

## HR 3638

Act for the 99%

**Congress:** 112 (2011–2013, Ended)

**Chamber:** House

**Policy Area:** Economics and Public Finance

**Introduced:** Dec 13, 2011

**Current Status:** Referred to the Subcommittee on Insurance, Housing and Community Opportunity.

**Latest Action:** Referred to the Subcommittee on Insurance, Housing and Community Opportunity. (Feb 9, 2012)

**Official Text:** <https://www.congress.gov/bill/112th-congress/house-bill/3638>

### Sponsor

**Name:** Rep. Grijalva, Raúl M. [D-AZ-7]

**Party:** Democratic • **State:** AZ • **Chamber:** House

### Cosponsors (21 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Ellison, Keith [D-MN-5]	D · MN		Dec 13, 2011
Del. Christensen, Donna M. [D-VI-At Large]	D · VI		Dec 14, 2011
Rep. Bass, Karen [D-CA-33]	D · CA		Dec 14, 2011
Rep. Conyers, John, Jr. [D-MI-14]	D · MI		Dec 14, 2011
Rep. Filner, Bob [D-CA-51]	D · CA		Dec 14, 2011
Rep. Jackson, Jesse L., Jr. [D-IL-2]	D · IL		Dec 14, 2011
Rep. Kucinich, Dennis J. [D-OH-10]	D · OH		Dec 14, 2011
Rep. Lee, Barbara [D-CA-9]	D · CA		Dec 14, 2011
Rep. McGovern, James P. [D-MA-3]	D · MA		Dec 14, 2011
Rep. Woolsey, Lynn C. [D-CA-6]	D · CA		Dec 14, 2011
Rep. Capuano, Michael E. [D-MA-8]	D · MA		Dec 15, 2011
Rep. Johnson, Henry C. "Hank," Jr. [D-GA-4]	D · GA		Dec 15, 2011
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Dec 15, 2011
Rep. Chu, Judy [D-CA-32]	D · CA		Dec 16, 2011
Rep. Gutierrez, Luis V. [D-IL-4]	D · IL		Dec 16, 2011
Rep. Honda, Michael M. [D-CA-15]	D · CA		Dec 16, 2011
Rep. Jackson Lee, Sheila [D-TX-18]	D · TX		Dec 16, 2011
Rep. Nadler, Jerrold [D-NY-8]	D · NY		Dec 19, 2011
Rep. Waters, Maxine [D-CA-35]	D · CA		Dec 19, 2011
Rep. Cohen, Steve [D-TN-9]	D · TN		Jan 25, 2012
Rep. Hahn, Janice [D-CA-36]	D · CA		Jan 25, 2012

Committee Activity

Committee	Chamber	Activity	Date
Agriculture Committee	House	Referred To	Dec 13, 2011
Armed Services Committee	House	Referred To	Dec 13, 2011
Budget Committee	House	Referred To	Dec 13, 2011
Education and Workforce Committee	House	Referred To	Dec 13, 2011
Energy and Commerce Committee	House	Referred to	Dec 16, 2011
Financial Services Committee	House	Referred to	Feb 9, 2012
Financial Services Committee	House	Referred to	Feb 9, 2012
Foreign Affairs Committee	House	Referred To	Dec 13, 2011
Judiciary Committee	House	Referred To	Dec 13, 2011
Natural Resources Committee	House	Referred to	Jan 26, 2012
Natural Resources Committee	House	Referred to	Jan 26, 2012
Oversight and Government Reform Committee	House	Referred To	Dec 13, 2011
Science, Space, and Technology Committee	House	Referred To	Dec 13, 2011
Small Business Committee	House	Referred To	Dec 13, 2011
Transportation and Infrastructure Committee	House	Referred to	Dec 14, 2011
Transportation and Infrastructure Committee	House	Referred to	Dec 14, 2011
Transportation and Infrastructure Committee	House	Referred to	Dec 14, 2011
Transportation and Infrastructure Committee	House	Referred to	Dec 14, 2011
Veterans' Affairs Committee	House	Referred To	Dec 13, 2011
Ways and Means Committee	House	Referred To	Dec 13, 2011

Subjects & Policy Tags

Policy Area:

Economics and Public Finance

## Related Bills

Bill	Relationship	Last Action
112 HR 6392	Related bill	<b>Sep 14, 2012:</b> Referred to the Subcommittee on Health.
112 HR 3542	Related bill	<b>Dec 9, 2011:</b> Referred to the Subcommittee on Health.
112 HR 2914	Related bill	<b>Nov 18, 2011:</b> Referred to the Subcommittee on Higher Education and Workforce Training.
112 HR 3178	Related bill	<b>Nov 18, 2011:</b> Referred to the Subcommittee on Workforce Protections.
112 HR 3184	Related bill	<b>Nov 2, 2011:</b> Referred to the Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform .
112 HR 3313	Related bill	<b>Nov 2, 2011:</b> Referred to the House Committee on Ways and Means.
112 S 1757	Related bill	<b>Oct 20, 2011:</b> Referred to the Committee on Agriculture, Nutrition, and Forestry.
112 HR 3018	Related bill	<b>Sep 22, 2011:</b> Referred to the House Committee on Ways and Means.
112 S 1558	Related bill	<b>Sep 14, 2011:</b> Read twice and referred to the Committee on Finance.
112 HR 2875	Related bill	<b>Sep 13, 2011:</b> Referred to the Subcommittee on Economic Opportunity.
112 HR 2501	Related bill	<b>Sep 8, 2011:</b> Referred to the Subcommittee on Health, Employment, Labor, and Pensions.
112 HR 2857	Related bill	<b>Sep 7, 2011:</b> Referred to the House Committee on the Budget.
112 HR 2248	Related bill	<b>Jul 7, 2011:</b> Referred to the Subcommittee on Health.
112 HR 2423	Related bill	<b>Jul 6, 2011:</b> Referred to the House Committee on Oversight and Government Reform.
112 HR 1596	Related bill	<b>Apr 25, 2011:</b> Referred to the Subcommittee on Environment and the Economy.
112 HR 402	Related bill	<b>Mar 23, 2011:</b> Referred to the Subcommittee on Domestic Monetary Policy and Technology.
112 HR 72	Related bill	<b>Feb 25, 2011:</b> Referred to the Subcommittee on Higher Education and Workforce Training.
112 HR 780	Related bill	<b>Feb 17, 2011:</b> Referred to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, 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.
112 HR 589	Related bill	<b>Feb 14, 2011:</b> Referred to the Subcommittee on Human Resources.
112 HR 639	Related bill	<b>Feb 14, 2011:</b> Referred to the Subcommittee on Trade.
112 HR 601	Related bill	<b>Feb 10, 2011:</b> Referred to the House Committee on Ways and Means.
112 HR 191	Related bill	<b>Feb 1, 2011:</b> Referred to the Subcommittee on Health.
112 HR 413	Related bill	<b>Jan 25, 2011:</b> Referred to the House Committee on Armed Services.

Restore the American Dream for the 99% Act or Act for the 99% - **Title I: Emergency Job Creation to Rebuild America** - Emergency Jobs to Restore the American Dream Act - Directs the Secretary of Education to make grants to states for: (1) subgrants to local education agencies (LEAs) to modernize, renovate, or repair public school facilities; and (3) grants to pay maintenance costs. Requires LEAs to use such funds, to the maximum extent practicable, for green schools.

Authorizes appropriations to the Secretary for grants to institutions of higher education for an additional 250,000 part-time work-study jobs for students (Student Jobs Corps).

Authorizes appropriations to the Secretary of Agriculture and to the Secretary of the Interior to create additional 100,000 positions in the Public Lands Corps.

Authorizes the President to establish a Civilian Conservation Corps for specified activities in federal or state lands.

Authorizes appropriations for: (1) a Teacher Corps in elementary and secondary schools; (2) a Community Oriented Policing Services (COPS) program to hire an additional 40,000 state, local, and tribal career law enforcement officers; (3) a Firefighters Corps program to hire an additional 12,000 firefighters; and (4) a Community Corps to create an additional 750,000 jobs to perform energy audits, conservation upgrades, recycling, initial demanufacturing activities, urban land reclamation, rural conservation, public property maintenance and beautification, housing rehabilitation, and new housing construction.

Authorizes the Secretary of Health and Human Services (HHS) to grant financial assistance to health care or long-term care (LTC) providers to pay the costs of hiring and retaining additional health care or LTC professionals (Health Care Corps).

Amends the Head Start Act to direct the Secretary of HHS to provide funds to Early Head Start programs to hire additional infant and toddler specialists.

Makes appropriations to the Employment and Training Administration of the Department of Labor solely for on-the-job training.

Buy American Enhancement Act of 2011 - Prescribes Buy American requirements for items purchased under this Act.

Fairness and Transparency in Contracting Act of 2011 - Amends the Small Business Act to redefine independently owned and operated small business concerns to exclude publicly traded business concerns and subsidiaries as well as foreign-owned business concerns and subsidiaries. Requires the Administrator of the Small Business Administration (SBA) to report annually on prime federal contracts awarded to small business concerns for the purposes of achieving specified small business contracting goals of the federal government.

National Infrastructure Development Bank Act of 2011 - Establishes the National Infrastructure Development Bank (NIDB) as a wholly owned government corporation to provide financial assistance for transportation, environmental, energy, and telecommunications infrastructure projects of regional or national significance contributing to economic growth and job creation.

Wounded Veteran Job Security Act - Amends the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) to include as service in the uniformed services any period for which a person is absent from a position of employment for the purpose of obtaining medical treatment for a service-connected injury or illness or one for which a

"line of duty" document has been granted by the Secretary of Defense (DOD). Prescribes documentation requirements for an applicant for reemployment due to an absence for the purpose of obtaining such medical treatment.

Emergency Unemployment Compensation Extension Act of 2011 - Amends the Supplemental Appropriations Act, 2008 to extend until January 4, 2013, any federal-state agreement to make emergency unemployment compensation (EUC) payments.

Amends the Assistance for Unemployed Workers and Struggling Families Act to extend until January 4, 2013, full federal funding of extended unemployment compensation.

Emergency Unemployment Compensation Expansion Act of 2011 - Amends the Supplemental Appropriations Act, 2008 to authorize a state, if implementation of first-tier EUC would unduly delay the prompt EUC payments, to elect to pay second-tier, third-tier, or fourth-tier EUC.

Currency Reform for Fair Trade Act - Amends the Tariff Act of 1930 to include as a "countervailable subsidy" requiring action under a countervailing duty or antidumping duty proceeding the benefit conferred on merchandise imported into the United States from foreign countries with fundamentally undervalued currency.

Prioritize Emergency Job Creation Act - Amends the Balanced Budget and Emergency Deficit Control Act of 1985 (Gramm-Rudman-Hollings Act) with respect to the designation of FY2012-FY2021 appropriations for discretionary accounts for emergency job creation.

Fair Employment Opportunity Act of 2011 - Declares it an unlawful practice for certain employers with at least 15 employees for each working day in each of at least 20 calendar weeks in the current or preceding calendar year to: (1) refuse to consider or offer employment to an individual based on present or past unemployment regardless of the length of time such individual was unemployed; (2) publish an advertisement or announcement for any job with provisions indicating that such an unemployed status disqualifies an individual and that an employer will not consider an applicant based on such status; and (3) direct or request that an employment agency account for such status when screening or referring applicants.

Prohibits an employment agency (including agents and persons maintaining a website publishing job advertisements or announcements), based on such an individual's status as unemployed, from: (1) refusing to consider or refer an individual for employment; (2) limiting, segregating, or classifying individuals in any manner limiting access to job information; or (3) publishing an advertisement or announcement for any job vacancy that includes provisions indicating that such an individual is disqualified and that an employer will not consider such individuals.

New Jobs for America Act of 2011 - Directs the Secretary of Labor, subject to the availability of appropriations, to make grants to state and local governments and Indian tribes to carry out employment training programs to aid unemployed individuals in securing employment in a new area of expertise, particularly in emerging markets and industries (such as green technologies).

Makes certain funds available to the Secretary of Transportation (DOT) for restoration, repair, construction, and other eligible surface transportation activities as well as for passenger and freight rail transportation and port infrastructure projects.

Jobs NOW Act - Amends title IV part A (Grants to States for Temporary Assistance for Needy Families) (TANF) of the Social Security Act (SSA) to establish in the Treasury the Emergency Contingency Fund for State Temporary Assistance

for Needy Families Programs.

Amends the Gramm-Rudman-Hollings Act to repeal new discretionary spending limits.

**Title II: Responsible Savings and Fair Taxation** - Responsible End to the War in Afghanistan Act - Limits the obligation and expenditure of funds for operations of the Armed Forces in Afghanistan to the safe and orderly withdrawal from Afghanistan of all members of the Armed Forces and Department of Defense (DOD) contractor personnel.

Defense and Deficit Reduction Act - Freezes the aggregate amount of funds made available for DOD-administered military functions (other than military personnel pay, health benefits, and drug interdiction and counter-drug activities) at: (1) the FY2008 level for FY2011, and (2) the previous fiscal year level for each of FY2012-FY2016.

Places a permanent ceiling of 30,000 per fiscal year (with certain exceptions) on the end strength level of members of the Armed Forces assigned to permanent onshore duty in Europe and corresponding general end strength reductions. Specifies the breakdown of end strength levels for each of the services.

Terminates the V-22 Osprey aircraft program as of FY2012.

Amends the Internal Revenue Code to raise the basic range of income taxed at: (1) 15% from a maximum of \$36,900 to a maximum of \$69,000, (2) 28% from \$36,900-\$89,150 to \$69,000-\$139,350, (3) 31% from \$89,150-\$140,000 to \$212,300-\$379,150, (4) from \$140,000-\$250,000 to \$379,150-\$1 million, and (5) 39.6% from \$250,000-and-over to \$1 million-\$10 million. Prescribes new tax rates of 45%, 46%, 47%, 48%, and 49% for specified income levels above \$10 million to \$1 billion-and-over. Specifies the breakdown of such tax rates for heads of households, unmarried individuals, and married individuals filing separate returns.

Prescribes a special rule for recapture of lower capital gains rates for individuals subject to at least a 45% rate bracket.

End Big Oil Tax Subsidies Act of 2011 - Revises requirements for the amortization of geological and geophysical expenditures to convert the special tax rule for major integrated oil companies into a special rule for covered large oil companies (a major integrated oil company or a taxpayer with taxable year gross receipts exceeding \$50 million).

Denies taxpayers who are not small, independent oil and gas companies: (1) the tax credit for production of oil and gas from marginal wells, (2) the enhanced oil recovering tax credit, (3) the deduction for the intangible drilling and development costs of oil and gas wells, (4) the percentage depletion allowance, (5) the deduction for tertiary injectant expenses, (6) the exclusion from (and consequently subjection to) the disallowance passive activity losses and credits, and (7) the deduction for a portion of income derived from domestic production activities.

Prohibits a major integrated oil company from using last-in, first-out (LIFO) tax accounting.

Prescribes a special rule to deny to a dual capacity taxpayer a foreign tax credit for certain amounts paid or accrued to a foreign country or U.S. possession with respect to combined foreign oil and gas income.

Superfund Reinvestment Act - Amends the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) to authorize the use of amounts in the Hazardous Substance Superfund for environmental cleanup costs authorized by such Act.

Amends the Internal Revenue Code to reinstate until December 31, 2018, the Hazardous Substance Superfund financing rate and the corporate environmental income tax and extend the borrowing authority of the Superfund through 2021.

Wall Street Trading and Speculators Tax Act - Amends the Internal Revenue Code to impose a .03% excise tax on the purchase of a security: (1) if such purchase occurs on a trading facility located in the United States, or (2) the purchaser or seller is a U.S. person.

Extends through calendar year 2012 the making work pay tax credit.

Employee Misclassification Prevention Act - Amends the Fair Labor Standards Act of 1938 (FLSA) to require every person to: (1) keep records of non-employees (contractors) who perform labor or services (except substitute work), including through an entity such as a trust, estate, partnership, association, company, or corporation, for remuneration; and (2) provide certain notice to each new employee and new non-employee, including classification as an employee or non-employee and information concerning their rights under the law.

Makes it unlawful for any person to: (1) discharge or otherwise discriminate against an individual (including an employee) who has opposed any practice, or filed a complaint or instituted any proceeding related to this Act, including with respect to an individual's status as an employee or non-employee; and (2) fail to classify accurately an employee or non-employee.

Doubles the amount of liquidated damages for maximum hours, minimum wage, and notice of classification violations by an employer.

Directs the Secretary of Labor to establish a page on the Department of Labor website that summarizes the rights of employees under this Act.

Amends SSA to require, as a condition for a federal grant for the administration of state unemployment compensation, for the state's unemployment compensation law to include a provision for: (1) auditing programs that identify employers that have not registered under the state law or that are paying unreported compensation where the effect is to exclude employees from unemployment compensation coverage, and (2) establishing administrative penalties for misclassifying employees or paying unreported unemployment compensation to employees.

Corporate Assets Should be Used to Hire Act - Amends the Internal Revenue Code to impose on domestic corporations in taxable years beginning in 2011 or 2012 an additional 40% tax on the excess of their retained earnings over their average retained earnings for the preceding 3 taxable years. Exempts certain corporations from such tax, including corporations with retained earnings of less than \$5 million in a taxable year.

**Title III: Protect and Strengthen Social Security, Medicare, and Medicaid** - Public Option Deficit Reduction Act - Amends the Patient Protection and Affordable Care Act to require the Secretary of Health and Human Services (HHS) to offer through Exchanges a health benefits plan (public health insurance option) that ensures choice, competition, and stability of affordable, high-quality coverage throughout the United States.

Requires the Secretary to: (1) establish an office of the ombudsman for the public health insurance option, and (2) establish geographically adjusted premiums at a level sufficient to fully finance the costs of the health benefits provided and related administrative costs.

Requires repayment of start-up costs for the public health insurance option.

Medicare Prescription Drug Price Negotiation Act of 2011 - Amends part D (Voluntary Prescription Drug Benefit Program) of SSA title XVIII (Medicare) to direct the Secretary of Health and Human Services (HHS) to negotiate with pharmaceutical manufacturers the prices that may be charged to Medicare part D prescription drug plan (PDP) sponsors

and MedicareAdvantage (MA) organizations for covered part D drugs for part D eligible individuals who are enrolled under a PDP or under an MA-Prescription Drug (MA-PD) plan.

Medicaid Enhancement and Emergency Job Creation Act of 2011 - Amends the American Recovery and Reinvestment Act of 2011 (ARRA) to extend through FY2012 the increase in the federal medical assistance percentage (FMAP) under SSA title XIX (Medicaid).

Keeping Our Social Security Promises Act - Amends the Internal Revenue Code to apply employment and self-employment taxes to remuneration up to the contribution and benefit base and to remuneration in excess of \$250,000.

## Actions Timeline

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- **Feb 9, 2012:** Referred to the Subcommittee on Domestic Monetary Policy and Technology.
- **Feb 9, 2012:** Referred to the Subcommittee on Insurance, Housing and Community Opportunity.
- **Jan 26, 2012:** Referred to the Subcommittee on National Parks, Forests and Public Lands.
- **Jan 26, 2012:** Referred to the Subcommittee Indian and Alaska Native Affairs.
- **Dec 16, 2011:** Referred to the Subcommittee on Health.
- **Dec 14, 2011:** Referred to the Subcommittee on Coast Guard and Maritime Transportation.
- **Dec 14, 2011:** Referred to the Subcommittee on Highways and Transit.
- **Dec 14, 2011:** Referred to the Subcommittee on Railroads, Pipelines, and Hazardous Materials.
- **Dec 14, 2011:** Referred to the Subcommittee on Water Resources and Environment.
- **Dec 13, 2011:** Introduced in House
- **Dec 13, 2011:** Referred to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, Natural Resources, Agriculture, the Judiciary, Science, Space, and Technology, Energy and Commerce, Oversight and Government Reform, Small Business, Transportation and Infrastructure, Financial Services, Veterans' Affairs, the Budget, Armed Services, and Foreign Affairs, 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.