

□ 1526

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 921, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

Mrs. NAPOLITANO. Mr. Speaker, on Tuesday, December 13, 2011, I was absent during rollcall vote No. 921. Had I been present, I would have voted "aye" on the motion to suspend the rules and pass S. 384, to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. DAVIS of Illinois. Mr. Speaker, pursuant to clause 2(a), paragraph 1 of rule IX, I rise to give notice of my intention to offer a resolution to raise a question of the privileges of the House.

The form of the resolution is as follows:

H. RES. ———

Whereas although our Nation's economy is gradually improving after one of the worst economic crises in our Nation's history, the economic crisis remains a daily reality for the 13.3 million unemployed workers and for the millions of Americans experiencing record levels of food insecurity, poverty, and foreclosure;

Whereas the national unemployment rate is 8.6 percent, with over 42.8 percent of all unemployed workers, more than 5.7 million people, having been out of work for more than 6 months;

Whereas while there were 1.8 unemployed Americans for every job opening in December 2007, when the Great Recession began, data recently released by the Department of Labor show that, as of October 2011, there were over 4.3 unemployed Americans for every job opening;

Whereas data recently released by the Department of Labor show that, as of October 2011, there were 3.3 million job openings, which is well below the 4.8 million job openings in March 2007, when job openings were at their highest point during the most recent business cycle;

Whereas recent data demonstrate that most unemployed Americans no longer receive unemployment insurance benefits, reflecting the crisis that exists for the millions of Americans who have exhausted their benefits and still cannot find work, including the 100,000 Illinoisans estimated to have exhausted their benefits in 2010 and the additional 100,000 Illinoisans who, it is estimated, would exhaust their benefits in 2012 if current law were extended;

Whereas unemployment benefits are a critical lifeline for our citizens and our economy, including by keeping 3.2 million Americans (including nearly 1 million children) from falling into poverty in 2010 alone; generating \$2 in economic stimulus for every \$1 the Federal Government spent during this recession; and saving or creating 1.1 million jobs as of the fourth quarter of 2009 alone;

Whereas all Members of the House of Representatives have a responsibility to protect

Americans and our country from physical and economic harm, especially during times of national crisis;

Whereas the recently-introduced Republican proposal to address the unemployment crisis facing our Nation fails to protect Americans by drastically cutting 40 weeks of unemployment assistance and imposing new restrictions that would make it more difficult and costly for employees to receive the benefits for which they have paid;

Whereas the Republican proposal fails to protect Americans by cutting the number of Federally-funded weeks of unemployment benefits from 73 to 33 in high unemployment States, abandoning over 1 million Americans in 2012 by slashing their benefits;

Whereas the Republican proposal would likely result in the following States, with elevated unemployment rates, losing 40 weeks of unemployment benefits in 2012: Alabama, California, Connecticut, the District of Columbia, Florida, Georgia, Illinois, Idaho, Indiana, Kentucky, Michigan, Missouri, Nevada, New Jersey, North Carolina, Ohio, Oregon, Rhode Island, South Carolina, Tennessee, Texas, and Washington;

Whereas the Republican proposal would cause all other States to lose between 14 and 34 weeks of Federal unemployment benefits;

Whereas the Republican proposal would erode the unemployment safety net by undermining the requirement that unemployment dollars fund unemployment benefits to help individual workers cover basic necessities, such as food and housing;

Whereas the Republican proposal would further erode the unemployment safety net by undermining the eligibility standard that unemployment benefits be determined solely on the basis of a claimant's unemployment;

Whereas the Republican proposal demands untested, punitive measures that hurt unemployed workers, including deducting money from one's unemployment check to pay for required reemployment assessments and delayed or prohibited benefits depending on educational attainment;

Whereas the Republican proposal would disproportionately harm groups of Americans who are hardest hit by unemployment and long-term unemployment, including older Americans, low-income Americans, Americans from racial and ethnic minority groups, and Americans without a high school diploma;

Whereas now that emergency assistance is about to expire, the Republican proposal reflects comfort with \$180 billion in tax breaks for the wealthiest 3 percent of Americans for 2012, but not the \$50 billion needed to help millions of the neediest Americans who still cannot find a job;

Whereas the Economic Policy Institute estimates that the Republican proposal would result in as much as \$22 billion in lost economic growth, and the Center for American Progress estimates that the Republican proposal would lead to a loss of approximately 275,000 jobs in 2012;

Whereas it will tarnish the dignity and integrity of the House proceedings if the House considers a bill that cuts critical emergency assistance to millions of Americans, hinders economic recovery, and disproportionately harms older Americans, Americans from racial and ethnic minority groups, low-income Americans, and Americans without a high school degree;

Whereas it will tarnish the dignity and integrity of the House proceedings if the Republican Leadership holds hostage the 2.5 million Americans who, the Department of Labor estimates, will lose their benefits by March 2012 if Congress fails to act, in order to push a radical agenda the American people have already rejected; and

Whereas failure to allow consideration of amendments to protect vulnerable Americans during consideration of a bill that substantially and permanently changes Federal unemployment benefits tarnishes the integrity of the legislative process: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the immediate need to extend current emergency unemployment benefits to promote our Nation's economic recovery by stimulating purchases, creating jobs, and preventing the loss of jobs;

(2) recognizes the immediate need to extend current emergency unemployment benefits to help the approximately 6 million unemployed Americans who will lose benefits if current emergency unemployment benefits are not extended through 2012;

(3) disapproves of drastically limiting Federal unemployment benefits until economic growth is robust and the Nation is in a period of full employment; and

(4) calls on the Leadership of the House to bring to a vote a clean extension of all current emergency unemployment benefits for a full year to protect the millions of Americans who will lose benefits if the current statute sunsets at the end of December 2011 or if H.R. 3630, as posted by the Committee on Rules on December 9, 2011, is enacted.

The SPEAKER pro tempore. The Chair would now entertain the resolution.

Does the gentleman from Illinois wish to offer it at this point?

Mr. DAVIS of Illinois. Yes, I do.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. ———

Whereas although our Nation's economy is gradually improving after one of the worst economic crises in our Nation's history, the economic crisis remains a daily reality for the 13.3 million unemployed workers and for the millions of Americans experiencing record levels of food insecurity, poverty, and foreclosure;

Whereas the national unemployment rate is 8.6 percent, with over 42.8 percent of all unemployed workers, more than 5.7 million people, having been out of work for more than 6 months;

Whereas while there were 1.8 unemployed Americans for every job opening in December 2007, when the Great Recession began, data recently released by the Department of Labor show that, as of October 2011, there were over 4.3 unemployed Americans for every job opening;

Whereas data recently released by the Department of Labor show that, as of October 2011, there were 3.3 million job openings, which is well below the 4.8 million job openings in March 2007, when job openings were at their highest point during the most recent business cycle;

Whereas recent data demonstrate that most unemployed Americans no longer receive unemployment insurance benefits, reflecting the crisis that exists for the millions of Americans who have exhausted their benefits and still cannot find work, including the 100,000 Illinoisans estimated to have exhausted their benefits in 2010 and the additional 100,000 Illinoisans who, it is estimated, would exhaust their benefits in 2012 if current law were extended;

Whereas unemployment benefits are a critical lifeline for our citizens and our economy, including by keeping 3.2 million Americans (including nearly 1 million children) from falling into poverty in 2010 alone; generating \$2 in economic stimulus for every \$1

the Federal Government spent during this recession; and saving or creating 1.1 million jobs as of the fourth quarter of 2009 alone;

Whereas all Members of the House of Representatives have a responsibility to protect Americans and our country from physical and economic harm, especially during times of national crisis;

Whereas the recently-introduced Republican proposal to address the unemployment crisis facing our Nation fails to protect Americans by drastically cutting 40 weeks of unemployment assistance and imposing new restrictions that would make it more difficult and costly for employees to receive the benefits for which they have paid;

Whereas the Republican proposal fails to protect Americans by cutting the number of Federally-funded weeks of unemployment benefits from 73 to 33 in high unemployment States, abandoning over 1 million Americans in 2012 by slashing their benefits;

Whereas the Republican proposal would likely result in the following States, with elevated unemployment rates, losing 40 weeks of unemployment benefits in 2012: Alabama, California, Connecticut, the District of Columbia, Florida, Georgia, Illinois, Idaho, Indiana, Kentucky, Michigan, Missouri, Nevada, New Jersey, North Carolina, Ohio, Oregon, Rhode Island, South Carolina, Tennessee, Texas, and Washington;

Whereas the Republican proposal would cause all other States to lose between 14 and 34 weeks of Federal unemployment benefits;

Whereas the Republican proposal would erode the unemployment safety net by undermining the requirement that unemployment dollars fund unemployment benefits to help individual workers cover basic necessities, such as food and housing;

Whereas the Republican proposal would further erode the unemployment safety net by undermining the eligibility standard that unemployment benefits be determined solely on the basis of a claimant's unemployment;

Whereas the Republican proposal demands untested, punitive measures that hurt unemployed workers, including deducting money from one's unemployment check to pay for required reemployment assessments and delayed or prohibited benefits depending on educational attainment;

Whereas the Republican proposal would disproportionately harm groups of Americans who are hardest hit by unemployment and long-term unemployment, including older Americans, low-income Americans, Americans from racial and ethnic minority groups, and Americans without a high school diploma;

Whereas now that emergency assistance is about to expire, the Republican proposal reflects comfort with \$180 billion in tax breaks for the wealthiest 3 percent of Americans for 2012, but not the \$50 billion needed to help millions of the neediest Americans who still cannot find a job;

Whereas the Economic Policy Institute estimates that the Republican proposal would result in as much as \$22 billion in lost economic growth, and the Center for American Progress estimates that the Republican proposal would lead to a loss of approximately 275,000 jobs in 2012;

Whereas it will tarnish the dignity and integrity of the House proceedings if the House considers a bill that cuts critical emergency assistance to millions of Americans, hinders economic recovery, and disproportionately harms older Americans, Americans from racial and ethnic minority groups, low-income Americans, and Americans without a high school degree;

Whereas it will tarnish the dignity and integrity of the House proceedings if the Republican Leadership holds hostage the 2.5 million Americans who, the Department of

Labor estimates, will lose their benefits by March 2012 if Congress fails to act, in order to push a radical agenda the American people have already rejected; and

Whereas failure to allow consideration of amendments to protect vulnerable Americans during consideration of a bill that substantially and permanently changes Federal unemployment benefits tarnishes the integrity of the legislative process: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the immediate need to extend current emergency unemployment benefits to promote our Nation's economic recovery by stimulating purchases, creating jobs, and preventing the loss of jobs;

(2) recognizes the immediate need to extend current emergency unemployment benefits to help the approximately 6 million unemployed Americans who will lose benefits if current emergency unemployment benefits are not extended through 2012;

(3) disapproves of drastically limiting Federal unemployment benefits until economic growth is robust and the Nation is in a period of full employment; and

(4) calls on the Leadership of the House to bring to a vote a clean extension of all current emergency unemployment benefits for a full year to protect the millions of Americans who will lose benefits if the current statute sunsets at the end of December 2011 or if H.R. 3630, as posted by the Committee on Rules on December 9, 2011, is enacted.

The SPEAKER pro tempore. Does the gentleman from Illinois wish to present argument on why the resolution is privileged under rule IX to take precedence over other questions?

Mr. DAVIS of Illinois. I do.

The SPEAKER pro tempore. The gentleman will present those arguments.

Mr. DAVIS of Illinois. Mr. Speaker, in order to qualify as a question of the privileges of the House under rule IX, the resolution must address "the rights of the House collectively, its safety, dignity, and the integrity of its proceedings."

The resolution I offer seeks to express the position of the House that the Republican proposal to address the unemployment crisis facing our Nation and the procedures used to bring it to the floor tarnish the dignity and integrity of the House proceedings and the integrity of the legislative process.

All Members of the House of Representatives have a responsibility to protect Americans and our country from physical and economic harm, especially during times of national crisis. Yet, contrary to this mandate, the Republican proposal to address the unemployment crisis threatens to damage our national economy as well as the well-being of millions of Americans.

By drastically cutting benefits—especially for employees and States hardest hit by unemployment—by 40 weeks and imposing punitive restrictions on access to benefits, the Republican proposal will almost certainly harm millions of Americans and our Nation's economic well-being.

The SPEAKER pro tempore. The Chair would remind the gentleman from Illinois that argument must be confined as to whether or not the matter is privileged under rule IX, and may

not address the substance of the resolution.

Mr. DAVIS of Illinois. Thank you very much, Mr. Speaker.

Given the unemployment crisis that does in fact exist in our country, and given the great needs that exist for people to feel a sense of comfort and security, given the fact that older Americans, low-income Americans, Americans from racial and ethnic minority groups, and Americans with—

The SPEAKER pro tempore. The Chair would again ask the gentleman to address whether or not this resolution is privileged under rule IX.

Mr. DAVIS of Illinois. Mr. Speaker, it is my position and my belief that the Republican proposal tarnishes the legislative process by making substantial permanent changes to Federal unemployment benefits, and that, when passed—if passed—that the country will have experienced difficulties that could have been avoided.

The SPEAKER pro tempore. The Chair would ask the gentleman if he has any additional observations relative to the question of privilege, and not on the substance of the resolution.

Mr. DAVIS of Illinois. Mr. Speaker, let me thank you for your comments. Actually, I am at the end of my comments, and I would yield back the balance of my time.

The SPEAKER pro tempore. The Chair thanks the gentleman for his creativity.

Does any other Member wish to be heard on the question of privilege?

The Chair is prepared to rule.

As the Chair ruled in similar circumstances on October 2 and October 3, 2002, a resolution expressing the sentiment that Congress should act on a specified legislative measure does not constitute a question of privileges of the House under rule IX.

The mere invocation of legislative powers provided in the Constitution coupled with identification of a desired policy end does not meet the requirements of rule IX and is really a matter properly initiated through introduction in the hopper under clause 7 of rule XII.

Accordingly, the resolution offered by the gentleman from Illinois does not constitute a question of the privileges of the House under rule IX.

MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2011

Mr. CAMP. Mr. Speaker, pursuant to House Resolution 491, I call up the bill (H.R. 3630) to provide incentives for the creation of jobs, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 491, the amendment printed in House Report 112-328 is considered adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows: