authorizing such assistance shall, except as otherwise provided in this subsection, administer the law authorizing such assistance in accordance with all applicable provisions of that law, except provisions relating to—

"(1) requiring allocation of funds among the States,

"(2) limits upon the total amount of such grants for any period, and

"(3) the Federal contribution to any State or local government, whenever the President or head of such department, agency, or instrumentality of the Federal Government determines that any non-Federal contribution cannot reasonably be obtained by the State or local government concerned.

"(c) Where necessary to effectively carry out the purposes of this title, the Secretary of Commerce is authorized to initiate programs in eligible areas.

Allocation of funds.

"(d) In allocating funds under this title, the Secretary of Commerce shall give priority consideration to—

"(1) the severity of unemployment in the area; and

"(2) the appropriateness of the proposed activity in relating to the number and needs of unemployed persons in eligible areas.

"(e) Notwithstanding any other provision of this title, funds allocated by the Secretary of Commerce shall be available only for programs or projects which the Secretary of Commerce and the Secretary of Labor jointly determine are programs or projects—

"(1) which will contribute significantly to the reduction of unemployment in the eligible area;

"(2) which can be initiated or strengthened promptly;

"(3) a substantial portion of which can be completed within 12 months after such allocation is made;

"(4) which are not inconsistent with locally approved comprehensive plans for the jurisdiction affected, whenever such plans exist; and

"(5) which will be approved giving first priority to programs and projects which are most labor intensive.

"PROGRAM REVIEW

42 USC 3246c.
Ante, p. 1845.
40 USC app. 101.
42 USC 3182.

"SEC. 1004. Within 45 days after the date of enactment of the Emergency Jobs and Unemployment Assistance Act of 1974, each department, agency or instrumentality of the Federal government, and each regional commission established by section 101 of the Appalachian Regional Development Act of 1965 or pursuant to section 502 of this Act, shall (1) complete a review of its budget, plans and program including State, substate and local development plans filed with such department, agency or commission; (2) evaluate the job creation effectiveness of programs and projects for which funds are proposed to be obligated in calendar year 1975 and additional programs and projects for which funds could be obligated in such year with Federal financial assistance under this title; and (3) submit to the Secretary of Commerce and the Secretary of Labor recommendations for programs and projects which have the potential to stimulate the creation of

jobs for unemployed persons in eligible areas. Within 30 days of the receipt of such recommendations the Secretary of Commerce and the Secretary of Labor shall jointly review such recommendations, and the Secretary of Commerce shall after consultation with such department, agency, instrumentality, and regional commissions, make allocations of funds in accordance with section 1003(e) of this title.

"LIMITATIONS ON USE OF FUNDS

42 USC 3246d.

"SEC. 1005. Fifty per centum of the funds appropriated pursuant to section 1007 of this title shall be available only for programs and projects in which not more than 25 percent of such funds will be expended for necessary non-labor costs.

"RULES AND REGULATIONS

42 USC 3246e.

"SEC. 1006. The Secretary of Commerce shall prescribe such rules, regulations, and procedures to carry out the provisions of this title as will assure that adequate consideration is given to the relative needs of applicants for assistance in rural eligible areas and the relative needs of applicants for assistance in urban eligible areas and to any equitable distribution of funds authorized under this title between rural and urban eligible applicants.

"AUTHORIZATION OF APPROPRIATIONS

42 USC 3246f.

"SEC. 1007. There are authorized to be appropriated $500,000,000 for the fiscal year 1975 to carry out the provisions of this title, except that no further obligation of funds appropriated under this section may be made subsequent to a determination that the national average rate of unemployment has receded below 6.5 per centum for three consecutive calendar months as determined by the Secretary of Labor. Any amounts so appropriated for such fiscal year which are not obligated prior to the end of such fiscal year shall remain available for obligation until December 31, 1975.

"TERMINATION DATE

42 USC 3246g.

"SEC. 1008. Notwithstanding any other provision of this title, no further obligation of funds appropriated under this title shall be made by the Secretary of Commerce after December 31, 1975."

42 USC 3222.

"SEC. 302. Section 712 of the Public Works and Economic Development Act of 1965 is amended by striking "or 403" and inserting in lieu thereof "403, 903, and 1003".

Approved December 31, 1974.

Public Law 93-568

JOINT RESOLUTION

December 31, 1974
[S. J. Res. 40]

To authorize and request the President to call a White House Conference on Library and Information Services not later than 1978, and for other purposes.

Whereas access to information and ideas is indispensable to the development of human potential, the advancement of civilization, and the continuance of enlightened self-government; and