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.

- 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 "Emergency Jobs Now5 Act".

6 SEC. 2. AMENDMENTS TO THE BUDGET CONTROL ACT OF 7 2011 RELATING TO JOB CREATION.

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

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3 **CREATION AND DEFICIT REDUCTION**". 4

5 (2) Subsections (a)(1) and (b)(1) of section 401 of 6 such Act are amended by striking "Joint Select Com-7 mittee on Deficit Reduction" and inserting "Joint Select 8 Committee on Emergency Job Creation and Deficit Re-9 duction" each place it appears.

10 (3) The table of contents set forth in section 1(b) of such Act is amended by striking the item relating to title 11 IV and inserting the following: 12

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

13 (b) Additional Amendments to Section 401.— 14 (1) Amend subsection 401(b)(2) of the Budget Control Act of 2011 to read as follows: 15

"(2) GOAL.—The goal of the joint committee 16 17 shall be to enact emergency jobs legislation that will 18 create an additional 3 million jobs during each of 19 the calendar years 2012 and 2013, thereby reducing 20 unemployment rates over the short-term and long-21 term, and to reduce the deficit by at least 22 \$1,500,000,000,000 over the period of fiscal years 23 2014 through 2021.".

1 (2) Subsection (b)(3) of such section is amended to2 read as follows:

3	"(3) DUTIES.—
4	"(A) Emergency Jobs Legislation.—
5	"(i) ENACTING EMERGENCY JOBS
6	LEGISLATION AND REDUCING THE UNEM-
7	PLOYMENT RATE.—The joint committee
8	shall provide recommendations and legisla-
9	tive language to enact emergency jobs leg-
10	islation that will create an additional 3
11	million jobs during each of the calendar
12	years 2012 and 2013, thereby reducing un-
13	employment rates over the short-term and
14	long-term.
15	"(ii) Recommendations of the
16	COMMITTEES.—Not later than September
17	23, 2011, each committee of the House of
18	Representatives and the Senate may trans-
19	mit to the joint committee its recommenda-

tions to enact emergency jobs legislation
consistent with the goal described in paragraph (2) for the joint committee's consideration.

"(B) DEFICIT REDUCTION MEASURES.—

3

1	"(i) Improving the short-term
2	AND LONG-TERM FISCAL IMBALANCE.—
3	The joint committee shall provide rec-
4	ommendations and legislative language
5	that will significantly improve the short-
6	term and long-term fiscal imbalance of the
7	Federal Government.
8	"(ii) Recommendations of commit-
9	TEES.—Not later than October 14, 2011,
10	each committee of the House of Represent-
11	atives and the Senate may transmit to the
12	joint committee its recommendations for
13	changes in law to reduce the deficit con-
14	sistent with the goal described in para-
15	graph (2) for the joint committee's consid-
16	eration.
17	"(C) Report, recommendations, and
18	LEGISLATIVE LANGUAGE FOR EMERGENCY JOBS
19	LEGISLATION.—
20	"(i) IN GENERAL.—Not later than Oc-
21	tober 14, 2011, the joint committee shall
22	vote on—
23	"(I) a report that contains a de-
24	tailed statement of the findings, con-
25	clusions, and recommendations of the

	J
1	joint committee on emergency jobs
2	legislation and the estimate of the
3	Joint Economic Committee required
4	by paragraph (5)(D)(ii); and
5	"(II) proposed legislative lan-
6	guage to carry out such recommenda-
7	tions as described in subclause (I),
8	which shall include a statement of the
9	jobs created by the legislation over the
10	period of calendar years 2012 and
11	2013.
12	Any change to the Rules of the House of
13	Representatives or the Standing Rules of
14	the Senate included in the report or legis-
15	lative language shall be considered to be
16	merely advisory.
17	"(ii) Approval of report and leg-
18	ISLATIVE LANGUAGE.—The report of the
19	joint committee and the proposed legisla-
20	tive language described in clause (i) shall
21	require the approval of a majority of the
22	members of the joint committee.
23	"(iii) ADDITIONAL VIEWS.—A member
24	of the joint committee who gives notice of
25	an intention to file supplemental, minority,

1 or additional views at the time of final 2 joint committee language under clause (ii) 3 shall be entitled to 3 calendar days in 4 which to file such views in writing with the 5 staff director of the joint committee. Such 6 views shall then be included in the joint 7 committee report and printed in the same 8 volume, or part thereof, and their inclusion 9 shall be noted on the cover of the report. 10 In the absence of timely notice, the joint 11 committee report may be printed and 12 transmitted immediately without such 13 views.

14 "(iv) Transmission of report and 15 LEGISLATIVE LANGUAGE.—If the report 16 and legislative language are approved by 17 the joint committee pursuant to clause (ii), 18 then not later than October 17, 2011, the 19 joint committee shall submit the joint com-20 mittee report and legislative language to 21 the President, the Vice President, the 22 Speaker of the House of Representatives, 23 and the majority and minority leaders of 24 each House of Congress.

1	"(v) Report and legislative lan-
2	GUAGE TO BE MADE PUBLIC.—Upon the
3	approval or disapproval of the joint com-
4	mittee report and legislative language pur-
5	suant to clause (ii), the joint committee
6	shall promptly make the full report and
7	legislative language, and a record of the
8	vote, available to the public.
9	"(D) Report, recommendations, and
10	LEGISLATIVE LANGUAGE FOR DEFICIT REDUC-
11	TION.—
12	"(i) IN GENERAL.—Not later than
13	November 23, 2011, the joint committee
14	shall vote on—
15	"(I) a report that contains a de-
16	tailed statement of the findings, con-
17	clusions, and recommendations of the
18	joint committee on deficit reduction
19	and the estimate of the Congressional
20	Budget Office required by paragraph
21	(5)(D)(iii); and
22	"(II) proposed legislative lan-
23	guage to carry out such recommenda-
24	tions as described in subclause (I),
25	which shall include a statement of the

1 deficit reduction achieved by the legis-2 lation over the period of fiscal years 2014 to 2021. 3 4 Any change to the Rules of the House of 5 Representatives or the Standing Rules of 6 the Senate included in the report or legis-7 lative language shall be considered to be 8 merely advisory. 9 "(ii) Approval of report and leg-10 ISLATIVE LANGUAGE.—The report of the 11 joint committee and the proposed legisla-12 tive language described in clause (i) shall 13 require the approval of a majority of the 14 members of the joint committee. 15 "(iii) Additional views.—A member 16 of the joint committee who gives notice of 17 an intention to file supplemental, minority, 18 or additional views at the time of final 19 joint committee vote on the approval of the 20 legislative language under report and 21 clause (ii) shall be entitled to 3 calendar 22 days in which to file such views in writing 23 with the staff director of the joint com-24 mittee. Such views shall then be included 25 in the joint committee report and printed

1	in the same volume, or part thereof, and
2	their inclusion shall be noted on the cover
3	of the report. In the absence of timely no-
4	tice, the joint committee report may be
5	printed and transmitted immediately with-
6	out such views.
7	"(iv) Transmission of report and
8	LEGISLATIVE LANGUAGE.—If the report
9	and legislative language are approved by
10	the joint committee pursuant to clause (ii),
11	then not later than December 2, 2011, the
12	joint committee shall submit the joint com-
13	mittee report and legislative language de-
14	scribed in clause (i) to the President, the
15	Vice President, the Speaker of the House
16	of Representatives, and the majority and
17	minority leaders of each House of Con-
18	gress.
19	"(v) Report and legislative lan-
20	GUAGE TO BE MADE PUBLIC.—Upon the
21	approval or disapproval of the joint com-
22	mittee report and legislative language pur-
23	suant to clause (ii), the joint committee
24	shall promptly make the full report and

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1	legislative language, and a record of the
2	vote, available to the public.".
3	(3) In subsection $(b)(5)(D)$ of such section, strike
4	clause (ii) and insert the following new clauses:
5	"(ii) Joint economic committee
6	ESTIMATES.—The Joint Economic Com-
7	mittee shall provide job creation estimates
8	of the legislation (as described in para-
9	graph $(3)(C)$ in accordance with the Em-
10	ployment Act of 1946 and the unemploy-
11	ment rate as determined by the Bureau of
12	Labor Statistics. In addition, the Joint
13	Economic Committee shall provide infor-
14	mation on the employment effect of the
15	legislation beyond calendar years 2012 and
16	2013 and shall determine the impact of job
17	creation measures approved by the Joint
18	Committee on growth and deficit projec-
19	tions. The joint committee may not vote
20	any version of the report, recommenda-
21	tions, or legislative language as described
22	in paragraph $(3)(C)$ unless such estimates
23	are available for consideration by all mem-
24	bers of the joint committee at least 48

1 hours prior to the vote as certified by the 2 Co-Chairs. "(iii) Congressional budget of-3 4 FICE ESTIMATES.—The Congressional 5 Budget Office shall provide estimates of 6 the legislation (as described in paragraph) 7 (3)(D) in accordance with sections 308(a)8 and 201(f) of the Congressional Budget 9 Act of 1974 (2 U.S.C. 639(a) and 601(f)) 10 (including estimates of the effect of inter-11 est payment on the debt). In addition, the 12 Congressional Budget Office shall provide 13 information on the budgetary effect of the 14 legislation beyond year 2021. The joint 15 committee may not vote any version of the 16 report, recommendations, or legislative lan-17 guage as described in paragraph (3)(D)18 unless such estimates are available for con-19 sideration by all members of the joint com-20 mittee at least 48 hours prior to the vote 21 as certified by the Co-Chair.

22 "(iv) TIMING.—The joint committee
23 may not vote on any version of the report,
24 recommendations, or legislative language
25 unless such estimates (as described in

clauses (ii) and (iii)) are available for con-
sideration by all members of the joint com-
mittee at least 48 hours prior to the vote
as certified by the Co-Chairs.".

5 (4) In subsection (b)(5)(F)(i) of such section is6 amended to read as follows:

7 "(i) IN GENERAL.—The joint committee shall, for the purpose of carrying 8 9 out this section, hold hearings on emer-10 gency jobs legislation and deficit reduction. 11 In doing so, the joint committee shall sit 12 and act at such times and places, require 13 attendance of witnesses and production of 14 books, papers, and documents, take such 15 testimony, receive such evidence, and ad-16 minister such oaths as the joint committee 17 considers advisable.".

18 SEC. 3. EXPEDITED CONSIDERATION OF JOINT COMMITTEE

19 RECOMMENDATIONS FOR EMERGENCY JOBS20 LEGISLATION.

21 (a) IN GENERAL.—Section 402 of the Budget Con22 trol Act of 2011 is amended—

23 (1) in subsection (a), by striking
24 "401(b)(3)(B)(ii)" and inserting "401(b)(3)(C)(ii)"

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1	and by striking "401(b)(3)(B)(iv)" and inserting
2	"401(b)(3)(C)(iv)";
3	(2) in subsection (b)(1), by striking "December
4	9, 2011" and inserting "October 24, 2011";
5	(3) in subsection (b)(4), by striking "December
6	23, 2011" and inserting "October 31, 2011";
7	(4) in subsection (c)(1), by striking "December
8	9, 2011" and inserting "October 24, 2011";
9	(5) in subsection (c)(5), by striking "December
10	23, 2011" and inserting "October 31, 2011";
11	(6) in subsection $(g)(1)$, by striking "November
12	23, 2011" and inserting "October 14, 2011" and by
13	striking "401(b)(3)(B)(i)" and inserting
14	"401(b)(3)(C)(i)"; and
15	(7) in subsection $(g)(2)$, by striking "December
16	23, 2011" and inserting "October 31, 2011".
17	(b) Conforming Amendment.—The section head-
18	ing of section 402 of the Budget Control Act of 2011 is
19	amended by adding at the end "FOR EMERGENCY JOBS
20	LEGISLATION".
21	SEC. 4. EXPEDITED CONSIDERATION OF JOINT COMMITTEE
22	RECOMMENDATIONS FOR DEFICIT REDUC-
23	TION.
24	
	Title IV of the Budget Control Act of 2011 is amend-

1 and 405, respectively, and by inserting after section 4022 the following new section:

3 "SEC. 403. EXPEDITED CONSIDERATION OF JOINT COM4 MITTEE RECOMMENDATIONS FOR DEFICIT 5 REDUCTION.

6 "(a) INTRODUCTION.—If approved by the majority 7 required by section 401(b)(3)(D)(ii), the proposed legisla-8 tive language submitted pursuant to section 9 401(b)(3)(D)(iv) shall be introduced in the Senate (by re-10 quest) on the next day on which the Senate is in session by the majority leader of the Senate or by a Member of 11 12 the Senate designated by the majority leader of the Senate and shall be introduced in the House of Representatives 13 (by request) on the next legislative day by the majority 14 15 leader of the House or by a Member of the House designated by the majority leader of the House. 16

17 "(b) CONSIDERATION IN THE HOUSE OF REP-18 RESENTATIVES.—

"(1) REFERRAL AND REPORTING.—Any committee 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 committee bill within that period, it shall be in order to
move that the House discharge the committee from

1 further consideration of the bill. Such a motion shall 2 not be in order after the last committee authorized 3 to consider the bill reports it to the House or after the House has disposed of a motion to discharge the 4 5 bill. The previous question shall be considered as or-6 dered on the motion to its adoption without inter-7 vening motion except 20 minutes of debate equally 8 divided and controlled by the proponent and an op-9 ponent. If such a motion is adopted, the House shall 10 proceed immediately to consider the joint committee 11 bill in accordance with paragraphs (2) and (3). A 12 motion to reconsider the vote by which the motion 13 is disposed of shall not be in order.

14 "(2) PROCEEDING TO CONSIDERATION.—After 15 the last committee authorized to consider a joint 16 committee bill reports it to the House or has been 17 discharged (other than by motion) from its consider-18 ation, it shall be in order to move to proceed to con-19 sider the joint committee bill in the House. Such a 20 motion shall not be in order after the House has dis-21 posed of a motion to proceed with respect to the 22 joint committee bill. The previous question shall be 23 considered as ordered on the motion to its adoption 24 without intervening motion. A motion to reconsider the vote by which the motion is disposed of shall not
 be in order.

3 "(3) CONSIDERATION.—The joint committee 4 bill shall be considered as read. All points of order 5 against the joint committee bill and against its con-6 sideration are waived. The previous question shall be 7 considered as ordered on the joint committee bill to 8 its passage without intervening motion except 2 9 hours of debate equally divided and controlled by the 10 proponent and an opponent and one motion to limit 11 debate on the joint committee bill. A motion to re-12 consider the vote on passage of the joint committee 13 bill shall not be in order.

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

17 "(c) EXPEDITED PROCEDURE IN THE SENATE.—

18 "(1) COMMITTEE CONSIDERATION.—A joint 19 committee bill introduced in the Senate under sub-20 section (a) shall be jointly referred to the committee 21 or committees of jurisdiction, which committees shall 22 report the bill without any revision and with a favor-23 able recommendation, an unfavorable recommenda-24 tion, or without recommendation, not later than De-25 cember 9, 2011. If any committee fails to report the bill within that period, that committee shall be auto matically discharged from consideration of the bill,
 and the bill shall be placed on the appropriate cal endar.

"(2) MOTION TO PROCEED.—Notwithstanding 5 6 Rule XXII of the Standing Rules of the Senate, it 7 is in order, not later than 2 days of session after the 8 date on which a joint committee bill is reported or 9 discharged from all committees to which it was re-10 ferred, for the majority leader of the Senate or the 11 majority leader's designee to move to proceed to the 12 consideration of the joint committee bill. It shall also 13 be in order for any Member of the Senate to move 14 to proceed to the consideration of the joint com-15 mittee bill at any time after the conclusion of such 16 2-day period. A motion to proceed is in order even 17 though a previous motion to the same effect has 18 been disagreed to. All points of order against the 19 motion to proceed to the joint committee bill are 20 waived. The motion to proceed is not debatable. The 21 motion is not subject to a motion to postpone. A mo-22 tion to reconsider the vote by which the motion is 23 agreed to or disagreed to shall not be in order. If 24 a motion to proceed to the consideration of the joint 25 committee bill is agreed to, the joint committee bill shall remain the unfinished business until disposed
 of.

3 "(3) CONSIDERATION.—All points of order against the joint committee bill and against consid-4 5 eration of the joint committee bill are waived. Con-6 sideration of the joint committee bill and of all de-7 batable motions and appeals in connection therewith 8 shall not exceed a total of 30 hours which shall be 9 divided equally between the majority and minority 10 leaders or their designees. A motion further to limit 11 debate on the joint committee bill is in order, shall 12 require an affirmative vote of three-fifths of the 13 Members duly chosen and sworn, and is not debat-14 able. Any debatable motion or appeal is debatable 15 for not to exceed 1 hour, to be divided equally be-16 tween those favoring and those opposing the motion 17 or appeal. All time used for consideration of the 18 joint committee bill, including time used for quorum 19 calls and voting, shall be counted against the total 20 30 hours of consideration.

21 "(4) NO AMENDMENTS.—An amendment to the
22 joint committee bill, or a motion to postpone, or a
23 motion to proceed to the consideration of other busi24 ness, or a motion to recommit the joint committee
25 bill, is not in order.

"(5) VOTE ON PASSAGE.—If the Senate has 1 2 voted to proceed to the joint committee bill, the vote 3 on passage of the joint committee bill shall occur im-4 mediately following the conclusion of the debate on 5 a joint committee bill, and a single quorum call at 6 the conclusion of the debate if requested. The vote 7 on passage of the joint committee bill shall occur not 8 later than December 23, 2011. 9 "(6) RULINGS OF THE CHAIR ON PROCE-10 DURE.—Appeals from the decisions of the Chair re-11 lating to the application of the rules of the Senate, 12 as the case may be, to the procedure relating to a 13 joint committee bill shall be decided without debate. 14 "(d) AMENDMENT.—The joint committee bill shall 15 not be subject to amendment in either the House of Rep-16 resentatives or the Senate. 17 "(e) Consideration by the Other House.— 18 "(1) IN GENERAL.—If, before passing the joint 19 committee bill, one House receives from the other a 20 joint committee bill— "(A) the joint committee bill of the other 21 22 House shall not be referred to a committee; and 23 "(B) the procedure in the receiving House 24 shall be the same as if no joint committee bill

25 had been received from the other House until

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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.

5 "(2) REVENUE MEASURE.—This subsection 6 shall not apply to the House of Representatives if 7 the joint committee bill received from the Senate is 8 a revenue measure.

9 "(f) RULES TO COORDINATE ACTION WITH OTHER10 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 entitled to expedited floor procedures under this section.

"(2) TREATMENT OF COMPANION MEASURES IN 16 17 THE SENATE.—If following passage of the joint com-18 mittee bill in the Senate, the Senate then receives 19 the joint committee bill from the House of Rep-20 resentatives, the House-passed joint committee bill 21 shall not be debatable. The vote on passage of the 22 joint committee bill in the Senate shall be considered 23 to be the vote on passage of the joint committee bill 24 received from the House of Representatives.

1	"(3) VETOES.—If the President vetoes the joint
2	committee bill, debate on a veto message in the Sen-
3	ate under this section shall be 1 hour equally divided
4	between the majority and minority leaders or their
5	designees.
6	"(g) Loss of Privilege.—The provisions of this
7	section shall cease to apply to the joint committee bill if—
8	"(1) the joint committee fails to vote on the re-
9	port or proposed legislative language required under
10	section $401(b)(3)(D)(i)$ not later than November 23,
11	2011; or
12	((2) the joint committee bill does not pass both
13	Houses not later than December 23, 2011.".
14	SEC. 5. DISCRETIONARY SPENDING LIMITS.
15	(a) IN GENERAL.—Section 251(c) of the Balanced
16	Budget and Emergency Deficit Control Act of 1985 is
17	amended by striking paragraphs (1) and (2) and redesig-
18	nating paragraphs (3) through (10) as paragraphs (1)
19	
	through (8), respectively.
20	(b) CONFORMING AMENDMENTS TO ADJUST-
20 21	
	(b) Conforming Amendments to Adjust-
21	(b) CONFORMING AMENDMENTS TO ADJUST- MENTS.—Section 251(b)(2) of the Balanced Budget and
21 22	(b) CONFORMING AMENDMENTS TO ADJUST- MENTS.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended—

1	(III) through (X) as subclauses (I) through (VIII),
2	respectively;
3	(2) in subparagraph (C)(i), by striking sub-
4	clauses (I) and (II) and by redesignating subclauses
5	(III) through (X) as subclauses (I) through (VIII),
6	respectively; and
7	(3) in subparagraph (D), by striking "2012"
8	and inserting "2014".
9	(c) Revised Discretionary Spending Limits.—
10	Section 251A of the Balanced Budget and Emergency
11	Deficit Control Act of 1985 is amended—
12	(1) in paragraph (2) , by striking "for fiscal
13	years 2013 through 2021" and inserting "for fiscal
14	years 2014 through 2021" and by striking subpara-
15	graph (A) and redesignating subparagraphs (B)
16	through (I) as (A) through (H), respectively;
17	(2) in paragraph (3) , by striking "2013" and
18	inserting "2014";
19	(3) in paragraph (4), by striking "2013" each
20	place it appears and inserting "2014" and by strik-
21	ing "2014 through 2021" and inserting " 2015
22	through 2021";
23	(4) in paragraphs (5) , (6) , and (7) , by striking
24	"2013" each place it appears and inserting "2014";
25	and

1	(5) in paragraph (7)(B), by striking "2014"
2	each place it appears and inserting "2015".
3	SEC. 6. ADJUSTMENT TO STATUTORY DEBT LIMIT FOR
4	EMERGENCY JOBS LEGISLATION.
5	Title III of the Budget Control Act of 2011 is amend-
6	ed by adding at the end the following new section:
7	"SEC. 303. ADJUSTMENT TO STATUTORY DEBT LIMIT FOR
, 8	EMERGENCY JOBS LEGISLATION.
9	"If emergency jobs legislation is approved by the joint
10	committee pursuant to section $401(b)(3)(C)(ii)$ and is en-
10	-
11	3101(b) of title 31, United States Code, is increased by
13	an amount equal to the amount of new budget authority
14	provided in such emergency jobs legislation.".
15	SEC. 7. CONFORMING AMENDMENTS.
16	The table of contents set forth in section 1(b) of the
17	Budget Control Act of 2011 is amended—
18	(1) by inserting after the item relating to sec-
19	tion 302 the following new item:
	"Sec. 303. Adjustment to statutory debt limit for emergency jobs legislation.";
20	and
21	(2) by striking the items relating to sections
22	402 through 404 and inserting the following new
23	items:
	"Que 400 Emplited envilopetion of init committee on the fi

"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.".