

111TH CONGRESS
1ST SESSION

H. R. 4268

To direct the Secretary of Labor to make grants to States, units of general local government, and Indian tribes for the purpose of creating employment opportunities for unemployed and underemployed residents in distressed communities.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 10, 2009

Mr. ELLISON (for himself, Ms. CHU, Mr. CONYERS, Ms. MOORE of Wisconsin, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HARE, Ms. KILPATRICK of Michigan, Ms. FUDGE, Mr. HASTINGS of Florida, Mr. DAVIS of Illinois, Mr. CLEAVER, Mr. JACKSON of Illinois, Mr. SCOTT of Georgia, Ms. LEE of California, Mr. TOWNS, Mr. COSTA, Mr. COHEN, Mr. DELAHUNT, Mr. THOMPSON of Mississippi, Ms. CLARKE, Mr. LEWIS of Georgia, Mr. PAYNE, Mr. WATT, Mr. PRICE of North Carolina, Mr. GRIJALVA, Mr. KENNEDY, Mr. CUMMINGS, Mr. GUTIERREZ, Ms. WATERS, Ms. KAPTUR, Mr. KUCINICH, Ms. EDWARDS of Maryland, Mr. BACA, Mr. SIRES, Ms. SCHAKOWSKY, Mr. HONDA, Mr. RAHALL, Mr. LOEBSACK, Ms. JACKSON-LEE of Texas, and Mr. CLAY) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To direct the Secretary of Labor to make grants to States, units of general local government, and Indian tribes for the purpose of creating employment opportunities for unemployed and underemployed residents in distressed communities.

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 may be cited as the “Put America to Work
3 Act of 2009”.

4 **SEC. 2. GRANTS TO STATES, UNITS OF GENERAL LOCAL**
5 **GOVERNMENT, AND INDIAN TRIBES.**

6 (a) **ESTABLISHMENT.**—Subject to the availability of
7 appropriations for such purpose, the Secretary of Labor
8 shall make grants to States, units of general local govern-
9 ment, and Indian tribes to carry out activities in accord-
10 ance with this Act.

11 (b) **PURPOSE.**—The purpose of this program is to
12 create employment opportunities for unemployed and un-
13 deremployed residents of distressed communities in activi-
14 ties designed to address community needs and reduce dis-
15 parities in health, housing, education, job readiness, and
16 public infrastructure that have impeded these communities
17 from realizing their full economic potential.

18 (c) **ELIGIBILITY.**—For purposes of the grant pro-
19 gram under this Act, an eligible entity is—

20 (1) a unit of general local government, includ-
21 ing a metropolitan city or an urban county;

22 (2) a State; or

23 (3) an Indian tribe.

24 (d) **USE OF FUNDS.**—A recipient of a grant under
25 this section shall use the grant for the following purposes:

1 (1) For the 9-month period after the date of
2 the enactment of this Act, the grant shall be used
3 only to fund the following types of fast-track job
4 placements:

5 (A) The painting and repair of schools,
6 community centers, and libraries.

7 (B) The restoration and revitalization of
8 abandoned and vacant properties to alleviate
9 blight in distressed and foreclosure-affected
10 areas of a unit of general local government.

11 (C) The expansion of emergency food pro-
12 grams to reduce hunger and promote family
13 stability.

14 (D) The augmentation of staffing in Head
15 Start, child care, and other early childhood edu-
16 cation programs to promote school readiness
17 and early literacy.

18 (E) The renovation and enhancement of
19 maintenance of parks, playgrounds, and other
20 public spaces.

21 (2) During the 9-month period after the date of
22 the enactment of this Act, the grant recipients shall
23 consult with community leaders, including labor or-
24 ganizations, non-profit organizations, local govern-
25 ment officials, and local residents to—

1 (A) assess the needs of the community
2 served by the grant recipient;

3 (B) determine sectors of the local economy
4 that are in need of employees;

5 (C) make recommendations for new em-
6 ployment opportunities in the areas described in
7 paragraph (3); and

8 (D) assess the effectiveness of job place-
9 ments made under paragraph (1).

10 (3) Not later than 9 months after the recipient
11 of a grant begins to use the grant to fund fast-track
12 job placements under paragraph (1), the recipient
13 shall use the remaining amount of the grant to make
14 grants to public entities, nonprofit organizations,
15 public-private partnerships, or small businesses to
16 create opportunities for employment in the following
17 areas:

18 (A) Construction, re-construction, rehabili-
19 tation, and site improvements of residences or
20 public facilities, including improvements in the
21 energy efficiency or environmental quality of
22 such public facilities or residences.

23 (B) Provision of human services, including
24 child care services, health care services, edu-
25 cation, or recreational programs.

1 (C) The remediation and demolition of va-
2 cant and abandoned properties to eliminate
3 blight.

4 (D) Programs that provide disadvantaged
5 youth with opportunities for employment, edu-
6 cation, leadership development, entrepreneurial
7 skills development, and training.

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

10 (1) agree to comply with the nondiscrimination
11 policy set forth under section 109 of the Housing
12 and Community Development Act of 1974 (42
13 U.S.C. 5309);

14 (2) allocate not less than 80 percent of the
15 funding allocated to each project funded under the
16 grant to wages, benefits, and support services, in-
17 cluding child care services, for individuals employed
18 on such project;

19 (3) ensure that employment on any project
20 funded under the grant is carried out in accordance
21 with subsection (f);

22 (4) institute an outreach program with commu-
23 nity organizations and service providers in low-in-
24 come communities to provide information about
25 placements funded under the grant to individuals

1 suited to perform community infrastructure work;
2 and

3 (5) ensure that not less than 35 percent of indi-
4 viduals employed under the grant are individuals
5 described in paragraph (5)(B) of subsection (f).

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

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

10 (A) employ such individual for not less
11 than 12 months;

12 (B) employ such individual for not less
13 than 30 hours per week;

14 (C) comply with responsible contractor
15 standards, as determined by the relevant official
16 in the unit of local general government;

17 (D) provide compensation to such indi-
18 vidual equal to that which is paid to employees
19 who have been employed to perform similar
20 work prior to the date such individual was
21 hired; and

22 (E) if such employment is in construction,
23 provide compensation to any laborer or me-
24 chanic employed under the grant at rates not
25 less than those prevailing on similar construc-

1 tion in the locality as determined by the Sec-
2 retary of Labor in accordance with subchapter
3 IV of chapter 31 of title 40, United States
4 Code.

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

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

11 (B) negotiations have taken place between
12 such union and the employer as to the terms
13 and conditions of such employment.

14 (3) An individual whose employment is funded
15 under this Act may not displace other employees
16 whose employment is not funded under this Act. A
17 grant recipient under this Act may not hire an em-
18 ployee or employees with funds under this Act for
19 any employment which the grant recipient would
20 otherwise hire an employee who has been furloughed.

21 (4) An individual whose employment is funded
22 under this Act shall be—

23 (A) unemployed for not less than 26 weeks
24 prior to the receipt of the grant, as verified by
25 the State or local department of labor, depart-

ment of welfare, or similar office charged with maintaining records of unemployment; or

(B) unemployed for not less than 30 days prior to the receipt of the grant and be a low-income individual who is a member of a targeted group (as defined by section 51(d) of the Internal Revenue Code of 1986) as verified by the State or local department of labor, department of welfare, or similar office charged with maintaining records of unemployment.

For purposes of subparagraph (B), the hiring date (as defined in section 51(d)(11) of such Code) shall be the hiring date by an employer who receives a grant pursuant to this section.

(g) AWARD OF GRANTS.—

(1) SELECTION CRITERIA.—In selecting a project to receive funding for employing the individuals described in subsection (f)(5), a grant recipient shall consider—

(A) the input of all participants in a proposed project, including labor organizations, community organizations, and employers;

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

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

3 (D) any recommendations for programs
4 and activities developed to meet such needs.

5 (2) PRIORITY GIVEN TO CERTAIN PROJECTS.—

6 A grant recipient under this section shall give pri-
7 ority to projects that—

8 (A) serve areas with the greatest level of
9 economic need, determined for each such area
10 by—

11 (i) the unemployment rate;

12 (ii) the rate of poverty;

13 (iii) the number of census tracts with
14 concentrated poverty;

15 (iv) the lowest median income;

16 (v) the percentage of vacant and
17 abandoned properties;

18 (vi) the percentage of home fore-
19 closures; and

20 (vii) the indicators of poor resident
21 health, including high rates of chronic dis-
22 ease, infant mortality, and life expectancy;

23 (B) integrate education and job skills
24 training, including basic skills instruction and
25 secondary education services;

1 (C) coordinate to the maximum extent fea-
2 sible with pre-apprenticeship and apprenticeship
3 programs; and

4 (D) provide jobs in sectors where job
5 growth is most likely, as determined by the Sec-
6 retary, and in which career advancement
7 opportunitites exist to maximize long-term, sus-
8 tainable employment for individuals after em-
9 ployment funded under this Act ends.

10 (h) ALLOCATION OF GRANTS.—

11 (1) GRANTS FOR INDIAN TRIBES AND DEPOSITS
12 INTO DISCRETIONARY FUND.—Not more than
13 5percent of the funds appropriated to carry out this
14 Act for any fiscal year shall be reserved for grants
15 to Indian tribes and for deposit into a discretionary
16 fund established by the Secretary for national dem-
17 onstration projects and multi-jurisdictional projects.

18 (2) GRANTS TO STATES.—Not more than 30
19 percent of funds appropriated to carry out this Act
20 for any fiscal year shall be allocated to States to dis-
21 tribute to units of general local government that do
22 not qualify for funds under paragraph (3).

23 (3) GRANTS TO UNITS OF GENERAL LOCAL
24 GOVERNMENT.—Grant funds that are not reserved
25 under paragraphs (1) and (2) shall be allocated to

1 metropolitan cities and urban counties using the for-
2 mula under section 106(b) of the Housing and Com-
3 munity Development Act of 1974 (42 U.S.C.
4 5306(b)).

5 (i) REPORTS.—

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

12 (A) A description of the progress made in
13 accomplishing the objectives of this chapter.

14 (B) A summary of the use of the grant
15 during the preceding fiscal year.

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

24 (D) For States, a listing of each unit of
25 general local government receiving funds and

1 the amount of such grants, as well as a brief
2 summary of the projects funded for each such
3 unit, the extent of financial participation by
4 other public or private entities, and the impact
5 on employment and economic activity of such
6 projects during the previous fiscal year.

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

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

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

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

21 (j) DEFINITIONS.—In this section:

22 (1) The term “State” has the meaning given
23 such term in section 5302(2) of title 42, United
24 States Code.

1 (2) The term “unit of general local govern-
2 ment” has the meaning given such term in section
3 5302(1) of title 42, United States Code.

4 (3) The term “Indian tribe” has the meaning
5 given such term in section 5302(17) of title 42,
6 United States Code.

7 (4) The term “small business” has the meaning
8 given the term “small business concern” under sec-
9 tion 3 of the Small Business Act (15 U.S.C. 632).

10 (5) The term “metropolitan city” has the mean-
11 ing given such term in section 5302(4) of title 42,
12 United States Code.

13 (6) The term “urban county” has the meaning
14 given such term in section 5302(6) of title 42,
15 United States Code.

16 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

17 There is authorized to be appropriated
18 \$40,000,000,000 for each of fiscal years 2010 and 2011
19 to carry out this Act. Amounts appropriated pursuant to
20 this section shall remain available until expended.

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