

112TH CONGRESS
1ST SESSION

S. 1522

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 SENATE OF THE UNITED STATES

SEPTEMBER 7, 2011

Mr. BLUMENTHAL (for himself, Mr. SCHUMER, Mr. WHITEHOUSE, Mr. BEGICH, Mr. MANCHIN, Mr. BROWN of Ohio, and Mr. FRANKEN) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

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".

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

2 (a) DEFINITIONS.—In this Act:

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

6 (2) JOINT COMMITTEE BILL.—The term “joint
7 committee bill” means a bill consisting of the pro-
8 posed legislative language of the joint committee rec-
9 ommended under subsection (b)(3)(B) and intro-
10 duced under section 3(a).

11 (b) ESTABLISHMENT OF JOINT SELECT COM-
12 MITTEE.—

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

16 (2) GOAL.—The goal of the joint committee
17 shall be to restore the Nation’s workforce to full em-
18 ployment, as defined by the Secretary of Labor not
19 later than 14 days after the date of the enactment
20 of this Act, over the period of fiscal years 2012 and
21 2013.

22 (3) DUTIES.—

23 (A) IN GENERAL.—

24 (i) IMPROVING THE SHORT-TERM AND
25 LONG-TERM EMPLOYMENT LEVELS.—The
26 joint committee shall provide recommenda-

1 tions and legislative language that will sig-
2 nificantly improve the short-term and long-
3 term employment levels in the United
4 States.

5 (ii) RECOMMENDATIONS OF COMMIT-
6 TEES.—Not later than October 14, 2011,
7 each committee of the House of Represent-
8 atives and the Senate may transmit to the
9 joint committee its recommendations for
10 changes in law to increase employment lev-
11 els consistent with the goal described in
12 paragraph (2) for the joint committee’s
13 consideration.

14 (B) REPORT, RECOMMENDATIONS, AND
15 LEGISLATIVE LANGUAGE.—

16 (i) IN GENERAL.—Not later than No-
17 vember 23, 2011, the joint committee shall
18 vote on—

19 (I) a report that contains a de-
20 tailed statement of the findings, con-
21 clusions, and recommendations of the
22 joint committee and the estimate of
23 the Joint Economic Committee re-
24 quired by paragraph (5)(D)(ii); and

1 (II) proposed legislative language
2 to carry out such recommendations as
3 described in subclause (I), which shall
4 include a statement of the job creation
5 achieved by the legislation over the
6 period of fiscal years 2012 and 2013.
7 Any change to the Rules of the House of
8 Representatives or the Standing Rules of
9 the Senate included in the report or legis-
10 lative language shall be considered to be
11 merely advisory.

12 (ii) APPROVAL OF REPORT AND LEG-
13 ISLATIVE LANGUAGE.—The report of the
14 joint committee and the proposed legisla-
15 tive language described in clause (i) shall
16 require the approval of a majority of the
17 members of the joint committee.

18 (iii) ADDITIONAL VIEWS.—A member
19 of the joint committee who gives notice of
20 an intention to file supplemental, minority,
21 or additional views at the time of final
22 joint committee vote on the approval of the
23 report and legislative language under
24 clause (ii) shall be entitled to 3 calendar
25 days in which to file such views in writing

1 with the staff director of the joint com-
2 mittee. Such views shall then be included
3 in the joint committee report and printed
4 in the same volume, or part thereof, and
5 their inclusion shall be noted on the cover
6 of the report. In the absence of timely no-
7 tice, the joint committee report may be
8 printed and transmitted immediately with-
9 out such views.

10 (iv) TRANSMISSION OF REPORT AND
11 LEGISLATIVE LANGUAGE.—If the report
12 and legislative language are approved by
13 the joint committee pursuant to clause (ii),
14 then not later than December 2, 2011, the
15 joint committee shall submit the joint com-
16 mittee report and legislative language de-
17 scribed in clause (i) to the President, the
18 Vice President, the Speaker of the House
19 of Representatives, and the majority and
20 minority leaders of each House of Con-
21 gress.

22 (v) REPORT AND LEGISLATIVE LAN-
23 GUAGE TO BE MADE PUBLIC.—Upon the
24 approval or disapproval of the joint com-
25 mittee report and legislative language pur-

1 suant to clause (ii), the joint committee
2 shall promptly make the full report and
3 legislative language, and a record of the
4 vote, available to the public.

5 (4) MEMBERSHIP.—

6 (A) IN GENERAL.—The joint committee
7 shall be composed of 12 members appointed
8 pursuant to subparagraph (B).

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

11 (i) The majority leader of the Senate
12 shall appoint three members from among
13 Members of the Senate.

14 (ii) The minority leader of the Senate
15 shall appoint three members from among
16 Members of the Senate.

17 (iii) The Speaker of the House of
18 Representatives shall appoint three mem-
19 bers from among Members of the House of
20 Representatives.

21 (iv) The minority leader of the House
22 of Representatives shall appoint three
23 members from among Members of the
24 House of Representatives.

25 (C) CO-CHAIRS.—

1 (i) IN GENERAL.—There shall be two
2 Co-Chairs of the joint committee. The ma-
3 jority leader of the Senate shall appoint
4 one Co-Chair from among the members of
5 the joint committee. The Speaker of the
6 House of Representatives shall appoint the
7 second Co-Chair from among the members
8 of the joint committee. The Co-Chairs shall
9 be appointed not later than 14 calendar
10 days after the date of enactment of this
11 Act.

12 (ii) STAFF DIRECTOR.—The Co-
13 Chairs, acting jointly, shall hire the staff
14 director of the joint committee.

15 (D) DATE.—Members of the joint com-
16 mittee shall be appointed not later than 14 cal-
17 endar days after the date of enactment of this
18 Act.

19 (E) PERIOD OF APPOINTMENT.—Members
20 shall be appointed for the life of the joint com-
21 mittee. Any vacancy in the joint committee
22 shall not affect its powers, but shall be filled
23 not later than 14 calendar days after the date
24 on which the vacancy occurs, in the same man-
25 ner as the original designation was made. If a

1 member of the joint committee ceases to be a
2 Member of the House of Representatives or the
3 Senate, as the case may be, the member is no
4 longer a member of the joint committee and a
5 vacancy shall exist.

6 (5) ADMINISTRATION.—

7 (A) IN GENERAL.—To enable the joint
8 committee to exercise its powers, functions, and
9 duties, there are authorized to be disbursed by
10 the Senate the actual and necessary expenses of
11 the joint committee approved by the Co-Chairs,
12 subject to the rules and regulations of the Sen-
13 ate.

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

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

23 (D) VOTING.—

1 (i) PROXY VOTING.—No proxy voting
2 shall be allowed on behalf of the members
3 of the joint committee.

4 (ii) JOB CREATION ESTIMATES.—The
5 Joint Economic Committee, authorized in
6 4(C)(iii) shall provide estimates of the leg-
7 islation (as described in paragraph (3)(B)).
8 The joint committee may not vote on any
9 version of the report, recommendations, or
10 legislative language unless such estimates
11 are available for consideration by all mem-
12 bers of the joint committee at least 48
13 hours prior to the vote as certified by the
14 Co-Chairs.

15 (E) MEETINGS.—

16 (i) INITIAL MEETING.—Not later than
17 45 calendar days after the date of enact-
18 ment of this Act, the joint committee shall
19 hold its first meeting.

20 (ii) AGENDA.—The Co-Chairs of the
21 joint committee shall provide an agenda to
22 the joint committee members not less than
23 48 hours in advance of any meeting.

24 (F) HEARINGS.—

1 (i) IN GENERAL.—The joint com-
2 mittee may, for the purpose of carrying
3 out this section, hold such hearings, sit
4 and act at such times and places, require
5 attendance of witnesses and production of
6 books, papers, and documents, take such
7 testimony, receive such evidence, and ad-
8 minister such oaths as the joint committee
9 considers advisable.

10 (ii) HEARING PROCEDURES AND RE-
11 SPONSIBILITIES OF CO-CHAIRS.—

12 (I) ANNOUNCEMENT.—The Co-
13 Chairs of the joint committee shall
14 make a public announcement of the
15 date, place, time, and subject matter
16 of any hearing to be conducted, not
17 less than 7 days in advance of such
18 hearing, unless the Co-Chairs deter-
19 mine that there is good cause to begin
20 such hearing at an earlier date.

21 (II) WRITTEN STATEMENT.—A
22 witness appearing before the joint
23 committee shall file a written state-
24 ment of proposed testimony at least 2
25 calendar days before the appearance

1 of the witness, unless the requirement
2 is waived by the Co-Chairs, following
3 their determination that there is good
4 cause for failure to comply with such
5 requirement.

6 (G) TECHNICAL ASSISTANCE.—Upon writ-
7 ten request of the Co-Chairs, a Federal agency
8 shall provide technical assistance to the joint
9 committee in order for the joint committee to
10 carry out its duties.

11 (c) STAFF OF JOINT COMMITTEE.—

12 (1) IN GENERAL.—The Co-Chairs of the joint
13 committee may jointly appoint and fix the compensa-
14 tion of staff as they deem necessary, within the
15 guidelines for employees of the Senate and following
16 all applicable rules and employment requirements of
17 the Senate.

18 (2) ETHICAL STANDARDS.—Members on the
19 joint committee who serve in the House of Rep-
20 resentatives shall be governed by the ethics rules and
21 requirements of the House. Members of the Senate
22 who serve on the joint committee and staff of the
23 joint committee shall comply with the ethics rules of
24 the Senate.

1 (d) TERMINATION.—The joint committee shall termi-
2 nate on January 31, 2012.

3 **SEC. 3. EXPEDITED CONSIDERATION OF JOINT COMMITTEE**
4 **RECOMMENDATIONS.**

5 (a) INTRODUCTION.—

6 (1) IF APPROVED.—If approved by the majority
7 required by section 2(b)(3)(B)(ii), the proposed leg-
8 islative language submitted pursuant to section
9 2(b)(3)(B)(iv) shall be introduced in the Senate (by
10 request) on the next day on which the Senate is in
11 session by the majority leader of the Senate or by
12 a Member of the Senate designated by the majority
13 leader of the Senate and shall be introduced in the
14 House of Representatives (by request) on the next
15 legislative day by the majority leader of the House
16 or by a Member of the House designated by the ma-
17 jority leader of the House.

18 (2) IF NOT APPROVED.—If no legislative lan-
19 guage is approved by the vote required by section
20 2(b)(3)(B)(i), then any legislative language that was
21 brought to a vote under such section shall be intro-
22 duced in the Senate (by request) on the next day on
23 which the Senate is in session by the majority leader
24 of the Senate or by a Member of the Senate des-
25 igned by the majority leader of the Senate and

1 shall be introduced in the House of Representatives
2 (by request) on the next legislative day by the ma-
3 jority leader of the House or by a Member of the
4 House designated by the majority leader of the
5 House.

6 (b) CONSIDERATION IN THE HOUSE OF REPRESENT-
7 ATIVES.—

8 (1) REFERRAL AND REPORTING.—Any com-
9 mittee of the House of Representatives to which the
10 joint committee bill is referred shall report it to the
11 House without amendment not later than December
12 9, 2011. If a committee fails to report the joint com-
13 mittee bill within that period, it shall be in order to
14 move that the House discharge the committee from
15 further consideration of the bill. Such a motion shall
16 not be in order after the last committee authorized
17 to consider the bill reports it to the House or after
18 the House has disposed of a motion to discharge the
19 bill. The previous question shall be considered as or-
20 dered on the motion to its adoption without inter-
21 vening motion except 20 minutes of debate equally
22 divided and controlled by the proponent and an op-
23 ponent. If such a motion is adopted, the House shall
24 proceed immediately to consider the joint committee
25 bill in accordance with paragraphs (2) and (3). A

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

3 (2) PROCEEDING TO CONSIDERATION.—After
4 the last committee authorized to consider a joint
5 committee bill reports it to the House or has been
6 discharged (other than by motion) from its consider-
7 ation, it shall be in order to move to proceed to con-
8 sider the joint committee bill in the House. Such a
9 motion shall not be in order after the House has dis-
10 posed of a motion to proceed with respect to the
11 joint committee bill. The previous question shall be
12 considered as ordered on the motion to its adoption
13 without intervening motion. A motion to reconsider
14 the vote by which the motion is disposed of shall not
15 be in order.

16 (3) CONSIDERATION.—The joint committee bill
17 shall be considered as read. All points of order
18 against the joint committee bill and against its con-
19 sideration are waived. The previous question shall be
20 considered as ordered on the joint committee bill to
21 its passage without intervening motion except 2
22 hours of debate equally divided and controlled by the
23 proponent and an opponent and one motion to limit
24 debate on the joint committee bill. A motion to re-

1 consider the vote on passage of the joint committee
2 bill shall not be in order.

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

6 (c) EXPEDITED PROCEDURE IN THE SENATE.—

7 (1) COMMITTEE CONSIDERATION.—A joint com-
8 mittee bill introduced in the Senate under subsection
9 (a) shall be jointly referred to the committee or com-
10 mittees of jurisdiction, which committees shall report
11 the bill without any revision and with a favorable
12 recommendation, an unfavorable recommendation, or
13 without recommendation, not later than December 9,
14 2011. If any committee fails to report the bill within
15 that period, that committee shall be automatically
16 discharged from consideration of the bill, and the
17 bill shall be placed on the appropriate calendar.

18 (2) MOTION TO PROCEED.—Notwithstanding
19 Rule XXII of the Standing Rules of the Senate, it
20 is in order, not later than 2 days of session after the
21 date on which a joint committee bill is reported or
22 discharged from all committees to which it was re-
23 ferred, for the majority leader of the Senate or the
24 majority leader's designee to move to proceed to the
25 consideration of the joint committee bill. It shall also

1 be in order for any Member of the Senate to move
2 to proceed to the consideration of the joint com-
3 mittee bill at any time after the conclusion of such
4 2-day period. A motion to proceed is in order even
5 though a previous motion to the same effect has
6 been disagreed to. All points of order against the
7 motion to proceed to the joint committee bill are
8 waived. The motion to proceed is not debatable. The
9 motion is not subject to a motion to postpone. A mo-
10 tion to reconsider the vote by which the motion is
11 agreed to or disagreed to shall not be in order. If
12 a motion to proceed to the consideration of the joint
13 committee bill is agreed to, the joint committee bill
14 shall remain the unfinished business until disposed
15 of.

16 (3) CONSIDERATION.—All points of order
17 against the joint committee bill and against consid-
18 eration of the joint committee bill are waived. Con-
19 sideration of the joint committee bill and of all de-
20 batable motions and appeals in connection therewith
21 shall not exceed a total of 30 hours which shall be
22 divided equally between the majority and minority
23 leaders or their designees. A motion further to limit
24 debate on the joint committee bill is in order, shall
25 require an affirmative vote of three-fifths of the

1 Members duly chosen and sworn, and is not debat-
2 able. Any debatable motion or appeal is debatable
3 for not to exceed 1 hour, to be divided equally be-
4 tween those favoring and those opposing the motion
5 or appeal. All time used for consideration of the
6 joint committee bill, including time used for quorum
7 calls and voting, shall be counted against the total
8 30 hours of consideration.

9 (4) NO AMENDMENTS.—An amendment to the
10 joint committee bill, or a motion to postpone, or a
11 motion to proceed to the consideration of other busi-
12 ness, or a motion to recommit the joint committee
13 bill, is not in order.

14 (5) VOTE ON PASSAGE.—If the Senate has
15 voted to proceed to the joint committee bill, the vote
16 on passage of the joint committee bill shall occur im-
17 mediately following the conclusion of the debate on
18 a joint committee bill, and a single quorum call at
19 the conclusion of the debate if requested. The vote
20 on passage of the joint committee bill shall occur not
21 later than December 23, 2011.

22 (6) RULINGS OF THE CHAIR ON PROCEDURE.—
23 Appeals from the decisions of the Chair relating to
24 the application of the rules of the Senate, as the

1 case may be, to the procedure relating to a joint
2 committee bill shall be decided without debate.

3 (d) AMENDMENT.—The joint committee bill shall not
4 be subject to amendment in either the House of Rep-
5 resentatives or the Senate.

6 (e) CONSIDERATION BY THE OTHER HOUSE.—

7 (1) IN GENERAL.—If, before passing the joint
8 committee bill, one House receives from the other a
9 joint committee bill—

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

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

19 (2) REVENUE MEASURE.—This subsection shall
20 not apply to the House of Representatives if the
21 joint committee bill received from the Senate is a
22 revenue measure.

23 (f) RULES TO COORDINATE ACTION WITH OTHER
24 HOUSE.—

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

6 (2) TREATMENT OF COMPANION MEASURES IN
7 THE SENATE.—If following passage of the joint com-
8 mittee bill in the Senate, the Senate then receives
9 the joint committee bill from the House of Rep-
10 resentatives, the House-passed joint committee bill
11 shall not be debatable. The vote on passage of the
12 joint committee bill in the Senate shall be considered
13 to be the vote on passage of the joint committee bill
14 received from the House of Representatives.

15 (3) VETOES.—If the President vetoes the joint
16 committee bill, debate on a veto message in the Sen-
17 ate under this section shall be 1 hour equally divided
18 between the majority and minority leaders or their
19 designees.

20 (g) LOSS OF PRIVILEGE.—The provisions of this sec-
21 tion shall cease to apply to the joint committee bill if the
22 joint committee bill does not pass both Houses not later
23 than December 23, 2011.

1 **SEC. 4. FUNDING.**

2 Funding for the joint committee shall be derived in
3 equal portions from—

4 (1) the applicable accounts of the House of
5 Representatives; and

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

9 **SEC. 5. RULEMAKING.**

10 The provisions of this Act are enacted by Congress—

11 (1) as an exercise of the rulemaking power of
12 the House of Representatives and the Senate, re-
13 spectively, and as such they shall be considered as
14 part of the rules of each House, respectively, or of
15 that House to which they specifically apply, and
16 such rules shall supersede other rules only to the ex-
17 tent that they are inconsistent therewith; and

18 (2) with full recognition of the constitutional
19 right of either House to change such rules (so far
20 as relating to such House) at any time, in the same
21 manner, and to the same extent as in the case of
22 any other rule of such House.

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