



Congressional Recovery Index: 110th Congress

Topic	Principal Legislative Vehicles	Major Provisions <i>Italics indicates dropped provisions</i>	Partisan Procedural Tactics	Examples of Procedural Cooperation
			Blue indicates Democratic majority tactics Red indicates Republican minority tactics	
Fiscal stimulus	Recovery Rebates and Economic Stimulus for the American People Act of 2008 (HR 5140, 110 th Congress)	\$168 billion with rebates for individual taxpayers and tax breaks for businesses. <i>Home energy subsidies for low-income families, extended unemployment benefits, tax credits for alternative energy, tax incentives for the coal industry, increase in food stamps.</i>	No House committee markup; no opportunity for amendment on House floor; passed using a waiver of layover requirements; Senate majority leader used the amendment tree; no conference process.	No Senate filibuster
Foreclosure relief	American Housing Rescue and Foreclosure Prevention Act of 2008 (HR 3221, 110 th Congress),	Federal bailout of Fannie Mae and Freddie Mac, accompanied by creation of a new regulator for the agencies; modernized and expanded the Federal Housing Administration's loan insurance programs; one-time tax credit for new homebuyers; created a new program to help borrowers at risk of losing their homes to refinance their mortgages through forcing lenders to assume losses; \$4 billion in grants to local governments to buy and refurbish foreclosed properties. <i>Renewable energy tax break extenders; mortgage "cram down" provision by which bankruptcy judges could modify loan terms for troubled borrowers.</i>	Considered under a closed rule in the House; no conference process. Required 8 separate cloture motions (1 failed; 1 withdrawn; 6 successful).	9 of 28 Republican amendments offered at House markup were approved; bill reported by House Financial Services Committee with bipartisan support; 4 of 5 Republican amendments offered on Senate floor were approved.
Foreclosure relief	Mortgage Forgiveness Debt Relief Act of 2007 (HR 3648, 110 th Congress)	Exempted mortgage debt on a principal residence forgiven through foreclosure, sale, or loan restructuring from being counted as taxable income.	No House markup; considered under a closed rule in the House; no conference process. Used a "promptly" motion to recommit.	
Foreclosure relief	Emergency Economic Stabilization Act of 2008 (TARP) (HR 1424, 110 th Congress)	Directed the Treasury Secretary to develop a plan for foreclosure relief and authorizes the Secretary to use loan guarantees and credit enhancements to facilitate loan modifications to prevent foreclosures. <i>Provision was insufficient to spur significant action by Treasury secretary, resulting in proposed legislation that would require \$40 billion of the remaining TARP funds to be designated for foreclosure relief.</i>	No House committee markup; considered under closed rules in the House; no opportunity for amendments on the Senate floor; no conference process.	No Senate filibuster
Bank rescue	Emergency Economic Stabilization Act of 2008 (TARP) (HR 1424, 110 th Congress)	Created program to purchase up to \$700 billion in troubled assets from financial institutions. Also created a special oversight board to oversee the program, imposed limitations on executive compensation, and required that the money for the program be appropriated in installments. In order to secure passage, a variety of expiring tax breaks were extended, incentives for renewable energy projects were added, the AMT patch was extended for one year, and a provision was included requiring insurance companies to cover mental health care at the same levels as other health issues.	No House committee markup; considered under closed rules in the House; no opportunity for amendments on the Senate floor; no conference process.	No Senate filibuster
Auto industry rescue	Auto Industry Financing and Restructuring Act (HR 7321, 110 th Congress)	Not successfully enacted (did not pass Senate). <i>House version would have provided \$14 billion in government loans to GM and Chrysler with oversight provided by a "car czar." Major objections to the plan included the timing of concessions by unions and allegations of insufficient oversight.</i>	No House committee markup; modified closed rule used on House floor; passed using a waiver of layover requirements.	
Unemployment relief	Unemployment Compensation Extension Act of 2008 (HR 6867, 110 th Congress)	Extended unemployment benefits for seven weeks for workers whose benefits had expired and by thirteen weeks for workers in states with unemployment rates over six percent <i>Separated from failed auto bailout package.</i>	No House committee markup; no opportunity for amendment on House floor; passed using a waiver of layover requirements; no conference process. Filibuster attempted (cloture successfully invoked).	

Congressional Recovery Index: 111th Congress, 1st Session

Topic	Principal Legislative Vehicles	Major Provisions <i>Italics indicates dropped provisions</i>	Partisan Procedural Tactics	Examples of Procedural Cooperation
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Fiscal stimulus	American Recovery and Reinvestment Act of 2009 (HR 1, 111 th Congress)	<p>\$787 billion package: \$575 billion in spending, \$212 billion in tax cuts for individuals and businesses.</p> <p><i>Proposed tax credits for home and car purchases were eliminated, as was a program to help cities and counties buy vacant, foreclosed properties. Obama's proposed credit for working families was scaled back. Cuts were made to House-proposed increases for school construction and aid to states. Second failed attempt to pass a mortgage "cram down" provision by which bankruptcy judges could modify loan terms for troubled borrowers.</i></p>	<p>Considered under a structured rule on the House floor; both original bill and conference report were considered under waivers of layover requirements in the House.</p> <p>Filibuster attempted (cloture successfully invoked).</p>	Three House committee markups held, all with opportunities for members of the minority to offer and pass amendments; opportunity for minority amendments on the Senate floor (7 of 27 passed); final agreement achieved through use of conference process.
Foreclosure relief	Helping Families Save Their Homes Act of 2009 (HR 1106; S 896, 111 th Congress)	<p>Would overhaul the Hope for Homeowners program, intended to help borrowers in danger of losing their homes refinance into new government-backed loans. Would provide a "safe harbor" to mortgage servicers who participate in mortgage modification programs, shielding them from lawsuits by investors in securities backed by the mortgages.</p> <p><i>House version would let bankruptcy judges write down the principal and interest rate of loans for people whose mortgages were higher than the value of their homes ("cram down" provision); neither Senate version nor final bill includes this provision.</i></p>	No House committee markup; considered under a self-executing rule on the House floor; only two Republican amendments permitted under structured rule. No conference process.	No Senate filibuster; Republicans permitted to offer 8 amendments on floor (only one passed).
Supplemental spending	Supplemental Appropriations (HR 2346, 111 th Congress)	<p>Established a program for owners of gas-guzzling cars and trucks to receive tax credits worth up to \$4,500 for purchasing newer, cleaner automobiles. Funding comes from deficit spending, not stimulus package.</p> <p><i>Alternative bill: Higher efficiency regulations: trade in vehicle 17mpg or less rather than; 3-tiered voucher system (\$2,500-\$4,500); pre-1999 vehicles eligible for \$2,500 voucher. \$1,000 voucher for mre efficient used car.</i></p>		Cloture invoked; final agreement reached through use of conference process.
Supplemental spending	Making supplemental appropriations for fiscal year 2009 for the Consumer Assistance to Recycle and Save Program (HR 3435; 111 th Congress)	Made emergency supplemental appropriations of \$2 billion for FY2009 and FY2010 to the National Highway Traffic Safety Administration for the Cash for Clunkers Program. Funding comes from stimulus package.	<p>No House committee markup, no opportunity for amendment on House floor; Senate amendments (6 total) proposed: not agreed to (2), ruled out of order by the chair (3), tabled (1).</p> <p>Proposed 6 amendments which would have delayed passage until after summer recess.</p>	
Unemployment relief	Unemployment Compensation Extension Act of 2009 (HR 3548, 111 th Congress)	Provides an additional 14 weeks of federal unemployment benefits in all states; offers an additional 6 weeks of unemployment benefits in states with unemployment rates greater than 8.5%. <i>The original House version only offered 13 weeks of extended unemployment benefits to the states with unemployment rates higher than 8.5%</i>	<p>Considered in the House under suspension of the rules; Reid limited Republican amendment opportunities by filling amendment tree; invoked cloture in the Senate & limited debate to 30 hours; non-germane amendments ruled out of order; simple majority required in Senate.</p> <p>Introduced amendments related to ACORN, immigration; attempted to force a vote to add a provision ending the Troubled Asset Relief Program.</p>	Final passage 98-0 in Senate and 403-12 in House
Fiscal stimulus	Unemployment Compensation Extension Act of 2009 (HR 3548; 111 th Congress)	Extends the \$8000 first-time home-buyer tax credit; creates a new \$6500 tax credit for homebuyers who buy a new home by April 30, 2010 and have lived in the same residence for five consecutive years prior; allows for businesses that incurred losses in 2008 and 2009 to seek tax refunds previously paid on profits over the past five years.	<p>Considered in the House under suspension of the rules; invoked cloture in the Senate & limited debate to 30 hours; non-germane amendments ruled out of order; simple majority required in Senate.</p> <p>Minority procedural tactics on unemployment bill also delayed action on provision.</p>	Introduced as a bipartisan substitute amendment to HR 3548. Final passage 98-0 in Senate and 403-12 in House.

Congressional Recovery Index: 111th Congress, 2nd Session

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Unemployment relief	Temporary Extension Act of 2010 (HR 4691; 111 th Congress)	Extends through April 2010 federal unemployment benefits provided after regular benefits expired, health insurance subsidies for laid-off workers under COBRA; permits 2,000 furloughed federal transportation workers to return to work. <i>Senator Bunning wanted to amend the bill to cover payment of the provisions by rescinding a tax exemption for a paper manufacturing byproduct, rather than adding the bill's cost to the deficit.</i>		Considered in the House under suspension of the rules; as an emergency measure, it was exempt from pay-as-you-go rules; considered in the Senate by unanimous consent; by failing to pass Senator Bunning's amendment, the Senate passed the House version of the bill, which allowed it to be sent immediately to the President. Senator Bunning objected to the unanimous consent request by blocking a vote on the bill for 5 days, during which time the unemployment benefits expired. The GOP was divided on Bunning's actions, however.	The bill passed in the house by voice vote. Senate Democrats agreed to allow a symbolic vote on an amendment to pay for the provisions by rescinding a tax exemption rather than adding the costs to the deficit. In exchange, Senator Bunning ended his blockade. 21 Republicans voted to pass the bill (final vote was 78-19).
Supplemental spending	Temporary Extension Act of 2010 (HR 4691; 111 th Congress)	Extends through April 2010 Medicare physician payments, Medicare therapy caps, surface transportation programs, flood insurance programs, retransmission of television broadcasts, federal poverty guidelines, and loan guarantees for the Small Business Administration. <i>Senator Bunning wanted to amend the bill to cover payment of the provisions by rescinding a tax exemption for a paper manufacturing byproduct, rather than adding the bill's cost to the deficit.</i>		Considered in the House under suspension of the rules; as an emergency measure, it was exempt from pay-as-you-go rules; considered in the Senate by unanimous consent; by failing to pass Senator Bunning's amendment, the Senate passed the House version of the bill, which allowed it to be sent immediately to the President. Senator Bunning objected to the unanimous consent request by blocking a vote on the bill for 5 days, during which time the unemployment benefits expired. The GOP was divided on Bunning's actions, however.	The bill passed in the house by voice vote. Senate Democrats agreed to allow a symbolic vote on an amendment to pay for the provisions by rescinding a tax exemption rather than adding the costs to the deficit. In exchange, Senator Bunning ended his blockade. 21 Republicans voted to pass the bill (final vote was 78-19).
Fiscal stimulus	Hiring Incentives to Restore Employment Act (HR 2847; 111 th Congress)	\$1,000 tax credit for businesses that hire unemployed workers for a year; exempts employers from Social Security payroll tax for hiring workers; extends federal funding for state and local highway programs; extends the Build America Bonds program. <i>Version passed by the House in December would have provided \$154 billion for infrastructure, state and local governments. Senators Baucus and Grassley proposed a bipartisan counterproposal with a price tag of \$85 billion, but Senate Majority Leader Reid offered an even narrower version to the Senate which became the final version. The initial Senate version would have delayed allocations by two years, but the final version postponed these allocations for three years.</i>		In the House, used a modified closed rule to adopt Senate changes to its version of the bill; added additional provisions to ensure compliance with pay-go budget rules. Senator Gregg raised a budgetary point of order, arguing that spending levels in the Reid version exceeded those set forth in the budget resolution.	Senators Baucus and Grassley worked together to propose a version smaller than the original House bill, but that was more sweeping than the version ultimately proposed by Senator Reid. Senator Gregg's point of order was defeated 63-34. 11 Republican Senators voted for passage of the final version, while 6 Republican House members voted in favor.
Unemployment relief	The Continuing Extension Act of 2010 (HR 4851; 111 th Congress)	Extends unemployment benefits through June 2, COBRA health insurance subsidies and payback to workers furloughed after previous extensions expired through end of May.		In the House, considered under suspension of the rules. In the Senate, waived pay-as-you-go rules and considered under limited debate. Senate Republicans stalled passage until after the April recess (allowing benefits to expire) as they were opposed to adding to the deficit to pay for the bill. Senator Coburn offered three unsuccessful amendments to offset the costs.	Majority Leader Reid received agreement on a one-week extension of the benefits, but House members were not interested in the temporary fix. Four Republican Senators voted for cloture in the Senate, while three voted for passage. The House passed its version via voice vote, and then agreed to the Senate's revised bill with 49 Republicans voting with an almost-united Democratic party (Rep. Cooper (TN) voted against his party).

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Unemployment relief	Unemployment Compensation Extension Act (H.R. 4213; 111 th Congress)	<p>Extends unemployment insurance for people who have been out of work for 6 months or longer; provides for back-payment of benefits to June 2; extends closing deadline for first-time homebuyers' tax credit; revises Travel Promotion Act</p> <p><i>Reduced significantly from \$141 billion omnibus spending package to \$34 billion unemployment benefits extension. Did not create Tier V benefits, which would have allowed more than 99 weeks of unemployment benefits. No extension of Federal Additional Compensation Program (\$25/week) past June 2, 2010. No extension of COBRA benefits.</i></p>	<p>After failing to pass the bill in one piece, Senator Reid tried to pass the individual measures by unanimous consent, but Senator McConnell objected each time. Senator Reid voted against cloture on June 30 in order to preserve his right to bring the bill up for another vote.</p> <p>Senate Republicans stalled passage by defeating three cloture motions on a more comprehensive bill. Senator Coburn proposed an amendment to offset the costs of the bill, utilizing a tactic known as the 'clay pigeon,' which split his amendment into 20 pieces, forcing the Senate to vote on each component individually. After cloture was invoked, Senator Coburn proposed two motions to suspend the rules, one requiring the bill to be fully paid for and the other requiring the Senate to create a website listing the total cost of legislation passed since pay-as-you-go was approved. Senator Jim DeMint proposed two motions to suspend Rule XXII, one to extend the current estate tax rates, and one which would have disallowed any federal funding to be used in the Arizona immigration lawsuit. Senator Brown submitted an amendment to offset the costs of the bill by rescinding unobligated stimulus funds and cutting unspent stimulus funds. Rather than allow the bill to be voted on shortly after cloture was invoked, Republicans opted to take the full 30 hours of debate allowable under Senate rules.</p>	<p>A unanimous consent agreement was reached on July 20, 2010 that the Senate resume consideration of a version of the bill. Two Republicans joined all Senate Democrats except Senator Nelson in passage, while there were 10 House Democrats voting against passage and 31 House Republicans voting in favor.</p>

Source: The Library of Congress. Retrieved July 26, 2010 from <http://www.thomas.loc.gov>. United States Senate. *Senate Cloture Motion – 111th Congress*. Retrieved July 26, 2010 from http://www.senate.gov/pagelayout/reference/cloture_motions/111.htm. United States Senate. *U.S. Senate Roll Call Votes 111th Congress – 1st Session (2009)*. Retrieved July 26, 2010 from http://www.senate.gov/legislative/LIS/roll_call_lists/vote_menu_111_1.htm. The United States House of Representatives. *Special Rules Reported*. Retrieved July 26, 2010 from http://www.rules.house.gov/special_rules.aspx. Congressional Quarterly. *CQ Committee Coverage*. Retrieved July 26, 2010 from <http://www.cq.com/advancedsearch.do?dataSource=committees&dispatch=createadvanced>.

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