

112TH CONGRESS
1ST SESSION

H. R. 2835

To establish a joint select committee of Congress to report findings and propose legislation to restore the Nation's workforce to full employment over the period of fiscal years 2012 and 2013, and to provide for expedited consideration of such legislation by both the House of Representatives and the Senate.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 2, 2011

Mr. LARSON of Connecticut (for himself, Mr. BOSWELL, Mr. CLAY, Ms. ESHOO, Ms. NORTON, Mr. PASCRELL, Mr. ROTHMAN of New Jersey, Mr. TOWNS, Ms. BASS of California, Ms. BERKLEY, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Mrs. CAPPS, Mr. CAPUANO, Mrs. CHRISTENSEN, Mr. CICILLINE, Mr. CLARKE of Michigan, Mr. CLEAVER, Mr. COHEN, Mr. COURTNEY, Mr. CUMMINGS, Ms. DELAURO, Mr. ELLISON, Mr. FILNER, Mr. GONZALEZ, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. JACKSON LEE of Texas, Mr. JOHNSON of Georgia, Mr. LANGEVIN, Ms. LEE of California, Mr. LUJÁN, Mrs. MALONEY, Ms. MATSUI, Mrs. MCCARTHY of New York, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MEEKS, Mr. MURPHY of Connecticut, Mr. NADLER, Mr. NEAL, Mr. REYES, Ms. RICHARDSON, Mr. RUPPERSBERGER, Mr. RUSH, Ms. LINDA T. SÁNCHEZ of California, Ms. SCHAKOWSKY, Mr. SIRES, Mr. STARK, Mr. TONKO, Ms. TSONGAS, Mr. VAN HOLLEN, Ms. VELÁZQUEZ, Mr. WELCH, Ms. WILSON of Florida, Ms. WOOLSEY, Mr. YARMUTH, Mr. DOYLE, and Mr. CLYBURN) introduced the following bill

SEPTEMBER 6, 2011

Referred to the Committee on Rules

A BILL

To establish a joint select committee of Congress to report findings and propose legislation to restore the Nation's workforce to full employment over the period of fiscal

years 2012 and 2013, and to provide for expedited consideration of such legislation by both the House of Representatives and the Senate.

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 “Joint Select Committee
5 on Job Creation Act of 2011”.

6 **SEC. 2. ESTABLISHMENT OF JOINT SELECT COMMITTEE.**

7 (a) DEFINITIONS.—In this Act:

8 (1) JOINT COMMITTEE.—The term “joint com-
9 mittee” means the Joint Select Committee on Job
10 Creation established under subsection (b)(1).

11 (2) JOINT COMMITTEE BILL.—The term “joint
12 committee bill” means a bill consisting of the pro-
13 posed legislative language of the joint committee rec-
14 ommended under subsection (b)(3)(B) and intro-
15 duced under section 3(a).

16 (b) ESTABLISHMENT OF JOINT SELECT COM-
17 MITTEE.—

18 (1) ESTABLISHMENT.—There is established a
19 joint select committee of Congress to be known as
20 the “Joint Select Committee on Job Creation”.

21 (2) GOAL.—The goal of the joint committee
22 shall be to restore the Nation’s workforce to full em-
23 ployment, as defined by the Secretary of Labor not

1 later than 14 days after the date of the enactment
2 of this Act, over the period of fiscal years 2012 and
3 2013.

4 (3) DUTIES.—

5 (A) IN GENERAL.—

6 (i) IMPROVING THE SHORT-TERM AND
7 LONG-TERM EMPLOYMENT LEVELS.—The
8 joint committee shall provide recommenda-
9 tions and legislative language that will sig-
10 nificantly improve the short-term and long-
11 term employment levels in the United
12 States.

13 (ii) RECOMMENDATIONS OF COMMIT-
14 TEES.—Not later than October 14, 2011,
15 each committee of the House of Represent-
16 atives and the Senate may transmit to the
17 joint committee its recommendations for
18 changes in law to increase employment lev-
19 els consistent with the goal described in
20 paragraph (2) for the joint committee’s
21 consideration.

22 (B) REPORT, RECOMMENDATIONS, AND
23 LEGISLATIVE LANGUAGE.—

1 (i) IN GENERAL.—Not later than No-
2 vember 23, 2011, the joint committee shall
3 vote on—

4 (I) a report that contains a de-
5 tailed statement of the findings, con-
6 clusions, and recommendations of the
7 joint committee and the estimate of
8 the Joint Economic Committee re-
9 quired by paragraph (5)(D)(ii); and

10 (II) proposed legislative language
11 to carry out such recommendations as
12 described in subclause (I), which shall
13 include a statement of the job creation
14 achieved by the legislation over the
15 period of fiscal years 2012 and 2013.

16 Any change to the Rules of the House of
17 Representatives or the Standing Rules of
18 the Senate included in the report or legis-
19 lative language shall be considered to be
20 merely advisory.

21 (ii) APPROVAL OF REPORT AND LEG-
22 ISLATIVE LANGUAGE.—The report of the
23 joint committee and the proposed legisla-
24 tive language described in clause (i) shall

1 require the approval of a majority of the
2 members of the joint committee.

3 (iii) ADDITIONAL VIEWS.—A member
4 of the joint committee who gives notice of
5 an intention to file supplemental, minority,
6 or additional views at the time of final
7 joint committee vote on the approval of the
8 report and legislative language under
9 clause (ii) shall be entitled to 3 calendar
10 days in which to file such views in writing
11 with the staff director of the joint com-
12 mittee. Such views shall then be included
13 in the joint committee report and printed
14 in the same volume, or part thereof, and
15 their inclusion shall be noted on the cover
16 of the report. In the absence of timely no-
17 tice, the joint committee report may be
18 printed and transmitted immediately with-
19 out such views.

20 (iv) TRANSMISSION OF REPORT AND
21 LEGISLATIVE LANGUAGE.—If the report
22 and legislative language are approved by
23 the joint committee pursuant to clause (ii),
24 then not later than December 2, 2011, the
25 joint committee shall submit the joint com-

1 committee report and legislative language de-
2 scribed in clause (i) to the President, the
3 Vice President, the Speaker of the House
4 of Representatives, and the majority and
5 minority leaders of each House of Con-
6 gress.

7 (v) REPORT AND LEGISLATIVE LAN-
8 GUAGE TO BE MADE PUBLIC.—Upon the
9 approval or disapproval of the joint com-
10 mittee report and legislative language pur-
11 suant to clause (ii), the joint committee
12 shall promptly make the full report and
13 legislative language, and a record of the
14 vote, available to the public.

15 (4) MEMBERSHIP.—

16 (A) IN GENERAL.—The joint committee
17 shall be composed of 12 members appointed
18 pursuant to subparagraph (B).

19 (B) APPOINTMENT.—Members of the joint
20 committee shall be appointed as follows:

21 (i) The majority leader of the Senate
22 shall appoint three members from among
23 Members of the Senate.

1 (ii) The minority leader of the Senate
2 shall appoint three members from among
3 Members of the Senate.

4 (iii) The Speaker of the House of
5 Representatives shall appoint three mem-
6 bers from among Members of the House of
7 Representatives.

8 (iv) The minority leader of the House
9 of Representatives shall appoint three
10 members from among Members of the
11 House of Representatives.

12 (C) CO-CHAIRS.—

13 (i) IN GENERAL.—There shall be two
14 Co-Chairs of the joint committee. The ma-
15 jority leader of the Senate shall appoint
16 one Co-Chair from among the members of
17 the joint committee. The Speaker of the
18 House of Representatives shall appoint the
19 second Co-Chair from among the members
20 of the joint committee. The Co-Chairs shall
21 be appointed not later than 14 calendar
22 days after the date of enactment of this
23 Act.

1 (ii) STAFF DIRECTOR.—The Co-
2 Chairs, acting jointly, shall hire the staff
3 director of the joint committee.

4 (D) DATE.—Members of the joint com-
5 mittee shall be appointed not later than 14 cal-
6 endar days after the date of enactment of this
7 Act.

8 (E) PERIOD OF APPOINTMENT.—Members
9 shall be appointed for the life of the joint com-
10 mittee. Any vacancy in the joint committee
11 shall not affect its powers, but shall be filled
12 not later than 14 calendar days after the date
13 on which the vacancy occurs, in the same man-
14 ner as the original designation was made. If a
15 member of the joint committee ceases to be a
16 Member of the House of Representatives or the
17 Senate, as the case may be, the member is no
18 longer a member of the joint committee and a
19 vacancy shall exist.

20 (5) ADMINISTRATION.—

21 (A) IN GENERAL.—To enable the joint
22 committee to exercise its powers, functions, and
23 duties, there are authorized to be disbursed by
24 the Senate the actual and necessary expenses of
25 the joint committee approved by the co-chairs,

1 subject to the rules and regulations of the Sen-
2 ate.

3 (B) EXPENSES.—In carrying out its func-
4 tions, the joint committee is authorized to incur
5 expenses in the same manner and under the
6 same conditions as the Joint Economic Com-
7 mittee is authorized by section 11 of Public
8 Law 79–304 (15 U.S.C. 1024(d)).

9 (C) QUORUM.—Seven members of the joint
10 committee shall constitute a quorum for pur-
11 poses of voting, meeting, and holding hearings.

12 (D) VOTING.—

13 (i) PROXY VOTING.—No proxy voting
14 shall be allowed on behalf of the members
15 of the joint committee.

16 (ii) JOB CREATION ESTIMATES.—The
17 Joint Economic Committee, authorized in
18 4(C)(iii) shall provide estimates of the leg-
19 islation (as described in paragraph (3)(B)).
20 The joint committee may not vote on any
21 version of the report, recommendations, or
22 legislative language 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.

3 (E) MEETINGS.—

4 (i) INITIAL MEETING.—Not later than
5 45 calendar days after the date of enact-
6 ment of this Act, the joint committee shall
7 hold its first meeting.

8 (ii) AGENDA.—The Co-Chairs of the
9 joint committee shall provide an agenda to
10 the joint committee members not less than
11 48 hours in advance of any meeting.

12 (F) HEARINGS.—

13 (i) IN GENERAL.—The joint com-
14 mittee may, for the purpose of carrying
15 out this section, hold such hearings, sit
16 and act at such times and places, require
17 attendance of witnesses and production of
18 books, papers, and documents, take such
19 testimony, receive such evidence, and ad-
20 minister such oaths as the joint committee
21 considers advisable.

22 (ii) HEARING PROCEDURES AND RE-
23 SPONSIBILITIES OF CO-CHAIRS.—

24 (I) ANNOUNCEMENT.—The Co-
25 Chairs of the joint committee shall

1 make a public announcement of the
2 date, place, time, and subject matter
3 of any hearing to be conducted, not
4 less than 7 days in advance of such
5 hearing, unless the Co-Chairs deter-
6 mine that there is good cause to begin
7 such hearing at an earlier date.

8 (II) WRITTEN STATEMENT.—A
9 witness appearing before the joint
10 committee shall file a written state-
11 ment of proposed testimony at least 2
12 calendar days before the appearance
13 of the witness, unless the requirement
14 is waived by the Co-Chairs, following
15 their determination that there is good
16 cause for failure to comply with such
17 requirement.

18 (G) TECHNICAL ASSISTANCE.—Upon writ-
19 ten request of the Co-Chairs, a Federal agency
20 shall provide technical assistance to the joint
21 committee in order for the joint committee to
22 carry out its duties.

23 (c) STAFF OF JOINT COMMITTEE.—

24 (1) IN GENERAL.—The Co-Chairs of the joint
25 committee may jointly appoint and fix the compensa-

1 tion of staff as they deem necessary, within the
2 guidelines for employees of the Senate and following
3 all applicable rules and employment requirements of
4 the Senate.

5 (2) **ETHICAL STANDARDS.**—Members on the
6 joint committee who serve in the House of Rep-
7 resentatives shall be governed by the ethics rules and
8 requirements of the House. Members of the Senate
9 who serve on the joint committee and staff of the
10 joint committee shall comply with the ethics rules of
11 the Senate.

12 (d) **TERMINATION.**—The joint committee shall termi-
13 nate on January 31, 2012.

14 **SEC. 3. EXPEDITED CONSIDERATION OF JOINT COMMITTEE**
15 **RECOMMENDATIONS.**

16 (a) **INTRODUCTION.**—

17 (1) **IF APPROVED.**—If approved by the majority
18 required by section 2(b)(3)(B)(ii), the proposed leg-
19 islative language submitted pursuant to section
20 2(b)(3)(B)(iv) shall be introduced in the Senate (by
21 request) on the next day on which the Senate is in
22 session by the majority leader of the Senate or by
23 a Member of the Senate designated by the majority
24 leader of the Senate and shall be introduced in the
25 House of Representatives (by request) on the next

1 legislative day by the majority leader of the House
2 or by a Member of the House designated by the ma-
3 jority leader of the House.

4 (2) IF NOT APPROVED.—If no legislative lan-
5 guage is approved by the vote required by section
6 2(b)(3)(B)(i), then any legislative language that was
7 brought to a vote under such section shall be intro-
8 duced in the Senate (by request) on the next day on
9 which the Senate is in session by the majority leader
10 of the Senate or by a Member of the Senate des-
11 ignated by the majority leader of the Senate and
12 shall be introduced in the House of Representatives
13 (by request) on the next legislative day by the ma-
14 jority leader of the House or by a Member of the
15 House designated by the majority leader of the
16 House.

17 (b) CONSIDERATION IN THE HOUSE OF REPRESENT-
18 ATIVES.—

19 (1) REFERRAL AND REPORTING.—Any com-
20 mittee of the House of Representatives to which the
21 joint committee bill is referred shall report it to the
22 House without amendment not later than December
23 9, 2011. If a committee fails to report the joint com-
24 mittee bill within that period, it shall be in order to
25 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
4 the House has disposed of a motion to discharge the
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

1 the vote by which the motion is disposed of shall not
2 be in order.

3 (3) CONSIDERATION.—The joint committee bill
4 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 com-
19 mittee bill introduced in the Senate under subsection
20 (a) shall be jointly referred to the committee or com-
21 mittees of jurisdiction, which committees shall report
22 the bill without any revision and with a favorable
23 recommendation, an unfavorable recommendation, or
24 without recommendation, not later than December 9,
25 2011. If any committee fails to report the bill within

1 that period, that committee shall be automatically
2 discharged from consideration of the bill, and the
3 bill shall be placed on the appropriate calendar.

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

1 shall remain the unfinished business until disposed
2 of.

3 (3) CONSIDERATION.—All points of order
4 against the joint committee bill and against consid-
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 busi-
24 ness, or a motion to recommit the joint committee
25 bill, is not in order.

1 (5) VOTE ON PASSAGE.—If the Senate has
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 PROCEDURE.—
10 Appeals from the decisions of the Chair relating to
11 the application of the rules of the Senate, as the
12 case may be, to the procedure relating to a joint
13 committee bill shall be decided without debate.

14 (d) AMENDMENT.—The joint committee bill shall not
15 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—

21 (A) the joint committee bill of the other
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

1 the vote on passage, when the joint committee
2 bill received from the other House shall sup-
3 plant the joint committee bill of the receiving
4 House.

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

9 (f) RULES TO COORDINATE ACTION WITH OTHER
10 HOUSE.—

11 (1) TREATMENT OF JOINT COMMITTEE BILL OF
12 OTHER HOUSE.—If the Senate fails to introduce or
13 consider a joint committee bill under this section,
14 the joint committee bill of the House shall be enti-
15 tled to expedited floor procedures under this section.

16 (2) TREATMENT OF COMPANION MEASURES IN
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 sec-
7 tion shall cease to apply to the joint committee bill if the
8 joint committee bill does not pass both Houses not later
9 than December 23, 2011.

10 **SEC. 4. FUNDING.**

11 Funding for the joint committee shall be derived in
12 equal portions from—

13 (1) the applicable accounts of the House of
14 Representatives; and

15 (2) the contingent fund of the Senate from the
16 appropriations account “Miscellaneous Items”, sub-
17 ject to the rules and regulations of the Senate.

18 **SEC. 5. RULEMAKING.**

19 The provisions of this Act are enacted by Congress—

20 (1) as an exercise of the rulemaking power of
21 the House of Representatives and the Senate, re-
22 spectively, and as such they shall be considered as
23 part of the rules of each House, respectively, or of
24 that House to which they specifically apply, and

1 such rules shall supersede other rules only to the ex-
2 tent that they are inconsistent therewith; and

3 (2) with full recognition of the constitutional
4 right of either House to change such rules (so far
5 as relating to such House) at any time, in the same
6 manner, and to the same extent as in the case of
7 any other rule of such House.

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