112TH CONGRESS
1ST SESSION

H. R. 2855

To amend the Budget Control Act of 2011 to reduce the deficit and restore the middle class by creating jobs.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 7, 2011

Mr. ELLISON introduced the following bill; which was referred to the Committee on Rules, and in addition to the Committees on the Budget and 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

A BILL

To amend the Budget Control Act of 2011 to reduce the deficit and restore the middle class by creating jobs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Emergency Jobs Now Act”.

SEC. 2. AMENDMENTS TO THE BUDGET CONTROL ACT OF 2011 RELATING TO JOB CREATION.

(a) RENAMING OF JOINT COMMITTEE.—(1) The title of title IV of the Budget Control Act of 2011 is amended

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by striking “JOINT SELECT COMMITTEE ON DEFICIT REDUCTION” and inserting “JOINT SELECT COMMITTEE ON EMERGENCY JOB CREATION AND DEFICIT REDUCTION”.

(2) Subsections (a)(1) and (b)(1) of section 401 of such Act are amended by striking “Joint Select Committee on Deficit Reduction” and inserting “Joint Select Committee on Emergency Job Creation and Deficit Reduction” each place it appears.

(3) The table of contents set forth in section 1(b) of such Act is amended by striking the item relating to title IV and inserting the following:

“TITLE IV—JOINT SELECT COMMITTEE ON EMERGENCY JOB CREATION AND DEFICIT REDUCTION”.

(b) ADDITIONAL AMENDMENTS TO SECTION 401.—

(1) Amend subsection 401(b)(2) of the Budget Control Act of 2011 to read as follows:

“(2) GOAL.—The goal of the joint committee shall be to enact emergency jobs legislation that will create an additional 3 million jobs during each of the calendar years 2012 and 2013, thereby reducing unemployment rates over the short-term and long-term, and to reduce the deficit by at least $1,500,000,000,000 over the period of fiscal years 2014 through 2021.”.
(2) Subsection (b)(3) of such section is amended to read as follows:

“(3) Duties.—

“(A) Emergency jobs legislation.—

“(i) Enacting emergency jobs legislation and reducing the unemployment rate.—The joint committee shall provide recommendations and legislative language to enact emergency jobs legislation that will create an additional 3 million jobs during each of the calendar years 2012 and 2013, thereby reducing unemployment rates over the short-term and long-term.

“(ii) Recommendations of the committees.—Not later than September 23, 2011, each committee of the House of Representatives and the Senate may transmit to the joint committee its recommendations to enact emergency jobs legislation consistent with the goal described in paragraph (2) for the joint committee’s consideration.

“(B) Deficit reduction measures.—
“(i) **Improving the short-term and long-term fiscal imbalance.**—The joint committee shall provide recommendations and legislative language that will significantly improve the short-term and long-term fiscal imbalance of the Federal Government.

“(ii) **Recommendations of committees.**—Not later than October 14, 2011, each committee of the House of Representatives and the Senate may transmit to the joint committee its recommendations for changes in law to reduce the deficit consistent with the goal described in paragraph (2) for the joint committee’s consideration.

“(C) **Report, recommendations, and legislative language for emergency jobs legislation.**—

“(i) **In general.**—Not later than October 14, 2011, the joint committee shall vote on—

“(I) a report that contains a detailed statement of the findings, conclusions, and recommendations of the
joint committee on emergency jobs legislation and the estimate of the Joint Economic Committee required by paragraph (5)(D)(ii); and

“(II) proposed legislative language to carry out such recommendations as described in subclause (I), which shall include a statement of the jobs created by the legislation over the period of calendar years 2012 and 2013.

Any change to the Rules of the House of Representatives or the Standing Rules of the Senate included in the report or legislative language shall be considered to be merely advisory.

“(ii) APPROVAL OF REPORT AND LEGISLATIVE LANGUAGE.—The report of the joint committee and the proposed legislative language described in clause (i) shall require the approval of a majority of the members of the joint committee.

“(iii) ADDITIONAL VIEWS.—A member of the joint committee who gives notice of an intention to file supplemental, minority,
or additional views at the time of final
joint committee language under clause (ii)
shall be entitled to 3 calendar days in
which to file such views in writing with the
staff director of the joint committee. Such
views shall then be included in the joint
committee report and printed in the same
volume, or part thereof, and their inclusion
shall be noted on the cover of the report.
In the absence of timely notice, the joint
committee report may be printed and
transmitted immediately without such
views.

“(iv) Transmission of report and
legislative language.—If the report
and legislative language are approved by
the joint committee pursuant to clause (ii),
then not later than October 17, 2011, the
joint committee shall submit the joint com-
mittee report and legislative language to
the President, the Vice President, the
Speaker of the House of Representatives,
and the majority and minority leaders of
each House of Congress.
“(v) Report and legislative language to be made public.—Upon the approval or disapproval of the joint committee report and legislative language pursuant to clause (ii), the joint committee shall promptly make the full report and legislative language, and a record of the vote, available to the public.

“(D) Report, recommendations, and legislative language for deficit reduction.—

“(i) In general.—Not later than November 23, 2011, the joint committee shall vote on—

“(I) a report that contains a detailed statement of the findings, conclusions, and recommendations of the joint committee on deficit reduction and the estimate of the Congressional Budget Office required by paragraph (5)(D)(iii); and

“(II) proposed legislative language to carry out such recommendations as described in subclause (I), which shall include a statement of the
deficit reduction achieved by the legislation over the period of fiscal years 2014 to 2021.

Any change to the Rules of the House of Representatives or the Standing Rules of the Senate included in the report or legislative language shall be considered to be merely advisory.

“(ii) APPROVAL OF REPORT AND LEGISLATIVE LANGUAGE.—The report of the joint committee and the proposed legislative language described in clause (i) shall require the approval of a majority of the members of the joint committee.

“(iii) ADDITIONAL VIEWS.—A member of the joint committee who gives notice of an intention to file supplemental, minority, or additional views at the time of final joint committee vote on the approval of the report and legislative language under clause (ii) shall be entitled to 3 calendar days in which to file such views in writing with the staff director of the joint committee. Such views shall then be included in the joint committee report and printed...
in the same volume, or part thereof, and
their inclusion shall be noted on the cover
of the report. In the absence of timely no-
tice, the joint committee report may be
printed and transmitted immediately with-
out such views.

“(iv) Transmission of report and
legislative language.—If the report
and legislative language are approved by
the joint committee pursuant to clause (ii),
then not later than December 2, 2011, the
joint committee shall submit the joint com-
mittee report and legislative language de-
scribed in clause (i) to the President, the
Vice President, the Speaker of the House
of Representatives, and the majority and
minority leaders of each House of Con-
gress.

“(v) Report and legislative lan-
guage to be made public.—Upon the
approval or disapproval of the joint com-
mittee report and legislative language pur-
suant to clause (ii), the joint committee
shall promptly make the full report and
legislative language, and a record of the vote, available to the public.”.

(3) In subsection (b)(5)(D) of such section, strike clause (ii) and insert the following new clauses:

“(ii) JOINT ECONOMIC COMMITTEE ESTIMATES.—The Joint Economic Committee shall provide job creation estimates of the legislation (as described in paragraph (3)(C)) in accordance with the Employment Act of 1946 and the unemployment rate as determined by the Bureau of Labor Statistics. In addition, the Joint Economic Committee shall provide information on the employment effect of the legislation beyond calendar years 2012 and 2013 and shall determine the impact of job creation measures approved by the Joint Committee on growth and deficit projections. The joint committee may not vote any version of the report, recommendations, or legislative language as described in paragraph (3)(C) unless such estimates are available for consideration by all members of the joint committee at least 48
hours prior to the vote as certified by the Co-Chairs.

“(iii) CONGRESSIONAL BUDGET OFFICE ESTIMATES.—The Congressional Budget Office shall provide estimates of the legislation (as described in paragraph (3)(D)) in accordance with sections 308(a) and 201(f) of the Congressional Budget Act of 1974 (2 U.S.C. 639(a) and 601(f)) (including estimates of the effect of interest payment on the debt). In addition, the Congressional Budget Office shall provide information on the budgetary effect of the legislation beyond year 2021. The joint committee may not vote any version of the report, recommendations, or legislative language as described in paragraph (3)(D) unless such estimates are available for consideration by all members of the joint committee at least 48 hours prior to the vote as certified by the Co-Chair.

“(iv) TIMING.—The joint committee may not vote on any version of the report, recommendations, or legislative language unless such estimates (as described in
clauses (ii) and (iii)) are available for consider-

ation by all members of the joint com-
mittee at least 48 hours prior to the vote

as certified by the Co-Chairs.”.

(4) In subsection (b)(5)(F)(i) of such section is

amended to read as follows:

“(i) IN GENERAL.—The joint com-
mittee shall, for the purpose of carrying
out this section, hold hearings on emer-
gency jobs legislation and deficit reduction.
In doing so, the joint committee shall sit
and act at such times and places, require
attendance of witnesses and production of
books, papers, and documents, take such
testimony, receive such evidence, and ad-
minister such oaths as the joint committee
considers advisable.”.

SEC. 3. EXPEDITED CONSIDERATION OF JOINT COMMITTEE

RECOMMENDATIONS FOR EMERGENCY JOBS

LEGISLATION.

(a) IN GENERAL.—Section 402 of the Budget Con-
trol Act of 2011 is amended—

(1) in subsection (a), by striking


(2) in subsection (b)(1), by striking “December 9, 2011” and inserting “October 24, 2011”;

(3) in subsection (b)(4), by striking “December 23, 2011” and inserting “October 31, 2011”;

(4) in subsection (c)(1), by striking “December 9, 2011” and inserting “October 24, 2011”;

(5) in subsection (c)(5), by striking “December 23, 2011” and inserting “October 31, 2011”;


(7) in subsection (g)(2), by striking “December 23, 2011” and inserting “October 31, 2011”.

(b) CONFORMING AMENDMENT.—The section heading of section 402 of the Budget Control Act of 2011 is amended by adding at the end “FOR EMERGENCY JOBS LEGISLATION”.

SEC. 4. EXPEDITED CONSIDERATION OF JOINT COMMITTEE RECOMMENDATIONS FOR DEFICIT REDUCTION.

Title IV of the Budget Control Act of 2011 is amended by redesignating sections 403 and 404 as sections 404.
and 405, respectively, and by inserting after section 402
the following new section:

"SEC. 403. EXPEDITED CONSIDERATION OF JOINT COM-
MITTEE RECOMMENDATIONS FOR DEFICIT
REDUCTION.

"(a) INTRODUCTION.—If approved by the majority
required by section 401(b)(3)(D)(ii), the proposed legisla-
tive language submitted pursuant to section
401(b)(3)(D)(iv) shall be introduced in the Senate (by re-
quest) on the next day on which the Senate is in session
by the majority leader of the Senate or by a Member of
the Senate designated by the majority leader of the Senate
and shall be introduced in the House of Representatives
(by request) on the next legislative day by the majority
leader of the House or by a Member of the House des-
ignated by the majority leader of the House.

"(b) CONSIDERATION IN THE HOUSE OF REP-
RESENTATIVES.—

"(1) REFERRAL AND REPORTING.—Any com-
mittee of the House of Representatives to which the
joint committee bill is referred shall report it to the
House without amendment not later than December
9, 2011. If a committee fails to report the joint com-
mittee bill within that period, it shall be in order to
move that the House discharge the committee from

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further consideration of the bill. Such a motion shall not be in order after the last committee authorized to consider the bill reports it to the House or after the House has disposed of a motion to discharge the bill. The previous question shall be considered as ordered on the motion to its adoption without intervening motion except 20 minutes of debate equally divided and controlled by the proponent and an opponent. If such a motion is adopted, the House shall proceed immediately to consider the joint committee bill in accordance with paragraphs (2) and (3). A motion to reconsider the vote by which the motion is disposed of shall not be in order.

“(2) PROCEEDING TO CONSIDERATION.—After the last committee authorized to consider a joint committee bill reports it to the House or has been discharged (other than by motion) from its consideration, it shall be in order to move to proceed to consider the joint committee bill in the House. Such a motion shall not be in order after the House has disposed of a motion to proceed with respect to the joint committee bill. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. A motion to reconsider
the vote by which the motion is disposed of shall not be in order.

“(3) CONSIDERATION.—The joint committee bill shall be considered as read. All points of order against the joint committee bill and against its consideration are waived. The previous question shall be considered as ordered on the joint committee bill to its passage without intervening motion except 2 hours of debate equally divided and controlled by the proponent and an opponent and one motion to limit debate on the joint committee bill. A motion to reconsider the vote on passage of the joint committee bill shall not be in order.

“(4) VOTE ON PASSAGE.—The vote on passage of the joint committee bill shall occur not later than December 23, 2011.

“(c) EXPEDITED PROCEDURE IN THE SENATE.—

“(1) COMMITTEE CONSIDERATION.—A joint committee bill introduced in the Senate under subsection (a) shall be jointly referred to the committee or committees of jurisdiction, which committees shall report the bill without any revision and with a favorable recommendation, an unfavorable recommendation, or without recommendation, not later than December 9, 2011. If any committee fails to report the
bill within that period, that committee shall be automatically discharged from consideration of the bill, and the bill shall be placed on the appropriate calendar.

“(2) MOTION TO PROCEED.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order, not later than 2 days of session after the date on which a joint committee bill is reported or discharged from all committees to which it was referred, for the majority leader of the Senate or the majority leader’s designee to move to proceed to the consideration of the joint committee bill. It shall also be in order for any Member of the Senate to move to proceed to the consideration of the joint committee bill at any time after the conclusion of such 2-day period. A motion to proceed is in order even though a previous motion to the same effect has been disagreed to. All points of order against the motion to proceed to the joint committee bill are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint committee bill is agreed to, the joint committee bill
shall remain the unfinished business until disposed of.

“(3) Consideration.—All points of order against the joint committee bill and against consideration of the joint committee bill are waived. Consideration of the joint committee bill and of all debatable motions and appeals in connection therewith shall not exceed a total of 30 hours which shall be divided equally between the majority and minority leaders or their designees. A motion further to limit debate on the joint committee bill is in order, shall require an affirmative vote of three-fifths of the Members duly chosen and sworn, and is not debatable. Any debatable motion or appeal is debatable for not to exceed 1 hour, to be divided equally between those favoring and those opposing the motion or appeal. All time used for consideration of the joint committee bill, including time used for quorum calls and voting, shall be counted against the total 30 hours of consideration.

“(4) No Amendments.—An amendment to the joint committee bill, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint committee bill, is not in order.
“(5) Vote on Passage.—If the Senate has voted to proceed to the joint committee bill, the vote on passage of the joint committee bill shall occur immediately following the conclusion of the debate on a joint committee bill, and a single quorum call at the conclusion of the debate if requested. The vote on passage of the joint committee bill shall occur not later than December 23, 2011.

“(6) Rulings of the Chair on Procedure.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a joint committee bill shall be decided without debate.

“(d) Amendment.—The joint committee bill shall not be subject to amendment in either the House of Representatives or the Senate.

“(e) Consideration by the Other House.—

“(1) In General.—If, before passing the joint committee bill, one House receives from the other a joint committee bill—

“(A) the joint committee bill of the other House shall not be referred to a committee; and

“(B) the procedure in the receiving House shall be the same as if no joint committee bill had been received from the other House until
the vote on passage, when the joint committee
bill received from the other House shall sup-
plant the joint committee bill of the receiving
House.

“(2) Revenue measure.—This subsection
shall not apply to the House of Representatives if
the joint committee bill received from the Senate is
a revenue measure.

“(f) Rules To Coordinate Action With Other
House.—

“(1) Treatment of joint committee bill
of other house.—If the Senate fails to introduce
or consider a joint committee bill under this section,
the joint committee bill of the House shall be enti-
tled to expedited floor procedures under this section.

“(2) Treatment of companion measures in
the Senate.—If following passage of the joint com-
mittee bill in the Senate, the Senate then receives
the joint committee bill from the House of Rep-
resentatives, the House-passed joint committee bill
shall not be debatable. The vote on passage of the
joint committee bill in the Senate shall be considered
to be the vote on passage of the joint committee bill
received from the House of Representatives.
“(3) VETOES.—If the President vetoes the joint committee bill, debate on a veto message in the Senate under this section shall be 1 hour equally divided between the majority and minority leaders or their designees.

“(g) LOSS OF PRIVILEGE.—The provisions of this section shall cease to apply to the joint committee bill if—

“(1) the joint committee fails to vote on the report or proposed legislative language required under section 401(b)(3)(D)(i) not later than November 23, 2011; or

“(2) the joint committee bill does not pass both Houses not later than December 23, 2011.”.

SEC. 5. DISCRETIONARY SPENDING LIMITS.

(a) IN GENERAL.—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by striking paragraphs (1) and (2) and redesignating paragraphs (3) through (10) as paragraphs (1) through (8), respectively.

(b) CONFORMING AMENDMENTS TO ADJUSTMENTS.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended—

(1) in subparagraph (B)(i), by striking subclauses (I) and (II) and by redesignating subclauses
(III) through (X) as subclauses (I) through (VIII), respectively;

(2) in subparagraph (C)(i), by striking subclauses (I) and (II) and by redesignating subclauses (III) through (X) as subclauses (I) through (VIII), respectively; and

(3) in subparagraph (D), by striking “2012” and inserting “2014”.

(e) REvised DISCRETIONARY SPENDING LIMITS.—

Section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended—

(1) in paragraph (2), by striking “for fiscal years 2013 through 2021” and inserting “for fiscal years 2014 through 2021” and by striking subparagraph (A) and redesignating subparagraphs (B) through (I) as (A) through (H), respectively;

(2) in paragraph (3), by striking “2013” and inserting “2014”;

(3) in paragraph (4), by striking “2013” each place it appears and inserting “2014” and by striking “2014 through 2021” and inserting “2015 through 2021”;

(4) in paragraphs (5), (6), and (7), by striking “2013” each place it appears and inserting “2014”; and
(5) in paragraph (7)(B), by striking “2014” each place it appears and inserting “2015”.

SEC. 6. ADJUSTMENT TO STATUTORY DEBT LIMIT FOR EMERGENCY JOBS LEGISLATION.

Title III of the Budget Control Act of 2011 is amended by adding at the end the following new section:

“SEC. 303. ADJUSTMENT TO STATUTORY DEBT LIMIT FOR EMERGENCY JOBS LEGISLATION.

“If emergency jobs legislation is approved by the joint committee pursuant to section 401(b)(3)(C)(ii) and is enacted into law, then the limit on debt provided in section 3101(b) of title 31, United States Code, is increased by an amount equal to the amount of new budget authority provided in such emergency jobs legislation.”.

SEC. 7. CONFORMING AMENDMENTS.

The table of contents set forth in section 1(b) of the Budget Control Act of 2011 is amended—

(1) by inserting after the item relating to section 302 the following new item:

“Sec. 303. Adjustment to statutory debt limit for emergency jobs legislation.”;

and

(2) by striking the items relating to sections 402 through 404 and inserting the following new items:

“Sec. 402. Expedited consideration of joint committee recommendations for emergency jobs legislation.

...
“Sec. 403. Expedited consideration of joint committee recommendations for
deficit reduction.

“Sec. 404. Funding.

“Sec. 405. Rulemaking.”.