

110TH CONGRESS  
1ST SESSION

# H. R. 4637

To amend the Fair Labor Standards Act to provide for the calculation of the minimum wage based on the Federal poverty threshold for a family of 3, as determined by the Census Bureau.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2007

Mr. AL GREEN of Texas introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To amend the Fair Labor Standards Act to provide for the calculation of the minimum wage based on the Federal poverty threshold for a family of 3, as determined by the Census Bureau.

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

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Living American Wage  
5       (LAW) Act of 2007”.

6       **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

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

1           (1) In 2007, there are 37,000,000 Americans  
2           living in poverty who are separated from the oppor-  
3           tunities of the Nation by their income, their housing,  
4           and their access to education, jobs, and health care.

5           (2) A full-time worker earning the Federal min-  
6           imum wage earns an income below the Federal pov-  
7           erty threshold for a family of 3, consisting of 2  
8           adults, and 1 child.

9           (3) A full-time worker earning the Federal min-  
10          imum wage earns an income below the average rent  
11          for a 1-bedroom apartment.

12          (4) Two full-time workers earning the Federal  
13          minimum wage earn an income below the national  
14          housing wage, the amount a person needs to earn to  
15          afford a 2-bedroom apartment at average rent.

16          (b) SENSE OF CONGRESS.—It is the sense of Con-  
17          gress that—

18               (1) the Federal minimum wage should, as a  
19               minimum, be adjusted every 4 years so that a person  
20               working for such a wage may earn an annual income  
21               that is not less than 5 percent higher than the Fed-  
22               eral poverty threshold for a family of 3, as deter-  
23               mined by the Census Bureau;

24               (2) the minimum wage should be set at a level  
25               high enough to allow 2 full-time minimum wage

1 workers to earn an income above the national hous-  
2 ing wage; and

3 (3) Congress or any of the several States may  
4 establish a higher minimum wage requirement than  
5 that established in this Act.

6 **SEC. 3. MINIMUM WAGE.**

7 Section 6 of the Fair Labor Standards Act of 1938  
8 is amended—

9 (1) by amending subsection (a)(1) to read as  
10 follows:

11 “(1) except as otherwise provided in this sec-  
12 tion—

13 “(A) \$5.85 an hour beginning July 24,  
14 2007;

15 “(B) not less than \$6.55 an hour begin-  
16 ning July 24, 2008;

17 “(C) not less than \$7.25 an hour begin-  
18 ning July 24, 2009; and

19 “(D) not less than the amount determined  
20 by the Secretary under subsection (b) beginning  
21 September 1, 2008;” and

22 (2) by redesignating subsection (b) as sub-  
23 section (c) and inserting after subsection (a) the fol-  
24 lowing:

1       “(b)(1) Not later than June 1, 2008, and once every  
2 4 years thereafter, the Secretary shall determine the min-  
3 imum wage rate applicable under subsection (a)(1) based  
4 on the formula described in paragraph (2). The Secretary  
5 shall publish such wage rate in the Federal Register not  
6 later than October 1 of each year. If such determination  
7 results in a lower minimum wage than that then in effect,  
8 the Secretary shall not adjust the minimum wage then in  
9 effect pursuant to this subsection.

10       “(2) The minimum wage rate determined by the Sec-  
11 retary under paragraph (1) shall be the minimum hourly  
12 wage sufficient for a person working for such wage 40  
13 hours per week, 52 weeks per year, to earn an annual in-  
14 come in an amount that is 5 percent higher than the Fed-  
15 eral poverty threshold for a 3-person household, with one  
16 person a child under age 18, and living in the 48 contig-  
17 uous States, as published for each such year by the Census  
18 Bureau.”.

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