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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mrs. TAUSCHER).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
December 10, 2008.

I hereby appoint the Honorable ELLEN O. TAUSCHER to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord of the ages, ever-faithful to Your promises, be with Your people, now and forever.

The sun grows dim and the daylight is measured. In the darkness, phantoms loom. The eye cannot discern as the distance fades. Be for us light.

Help Your people make clear judgments that will propel us into the future. Remove any shadowy cloud so we follow the patterns of silent stars.

O Lord of the ages, ever-faithful to Your promises, be with Your people now and forever.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. LARSEN of Washington. Madam Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LARSEN of Washington. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from North Carolina (Ms. FOXX) come forward and lead the House in the Pledge of Allegiance.

Ms. FOXX led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS TODAY

Mr. LARSEN of Washington. Madam Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side.

MOVE THAT BUS

(Mr. COURTNEY asked and was given permission to address the House for 1 minute.)

Mr. COURTNEY. Madam Speaker, Carol Girard of Voluntown, Connecticut, is an inspiration to all of us. Last year a devastating fire forced Carol, her husband, Thomas, and family from their home and into a camper in the shadow of the home's charred remains. After that loss, Carol suffered the ultimate tragedy when her husband, Thomas, and their son, Marc, drowned in Connecticut's Green Falls Pond.

This week the television show Extreme Makeover: Home Edition answered Voluntown's call for help. Today, where her house once stood, a new home, a new life and restored hope have arisen for Carol and her surviving children, Lucas, Hannah, Jacqueline and Adam.

Hundreds upon hundreds of volunteers have poured on to the site this week making the construction of a new beautiful home possible. In particular, Home Designs by Bruno of Colchester, Connecticut, deserves America's thanks for coordinating this effort.

In honor of the great work of Extreme Makeover: Home Edition and the Girard family, I join all of Eastern Connecticut in saying ''Move That Bus!''

ZIMMER ORTHOPAEDICS OF STATESVILLE, NORTH CAROLINA

(Ms. FOXX asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FOXX. Madam Speaker, earlier this fall I had the privilege to visit Zimmer Manufacturing in Statesville, North Carolina. During my visit to Zimmer's Statesville facility, I witnessed a thriving company committed to producing high quality surgical

products. But as impressed as I was with Zimmer's Statesville plant, I was more impressed with the company's dedication to its employees and their safety.

This summer the Zimmer plant logged more than 1 million safe hours with no injuries or illnesses that resulted in lost work days. That is nearly four straight years of providing a flawless safety record. So I was not surprised when I found out later that Doug Pond, the supervisor at Zimmer, won first place in the annual North Carolina Statewide Safety Talk Contest hosted by the North Carolina Industrial Commission in Greensboro, North Carolina.

I congratulate Zimmer of Statesville for its impressive safety record and for its commitment to providing an accident-free workplace. During these uncertain economic times, it's good to talk about a company that is doing something right.

SECOND NATIONAL HEALTH DISPARITY CONFERENCE

(Mrs. CHRISTENSEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CHRISTENSEN. Madam Speaker, I rise today to recognize the outstanding Second National Health Disparity Conference sponsored by the University of the Virgin Islands Caribbean Research Center and the Director, Dr. Gloria Callwood, the Medical University of South Carolina, and the Congressional Black Caucus Foundation last week in St. Croix, U.S. Virgin Islands. We will meet in Atlanta, Georgia, next year.

The conference brought together Members of Congress, leading researchers from the Federal Government, academic institutions and the private sector, educators, advocates and health consumers. We looked at issues ranging from factors determining academic success in African American males to the impact of climate change on health, but primarily focused on the health and health care challenges of Americans of color and poor and rural Americans. The presentations, questions, comments and recommendations will inform the health care reform agenda of the Congressional Black Caucus in the 111th Congress.

Madam Speaker, I extend thanks to the capitol and local security, sponsors, speakers, attendees, staff and all who made the conference a success, but especially Shelley Thomas of my staff and MUSC Assistant Professor David Rivers for his leadership and vision.

UNCLE ''SANTA'' SAM AND THE BIG THREE AUTO BOYS

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Madam Speaker, it's Christmas time in the city, so the Federal Government is about to give away more taxpayer dollars to those with their corporate hands out.

Now the Big Three Automakers say they need Uncle ''Santa'' Sam to save them from themselves even though they have been bad all year. And they expect ''Joe Sixpack'' from Dime Box, Texas, to pay for their naughty deeds.

We can't call it a bailout because that might be too honest a statement to our citizens; so we call it a ''bridge loan.'' Actually it's a bridge loan to nowhere.

And Congress wants to create a Car Czar to oversee the control of how the Big Three make new cars. They tell us it's not the nationalization of the car business, but it sounds close enough for government work to me.

Anyway, does anybody really think the Federal Government knows anything about the car business?

If you like the way the Federal Government fouled up the mortgage industry by over-regulating Fannie Mae and Freddie Mac that has cost the taxpayers billions, or you like the way the Federal Government controls passenger rail service with Amtrak that loses billions of dollars every year, you'll love the way the Federal bureaucrats make new cars.

The new federalized auto industry will have the competence of FEMA, the pleasantries of the Post Office, and the compassion of the IRS.

And that's just the way it is.

CONGRATULATIONS TO OUR TEACHERS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, the National Board for Professional Teaching Standards recently announced their latest list of newly National Board Certified teachers. I am grateful to report that the 176 teachers this round from the Second Congressional District of South Carolina represent the highest number of any district in America.

I know the citizens of the Second District are extremely proud and grateful to have such well-qualified professional teachers working to educate their children. Families understand that a strong education is the foundation for future success. We must continue to bring parents, teachers and school administrators together in a common pursuit of high quality, accessible and affordable education. This should be done with the utmost respect for the unique needs and challenges of our local schools. Our schools should be run by dynamic elected local school boards.

I want to thank our Nation's professional educators for their dedication to teaching our children and building a brighter future.

In conclusion, God bless our troops, and we will never forget September the 11th.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 11 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1430

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. TAUSCHER) at 2 o'clock and 30 minutes p.m.

REPORT ON H.R. 7322, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2009

Mr. MOLLOHAN, from the Committee on Appropriations, submitted a privileged report (Rept. No. 110–919) on the bill (H.R. 7322) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2009, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

REPORT ON H.R. 7323, FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2009

Mr. SERRANO, from the Committee on Appropriations, submitted a privileged report (Rept. No. 110–920) on the bill (H.R. 7323) making appropriations for financial services and general government for the fiscal year ending September 30, 2009, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

REPORT ON H.R. 7324, ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2009

Mr. SERRANO, from the Committee on Appropriations, submitted a privileged report (Rept. No. 110–921) on the bill (H.R. 7324) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2009, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

COMMUNICATION FROM THE REPUBLICAN LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN A. BOEHNER, Republican Leader:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
December 10, 2008.

Hon. NANCY PELOSI,
Speaker,
U.S. Capitol, Washington, DC.

DEAR SPEAKER PELOSI: Pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, (22 U.S.C. 7002) amended by Division P of the Consolidated Appropriations Resolution, 2003 (22 U.S.C. 6901), I am pleased to reappoint Mr. Larry Wortzel of Williamsburg, Virginia, to the United States-China Economic and Security Review Commission, effective January 1, 2009.

Mr. Wortzel has expressed interest in serving in this capacity and I am pleased to fulfill his request.

Sincerely,

JOHN A. BOEHNER,
Republican Leader.

WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Ms. SLAUGHTER. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1533 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1533

Resolved, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of December 13, 2008, providing for consideration or disposition of a measure relating to financial assistance to eligible automobile manufacturers, and for other purposes.

SEC. 2. House Resolutions 1516 and 1526 are laid on the table.

The SPEAKER pro tempore. The gentlewoman from New York is recognized for 1 hour.

Ms. SLAUGHTER. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California (Mr. DREIER). All time yielded during consideration of the rule is for debate only.

I yield myself such time as I may consume and ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1533.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Madam Speaker, H. Res. 1533 waives clause 6(a) of rule XIII, which would require a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee. The waiver would apply to any rule reported through the legislative day of December 13, 2008, that provides for consideration or disposition of a measure to authorize financial assistance to eligible automobile manufacturers.

This is not an unusual procedure, particularly at the end of a legislative session. I want to point out that my friends on the other side of the aisle in the 109th Congress reported at least 21 rules that allowed for same-day consideration. In fact, five of those rules waived this requirement against any rule reported from the committee. This rule is for a true emergency. It is for one purpose, and that is to help facilitate the prompt consideration of bipartisan legislation that will prevent the collapse of our domestic auto industry.

I hope Members on both sides of the aisle will support this rule so we can move quickly to address this economic crisis before the end of the year and the end of this Congress.

Madam Speaker, I reserve the balance of my time.

Mr. DREIER. Madam Speaker, I yield myself such time as I may consume.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Madam Speaker, I was just talking to my very good friend, my fellow Californian, Mr. LUNGREN, and he reminded me that what I should be doing is expressing my appreciation to the very distinguished Chair of the Committee on Rules for complimenting me on the fine work product of the past Congress when it comes to reporting out measures such as this.

But I will say, Madam Speaker, that I rise in strong opposition to this rule. I rise in opposition to this rule because it is a martial law rule which provides the opportunity for this measure to come to the floor at any time during the next 4 days. And it is unprecedented. And I know that the gentlewoman has pointed to the fact that at the end of the Congress, it is very often that measures like this are utilized. But there is not a strong bipartisan consensus for us to proceed with the measure that is being considered now.

This is, in fact, a $15 billion bailout bill that is not impacting just an entire industry, it's impacting three particular entities within that industry, and to do it under a completely closed process. The distinguished Chair of the Committee on Financial Services, Mr. FRANK, acknowledged upstairs, as was stated by the ranking Republican, Mr. BACHUS, this was a completely closed process, and we find this to be very, very unfortunate that we're here trying to do this in such a manner.

Now, when we were upstairs in the Rules Committee, one of the things that has come forward is the fact that the American people are hurting. We all know that. We very much need to take steps to ensure that we can get this economy growing, and there is a bipartisan consensus on the need to grow our economy. We've lost hundreds of thousands of jobs, as we all know, and in light of that, it is imperative that we take immediate action to try to create jobs for American workers. And that's the reason that my colleague Mr. DIAZ-BALART, the gentleman from Miami, and I joined in the Rules Committee last night to do something that most people thought we were going to do last spring and we should have done last spring. And there was acknowledgment, bipartisan acknowledgment, by Members, including Members of the leadership in the majority, that we would, in fact, quite possibly consider this measure in a lame duck session. And I'm referring, of course, to the very important U.S.-Columbia Free Trade Agreement.

Last April 10, Madam Speaker, there was a rigorous debate here, and we for the first time ever saw the Speaker of the House take action which subverted the 1974 Trade Act. Basically sent a message that said the following: We as Americans want to embark on negotiations with the country, and under the traditional, what has existed since 1974, so-called fast-track authority, or what we refer to now as trade promotion authority existed, so that that measure would come back to the Congress and there would be an up-or-down vote. And for the first time ever in basically decades and decades, since 1974, we saw that plan completely thrown out the window. That promise that had been made was thrown out the window. But there was one hope left, and that hope was that after the election, in a post-election session, which is where we are right now, we would have an opportunity for a debate and a vote as to whether or not we would pry open the market in Colombia, 40 million consumers strong, and create an opportunity for U.S. workers in Indiana, in Ohio, in Illinois, all across this country to have a chance to sell their products into Colombia. That's really what this agreement is all about. It's all about opening up access to their markets so that we can create good jobs.

Now, the distinguished Chair of the Committee on Rules last night was talking about the economic challenges that are faced, the economic difficulty, the devastation that exists in Rochester, Buffalo, and other parts of upstate New York. We recognize that very well. Kodak is one of her largest employers, Madam Speaker, and I believe that by virtue of passing this U.S.-Colombia Free Trade Agreement, we will be able to create more good jobs in upstate New York so that their products can be exported into Colombia.

Now, there are other States that have been particularly hard hit with this economic downturn that we're facing today. States like Ohio. We regularly hear from our colleagues in Ohio about the devastation that has existed there. One of the great companies in Ohio happens to be Whirlpool, and we know that right now the hardworking

men and women in Ohio at the Whirlpool Company want to have an opportunity to sell washing machines, dryers, refrigerators, and other products that Whirlpool manufactures. And guess what. Under the present structure, Madam Speaker, it's very unfortunate there is a tariff, a tax, on the work product from those American workers in Ohio who are seeking to get their product into Colombia. And what is it that we have had over the last 7 or 8 months? An indication from the April 10 decision that was made here to not proceed with the U.S.-Colombia Free Trade Agreement. There was a sense that in this lame duck session we would, in fact, consider that.

Madam Speaker, I would argue that as important as it was for us to pass that U.S.-Colombia Free Trade Agreement on April 10, it is much, much more important today. Why? Because we have seen hundreds of thousands of our fellow Americans lose their jobs and we are here at this moment, at this moment, Madam Speaker, talking about the imperative of creating jobs right here in the United States of America so that they don't flee overseas.

And I will say that I mentioned Ohio. It's also important. We're talking about the automobile industry. There is a company called Caterpillar, which is headquartered in Peoria, Illinois. And Caterpillar workers are some of the most dedicated, hardworking, productive workers of any company in this country. And, Madam Speaker, because of the existence of that tariff, the workers who manufacture Caterpillar tractors are unable to sell those tractors into that very important 40 million-strong economy of Colombia because of the fact that we have been recalcitrant and not moved ahead with even a debate or a vote on the U.S.-Colombia Free Trade Agreement.

So, Madam Speaker, I have to say that we have a great opportunity with this rule. Mr. DIAZ-BALART and I, as I said, offered this amendment upstairs which would have allowed us to do what last April 10—we would have never thought last April 10, by the way, that we would be here dealing with the automobile industry as we are. But last April 10 there was an indication by many, including the distinguished Chair of the Committee on Rules, who said that at that point she was voting to delay consideration of the U.S.-Colombia Free Trade Agreement.

Well, Madam Speaker, today is the day. We all know and we hope and pray that this is the end of the work of the 110th Congress. The 111th Congress will be convening on January 6 and we will begin anew. But guess what. If we don't pass the U.S.-Colombia Free Trade Agreement right now, we have thrown years of negotiations out the door. We will see our governments have to start from scratch on this very, very important agreement.

And the one thing that I haven't mentioned that I know my friend Mr. DIAZ-BALART will discuss is the very important strategic interest that we have in strengthening our strongest ally on the South American continent.

□ 1445

We all recognize that the modern history of Colombia has been horrendous, but I argue that the last 5 years have brought us the greatest transformation of any country in a 5-year period of time in modern history. The reason I say that is that if you look at the human rights violations, if you look at the actions of the FARC, the paramilitaries, and a wide range of other entities there, if you look at the murder that has taken place in the past of union leaders, and you compare that to the changes of today, it is important for us to realize that we have seen an amazing transformation.

Now, I acknowledge that in the past several weeks, some very unfortunate reports have come to the forefront, but I believe that the tragic murders that have taken place, and the resignation of military leaders and the firing of military leaders because of that, underscores how important it is for us to proceed with this agreement, which will strengthen the economic ties and, I believe, bring about a greater opportunity for the recognition of human rights in Colombia.

So we are here at this moment focusing our attention on how it is that we can deal with the automobile industry and create good American jobs. I believe that right now we have an opportunity to do this very, very important thing, and that is open up that market so that U.S. workers can sell their products into Colombia. I hope very much that we are able to see that action taken today.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I reserve the balance of my time.

Mr. DREIER. Madam Speaker, at this time I am very happy to yield 3 minutes to my very good friend, my Rules Committee colleague from Miami, who joined me in coauthoring the amendment about which I was just speaking.

Mr. LINCOLN DIAZ-BALART of Florida. I thank my friend, Mr. DREIER, and echo his words.

Madam Speaker, I was hoping that we would not see this legislation brought forth under a martial law rule that is going to change, is going to waive, is going to waive the rules of the House so that legislation that was filed just a little while ago does not have 24 hours for the American people and the membership of this House to review and study. I think that it was not necessary to do this. I think it's unfortunate for the martial law rule to have been brought forth to close down this process absolutely.

The legislation that the House would be considering, obviously, with regard to the automobile industry, deals with a very important industry. I also believe that, as Mr. DREIER has stated, the U.S.-Colombia Free Trade Agreement is one step that this Congress could and should take that would create jobs for the American people, and it would create jobs throughout the entire Nation. I was hoping, Madam Speaker, that after the election, and the decibels of the electoral debate have been turned down, that we could have had consideration and a vote on that important, implementing legislation, legislation to implement the U.S.-Colombia Free Trade Agreement.

It is most unfortunate that the majority leadership has decided, in effect, to continue its policy, really, that offends our relationship with our best, best ally in South America. It hurts that relationship at this critical time, in addition to preventing in this delicate economic time, the creation of many, many jobs in the United States.

So it's most unfortunate that the majority leadership has decided to act in this irresponsible manner, not only closing down, unnecessarily, the process with regard to the legislation brought forth today, unnecessarily, but failing to consider that most important implementary legislation with regard to the U.S.-Colombia Free Trade Agreement. I am disappointed, Madam Speaker, and would have hoped that we would have seen another attitude after the election.

Ms. SLAUGHTER. Madam Speaker, I reserve the balance of my time.

Mr. DREIER. Madam Speaker, at this time I am very happy to yield 5 minutes to the newly elected chairman of the Republican Conference, my good friend from Columbus, Indiana (Mr Pence).

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. Madam Speaker, we come to this floor in the midst of an extraordinary time in the life of this economy and in the life of our cherished domestic automotive industry.

The American automotive industry is facing a financial crisis. Millions of jobs are on the line. Let me say from my heart, Madam Speaker, inaction by this Congress is not an option, but I rise in opposition to the rule, and I rise in opposition to the legislation that will be brought to the floor under this rule, because I believe the American people know we cannot borrow and spend and bail our way back to a growing economy.

We cannot borrow and spend and bail our way back to a vibrant automotive sector here in the United States. The legislation that will come before the Congress today will take $15 billion in taxpayer money and make it available to the automotive industry, appoint something in the form of a car czar for the purpose of organizing and encouraging the kinds of changes in the industry that Washington, D.C. believes are appropriate.

But I would say the bailout proposed by the White House and congressional

Democrats is fundamentally flawed. It exposes the American taxpayer to more debt, fails to reorganize our domestic auto manufacturers, and does not fix the immediate credit crisis that those good companies are facing.

Instead, the Democrat bill will actually prevent the necessary changes and force us back into the same situation where taxpayers will undoubtedly be asked to bail this industry out again and again and again. The Democrat bailout also seeks to create, as I mentioned, something known as a car czar with the responsibilities of making car companies more profitable, more fiscally responsible. Well, trusting a Washington bureaucrat, who has probably never even tightened a lug nut, with fixing what ails the American automotive industry is not the answer.

Today, House Republicans propose the American Automotive Reorganization and Recovery Plan. It is an effort to lock in the restructuring promised over the last few weeks with firm benchmarks and a tight timeline. Also, in the place of a taxpayer-funded government bailout, House Republicans would encourage private investment to finance a Detroit recovery in this year and the next. It is a solution that will protect our domestic auto industry and the American taxpayer, and that must be paramount in our interest.

Under the Republican plan, the Big Three, having presented their plans for restructuring, would be required to lock in a tight timeline with a high degree of specificity about the kinds of changes that will make our domestic auto industry truly competitive and on parity with those cherished companies that have made foreign investments and are manufacturing cars here in the United States.

Secondly, we would establish a process for reaching an expedited agreement. Instead of nationalizing America's auto companies by having the Federal Government take a stake interest in those companies, an equity and stock position, we would rather say that because of the many legal and contractual hurdles to restructuring, the companies would be urged to accomplish a restructuring through the use of a prepackaged bankruptcy or other legal mechanism to bring all stakeholders to the table for an agreed-upon determination about their future.

With regard to interim financing, again, Madam Speaker, we would not look to the Federal Treasury to finance a recovery in Detroit, but, rather, we would look to the private sector. We would create a hand up, not a hand out, by creating an FDIC-style insurance program where auto companies could be required to purchase insurance as a backstop to private lending that's made into their industry. Now, many of us believe that this would loosen up an extraordinary amount of financing, the so-called debtor-in-possession financing, which is so scarce in our economy today—so a serious reorganization and recovery plan, with hard timelines and urgency.

Secondly, a process using the existing judicial institutions of this country to enforce that restructuring; and, thirdly, a priming of the pump with a new federally backed insurance program to encourage investment in Detroit is the antidote to what ails us. Simply handing $15 billion out to Detroit today, however popular it may be with some Americans, I believe, in my heart, it would ultimately be a disservice to the American taxpayer, to our children, and our grandchildren.

So I urge consideration of the Republican plan, the American Automotive Reorganization and Recovery Plan. I urge my Democrat colleagues to allow such a proposal to come to the floor, and I oppose this rule.

Ms. SLAUGHTER. May I inquire of my colleague if he has more speakers.

Mr. DREIER. If the gentlewoman would yield?

Ms. SLAUGHTER. Yes.

Mr. DREIER. I would say, absolutely, we have a lot of people who want to speak in opposition to this martial law rule. I would inquire of my friend if she has any speakers.

Ms. SLAUGHTER. I am the last speaker on my side.

Madam Speaker, I reserve the balance of my time.

Mr. DREIER. Madam Speaker, at this juncture, I would like to yield 2 minutes to our colleague from Gold River, California (Mr. LUNGREN).

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I rise in opposition to this rule because it does not recognize that occasionally Congress does something right. I remember being on this floor some 20 years ago and debating with then the distinguished chairman of the House Judiciary Committee, Peter Rodino, about reform of the Bankruptcy Code and specifically chapter 11.

The question at that time was whether or not we are going to adapt the Bankruptcy Code so that chapter 11 would allow companies large and small to restructure themselves so that they could go on as enterprising entities, but now we are told that somehow there is something special about the Big Three auto manufacturers in Detroit that will not allow them to go through the process that we had Delta Airlines go through, that we have had very, very many companies go through. Somehow, it has been asserted that chapter 11 means death and destruction. Chapter 11 doesn't mean death and destruction, it means restructuring and rebirth.

What happens is, when you go into bankruptcy court, everything is on the table. What we have heard discussed around here, and what's being presented to us is bankruptcy-lite. It's like bankruptcy, but we are not going to require it to be bankruptcy. Why? Because, somehow, that doesn't work.

Well, ladies and gentlemen, it does work. And it doesn't put the American people, the taxpayers, behind promises that can't be kept. Because in a bankruptcy court, the judge requires everybody to put their cards on the table, and then a decision is made as to what is the best interest of the entity so that they may continue to operate.

So you have to ask yourself, why do people not want to go through bankruptcy? Perhaps it's so that they don't have to do those things that would be required to make them enterprising entities. Now we have a circumstance where we are going to create a car czar, or czarina, to tell the manufacturers how they ought to operate their businesses, the ultimate irony, Congress telling somebody else how they ought to operate their businesses in an economic fashion.

□ 1500

Mr. DREIER. Madam Speaker, may I inquire of the Chair how much time is remaining on each side.

The SPEAKER pro tempore. The gentleman has 9½ minutes remaining; the gentlewoman from New York has 29 minutes remaining.

Mr. DREIER. Madam Speaker, at this time I am very happy to yield 1 minute to the chairman of the Republican Policy Committee, my good friend from Livonia, Michigan (Mr. MCCOTTER).

Mr. MCCOTTER. I thank the chairman. I rise in support of the same-day rule.

It has been an anxious holiday season in Michigan and the Midwest in the auto industry and the manufacturing sector. They have seen Congress perform its rightful oversight over their request for a bridge loan from the taxpayers of the United States. And today, after due deliberation, I think it is appropriate that we have a vote on this legislation, because behind all the statistics and all the talk of bankruptcies are hard-working people who deserve to know an answer to a fundamental question: Does the Congress of the United States care about them?

Mr. DREIER. Madam Speaker, at this time I am very happy to yield 2 minutes to my friend from Humble, Texas, Judge Poe.

Mr. POE. Madam Speaker, well, here we go again, rushing into another bailout without appropriate congressional hearings. And what have the Big Three auto boys done to restructure their businesses after they first flew up here on their big private jets? Absolutely nothing. They just showed up here again demanding American money.

They say they are too big to fail. Madam Speaker, they have already failed, but they want the American citizen to pay for their mess.

So with the option before us today, we are going to let the Federal Government take over the auto industry and even decide what kind of car we should build. Not only that, we are going to appoint a ''Car Czar'' to manage how it is done.

The underlying bill gives the ''Car Czar'' complete control over the auto industry. Can you imagine what a Federal Government-made car will look

like? Most likely it will have a sail, solar panels, or even a windmill on top. It will be the typical Federal project. It will be too expensive, won't work, and we will never get rid of it.

With this bill, we are subsidizing failing companies. It is not the American way to subsidize failure. This is just like what we continue to do with Amtrak. Taxpayers pay millions of dollars every year to subsidize the failing passenger rail industry. So if we like Amtrak, we are going to love the new Federal car industry.

As President-elect Obama said on ''Meet the Press'' Sunday: ''We don't want government to run companies. Generally, government historically hasn't done that very well.'' I agree completely.

What the Big Three need to do is reorganize under the bankruptcy laws to prevent failure and job loss, just like the airlines did. The Big Three saying bankruptcy will cause 100 percent job loss is nonsense. It is just the politics of fear.

People say this isn't a bailout, but that is exactly what it is. It is not a bridge loan. And if it is a bridge loan, then it is a bridge loan to nowhere.

Folks, this is nothing more than a down payment on a future bigger taxpayer-funded corporate welfare bailout.

And that's just the way it is.

Mr. DREIER. Madam Speaker, I would like to inquire of the distinguished Chair of the Committee on Rules if she might consider yielding, she has 29 minutes remaining, maybe 5 or 10 minutes of her time to us. We have a number of speakers on our side.

Ms. SLAUGHTER. Would the gentleman tell me how many speakers he has and what time is he talking about.

Mr. DREIER. Maybe 10 minutes of time. We have a number of speakers who have come, and you know how it goes on the management of debate here.

Ms. SLAUGHTER. We would really like to see this move forward, Mr. DREIER.

Mr. DREIER. I understand you want to move this forward as expeditiously as possible. We have a lot of Members who are hoping very much to have the chance to speak on this. We can see Members coming in.

I just, as a courtesy, would like to inquire of the Chair if she would yield us maybe 10 minutes of her time. If she had speakers, I would completely understand why that wouldn't be the case, but I just don't see any speakers on the other side, and if that would be possible, I would very much appreciate it.

Ms. SLAUGHTER. Madam Speaker, I yield 5 additional minutes.

Mr. DREIER. Thank you very much.

The SPEAKER pro tempore. The gentleman has 5 additional minutes, for a total now of 12 minutes.

Mr. DREIER. Let me begin by expressing my appreciation to the gentlewoman from Rochester for yielding me this time.

At this juncture, I would like to, Madam Speaker, yield 2 minutes to our hardworking colleague from Harrison Township, Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. I thank the gentleman for yielding.

Madam Speaker, I rise in very strong support of this rule, because we do need to act to support our domestic auto industry, and failure to act by Congress on bridge loans to our domestic auto industry will have catastrophic effects on our workers, on our economy, as well as our national security. Inaction is simply not an option.

In recent years, the domestic auto industry has been undergoing significant restructuring in an effort to become more competitive with foreign automakers. More needs to be done certainly, but to suggest that nothing has been done is inaccurate and does not recognize the significant sacrifices made by workers and the tough decisions made by the Big Three.

They are also changing their product mix to better reflect the current marketplace demand for more fuel efficient vehicles. It is not Toyota that offers the most models that get over 30 miles per gallon. It is General Motors. It is not Honda that makes the highest mileage SUV in the world. It is Ford with the Ford Escape.

We cannot forget the domestic auto industry and what they have meant to America. In fact, during World War II, southeast Michigan was known as the ''arsenal of democracy'' because we literally had the manufacturing capability that led the world to peace by building those armaments, and we expanded freedom across the globe.

Then on September 11, 2001, that horrific day when the terrorists murdered nearly 3,000 of our fellow Americans, they had an additional goal, and that was to destroy our economy. At that time, while the Federal Government was properly providing bailout support to the devastated airlines, it was the domestic auto industry, led by General Motors and their Keep America Rolling Program, which kept customers in the showrooms, workers on the factory floors, and did indeed keep America rolling.

The cost to our economy of failure of one or more of these companies will be stark. Experts have indicated that this would cause a cascade of bankruptcies across the economy and lead to the loss of as many as 3 million jobs. The cost of this calamity to the taxpayers would be multiple times greater than the cost of these bridge loans.

Madam Speaker, I ask my colleagues to look beyond the super-heated rhetoric here and support me in joining this rule and this vital industry.

Mr. DREIER. Madam Speaker, at this time I am very happy to yield 3 minutes to our hardworking former Rules Committee colleague, the gentleman from Marietta, Georgia (Mr. GINGREY).

Mr. GINGREY. I thank my former chairman of the Rules Committee, the ranking member from California, and also I want to thank the current chairwoman of the Rules Committee for her courtesy in granting our side an additional 5 minutes.

I rise, Madam Speaker, in opposition to the same-day rule, but primarily in opposition to the underlying legislation, H.R. 7321, the Auto Industry Financing and Restructuring Act.

This bill gives a bailout. I don't know any other way to put it. You can euphemistically say it is a ''rescue package'' or whatever, but it's a bailout. It is a bailout for one particular industry, albeit a very important industry, lots of jobs.

But in my district, the 11th of Georgia, we have a lot of textile manufacturing, and they desperately need help. There was language in the Colombian Free Trade Agreement that helped the textile industry in northwest Georgia. But the Democratic majority, this majority, will not allow that bill, that trade agreement, bilateral trade agreement to pass. And you know why, Madam Speaker? Because Big Labor opposes it.

In this situation that we are dealing with now, Big Labor is the entity that gains the most from this, and yet they are the ones that, in my opinion, Madam Speaker, are wrecking the automobile industry in the United States. When their average cost per hour is $77 when the foreign manufacturers that employ the United States productive workers can do it for $45 an hour, there is something wrong with that.

The solution to this problem is a structured bankruptcy just like Delta went through in my State of Georgia. It was painful, yes, but they are flying and are regaining profitability. I would trust a bankruptcy judge, a Federal bankruptcy judge under chapter 11, more than I would trust a czarina or czar doing it by the Federal Government.

I think clearly that is what they ought to do, restructure under Federal bankruptcy chapter 11, lower those costs, renegotiate those contracts and deal with the creditors to take less than 100 percent of the debt. Then, if it doesn't work, the automobile manufacturers can come back to Congress and ask for some additional help. That would make sense. But right now, the thing for them to do is to restructure under chapter 11.

By the way, Madam Speaker, when they do that, management as well as labor needs to take a haircut, a significant haircut, in fact maybe even a flattop or a buzz.

Mr. DREIER. Madam Speaker, at this time I am happy to yield 1 minute to our very good friend from Grandfather Community, North Carolina (Ms. FOXX).

Ms. FOXX. I thank my colleague for giving credit to that great area where I live.

I drive GM cars. Everybody in my family drives GM cars. My daughter

has Ford cars. So we are very sympathetic. I have a lot of great friends who are automobile dealers, and I love them. They have been very kind to me over the years. We are good friends.

But, folks, this is the wrong direction to go. We do not need to be bailing out the domestic auto manufacturers. And I am opposed to this same-day rule. There is an old saying: ''Act in haste and repent at leisure,'' and that is what we are going to do.

We had another bailout here a couple of months ago. It was misunderstood, I think, as the only option that we had, and people said you got to vote, you got to vote, you got to do it. That bailout has turned out to be a disaster because we were pushed into it. Things didn't go through regular order. We didn't have time to debate.

We have alternatives here. As my friend from Georgia said, let the companies go bankrupt. Let them reorganize. This is not a bailout of the domestic automobile manufacturers so much as it is a bailout of the unions.

And they are not the only manufacturers.

The SPEAKER pro tempore. The time of the gentlewoman from North Carolina has expired.

Mr. DREIER. Madam Speaker, I am happy to yield my friend an additional 30 seconds.

Ms. FOXX. My colleague from Michigan so eloquently stated that we won World War II because of the strong manufacturing base we had in this country. But these domestic car manufacturers are not the only base that we have. We have a great manufacturing base.

And I am opposed to the Federal Government creating the czar position too. When in the world has the Federal Government ever done anything better than the private sector? Never, that I know of.

Mr. DREIER. Madam Speaker, may I inquire of my very good friend from Rochester one more time if she might consider yielding maybe an additional 5 minutes.

Ms. SLAUGHTER. I am sorry, Mr. DREIER, but I cannot.

Mr. DREIER. Okay, thank you.

Ms. SLAUGHTER. May I ask if the gentleman is prepared to close.

Mr. DREIER. Madam Speaker, let me just ask my friend, there are no speakers at all on the other side of the aisle other than the words of wisdom that we are going to be getting from our distinguished committee Chair.

Ms. SLAUGHTER. There are no further speakers on our side.

Mr. DREIER. I anxiously look forward to those words of wisdom, and, pending that, I am going to yield myself the balance of the time.

The SPEAKER pro tempore. The gentleman from California is recognized for 6 minutes.

Mr. DREIER. Madam Speaker, we are dealing with what is arguably one of the most difficult and challenging economic times in modern American history. We have seen the loss of hundreds of thousands of jobs over the past several months. President-elect Obama has predicted that we are going to see more difficult days ahead than we have already faced, and the American people want us to act and they want us to do the right thing.

We all know that the automobile industry is a very, very important sector of the U.S. economy. It is one of the most important. We know that the housing industry is a very important sector of the U.S. economy. Just today, I have introduced legislation which is designed to encourage people to purchase homes by developing an incentive for them to have equity in those homes, because we have a huge backlog of homes that need to be sold all across this country. The measure calls for a tax credit, in fact a refundable credit, for people who make a 10 to 15 percent down payment on their home.

Now, why is that the case that we are offering this legislation? It is the fact that, unfortunately, because of bad government policy, and I underscore that again, bad government policy, we have encouraged people through subprime mortgages, the CRA, through abuse of Fannie Mae and Freddie Mac as we saw in yesterday's hearing, we have encouraged people who could not afford it to get into homes way, way beyond their means, by putting nothing down, and at the same time paying subprime interest rates which were clearly going to be going up at a day in the future. So bad government policy created that, in large part because people didn't have equity in their homes.

That is why, to deal with this very important housing challenge, I have today introduced this legislation that provides a credit for people who will put a down payment and have a vested interest in their home and keep that home for at least 3 years.

□ 1515

I'm talking about that, Madam Speaker, because we need to use creative measures to deal with the challenges that we face today. I also believe that, as we look at this challenge of the automobile industry, we need to do the exact same thing.

This morning I met with a man named John Symes, who, in the next couple of weeks, will see his automobile dealership mark its 60th anniversary. They're located in Pasadena, California. Mr. Symes and I talked about the need for us to, again, look at creative ways in which we can encourage, through tax incentives, possibly a credit similar to the one that I just introduced today in the housing industry to deal with the backlog of automobiles that need to be purchased; so, rather than focusing on bailing out the industry, the idea of incentivizing our fellow Americans to get into the showrooms to have an opportunity to have some kind of credit, whether it's, once again, providing an interest deduction on the deduction for the interest on auto loans or the sales tax deduction, those kind of incentives, or some kind of credit. We're in the process of fashioning legislation that I will be introducing soon to deal with that. I know that there are other measures that have been proposed.

We need, Madam Speaker, to have a creative way to empower our fellow Americans, rather than all of a sudden taxing our fellow Americans and going through and expanding what is already existing today, and that is what I will describe as ''bailout fatigue'' among our fellow Americans. And it's very, very understandable. And the notion of having the Federal Government continue to expand more and more and more is just plain wrong.

I believe that we dealt with this issue, in part, with the measure that we passed in October. It was designed to thaw the frozen credit markets. And so a big part of that was for us to do everything that we could to unleash that. And I believe that if we had not passed that measure that we would be in more dire straits than we face today.

So we've already taken a step in trying to ensure that people can get into those showrooms. I do believe that more needs to be done, but I don't believe this is it.

And as I said in my remarks earlier, Madam Speaker, I also think that the indication that we had on April 10 of this year that we were going to have an opportunity, in a lame duck session, which is where we are today, to pry open the very, very important market of our strongest, closest ally on the South American continent, that being Colombia, 40 million consumers there, so that we can sell Caterpillar tractors manufactured by U.S. workers, hard-working Americans, in the State of Illinois and in other States, or Whirlpool refrigerators and washing machines and dryers that could be sold into Colombia creating jobs in Ohio; and we regularly hear our colleagues from Ohio and other parts of the country talk about the fact that so many of our fellow Americans have lost jobs. This agreement would do just that.

Colombian goods can be sold tariff-free in the United States today, Madam Speaker, coffee, cut flowers, other things that come in from Colombia tariff-free, so they've already got access to the American consumer. All we're saying is that when last spring we, for the first time ever, subverted the 1974 Trade Act, we have a chance to rectify that today.

I urge my colleagues to vote ''no'' on this martial-law rule and, when we get to it ultimately, since I suspect it will pass, I urge a ''no'' vote on the next rule and the underlying legislation.

Madam Speaker, I yield back the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I urge a ''yes'' vote on the previous question and on the rule.

I yield back the balance of my time, and move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DREIER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 7321, AUTO INDUSTRY FINANCING AND RESTRUCTURING ACT

Ms. SLAUGHTER, from the Committee on Rules, submitted a privileged report (Rept. No. 110–922) on the resolution (H. Res. 1534) providing for consideration of the bill (H.R. 7321) to authorize financial assistance to eligible automobile manufacturers, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: ordering the previous question on House Resolution 1533, by the yeas and nays; adoption of House Resolution 1533, if ordered; approval of the Journal, de novo.

This first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1533, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 224, nays 174, not voting 35, as follows:

[Roll No. 684]

YEAS—224

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Camp (MI)
Capps
Capuano
Cardoza
Carnahan
Carson
Castor
Cazayoux
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards (MD)
Edwards (TX)
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hare
Harman
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Solis
Souder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth
Young (AK)

NAYS—174

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Campbell (CA)
Cantor
Capito
Carney
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jordan
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
LaHood
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Melancon
Mica
Miller (FL)
Mitchell
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Petri
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Walden (OR)
Walsh (NY)
Wamp
Weller
Westmoreland
Whitfield (KY)
Wilson (SC)
Wittman (VA)
Wolf
Young (FL)

NOT VOTING—35

Boucher
Cannon
Costa
Cubin
Delahunt
Doolittle
Ellison
Emanuel
Everett
Fossella
Gilchrest
Gutierrez
Hastings (FL)
Hooley
Jefferson
Johnson, E. B.
Jones (NC)
Keller
Kirk
Kuhl (NY)
Miller, Gary
Pallone
Peterson (PA)
Pickering
Pryce (OH)
Renzi
Rohrabacher
Sensenbrenner
Shays
Snyder
Tancredo
Walberg
Watson
Weldon (FL)
Wilson (NM)

□ 1547

Messrs. PLATTS, HELLER of Nevada, SULLIVAN and SMITH of Nebraska changed their vote from ''yea'' to ''nay.''

Mr. CAMP of Michigan changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DREIER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 226, nays 169, not voting 38, as follows:

[Roll No. 685]

YEAS—226

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Camp (MI)
Capps
Capuano
Cardoza
Carnahan
Carson
Castor
Cazayoux
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards (TX)
Ellsworth
Engel
Eshoo
Etheridge

Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hare
Harman
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Knollenberg
Kucinich
LaHood
Lampson
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Solis
Souder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—169

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Campbell (CA)
Cantor
Capito
Carney
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jordan
King (IA)
King (NY)
Kingston
Kline (MN)
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Michaud
Miller (FL)
Mitchell
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Petri
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Walden (OR)
Walsh (NY)
Wamp
Weller
Westmoreland
Whitfield (KY)
Wilson (SC)
Wittman (VA)
Wolf

NOT VOTING—38

Boucher
Cannon
Costa
Cubin
Delahunt
Doolittle
Edwards (MD)
Ellison
Emanuel
Everett
Fossella
Gilchrest
Gohmert
Gutierrez
Hastings (FL)
Herger
Hooley
Jefferson
Johnson, E. B.
Jones (NC)
Keller
Kirk
Kuhl (NY)
Miller, Gary
Pallone
Peterson (PA)
Pickering
Pryce (OH)
Renzi
Rohrabacher
Sensenbrenner
Shays
Snyder
Tancredo
Walberg
Watson
Weldon (FL)
Wilson (NM)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are less than 2 minutes remaining on this vote.

□ 1557

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONGRATULATING THE HONORABLE VIC SNYDER ON THE BIRTH OF HIS CHILDREN

(Mr. ROSS asked and was given permission to address the House for 1 minute.)

Mr. ROSS. Madam Speaker, I rise to make a good-news announcement.

I'm joined today by the Arkansas congressional delegation, minus one, and the one that's not with us today is Congressman VIC SNYDER from Little Rock. And the reason he is not is we are pleased to announce that yesterday morning, VIC and his wife, Betsy, and their son, Penn, were pleased to welcome into this world newborn triplets. The three-member Snyder family has now grown by three, and they welcome Aubrey at 3 pounds, 15 ounces; Wyatt at 4 pounds, 10 ounces; and Sullivan at 4 pounds, 15 ounces. They are all doing well, and they expect to remain in the hospital for about 3 weeks.

Please keep VIC, Betsy and Penn in your hearts and prayers.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 215, noes 170, answered ''present'' 1, not voting 47, as follows:

[Roll No. 686]

AYES—215

Abercrombie
Ackerman
Allen
Altmire
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Capps
Capuano
Carnahan
Carson
Castor
Cazayoux
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis, Lincoln
DeFazio
DeGette
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards (MD)
Edwards (TX)
Engel
Eshoo
Etheridge
Farr
Fattah
Feeney
Filner
Foster
Frank (MA)
Fudge
Gerlach
Giffords
Gillibrand
Gonzalez
Goodlatte
Gordon
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hare
Harman
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pascrell
Pastor
Payne
Perlmutter
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Solis
Space
Speier
Stark
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Wu
Yarmuth

NOES—170

Aderholt
Akin
Alexander
Arcuri
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Carney
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Drake
Dreier
Duncan
Ehlers
Ellsworth
Emerson
English (PA)
Fallin
Ferguson
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey
Goode
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jordan
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
LaHood
Lamborn
Latham
LaTourette
Latta
Lewis (KY)
Linder
LoBiondo
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Mitchell
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (MN)
Petri
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Ramstad
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Royce
Sali
Scalise
Schmidt
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stupak
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Wamp
Weller
Westmoreland
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

Gohmert

NOT VOTING—47

Boucher
Butterfield
Cannon
Cardoza
Costa
Costello
Cubin
Davis (IL)
Delahunt
Doolittle
Ellison
Emanuel
Everett
Fossella
Gilchrest
Gutierrez
Hastings (FL)
Hooley
Jefferson
Johnson, E. B.
Jones (NC)
Keller
Kirk
Kuhl (NY)
Lucas
Miller, Gary
Pallone
Peterson (PA)
Pickering
Pryce (OH)
Radanovich
Renzi
Rohrabacher
Ryan (WI)
Schwartz
Sensenbrenner
Serrano
Shays
Snyder
Spratt
Tancredo
Walberg
Watson
Weldon (FL)
Whitfield (KY)
Wilson (NM)
Woolsey

□ 1611

So the Journal was approved.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF H.R. 7321, AUTO INDUSTRY FINANCING AND RESTRUCTURING ACT

Ms. SLAUGHTER. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1534 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1534

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 7321) to authorize financial assistance to eligible automobile manufacturers, and for other purposes. All points of order against the bill and against its consideration are waived. The bill shall be considered as read. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except: (1) One hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services; (2) the amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative LaTourette of Ohio or his designee, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for a division of the question; and (3) one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 7321 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentlewoman from New York is recognized for 1 hour.

Ms. SLAUGHTER. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California (Mr. DREIER). All time yielded during consideration of the rule is for debate only.

Madam Speaker, I yield myself such time as I may consume and ask unanimous consent that all Members may be given 5 legislative days in which to revise and extend their remarks on House Resolution 1534.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Madam Speaker, H. Res. 1354 provides for consideration of H.R. 7321, the Auto Industry Financing and Restructuring Act.

Madam Speaker, once again we find ourselves meeting under dire circumstances: a shaky stock market, the highest unemployment rate in decades, the greatest financial crisis we have seen in generations.

Of all the industries that contribute to our economy, the automobile industry has been hit particularly hard. The steep decline in auto sales emerged this past summer when gas prices rose to record-breaking levels and the deepening economic recession further reduced consumer demand for automobiles. Now sales have fallen to the lowest rate in 25 years.

The global economic crisis has the American auto industry facing an unprecedented liquidity shortfall that threatens their viability. Should this industry continue its stark descent, or in the worst case scenario fail, it would have a devastating effect on our Nation's workforce as well as our overall prospects for economic recovery.

Madam Speaker, the U.S. automobile industry is one of the largest sectors of our economy. Auto companies directly or indirectly support over 4 million American jobs and provide nearly 1 million retirees with pension and health care benefits. In western New York alone, the auto industry supports over 12,000 workers and 13,000 retirees, and the failure of major auto companies could cause generations of auto workers to lose their hard-earned pensions and health care while causing the current livelihood of workers to lose their jobs. It would also threaten the auto suppliers, the dealers, and other related businesses, a domino effect that would certainly cripple our economy. Furthermore, if the auto industry collapses, experts estimate the U.S. trade deficit would grow by over $109 billion or 15.6 percent.

Mr. Speaker, quite simply, America cannot afford to let Detroit fail. The auto industry is the backbone of American manufacturing, and should it unravel, all the government's work towards stabilizing the financial markets would be in vain. It is in our country's best interest, as we work to pull ourselves out of this recession, to ensure that our auto industry remains viable and competitive.

For this reason Democrats have met this administration at the table to work toward a solution to stabilize this industry. The bill before us today is an important bipartisan step in helping to address the crisis that is afflicting not only the auto industry but American families from coast to coast.

Our goal with this loan package is to strengthen and to restructure the auto industry and to ensure viability before the crisis further impacts Main Street. Since talks began, Democrats have fought for key measures to protect the American taxpayers. When the automakers first requested funding, Democrats told them to come back with a plan to show us how they would restructure the industry in order to achieve the viability necessary to repay the loan. The package before us today now includes several key oversight provisions. By making $14 billion available in already appropriated loans, the bill will provide a needed boost to the overall economy.

Mr. Speaker, what happens to the U.S. auto industry affects us all. The three car companies, for example, purchased $156 billion in parts, materials, and services last year. Supporting jobs in all 50 States, the bill preserves the jobs of 355,000 workers in the United States directly employed by auto industry and an additional 4.5 million Americans working in related industries.

The bill contains stringent taxpayer protections, including authorizing our government to take equity stakes in the company through stock warrants

so that taxpayers can benefit if the firms profit and if the value of their shares increases in the future. It contains strong, independent oversight provisions with oversight by both the Government Accountability Office and the Inspector General overseeing the TARP financial rescue funds. It prohibits carmakers receiving loans from owning or leasing corporate jets, and it prohibits senior executives from receiving bonuses or ''golden parachute'' severance packages.

The bill requires the companies to restructure or repay the loans. To ensure the companies restructure to achieve viability, increase fuel efficiency, and reduce emissions, the car czar can require immediate repayment of the loan if the company has not made adequate progress by February 15 in developing a long-term restructuring plan. Companies will not get Federal assistance if they fail to submit an acceptable restructuring plan by March 31.

Importantly, the bill requires shared sacrifice. Auto executives, employees, labor unions, dealers, suppliers, creditors, and shareholders should and will all participate in the restructuring efforts.

The end result will be a vibrant and competitive U.S. auto industry that pursues the aggressive production of energy-efficient advanced technology vehicles and thrives in the 21st century global marketplace.

By insisting on transparency and accountability, Congress is ensuring that the auto industry is held accountable for this loan and that American taxpayers will get their money back.

We are grateful also for the work of Congresswoman SUTTON of Ohio and Congressman LATOURETTE from Ohio, who has presented a good amendment pertaining to transparency to go along with this bill.

Mr. Speaker, we have an obligation to take action today, not to simply save the automobile industry but to protect the millions of hardworking men and women across America whose jobs depend on it. We have a responsibility to take action for the line worker in Detroit who works hard every day just to put food on the table for his family or her family. We have a responsibility to the retiree who depends on the pension she earned or he earned through decades of hard work and now relies on it to survive. We have a responsibility to countless American families across this great Nation whose livelihoods depend on the auto industry whether they realize it or not. And unless we act, the well-being of millions will be on the line. From plants to parks, dealerships to driveways, and gas stations to grocery stores, what happens in the automotive industry impacts us all.

Mr. Speaker, we face some daunting challenges on our path to economic recovery, but this is a necessary step to build a brighter tomorrow. We know all too well the consequences of failure, which is why it's critical that we pass this package to help get U.S. auto manufacturers back on their feet so they can be competitive and viable in the years ahead. Revitalizing American automakers is not only essential to our economic and national security, it is vital to our fragile economy. And that is why the Democrat-led Congress is doing everything possible to ensure America keeps working and that government keeps working for America.

Mr. Speaker, I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, let me begin by expressing my appreciation to my good friend from Rochester, the very distinguished and able Chair of the Committee on Rules, Ms. SLAUGHTER, for yielding me the customary 30 minutes, and with that I yield myself such time as I may consume.

Mr. Speaker, I am in strong opposition to this rule and the underlying legislation. We have a very, very serious economic crisis in this country, as we all know. The crisis is demanding decisive action on the part of this Congress. The American people are expecting us to take action to try to mitigate the suffering that is there today. But we also have to be very smart about what it is that we do. Hundreds of thousands of workers have already lost their jobs or on the brink of losing their jobs. Hundreds of thousands of families have already lost their homes or are on the brink of losing their homes. We have a profound responsibility to make prudent decisions that will help to spur new economic growth, create new good jobs for American workers, and to strengthen the vitality of our economy. We need to restore that strengthened vitality that has been there and we know is going to come back, and it will come back quickly if we do the right thing.

But rushing into an ill-conceived bailout of an industry that has not yet proven it has a viable plan to remain solvent and competitive with the help of the taxpayer dollars of hardworking Americans who are suffering today won't save a single job. It won't save a single job. And you can look across the spectrum of Democrats and Republicans alike who have made it very clear that they don't believe that there is a viable plan that has been put forward.

I have to say, Mr. Speaker, that the proposed bailout that is before us has led many Americans to rightly question where will this end? How many bailouts are there going to be?

□ 1630

We know that the American people are today suffering from what can only be described as bailout fatigue. How many billions of our taxpayer dollars will be spent? What guarantees do we have that the money will be spent wisely?

Congress first took action to reverse the economic downturn in October. We considered a bill that was intended to thaw the frozen credit markets and to allow the wheels of our economy to begin turning again. I was deeply skeptical of that bill, Mr. Speaker, but I did support it reluctantly when key provisions that we fought for were added, provisions that banned golden parachutes and ensured scrutiny and accountability for the program.

The reason for taking this action, as we all know, is very simple. Our economy cannot function if the credit markets don't function. This was not a matter of picking winners and losers. This was not a matter of caring more about workers in the financial services industry than workers in other industries.

The fact of the matter was that our credit markets had frozen up, and this was paralyzing our economy across the board. Failing to deal with the financial industry would have left our entire economy crippled, including the very auto companies that are now asking for a bailout. A failed credit system means no one can get a car loan. The financial rescue that we did in October was, in fact, an auto industry rescue.

What has been the impact of that bill? Mr. Speaker, we simply do not know yet. A $13 trillion economy doesn't exactly turn on a dime. And, as we all know, half of the money has been utilized so far.

We also know, based on very important questions raised by the chairman of the Financial Services Committee, who is here, Mr. FRANK, and Mr. BACHUS and others, transparency in this whole process has been lacking.

I am joined with several of my colleagues in the Republican leadership in demanding that the Treasury Department provide clear answers on how taxpayer dollars have been spent. We are fighting to ensure that there is accountability every step of the way. This will be an ongoing process well into next year, and we may not know the full impact of this bill for many months to come.

It's quite possible that further responsible action to provide assistance will be necessary, but the bill before us today asks us to rush into a bailout for a single industry with billions more in taxpayer dollars on the line. It asks us to start picking and choosing winners in this very difficult economic time.

Mr. Speaker, we all have car dealerships in our districts. We all have thousands of constituents whose jobs are directly or indirectly tied to the auto industry. We know the figure of one in 10 jobs is tied to the auto industry.

But before we rush into a costly bailout, we have to consider a few things. First, we have to consider whether U.S. auto companies are prepared to transform themselves into an innovative and competitive industry. They made an attempt to answer this question in congressional testimony just last week, but they have a very long way to go. A nearly century-old industry doesn't transform itself overnight. We need a far more convincing plan from them on how they will do so in a matter of months.

Second, we need to consider our economy at large. Playing favorites with one industry over another is a dangerous game that won't necessarily put us back on sound economic footing. None of us wants to see autoworkers losing their jobs, but neither do we want to see workers in other industries lose their jobs. Our first and only economic priority should be pursuing a pro-growth strategy that provides new opportunity throughout our entire economy.

Finally, we have to consider the diverse and complicated landscape of the auto industry. The question of what is an American car used to be a very simple one. That's no longer the case.

Mr. Speaker, which is more American? The Ford built in Mexico or the BMW built in South Carolina? What about the Chevy built with Japanese parts and assembled in Canada? How do we pick and choose winners in a diverse industry that involves foreign investment, American workers and a global supply chain?

Is the Toyota plant worker in Kentucky less valuable to the U.S. economy than the Ford worker in Detroit? What about the auto parts supplier in Illinois that ships to Mitsubishi, Honda or Mazda, all of which create jobs right here in the United States of America?

This is a very complicated matter, and we must very carefully consider the consequences of our picking and choosing the winners and the losers. We certainly can't resolve the issue effectively by simply throwing money at our problems. Instead, we should be considering better alternatives, like creating tax incentives for car purchases, by enabling Americans to give the auto industry a boost so we can relieve the tax burden on families and help all workers in the industry.

Unfortunately, this rule, like so many of the rules that we have seen come forward in this Congress, completely shuts out the kind of real debate that we need. It's their way or the highway.

Unfortunately, their way offers nothing but wasted billions and false promises.

The American people want to know that we are working to restore our economy, but they demand that we act wisely, spend their tax dollars prudently and ensure accountability for every penny. This bill fails on all three of those counts.

I urge my colleagues to reject this rule and the underlying legislation.

With that, Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Massachusetts, the chairman of the Financial Services Committee, who has worked extremely hard on this bill, Mr. FRANK.

Mr. FRANK of Massachusetts. Mr. Speaker, we are about to see the great majority of Republicans deliver both orally and then, by their votes, a stunning vote of no confidence—but not in the automobile industry—in the Bush administration.

This is a bill that was brought forward in consultation with President Bush and his chief aides. The funding mechanism here is one that was insisted upon by the President. The amount of money and the source of the money complied entirely with the wishes of the Bush administration.

Now, one set of questions raised about this bill has to do with the administration of the TARP Program, once again, by the Bush administration. I believe that is too harsh. I believe we would have been worse off had we not passed that. Yes, I have some criticisms of it, but let's be very clear. This bill takes the Bush administration's proposal about how to fund this, and in turn gives to the Bush administration now, if it becomes law, significant power to begin the process of restructuring the automobile industry.

As I said, much of what we heard is a lack of confidence in this administration. Now, we were told that it's going to put a lot of taxpayer money at risk. My friend from California said don't pick winners and losers.

Well, may I ask then, Mr. Speaker, how we would characterize the decision to give well over $100 billion to AIG? Were they not a winner in this? If they were a loser, I should be such a loser at $100 billion. Six plus times as much money as being authorized here to be lent to the auto industries was lent to AIG.

Is there a certainty that the auto industry is going to pay it back? No, no more than there is with AIG. In fact, I think a little bit more. But AIG, that's not an industry, that's a company. That one company received over $100 billion.

I also disagree with those who would say, as apparently a Republican subgroup says, well, the way to deal with that is to take the wages that were bargained collectively over time by the unions in these three companies and drop them to some other level. I don't remember anybody saying, now, we have all agreed that CEO compensation and money for the top people should be restrained.

But the average worker at AIG makes more money than an auto worker. The average worker at Citigroup, the recipient, again, of a large amount of money, makes more than an auto worker. Does anybody remember Citigroup being told that as a condition of this money they have to get no more than a community banker would get? That may be a fair standard, but why is it only applied to blue-collar workers? Why is it that this insistence on leveling down the wages of people whose companies receive loan funds only applies to people who do this physical work?

I agree with the gentleman from California. There was a great reason to do the financial services bailout, because financial services are important, and I agree with him as well. That helps the auto industry.

People buy cars on credit. An occasional buyer will come into an auto sales room to buy a car with cash. He generally wants bulletproof windows and special getaway mechanisms. Most people are buying it on credit, and that's because, as we have said, not that they are too big to fail, but too interconnected. But so is the auto industry. The gentleman himself talked about the suppliers elsewhere. This is an industry that has an enormous nationwide impact.

But, finally, what are we doing here? We are lending them $15 billion. We are lending them $15 billion that is to be repaid, if by March 31 they haven't been able to persuade the new administration's appointee that they are making very fundamental changes. The bill says look for changes from the workers, but also from the bondholders and also from the suppliers and also from the dealers.

Let's not single out those who work with their hands as the only ones who might be accused of unjust enrichment, because they ain't rich. So that's the proposal, $15 billion if they can show that they are making these reductions.

By the way, we regret the fact that the President insists on taking money that we had set aside to help them become more innovative. We will replenish that. I think the Speaker deserves a great deal of credit for yielding in that way, but in a way that would protect this point.

But the $15 billion comes with super seniority or very serious collateral. On March 31, either this Congress will have to vote more money, there is no more automatic money, this Congress will vote more money, and we will have a chance to make changes in the bill if we think it's necessary, or we will have to repay the $15 billion with a great deal of seniority in debt preferable to any other debtor and with high collateral. Yes, we are acting quickly.

The SPEAKER pro tempore (Mr. SERRANO). The time of the gentleman has expired.

Ms. SLAUGHTER. I yield the gentleman 1½ additional minutes.

Mr. FRANK of Massachusetts. We are in a crisis. They were having problems. Like a lot of other entities in America, including the job market in general and banks, the deterioration has been more rapid than anyone had anticipated. And, yes, they now face the potential of financial collapse more quickly than anticipated.

If we had known in September what we knew today, we could have begun acting back then. What we are doing is an interim measure. Fifteen billion dollars is a short-term fix, $15 billion that will be repaid. It's not the hundreds of billions that we talk about with Citigroup or the over $100 billion that we talk about with AIG, it's a lot of money, but it's money that will be repaid. It gives us a chance, particularly the new administration and this Congress to figure out what can be done. If by March 31 it is clear that

pessimism has prevailed and nothing can be done, we will get the $15 billion back.

But, finally, as to the rule, my understanding when I went up to testify before the Rules Committee, I was told there was one amendment that had been offered by the minority, and it has been made in order, and I plan to vote for it.

Mr. DREIER. Will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from California.

Mr. DREIER. I thank my friend for yielding. I thank him for his very thoughtful statement.

I would say that the distinguished Chair of the Committee on Rules just described that amendment as a Democratic amendment. She described it as the Sutton-LaTourette amendment, and so I suspect that——

Mr. FRANK of Massachusetts. Well, I will now say, Mr. Speaker, that I am sorry I yielded for that bit of trivia. It was offered to me as the LaTourette amendment. I thought it was a Republican amendment.

You know, at a time when we are all trying to get out of here, why we would waste time on that kind of trivia I don't understand.

So let me say I believe that given that this is a short-term emergency, we will have time to reconsider. The consequences of defeating this bill would be disaster for an economy that is already in terribly indecent shape.

Mr. DREIER. Mr. Speaker, I thank my friend from Massachusetts for leaving all the trivia to those of us on the Rules Committee.

With that, I am happy to yield a minute to my good friend from Livonia, Michigan, the Chair of the Republican Policy Committee, Mr. MCCOTTER.

Mr. MCCOTTER. Mr. Speaker, just two quick points, one is the funding was already brought up by the ranking member of Financial Services. We will hear a lot from my side of the aisle about how much money we are saving the taxpayers.

I would remind those who voted to appropriate this into the low-interest energy loans to help cover the unfunded CAFE mandate that that appropriation is gone. It is either going to go to help the auto industry survive a liquidity crisis, or it will be expended elsewhere. There is no savings there.

Secondly, I would like to remind everyone in the room that your love for the taxpayers should also extend to the hardworking men and women, be they white collar or blue collar that work in the auto industry in the United States, that work in the manufacturing sector in the United States, and whose social costs, through a cavalier and calloused approach to bankruptcy, will be borne by the very taxpayers of the United States, except there will be one difference, they will be out of work and will no longer be taxpayers.

□ 1645

Ms. SLAUGHTER. Let me take 30 seconds, please, Mr. Speaker, to explain this is Mr. LATOURETTE's amendment. Mr. LATOURETTE brought it up. I mentioned Ms. SUTTON's name. She is Mr. LATOURETTE's neighbor and his friend, and she talked to the Democrats about it to make Mr. LATOURETTE in order.

I am pleased to yield 4 minutes to the gentleman from Michigan (Mr. LEVIN).

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. The test isn't in our rhetoric, but what action we propose, and for the gentleman from California, his action plan is bankruptcy. Bankruptcy. The suggestion is go into chapter 11.

Mr. DREIER. Would the gentleman yield for just a moment? I never advocated bankruptcy.

Mr. LEVIN. Essentially that is being proposed by the minority.

Mr. DREIER. Well, you concluded that, but I never actually said that.

Mr. LEVIN. By some in the minority. They are saying do chapter 11. Mr. DREIER, that is bankruptcy.

Mr. DREIER. I understand that chapter 11 is bankruptcy, but I am just saying that I have not advocated that.

Mr. LEVIN. Many on your side are.

Mr. FRANK of Massachusetts. Will the gentleman yield?

Mr. LEVIN. Yes.

Mr. FRANK of Massachusetts. Bankruptcy has been the primary argument I have heard as the preferred alternative from the Republican Members of the committee I chair.

Mr. LEVIN. And not from all. We hope for a bipartisan effort. We worked with the White House. It is interesting that now we face opposition, though the White House has said action is necessary; the President-elect has said action is necessary; the Speaker has said action is necessary; the majority leader in the Senate has said action is necessary. And now what many are saying on the other side in this House is bankruptcy, chapter 11. Chapter 11 will lead to chapter 7.

I just want to quote from a few documents that say that. A recent study by the Anderson Economic Group says, ''It would be four times more expensive for a bankruptcy proceeding than a Federal bridge loan.''

Also J.P. Morgan, I want to read this, their analysis: ''Without government support, we believe auto suppliers will tighten terms, causing Big Three bankruptcy filings. Due to a potential sales decline and fixed-cost absorption issues, we expect a chapter 11 reorganization would rapidly move to liquidation.''

Look, this is complex. But what isn't complex is the essential continuation of a domestic auto industry.

Mr. DREIER says don't play favorites. Winners and losers. Doing nothing to help the domestic industry is playing favorites.

So I suggest we look at what is involved here. This bill proposes strong oversight. All parties will come to the table, all parties, without chapter 11, without chapter 7; all parties will be brought to the table and taxpayers will be protected.

Let me just say what is at stake here. We are talking about millions of people. We are talking about people who work in the factories and people who manage them. We are talking about suppliers. If one of the Big Three goes down, the supplier network will be devastated, and all those who sell automobiles and all those who are involved indirectly in the economy.

So I just urge, the time for rhetoric is gone. Why is this going so fast, Mr. DREIER? It is because there is an international economic and national credit crisis. Every country that has an automobile industry is now helping them. Rushing? It doesn't matter whether they are conservative or liberal or socialist; all of the other countries are moving to help.

Mr. DREIER. Will the gentleman be willing to yield? I will be happy to yield an additional 30 seconds.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DREIER. I would like to yield the gentleman 30 seconds, Mr. Speaker, if I might, and I ask him to yield to me.

Mr. LEVIN. Yes.

Mr. DREIER. I thank my friend for yielding.

Mr. Speaker, let me just say that I believe this notion that you inferred I said do nothing is in fact discriminating against the domestic auto industry. It seems that people did, I am happy to say, listen to my statement.

I advocate taking action that would provide a tax credit to get people to the showroom so they can in fact purchase automobiles.

Mr. LEVIN. Let me take my time back, because the main proposal, as Mr. FRANK has said, from some on the minority side is bankruptcy. Let me just finish and I will ask for an additional 30 seconds, if I might.

Ms. SLAUGHTER. I will be happy to yield the gentleman an additional minute.

Mr. LEVIN. Every country with an auto industry is helping. You can call it rushing. The German Government.

Mr. DREIER. I believe we are doing that in fact by providing incentives to get people in the showroom.

Mr. LEVIN. I didn't yield. Look: There is nothing that you proposed that would help like a bridge loan so the companies would survive, so that there could be continued restructuring that they have started.

Germany, the European Commission is being requested for $50 billion. This bill is $15 billion. Brazil, $3 billion. Argentina. Even China, because of this credit crunch, is now saying they are going to help their industry.

Essentially what is being proposed by those who oppose this is paralysis. We

need action to help bridge. They have started on restructuring. They have a long ways to go. It is up to us to provide this bridge to the future. These domestic companies are moving on electric cars, on hybrids. Don't shut them down when they want to move ahead.

Mr. DREIER. Mr. Speaker, I yield myself 30 seconds to respond to my very good friend from Detroit on this issue.

I will say, Mr. Speaker——

Mr. LEVIN. I am not from Detroit. I am from Michigan.

Mr. DREIER. Excuse me?

Mr. LEVIN. I am not from Detroit. I am from Michigan. And this is a national issue, not a Michigan or Detroit issue.

Mr. DREIER. Okay. I don't know how much of my 30 seconds has expired, Mr. Speaker, but let me just say in response that we all recognize the gravity of this situation. We know how very important it is for us to deal with this, and I believe we would in fact be taking governmental action if we were to incentivize our fellow Americans to get into showrooms today so they would have the kind of incentive that is necessary to purchase automobiles. So we are advocating taking action.

With that, Mr. Speaker, I would like to yield 2 minutes to my very good friend from Harrison Township, Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. I thank the gentleman for yielding.

Mr. Speaker, first I would like to associate myself with the remarks of my colleague from Michigan (Mr. LEVIN) and Macomb County. We share a county together.

Mr. Speaker, I rise in very strong support of this rule and in very, very strong support of the underlying legislation. Today this House is beginning to take action to provide our domestic auto industry with a bridge loan to help them through these very difficult times.

Some of my colleagues engaged in this debate have described this as a bridge loan to nowhere. Well, it is my opinion that those Members have a very bad map, a very, very bad map. In fact, these are bridge loans to better times, to a stronger auto industry that will build the high-tech vehicles of the future and will protect millions of good jobs in America.

What Members should know is that the road of inaction is a road to economic abyss; the road to the loss of as many as 3 million jobs; the road to the destruction of the domestic manufacturing base which has formed the arsenal of democracy; a road to a deeper and more protracted recession that will negatively impact every community across this Nation. As was said, this is not just a Detroit problem, a Michigan problem; this is an American problem. And a detour from the bridge loan of assistance to the domestic auto industry to the road of inaction, that is a dead end.

I will choose the bridge to more jobs, the bridge to advanced technology, the bridge to a vital industry base and to a brighter future, and I urge my colleagues to join me on that trip. I urge them to support this rule, to support the underlying bill, and to demonstrate that this Congress does care about Main Street, not just Wall Street.

The SPEAKER pro tempore. The Chair will note that the gentlewoman from New York has 10 minutes left and the gentleman from California has 17½ minutes left.

Ms. SLAUGHTER. Thank you, Mr. Speaker. I yield 2 minutes of that time to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I thank the gentlelady. I rise in support of the rule and the underlying bill.

The underlying proposition is this: Should the United States have an auto manufacturing industry? That is really what we are deciding here. Because if this rule and/or bill goes down, we are faced with an untenable condition which will lead to the collapse of our automotive making capacity, and, according to some economic policy analysts, the elimination of over 3.3 million jobs across the economy, jobs that are affected directly and indirectly by the automotive industry.

I think it is important for us to step back and look at the context of this. Are we intending to stay a great nation, a world power, or are suddenly we retreating from the world stage? Because an America without an automobile industry is also going to be an America without a steel industry. We are already seeing our aerospace and our shipping industry affected.

It is time for us to have a national economic policy which says that the maintenance of automotive, steel, aerospace and shipping is vital to our national security; not just to our economy, but our security.

Sixty-seven years ago, when the United States was attacked, it was those industries which enabled us to be able to defend ourselves. Now, I am a person who stands for peace, but I also believe in preparedness. To me, it is unthinkable that a United States which was able to mobilize its productive capacity would suddenly throw it away.

We have to remember that our ability to make things is vital to being a great nation, and we have to remember that this is a moment that we should be able to rise to this occasion. It is a tragedy just that we have to debate something that is a proposition about whether or not we remain a strong Nation.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. I am pleased to give the gentleman another minute.

Mr. KUCINICH. I appreciate that.

You are actually talking about only 2 percent of the amount of money given for the Wall Street bailout, which I spoke against and voted against. This is an altogether different proposition. We cannot totally reject industrial capitalism and remain a great nation.

There are a lot of questions about finance capitalism which the $700 billion bailout has brought out. But we have to have the ability to make things. And we cannot ask auto workers to work for nothing. We have to have the ability to make things, and we also have to have the ability to see automotive in the scheme of a broader industrial policy.

Let's remember who we are as a nation. With all of our troubles, trials and tribulations, this is still the greatest nation in the world. What keeps us there? Our ability to make things; to make cars, to make steel, to make planes, to create ships. That is what helps to make America great. Let's not give that up. Let's not let this moment pass and decide, well, this is just a trivial matter of $14 billion or $15 billion. This is a question of who we are as a nation. Let's be strong. Let's vote for this bill.

Mr. DREIER. Mr. Speaker, at this time I am very happy to yield 4 minutes, which I hope he will fill, to the gentleman from Indianapolis, my good friend, Mr. BURTON.

Mr. BURTON of Indiana. I thank the gentleman for yielding, and I just want to say to Mr. KUCINICH and all the previous speakers, I agree with most of what I have heard today, except the way we get there. I don't think anybody in the House or the Senate wants the auto industry and related industries to collapse. Nobody wants that. The question is, how do we get to a solution that is workable, that will work over the long term?

Just a few weeks ago we passed the TARP bill, and we were told in just a day or two that we had to pass this or the entire financial system in this country and the world was going to collapse. We threw $700-plus billion at it, and today there are an awful lot of Members in both bodies that think, hey, it isn't working the way we thought it would. Things have gone south in a lot of areas, and we should have thought about this a little more carefully.

Now, I had the mayor of Marion, Indiana, and a lot of GM executives come in to see me last week and they told me in Marion, Indiana, they would lose $5 million in tax revenue if these companies go under.

□ 1700

And they would have to lay off firemen and policemen and other civil employees. Nobody wants that to happen. But how do we solve the problem long term?

And my concern is we're throwing $15 billion at this right now without a solution. We're going to have these people come to the conference table after we give them $15 billion, just like we gave the $700 billion a few weeks ago in the TARP plan, and we're going to say, now go solve the problem and come up

with an answer. We need to have these answers first, and then give them the money.

I don't mind staying here through Christmas and New Years to find a solution to save the automobile industry and the related industries. But this isn't the way, in my opinion, to do that.

Now, you know, Senator CORKER, in the other body, said, here's the way that we ought to solve the problem; and I'd like to read this to my colleagues. He said, Number 1, the manufacturers should give existing bondholders 30 cents on the dollar to help reduce their overall debt. Right now they'd only get 13 cents on the dollar, so 30 cents on the dollar would make them happy, and they would agree to that. And Senator CORKER said this ought to be one of the things that's in the plan.

Second, he said, wages should immediately come in-line with the transplant companies. And I think everybody that thinks about this realizes that if your cost of doing business is not competitive with your opposition, you're not going to survive. So that's an essential thing, in my opinion.

Third, the UAW should take half of GM's payment in the Voluntary Employees Beneficiary Association in GM stock; and I think they should do that because they're in this thing with everybody else, and taking half of their benefits in stock would be a great thing. And I think they would enjoy doing that if they knew the company was going to survive. And they want it to survive.

And finally, the Jobs Bank program should be eliminated. He said, if you had these four things as a starting point, we could get on with the business of solving this problem.

Now, at the hearing in the Senate Banking Committee the other day, Mark Zandi, who is the Chief Economist and Co-Founder of Moody's Economic Guide said, testified, ''under the most likely outlook for the economy and the auto industry, the restructuring plans in which the Big Three have requested $35 billion in loans,'' at that time it was $34 billion, ''will not be sufficient for them to avoid bankruptcy at the same point in the next 2 years. They would ultimately need another 75 to $125 billion to avoid bankruptcy.''

Now, we need to solve this problem. I want to help those employees. I want to help the executives. I want to help the communities that will suffer if they lose the tax revenues from these people who would lose their jobs and if the industry went south. I want to solve it. But rushing to judgement today, just like that, and throwing $15 billion at it, without a solution, in my opinion, is the wrong way to go.

So I'd just like to say to my colleagues, if you really want to solve this problem long term, let's don't rush to judgment today. Let's stick around here a few more days and work this out so we can really solve the problem long term so the industry can survive.

Ms. SLAUGHTER. I reserve my time, Mr. Speaker.

Mr. DREIER. Mr. Speaker, for his first floor speech since being elected our new Republican whip, I am happy to yield 2 minutes to my very good friend from Richmond, Mr. CANTOR.

Mr. CANTOR. Mr. Speaker, I too rise with a lot of concern over what is about to happen on the floor of this House. Clearly, there are many in this country who are reeling because of job layoffs, insecurity in terms of their economic outlook, insecurity as far as their health care is concerned. We have got a set of problems, I think, unprecedented in this country, at least in our generation. We've got to remain focused on trying to solve problems.

And frankly, I think that the bill coming to the floor, otherwise known as the auto bailout, is just not the right way for us to go. I can't think of anything more nonsensical than replacing those in Detroit who have not been able to make a success out of the auto companies and replace them with, frankly, bureaucrats who are subject to the whim of the politicians here in Washington. It just doesn't make sense.

If private investors are not convinced of the Big Three restructuring plans, if they don't think they're realistic enough, then why in the world would we ask the taxpayers to step in to provide that kind of assistance?

The Big Three restructuring plan and the majority's proposal downright lack accountability. How do we know, what is the guarantee that the taxpayer money, that the restructuring promises will occur?

Once the taxpayers enter the game there will be a big incentive for the taxpayers to continue to prop up what could very well be a continuing failed enterprise. That's why we have to lock in the restructuring now. The restructuring shouldn't happen in a matter of months; it should happen in a matter of days or weeks.

And as the gentleman from Indiana spoke, there is certainly an ability for us to see this restructuring take place, concessions on the side of management, on labor, on the bondholders. And frankly, we've got a role here in Washington that, if the Big Three are serious in their restructuring efforts, we can provide an alternative, a backstop, a guarantee for debtor-in-possession financing if they were to enter some type of pre-packaged bankruptcy.

Ms. SLAUGHTER. Mr. Speaker, may I inquire from my colleague how many other speakers he has?

Mr. DREIER. I have absolutely no idea how many speakers we have left, but at this juncture, four, five, something like that, I would guess. How many speakers does my friend have left?

Ms. SLAUGHTER. Two, I believe. And I will yield 2 minutes to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, I'd like to take this opportunity to clarify two provisions in the bill through a colloquy with its author, the distinguished chairman of the Financial Services Committee.

First is section 11(e)(2)(B), which provides certain powers to the so-called Car Czar. And I'd like to clarify that that would include the power to prohibit a plant closure. Is that correct, Mr. Chairman?

Mr. FRANK of Massachusetts. Yes. I would have to demur from being the author. I do want to give equal billing to my coauthor, George W. Bush. But having said that, I do believe that we agree that the provision has exactly the meaning the gentleman says, to prevent a closure or anything else of that sort.

Mr. SHERMAN. I know, as a matter of legislative history, it's Congress that writes bills, and I hope that any signing statement——

Mr. FRANK of Massachusetts. No, we vote on bills. They write them.

Mr. SHERMAN. The second provision I'd like to clarify is section 12(b)(3). It's my understanding that this prohibits the granting of stock options and prohibits a bonus, even if that bonus is referred to as a retention payment.

Mr. FRANK of Massachusetts. Yes, a bonus would be in addition to compensation, and it could be in Crown Victorias, or it could be in stock, or it could be anything else. And of course we do empower the administrator to be appointed by the President.

I did want to comment briefly. The gentleman from Virginia, apparently, once again, no confidence in the President. The President is given the power, under this bill, to appoint someone with great power, and he says things need to be done in a few days and apparently doesn't trust George Bush to do it.

But the answer is that the bill does empower those restrictions to be any kind of compensation.

Mr. SHERMAN. I thank the distinguished chairman.

We have seen the Fed and the Treasury provide $7 trillion in expenditures and in risk assumption as part of the economic bailout. In contrast, we can keep the automobile industry alive until the next administration through an expenditure of somewhat over $14 billion, a risk of only $14 billion.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. I yield the gentleman 1½ minutes.

Mr. SHERMAN. So a $14 billion bridge loan seems rather small in light that all this administration, the Fed and the Treasury have done. Keep in mind that Germany, Japan, Korea, China, France, every nation with an automobile industry is doing far more to protect their automobile industry than we are by providing 14 to $15 billion of bridge financing. That is why I will vote for the rule and for the bill. But this is far from a perfect bill.

Due to the efforts of the administration, we are now limited to receiving warrants worth only 20 percent of what we are investing. The original text of the bill mandated that Treasury could seek more than 20 percent. Given the risks that we are taking in lending money to General Motors and Chrysler, we should be getting far more than 20 percent warrants, and certainly the bill should not limit us to that. But the administration, in its generosity to the automakers, limits this to 20 percent warrants.

Second, this bill should prevent the auto companies from suing against the California tougher standards for air emissions and for global warming and higher standards for fuel economy. These companies should be trying to meet those higher standards, not suing to prevent them.

Finally, the bill does prevent the companies from owning luxury planes, but allows them to charter luxury jet aircraft. So I know the auto companies will be back, and I hope they fly commercial. We'll fine-tune this bill in the spring. Let's vote for it now.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 2 minutes to my good friend from Wantage, New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. Mr. Speaker, I come to the floor having always had an open mind with regard to this whole auto situation, and how we make sure the United States stays strong as a manufacturing country.

The chairman of the Financial Service Committee talks about having to move this along very quickly. But oddly enough, it was just last week, I believe, when he was asked by reporters on this and he said, you know, these deadlines that are being imposed are really artificial deadlines. And referring back to the TARP situation, he said, in that situation, even though the deadlines may pass, the sun still did come up the next day. And yet these are deadlines we're facing. And I think what we would ask to look at is how is Congress operating.

Let me give you a couple of examples. In July of this year, I think it was, we passed several hundred billion dollars for a housing bailout, and then, after that, we had some hearings on it on how we're going to spend the money.

This fall we passed a $700 billion TARP program to bail out the financial industry. That started out as two or three pages. It grew to several hundred pages. It was only today that we finally had a hearing on the oversight, again, on seeing how that money was about to be spent, lambasting the administration for not doing enough.

It was just yesterday, for the first time, that we basically had hearings on the GSEs, Fannie Mae and Freddie Mac. Again, the government bailed them out to the tune of several hundred billion dollars. Months later we had hearings on it.

What is the trend here? The way the Federal Government seems to operate is we appropriate, we spend hundreds of billions of dollars, then after the fact we come back and say, gee, what exactly did we do?

I think our side of the aisle is saying, let's take it down a little bit, work a little bit slower, and make sure what we do is appropriate.

You know, Steve Moore from the Wall Street Journal did an unscientific little survey. He walked around the Hill and the parking lots in the Hill, and he looked at the cars that the Members of Congress operate. You know what he found out? Two-thirds of those cars are foreign cars, not American cars. So it's interesting that we come to the floor here today and we ask to spend taxpayers' dollars on these cars when the members of their own party——

Mr. DREIER. Will the gentleman yield?

Mr. GARRETT of New Jersey. Sure, I will yield.

Mr. DREIER. I would argue that those are, in fact, American cars, based on the description that we have here because no one knows exactly what an American car is.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DREIER. I am happy to yield my friend an additional 30 seconds. And if the gentleman will yield.

Mr. GARRETT of New Jersey. I yield.

Mr. DREIER. As I've said, what is an American-made car? Is it, in fact, a Chevy that is built in Canada made with Mexican parts, or is it a BMW built in South Carolina?

And I thank my friend for yielding.

Mr. GARRETT of New Jersey. And the gentleman makes an excellent point, and Steve did as well, just saying when it comes down to what we're doing here on the floor of course very clearly we know whose money we're spending. Some people say does the money come from TARP; does the money come from the energy bill? It doesn't matter which line you take it out of the Federal budget, at the end of the day it all comes out of the taxpayers' pockets. And I encourage us to take a moment to make sure that we do it in an effective way that actually gets the job done, gets the restructuring of the industry and does not put the American taxpayer on the hook.

Ms. SLAUGHTER. Mr. Speaker, I reserve.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 3 minutes to the former Presidential candidate from Surfside, Texas (Mr. PAUL).

(Mr. PAUL asked and was given permission to revise and extend his remarks.)

Mr. PAUL. I rise in opposition to the rule and the underlying legislation. It doesn't take a whole lot to convince me that we are on the wrong track with this type of legislation. And at great risk of being marginalized, I want to bring up a couple of issues. One is that if one were to look for guidance in the Constitution, there's no evidence that we have the authority to take funds from one group of Americans and transfer it to another group who happen to need something.

And the moral argument is it's not right to do so. Why should successful Americans be obligated to take care of those who have made mistakes?

But those two arguments in this Chamber are rather weak arguments, so I will try to talk a little bit about economics. I think what we're doing here today and what we've done here for the last week has been, essentially, a distraction. We're talking about transferring funds around, $15 billion that's been authorized. It's been designated to do some other interventions that were unnecessary in the car industry. And in a way, this legislation probably could have been done by unanimous consent, but there's been a lot of talk and a lot of publicity and a lot of arguments going back and forth about the bailout for the car companies; and it is, of course, very important.

But in the scheme of things, you know, what's $15 billion mean anymore, especially since it's been authorized?

The big thing is the big bailout, the $8 trillion, the unlimited amount the Federal Reserve has invested and what we've been doing for the past 6 months. We are on the road to nationalization. In many ways, we're in the midst of nationalization without a whimper.

□ 1715

There is no real talk about it. I mean, we've essentially nationalized the insurance companies, the mortgage companies, the banks, and medical care is moving in that direction, and now the car companies are going to be run by a car czar from this Congress. I mean, it is such an embarrassment. It is such an insult to us who believe in freedom, who believe in sound money and who believe in limited government. It is such an insult to the whole idea of what made America great, and this is what it has come to—bailout after bailout after bailout—and nobody even calls it what it really is. It is the nationalization of our industries.

You know, in many ways, Harry Truman was a much more honest person. He said we should nationalize the steel industry, and he did. Fortunately, we still had a little bit of common sense in our courts, and they said ''Hey, you're going too far.'' That's what we're doing here. We're nationalizing. It happens always for good purposes, and we are always going to do good for this group, or that, but you never ask the question ''How much harm have you done to the other group?'' and that's what we ought to be talking about. We ought to really find out what this is costing.

As much as I strongly believe in the free society—and I can defend it from the economic viewpoints—I also know where we are and where we ought to go.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DREIER. I yield my friend an additional 30 seconds.

Mr. PAUL. I do believe in the transition. That is, if we need a bailout for the car companies, even though I don't like the idea, if you could pay for it, take it out of these hundreds of billions of dollars running the American empire around the world. Cut it; bring it home and spend it here, but running up of these deficits is going to do us in, and we are working on the collapse of the dollar. That is what you'd better pay attention to. So pay attention. This is a lot more important than this little $15 billion. To me, it has been a gross distraction of the great harm we've done in the past 6 months.

Ms. SLAUGHTER. Mr. Speaker, I continue to reserve the balance of my time.

The SPEAKER pro tempore. The Chair will note that the gentleman from California has 6 minutes remaining and that the gentlewoman from New York has 5½ minutes remaining.

Mr. DREIER. Mr. Speaker, with that, I'm happy to yield 2 minutes to our hardworking colleague from Brooksville, Florida (Ms. BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, there is an old saying that the road to hell is paved with good intentions, and I think, today, we realize that the well-intentioned road may lead to bankruptcy, not just for the automakers but, perhaps, for the U.S. Treasury.

Today, we have heard from well-meaning Members of this House that, unless we send $15 billion to the Big 3, the American economy will fail. I don't doubt their sincerity, but I do disagree with their conclusions.

Some of my constituents support the bailout, but most of them don't. As you can see from the picture next to me, the American citizens are hurting right now. The car in this picture is a Dodge Dynasty. By the way, this car has not been produced since 1993, so you can understand the angst of the car owner who realizes that his hard-earned tax dollars and those of his children and grandchildren are going for these bailouts. His message is very clear: Where is my bailout?

The bill before us today does nothing to address the real pain being felt by American citizens. Nothing helps to lower health care costs or to protect the mortgages on their homes.

I would also like to say that we had, again, a rush to judgment, a rush to bringing the bill to the floor, and we need to be concerned about that process. Please remember that Chrysler is a privately owned entity by a massive hedge fund firm in New York City. This hedge fund firm is not willing to invest one cent more in Chrysler, and yet we are asking our cash-strapped taxpayers back home to do it for them.

Like we saw with the last bailout boondoggle, there are not enough safeguards here. We have to remember, too, that the loan and the conditions that are attached to it do not correct the structural weaknesses at these companies. They merely postpone the consequences for a short while. They will be back for more and more and more.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. DREIER. I will yield my friend an additional 30 seconds.

Ms. GINNY BROWN-WAITE of Florida. This loan policy also continues the tragically flawed policy of picking winners and losers in this economy. Who is to say that the Big 3 are more worthy of financial assistance than are the small businesses that, like the owner of this car, are struggling every single day to survive and to make their payroll.

Mr. Speaker, there is an old saying that "the road to hell is paved with good intentions."

Today that well intentioned road leads to bankruptcy, not just for the automakers, but for the U.S. Treasury.

Today we have heard from well meaning Members of this House that unless we send $15 billion to the Big Three, the American economy will fail.

While I do not doubt their sincerity, I must disagree with their conclusions.

Serving on the Financial Services Committee I have listened to hours of testimony from the automakers, their unions, and academic experts.

More importantly though, over the past few weeks I have heard from hundreds of my constituents about how best to deal with the American automakers.

While some of my constituents do support a bailout, the vast majority do not.

As you can see from the picture next to me, the American citizens are hurting right now. The car in this photo is a Dodge Dynasty. It hasn't been in production since 1993.

But his message to Congress is pretty clear, "where is my bailout?"

the bill before us today does nothing to address the real pain being felt by American citizens.

Nothing in this bill helps my constituents create jobs, lower health care costs or protect the mortgage on their home. In fact this bill takes their hard earned tax dollars to fund yet another bailout.

I would also like to say that I resent the actions of the Democrat leadership and the White House for trying to ram this down our throats at the last minute before the holiday season, with the hope that the American people aren't paying attention.

Well, I have been paying attention, and here are some of my biggest concerns.

(1) Chrysler is privately owned by a massive hedge fund in New York City named Cerberus. If this hedge fund is not willing to invest in Chrysler, why should cash-strapped taxpayers do it for them?

(2) Like we saw with the last bailout boondoggle, this $15 billion today is likely only a down payment. If Congress is honest with the American people they will tell us that a vote for the bailout today is a vote for much, much more in the future.

(3) This loan, and the conditions that are attached to it, do not correct the structural weaknesses at these companies, it merely postpones the consequences for a short while.

(4) This loan continues the tragically flawed policy of picking winners and losers in the economy. Who is to say that saving the Big 3 is more important than propping up the 160,000 small businesses in towns like Clermont or Brooksville that could go under during this recession?

(5) The automakers lose money even when the economy is doing well and creating jobs. GM alone lost $39 billion in 2007. That followed a $10.6 billion loss in 2005 and "only" $2 billion in 2006.

(6) This is the best possible time to file for Chapter 11. Sales are at their lowest levels in decades, shareholder equity is already wiped out, and consumer confidence in the Big Three is already shaken. If bankruptcy means that consumers stop buying your brand, why not go through this now while sales are historically low and the explicit backing of the government is on the table?

Put simply, the American taxpayers were sold a bill of goods in the financial sector bailout, and have learned that we cannot trust the current leadership in Congress and the White House to do what is in their best financial interests in the future.

I ask that Members heed the wishes of their constituents and vote down the bill. Let's continue work through December and in the next Congress to put together a bill that protects taxpayers and provides stability in the American automobile markets.

Mr. Speaker, I urge a no vote on the rule and the bill.

Ms. SLAUGHTER. Mr. Speaker, I continue to reserve the balance of my time.

Mr. DREIER. Mr. Speaker, am I correct to infer that my colleague is the last speaker on her side?

Ms. SLAUGHTER. Like you, Mr. DREIER, I don't know. People come and go.

Mr. DREIER. Okay. Then I'll reserve the balance of my time.

Ms. SLAUGHTER. One moment, please, Mr. Speaker.

Mr. DREIER. Mr. Speaker, I am happy to proceed. I just wanted to know if the gentlewoman was the closing speaker.

Ms. SLAUGHTER. Yes, I am. I will close, but not yet.

Mr. DREIER. Oh, I think you'll have the right to close under the rule. There is no doubt about that.

Ms. SLAUGHTER. Yes.

Mr. DREIER. At this point, I am very happy to yield 2 minutes to my friend from St. Joseph, Michigan, a hardworking member from the Energy and Commerce Committee, Mr. UPTON.

Mr. UPTON. Mr. Speaker, 4 months ago, this Nation was not talking about a bailout. They weren't talking, say, about a bad economy, although it was certainly weak in Michigan, to say the least. We weren't talking about the loss of 525,000 jobs the month before. No, we were talking about energy and the need for an all-American energy plan. Part of that debate was to wean us off foreign oil and to develop the cars that, in fact, will do just that.

As I sat down with Ford and with Chrysler and with GM and saw their Volt and the other vehicles, we were excited. We were going to make a lot of progress to wean us off foreign energy,

but we could only do it if we got the money to retool.

Four months ago, in August, we, in fact, got the tip that the lenders weren't lending. No. They were coming in at 20 percent interest rates. That's what they were going to charge. We went to the administration. We went to the leadership on both sides of this Congress, and we said, if that happens, they'll never get the money; we'll never build these cars, and these companies will go bankrupt before the end of the year.

Sadly, we are here today on December 10, and that may exactly happen if we do not get a bill to the President's desk. It looks like our prediction from last August may be right on track, but if you thought 525,000 jobs lost last month was a problem, you wait until we get to 2 million to 3 million jobs when we lose those in a month or two if we don't get this bill done.

This isn't new money that we're asking for. It has already been directed. It has already been appropriated. What we ask is just redirection to help a domestic industry so that we can make these vehicles in America—that's right—made in America, not someplace else.

China, as my colleague SANDY LEVIN has indicated, has already approved $55 billion for the domestic auto manufacturing in China. Europe is doing the same thing.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DREIER. I am happy to yield to my friend an additional 15 seconds.

Mr. UPTON. Mr. Speaker, we are in a recession now. We've been in one in Michigan for a long time. You can only imagine where we're going to go—into a deep recession for who knows how long if we don't get this money approved for the Big 3 so that we can build the cars that consumers want that will wean us off foreign oil.

Ms. SLAUGHTER. Mr. Speaker, I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, at this time, I am happy to yield 30 seconds to our hardworking colleague from Tyler, Texas, JUDGE GOHMERT.

Mr. GOHMERT. Mr. Speaker, this reminds me that this begging for money for a bailout is a fix. I saw it a lot in drug dealers and in drug addicts who would come before my court for sentencing. It was the same story. They would come in. They would have that first little rush from that first fix, and then they would have to have more and more and more. If you really love them and you care about them deeply and want them to reach their God-given potential, you cut them off and say, ''I love you too much to start you down this road.''

In this case, bankruptcy is the place to go. That's why it's designed by Congress. Let's get this fixed so that it will be good for all Americans.

The SPEAKER pro tempore. The gentleman from California has 30 seconds remaining. The gentlewoman from New York has 3½ minutes remaining.

Mr. DREIER. Mr. Speaker, I had a very thoughtful, eloquent, lengthy closing statement, and I now have 30 seconds. Okay.

Ms. SLAUGHTER. Mr. DREIER, I do have one more speaker. I don't know if you want to take the closing back.

Mr. DREIER. Oh, then I will reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I see no drug addicts in here. I only see hardworking Americans—people who make things with their hands and who support their families and who make cars that have been noted as outstanding cars, not only in America but also around the world. So I support the bail in of all of these taxpayers, and I am gratified that this particular legislation does answer the question.

I would like to yield to the gentleman, the chairman of the committee, to ask him about this auto czar and whether or not they have the authority to prevent the relocation of these plants overseas to take jobs away from Americans.

Mr. FRANK of Massachusetts. The provision of the bill that gives the authority or the ability to veto any $100 million grade of investment or any $100 million impact decision includes the right to say ''no'' to a closure or to move the plant somewhere else, and it is primarily designed by us to ensure against the possibility that the taxpayer dollars being lent to them would be used to facilitate movement to other parts of the world where even the gentleman from California would agree that they would not be American.

Ms. JACKSON-LEE of Texas. Well, let me just say that this bill focuses on restoring the ability of Americans to make things. It protects the taxpayers with the ''car czar.'' It protects retirees. It protects the pensioners. It protects the families. It stops, if you will, this massive bonus program. It's interesting that my friends now say do the bankruptcy process, but when the poor mortgage holder was asking for a bankruptcy, the process of my friends on the other side of the aisle would not allow them to do so.

Bankrupt companies selling cars do not work. Let us stand for the hardworking Americans who make things with their hands, who design things with their intuitiveness and who bring to America the pride that built the middle class.

I am proud of this bill, and I believe we should stand strong to support them. It is good to give tools to the next administration who can make this right. For my friends who want to help the small businesses, join me in supporting the economic stimulus package for which we're going to vote to help Americans to restore their lives.

Mr. Speaker I rise today in support of H.R. 7297. I would like to thank the Chairman of Financial Service BARNEY FRANK for bringing this important piece of legislation to the floor. I rise today with the confidence that our system of government is strong and the constitutional protections of our government will protect America while we reform America's automobile industry.

Leadership has worked without tiring to ensure that this bill contains language that will ensure the betterment of the American people. Our leadership should be thanked for working on this bill during long hours into the night, weekends, and busy days. We toiled long into the night to incorporate Democratic principles in this bill.

I have worked with leadership to offer language from the bill that I introduced on November 20, 2008. The bill is H.R. 7297, ''Emergency Automobile Industry American Jobs Protection Act of 2008.''

The ideas included in H.R. 7297 are important because they will continue to keep America's economy strong, ensure that jobs remain in America and that the automobile companies develop a definite plan for growth. My legislation is aimed at stabilizing the American automobile industry through jobs, dealerships, including women and minority-owned dealerships, and American automobile industry suppliers. H.R. 7297 requires that any loan funds distributed to the ''Big Three'' automobile companies should be conditioned upon these companies filing a certification with the Congress.

The bill provides that before receiving loan funds, the ''Big Three'' must certify the following:

(1) United States automobile jobs will not be decreased by relocation to foreign companies;

(2) automobile dealerships will benefit from the receipt of these loan funds, and that the ''Big Three'' shall further provide for the stability of such dealerships, including women and minority-owned dealerships; and

(3) United States automobile suppliers will also be supported by and stabilized by such loan funding.

The bill also provides that no loan funds should be used by the ''Big Three'' to allow them to relocate overseas if it will result in the loss of United States automobile industry jobs, dealerships, or suppliers. Lastly, the bill provides that the loan funds should be distributed to the ''Big Three'' to ensure their stability and to establish a long-term plan of growth for United States automobile dealerships, including women and minority-owned dealerships, and United States automotive industry suppliers.

In fact, it is because I am concerned and desire that the maximum number of Americans get relief from this bill, that I offered amendments yesterday. To ensure that this bill provides relief for Americans, I offered the following amendments:

(1) Set aside $125 million (in fact the amount could been more) as a firm allotment to address the question of individual American homeowners facing foreclosure in light of the absence of a bankruptcy provision;

(2) Add Sense of the Congress language that the Bankruptcy Code should be reviewed and amended in the future to permit bankruptcy judges to address the question of individual home mortgage restructuring;

(3) Allow the courts to exercise rigorous judicial review and provide those courts with the

discretion to grant injunctive and/or equitable relief if the courts determine that such relief would not destabilize financial markets;

(4) Create a new independent commission to exercise oversight over the current financial situation with enforcement powers;

(5) Allow criminal liability for persons or corporate entities that have engaged in criminal malfeasance;

(6) Bar persons/corporate entities found to have engaged in criminal malfeasance with malicious intent in financial markets from doing business with the federal government in the future.

THE BILL IN CONTEXT

Segments of the economy have the ability to be strong. America needs to employ its full, faith, and credit to back its commitments. I feel strongly that this bill should have set aside $125 million to help homeowners who are facing mortgage foreclosure. This is important because it is money that would have been used to help the aggrieved: Main Street.

It is important to note that all five big investments—Bear Sterns, Merrill Lynch, Lehman Brothers, Goldman Sachs, and Morgan Stanley have altogether disappeared or morphed into regular banks. Given this phenomenon, the question arises and no one has or can seem to explain: Is this bailout still necessary?

Dr. James K. Gailbraith, of the University of Texas, wrote in the Washington Post, on September 25, 2008, that the bailout is not necessary because the point of the bailout has been articulated as buying assets that are illiquid ''but not worthless. But regular banks hold assets like that all the time. They are called 'loans.'

With banks, runs occur only when depositors panic, because they fear the loan book is bad. Deposit insurance takes care of that.''

Deposit insurance presently is capped at $100,000. We should have considered raising the FDIC insurance cap, increased the amount of capitalization in the FDIC corporation, increased the amount of reserves in the Treasury Department.

Dr. Galbraith wrote, ''In Texas, recovery from the 1980s oil bust took seven years and the pull of strong national economic growth. The present slump is national, and it can't be cured by legislation alone. But it could be resolved in three years, by a new Home Owners Loan Corp., which would rewrite mortgages, manage rental conversions, and decide when vacant, degraded properties should be demolished.''

As I consider this piece of legislation, three of the themes that are consistent throughout it are (1) where is the enforcement; (2) who receives the first dollar; and (3) what is the disastrous and catastrophic event that will occur if this bill is not passed today? Because of the complexity of the nature and extent of the problems within the financial markets, I would rather that Congress carefully review and consider the right solution.

Congress should order the SEC, FDIC, the Federal Revenue Service to use their current powers and prevent the consequences with some extraordinary powers such as cited above regulating lifting the caps at the FDIC and allowing the SEC to suspend certain accounting practices, all this can be done without the massive bailout all at once.

This legislation was considered at 10:00 p.m. in a closed rule last night; debate on the rule immediately transpired with less than 10 members participating at approximately midnight. In less than ten hours, members are expected to have read, understand, and speak intelligently upon this complex piece of legislation.

When we consider the magnitude and extent of the financial problem, we must consider how America has gotten here in the first place. During the past Administration, America underwent a housing boom. Depressed housing markets around the country experienced unparalleled increases in price. Middle-class, working Americans sought to achieve the American dream by purchasing a home.

At the same time, banks and financial institutions were selling unsophisticated consumers unconventional and creative mortgage financing alternatives. Financial institutions were apt to qualify borrowers for more house than they could afford. Financial institutions were lending subprime mortgages and engaged in predatory lending. Adjustable rate mortgages, which had an interest rate that would adjust within 1, 3, or more years, became more common within the last 7 years. Interest-only names became common names within the first home purchaser's market. Borrowers who were considered a credit risk were allowed to purchase homes. The banks and financial institutions were not paying attention to a borrower's credit rating, their ability to pay, or a borrower's potential to default.

PRESENT FINANCIAL SITUATION

According to Bloomberg, this morning stocks around the world tumbled, the euro and the pound plunged and bonds rose as governments raced to prop up banks. Hong Kong's Hang Seng Index plunged 4.31 percent to 17,876.41, and Tokyo's benchmark Nikkei lost 1.3 percent to close at 11,743.61.

Europe's Dow Jones Stoxx 100 Index declined 3.2 percent. MSCI Asia Pacific Index lost 2.7 percent after Dexia SA sank the most since it began trading 12 years ago and ICICI Bank Ltd. retreated to a two-year low. Futures on the S&P's 500 Index fell 1.7 percent as Wachovia Corp. tumbled 91 percent. Citigroup Inc. agreed to buy the company's banking operations in a transaction the Federal Deposit Insurance Corp. helped arrange.

The British pound dropped the most against the dollar in 15 years and the euro weakened after European governments stepped in to rescue Bradford & Bingley Plc, Fortis, and Hypo Real Estate Holding AG.

So far, the $700 billion package to shore up banks hammered out by Treasury Secretary Henry Paulson and congressional leaders over the weekend failed to convince investors it will shore up banks saddled with growing mortgages losses. The crisis that began with bad home loans to subprime borrowers in the U.S. is threatening to push the global economy into a recession as consumers lose confidence as banks cut back on lending.

It is difficult to have a $700 billion rescue bill when the President failed to sign $60 billion to provide economic stimulus to working-class Americans.

In September, Fannie Mae and Freddie Mac, Lehman Brothers all filed for bankruptcy. Merrill Lynch agreed to sell itself to Bank of America, AIG was taken over by the Treasury, and Washington Mutual was seized by regulators in the biggest U.S. bank failure in history. Financial institutions worldwide have reported more than $550 billion of credit losses and asset writedowns since the beginning of 2007, according to data compiled by Bloomberg.

Even after the announcement of the rescue package, the worldwide markets are still declining. I fail to see the specific catastrophic events/consequences that the U.S. public will experience if this bailout does not occur.

I am cautious because I believe that we as members of Congress need to take the time to craft a real recovery plan for our economy, a plan that puts people first and addresses our multiple economic crises, including good jobs, affordable housing, health care, retirement security, infrastructure, and disaster relief (Katrina, Ike, etc.).

Last week, New York Mayor Michael Bloomberg announced $1.5 billion in public spending cuts. I do not believe that this was prudent. Schools, fire departments, police stations, parks, libraries, and water projects are getting cut. The persons who are feeling the effects of this economic decision are the more vulnerable populations, the elderly, the children, and the working-class. Mayor Bloomberg's reaction is not the solution either.

It is clear that something must be done, but this bill does not provide the answer that America seeks.

Recently, Congress sent an economic stimulus package to the President that would have provided $60 billion in relief to middle-class working Americans. The President vetoed this bill. However, the Administration sends to us today this bill requesting $700 billion to bail out Wall Street.

I would offer that we need to restructure our present financial system. However, the kinds of reform that I believe are necessary are not included in this bill. For example, the Federal Reserve itself needs to be reformed. As members of Congress we should be looking at establishing greater oversight, preventing predatory practices and establishing public alternatives to the reckless privatized system that brought us the crisis in the first place. We need to prevent the victims of predatory lending from losing their homes and restrict lobbying by the financial sector.

I have heard from my constituents that they are not supportive of this bill. Many themselves were community bankers. One community banker, for example, wrote:

''I am a community banker who is deeply concerned about the recent developments on Wall Street and the bailouts that our government has undertaken. The great, great majority of banks in this country never made one subprime loan, and ninety-eight percent are well-captialized . . . we don't ask for or need a bailout.''

LITTLE RELIEF FOR THE NATION'S HOMEOWNERS

Because of the way that the bill is written, few if any homeowners will get mortgage relief, which is why I offered an amendment that would give $125 million directly to the homeowners facing mortgage foreclosure. The bill does not contain any provision allowing the terms of a mortgage to be changed without the consent of all the investors who own the mortgage. Few homeowners will benefit. For example, the bill would not provide relief to the majority of homeowners. The bill does not contain any provision allowing the terms of a mortgage to be changed without the consent of all the investors who own the mortgage. The bill is little more than a Wall Street earmark and is not really a bill for homeowners.

Although the bill does not provide for parachutes for executives, the executives' compensation remains the same.

This is because the Treasury will chiefly purchase mortgage-backed securities which will make the federal government one of several co-owners of millions of mortgages. Whether or not any mortgages are modified will be determined by the loan servicer acting on behalf of all the various investors who own a piece of the mortgage. That is why Section 108(d) states in part, ''The Secretary shall request loan services servicing the mortgage loans to avoid preventable foreclosures.'' Congress has already requested all loan servicers nationwide to avoid preventable foreclosures, so an additional request from the Treasury is unlikely to change current behavior.

REPUBLICAN COMMENTARY

Republican critics of the bill argue that the bill rescues persons that lack financial responsibility because they were living beyond their means or that the bill helps minorities who did not exercise fiscal responsibility. There is simply no credibility to these arguments. As I have attempted to stress today, the mortgage foreclosure crisis affects all Americans. Financial institutions engaged in speculation on Wall Street that we now see has had a deleterious effect on Main Street.

Speculation, in a financial context, is the assumption of the risk of loss, in return for the uncertain possibility of a reward. Speculation is one of the main causes of various economic crises around the world. In fact, speculators have played a major role in the present crisis. The speculators were greedy.

Nonprofits such as ACORN, NACA, and Homefree USA, among many others, have long been waging consumer campaigns to educate borrowers about the various financial instruments. And, I am resoundingly grateful to them for their hard work. We cannot make them the scapegoats. These organizations have allowed persons who might not otherwise have the knowledge or the opportunity to purchase a home, the opportunity to do so in the right way. These nonprofits should be applauded.

Everyone deserves the economic dream of owning their own home. But the financial institutions were dilatory in their responsibility to assess the borrower's ability to pay for loans and purchase a home. It was the squandering of this responsibility and preoccupation with greed and avarice that has led us to where we are today.

There are substantial improvements in the present version of the bill compared to the Bush administration proposal. However, the bill as it is presently written does not provide the necessary relief to middle-class America. Frankly, the bill provides no panacea to our present economic woes. Our markets will have the full faith and credit of the United States. This bill has not sent a sufficiently clear message because it lacks enforcement.

There are provisions now that address accountability measures by requiring a plan to ensure the taxpayer is repaid in full, and requiring Congressional review after the first $350 billion for future payments.

Principally, there are three phases of a financial rescue with strong taxpayer protections: reinvest, reimburse, and reform. One of the phases is to re-invest in the troubled financial markets to stabilize the markets. Another, reimburses the taxpayer and requires a plan to guarantee that they will be repaid in full. The last is to reform how business is done on Wall Street. The current legislation provides for fewer golden parachutes and, to its credit, provides sweeping Congressional oversight.

There are critical improvements to the rescue plan that yield greater protection to the American taxpayers and even to Main Street. The protection for taxpayers include the following:

(1) gives taxpayers a share of the profits of participating companies, or puts taxpayers first in line to recover assets if a company fails; and

(2) allows the government to also purchase troubled assets from pension plans, local governments, and small banks that serve low- and middle-income families.

For companies publicly auctioning over $300 million:

(1) there will be no multi-million dollar golden parachutes for top five executives after auction, although nothing prevents these executives from still reaping enormous salaries.

(2) there will be no tax deduction for executive compensation over $500,000.

However, with a ''pause'' we can help the financial markets and make America secured.

MY AMENDMENT LANGUAGE

While the bill has some improvements, what is missing from the bill are serious enforcement mechanisms. The language of the bill was good and was marked improvement over what the Administration has sent to us last week, but more work needs to be done on the bill. There are still elements that added to the bill.

The bill provides for the creation of a Financial Stability Oversight Board in Section 104. The bill also establishes a special inspector general for the troubled asset relief program in Section 121. Lastly, section 125 establishes the Congressional Oversight Panel. Importantly, these sections lack any real enforcement. These sections require reports and investigation; however, there is no criminal sanction for any malfeasance perpetrated by employers.

One of my amendments would have established an Oversight Board that would have had the authority to issue criminal penalties and civil sanctions. My amendment would have provided a strong enforcement mechanism and would have been effective in ensuring that this crisis does not occur again. It would send a clear message to Wall Street.

Another one of my amendments would have added serious judicial review to section 119. Section 119 presently provides that no injunction or other form of equitable relief shall be issued against the Secretary other than to remedy a violation of the Constitution. My amendment would have allowed meaningful judicial review because it would have allowed injunctive and other forms of equitable relief insofar as the grant of such relief did not disrupt financial markets. These are remedies available at law and in equity. I see no compelling reason why such relief should not be granted in the financial context.

The bill has no bankruptcy provisions. The bill does not permit homeowners who are presently in mortgage foreclosure from declaring Chapter 11 and 13 bankruptcy. Importantly, my amendment would allow homeowners in default of their mortgages to restructure their loan, thus providing immediate relief to the homeowner.

Because the bill is devoid bankruptcy relief, I offered another amendment to set aside $125 million as a firm allotment to address the question of individual American homeowners facing foreclosure. I believe that this would have provided relief in the absence of any extension of the bankruptcy code to address current homeowners in mortgage foreclosure.

I believe that Wall Street is an important and vital part of the nation's economy. I believe that the people who work there are good. It is a well known fact that financial markets do not always serve small businesses and minorities. I have personally had experiences where good hardworking people and small business owners were denied access to financial markets.

I believe in America and I believe in its Constitution. I believe that we can create a bill that would allow constant monitoring and vigilance and would help the American people.

I am reminded of the Preamble to our Constitution, which reads:

''We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.''

I would like to end with a quote from Alexander Hamilton: ''the sacred rights of mankind are not to be rummaged for, among old parchments, or musty records. They are written, as with a sun beam in the whole volume of human nature, by the hand of the divinity itself and can never be erased or obscured by mortal power.''

Let us work to provide the American people with the sun beam. Let us work to provide legislation that works and that serves the American people.

The SPEAKER pro tempore. The gentleman from California is recognized for 30 seconds.

Mr. DREIER. Mr. Speaker, I urge a ''no'' vote on the rule, and I yield back the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I want to urge everybody to vote ''yes.'' I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DREIER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

WILLIAM WILBERFORCE TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2008

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that the Committees on Foreign Affairs, Energy and Commerce and the Judiciary be discharged from further consideration of the bill (H.R. 7311) to authorize appropriations for fiscal years 2008 through

2011 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the bill is as follows:

H.R. 7311

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—COMBATING INTERNATIONAL TRAFFICKING IN PERSONS

Sec. 101. Interagency Task Force to Monitor and Combat Trafficking.
Sec. 102. Office to Monitor and Combat Trafficking.
Sec. 103. Prevention and prosecution of trafficking in foreign countries.
Sec. 104. Assistance for victims of trafficking in other countries.
Sec. 105. Increasing effectiveness of anti-trafficking programs.
Sec. 106. Minimum standards for the elimination of trafficking.
Sec. 107. Actions against governments failing to meet minimum standards.
Sec. 108. Research on domestic and international trafficking in persons.
Sec. 109. Presidential Award for Extraordinary Efforts to Combat Trafficking in Persons.
Sec. 110. Report on activities of the Department of Labor to monitor and combat forced labor and child labor.
Sec. 111. Sense of Congress regarding multilateral framework between labor exporting and labor importing countries.

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TITLE III—AUTHORIZATIONS OF APPROPRIATIONS

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TITLE I—COMBATING INTERNATIONAL TRAFFICKING IN PERSONS

SEC. 101. INTERAGENCY TASK FORCE TO MONITOR AND COMBAT TRAFFICKING.

Section 105(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(b)) is amended by inserting ''the Secretary of Education,'' after ''the Secretary of Homeland Security,''.

SEC. 102. OFFICE TO MONITOR AND COMBAT TRAFFICKING.

Section 105(e) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(e)) is amended—

(1) in the subsection heading, by striking ''SUPPORT FOR THE TASK FORCE'' and inserting ''OFFICE TO MONITOR AND COMBAT TRAFFICKING'';

(2) by striking ''The Secretary of State is authorized to'' and inserting the following:

''(1) IN GENERAL.—The Secretary of State shall''; and

(3) by adding at the end the following:

''(2) COORDINATION OF CERTAIN ACTIVITIES.—

''(A) PARTNERSHIPS.—The Director, in coordination and cooperation with other officials at the Department of State involved in corporate responsibility, the Deputy Under Secretary for International Affairs of the Department of Labor, and other relevant officials of the United States Government, shall promote, build, and sustain partnerships between the United States Government and private entities (including foundations, universities, corporations, community-based organizations, and other nongovernmental organizations) to ensure that—

''(i) United States citizens do not use any item, product, or material produced or extracted with the use of labor from victims of severe forms of trafficking; and

''(ii) such entities do not contribute to trafficking in persons involving sexual exploitation.

''(B) UNITED STATES ASSISTANCE.—The Director shall be responsible for—

''(i) all policy, funding, and programming decisions regarding funds made available for trafficking in persons programs that are centrally controlled by the Office to Monitor and Combat Trafficking; and

''(ii) coordinating any trafficking in persons programs of the Department of State or the United States Agency for International Development that are not centrally controlled by the Director.''.

SEC. 103. PREVENTION AND PROSECUTION OF TRAFFICKING IN FOREIGN COUNTRIES.

(a) PREVENTION.—Section 106 of the Trafficking Victims Protection Act of 2000 (22 U.S. C. 7104) is amended by adding at the end the following:

''(i) ADDITIONAL MEASURES TO PREVENT AND DETER TRAFFICKING.—The President shall establish and carry out programs to prevent and deter trafficking in persons, including—

''(1) technical assistance and other support to improve the capacity of foreign governments to investigate, identify, and carry out inspections of private entities, including labor recruitment centers, at which trafficking victims may be exploited, particularly exploitation involving forced and child labor;

''(2) technical assistance and other support for foreign governments and nongovernmental organizations to provide immigrant populations with information, in the native languages of the major immigrant groups of such populations, regarding the rights of such populations in the foreign country and local in-country nongovernmental organization-operated hotlines;

''(3) technical assistance to provide legal frameworks and other programs to foreign governments and nongovernmental organizations to ensure that—

''(A) foreign migrant workers are provided the same protection as nationals of the foreign country;

''(B) labor recruitment firms are regulated; and

''(C) workers providing domestic services in households are provided protection under labor rights laws; and

''(4) assistance to foreign governments to register vulnerable populations as citizens or nationals of the country to reduce the ability of traffickers to exploit such populations.''.

(b) PROSECUTION.—Section 134(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2152d(a)(2)) is amended by adding at the end before the semicolon the following: '', including investigation of individuals and entities that may be involved in trafficking in persons involving sexual exploitation''.

SEC. 104. ASSISTANCE FOR VICTIMS OF TRAFFICKING IN OTHER COUNTRIES.

Section 107(a) of Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(a)) is amended—

(1) in paragraph (1)—

(A) in the second sentence, by inserting before the period at the end the following: '', and shall be carried out in a manner which takes into account the cross-border, regional, and transnational aspects of trafficking in persons''; and

(B) by adding at the end the following:

''(F) In cooperation and coordination with relevant organizations, such as the United Nations High Commissioner for Refugees, the International Organization for Migration, and private nongovernmental organizations that contract with, or receive grants from, the United States Government to assist refugees and internally displaced persons, support for—

''(i) increased protections for refugees and internally displaced persons, including outreach and education efforts to prevent such refugees and internally displaced persons from being exploited by traffickers; and

''(ii) performance of best interest determinations for unaccompanied and separated children who come to the attention of the United Nations High Commissioner for Refugees, its partner organizations, or any organization that contracts with the Department of State in order to identify child trafficking victims and to assist their safe integration, reintegration, and resettlement.''; and

(2) in paragraph (2), by adding at the end the following: ''In carrying out this paragraph, the Secretary and the Administrator shall take all appropriate steps to ensure that cooperative efforts among foreign countries are undertaken on a regional basis.''.

SEC. 105. INCREASING EFFECTIVENESS OF ANTI-TRAFFICKING PROGRAMS.

The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended by inserting after section 107 the following:

''SEC. 107A. INCREASING EFFECTIVENESS OF ANTI-TRAFFICKING PROGRAMS.

''(a) AWARDING OF GRANTS, COOPERATIVE AGREEMENTS, AND CONTRACTS.—In administering funds made available to carry out this Act within and outside the United States—

''(1) solicitations of grants, cooperative agreements, and contracts for such programs shall be made publicly available;

''(2) grants, cooperative agreements, and contracts shall be subject to full and open competition, in accordance with applicable laws; and

''(3) the internal department or agency review process for such grants, cooperative agreements, and contracts shall not be subject to ad hoc or intermittent review or influence by individuals or organizations outside the United States Government except as provided under paragraphs (1) and (2).

''(b) ELIGIBILITY.—

''(1) IN GENERAL.—An applicant desiring a grant, contract, or cooperative agreement under this Act shall certify that, to the extent practicable, persons or entities providing legal services, social services, health services, or other assistance have completed, or will complete, training in connection with trafficking in persons.

''(2) DISCLOSURE.—If appropriate, applicants should indicate collaboration with nongovernmental organizations, including organizations with expertise in trafficking in persons.

''(c) EVALUATION OF ANTI-TRAFFICKING PROGRAMS.—

''(1) IN GENERAL.—The President shall establish a system to evaluate the effectiveness and efficiency of the assistance provided under anti-trafficking programs established under this Act on a program-by-program basis in order to maximize the long-term sustainable development impact of such assistance.

''(2) REQUIREMENTS.—In carrying out paragraph (1), the President shall—

''(A) establish performance goals for the assistance described in paragraph (1), expressed in an objective and quantifiable form, to the extent practicable;

''(B) ensure that performance indicators are used for programs authorized under this Act to measure and assess the achievement of the performance goals described in subparagraph (A);

''(C) provide a basis for recommendations for adjustments to the assistance described in paragraph (1) to enhance the impact of such assistance; and

''(D) ensure that evaluations are conducted by subject matter experts in and outside the United States Government, to the extent practicable.

''(d) TARGETED USE OF ANTI-TRAFFICKING PROGRAMS.—In providing assistance under this division, the President should take into account the priorities and country assessments contained in the most recent report submitted by the Secretary of State to Congress pursuant to section 110(b).

''(e) CONSISTENCY WITH OTHER PROGRAMS.—The President shall ensure that the design, monitoring, and evaluation of United States assistance programs for emergency relief, development, and poverty alleviation under part I and chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq. and 2346 et seq.) and other similar United States assistance programs are consistent with United States policies and other United States programs relating to combating trafficking in persons.

''(f) AUTHORIZATION OF APPROPRIATIONS.—For each of the fiscal years 2008 through 2011, not more than 5 percent of the amounts made available to carry out this division may be used to carry out this section, including—

''(1) evaluations of promising anti-trafficking programs and projects funded by the disbursing agency pursuant to this Act; and

''(2) evaluations of emerging problems or global trends.''.

SEC. 106. MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING.

Section 108 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7106) is amended—

(1) in subsection (a), by striking ''a significant number of''; and

(2) in subsection (b)—

(A) in paragraph (1), by striking the period at the end of the first sentence and inserting the following: '', including, as appropriate, requiring incarceration of individuals convicted of such acts. For purposes of the preceding sentence, suspended or significantly-reduced sentences for convictions of principal actors in cases of severe forms of trafficking in persons shall be considered, on a case-by-case basis, whether to be considered an indicator of serious and sustained efforts to eliminate severe forms of trafficking in persons.'';

(B) in paragraph (2), by inserting before the period at the end the following: '', including by providing training to law enforcement and immigration officials regarding the identification and treatment of trafficking victims using approaches that focus on the needs of the victims'';

(C) in paragraph (3), by striking ''measures to reduce the demand for commercial sex acts and for participation in international sex tourism by nationals of the country'' and inserting ''measures to establish the identity of local populations, including birth registration, citizenship, and nationality''; and

(D) by adding at the end the following:

''(11) Whether the government of the country has made serious and sustained efforts to reduce the demand for—

''(A) commercial sex acts; and

''(B) participation in international sex tourism by nationals of the country.''.

SEC. 107. ACTIONS AGAINST GOVERNMENTS FAILING TO MEET MINIMUM STANDARDS.

(a) COUNTRIES ON SPECIAL WATCH LIST RELATING TO TRAFFICKING IN PERSONS FOR 2 CONSECUTIVE YEARS.—Section 110(b)(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(3)) is amended by adding at the end the following:

''(D) COUNTRIES ON SPECIAL WATCH LIST FOR 2 CONSECUTIVE YEARS.—

''(i) IN GENERAL.—Except as provided under clause (ii), a country that is included on the special watch list described in subparagraph (A) for 2 consecutive years after the date of the enactment of this subparagraph, shall be included on the list of countries described in paragraph (1)(C).

''(ii) EXERCISE OF WAIVER AUTHORITY.—The President may waive the application of clause (i) for up to 2 years if the President determines, and reports credible evidence to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, that such a waiver is justified because—

''(I) the country has a written plan to begin making significant efforts to bring itself into compliance with the minimum standards for the elimination of trafficking;

''(II) the plan, if implemented, would constitute making such significant efforts; and

''(III) the country is devoting sufficient resources to implement the plan.''.

(b) CLARIFICATION OF MEASURES AGAINST CERTAIN FOREIGN COUNTRIES.—Section 110(d)(1)(A)(ii) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(d)(1)(A)) is amended by inserting ''such assistance to the government of the country for the subsequent fiscal year and will not provide'' after ''will not provide''.

(c) TRANSLATION OF TRAFFICKING IN PERSONS REPORT.—The Secretary of State shall—

(1) timely translate the annual report submitted under section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)) into the principal languages of as many countries as possible, with particular emphasis on the languages of the countries on the lists described in subparagraphs (B) and (C) of section 110(b)(1) of such Act; and

(2) ensure that the translations described in paragraph (1) are made available to the public through postings on the Internet website of the Department of State and other appropriate websites.

SEC. 108. RESEARCH ON DOMESTIC AND INTERNATIONAL TRAFFICKING IN PERSONS.

(a) INTEGRATED DATABASE.—Section 112A of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7109a) is amended—

(1) in subsection (a), by amending paragraph (5) to read as follows:

''(5) An effective mechanism for quantifying the number of victims of trafficking on a national, regional, and international basis, which shall include, not later than 2 years after the date of the enactment of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, the establishment and maintenance of an integrated database within the Human Smuggling and Trafficking Center.''; and

(2) by amending subsection (b) to read as follows:

''(b) ROLE OF HUMAN SMUGGLING AND TRAFFICKING CENTER.—

''(1) IN GENERAL.—The research initiatives described in paragraphs (4) and (5) of subsection (a) shall be carried out by the Human Smuggling and Trafficking Center, established under section 7202 of the 9/11 Commission Implementation Act of 2004 (8 U.S.C. 1777).

''(2) DATABASE.—The database described in subsection (a)(5) shall be established by combining all applicable data collected by each Federal department and agency represented on the Interagency Task Force to Monitor and Combat Trafficking, consistent with the protection of sources and methods, and, to the maximum extent practicable, applicable data from relevant international organizations, to—

''(A) improve the coordination of the collection of data related to trafficking in persons by each agency of the United States Government that collects such data;

''(B) promote uniformity of such data collection and standards and systems related to such collection;

''(C) undertake a meta-analysis of patterns of trafficking in persons, slavery, and slave-like conditions to develop and analyze global trends in human trafficking;

''(D) identify emerging issues in human trafficking and establishing integrated methods to combat them; and

''(E) identify research priorities to respond to global patterns and emerging issues.

''(3) CONSULTATION.—The database established in accordance with paragraph (2) shall be maintained in consultation with the Director of the Office to Monitor and Combat Trafficking in Persons of the Department of State.

''(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $2,000,000 to the Human Smuggling and Trafficking Center for each of the fiscal years 2008 through 2011 to carry out the activities described in this subsection.''.

(b) REPORT.—Section 110(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1)) is amended—

(1) in subparagraph (C), by striking ''and'' at the end;

(2) in subparagraph (D), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(E) reporting and analysis on the emergence or shifting of global patterns in human trafficking, including data on the number of victims trafficked to, through, or from major source and destination countries, disaggregated by nationality, gender, and age, to the extent possible; and

''(F) emerging issues in human trafficking.''.

SEC. 109. PRESIDENTIAL AWARD FOR EXTRAORDINARY EFFORTS TO COMBAT TRAFFICKING IN PERSONS.

The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended by inserting after section 112A the following:

''SEC. 112B. PRESIDENTIAL AWARD FOR EXTRAORDINARY EFFORTS TO COMBAT TRAFFICKING IN PERSONS.

''(a) ESTABLISHMENT OF AWARD.—The President is authorized to establish an award, to be known as the 'Presidential Award for Extraordinary Efforts To Combat Trafficking in Persons', for extraordinary efforts to combat trafficking in persons. To the maximum extent practicable, the Secretary of State shall present the award annually to not more than 5 individuals or organizations, including—

''(1) individuals who are United States citizens or foreign nationals; and

''(2) United States or foreign nongovernmental organizations.

''(b) SELECTION.—The President shall establish procedures for selecting recipients of the award authorized under subsection (a).

''(c) CEREMONY.—The Secretary of State shall host an annual ceremony for recipients of the award authorized under subsection (a) as soon as practicable after the date on which the Secretary submits to Congress the report required under section 110(b)(1). The Secretary of State may pay the travel costs of each recipient and a guest of each recipient who attends the ceremony.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated, for each of the fiscal years 2008 through 2011, such sums as may be necessary to carry out this section.''.

SEC. 110. REPORT ON ACTIVITIES OF THE DEPARTMENT OF LABOR TO MONITOR AND COMBAT FORCED LABOR AND CHILD LABOR.

(a) FINAL REPORT; PUBLIC AVAILABILITY OF LIST.—Not later than January 15, 2010, the Secretary of Labor shall—

(1) submit to the appropriate congressional committees a final report that—

(A) describes the implementation of section 105(b) of the Trafficking Victims Protection Reauthorization Act of 2005 (22 U.S.C. 7103(b)); and

(B) includes an initial list of goods described in paragraph (2)(C) of such section; and

(2) make the list of goods described in paragraph (1)(B) available to the public.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' has the meaning given the term in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

SEC. 111. SENSE OF CONGRESS REGARDING MULTILATERAL FRAMEWORK BETWEEN LABOR EXPORTING AND LABOR IMPORTING COUNTRIES.

It is the sense of Congress that the Secretary of State, in conjunction with the International Labour Organization, the United Nations Office of Drug and Crime Prevention, and other relevant international and nongovernmental organizations, should seek to establish a multilateral framework between labor exporting and labor importing countries to ensure that workers migrating between such countries are protected from trafficking in persons.

TITLE II—COMBATING TRAFFICKING IN PERSONS IN THE UNITED STATES

Subtitle A—Ensuring Availability of Possible Witnesses and Informants

SEC. 201. PROTECTING TRAFFICKING VICTIMS AGAINST RETALIATION.

(a) T VISAS.—Section 101(a)(15)(T) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(T)) is amended—

(1) in clause (i)—

(A) in the matter preceding subclause (I), by striking ''Security and the Attorney General jointly;'' and inserting ''Security, in consultation with the Attorney General,'';

(B) in subclause (I), by striking the comma at the end and inserting a semicolon;

(C) in subclause (II), by adding at the end the following: ''including physical presence on account of the alien having been allowed entry into the United States for participation in investigative or judicial processes associated with an act or a perpetrator of trafficking;'';

(D) in subclause (III)—

(i) in item (aa), by striking ''or'' at the end;

(ii) by redesignating item (bb) as item (cc);

(iii) by inserting after item (aa) the following:

''(bb) in consultation with the Attorney General, as appropriate, is unable to cooperate with a request described in item (aa) due to physical or psychological trauma; or'';

and

(iv) in item (cc), as redesignated, by striking '', and'' at the end and inserting ''; and'';

and

(E) in subclause (IV), by adding ''and'' at the end;

(2) in clause (ii)—

(A) in subclause (I), by striking ''or'' at the end;

(B) in subclause (II), by striking ''and'' at the end and inserting ''or''; and

(C) by adding at the end the following:

''(III) any parent or unmarried sibling under 18 years of age of an alien described in subclause (I) or (II) who the Secretary of Homeland Security, in consultation with the law enforcement officer investigating a severe form of trafficking, determines faces a present danger of retaliation as a result of the alien's escape from the severe form of trafficking or cooperation with law enforcement.''; and

(3) by striking clause (iii).

(b) REQUIREMENTS FOR T VISA ISSUANCE.—Section 214(o)(7) of the Immigration and Nationality Act (8 U.S.C. 1184(o)(7)) is amended—

(1) in subparagraph (B)—

(A) by striking ''subparagraph (A) if a Federal'' and inserting the following: ''subparagraph (A) if—

''(i) a Federal'';

(B) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(ii) the alien is eligible for relief under section 245(l) and is unable to obtain such relief because regulations have not been issued to implement such section; or

''(iii) the Secretary of Homeland Security determines that an extension of the period of such nonimmigrant status is warranted due to exceptional circumstances.''; and

(2) by adding at the end the following:

''(C) Nonimmigrant status under section 101(a)(15)(T) shall be extended during the pendency of an application for adjustment of status under section 245(l).''.

(c) CONDITIONS ON NONIMMIGRANT STATUS FOR CERTAIN CRIME VICTIMS.—Section 214(p)(6) of the Immigration and Nationality Act (8 U.S.C. 1184(p)(6)) is amended by adding at the end the following: ''The Secretary of Homeland Security may extend, beyond the 4-year period authorized under this section, the authorized period of status of an alien as a nonimmigrant under section 101(a)(15)(U) if the Secretary determines that an extension of such period is warranted due to exceptional circumstances. Such alien's nonimmigrant status shall be extended beyond the 4-year period authorized under this section if the alien is eligible for relief under section 245(m) and is unable to obtain such relief because regulations have not been issued to implement such section and shall be extended during the pendency of an application for adjustment of status under section 245(m). The Secretary may grant work authorization to any alien who has a pending, bona fide application for nonimmigrant status under section 101(a)(15)(U).''.

(d) ADJUSTMENT OF STATUS FOR TRAFFICKING VICTIMS.—Section 245(l) of the Immigration and Nationality Act (8 U.S.C. 1255(l)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''the Attorney General,,'' and inserting ''in the opinion of the Secretary of Homeland Security, in consultation with the Attorney General, as appropriate'';

(B) in subparagraph (B)—

(i) by inserting ''subject to paragraph (6),'' after ''(B)''; and

(ii) by striking '', and'' and inserting ''; and''; and

(C) in subparagraph (C)—

(i) in clause (i), by striking '', or'' and inserting a semicolon;

(ii) in clause (ii), by striking '', or in the case of subparagraph (C)(i), the Attorney General, as appropriate''; and

(iii) by striking the period at the end and inserting the following: ''; or

''(iii) was younger than 18 years of age at the time of the victimization qualifying the alien for relief under section 101(a)(15)(T).'';

(2) in paragraph (3), by striking the period at the end and inserting the following: '', unless—

''(A) the absence was necessary to assist in the investigation or prosecution described in paragraph (1)(A); or

''(B) an official involved in the investigation or prosecution certifies that the absence was otherwise justified.''; and

(3) by adding at the end the following:

''(6) For purposes of paragraph (1)(B), the Secretary of Homeland Security may waive

consideration of a disqualification from good moral character with respect to an alien if the disqualification was caused by, or incident to, the trafficking described in section 101(a)(15)(T)(i)(I).

''(7) The Secretary of Homeland Security shall permit aliens to apply for a waiver of any fees associated with filing an application for relief through final adjudication of the adjustment of status for a VAWA self-petitioner and for relief under sections 101(a)(15)(T), 101(a)(15)(U), 106, 240A(b)(2), and 244(a)(3) (as in effect on March 31, 1997).''.

(e) ADJUSTMENT OF STATUS FOR CRIME VICTIMS.—Section 245(m) of the Immigration and Nationality Act (8 U.S.C. 1255(m)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''unless the Attorney General'' and inserting ''unless the Secretary''; and

(2) by adding at the end the following:

''(5)(A) The Secretary of Homeland Security shall consult with the Attorney General, as appropriate, in making a determination under paragraph (1) whether affirmative evidence demonstrates that the alien unreasonably refused to provide assistance to a Federal law enforcement official, Federal prosecutor, Federal judge, or other Federal authority investigating or prosecuting criminal activity described in section 101(a)(15)(U)(iii).

''(B) Nothing in paragraph (1)(B) may be construed to prevent the Secretary from consulting with the Attorney General in making a determination whether affirmative evidence demonstrates that the alien unreasonably refused to provide assistance to a State or local law enforcement official, State or local prosecutor, State or local judge, or other State or local authority investigating or prosecuting criminal activity described in section 101(a)(15)(U)(iii).''.

(f) EFFECTIVE DATE.—The amendments made by this section shall—

(1) take effect on the date of enactment of the Act; and

(2) apply to applications for immigration benefits filed on or after such date.

SEC. 202. PROTECTIONS FOR DOMESTIC WORKERS AND OTHER NONIMMIGRANTS.

(a) INFORMATION PAMPHLET.—

(1) DEVELOPMENT AND DISTRIBUTION.—The Secretary of State, in consultation with the Secretary of Homeland Security, the Attorney General, and the Secretary of Labor, shall develop an information pamphlet on legal rights and resources for aliens applying for employment- or education-based nonimmigrant visas.

(2) CONSULTATION.—In developing the information pamphlet under paragraph (1), the Secretary of State shall consult with nongovernmental organizations with expertise on the legal rights of workers and victims of severe forms of trafficking in persons.

(b) CONTENTS.—The information pamphlet developed under subsection (a) shall include information concerning items such as—

(1) the nonimmigrant visa application processes, including information about the portability of employment;

(2) the legal rights of employment or education-based nonimmigrant visa holders under Federal immigration, labor, and employment law;

(3) the illegality of slavery, peonage, trafficking in persons, sexual assault, extortion, blackmail, and worker exploitation in the United States;

(4) the legal rights of immigrant victims of trafficking in persons and worker exploitation, including—

(A) the right of access to immigrant and labor rights groups;

(B) the right to seek redress in United States courts;

(C) the right to report abuse without retaliation;

(D) the right of the nonimmigrant to relinquish possession of his or her passport to his or her employer;

(E) the requirement of an employment contract between the employer and the nonimmigrant; and

(F) an explanation of the rights and protections included in the contract described in subparagraph (E); and

(5) information about nongovernmental organizations that provide services for victims of trafficking in persons and worker exploitation, including—

(A) anti-trafficking in persons telephone hotlines operated by the Federal Government;

(B) the Operation Rescue and Restore hotline; and

(C) a general description of the types of victims services available for individuals subject to trafficking in persons or worker exploitation.

(c) TRANSLATION.—

(1) IN GENERAL.—To best serve the language groups having the greatest concentration of employment-based nonimmigrant visas, the Secretary of State shall translate the information pamphlet developed under subsection (a) into all relevant foreign languages, to be determined by the Secretary based on the languages spoken by the greatest concentrations of employment- or education-based nonimmigrant visa applicants.

(2) REVISION.—Every 2 years, the Secretary of State, in consultation with the Attorney General and the Secretary of Homeland Security, shall determine the specific languages into which the information pamphlet will be translated based on the languages spoken by the greatest concentrations of employment- or education-based nonimmigrant visa applicants.

(d) AVAILABILITY AND DISTRIBUTION.—

(1) POSTING ON FEDERAL WEBSITES.—The information pamphlet developed under subsection (a) shall be posted on the websites of the Department of State, the Department of Homeland Security, the Department of Justice, the Department of Labor, and all United States consular posts processing applications for employment- or education-based nonimmigrant visas.

(2) OTHER DISTRIBUTION.—The information pamphlet developed under subsection (a) shall be made available to any—

(A) government agency;

(B) nongovernmental advocacy organization; or

(C) foreign labor broker doing business in the United States.

(3) DEADLINE FOR PAMPHLET DEVELOPMENT AND DISTRIBUTION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall distribute and make available the information pamphlet developed under subsection (a) in all the languages referred to in subsection (c).

(e) RESPONSIBILITIES OF CONSULAR OFFICERS OF THE DEPARTMENT OF STATE.—

(1) INTERVIEWS.—A consular officer conducting an interview of an alien for an employment-based nonimmigrant visa shall—

(A)(i) confirm that the alien has received, read, and understood the contents of the pamphlet described in subsections (a) and (b); and

(ii) if the alien has not received, read, or understood the contents of the pamphlet described in subsections (a) and (b), distribute and orally disclose to the alien the information described in paragraphs (2) and (3) in a language that the alien understands; and

(B) offer to answer any questions the alien may have regarding the contents of the pamphlet described in subsections (a) and (b).

(2) LEGAL RIGHTS.—The consular officer shall disclose to the alien—

(A) the legal rights of employment-based nonimmigrants under Federal immigration, labor, and employment laws;

(B) the illegality of slavery, peonage, trafficking in persons, sexual assault, extortion, blackmail, and worker exploitation in the United States; and

(C) the legal rights of immigrant victims of trafficking in persons, worker exploitation, and other related crimes, including—

(i) the right of access to immigrant and labor rights groups;

(ii) the right to seek redress in United States courts; and

(iii) the right to report abuse without retaliation.

(3) VICTIM SERVICES.—In carrying out the disclosure requirement under this subsection, the consular officer shall disclose to the alien the availability of services for victims of human trafficking and worker exploitation in the United States, including victim services complaint hotlines.

(f) DEFINITIONS.—In this section:

(1) EMPLOYMENT- OR EDUCATION-BASED NONIMMIGRANT VISA.—The term ''employment- or education-based nonimmigrant visa'' means—

(A) a nonimmigrant visa issued under subparagraph (A)(iii), (G)(v), (H), or (J) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)); and

(B) any nonimmigrant visa issued to a personal or domestic servant who is accompanying or following to join an employer.

(2) SEVERE FORMS OF TRAFFICKING IN PERSONS.—The term ''severe forms of trafficking in persons'' has the meaning given the term in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of State.

(4) ABUSING AND EXPLOITING.—The term ''abusing and exploiting'' means any conduct which would constitute a violation of section 1466A, 1589, 1591, 1592, 2251, or 2251A of title 18, United States Code.

SEC. 203. PROTECTIONS, REMEDIES, AND LIMITATIONS ON ISSUANCE FOR A–3 AND G–5 VISAS.

(a) LIMITATIONS ON ISSUANCE OF A–3 AND G–5 VISAS.—

(1) CONTRACT REQUIREMENT.—Notwithstanding any other provision of law, the Secretary of State may not issue—

(A) an A–3 visa unless the applicant is employed, or has signed a contract to be employed containing the requirements set forth in subsection (d)(2), by an officer of a diplomatic mission or consular post; or

(B) a G–5 visa unless the applicant is employed, or has signed a contract to be employed by an employee in an international organization.

(2) SUSPENSION REQUIREMENT.—Notwithstanding any other provision of law, the Secretary shall suspend, for such period as the Secretary determines necessary, the issuance of A–3 visas or G–5 visas to applicants seeking to work for officials of a diplomatic mission or an international organization, if the Secretary determines that there is credible evidence that 1 or more employees of such mission or international organization have abused or exploited 1 or more nonimmigrants holding an A–3 visa or a G–5 visa, and that the diplomatic mission or international organization tolerated such actions.

(3) ACTION BY DIPLOMATIC MISSIONS OR INTERNATIONAL ORGANIZATIONS.—The Secretary may suspend the application of the limitation under paragraph (2) if the Secretary determines and reports to the appropriate congressional committees that a mechanism is in place to ensure that such

abuse or exploitation does not reoccur with respect to any alien employed by an employee of such mission or institution.

(b) PROTECTIONS AND REMEDIES FOR A–3 AND G–5 NONIMMIGRANTS EMPLOYED BY DIPLOMATS AND STAFF OF INTERNATIONAL ORGANIZATIONS.—

(1) IN GENERAL.—The Secretary may not issue or renew an A–3 visa or a G–5 visa unless—

(A) the visa applicant has executed a contract with the employer or prospective employer containing provisions described in paragraph (2); and

(B) a consular officer has conducted a personal interview with the applicant outside the presence of the employer or any recruitment agent in which the officer reviewed the terms of the contract and the provisions of the pamphlet required under section 202.

(2) MANDATORY CONTRACT.—The contract between the employer and domestic worker required under paragraph (1) shall include—

(A) an agreement by the employer to abide by all Federal, State, and local laws in the United States;

(B) information on the frequency and form of payment, work duties, weekly work hours, holidays, sick days, and vacation days; and

(C) an agreement by the employer not to withhold the passport, employment contract, or other personal property of the employee.

(3) TRAINING OF CONSULAR OFFICERS.—The Secretary shall provide appropriate training to consular officers on the fair labor standards described in the pamphlet required under section 202, trafficking in persons, and the provisions of this section.

(4) RECORD KEEPING.—

(A) IN GENERAL.—The Secretary shall maintain records on the presence of nonimmigrants holding an A–3 visa or a G–5 visa in the United States, including—

(i) information about when the nonimmigrant entered and permanently exited the country of residence;

(ii) the official title, contact information, and immunity level of the employer; and

(iii) information regarding any allegations of employer abuse received by the Department of State.

(c) PROTECTION FROM REMOVAL DURING LEGAL ACTIONS AGAINST FORMER EMPLOYERS.—

(1) REMAINING IN THE UNITED STATES TO SEEK LEGAL REDRESS.—

(A) EFFECT OF COMPLAINT FILING.—Except as provided in subparagraph (B), if a nonimmigrant holding an A–3 visa or a G–5 visa working in the United States files a civil action under section 1595 of title 18, United States Code, or a civil action regarding a violation of any of the terms contained in the contract or violation of any other Federal, State, or local law in the United States governing the terms and conditions of employment of the nonimmigrant that are associated with acts covered by such section, the Attorney General and the Secretary of Homeland Security shall permit the nonimmigrant to remain legally in the United States for time sufficient to fully and effectively participate in all legal proceedings related to such action.

(B) EXCEPTION.—An alien described in subparagraph (A) may be deported before the conclusion of the legal proceedings related to a civil action described in such subparagraph if such alien is—

(i) inadmissible under paragraph (2)(A)(i)(II), (2)(B), (2)(C), (2)(E), (2)(H), (2)(I), (3)(A)(i), (3)(A)(iii), (3)(B), (3)(C), or (3)(F) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)); or

(ii) deportable under paragraph (2)(A)(ii), (2)(A)(iii), (4)(A)(i), (4)(A)(iii), (4)(B), or (4)(C) of section 237(a) of such Act (8 U.S.C. 1227(a)).

(C) FAILURE TO EXERCISE DUE DILIGENCE.—If the Secretary of Homeland Security, after consultation with the Attorney General, determines that the nonimmigrant holding an A–3 visa or a G–5 visa has failed to exercise due diligence in pursuing an action described in subparagraph (A), the Secretary may terminate the status of the A–3 or G–5 nonimmigrant.

(2) AUTHORIZATION TO WORK.—The Attorney General and the Secretary of Homeland Security shall authorize any nonimmigrant described in paragraph (1) to engage in employment in the United States during the period the nonimmigrant is in the United States pursuant to paragraph (1).

(d) STUDY AND REPORT.—

(1) INVESTIGATION REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 2 years thereafter for the following 10 years, the Secretary shall submit a report to the appropriate congressional committees on the implementation of this section.

(B) CONTENTS.—The report submitted under subparagraph (A) shall include—

(i) an assessment of the actions taken by the Department of State and the Department of Justice to investigate allegations of trafficking or abuse of nonimmigrants holding an A–3 visa or a G–5 visa; and

(ii) the results of such investigations.

(2) FEASIBILITY OF OVERSIGHT OF EMPLOYEES OF DIPLOMATS AND REPRESENTATIVES OF OTHER INSTITUTIONS REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees on the feasibility of—

(A) establishing a system to monitor the treatment of nonimmigrants holding an A–3 visa or a G–5 visa who have been admitted to the United States;

(B) a range of compensation approaches, such as a bond program, compensation fund, or insurance scheme, to ensure that such nonimmigrants receive appropriate compensation if their employers violate the terms of their employment contracts; and

(C) with respect to each proposed compensation approach described in subparagraph (B), an evaluation and proposal describing the proposed processes for—

(i) adjudicating claims of rights violations;

(ii) determining the level of compensation; and

(iii) administering the program, fund, or scheme.

(e) ASSISTANCE TO LAW ENFORCEMENT INVESTIGATIONS.—The Secretary shall cooperate, to the fullest extent possible consistent with the United States obligations under the Vienna Convention on Diplomatic Relations, done at Vienna, April 18, 1961, (23 U.S.T. 3229), with any investigation by United States law enforcement authorities of crimes related to abuse or exploitation of a nonimmigrant holding an A–3 visa or a G–5 visa.

(f) DEFINITIONS.—In this section:

(1) A–3 VISA.—The term ''A–3 visa'' means a nonimmigrant visa issued pursuant to section 101(a)(15)(A)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(A)(iii)).

(2) G–5 VISA.—The term ''G–5 visa'' means a nonimmigrant visa issued pursuant to section 101(a)(15)(G)(v) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(G)(v)).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of State.

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Affairs and the Committee on the Judiciary of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on the Judiciary of the Senate.

SEC. 204. RELIEF FOR CERTAIN VICTIMS PENDING ACTIONS ON PETITIONS AND APPLICATIONS FOR RELIEF.

Section 237 of the Immigration and Nationality Act (8 U.S.C. 1227) is amended by adding at the end the following:

''(d)(1) If the Secretary of Homeland Security determines that an application for nonimmigrant status under subparagraph (T) or (U) of section 101(a)(15) filed for an alien in the United States sets forth a prima facie case for approval, the Secretary may grant the alien an administrative stay of a final order of removal under section 241(c)(2) until—

''(A) the application for nonimmigrant status under such subparagraph (T) or (U) is approved; or

''(B) there is a final administrative denial of the application for such nonimmigrant status after the exhaustion of administrative appeals.

''(2) The denial of a request for an administrative stay of removal under this subsection shall not preclude the alien from applying for a stay of removal, deferred action, or a continuance or abeyance of removal proceedings under any other provision of the immigration laws of the United States.

''(3) During any period in which the administrative stay of removal is in effect, the alien shall not be removed.

''(4) Nothing in this subsection may be construed to limit the authority of the Secretary of Homeland Security or the Attorney General to grant a stay of removal or deportation in any case not described in this subsection.''.

SEC. 205. EXPANSION OF AUTHORITY TO PERMIT CONTINUED PRESENCE IN THE UNITED STATES.

(a) EXPANSION OF AUTHORITY.—

(1) IN GENERAL.—Section 107(c)(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(3)) is amended to read as follows:

''(3) AUTHORITY TO PERMIT CONTINUED PRESENCE IN THE UNITED STATES.—

''(A) TRAFFICKING VICTIMS.—

''(i) IN GENERAL.—If a Federal law enforcement official files an application stating that an alien is a victim of a severe form of trafficking and may be a potential witness to such trafficking, the Secretary of Homeland Security may permit the alien to remain in the United States to facilitate the investigation and prosecution of those responsible for such crime.

''(ii) SAFETY.—While investigating and prosecuting suspected traffickers, Federal law enforcement officials described in clause (i) shall endeavor to make reasonable efforts to protect the safety of trafficking victims, including taking measures to protect trafficked persons and their family members from intimidation, threats of reprisals, and reprisals from traffickers and their associates.

''(iii) CONTINUATION OF PRESENCE.—The Secretary shall permit an alien described in clause (i) who has filed a civil action under section 1595 of title 18, United States Code, to remain in the United States until such action is concluded. If the Secretary, in consultation with the Attorney General, determines that the alien has failed to exercise due diligence in pursuing such action, the Secretary may revoke the order permitting the alien to remain in the United States.

''(iv) EXCEPTION.—Notwithstanding clause (iii), an alien described in such clause may be deported before the conclusion of the administrative and legal proceedings related to a complaint described in such clause if such alien is inadmissible under paragraph (2)(A)(i)(II), (2)(B), (2)(C), (2)(E), (2)(H), (2)(I), (3)(A)(i), (3)(A)(iii), (3)(B), or (3)(C) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)).

''(B) PAROLE FOR RELATIVES.—Law enforcement officials may submit written requests to the Secretary of Homeland Security, in accordance with section 240A(b)(6) of the Immigration and Nationality Act (8 U.S.C. 1229b(b)(6)), to permit the parole into the United States of certain relatives of an alien described in subparagraph (A)(i).

''(C) STATE AND LOCAL LAW ENFORCEMENT.—The Secretary of Homeland Security, in consultation with the Attorney General, shall—

''(i) develop materials to assist State and local law enforcement officials in working with Federal law enforcement to obtain continued presence for victims of a severe form of trafficking in cases investigated or prosecuted at the State or local level; and

''(ii) distribute the materials developed under clause (i) to State and local law enforcement officials.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1)—

(A) shall take effect on the date of the enactment of this Act;

(B) shall apply to pending requests for continued presence filed pursuant to section 107(c)(3) of the Trafficking Victims Protection Act (22 U.S.C. 7105(c)(3)) and requests filed on or after such date; and

(C) may not be applied to an alien who is not present in the United States.

(b) PAROLE FOR DERIVATIVES OF TRAFFICKING VICTIMS.—Section 240A(b) of the Immigration and Nationality Act (8 U.S.C. 1229b(b)) is amended by adding at the end the following:

''(6) RELATIVES OF TRAFFICKING VICTIMS.—

''(A) IN GENERAL.—Upon written request by a law enforcement official, the Secretary of Homeland Security may parole under section 212(d)(5) any alien who is a relative of an alien granted continued presence under section 107(c)(3)(A) of the Trafficking Victims Protection Act (22 U.S.C. 7105(c)(3)(A)), if the relative—

''(i) was, on the date on which law enforcement applied for such continued presence—

''(I) in the case of an alien granted continued presence who is under 21 years of age, the spouse, child, parent, or unmarried sibling under 18 years of age, of the alien; or

''(II) in the case of an alien granted continued presence who is 21 years of age or older, the spouse or child of the alien; or

''(ii) is a parent or sibling of the alien who the requesting law enforcement official, in consultation with the Secretary of Homeland Security, as appropriate, determines to be in present danger of retaliation as a result of the alien's escape from the severe form of trafficking or cooperation with law enforcement, irrespective of age.

''(B) DURATION OF PAROLE.—

''(i) IN GENERAL.—The Secretary may extend the parole granted under subparagraph (A) until the final adjudication of the application filed by the principal alien under section 101(a)(15)(T)(ii).

''(ii) OTHER LIMITS ON DURATION.—If an application described in clause (i) is not filed, the parole granted under subparagraph (A) may extend until the later of—

''(I) the date on which the principal alien's authority to remain in the United States under section 107(c)(3)(A) of the Trafficking Victims Protection Act (22 U.S.C. 7105(c)(3)(A)) is terminated; or

''(II) the date on which a civil action filed by the principal alien under section 1595 of title 18, United States Code, is concluded.

''(iii) DUE DILIGENCE.—Failure by the principal alien to exercise due diligence in filing a visa petition on behalf of an alien described in clause (i) or (ii) of subparagraph (A), or in pursuing the civil action described in clause (ii)(II) (as determined by the Secretary of Homeland Security in consultation with the Attorney General), may result in revocation of parole.

''(C) OTHER LIMITATIONS.—A relative may not be granted parole under this paragraph if—

''(i) the Secretary of Homeland Security or the Attorney General has reason to believe that the relative was knowingly complicit in the trafficking of an alien permitted to remain in the United States under section 107(c)(3)(A) of the Trafficking Victims Protection Act (22 U.S.C. 7105(c)(3)(A)); or

''(ii) the relative is an alien described in paragraph (2) or (3) of section 212(a) or paragraph (2) or (4) of section 237(a).''.

Subtitle B—Assistance for Trafficking Victims

SEC. 211. ASSISTANCE FOR CERTAIN NONIMMIGRANT STATUS APPLICANTS.

(a) IN GENERAL.—Section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)) is amended—

(1) in paragraph (2)(B), by striking ''or'' at the end;

(2) in paragraph (3)(B), by striking the period at the end and inserting ''; or''; and

(3) by inserting after paragraph (3) the following:

''(4) an alien who has been granted nonimmigrant status under section 101(a)(15)(T) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(T)) or who has a pending application that sets forth a prima facie case for eligibility for such nonimmigrant status.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to applications for public benefits and public benefits provided on or after the date of the enactment of this Act without regard to whether regulations have been implemented to carry out such amendments.

SEC. 212. INTERIM ASSISTANCE FOR CHILDREN.

(a) IN GENERAL.—Section 107(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(b)(1)) is amended—

(1) in subparagraph (E)(i)(I), by inserting ''or is unable to cooperate with such a request due to physical or psychological trauma'' before the semicolon; and

(2) by adding at the end the following:

''(F) ELIGIBILITY FOR INTERIM ASSISTANCE OF CHILDREN.—

''(i) DETERMINATION.—Upon receiving credible information that a child described in subparagraph (C)(ii)(I) who is seeking assistance under this paragraph may have been subjected to a severe form of trafficking in persons, the Secretary of Health and Human Services shall promptly determine if the child is eligible for interim assistance under this paragraph. The Secretary shall have exclusive authority to make interim eligibility determinations under this clause. A determination of interim eligibility under this clause shall not affect the independent determination whether a child is a victim of a severe form of trafficking.

''(ii) NOTIFICATION.—The Secretary of Health and Human Services shall notify the Attorney General and the Secretary of Homeland Security not later than 24 hours after all interim eligibility determinations have been made under clause (i).

''(iii) DURATION.—Assistance under this paragraph may be provided to individuals determined to be eligible under clause (i) for a period of up to 90 days and may be extended for an additional 30 days.

''(iv) LONG-TERM ASSISTANCE FOR CHILDREN.—

''(I) ELIGIBILITY DETERMINATION.—Before the expiration of the period for interim assistance under clause (iii), the Secretary of Health and Human Services shall determine if the child referred to in clause (i) is eligible for assistance under this paragraph.

''(II) CONSULTATION.—In making a determination under subclause (I), the Secretary shall consult with the Attorney General, the Secretary of Homeland Security, and nongovernmental organizations with expertise on victims of severe form of trafficking.

''(III) LETTER OF ELIGIBILITY.—If the Secretary, after receiving information the Secretary believes, taken as a whole, indicates that the child is eligible for assistance under this paragraph, the Secretary shall issue a letter of eligibility. The Secretary may not require that the child cooperate with law enforcement as a condition for receiving such letter of eligibility.

''(G) NOTIFICATION OF CHILDREN FOR INTERIM ASSISTANCE.—Not later than 24 hours after a Federal, State, or local official discovers that a person who is under 18 years of age may be a victim of a severe form of trafficking in persons, the official shall notify the Secretary of Health and Human Services to facilitate the provision of interim assistance under subparagraph (F).''.

(b) TRAINING OF GOVERNMENT PERSONNEL.—Section 107(c)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(4)) is amended—

(1) by inserting '', the Department of Homeland Security, the Department of Health and Human Services,'' after ''the Department of State''; and

(2) by inserting '', including juvenile victims. The Attorney General and the Secretary of Health and Human Services shall provide training to State and local officials to improve the identification and protection of such victims'' before the period at the end.

SEC. 213. ENSURING ASSISTANCE FOR ALL VICTIMS OF TRAFFICKING IN PERSONS.

(a) AMENDMENTS TO TRAFFICKING VICTIMS PROTECTION ACT OF 2000.—

(1) ASSISTANCE FOR UNITED STATES CITIZENS AND LAWFUL PERMANENT RESIDENTS.—Section 107 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105) is amended by inserting after subsection (e) the following:

''(f) ASSISTANCE FOR UNITED STATES CITIZENS AND LAWFUL PERMANENT RESIDENTS.—

''(1) IN GENERAL.—The Secretary of Health and Human Services and the Attorney General, in consultation with the Secretary of Labor, shall establish a program to assist United States citizens and aliens lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20))) who are victims of severe forms of trafficking. In determining the assistance that would be most beneficial for such victims, the Secretary and the Attorney General shall consult with nongovernmental organizations that provide services to victims of severe forms of trafficking in the United States.

''(2) USE OF EXISTING PROGRAMS.—In addition to specialized services required for victims described in paragraph (1), the program established pursuant to paragraph (1) shall—

''(A) facilitate communication and coordination between the providers of assistance to such victims;

''(B) provide a means to identify such providers; and

''(C) provide a means to make referrals to programs for which such victims are already eligible, including programs administered by the Department of Justice and the Department of Health and Human Services.

''(3) GRANTS.—

''(A) IN GENERAL.—The Secretary of Health and Human Services and the Attorney General may award grants to States, Indian tribes, units of local government, and nonprofit, nongovernmental victim service organizations to develop, expand, and strengthen victim service programs authorized under this subsection.

''(B) MAXIMUM FEDERAL SHARE.—The Federal share of a grant awarded under this paragraph may not exceed 75 percent of the total costs of the projects described in the application submitted by the grantee.''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 113 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7110) is amended—

(A) in subsection (b)—

(i) by striking ''To carry out'' and inserting the following:

''(1) ELIGIBILITY FOR BENEFITS AND ASSISTANCE.—To carry out'';

(ii) by adding at the end the following:

''(2) ADDITIONAL BENEFITS FOR TRAFFICKING VICTIMS.—To carry out the purposes of section 107(f), there are authorized to be appropriated to the Secretary of Health and Human Services—

''(A) $2,500,000 for fiscal year 2008;

''(B) $5,000,0000 for fiscal year 2009;

''(C) $7,000,000 for fiscal year 2010; and

''(D) $7,000,000 for fiscal year 2011.''; and

(B) in subsection (d)—

(i) by striking ''To carry out the purposes of section 107(b)'' and inserting the following:

''(A) ELIGIBILITY FOR BENEFITS AND ASSISTANCE.—To carry out the purposes of section 107(b)'';

(ii) by striking ''To carry out the purposes of section 134'' and inserting the following:

''(B) ASSISTANCE TO FOREIGN COUNTRIES.—To carry out the purposes of section 134''; and

(iii) by adding at the end the following:

''(C) ADDITIONAL BENEFITS FOR TRAFFICKING VICTIMS.—To carry out the purposes of section 107(f), there are authorized to be appropriated to the Attorney General—

''(i) $2,500,000 for fiscal year 2008;

''(ii) $5,000,0000 for fiscal year 2009;

''(iii) $7,000,000 for fiscal year 2010; and

''(iv) $7,000,000 for fiscal year 2011.''.

(3) TECHNICAL ASSISTANCE.—Section 107(b)(2)(B)(ii) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(b)(2)(B)(ii)) is amended to read as follows:

''(ii) 5 percent for training and technical assistance, including increasing capacity and expertise on security for and protection of service providers from intimidation or retaliation for their activities.''.

(b) STUDY.—

(1) REQUIREMENT.—Not later than 1 year after the date of the enactment of this Act, the Attorney General and the Secretary of Health and Human Services shall submit a report to the appropriate congressional committees that identifies the existence and extent of any service gap between victims described in section 107(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105) and individuals described in section 107(f) of such Act, as amended by section 213(a) of this Act.

(2) ELEMENTS.—In carrying out the study under subparagraph (1), the Attorney General and the Secretary of Health and Human Services shall—

(A) investigate factors relating to the legal ability of the victims described in paragraph (1) to access government-funded social services in general, including the application of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)(5)) and the Illegal Immigration and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 110 Stat. 3009 et seq.);

(B) investigate any other impediments to the access of the victims described in paragraph (1) to government-funded social services;

(C) investigate any impediments to the access of the victims described in paragraph (1) to government-funded services targeted to victims of severe forms of trafficking;

(D) investigate the effect of trafficking service-provider infrastructure development, continuity of care, and availability of caseworkers on the eventual restoration and rehabilitation of the victims described in paragraph (1); and

(E) include findings, best practices, and recommendations, if any, based on the study of the elements described in subparagraphs (A) through (D) and any other related information.

Subtitle C—Penalties Against Traffickers and Other Crimes

SEC. 221. RESTITUTION OF FORFEITED ASSETS; ENHANCEMENT OF CIVIL ACTION.

Chapter 77 of title 18, United States Code, is amended—

(1) in section 1593(b), by adding at the end the following:

''(4) The forfeiture of property under this subsection shall be governed by the provisions of section 413 (other than subsection (d) of such section) of the Controlled Substances Act (21 U.S.C. 853).''; and

(2) in section 1595—

(A) in subsection (a)—

(i) by striking ''of section 1589, 1590, or 1591''; and

(ii) by inserting ''(or whoever knowingly benefits, financially or by receiving anything of value from participation in a venture which that person knew or should have known has engaged in an act in violation of this chapter)'' after ''perpetrator''; and

(B) by adding at the end the following:

''(c) No action may be maintained under this section unless it is commenced not later than 10 years after the cause of action arose.''.

SEC. 222. ENHANCING PENALTIES FOR TRAFFICKING OFFENSES.

(a) DETENTION.—Section 3142(e) of title 18, United States Code, is amended—

(1) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively;

(2) by inserting ''(1)'' before ''If, after a hearing'';

(3) by inserting ''(2)'' before ''In a case'';

(4) by inserting ''(3)'' before ''Subject to rebuttal'';

(5) by striking ''paragraph (1) of this subsection'' each place it appears and inserting ''subparagraph (A)'';

(6) in paragraph (3), as redesignated—

(A) by striking ''committed an offense'' and inserting the following: ''committed—

''(A) an offense'';

(B) by striking ''46, an offense'' and inserting the following: ''46;

''(B) an offense'';

(C) by striking ''title, or an offense'' and inserting the following: ''title;

''(C) an offense''; and

(D) by striking ''prescribed or an offense'' and inserting the following: ''prescribed;

''(D) an offense under chapter 77 of this title for which a maximum term of imprisonment of 20 years or more is prescribed; or

''(E) an offense''.

(b) PREVENTING OBSTRUCTION.—

(1) ENTICEMENT INTO SLAVERY.—Section 1583 of title 18, United States Code, is amended to read as follows:

''§ 1583. Enticement into slavery

''(a) Whoever—

''(1) kidnaps or carries away any other person, with the intent that such other person be sold into involuntary servitude, or held as a slave;

''(2) entices, persuades, or induces any other person to go on board any vessel or to any other place with the intent that he or she may be made or held as a slave, or sent out of the country to be so made or held; or

''(3) obstructs, or attempts to obstruct, or in any way interferes with or prevents the enforcement of this section,

shall be fined under this title, imprisoned not more than 20 years, or both.

''(b) Whoever violates this section shall be fined under this title, imprisoned for any term of years or for life, or both if—

''(1) the violation results in the death of the victim; or

''(2) the violation includes kidnaping, an attempt to kidnap, aggravated sexual abuse, an attempt to commit aggravated sexual abuse, or an attempt to kill.''.

(2) SALE INTO INVOLUNTARY SERVITUDE.—Section 1584 of such title is amended—

(A) by striking ''Whoever'' and inserting the following:

''(a) Whoever''; and

(B) by adding at the end the following:

''(b) Whoever obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be subject to the penalties described in subsection (a).''.

(3) PUNISHING FINANCIAL GAIN FROM TRAFFICKED LABOR.—Section 1589 of such title is amended to read as follows:

''SEC. 1589. FORCED LABOR.

''(a) Whoever knowingly provides or obtains the labor or services of a person by any one of, or by any combination of, the following means—

''(1) by means of force, threats of force, physical restraint, or threats of physical restraint to that person or another person;

''(2) by means of serious harm or threats of serious harm to that person or another person;

''(3) by means of the abuse or threatened abuse of law or legal process; or

''(4) by means of any scheme, plan, or pattern intended to cause the person to believe that, if that person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint,

shall be punished as provided under subsection (d).

''(b) Whoever knowingly benefits, financially or by receiving anything of value, from participation in a venture which has engaged in the providing or obtaining of labor or services by any of the means described in subsection (a), knowing or in reckless disregard of the fact that the venture has engaged in the providing or obtaining of labor or services by any of such means, shall be punished as provided in subsection (d).

''(c) In this section:

''(1) The term 'abuse or threatened abuse of law or legal process' means the use or threatened use of a law or legal process, whether administrative, civil, or criminal, in any manner or for any purpose for which the law was not designed, in order to exert pressure on another person to cause that person to take some action or refrain from taking some action.

''(2) The term 'serious harm' means any harm, whether physical or nonphysical, including psychological, financial, or reputational harm, that is sufficiently serious, under all the surrounding circumstances, to compel a reasonable person of the same background and in the same circumstances to perform or to continue performing labor or services in order to avoid incurring that harm.

''(d) Whoever violates this section shall be fined under this title, imprisoned not more than 20 years, or both. If death results from a violation of this section, or if the violation includes kidnaping, an attempt to kidnap, aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title, imprisoned for any term of years or life, or both.''.

(4) TRAFFICKING.—Section 1590 of such title is amended—

(A) by striking ''Whoever'' and inserting the following:

''(a) Whoever''; and

(B) by adding at the end the following:

''(b) Whoever obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be subject to the penalties under subsection (a).''.

(5) SEX TRAFFICKING OF CHILDREN.—Section 1591 of such title is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking ''or obtains'' and inserting ''obtains, or maintains''; and

(ii) in the matter following paragraph (2), by striking ''that force, fraud, or coercion described in subsection (c)(2)'' and inserting '', or in reckless disregard of the fact, that means of force, threats of force, fraud, coercion described in subsection (e)(2), or any combination of such means'';

(B) by redesignating subsection (c) as subsection (e);

(C) in subsection (b)(1), by striking ''force, fraud, or coercion'' and inserting ''means of force, threats of force, fraud, or coercion described in subsection (e)(2), or by any combination of such means,'';

(D) by inserting after subsection (b) the following:

''(c) In a prosecution under subsection (a)(1) in which the defendant had a reasonable opportunity to observe the person so recruited, enticed, harbored, transported, provided, obtained or maintained, the Government need not prove that the defendant knew that the person had not attained the age of 18 years.

''(d) Whoever obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be fined under this title, imprisoned for a term not to exceed 20 years, or both.'';

(E) in subsection (e), as redesignated—

(i) by redesignating paragraph (3) as paragraph (5);

(ii) by redesignating paragraph (1) as paragraph (3);

(iii) by inserting before paragraph (2) the following:

''(1) The term 'abuse or threatened abuse of law or legal process' means the use or threatened use of a law or legal process, whether administrative, civil, or criminal, in any manner or for any purpose for which the law was not designed, in order to exert pressure on another person to cause that person to take some action or refrain from taking some action.''; and

(iv) by inserting after paragraph (3), as redesignated, the following:

''(4) The term 'serious harm' means any harm, whether physical or nonphysical, including psychological, financial, or reputational harm, that is sufficiently serious, under all the surrounding circumstances, to compel a reasonable person of the same background and in the same circumstances to perform or to continue performing commercial sexual activity in order to avoid incurring that harm.''.

(6) UNLAWFUL CONDUCT.—Section 1592 of such title is amended by adding at the end the following:

''(c) Whoever obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be subject to the penalties described in subsection (a).''.

(c) HOLDING CONSPIRATORS ACCOUNTABLE.—Section 1594 of title 18, United States Code, is amended—

(1) by redesignating subsections (b), (c), and (d) as subsections (d), (e), and (f), respectively; and

(2) by inserting after subsection (a) the following:

''(b) Whoever conspires with another to violate section 1581, 1583, 1589, 1590, or 1592 shall be punished in the same manner as a completed violation of such section.

''(c) Whoever conspires with another to violate section 1591 shall be fined under this title, imprisoned for any term of years or for life, or both.''.

(d) BENEFITTING FINANCIALLY FROM PEONAGE, SLAVERY, AND TRAFFICKING IN PERSONS.—

(1) IN GENERAL.—Chapter 77 of title 18, United States Code, is amended by inserting after section 1593 the following:

''§ 1593A. Benefitting financially from peonage, slavery, and trafficking in persons

''Whoever knowingly benefits, financially or by receiving anything of value, from participation in a venture which has engaged in any act in violation of section 1581(a), 1592, or 1595(a), knowing or in reckless disregard of the fact that the venture has engaged in such violation, shall be fined under this title or imprisoned in the same manner as a completed violation of such section.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1593 the following:

''Sec. 1593A. Benefitting financially from peonage, slavery, and trafficking in persons.''.

(e) RETALIATION IN FOREIGN LABOR CONTRACTING.—Chapter 63 of title 18, United States Code, is amended—

(1) in the chapter heading, by adding at the end the following: ''**AND OTHER FRAUD OFFENSES**'';

(2) by adding at the end the following:

''§ 1351. Fraud in foreign labor contracting

''Whoever knowingly and with intent to defraud recruits, solicits or hires a person outside the United States for purposes of employment in the United States by means of materially false or fraudulent pretenses, representations or promises regarding that employment shall be fined under this title or imprisoned for not more than 5 years, or both.''; and

(3) in the table of sections, by inserting after the item relating to section 1350 the following:

''1351. Fraud in foreign labor contracting.''.

(f) TIGHTENING IMMIGRATION PROHIBITIONS.—

(1) GROUND OF INADMISSIBILITY FOR TRAFFICKING.—Section 212(a)(2)(H)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)(H)(i)) is amended by striking ''who is listed in a report submitted pursuant to section 111(b) of the Trafficking Victims Protection Act of 2000'' and inserting ''who commits or conspires to commit human trafficking offenses in the United States or outside the United States''.

(2) GROUND OF REMOVABILITY.—Section 237(a)(2) of such Act (8 U.S.C. 1227(a)(2)) is amended by adding at the end the following:

''(F) TRAFFICKING.—Any alien described in section 212(a)(2)(H) is deportable.''.

(g) AMENDMENT TO SENTENCING GUIDELINES.—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall review and, if appropriate, amend the sentencing guidelines and policy statements applicable to persons convicted of alien harboring to ensure conformity with the sentencing guidelines applicable to persons convicted of promoting a commercial sex act if—

(1) the harboring was committed in furtherance of prostitution; and

(2) the defendant to be sentenced is an organizer, leader, manager, or supervisor of the criminal activity.

SEC. 223. JURISDICTION IN CERTAIN TRAFFICKING OFFENSES.

(a) IN GENERAL.—Chapter 77 of title 18, United States Code, is amended by adding at the end the following:

''§ 1596. Additional jurisdiction in certain trafficking offenses

''(a) IN GENERAL.—In addition to any domestic or extra-territorial jurisdiction otherwise provided by law, the courts of the United States have extra-territorial jurisdiction over any offense (or any attempt or conspiracy to commit an offense) under section 1581, 1583, 1584, 1589, 1590, or 1591 if—

''(1) an alleged offender is a national of the United States or an alien lawfully admitted for permanent residence (as those terms are defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)); or

''(2) an alleged offender is present in the United States, irrespective of the nationality of the alleged offender.

''(b) LIMITATION ON PROSECUTIONS OF OFFENSES PROSECUTED IN OTHER COUNTRIES.—No prosecution may be commenced against a person under this section if a foreign government, in accordance with jurisdiction recognized by the United States, has prosecuted or is prosecuting such person for the conduct constituting such offense, except upon the approval of the Attorney General or the Deputy Attorney General (or a person acting in either such capacity), which function of approval may not be delegated.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 77 of title 18, United States Code, is amended by adding at the end the following:

''1596. Additional jurisdiction in certain trafficking offenses.''.

SEC. 224. BAIL CONDITIONS, SUBPOENAS, AND REPEAT OFFENDER PENALTIES FOR SEX TRAFFICKING.

(a) RELEASE AND DETENTION.—Subsections (f)(1)(A) and (g)(1) of section 3142 of title 18, United States Code, are amended by striking ''violence,'' each place such term appears and inserting ''violence, a violation of section 1591,''.

(b) SUBPOENAS.—Section 3486(a)(1)(D) of title 18, United States Code, is amended by inserting ''1591,'' after ''1201,''.

(c) REPEAT OFFENDERS.—Section 2426(b)(1)(A) of title 18, United States Code, is amended, by striking ''or chapter 110'' and inserting ''chapter 110, or section 1591''.

SEC. 225. PROMOTING EFFECTIVE STATE ENFORCEMENT.

(a) RELATIONSHIP AMONG FEDERAL AND STATE LAW.—Nothing in this Act, the Trafficking Victims Protection Act of 2000, the Trafficking Victims Protection Reauthorization Act of 2003, the Trafficking Victims Protection Reauthorization Act of 2005, chapters 77 and 117 of title 18, United States Code, or any model law issued by the Department of Justice to carry out the purposes of any of the aforementioned statutes—

(1) may be construed to treat prostitution as a valid form of employment under Federal law; or

(2) shall preempt, supplant, or limit the effect of any State or Federal criminal law.

(b) MODEL STATE CRIMINAL PROVISIONS.—In addition to any model State antitrafficking statutes in effect on the date of the enactment of this Act, the Attorney General shall facilitate the promulgation of a model State statute that—

(1) furthers a comprehensive approach to investigation and prosecution through modernization of State and local prostitution and pandering statutes; and

(2) is based in part on the provisions of the Act of August 15, 1935 (49 Stat. 651; D.C. Code 22–2701 et seq.) (relating to prostitution and pandering).

(c) DISTRIBUTION.—The model statute described in subsection (b) and the text of chapter 27 of the Criminal Code of the District of Columbia (D.C. Code 22–2701 et seq.) shall be—

(1) posted on the website of the Department of Justice; and

(2) distributed to the Attorney General of each State.

Subtitle D—Activities of the United States Government

SEC. 231. ANNUAL REPORT BY THE ATTORNEY GENERAL.

Section 105(d)(7) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)) is amended—

(1) in subparagraph (A)—

(A) by striking ''section 107(b)'' and inserting ''subsections (b) and (f) of section 107''; and

(B) by inserting ''the Attorney General,'' after ''the Secretary of Labor,'';

(2) in subparagraph (G), by striking ''and'' at the end;

(3) by redesignating subparagraph (H) as subparagraph (J); and

(4) by inserting after subparagraph (G) the following:

''(H) activities by the Department of Defense to combat trafficking in persons, including—

''(i) educational efforts for, and disciplinary actions taken against, members of the United States Armed Forces;

''(ii) the development of materials used to train the armed forces of foreign countries; and

''(iii) efforts to ensure that United States Government contractors and their employees or United States Government subcontractors and their employees do not engage in trafficking in persons;

''(I) activities or actions by Federal departments and agencies to enforce—

''(i) section 106(g) and any similar law, regulation, or policy relating to United States Government contractors and their employees or United States Government subcontractors and their employees that engage in severe forms of trafficking in persons, the procurement of commercial sex acts, or the use of forced labor, including debt bondage;

''(ii) section 307 of the Tariff Act of 1930 (19 U.S.C. 1307; relating to prohibition on importation of convict-made goods), including any determinations by the Secretary of Homeland Security to waive the restrictions of such section; and

''(iii) prohibitions on the procurement by the United States Government of items or services produced by slave labor, consistent with Executive Order 13107 (December 10, 1998); and''.

SEC. 232. INVESTIGATION BY THE INSPECTORS GENERAL.

(a) IN GENERAL.—For each of the fiscal years 2010 through 2012, the Inspectors General of the Department of Defense, the Department of State, and the United States Agency for International Development shall investigate a sample of the contracts described in subsection (b).

(b) CONTRACTS DESCRIBED.—

(1) IN GENERAL.—The contracts described in subsection (a) are contracts, or subcontracts at any tier, under which there is a heightened risk that a contractor may engage, knowingly or unknowingly, in acts related to trafficking in persons, such as—

(A) confiscation of an employee's passport;

(B) restriction on an employee's mobility;

(C) abrupt or evasive repatriation of an employee;

(D) deception of an employee regarding the work destination; or

(E) acts otherwise described in section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104).

(2) CONSULTATION AND INFORMATION RECEIVED.—In determining the type of contact that should be investigated pursuant to subsection (a), the Inspectors General shall—

(A) consult with the Director of the Office to Combat Trafficking in Persons of the Department of State; and

(B) take into account any credible information received regarding report of trafficking in persons.

(c) CONGRESSIONAL NOTIFICATION.—

(1) IN GENERAL.—Not later than January 15, 2009, and annually thereafter through January 15, 2011, each Inspector General shall submit a report to the congressional committees listed in paragraph (3)—

(A) summarizing the findings of the investigations conducted in the previous year, including any findings regarding trafficking in persons or any improvements needed to prevent trafficking in persons; and

(B) in the case of any contractor or subcontractor with regard to which the Inspector General has found substantial evidence of trafficking in persons, report as to—

(i) whether or not the case has been referred for prosecution; and

(ii) whether or not the case has been treated in accordance with section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104) (relating to termination of certain grants, contracts and cooperative agreements).

(2) JOINT REPORT.—The Inspectors General described in subsection (a) may submit their reports jointly.

(3) CONGRESSIONAL COMMITTEES.—The committees list in this paragraph are—

(A) the Committee on Armed Services of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Committee on Armed Services of the House of Representatives; and

(D) the Committee on Foreign Affairs of the House of Representatives.

SEC. 233. SENIOR POLICY OPERATING GROUP.

Section 206 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044d) is amended by striking '', as the department or agency determines appropriate,''.

SEC. 234. PREVENTING UNITED STATES TRAVEL BY TRAFFICKERS.

Section 212(a)(2)(H)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)(H)(i)) is amended by striking ''consular officer'' and inserting ''consular officer, the Secretary of Homeland Security, the Secretary of State,''.

SEC. 235. ENHANCING EFFORTS TO COMBAT THE TRAFFICKING OF CHILDREN.

(a) COMBATING CHILD TRAFFICKING AT THE BORDER AND PORTS OF ENTRY OF THE UNITED STATES.—

(1) POLICIES AND PROCEDURES.—In order to enhance the efforts of the United States to prevent trafficking in persons, the Secretary of Homeland Security, in conjunction with the Secretary of State, the Attorney General, and the Secretary of Health and Human Services, shall develop policies and procedures to ensure that unaccompanied alien children in the United States are safely repatriated to their country of nationality or of last habitual residence.

(2) SPECIAL RULES FOR CHILDREN FROM CONTIGUOUS COUNTRIES.—

(A) DETERMINATIONS.—Any unaccompanied alien child who is a national or habitual resident of a country that is contiguous with the United States shall be treated in accordance with subparagraph (B), if the Secretary of Homeland Security determines, on a case-by-case basis, that—

(i) such child has not been a victim of a severe form of trafficking in persons, and there is no credible evidence that such child is at risk of being trafficked upon return to the child's country of nationality or of last habitual residence;

(ii) such child does not have a fear of returning to the child's country of nationality or of last habitual residence owing to a credible fear of persecution; and

(iii) the child is able to make an independent decision to withdraw the child's application for admission to the United States.

(B) RETURN.—An immigration officer who finds an unaccompanied alien child described in subparagraph (A) at a land border or port of entry of the United States and determines that such child is inadmissible under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) may—

(i) permit such child to withdraw the child's application for admission pursuant to section 235(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1225(a)(4)); and

(ii) return such child to the child's country of nationality or country of last habitual residence.

(C) CONTIGUOUS COUNTRY AGREEMENTS.—The Secretary of State shall negotiate agreements between the United States and countries contiguous to the United States with respect to the repatriation of children. Such agreements shall be designed to protect children from severe forms of trafficking in persons, and shall, at a minimum, provide that—

(i) no child shall be returned to the child's country of nationality or of last habitual residence unless returned to appropriate employees or officials, including child welfare officials where available, of the accepting country's government;

(ii) no child shall be returned to the child's country of nationality or of last habitual residence outside of reasonable business hours; and

(iii) border personnel of the countries that are parties to such agreements are trained in the terms of such agreements.

(3) RULE FOR OTHER CHILDREN.—The custody of unaccompanied alien children not described in paragraph (2)(A) who are apprehended at the border of the United States or at a United States port of entry shall be treated in accordance with subsection (b).

(4) SCREENING.—Within 48 hours of the apprehension of a child who is believed to be described in paragraph (2)(A), but in any event prior to returning such child to the child's country of nationality or of last habitual residence, the child shall be screened to determine whether the child meets the criteria listed in paragraph (2)(A). If the child does not meet such criteria, or if no determination can be made within 48 hours of apprehension, the child shall immediately be transferred to the Secretary of Health and Human Services and treated in accordance with subsection (b). Nothing in this paragraph may be construed to preclude an earlier transfer of the child.

(5) ENSURING THE SAFE REPATRIATION OF CHILDREN.—

(A) REPATRIATION PILOT PROGRAM.—To protect children from trafficking and exploitation, the Secretary of State shall create a pilot program, in conjunction with the Secretary of Health and Human Services and the Secretary of Homeland Security, nongovernmental organizations, and other national and international agencies and experts, to develop and implement best practices to ensure the safe and sustainable repatriation and reintegration of unaccompanied alien children into their country of nationality or of last habitual residence, including placement with their families, legal guardians, or other sponsoring agencies.

(B) ASSESSMENT OF COUNTRY CONDITIONS.—The Secretary of Homeland Security shall

consult the Department of State's Country Reports on Human Rights Practices and the Trafficking in Persons Report in assessing whether to repatriate an unaccompanied alien child to a particular country.

(C) REPORT ON REPATRIATION OF UNACCOMPANIED ALIEN CHILDREN.—Not later than 18 months after the date of the enactment of this Act, and annually thereafter, the Secretary of State and the Secretary of Health and Human Services, with assistance from the Secretary of Homeland Security, shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on efforts to improve repatriation programs for unaccompanied alien children. Such report shall include—

(i) the number of unaccompanied alien children ordered removed and the number of such children actually removed from the United States;

(ii) a statement of the nationalities, ages, and gender of such children;

(iii) a description of the policies and procedures used to effect the removal of such children from the United States and the steps taken to ensure that such children were safely and humanely repatriated to their country of nationality or of last habitual residence, including a description of the repatriation pilot program created pursuant to subparagraph (A);

(iv) a description of the type of immigration relief sought and denied to such children;

(v) any information gathered in assessments of country and local conditions pursuant to paragraph (2); and

(vi) statistical information and other data on unaccompanied alien children as provided for in section 462(b)(1)(J) of the Homeland Security Act of 2002 (6 U.S.C. 279(b)(1)(J)).

(D) PLACEMENT IN REMOVAL PROCEEDINGS.—Any unaccompanied alien child sought to be removed by the Department of Homeland Security, except for an unaccompanied alien child from a contiguous country subject to exceptions under subsection (a)(2), shall be—

(i) placed in removal proceedings under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a);

(ii) eligible for relief under section 240B of such Act (8 U.S.C. 1229c) at no cost to the child; and

(iii) provided access to counsel in accordance with subsection (c)(5).

(b) COMBATING CHILD TRAFFICKING AND EXPLOITATION IN THE UNITED STATES.—

(1) CARE AND CUSTODY OF UNACCOMPANIED ALIEN CHILDREN.—Consistent with section 462 of the Homeland Security Act of 2002 (6 U.S.C. 279), and except as otherwise provided under subsection (a), the care and custody of all unaccompanied alien children, including responsibility for their detention, where appropriate, shall be the responsibility of the Secretary of Health and Human Services.

(2) NOTIFICATION.—Each department or agency of the Federal Government shall notify the Department of Health and Human services within 48 hours upon—

(A) the apprehension or discovery of an unaccompanied alien child; or

(B) any claim or suspicion that an alien in the custody of such department or agency is under 18 years of age.

(3) TRANSFERS OF UNACCOMPANIED ALIEN CHILDREN.—Except in the case of exceptional circumstances, any department or agency of the Federal Government that has an unaccompanied alien child in custody shall transfer the custody of such child to the Secretary of Health and Human Services not later than 72 hours after determining that such child is an unaccompanied alien child.

(4) AGE DETERMINATIONS.—The Secretary of Health and Human Services, in consultation with the Secretary of Homeland Security, shall develop procedures to make a prompt determination of the age of an alien, which shall be used by the Secretary of Homeland Security and the Secretary of Health and Human Services for children in their respective custody. At a minimum, these procedures shall take into account multiple forms of evidence, including the non-exclusive use of radiographs, to determine the age of the unaccompanied alien.

(c) PROVIDING SAFE AND SECURE PLACEMENTS FOR CHILDREN.—

(1) POLICIES AND PROGRAMS.—The Secretary of Health and Human Services, Secretary of Homeland Security, Attorney General, and Secretary of State shall establish policies and programs to ensure that unaccompanied alien children in the United States are protected from traffickers and other persons seeking to victimize or otherwise engage such children in criminal, harmful, or exploitative activity, including policies and programs reflecting best practices in witness security programs.

(2) SAFE AND SECURE PLACEMENTS.—Subject to section 462(b)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(b)(2)), an unaccompanied alien child in the custody of the Secretary of Health and Human Services shall be promptly placed in the least restrictive setting that is in the best interest of the child. In making such placements, the Secretary may consider danger to self, danger to the community, and risk of flight. Placement of child trafficking victims may include placement in an Unaccompanied Refugee Minor program, pursuant to section 412(d) of the Immigration and Nationality Act (8 U.S.C. 1522(d)), if a suitable family member is not available to provide care. A child shall not be placed in a secure facility absent a determination that the child poses a danger to self or others or has been charged with having committed a criminal offense. The placement of a child in a secure facility shall be reviewed, at a minimum, on a monthly basis, in accordance with procedures prescribed by the Secretary, to determine if such placement remains warranted.

(3) SAFETY AND SUITABILITY ASSESSMENTS.—

(A) IN GENERAL.—Subject to the requirements of subparagraph (B), an unaccompanied alien child may not be placed with a person or entity unless the Secretary of Health and Human Services makes a determination that the proposed custodian is capable of providing for the child's physical and mental well-being. Such determination shall, at a minimum, include verification of the custodian's identity and relationship to the child, if any, as well as an independent finding that the individual has not engaged in any activity that would indicate a potential risk to the child.

(B) HOME STUDIES.—Before placing the child with an individual, the Secretary of Health and Human Services shall determine whether a home study is first necessary. A home study shall be conducted for a child who is a victim of a severe form of trafficking in persons, a special needs child with a disability (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102(2))), a child who has been a victim of physical or sexual abuse under circumstances that indicate that the child's health or welfare has been significantly harmed or threatened, or a child whose proposed sponsor clearly presents a risk of abuse, maltreatment, exploitation, or trafficking to the child based on all available objective evidence. The Secretary of Health and Human Services shall conduct follow-up services, during the pendency of removal proceedings, on children for whom a home study was conducted and is authorized to conduct follow-up services in cases involving children with mental health or other needs who could benefit from ongoing assistance from a social welfare agency.

(C) ACCESS TO INFORMATION.—Not later than 2 weeks after receiving a request from the Secretary of Health and Human Services, the Secretary of Homeland Security shall provide information necessary to conduct suitability assessments from appropriate Federal, State, and local law enforcement and immigration databases.

(4) LEGAL ORIENTATION PRESENTATIONS.—The Secretary of Health and Human Services shall cooperate with the Executive Office for Immigration Review to ensure that custodians receive legal orientation presentations provided through the Legal Orientation Program administered by the Executive Office for Immigration Review. At a minimum, such presentations shall address the custodian's responsibility to attempt to ensure the child's appearance at all immigration proceedings and to protect the child from mistreatment, exploitation, and trafficking.

(5) ACCESS TO COUNSEL.—The Secretary of Health and Human Services shall ensure, to the greatest extent practicable and consistent with section 292 of the Immigration and Nationality Act (8 U.S.C. 1362), that all unaccompanied alien children who are or have been in the custody of the Secretary or the Secretary of Homeland Security, and who are not described in subsection (a)(2)(A), have counsel to represent them in legal proceedings or matters and protect them from mistreatment, exploitation, and trafficking. To the greatest extent practicable, the Secretary of Health and Human Services shall make every effort to utilize the services of pro bono counsel who agree to provide representation to such children without charge.

(6) CHILD ADVOCATES.—The Secretary of Health and Human Services is authorized to appoint independent child advocates for child trafficking victims and other vulnerable unaccompanied alien children. A child advocate shall be provided access to materials necessary to effectively advocate for the best interest of the child. The child advocate shall not be compelled to testify or provide evidence in any proceeding concerning any information or opinion received from the child in the course of serving as a child advocate. The child advocate shall be presumed to be acting in good faith and be immune from civil and criminal liability for lawful conduct of duties as described in this provision.

(d) PERMANENT PROTECTION FOR CERTAIN AT-RISK CHILDREN.—

(1) IN GENERAL.—Section 101(a)(27)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(J)) is amended—

(A) in clause (i), by striking ''State and who has been deemed eligible by that court for long-term foster care due to abuse, neglect, or abandonment;'' and inserting ''State, or an individual or entity appointed by a State or juvenile court located in the United States, and whose reunification with one or both of the immigrant's parents is not viable due to abuse, neglect, abandonment, or a similar basis found under State law;''; and

(B) in clause (iii)—

(i) in the matter preceding subclause (I), by striking ''the Attorney General expressly consents to the dependency order serving as a precondition to the grant of special immigrant juvenile status;'' and inserting ''the Secretary of Homeland Security consents to the grant of special immigrant juvenile status,''; and

(ii) in subclause (I), by striking ''in the actual or constructive custody of the Attorney

General unless the Attorney General specifically consents to such jurisdiction;'' and inserting ''in the custody of the Secretary of Health and Human Services unless the Secretary of Health and Human Services specifically consents to such jurisdiction;''.

(2) EXPEDITIOUS ADJUDICATION.—All applications for special immigrant status under section 101(a)(27)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(J)) shall be adjudicated by the Secretary of Homeland Security not later than 180 days after the date on which the application is filed.

(3) ADJUSTMENT OF STATUS.—Section 245(h)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1255(h)(2)(A)) is amended to read as follows:

''(A) paragraphs (4), (5)(A), (6)(A), (6)(C), (6)(D), (7)(A), and (9)(B) of section 212(a) shall not apply; and''.

(4) ELIGIBILITY FOR ASSISTANCE.—

(A) IN GENERAL.—A child who has been granted special immigrant status under section 101(a)(27)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(J)) and who was either in the custody of the Secretary of Health and Human Services at the time a dependency order was granted for such child or who was receiving services pursuant to section 501(a) of the Refugee Education Assistance Act of 1980 (8 U.S.C. 1522 note) at the time such dependency order was granted, shall be eligible for placement and services under section 412(d) of the Immigration and Nationality Act (8 U.S.C. 1522(d)) until the earlier of—

(i) the date on which the child reaches the age designated in section 412(d)(2)(B) of the Immigration and Nationality Act (8 U.S.C. 1522(d)(2)(B)); or

(ii) the date on which the child is placed in a permanent adoptive home.

(B) STATE REIMBURSEMENT.—Subject to the availability of appropriations, if State foster care funds are expended on behalf of a child who is not described in subparagraph (A) and has been granted special immigrant status under section 101(a)(27)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(J)), the Federal Government shall reimburse the State in which the child resides for such expenditures by the State.

(5) STATE COURTS ACTING IN LOCO PARENTIS.—A department or agency of a State, or an individual or entity appointed by a State court or juvenile court located in the United States, acting in loco parentis, shall not be considered a legal guardian for purposes of this section or section 462 of the Homeland Security Act of 2002 (6 U.S.C. 279).

(6) TRANSITION RULE.—Notwithstanding any other provision of law, an alien described in section 101(a)(27)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(J)), as amended by paragraph (1), may not be denied special immigrant status under such section after the date of the enactment of this Act based on age if the alien was a child on the date on which the alien applied for such status.

(7) ACCESS TO ASYLUM PROTECTIONS.—Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) is amended—

(A) in subsection (a)(2), by adding at the end the following:

''(E) APPLICABILITY.—Subparagraphs (A) and (B) shall not apply to an unaccompanied alien child (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).''; and

(B) in subsection (b)(3), by adding at the end the following:

''(C) INITIAL JURISDICTION.—An asylum officer (as defined in section 235(b)(1)(E)) shall have initial jurisdiction over any asylum application filed by an unaccompanied alien child (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))), regardless of whether filed in accordance with this section or section 235(b).''.

(8) SPECIALIZED NEEDS OF UNACCOMPANIED ALIEN CHILDREN.—Applications for asylum and other forms of relief from removal in which an unaccompanied alien child is the principal applicant shall be governed by regulations which take into account the specialized needs of unaccompanied alien children and which address both procedural and substantive aspects of handling unaccompanied alien children's cases.

(e) TRAINING.—The Secretary of State, the Secretary of Homeland Security, the Secretary of Health and Human Services, and the Attorney General shall provide specialized training to all Federal personnel, and upon request, state and local personnel, who have substantive contact with unaccompanied alien children. Such personnel shall be trained to work with unaccompanied alien children, including identifying children who are victims of severe forms of trafficking in persons, and children for whom asylum or special immigrant relief may be appropriate, including children described in subsection (a)(2).

(f) AMENDMENTS TO THE HOMELAND SECURITY ACT OF 2002.—

(1) ADDITIONAL RESPONSIBILITIES.—Section 462(b)(1)(L) of the Homeland Security Act of 2002 (6 U.S.C. 279(b)(1)(L)) is amended by striking the period at the end and inserting '', including regular follow-up visits to such facilities, placements, and other entities, to assess the continued suitability of such placements.''.

(2) TECHNICAL CORRECTIONS.—Section 462(b) of such Act (6 U.S.C. 279(b)) is further amended—

(A) in paragraph (3), by striking ''paragraph (1)(G),'' and inserting ''paragraph (1),''; and

(B) by adding at the end the following:

''(4) RULE OF CONSTRUCTION.—Nothing in paragraph (2)(B) may be construed to require that a bond be posted for an unaccompanied alien child who is released to a qualified sponsor.''.

(g) DEFINITION OF UNACCOMPANIED ALIEN CHILD.—For purposes of this section, the term ''unaccompanied alien child'' has the meaning given such term in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)).

(h) EFFECTIVE DATE.—This section—

(1) shall take effect on the date that is 90 days after the date of the enactment of this Act; and

(2) shall also apply to all aliens in the United States in pending proceedings before the Department of Homeland Security or the Executive Office for Immigration Review, or related administrative or Federal appeals, on the date of the enactment of this Act.

(i) GRANTS AND CONTRACTS.—The Secretary of Health and Human Services may award grants to, and enter into contracts with, voluntary agencies to carry out this section and section 462 of the Homeland Security Act of 2002 (6 U.S.C. 279).

SEC. 236. RESTRICTION OF PASSPORTS FOR SEX TOURISM.

(a) IN GENERAL.—Following any conviction of an individual for a violation of section 2423 of title 18, United States Code, the Attorney General shall notify in a timely manner—

(1) the Secretary of State for appropriate action under subsection (b); and

(2) the Secretary of Homeland Security for appropriate action under the Immigration and Nationality Act.

(b) AUTHORITY TO RESTRICT PASSPORT.—

(1) INELIGIBILITY FOR PASSPORT.—

(A) IN GENERAL.—The Secretary of State shall not issue a passport or passport card to an individual who is convicted of a violation of section 2423 of title 18, United States Code, during the covered period if the individual used a passport or passport card or otherwise crossed an international border in committing the offense.

(B) PASSPORT REVOCATION.—The Secretary of State shall revoke a passport or passport card previously issued to an individual described in subparagraph (A).

(2) EXCEPTIONS.—

(A) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding paragraph (1), the Secretary of State may issue a passport or passport card, in emergency circumstances or for humanitarian reasons, to an individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—Notwithstanding paragraph (1), the Secretary of State may, prior to revocation, limit a previously issued passport or passport card only for return travel to the United States, or may issue a limited passport or passport card that only permits return travel to the United States.

(3) DEFINITIONS.—In this subsection—

(A) the term ''covered period'' means the period beginning on the date on which an individual is convicted of a violation of section 2423 of title 18, United States Code, and ending on the later of—

(i) the date on which the individual is released from a sentence of imprisonment relating to the offense; and

(ii) the end of a period of parole or other supervised release of the covered individual relating to the offense; and

(B) the term ''imprisonment'' means being confined in or otherwise restricted to a jail, prison, half-way house, treatment facility, or another institution, on a full or part-time basis, pursuant to the sentence imposed as the result of a criminal conviction.

SEC. 237. ADDITIONAL REPORTING ON CRIME.

(a) TRAFFICKING OFFENSE CLASSIFICATION.—The Director of the Federal Bureau of Investigation shall—

(1) classify the offense of human trafficking as a part I crime in the Uniform Crime Reports;

(2) to the extent feasible, establish subcategories for State sex crimes that involve—

(A) a person who is younger than 18 years of age;

(B) the use of force, fraud or coercion; or

(C) neither of the elements described in subparagraphs (A) and (B); and

(3) classify the offense of human trafficking as a Group A offense for purpose of the National Incident-Based Reporting System.

(b) ADDITIONAL INFORMATION.—The Director of the Federal Bureau of Investigation shall revise the Uniform Crime Reporting System and the National Incident-Based Reporting System to distinguish between reports of—

(1) incidents of assisting or promoting prostitution, which shall include crimes committed by persons who—

(A) do not directly engage in commercial sex acts; and

(B) direct, manage, or profit from such acts, such as State pimping and pandering crimes;

(2) incidents of purchasing prostitution, which shall include crimes committed by persons who purchase or attempt to purchase or trade anything of value for commercial sex acts; and

(3) incidents of prostitution, which shall include crimes committed by persons providing or attempting to provide commercial sex acts.

(c) REPORTS AND STUDIES.—

(1) REPORTS.—Not later than February 1, 2010, the Attorney General shall submit to the Committee on Foreign Affairs and the

Committee on the Judiciary of the House of Representatives and the Committee on Foreign Relations and the Committee on the Judiciary of the Senate reports on the following:

(A) Activities or actions, in fiscal years 2001 through 2009, by Federal departments and agencies to enforce the offenses set forth in chapter 117 of title 18, United States Code, including information regarding the number of prosecutions, the number of convictions, an identification of multiple-defendant cases and the results thereof, and, for fiscal years 2008 and 2009, the number of prosecutions, the number of convictions, and an identification of multiple-defendant case and the results thereof, the use of expanded statutes of limitation and other tools to prosecute crimes against children who reached the age of eighteen years since the time the crime was committed.

(B) The interaction, in Federal human trafficking prosecutions in fiscal years 2001 through 2010, of Federal restitution provisions with those provisions of law allowing restoration and remission of criminally and civilly forfeited property, including the distribution of proceeds among multiple victims.

(C) Activities or actions, in fiscal years 2001 through 2010, to enforce the offenses set forth in chapters 95 and 96 of title 18, United States Code, in cases involving human trafficking, sex trafficking, or prostitution offenses.

(D) Activities or actions, in fiscal years 2008 and 2009, by Federal departments and agencies to enforce the offenses set forth in the Act of August 15, 1935 (49 Stat. 651; D.C. Code 22–2701 et seq.) (relating to prostitution and pandering), including information regarding the number of prosecutions, the number of convictions, and an identification of multiple-defendant cases and the results thereof.

(2) STUDIES.—Subject to availability of appropriations, the head of the National Institute of Justice shall conduct—

(A) a comprehensive study to examine the use of Internet-based businesses and services by criminal actors in the sex industry, and to disseminate best practices for investigation and prosecution of trafficking and prostitution offenses involving the Internet; and

(B) a comprehensive study to examine the application of State human trafficking statutes, including such statutes based on the model law developed by the Department of Justice, cases prosecuted thereunder, and the impact, if any, on enforcement of other State criminal statutes.

(3) STUDIES PREVIOUSLY REQUIRED BY LAW.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall report to the Committee on Foreign Affairs and the Committee on the Judiciary of the House of Representatives and the Committee on Foreign Relations and the Committee on the Judiciary of the Senate on the status of the studies required by paragraph (B)(i) and (ii) of section 201(a)(1) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044(a)(1)) and indicate the projected date when such studies will be completed.

SEC. 238. PROCESSING OF CERTAIN VISAS.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Foreign Affairs and the Committee on the Judiciary of the House of Representatives and the Committee on Foreign Relations and the Committee on the Judiciary of the Senate a report on the operations of the specially-trained Violence Against Women Act Unit at the Citizenship and Immigration Service's Vermont Service Center.

(b) ELEMENTS.—The report required by subsection (a) shall include the following elements:

(1) Detailed information about the funds expended to support the work of the Violence Against Women Act Unit at the Vermont Service Center.

(2) A description of training for adjudicators, victim witness liaison officers, managers, and others working in the Violence Against Women Act Unit, including general training and training on confidentiality issues.

(3) Measures taken to ensure the retention of specially-trained staff within the Violence Against Women Act Unit.

(4) Measures taken to ensure the creation and retention of a core of supervisory staff within the Violence Against Women Act Unit and the Vermont Service Center with responsibility over resource allocation, policy, program development, training and other substantive or operational issues affecting the Unit, who have historical knowledge and experience with the Trafficking Victims Protection Act of 2000, the Violence Against Women Act of 1994, Violence Against Women Act of 1994 confidentiality, and the specialized policies and procedures of the Department of Homeland Security and its predecessor agencies in such cases.

(5) Measures taken to ensure routine consultation between the Violence Against Women Act Unit, U.S. Citizenship and Immigration Services Headquarters, and the Office of Policy and Strategy during the development of any Department of Homeland Security regulations or policies that impact Violence Against Women Act of 1994 confidentiality-protected victims and their derivative family members.

(6) Information on any circumstances in which victim-based immigration applications have been adjudicated by entities other than the Violence Against Women Act Unit at the Vermont Service Center, including reasons for such action and what steps, if any, were taken to ensure that such applications were handled by trained personnel and what steps were taken to comply with the confidentiality provisions of the Violence Against Women Act of 1994.

(7) Information on the time in which it takes to adjudicate victim-based immigration applications, including the issuance of visas, work authorization and deferred action in a timely manner consistent with the safe and competent processing of such applications, and steps taken to improve in this area.

SEC. 239. TEMPORARY INCREASE IN FEE FOR CERTAIN CONSULAR SERVICES.

(a) INCREASE IN FEE.—Notwithstanding any other provision of law, not later than October 1, 2009, the Secretary of State shall increase by $1 the fee or surcharge assessed under section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236; 8 U.S.C. 1351 note) for processing machine-readable nonimmigrant visas and machine-readable combined border crossing identification cards and nonimmigrant visas.

(b) DEPOSIT OF AMOUNTS.—Notwithstanding section 140(a)(2) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236; 8 U.S.C. 1351 note), the additional amount collected pursuant the fee increase under subsection (a) shall be deposited in the Treasury.

(c) DURATION OF INCREASE.—The fee increase authorized under subsection (a) shall terminate on the date that is 3 years after the first date on which such increased fee is collected.

TITLE III—AUTHORIZATIONS OF APPROPRIATIONS

SEC. 301. TRAFFICKING VICTIMS PROTECTION ACT OF 2000.

Section 113 of the Trafficking Victims Protection Act of 2000, as amended by section 213(a)(2), is amended—

(1) in subsection (a)—

(A) in the first sentence—

(i) by striking ''section 104, and''; and

(ii) by striking ''$1,500,000'' and all that follows through ''$5,500,000 for each of the fiscal years 2006 and 2007'' and inserting ''$5,500,000 for each of the fiscal years 2008 through 2011''; and

(B) in the second sentence—

(i) by striking ''for official reception and representation expenses $3,000'' and inserting ''$1,500,000 for additional personnel for each of the fiscal years 2008 through 2011, and $3,000 for official reception and representation expenses''; and

(ii) by striking ''2006 and 2007'' and inserting ''2008 through 2011'';

(2) in subsection (b)(1), by striking ''$5,000,000'' and all that follows and inserting ''$12,500,000 for each of the fiscal years 2008 through 2011'';

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''2004, 2005, 2006, and 2007'' each place it appears and inserting ''2008 through 2011''; and

(ii) in subparagraph (B), by adding at the end the following: ''To carry out the purposes of section 107(a)(1)(F), there are authorized to be appropriated to the Secretary of State $1,000,000 for each of the fiscal years 2008 through 2011.'';

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as paragraph (2); and

(D) in paragraph (2), as redesignated—

(i) by striking ''section 104'' and inserting ''sections 116(f) and 502B(h) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(f) and 2304(h))''; and

(ii) by striking '', including the preparation'' and all that follows and inserting a period;

(4) in subsection (d)—

(A) in the first sentence, by striking ''$5,000,000'' and all that follows through ''2007'' and inserting ''$10,000,000 for each of the fiscal years 2008 through 2011''; and

(B) in the second sentence, by striking ''2004, 2005, 2006, and 2007'' and inserting ''2008 through 2011'';

(5) in subsection (e)—

(A) in paragraph (1), by striking ''$5,000,000'' and all that follows and inserting ''$15,000,000 for each of the fiscal years 2008 through 2011.'';

(B) in paragraph (2)—

(i) by striking ''section 109'' and inserting ''section 134 of the Foreign Assistance Act of 1961 (22 U.S.C. 2152d)''; and

(ii) by striking ''$5,000,000'' and all that follows and inserting ''$15,000,000 for each of the fiscal years 2008 through 2011.''; and

(C) in paragraph (3), by striking ''$300,000'' and all that follows and inserting ''$2,000,000 for each of the fiscal years 2008 through 2011.'';

(6) in subsection (f), by striking ''$5,000,000'' and all that follows and inserting ''$10,000,000 for each of the fiscal years 2008 through 2011.'';

(7) in subsection (h), by striking ''fiscal year 2006'' and inserting ''each of the fiscal years 2008 through 2011''; and

(8) in subsection (i), by striking ''2006 and 2007'' and inserting ''2008 through 2011''.

SEC. 302. TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2005.

The Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109–164) is amended—

(1) in section 102(b)(7), by striking ''2006 and 2007'' and inserting ''2008 through 2011'';

(2) in section 201(c)—

(A) in paragraph (1), by striking ''$2,500,000 for each of the fiscal years 2006 and 2007'' each place it appears and inserting ''$1,500,000 for each of the fiscal years 2008 through 2011''; and

(B) in paragraph (2), by striking ''2006 and 2007'' and inserting ''2008 through 2011'';

(3) in section 202(d), by striking ''$10,000,000 for each of the fiscal years 2006 and 2007'' and inserting ''$8,000,000 for each of the fiscal years 2008 through 2011'';

(4) in section 203(g), by striking ''2006 and 2007'' and inserting ''2008 through 2011''; and

(5) in section 204(d), by striking ''$25,000,000 for each of the fiscal years 2006 and 2007'' and inserting ''$20,000,000 for each of the fiscal years 2008 through 2011''.

SEC. 303. RULE OF CONSTRUCTION.

The amendments made by sections 301 and 302 may not be construed to affect the availability of funds appropriated pursuant to the authorizations of appropriations under the Trafficking Victims Protection Act of 2000 (division A of Public Law 106–386; 22 U.S.C. 7101 et seq.) and the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109–164) before the date of the enactment of this Act.

SEC. 304. TECHNICAL AMENDMENTS.

(a) TRAFFICKING VICTIMS PROTECTION ACT OF 2000.—Sections 103(1) and 105(d)(7) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(1) and 7103(d)(7)) are each amended by striking ''Committee on International Relations'' each place it appears and inserting ''Committee on Foreign Affairs''.

(b) TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2005.—Section 102(b)(6) and subsections (c)(2)(B)(i) and (e)(2) of section 104 of the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109–164) are amended by striking ''Committee on International Relations'' each place it appears and inserting ''Committee on Foreign Affairs''.

TITLE IV—CHILD SOLDIERS PREVENTION

SEC. 401. SHORT TITLE.

This title may be cited as the ''Child Soldiers Prevention Act of 2008''.

SEC. 402. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Appropriations of the House of Representatives.

(2) CHILD SOLDIER.—Consistent with the provisions of the Optional Protocol to the Convention of the Rights of the Child, the term ''child soldier''—

(A) means—

(i) any person under 18 years of age who takes a direct part in hostilities as a member of governmental armed forces;

(ii) any person under 18 years of age who has been compulsorily recruited into governmental armed forces;

(iii) any person under 15 years of age who has been voluntarily recruited into governmental armed forces; or

(iv) any person under 18 years of age who has been recruited or used in hostilities by armed forces distinct from the armed forces of a state; and

(B) includes any person described in clauses (ii), (iii), or (iv) of subparagraph (A) who is serving in any capacity, including in a support role such as a cook, porter, messenger, medic, guard, or sex slave.

SEC. 403. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States Government should condemn the conscription, forced recruitment, or use of children by governments, paramilitaries, or other organizations;

(2) the United States Government should support and, to the extent practicable, lead efforts to establish and uphold international standards designed to end the abuse of human rights described in paragraph (1);

(3) the United States Government should expand ongoing services to rehabilitate recovered child soldiers and to reintegrate such children back into their respective communities by—

(A) offering ongoing psychological services to help such children—

(i) to recover from the trauma suffered during their forced military involvement;

(ii) to relearn how to interact with others in nonviolent ways so that such children are no longer a danger to their respective communities; and

(iii) by taking into consideration the needs of girl soldiers, who may be at risk of exclusion from disarmament, demobilization, and reintegration programs;

(B) facilitating reconciliation with such communities through negotiations with traditional leaders and elders to enable recovered abductees to resume normal lives in such communities; and

(C) providing educational and vocational assistance;

(4) the United States should work with the international community, including, as appropriate, third country governments, nongovernmental organizations, faith-based organizations, United Nations agencies, local governments, labor unions, and private enterprises—

(A) to bring to justice rebel and paramilitary forces that kidnap children for use as child soldiers;

(B) to recover those children who have been abducted; and

(C) to assist such children to be rehabilitated and reintegrated into their respective communities;

(5) the Secretary of State, the Secretary of Labor, and the Secretary of Defense should coordinate programs to achieve the goals described in paragraph (3);

(6) United States diplomatic missions in countries in which the use of child soldiers is an issue, whether or not such use is supported or sanctioned by the governments of such countries, should include in their mission program plans a strategy to achieve the goals described in paragraph (3);

(7) United States diplomatic missions in countries in which governments use or tolerate child soldiers should develop strategies, as part of annual program planning—

(A) to promote efforts to end such abuse of human rights; and

(B) to identify and integrate global best practices, as available, into such strategies to avoid duplication of effort; and

(8) in allocating or recommending the allocation of funds or recommending candidates for programs and grants funded by the United States Government, United States diplomatic missions should give serious consideration to those programs and candidates that are expected to promote the end to the abuse of human rights described in this section.

SEC. 404. PROHIBITION.

(a) IN GENERAL.—Subject to subsections (b), (c), and (d), the authorities contained in section 516 or 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j or 2347) or section 23 of the Arms Export Control Act (22 U.S.C. 2763) may not be used to provide assistance to, and no licenses for direct commercial sales of military equipment may be issued to, the government of a country that is clearly identified, pursuant to subsection (b), for the most recent year preceding the fiscal year in which the authorities or license would have been used or issued in the absence of a violation of this title, as having governmental armed forces or government-supported armed groups, including paramilitaries, militias, or civil defense forces, that recruit and use child soldiers.

(b) IDENTIFICATION AND NOTIFICATION TO COUNTRIES IN VIOLATION OF STANDARDS.—

(1) PUBLICATION OF LIST OF FOREIGN GOVERNMENTS.—The Secretary of State shall include a list of the foreign governments that have violated the standards under this title and are subject to the prohibition in subsection (a) in the report required under section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)).

(2) NOTIFICATION OF FOREIGN COUNTRIES.—The Secretary of State shall formally notify any government identified pursuant to subsection (a).

(c) NATIONAL INTEREST WAIVER.—

(1) WAIVER.—The President may waive the application to a country of the prohibition in subsection (a) if the President determines that such waiver is in the national interest of the United States.

(2) PUBLICATION AND NOTIFICATION.—Not later than 45 days after each waiver is granted under paragraph (1), the President shall notify the appropriate congressional committees of the waiver and the justification for granting such waiver.

(d) REINSTATEMENT OF ASSISTANCE.—The President may provide to a country assistance otherwise prohibited under subsection (a) upon certifying to the appropriate congressional committees that the government of such country—

(1) has implemented measures that include an action plan and actual steps to come into compliance with the standards outlined in section 404(b); and

(2) has implemented policies and mechanisms to prohibit and prevent future government or government-supported use of child soldiers and to ensure that no children are recruited, conscripted, or otherwise compelled to serve as child soldiers.

(e) EXCEPTION FOR PROGRAMS DIRECTLY RELATED TO ADDRESSING THE PROBLEM OF CHILD SOLDIERS OR PROFESSIONALIZATION OF THE MILITARY.—

(1) IN GENERAL.—The President may provide assistance to a country for international military education, training, and nonlethal supplies (as defined in section 2557(d)(1)(B) of title 10, United States Code) otherwise prohibited under subsection (a) upon certifying to the appropriate congressional committees that—

(A) the government of such country is taking reasonable steps to implement effective measures to demobilize child soldiers in its forces or in government-supported paramilitaries and is taking reasonable steps within the context of its national resources to provide demobilization, rehabilitation, and reintegration assistance to those former child soldiers; and

(B) the assistance provided by the United States Government to the government of such country will go to programs that will directly support professionalization of the military.

(2) LIMITATION.—The exception under paragraph (1) may not remain in effect for a country for more than 5 years.

SEC. 405. REPORTS.

(a) INVESTIGATION OF ALLEGATIONS REGARDING CHILD SOLDIERS.—United States missions

abroad shall thoroughly investigate reports of the use of child soldiers.

(b) INFORMATION FOR ANNUAL HUMAN RIGHTS REPORTS.—In preparing those portions of the annual Human Rights Report that relate to child soldiers under sections 116 and 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(f) and 2304(h)), the Secretary of State shall ensure that such reports include a description of the use of child soldiers in each foreign country, including—

(1) trends toward improvement in such country of the status of child soldiers or the continued or increased tolerance of such practices; and

(2) the role of the government of such country in engaging in or tolerating the use of child soldiers.

(c) ANNUAL REPORT TO CONGRESS.—If, during any of the 5 years following the date of the enactment of this Act, a country is notified pursuant to section 404(b)(2), or a wavier is granted pursuant to section 404(c)(1), the President shall submit a report to the appropriate congressional committees not later than June 15 of the following year. The report shall include—

(1) a list of the countries receiving notification that they are in violation of the standards under this title;

(2) a list of any waivers or exceptions exercised under this title;

(3) justification for any such waivers and exceptions; and

(4) a description of any assistance provided under this title pursuant to the issuance of such waiver.

SEC. 406. TRAINING FOR FOREIGN SERVICE OFFICERS.

Section 708 of the Foreign Service Act of 1980 (22 U.S.C. 4028) is amended by adding at the end the following:

''(c) The Secretary of State, with the assistance of other relevant officials, shall establish as part of the standard training provided for chiefs of mission, deputy chiefs of mission, and other officers of the Service who are or will be involved in the assessment of child soldier use or the drafting of the annual Human Rights Report instruction on matters related to child soldiers, and the substance of the Child Soldiers Prevention Act of 2008.''.

SEC. 407. EFFECTIVE DATE; APPLICABILITY.

This title, and the amendments made by this title, shall take effect 180 days after the date of the enactment of this Act.

Mr. SMITH of New Jersey. Mr. Speaker, the Trafficking Victims Protection Act of 2000, Public Law 106–386, has made, I believe, an enormous positive difference in our efforts to end modern-day slavery, a nefarious enterprise that nets the exploiters billions of dollars each year.

The 7-year-old landmark law and its numerous reinforcing provisions to prevent trafficking, to protect victims and to prosecute to the max those who traffic, has been a model statute worldwide. Indeed, many of its provisions have been adopted into law in whole or in part by governments around the world.

Mr. Speaker, the TVPA of 2000 does not pull any punches. By naming the names of countries out of compliance with what we call minimum standards and by imposing smart sanctions that are prescribed in the act, the withholding of nonhumanitarian aid, for example, we have signaled to the world that ending this egregious practice is among the highest priorities of the United States.

By protecting the victims and not sending them back to their home country where they are often exploited in a vicious cycle of exploitation, we say to the victims we will make every effort to make you safe and secure. By prosecuting the traffickers and imposing serious jail time, we are telling these exploiters we are coming after you, we will hunt you down, and you are going to pay for your crimes.

Since the enactment of the TVPA, the traffickers here and abroad are increasingly likely to face prosecution and conviction. In the 7-year period before its enactment, DOJ prosecuted 91 suspected traffickers. In the last 7 years, the Justice Department has prosecuted 449, representing a 339 percent increase. The Department has secured 342 convictions and guilty pleas, compared with 74 in the same period prior to the act. And it has opened 822 new investigations, an almost five-fold increase over the 135 opened prior to implementation of the law. Worldwide, nearly 5,700 traffickers were prosecuted last year alone, and more than 3,400 were convicted.

Notwithstanding these successes, it is clear that more has to be done to destroy this mob-infested, criminal enterprise known as human trafficking. According to research sponsored by the U.S. Government and completed in 2006, approximately 800,000 people are trafficked internationally and millions more are trafficked within their country. According to the same research, the vast majority of transnational victims, almost 80 percent, are women and girls, and almost half of those 800,000 victims are minors. These figures are low compared to those posited by the International Labor Organization, which estimates 12.3 million people are subjected to forced labor, bonded labor, forced child labor, and sexual servitude.

The continued imperative to fight modern-day slavery was again brought home to me while I was in Russia last week. At the same time as I was participating in meetings with Russian officials about how to improve our respective countries' efforts to fight human trafficking, the news media was reporting that a man who was living in my home state of New Jersey—just outside my district—had been accused of engaging in sex trafficking. This individual with dual U.S-Russian citizenship allegedly was traveling to St. Petersburg and hiring out 13- and 14-year old girls from an orphanage as prostitutes after he himself had sexually abused them. This case highlights the fact that we all potentially have traffickers living in our neighborhoods, and we must do more to protect our children and children everywhere in the world.

The bill before us today, Mr. Speaker, is a very good piece of bipartisan legislation, and it aims to do just that by updating, expanding, and improving the TPVA.

There have been lessons learned since the first law was enacted 8 years ago and subsequently reauthorized in 2003 and 2005. They are incorporated into this legislation as we try to do an even better job in mitigating the suffering of the victims while simultaneously going after those who traffic and the countries that harbor traffickers who are also part of the problem themselves.

The bill is appropriately named after William Wilberforce, who was 21 years old when he was elected to the House of Commons in 1780. John Newton, the former slave captain turned convert to Christ, encouraged Wilberforce as well as others to fight the battle against slavery. Wilberforce agreed and then poured his heart into that battle.

Wilberforce once said: ''Never, never will we desist until we extinguish every trace of this bloody traffic to which our posterity, looking back to the history of those enlightened times, will scarce believe that it has been suffered to exist so long to disgrace and dishonor this country.''

He also said: ''So enormous, so dreadful, so remediable did the trade's wickedness quickly appear that my own mind was completely made up for its abolition.'' We need to fight with Wilberforce-like tenacity against this modern-day slave trade.

One of the most prominent provisions of the original TVPA was the establishment of the tier-ranking system that indicates how well or poorly a country is conforming to the minimum standards. We found when we created the watch list that some of the countries began to realize they could be ''parked'' there with no serious consequence for their failure. Tier 2 watch list countries found there was no penalty even though they made no improvements. That has to change: Two years and then you are off the watch list, up or down. If significant improvements fail to materialize, or the country fails to come up with a written plan to eliminate trafficking and devote sufficient resources to implement that plan, the country is put on tier three, subject to penalties.

Mr. Speaker, the William Wilberforce Act would also clarify a provision in the original TVPA—that should never have required clarification—that the Secretary of Health and Human Services must make initial determinations of benefit eligibility for minors who are potential trafficking victims, without the involvement of either the Attorney General or Secretary of Homeland Security. This should rectify an erroneous interpretation and application of the law by these agencies, and facilitate the immediate assistance desperately needed by children rescued from exploitative and traumatic situations.

Among the many other important provisions of this bill, calls for investigations by the Inspector Generals of the Department of Defense, State Department and the United States Agency for International Development, respectively, into ascertain contracts awarded by those agencies. The IGs' attention would be directed to contracts that carry a risk of encouraging human trafficking, including instances where a contractor or subcontractor may be engaging in the procurement of a commercial sex act. The reports to be submitted to Congress subsequent to these investigations will be valuable in ascertaining the commitment of our own government in combating human trafficking, and provide an example to be emulated by other governments as well.

Finally, Mr. Speaker, I would emphasize that effective cooperation, and especially the bipartisan cooperation we see here today, and partnership with other countries, is essential if we are to win this winnable war. Without it, we are doomed to either meager results or outright failure. With so many lives hanging in the balance, failure simply is not an option. None of us alone can stop human trafficking. Too much evil is involved here, and the prospect of making billions has enticed some of the most unsavory and cruel individuals on Earth, including organized crime. Too much demand, enabled by crass indifference, unbridled hedonism and misogynistic attitudes has turned people, especially women, into objects, only valued for their utility in the brothel or in the sweatshop. And the relative lack of visibility

makes the task of combating trafficking all the more difficult.

Trafficking, like germs, infection and disease, thrives in shadowy and murky places. But the contagion slows and it even dies when exposed to the light. This legislation brings more light, bright light, to this problem; and it will act as a powerful disinfectant.

So the challenge to us today is to bring this new light, the bright light of sustained scrutiny and enacting good laws, like this one, and then implementing them aggressively. We need to employ best practices and well-honed strategies in order to win the freedom of the slaves and to spare others unspeakable agony.

Together, we can make the pimps and the exploiters pay by doing serious jail time as well as the forfeiture of their assets, their boats, their villas, and their fat bank accounts.

We can end this barbaric, cruel modern-day slavery. Make no mistake about it, this is a winnable war but we need to fight in a way so as to win. This legislation further propels us in that fight, and we will win this and the slaves will be free.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise in support of H.R. 7311, the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 and applaud its passage in the House.

This Act will allow for appropriations through 2011 to assist in combating human trafficking and to further provide protection for victims of human sex trafficking in the United States.

As the Chairwoman of the Committee on Homeland Security Subcommittee on Border, Maritime and Counterterrorism, I held a series of hearings entitled ''Crossing the Border: Immigrants in Detention and Victims of Trafficking.'' These hearings identified and discussed many urgent issues related to the prevention of human trafficking and assistance for victims of human trafficking.

These issues impact countries around the world, whether they are a source of or destination for trafficked persons. Official estimates show that between 2 to 4 million persons are trafficked each year, including approximately 17,500 individuals who are trafficked into the United States.

The United States must also work to improve its efforts to combat trafficking within our own borders. This bill will assist with enhancing the rights of victims, who are trafficked into the United States, and will provide special protections to child victims.

At the same time, we must continue to work on this issue in our local communities. In my district, a number of agencies, including law enforcement, service providers, and community organizations have joined together to form the Orange County Human Trafficking, Task Force (OCHTTF). I am very proud of the Task Force's work to reduce human trafficking in southern California, and I urge my colleagues to support these types of task forces as communities around the country work to stop human trafficking

H.R. 7311 also provides critical assistance to victims seeking relief and access to special U.S. visas to protect them from their traffickers.

I am proud to support this legislation which is an important step in the worldwide fight against human trafficking.

Mr. BERMAN. Mr. Speaker, I, in concert with Mr. CONYERS, the Chairman of the Committee on the Judiciary, make the following explanatory statement regarding H.R. 7311, the William Wilberforce Trafficking Victims Reauthorization Act of 2008.

H.R. 7311, the William Wilberforce Trafficking Victims Reauthorization Act of 2008, reauthorizes existing U.S. programs to combat human trafficking and establishes new requirements and programs regarding trafficking into both sexual exploitation and forced labor. Among a wide range of initiatives, the bill establishes new programs to prevent trafficking from occurring in foreign countries where trafficking begins, widens U.S. assistance programs to U.S. citizens, and provides additional protections for trafficking survivors who are threatened by trafficking perpetrators, and for children who are at risk of being repatriated into the hands of traffickers or abusers.

The Wilberforce Act also improves upon existing criminal prohibitions against human traffickers, including streamlining in the Slavery/Trafficking chapter of the federal criminal code, and creating new criminal tools to reach unscrupulous labor recruiters. Unlike previous reauthorizations, this reauthorization is for four years, from fiscal years 2008 to 2011, recognizing that U.S. anti-trafficking programs have become more established. The bill reflects an effort to develop a consensus between H.R. 3887, passed by the House on December 4, 2007, and S. 3061, ordered reported by the Senate Judiciary Committee on September 8, 2008. The legislation draws from the common approaches in both bills and develops alternative proposals where the two bills diverge. This explanatory statement draws attention to changes in several provisions of the bill from the approach in H.R. 3887. Many of the provisions of the bill and the intent behind them that are closely aligned with the original provisions of H.R. 3887 are described in the House Report 110–430, part I, the report accompanying H.R. 3887.

TITLE I

Title I of the bill draws from substantially similar positions in both the House and the Senate bills.

SECTION 102. OFFICE TO MONITOR AND COMBAT TRAFFICKING

Section 102 provides more targeted amendments to section 105 of the Trafficking Victims Protection Act of 2000 with essentially the same objectives of requiring the establishment of the Office, promoting public-private partnerships to end trafficking and clarifying the role of the Director of the Office with regard to funding programs. Although the bill does not include several provisions from H.R. 3887, this should not be seen as failing to recognize the importance of the Office or the Director. The Office has been very effective in raising the awareness of the trafficking issue and should be considered for space in the new consolidated plan for relocating offices of the Department of State closer to the Harry S. Truman Building. When the head of the Office was changed to an Ambassadorial position, the pay rate for the position was actually reduced. That decision should be reassessed.

SECTION 105. INCREASING EFFECTIVENESS OF ANTI-TRAFFICKING PROGRAMS

This section draws from similar versions of both H.R. 3887 and S. 3061. In the new section 107A of the Trafficking Victims Protection Act of 2000, subsection (b) requires a self-certification that persons or entities providing services directly to trafficking victims have completed or will complete training. This self-certification, which is not expected to be monitored in every case by the U.S. Government, is intended to apply primarily to persons actually in direct contact with and providing services to the trafficking victims, not interns, other volunteers or administrative or supervisory staff of organizations involved in the assistance.

SECTION 106. MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING

This section, similar in both bills, makes a number of changes to section 108 of the Trafficking Victims Protection Act of 2000. With respect to the deletion of ''a significant number of'', the provision is intended to ensure that the broadest range of countries is reviewed by the Department. This section also separates out the provision regarding reducing the demand for commercial sex acts and participation in international sex tourism as a criteria for whether a country is making serious and sustained efforts to combat trafficking in persons, highlighting the importance of making progress in this area as the Office to Monitor and Combat Trafficking in Persons makes its decisions on tier ratings.

TITLE II

Title II reflects a number of changes to U.S. law, including amendments to the Immigration & Nationality Act (INA), and Title 18 of the United States Code (related to federal crimes). Many of the provisions, particularly those relating to amendments to the INA, were similar in H.R. 3887 and S. 3061.

SECTION 201. PROTECTING TRAFFICKING VICTIMS AGAINST RETALIATION

Section 201 provides a number of modifications to provisions relating to the T and U visa category, drawing from both H.R. 3887 and S. 3061. Among other matters, this section provides that a holder of a non-immigrant visa under Sections 101(A)(15)((T) or (U) of the Immigration and Nationality Act can adjust to permanent residency even if their T or U visas may have lapsed in the time period in which the adjustment regulations had not been promulgated. While adjustment regulations were released on December 8, 2008, and will control in the future, this provision is included as a stop-gap measure for those petitioners whose adjustment petitions were not processed because of the government's failure to issue regulations until that time.

SECTION 203. PROTECTIONS, REMEDIES AND LIMITATIONS ON ISSUANCE FOR A–3 AND G–5 VISAS.

This section addresses the issues of employees of diplomats and officers and employees of international organizations who perform domestic services in the homes of such individuals, drawing from provisions in section 110 of H.R. 3887 as well as section 203 of S. 3061. This provision is sensitive because of its effects on reciprocity to U.S. diplomats abroad. However, the failure of the Department of State to take seriously cases involving abuse has been troubling, and this provision establishes a new framework for dealing with these cases. In particular, subsection (a)(2) provides that the Secretary of State shall suspend the issuance of certain visa classes to applicants seeking to work for officials of diplomatic missions or international organization ''if the Secretary determines that there is credible evidence that 1 or more employees of such mission or international organization have abused or exploited 1 or more A–3 or G–5 non-immigrants and that the diplomatic mission or international organization tolerated such actions.'' It is expected that if the Department of Justice or another part of the U.S. Government provides information that such an act has occurred, or a non-governmental organization provides such information, and the information is credible, the Department should take steps to make the mission or organization aware of such information, and if the mission or organization does not take

steps to rectify the situation, the denials of the visas provided under this section should start.

SECTION 222. CRIMES

This section contains a number of modifications to the federal criminal code. Section 222 conforms the various crimes set forth in Title 18, United States Code, Chapter 77 ((Peonage, Slavery, and Trafficking in Persons) by extending the obstruction provisions of the Peonage statute (Section 1581) to the other substantive servitude offenses, by creating conspiracy liability within the Chapter, and by improving the treatment of restitution and asset forfeiture. None of those provisions are intended to foreclose the use of corresponding sections of the criminal code, where appropriate.

Section 222 also clarifies the definition of coercion in the core offenses created by the Trafficking Victims Protection Act, which responded to the Supreme Court's narrowing of the federal Involuntary Servitude statutes in *United States* v. *Kozminski*, 487 U.S. 931 (1988). Section 1589 covers offenses involving forms of forced labor, while Section 1591 is in the context of commercial sexual activity and can also be violated when a person uses a child for prostitution, as children are unable to give consent to commercial sexual activity. Those offenses returned the legal standard for a servitude conviction to the modern approach reflected in such cases as *United States* v. *Mussry*, 726 F.2d 1448 (9th Cir. 1984) and the lower court decisions in Kozminski (allowing conviction in servitude cases involving psychological coercion as well as overt violence).

Accordingly, the Trafficking Victims Protection Act of 2000 crafted Section 1589 and 1591 to only require a showing of a threat of ''serious harm,'' or of a scheme, plan, or pattern intended to cause a person to believe that such harm would occur. The term ''serious harm'' refers to a broad array of harms, including both physical and nonphysical, and is intended to be subjectively construed in determining whether a particular type or certain degree of harm or coercion is sufficient to overcome a particular victim's will. Section 222 further clarifies these concepts to reflect the various and subtle forms of coercion used by traffickers in light of the experiences of prosecutors and non-governmental organizations in combating trafficking and assisting victims. Such modification was contemplated by the drafters of the Trafficking Victims Protection Act of 2000 (Pub. Law 106–386): ''[T]he conferees are aware that the Department of Justice may seek additional statutory changes in future years to further address the issues raised in Kozminski, as courts and prosecutors develop experience with the new crimes created by this Act.'' Conference Report Accompanying H.R. 3244, House Rep. 106–939, 106th Cong. 2nd Sess. 101 (printed in 146 Cong. Record H8855, H8881).

Thus, Section 222 clarifies that ''[t]he term 'abuse or threatened abuse of law or legal process' means the use or threatened use of a law or legal process, whether administrative, civil or criminal, in any manner or for any purpose for which the law was not designed, in order to exert pressure on another person to cause that person to take some action or refrain from taking some action,'' and that ''The term 'serious harm' means any harm, whether physical or nonphysical, including psychological, financial, or reputational harm, that is sufficiently serious, under all the surrounding circumstances, to compel a reasonable person of the same background and in the same circumstances to perform or to continue performing [in the case of section 1589, labor or services, or, in the case of section 1591, commercial sexual activity] in order to avoid incurring that harm.'' It is contemplated that these refinements will streamline the jury's consideration in cases involving coercion and will more fully capture the imbalance of power between trafficker and victim. A scheme, plan, or pattern intended to inculcate a belief of serious harm may refer to nonviolent and psychological coercion, including but not limited to isolation, denial of sleep and punishments, or preying on mental illness, infirmity, drug use or addictions (whether pre-existing or developed by the trafficker). ''Commercial sexual activity'' in this context is not limited to a particular sex act, but would include all aspects of prostitution, including time under the defendant's control in which the victim is not engaged with clients.

Another modification to Chapter 77 made by section 222 involves the level of scienter necessary for a violation of Section 1591. The current standard is enhanced through the addition of a ''reckless disregard'' option. Such an approach is well-established in other federal criminal statutes, and would have the advantage of reaching those who turn a willfully blind eye toward a person in commercial sexual activity who is being physically abused or is underage. Such an approach puts the responsibility on participants in commercial sex activity to not ignore indicia of abuse, such as bruising or distress, or indicia of youth on the part of those whom they recruit, entice, harbor, transport, provide, obtain, or maintain.

Additionally, a special evidentiary provision is added for those cases under Section 1591(a)(1) in which criminal liability attaches not because of the use of coercion but because of the use of a minor for commercial sexual activity. In such cases, the prosecution will be exempted from having to prove beyond a reasonable doubt that a defendant who had a reasonable opportunity to observe the person recruited, enticed, harbored, transported, provided, obtained or maintained knew that the person had not attained the age of 18 years. This special evidentiary provision reflects a similar provision in the aggravated sexual abuse offense, Title 18, United States Code, Section 2241(d), and is crafted in light of *United States* v. *X-Citement Video*, 513 U.S. 64, 70, n.2 (1994) (exception from presumption of mens rea more appropriate in statutes in which perpetrator necessarily ''confronts the underage victim personally and may reasonably be required to ascertain that victim's age''). This approach comports with numerous appellate decisions in related areas of the law, such as the Mann Act. *See, e.g., United States* v. *Jones*, 471 F.3d 535 (4th Cir. 2006).

Section 222 also creates a new fraud crime, Title 18, United States Code, Section 1351, which prohibits the recruiting, solicitation, or hiring, with intent to defraud, foreign persons to be employed in the United States through false pretenses, representations, or promises about their employment. For the purposes of this provision, ''employment'' is presumed to include, but not be limited to, such issues as terms and conditions of employment, housing, labor broker fees, employer or broker-provided food and transportation, ability to work outside of the offered place of employment, and other material aspects of the recruited person's work and life in America. This statute is intended to capture situations in which exploitative employers and recruiters have lured heavily-indebted workers to the United States, but did not obtain their labor or services through coercion sufficient to reach the level of the Chapter 77 Slavery/Trafficking offenses. Press accounts and Congressional briefings have highlighted cases with facts as egregious as situations in which defrauded workers were stranded in fenced compounds, reduced to catching pigeons for food and collecting rainwater to drink, all the while facing bankruptcy because of brokerage charges and debt incurred in their home country in reliance on the recruiters' false promises. This section will be of particular application in cases involving employment-based immigration (''guestworker'') programs, but is not limited to employment under such a provision. This Section a five year statutory maximum in recognition that the victims of fraudulent labor recruiting are at high risk of being held in servitude, and that prosecutors should not have to wait for the abuse to rise to the highest levels of criminality before dismantling these criminal organizations.

H.R. 3887 updated Title 8, United States Code, Section 1328, a long-established statute that criminalizes the importation of aliens for immoral purposes and the harboring or employment of aliens so imported. The bill does not include this update, but rather directs the U.S. Sentencing Commission to assess the sentencing guideline pertaining to alien harboring, 18 United States Code, Section 1324(a)(1)(A)(iii), to determine whether the guideline for harboring should conform to the Mann Act guideline when the harboring was committed in furtherance of prostitution and the defendant is an organizer, leader, manager, or supervisor. Section 1324 is a more modern statute, penalizing harboring even without proof that it was done in furtherance of illegal importation. The elements of a 1324 offense do not vary based on the purpose for which the alien is being harbored. For instance, there is no difference in the knowledge required on the part of an employer, an alien smuggler, or a trafficker that the alien had come to, entered, or remained in the United States in violation of law. Section 1328 remains an effective tool to reach those who are kept in a brothel or other place in pursuance of importation for an immoral purpose, but this review of the sentencing structure is intended to guarantee that it will be supplemented by the general harboring statute.

SECTION 225 PROMOTING EFFECTIVE STATE ENFORCEMENT

This section, reflective of some of the goals of section 224 of the H.R. 3887, provides that nothing in previous acts related to trafficking, this Act, and any model law related to trafficking promulgated by the Department of Justice shall be read to legitimize prostitution as a valid form of labor, or to preempt, supplant or limit the effect of any State or Federal criminal law. In particular, it should be noted that financial transactions involving the proceeds of any trafficking activities, or any failure to report income obtained through any trafficking activities would remain reachable by applicable federal statutes, irrespective of the provision of section 225(a)(1).

Many states have modernized archaic slavery or forced prostitution statutes in line with the TVPA or the model state laws promulgated by the Department of Justice or non-governmental organizations. In recognition that many state statutes in the closely related area of prostitution enforcement are also antiquated, the bill directs the Department of Justice to supplement its current anti-trafficking model law with modern anti-prostitution models, so that a holistic update is available for policymakers' use. Section 225 will also require that the new model law be distributed to each Attorney General as a means of promoting the new model law. The bill also will result in dissemination of a chapter of the Criminal Code of the District of Columbia as an example of a statute that reaches as felonies cases involving coercion, pandering, and exploitation alike.

SECTION 238 PROCESSING OF CERTAIN VISAS

Section 238 mandates a report from the Department of Homeland Security concerning the work of the Violence Against Women Act (VAWA) Unit at the U.S. Citizenship and Immigration Services' Vermont Service Center. The VAWA Unit is a highly-trained adjudication team that is responsible for a number of victim-related immigration applications, including but not limited to: the adjudications, adjustments, work authorizations, parole, fax-back benefits and employment verification, naturalization, and derivative beneficiaries related to such programs as Violence Against Women Act self-petitions (Section 101(a)(51) of the Immigration and Nationality Act); T visas (Section 101(a)(15)(T) of the Immigration and Nationality Act), U-visas (Section 101(a)(15)(U) of the Immigration and Nationality Act; battered spouse waivers (Section 216(c)(4)); abused immigrant work authorizations (Section 106 of the Immigration and Nationality Act) and parole for children of Violence Against Women Act cancellation recipients (Public Law 103–222, as reauthorized by Public Laws 106–326, 108–193, 109–162, and 109–164) and any other matters that are protected by the confidentiality provisions of the Violence Against Women Act.

The mandated report seeks information on funding, staffing, and training. The Unit should continue to be the responsible office for the processing of victim-related immigration applications, and such processing should be conducted in a manner consistent with applicable confidentiality requirements. Offsite adjudication of such applications should be considered an extraordinary circumstance, and if cases must be adjudicated elsewhere, special care should be taken to ensure compliance with confidentiality and adjudication standards of the Unit.

Immigrant victims of domestic violence, sexual assault and other violent crimes should not have to wait for up to a year before they can support themselves and their families. The Vermont Service Center should therefore strive to issue work authorization and deferred action in most instances within 60 days of filing, consistent with the need for safe and competent adjudication. The mandated report therefore seeks information on the timing adjudications, and steps taken to improve on this aspect of the Unit's mission.

The staff of the Unit are widely respected as experts in the effect of trauma and victimization and the heightened confidentiality mandated by the Violence Against Women Act, and have historically been not only an adjudication team but a policy resource. The mandated report thus includes a description of measures taken to ensure that the policy expertise of the Unit is fully incorporated into decision-making by the Department of Homeland Security.

PROVISIONS FROM H.R. 3887 NOT INCLUDED IN BILL

Several provisions from H.R. 3887 do not appear in this version of the legislation. For example, the original House bill attempted to streamline the investigation and prosecution of certain sex trafficking and related offenses by amending the Mann Act, 18 U.S.C. §2421, et seq. The Wilberforce Act reflects a different consensus, and achieves these ends through modifications to the Slavery/Trafficking Chapter of Title 18 discussed above.

Specific language regarding the surveys required by section 232 of H.R. 3887 is not included in the bill. However, the provisions of paragraph (B)(i) and (ii) of section 201(a)(1) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044(a)) still require that the surveys contained in that provision be completed, and section 237(d) requires the Department of Justice to provide the relevant committees a report on the status of those surveys, including the projected date when such surveys will be completed. Also, section 234 of H.R. 3887 proposed a reorganization of functions within the Department of Justice. The Department of Justice should review the relationship between the Criminal Section of the Civil Rights Division and the Child Exploitation and Obscenity Section of the Criminal Division and promote a coordinated approach to the trafficking prosecutions that these Sections carry out. More critically, the Department and the Federal Bureau of Investigation should assess the division of labor within the Bureau as to trafficking offenses, with particular emphasis on servitude cases being considered a key civil rights enforcement priority.

Because efforts in the closely-related area of prostitution enforcement are important to prevent situations from ripening into servitude, the reporting requirements of Section 237 are intended to gain a better understanding of the Criminal Division and United States Attorneys Offices' activities to enforce the Mann Act or those local prostitution offenses that United States Attorneys may have jurisdiction over through operation of the District of Columbia Criminal Code or the Travel Act 18 U.S.C. §1952 or other racketeering tools.

TITLE III

Title III authorizes funds for programs, projects and activities related to human trafficking. In order to promote broad support for the bill, some of the authorization for program funding was reduced to levels closer to previously appropriated levels, and therefore represents a more realistic target for future spending. Any reductions in authorizations are not intended to indicate a decrease in the importance of any programs, but indeed are intended to encourage appropriations at those new levels. It should be noted that Department of Homeland Security, Immigration and Customs Enforcement is engaging in a number of important investigatory activities abroad and should continue to be fully supported.

TITLE IV

Title IV is drawn from title IV of both H.R. 3887 and S. 3061. The two versions were substantially similar, and the intent of title IV is described in House Report 110–430. As in both bills, section 404, revised from the text of both H.R. 3887 and S. 3061, provides that no assistance under section 516 of the Foreign Assistance Act (relating to transfers of excess defense articles), section 541 of the Foreign Assistance Act (relating to international military education and training) and section 23 of the Arms Export Control Act (relating to foreign military financing) shall be provided, and no licenses for commercial arm sales may be issued, to countries that are determined to be using or permitting the use of child soldiers in governmental armed forces or government-supported armed forces. While requiring enhanced reporting on child soldiers in the annual country reports on human rights, the actual list of countries that are subject to this prohibition will be included in the annual Report on Trafficking in Persons, as provided for in H.R. 3887, instead of the annual country reports, as provided in S. 3061. The country reports should continue to be an objective assessment of human rights conditions around the world, and should not be used as the specific mechanism for imposing sanctions or other matters affecting U.S. relations with other countries.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill just considered by the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

CONDEMNING THE NOVEMBER 26, 2008, TERRORIST ATTACKS IN MUMBAI, INDIA

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that the Committees on Foreign Affairs and Energy and Commerce be discharged from further consideration of the resolution (H. Res. 1532) condemning the November 26, 2008, terrorist attacks in Mumbai, India, and expressing sympathy to the innocent victims from India and around the world, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the resolution is as follows:

H. RES. 1532

Whereas, on November 26, 2008, coordinated and cowardly acts of violence were carried out throughout Mumbai, India, the country's financial capital and largest city;

Whereas teams of gunmen stormed various locations throughout Mumbai, including two prominent hotels, a local café, a Jewish outreach center, a hospital, a railroad station, and a cinema, shooting and torturing their victims and setting off grenades and explosives along the way;

Whereas after 60 hours of terror, these attacks were successfully brought to an end on November 29, 2008, by the Indian government;

Whereas media outlets are currently reporting hundreds of injured victims and 172 fatalities, including 6 Americans;

Whereas President George W. Bush and President-elect Barack Obama immediately condemned the Mumbai attacks and extended their condolences and the support of the American people to all Indians;

Whereas this is the second large-scale terrorist attack in Mumbai since the July 2006 train bombings;

Whereas India has long been ravaged by similar attacks over the past few years in other large Indian cities, including Ahmedabad, Bangalore, Delhi, and Hyderabad, as well as by attacks abroad, most recently at the Indian Embassy in Kabul;

Whereas India has been a strong partner of the United States in combating violent extremism and offered immediate support to the United States after the terrorist attacks of September 11, 2001;

Whereas the United States and India are both multicultural, multiethnic, multi-religious democracies that oppose terrorism in all its forms and will continue to work steadfastly to overcome terrorist ideologies and to promote international peace and security: Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns in strongest terms the senseless and barbaric November 26, 2008, terrorist attacks in Mumbai, India;

(2) expresses its condolences to the families and friends of those individuals from India and abroad who were killed in the attacks and expresses its deepest sympathies to those individuals who have been injured;

(3) joins with President George W. Bush and President-elect Barack Obama in expressing the solidarity of the people and Government of the United States with the people and Government of India at this difficult time;

(4) vows its support and readiness to provide all appropriate assistance and resources to the Government of India as it works to bring the terrorists responsible for the November 26, 2008, attacks to justice;

(5) expresses its desire for improved coordination between the United States and India, with the goal of combating terrorism and advancing international peace and security;

(6) rejects any effort to confuse or associate the horrific attacks on Mumbai with a particular people or faith as a whole;

(7) notes the Government of Pakistan's condemnation of the attacks and welcomes that government's call for a thorough investigation;

(8) calls upon the Government of Pakistan to—

(A) work in full cooperation with the Government of India to ensure all those responsible are brought to justice; and

(B) prevent its territory from serving as a safe-haven and training ground for terrorists; and

(9) calls upon nations around the world to renew and strengthen efforts to—

(A) defeat terrorists by dismantling terrorist networks, restricting the financing of such networks, and exposing the violent and intolerant ideology of terrorism;

(B) increase international cooperation to advance personal and religious freedoms, ethnic and racial tolerance, political liberty and pluralism, and economic prosperity;

(C) combat extremist ideology and the social injustice, oppression, and poverty that breeds terrorism; and

(D) make all appropriate international law enforcement, intelligence, and other resources available to the Government of India to support a full investigation of the horrific terror attacks according to international legal standards.

Mr. SIRES. Mr. Speaker, I rise today in support of this resolution to express my deepest sympathies to our friends in India and the innocent victims from around the world. On November 26, 2008, coordinated terrorist attacks were carried out across the city of Mumbai, India, killing over 170 people and injuring more than 300. I am very disturbed by the brutality of these acts of terrorism and I condemn them in the strongest terms possible. Madame Speaker, I would like the Indian people to know we are standing by them during this difficult time and that we hope to find justice for the innocent victims of this terrible tragedy. I ask that all my colleagues support this resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1730

GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution just considered by the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: ordering the previous question on House Resolution 1534, and adopting House Resolution 1534, if ordered.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

PROVIDING FOR CONSIDERATION OF H.R. 7321, AUTO INDUSTRY FINANCING AND RESTRUCTURING ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1534, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 225, nays 180, answered ''present'' 1, not voting 27, as follows:

[Roll No. 687]

YEAS—225

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson
Castor
Cazayoux
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards (MD)
Edwards (TX)
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hare
Harman
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Solis
Souder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—180

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Carney
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
LaHood
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Mitchell
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Walden (OR)
Walsh (NY)
Wamp
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

Campbell (CA)

NOT VOTING—27

Costa	Hastings (FL)	Pryce (OH)
Cubin	Hooley	Renzi
Delahunt	Jefferson	Rohrabacher
Doolittle	Johnson, E. B.	Sensenbrenner
Ellison	Keller	Snyder
Emanuel	Kirk	Tancredo
Everett	Kuhl (NY)	Walberg
Gilchrest	Miller, Gary	Watson
Gutierrez	Peterson (PA)	Weldon (FL)

□ 1753

Messrs. GALLEGLY and WITTMAN of Virginia changed their vote from ''yea'' to ''nay.''

Mr. UPTON changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The SPEAKER. The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now observe a moment of silence in remembrance of our brave men and women in uniform who have given their lives in the service of our Nation in Iraq and in Afghanistan and their families, and all who serve in our Armed Forces and their families.

□ 1800

THANKS AND WELL WISHES TO ROB NABORS

(Mr. OBEY asked and was given permission to address the House for 1 minute.)

Mr. OBEY. Mr. Speaker, for the last 4 years Rob Nabors has served as, first, the staff director of the then-Minority Democrats on the Appropriations Committee and, in the last 2 years, as the staff director of the entire committee. His work ethic has been legendary. He has worked all hours of the day like so many in this institution whose names are not publicly known. He has worked overtime. He's worked night and day. He's worked weekdays and weekends. He's demonstrated great judgment and skill. And he has also been a bit of history because he is the first African American to have served as the staff director for the Appropriations Committee.

But now, alas, President-elect Obama has asked him to serve as the Deputy Director of OMB, and exercising the ''faulty judgment'' that we have come to expect from Chicago Bears fans, he has accepted that invitation.

So I simply wanted to take this moment to publicly in this institution thank him for the great service that he has provided this institution and the country and to wish him well on the road ahead.

Mr. HOYER. Will the gentleman yield?

Mr. OBEY. Surely.

Mr. HOYER. I thank the gentleman for yielding.

Mr. Speaker, I had the privilege of chairing a subcommittee on the Appropriations Committee many years ago, and Rob Nabors was my staff director, so I had an opportunity to work with him firsthand. And I want to echo the comments of Mr. OBEY and, I know, the comments that Mr. LEWIS will make.

Mr. Nabors is an individual of great intellect, great integrity, and great insight. And I want to frankly express on behalf of the House our appreciation to the President-elect for having the wisdom to choose somebody who knows the House so well and I think we will be able to work with very closely, although my impression is that his relationship with Mr. OBEY may be modified just slightly.

Rob, congratulations to you.

Mr. LEWIS of California. Will the gentleman yield?

Mr. OBEY. I yield to the gentleman.

Mr. LEWIS of California. I appreciate my chairman's yielding.

Mr. Speaker, it has been my privilege to work with the chairmen both when they were in the minority and now running the place.

I must say that very few staff people combine both the intellect and personality kind of warmth that Rob reflects in the everyday work of this fabulous guy. He's a wonderful member of our staff. OMB is going to be very fortunate to have him, and we will miss him. So thank you very much.

Mr. OBEY. I yield to the Speaker.

Ms. PELOSI. Thank you very much, Mr. Chairman. I want to join my colleagues and sing the praises of Rob Nabors.

We are blessed in the Congress with magnificent staff on both sides of the aisle who serve the American people very well, none more excellent than Rob Nabors.

It is with great congratulations that we send him off to the new administration to work for President-elect and then President Obama but not without some sadness in losing him here in the Congress.

Rob, thank you for your service to our country, for your excellence in your work, and for the friendship that you have provided to many of us and for the courage and fortitude you have exhibited in working under the great leadership of Chairman OBEY. Thank you, Rob Nabors, again.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SERRANO). Without objection, 5-minute voting will continue.

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 7321, AUTO INDUSTRY FINANCING AND RESTRUCTURING ACT

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DREIER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 225, nays 179, answered ''present'' 1, not voting 28, as follows:

[Roll No. 688]

YEAS—225

Abercrombie	Gonzalez	Obey
Ackerman	Gordon	Olver
Allen	Green, Al	Ortiz
Altmire	Green, Gene	Pallone
Andrews	Grijalva	Pascrell
Arcuri	Hall (NY)	Pastor
Baca	Hare	Payne
Baird	Harman	Perlmutter
Baldwin	Higgins	Peterson (MN)
Barrow	Hinchey	Pomeroy
Bean	Hinojosa	Price (NC)
Becerra	Hirono	Rahall
Berkley	Hodes	Ramstad
Berman	Holden	Rangel
Berry	Holt	Reyes
Bishop (GA)	Honda	Richardson
Bishop (NY)	Hoyer	Rodriguez
Blumenauer	Inslee	Ross
Boren	Israel	Rothman
Boswell	Jackson (IL)	Roybal-Allard
Boucher	Jackson-Lee (TX)	Ruppersberger
Boyd (FL)	Johnson (GA)	Rush
Boyda (KS)	Kagen	Ryan (OH)
Brady (PA)	Kanjorski	Salazar
Braley (IA)	Kaptur	Sánchez, Linda T.
Brown, Corrine	Kennedy	Sanchez, Loretta
Butterfield	Kildee	Sarbanes
Camp (MI)	Kilpatrick	Schakowsky
Capps	Kind	Schiff
Capuano	Klein (FL)	Schwartz
Cardoza	Knollenberg	Scott (GA)
Carnahan	Kucinich	Scott (VA)
Carson	LaHood	Serrano
Castor	Lampson	Sestak
Cazayoux	Langevin	Shea-Porter
Chandler	Larsen (WA)	Sherman
Childers	Larson (CT)	Sires
Clarke	LaTourette	Skelton
Clay	Lee	Slaughter
Cleaver	Levin	Smith (WA)
Clyburn	Lewis (GA)	Solis
Cohen	Lipinski	Souder
Conyers	Loebsack	Space
Cooper	Lofgren, Zoe	Speier
Costello	Lowey	Spratt
Courtney	Lynch	Stark
Cramer	Mahoney (FL)	Stupak
Crowley	Maloney (NY)	Sutton
Cuellar	Markey	Tanner
Cummings	Marshall	Tauscher
Davis (AL)	Matsui	Taylor
Davis (CA)	McCarthy (NY)	Thompson (CA)
Davis (IL)	McCollum (MN)	Thompson (MS)
Davis, Lincoln	McCotter	Tierney
DeFazio	McDermott	Towns
DeGette	McGovern	Tsongas
DeLauro	McNerney	Udall (CO)
Dicks	McNulty	Udall (NM)
Dingell	Meek (FL)	Upton
Doggett	Meeks (NY)	Van Hollen
Donnelly	Melancon	Velázquez
Doyle	Miller (MI)	Visclosky
Edwards (MD)	Miller (NC)	Walz (MN)
Edwards (TX)	Miller, George	Wasserman Schultz
Ehlers	Mollohan	Waters
Ellsworth	Moore (KS)	Watt
Engel	Moore (WI)	Waxman
Eshoo	Moran (VA)	Weiner
Etheridge	Murphy (CT)	Welch (VT)
Farr	Murphy, Patrick	Wexler
Fattah	Murtha	Wilson (OH)
Filner	Nadler	Woolsey
Foster	Napolitano	Wu
Frank (MA)	Neal (MA)	Yarmuth
Fudge	Oberstar	
Gillibrand		

NAYS—179

Aderholt	Alexander	Bachus
Akin	Bachmann	Barrett (SC)

Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Cannon
Cantor
Capito
Carney
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Drake
Dreier
Duncan
Emerson
English (PA)
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
King (IA)
King (NY)
Kingston
Kline (MN)
Lamborn
Latham
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul (TX)
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
Mica
Michaud
Miller (FL)
Mitchell
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Scalise
Schmidt
Sessions
Shadegg
Shays
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Walden (OR)
Walsh (NY)
Wamp
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

Campbell (CA)

NOT VOTING—28

Costa
Cubin
Delahunt
Doolittle
Ellison
Emanuel
Everett
Gilchrest
Gutierrez
Hastings (FL)
Hooley
Jefferson
Johnson, E. B.
Keller
Kirk
Kuhl (NY)
Miller, Gary
Peterson (PA)
Pryce (OH)
Renzi
Rohrabacher
Saxton
Sensenbrenner
Snyder
Tancredo
Walberg
Watson
Weldon (FL)

□ 1812

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTO INDUSTRY FINANCING AND RESTRUCTURING ACT

Mr. FRANK of Massachusetts. Mr. Speaker, pursuant to House Resolution 1534, I call up the bill (H.R. 7321) to authorize financial assistance to eligible automobile manufacturers, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7321

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Auto Industry Financing and Restructuring Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings and purposes.
Sec. 3. Presidential designation.
Sec. 4. Bridge financing.
Sec. 5. Restructuring progress assessment.
Sec. 6. Submission of plans.
Sec. 7. Financing for restructuring.
Sec. 8. Disapproval and call of loan.
Sec. 9. Allocation.
Sec. 10. Funding.
Sec. 11. Terms and conditions.
Sec. 12. Taxpayer protection.
Sec. 13. Oversight and audits.
Sec. 14. Automobile manufacturers' study on potential manufacturing of transit vehicles.
Sec. 15. Reporting and monitoring.
Sec. 16. Report to Congress on lack of progress toward achieving an acceptable negotiated plan.
Sec. 17. Submission of plan to Congress by the President's designee.
Sec. 18. Guarantee of leases of qualified transportation property.
Sec. 19. Coordination with other laws.
Sec. 20. Treatment of restructuring for purposes of applying limitations on net operating loss carryforwards and certain built-in losses.
Sec. 21. Emergency designation.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds the following:

(1) A combination of factors, including errors in the business model of domestic automobile manufacturers, and emergency economic circumstances, has prevented the domestic automobile industry from securing credit from other sources, and has led to the possibility of the failure of the domestic automobile industry, which failure would have a systemic adverse effect on the economy.

(2) Therefore, action in the form of financial aid to the domestic automobile industry is necessary to stabilize the economy.

(b) PURPOSES.—The purposes of this Act are—

(1) to immediately provide authority and facilities to restore liquidity and stability to the domestic automobile industry in the United States; and

(2) to ensure that such authority and such facilities are used in a manner that—

(A) results in a viable and competitive domestic automobile industry that minimizes adverse effects on the environment;

(B) enhances the ability and the capacity of the domestic automobile industry to pursue the timely and aggressive production of energy-efficient advanced technology vehicles;

(C) preserves and promotes the jobs of American workers employed directly by the domestic automobile industry and in related industries;

(D) safeguards the ability of the domestic automobile industry to provide retirement and health care benefits for the industry's retirees and their dependents; and

(E) stimulates manufacturing and sales of automobiles produced by automobile manufacturers in the United States.

SEC. 3. PRESIDENTIAL DESIGNATION.

(a) DESIGNATION.—The President shall designate 1 or more officers from the Executive Branch having appropriate expertise in such areas as economic stabilization, financial aid to commerce and industry, financial restructuring, energy efficiency, and environmental protection (who shall hereinafter in this Act be collectively referred to as the ''President's designee'') to carry out the purposes of this Act, including the facilitation of restructuring necessary to achieve the long-term financial viability of domestic automobile manufacturers, who shall serve at the pleasure of the President.

(b) ADDITIONAL PERSONS.—The President or the President's designee may also employ, appoint, or contract with additional persons having such expertise as the President or the President's designee believes will assist the Government in carrying out the purposes of this Act.

(c) PARTICIPATION BY OTHER AGENCY PERSONNEL.—Other Federal agencies may provide, at the request of the President's designee, staff on detail from such agencies for purposes of carrying out this Act.

SEC. 4. BRIDGE FINANCING.

(a) IN GENERAL.—The President's designee shall authorize and direct the disbursement of bridge loans or enter into commitments for lines of credit to each automobile manufacturer that submitted a plan to the Congress on December 2, 2008 (hereafter in this Act referred to as an ''eligible automobile manufacturer''), and has submitted a request for such loan or commitment.

(b) AVAILABILITY OF FUNDS.—All funds that are available pursuant to section 10 to provide bridge financing or commitments for lines of credit to eligible automobile manufacturers, after taking into account the reservation of funds under section 10(a)(2), shall be used for the purposes described in section 10(a). No new funds shall be available to any eligible automobile manufacturer for the purposes of this section after the date on which the President's designee has approved restructuring plan under section 6 for such eligible automobile manufacturer.

(c) AMOUNT OF ASSISTANCE.—The President's designee shall authorize bridge loans or commitments for lines of credit to each eligible automobile manufacturer in an amount that is intended to facilitate the continued operations of the eligible automobile manufacturer and to prevent the failure of the eligible automobile manufacturer, consistent with the plan submitted on December 2, 2008, and subject to available funds.

(d) ALLOCATION.—The President's designee shall authorize the disbursements or commitments under this section in accordance with the allocation priorities set forth in subsections (a) and (b) of section 9.

SEC. 5. RESTRUCTURING PROGRESS ASSESSMENT.

(a) ESTABLISHMENT OF MEASURES FOR ASSESSING PROGRESS.—Not later than January 1, 2009, the President's designee shall determine appropriate measures for assessing the progress of each eligible automobile manufacturer toward transforming the plan submitted by such manufacturer to the Congress on December 2, 2008, into the restructuring plan to be submitted under section 6(b).

(b) EVALUATION OF PROGRESS ON BASIS OF RESTRUCTURING PROGRESS ASSESSMENT MEASURES.—

(1) IN GENERAL.—The President's designee shall evaluate the progress of each eligible automobile manufacturer toward the development of a restructuring plan, on the basis of the restructuring progress assessment measures established under this section for such manufacturer.

(2) TIMING.—Each evaluation required under paragraph (1) for any eligible automobile manufacturer shall be conducted at

the end of the 45-day period beginning on the date on which the restructuring progress assessment measures were established by the President's designee for such eligible automobile manufacturer.

SEC. 6. SUBMISSION OF PLANS.

(a) NEGOTIATED PLANS.—

(1) FACILITATION.—

(A) IN GENERAL.—Beginning on the date of the enactment of this Act, the President's designee shall seek to facilitate agreement on any restructuring plan to achieve and sustain the long-term viability, international competitiveness, and energy efficiency of an eligible automobile manufacturer, negotiated and agreed to by representatives of interested parties (in this Act referred to as a ''negotiated plan'') with respect to any eligible automobile manufacturer.

(B) INTERESTED PARTIES.—For purposes of this section, the term ''interested party'' shall be construed broadly so as to include all persons who have a direct financial interest in a particular automobile manufacturer, including—

(i) employees and retirees of the eligible automobile manufacturer;

(ii) trade unions;

(iii) creditors;

(iv) suppliers;

(v) automobile dealers; and

(vi) shareholders.

(2) ACTIONS OF THE PRESIDENT'S DESIGNEE.—

(A) IN GENERAL.—For the purpose of achieving a negotiated plan, the President's designee may convene, chair, and conduct formal and informal meetings, discussions, and consultations, as appropriate, with interested parties of an eligible automobile manufacturer.

(B) CLARIFICATION.—The Federal Advisory Committee Act shall not apply with respect to any of the activities conducted or taken by the President's designee pursuant to this Act.

(b) RESTRUCTURING PLAN.—Not later than March 31, 2009, each eligible automobile manufacturer shall submit to the President's designee a restructuring plan to achieve and sustain the long-term viability, international competitiveness, and energy efficiency of the eligible automobile manufacturer (in this Act referred to as the ''restructuring plan'') in accordance with this section. The President's designee shall approve the restructuring plan if the President's designee determines that the plan will result in—

(1) the repayment of all Government-provided financing, consistent with the terms specified in section 11, or otherwise agreed to;

(2) the ability—

(A) to comply with applicable fuel efficiency and emissions requirements;

(B) to commence domestic manufacturing of advanced technology vehicles, as described in section 136 of the Energy Independence and Security Act of 2007 (Public Law 110–140; 42 U.S.C. 17013); and

(C) to produce new and existing products and capacity, as described in section 14;

(3) the achievement of a positive net present value, using reasonable assumptions and taking into account all existing and projected future costs, including repayment of any financial assistance provided pursuant to this Act;

(4) efforts to rationalize costs, capitalization, and capacity with respect to the manufacturing workforce, suppliers, and dealerships of the eligible automobile manufacturer;

(5) proposals to restructure existing debt, including, where appropriate, the conversion of debt to equity, to improve the ability of the eligible automobile manufacturer to raise private capital; and

(6) a product mix and cost structure that is competitive in the United States marketplace.

(c) EXTENSION OF NEGOTIATIONS AND PLAN DEADLINE.—Notwithstanding the time limitations in subsection (b), the President's designee, upon making a determination that the interested parties are negotiating in good faith, are making significant progress, and that an additional period of time would likely facilitate agreement on a negotiated plan, and upon notification of the Congress, may extend for not longer than 30 additional days the negotiation period under subsection (b).

SEC. 7. FINANCING FOR RESTRUCTURING.

Upon approval by the President's designee of a restructuring plan, the President's designee may provide financial assistance to an eligible automobile manufacturer to implement the restructuring plan.

SEC. 8. DISAPPROVAL AND CALL OF LOAN.

If the President's designee has not approved the restructuring plan at the expiration of the period provided in section 6 for submission and approval of the restructuring plan, the President's designee shall call the loan or cancel the commitment within 30 days, unless a restructuring plan is approved within that period.

SEC. 9. ALLOCATION.

(a) PRIORITIZING ALLOCATION.—The President's designee shall prioritize allocation of the provision of financial assistance under this Act to any eligible automobile manufacturer, based on—

(1) the necessity of the financial assistance for the continued operation of the eligible automobile manufacturer;

(2) the potential impact of the failure of the eligible automobile manufacturer on the United States economy; and

(3) the ability to utilize the financial assistance optimally to satisfy the operational and long-term restructuring requirements of the eligible automobile manufacturer.

(b) ORDER OF PRIORITY; SECTION 4.—For purposes of allocating bridge loans or commitments pursuant to section 4, the President's designee shall prioritize the considerations set forth in subsection (a) in the following order: paragraph (1), paragraph (2), and paragraph (3).

(c) ORDER OF PRIORITY; SECTION 7.—For purposes of allocating financial assistance for restructuring pursuant to section 7, the President's designee shall prioritize the considerations set forth in subsection (a) in the following order: paragraph (3), paragraph (2), and paragraph (1).

SEC. 10. FUNDING.

(a) FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—Such sums are appropriated as are necessary for the purpose of providing funds to support up to $14,000,000,000 in loans under this Act. The Secretary of Energy shall make available to the President's designee $7,010,000,000 of funds made available under section 129 of division A of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009, relating to funding for the manufacture of advanced technology vehicles, which shall reduce the appropriation under this paragraph.

(2) RESERVATION FOR CERTAIN PURPOSES.—The Secretary of Energy shall reserve $500,000,000 of the amounts made available under paragraph (1) for purposes of section 136 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17013).

(3) CONTINUING APPLICATION PROCESS.—No provision of this section shall be construed as prohibiting or limiting the Secretary of Energy from processing applications for loans under section 136 of the Energy Independence and Security Act of 2007.

(b) AUTHORIZATION.—There are authorized to be appropriated to the Secretary of Energy, sums as may be necessary for the purpose of replenishing the funds made available to the President's designee under subsection (a)(1).

SEC. 11. TERMS AND CONDITIONS.

(a) DURATION.—The duration of any loan made under this Act shall be 7 years, or such longer period as the President's designee may determine with respect to such loan.

(b) RATE OF INTEREST; TIMING OF PAYMENTS.—

(1) RATE OF INTEREST.—The annual rate of interest for a loan under this Act shall be—

(A) 5 percent during the 5-year period beginning on the date on which the President's designee disburses the loan; and

(B) 9 percent after the end of the period described in subparagraph (A).

(2) TIMING OF PAYMENTS.—Payments of interest on loans under this Act shall be made semiannually.

(c) NO PREPAYMENT PENALTY.—A loan made under this Act shall be prepayable without penalty at any time.

(d) INFORMATION ACCESS.—As a condition for the receipt of any financial assistance made under this Act, an eligible automobile manufacturer shall agree—

(1) to allow the President's designee to examine any books, papers, records, or other data of the eligible automobile manufacturer, and those of any subsidiary, affiliate, or entity holding an ownership interest of 50 percent or more of such automobile manufacturer, that may be relevant to the financial assistance, including compliance with the terms of a loan or any conditions imposed under this Act; and

(2) to provide in a timely manner any information requested by the President's designee, including requiring any officer or employee of the eligible automobile manufacturer, any subsidiary, affiliate, or entity referred to in paragraph (1) with respect to such manufacturer, or any person having possession, custody, or care of the reports and records required under paragraph (1), to appear before the President's designee at a time and place requested and to provide such books, papers, records, or other data, as requested, as may be relevant or material.

(e) OVERSIGHT OF TRANSACTIONS AND FINANCIAL CONDITION.—

(1) DUTY TO INFORM.—During the period in which any loan extended under this Act remains outstanding, the eligible automobile manufacturer which received such loan shall promptly inform the President's designee of—

(A) any asset sale, investment, contract, commitment, or other transaction proposed to be entered into by such eligible automobile manufacturer that has a value in excess of $100,000,000; and

(B) any other material change in the financial condition of such eligible automobile manufacturer.

(2) AUTHORITY OF THE PRESIDENT'S DESIGNEE.—During the period in which any loan extended under this Act remains outstanding, the President's designee may—

(A) review any asset sale, investment, contract, commitment, or other transaction described in paragraph (1); and

(B) prohibit the eligible automobile manufacturer which received the loan from consummating any such proposed sale, investment, contract, commitment, or other transaction, if the President's designee determines that consummation of such transaction would be inconsistent with or detrimental to the long-term viability of the eligible automobile manufacturer.

(3) PROCEDURES.—The President's designee may establish procedures for conducting any review under this subsection.

(f) CONSEQUENCES FOR FAILURE TO COMPLY.—The terms of any financial assistance made under this Act shall provide that if—

(1) an evaluation by the President's designee under section 5(b) demonstrates that the eligible automobile manufacturer which received the financial assistance has failed to make adequate progress towards meeting the restructuring progress assessment measures established by the President's designee under section 5(a) with respect to such recipient;

(2) after March 31, 2009, the eligible automobile manufacturer which received the financial assistance fails to submit an acceptable restructuring plan under section 6(b), or fails to comply with any conditions or requirement applicable under this Act or applicable fuel efficiency and emissions requirements; or

(3) after a restructuring plan of an eligible automobile manufacturer has been approved by the President's designee, the auto manufacturer fails to make adequate progress in the implementation of the plan, as determined by the President's designee,

the repayment of any loan may be accelerated to such earlier date or dates as the President's designee may determine and any other financial assistance may be cancelled by the President's designee.

SEC. 12. TAXPAYER PROTECTION.

(a) WARRANTS.—

(1) IN GENERAL.—The President's designee may not provide any loan under this Act, unless the President's designee, or such department or agency as is designated for such purpose by the President, receives from the eligible automobile manufacturer—

(A) in the case of an eligible automobile manufacturer, the securities of which are traded on a national securities exchange, a warrant giving the right to the President's designee to receive nonvoting common stock or preferred stock in such eligible automobile manufacturer, or voting stock, with respect to which the President's designee agrees not to exercise voting power, as the President's designee determines appropriate; or

(B) in the case of an eligible automobile manufacturer other than one described in subparagraph (A), a warrant for common or preferred stock, or an instrument that is the economic equivalent of such a warrant in the holding company of the eligible automobile manufacturer, or any company that controls a majority stake in the eligible automobile manufacturer, as determined by the President's designee.

(2) AMOUNT.—

(A) IN GENERAL.—The warrants or instruments described in paragraph (1) shall have a value equal to 20 percent of the aggregate amount of all loans provided to the eligible automobile manufacturer under this Act. Such warrants or instruments shall entitle the Government to purchase—

(i) nonvoting common stock, up to a maximum amount of 20 percent of the issued and outstanding common stock of —

(I) the eligible automobile manufacturer; or

(II) in the case of an eligible automobile manufacturer, the securities of which are not traded on a national securities exchange, a holding company or company that controls a majority of the stock thereof (in this section referred to as the ''warrant common''); and

(ii) preferred stock having an aggregate liquidation preference equal to 20 percent of such aggregate loan amount, less the value of common stock available for purchase under the warrant common (in this section referred to as the ''warrant preferred'').

(B) COMMON STOCK WARRANT PRICE.—The exercise price on a warrant or instrument described in paragraph (1) shall be—

(i) the 15-day moving average, as of December 2, 2008, of the market price of the common stock of the eligible automobile manufacturer which received any loan under this Act; or

(ii) in the case of an eligible automobile manufacturer, the securities of which are not traded on a national securities exchange, the economic equivalent of the market price described in clause (i), as determined by the President's designee.

(C) TERMS OF PREFERRED STOCK WARRANT.—

(i) IN GENERAL.—The initial exercise price for the preferred stock warrant shall be $0.01 per share or such greater amount as the corporate charter may require as the par value per share of the warrant preferred. The Government shall have the right to immediately exercise the warrants.

(ii) REDEMPTION.—The warrant preferred may be redeemed at any time after exercise of the preferred stock warrant at 100 percent of its issue price, plus any accrued and unpaid dividends.

(iii) OTHER TERMS AND CONDITIONS.—Other terms and conditions of the warrant preferred shall be determined by the President's designee to protect the interests of taxpayers.

(3) APPLICATION OF OTHER PROVISIONS OF LAW.—Except as otherwise provided in this section, the requirements for the purchase of warrants under section 113(d)(2) of the Emergency Economic Stabilization Act of 2008 (division A of Public Law 110–343) shall apply to any warrant or instrument described in paragraph (1), including the antidilution protection provisions therein.

(b) EXECUTIVE COMPENSATION AND CORPORATE GOVERNANCE.—

(1) IN GENERAL.—During the period in which any financial assistance under this Act remains outstanding, the eligible automobile manufacturer which received such assistance shall be subject to—

(A) the standards established by the President's designee under paragraph (2); and

(B) the provisions of section 162(m)(5) of the Internal Revenue Code of 1986, as applicable.

(2) STANDARDS REQUIRED.—The President's designee shall require any eligible automobile manufacturer which received any financial assistance under this Act to meet appropriate standards for executive compensation and corporate governance.

(3) SPECIFIC REQUIREMENTS.—The standards established under paragraph (2) shall include—

(A) limits on compensation that exclude incentives for senior executive officers of an eligible automobile manufacturer which received assistance under this Act to take unnecessary and excessive risks that threaten the value of such manufacturer during the period that the loan is outstanding;

(B) a provision for the recovery by such automobile manufacturer of any bonus or incentive compensation paid to a senior executive officer based on statements of earnings, gains, or other criteria that are later found to be materially inaccurate;

(C) a prohibition on such automobile manufacturer making any golden parachute payment to a senior executive officer during the period that the loan is outstanding;

(D) a prohibition on such automobile manufacturer paying or accruing any bonus or incentive compensation during the period that the loan is outstanding to the 25 most highly-compensated employees; and

(E) a prohibition on any compensation plan that would encourage manipulation of such automobile manufacturer's reported earnings to enhance the compensation of any of its employees.

(4) DIVESTITURE.—During the period in which any financial assistance provided under this Act to any eligible automobile manufacturer is outstanding, the eligible automobile manufacturer may not own or lease any private passenger aircraft, or have any interest in such aircraft, except that such eligible automobile manufacturer shall not be treated as being in violation of this provision with respect to any aircraft or interest in any aircraft that was owned or held by the manufacturer immediately before receiving such assistance, as long as the recipient demonstrates to the satisfaction of the President's designee that all reasonable steps are being taken to sell or divest such aircraft or interest.

(5) DEFINITIONS.—For purposes of this subsection, the following definitions shall apply:

(A) SENIOR EXECUTIVE OFFICER.—The term ''senior executive officer'' means an individual who is 1 of the top 5 most highly paid executives of a public company, whose compensation is required to be disclosed pursuant to the Securities Exchange Act of 1934, and any regulations issued thereunder, and non-public company counterparts.

(B) GOLDEN PARACHUTE PAYMENT.—The term ''golden parachute payment'' means any payment to a senior executive officer for departure from a company for any reason, except for payments for services performed or benefits accrued.

(c) PROHIBITION ON PAYMENT OF DIVIDENDS.—Except with respect to obligations owed pursuant to law to any nonaffiliated party or any existing contract with any nonaffiliated party in effect as of December 2, 2008, no dividends or distributions of any kind, or the economic equivalent thereof (as determined by the President's designee), may be paid by any eligible automobile manufacturer which receives financial assistance under this Act, or any holding company or company that controls a majority stake in the eligible automobile manufacturer, while such financial assistance is outstanding.

(d) OTHER INTERESTS SUBORDINATED.—

(1) IN GENERAL.—In the case of an eligible automobile manufacturer which received a loan under this Act, to the extent permitted by the terms of any obligation, liability, or debt of the eligible automobile manufacturer in effect as of December 2, 2008, any other obligation of such eligible automobile manufacturer shall be subordinate to such loan, and such loan shall be senior and prior to all obligations, liabilities, and debts of the eligible automobile manufacturer, and such eligible automobile manufacturer shall provide to the Government, all available security and collateral against which the loans under this Act shall be secured.

(2) APPLICABILITY IN CERTAIN CASES.—In the case of an eligible automobile manufacturer referred to in paragraph (1), the securities of which are not traded on a national securities exchange, a loan under this Act to the eligible automobile manufacturer shall—

(A) be treated as a loan to any holding company of, or company that controls a majority stake in, the eligible automobile manufacturer; and

(B) be senior and prior to all obligations, liabilities, and debts of any such holding company or company that controls a majority stake in the eligible automobile manufacturer.

(e) ADDITIONAL TAXPAYER PROTECTIONS.—

(1) DISCHARGE.—A discharge under title 11, United States Code, shall not discharge an eligible automobile manufacturer, or any successor in interest thereto, from any debt for financial assistance received pursuant to this Act.

(2) EXEMPTION.—Any financial assistance provided to an eligible automobile manufacturer under this Act shall be exempt from the automatic stay established by section 362 of title 11, United States Code.

(3) INTERESTED PARTIES.—Notwithstanding any provision of title 11, United States Code, any interest in property or equity rights of the United States arising from financial assistance provided to an eligible automobile manufacturer under this Act shall remain unaffected by any plan of reorganization, except as the United States may agree to in writing.

SEC. 13. OVERSIGHT AND AUDITS.

(a) COMPTROLLER GENERAL OVERSIGHT.—

(1) SCOPE OF OVERSIGHT.—The Comptroller General of the United States shall conduct ongoing oversight of the activities and performance of the President's designee.

(2) CONDUCT AND ADMINISTRATION OF OVERSIGHT.—

(A) GAO PRESENCE.—The President's designee shall provide to the Comptroller General appropriate space and facilities for purposes of this subsection.

(B) ACCESS TO RECORDS.—To the extent otherwise consistent with law, the Comptroller General shall have access, upon request, to any information, data, schedules, books, accounts, financial records, reports, files, electronic communications, or other papers, things, or property belonging to or in use by the President's designee, at such reasonable time as the Comptroller General may request. The Comptroller General shall be afforded full facilities for verifying transactions with the balances or securities held by depositaries, fiscal agents, and custodians. The Comptroller General may make and retain copies of such books, accounts, and other records as the Comptroller General deems appropriate.

(3) REPORTING.—The Comptroller General shall submit reports of findings under this section to Congress, regularly and not less frequently than once every 60 days. The Comptroller General may also submit special reports under this subsection, as warranted by the findings of its oversight activities.

(b) SPECIAL INSPECTOR GENERAL.—It shall be the duty of the Special Inspector General established under section 121 of Public Law 110-343 to conduct, supervise, and coordinate audits and investigations of the President's designee in addition to the duties of the Special Inspector General under such section and for such purposes. The Special Inspector General shall also have the duties, responsibilities, and authorities of inspectors general under the Inspector General Act of 1978, including section 6 of such Act. In the event that the Office of the Special Inspector General is terminated, the Inspector General of the Department of the Treasury shall assume the responsibilities of the Special Inspector General under this subsection.

(c) ACCESS TO RECORDS OF BORROWERS BY GAO.—Notwithstanding any other provision of law, during the period in which any financial assistance provided under this Act is outstanding, the Comptroller General of the United States shall have access, upon request, to any information, data, schedules, books, accounts, financial records, reports, files, electronic communications, or other papers, things, or property belonging to or in use by the eligible automobile manufacturer, and any subsidiary, affiliate, or entity holding an ownership interest of 50 percent or more of such eligible automobile manufacturer (collectively referred to in this section as ''related entities''), and to any officer, director, or other agent or representative of the eligible automobile manufacturer and its related entities, at such reasonable times as the Comptroller General may request. The Comptroller General may make and retain copies of such books, accounts, and other records as the Comptroller General deems appropriate.

SEC. 14. AUTOMOBILE MANUFACTURERS' STUDY ON POTENTIAL MANUFACTURING OF TRANSIT VEHICLES.

(a) IN GENERAL.—Each eligible automobile manufacturer which receives financial assistance under this Act shall conduct an analysis of potential uses of any excess production capacity (especially those of former sport utility vehicle producers) to make vehicles for sale to public transit agencies, including—

(1) the current and projected demand for bus and rail cars by American public transit agencies;

(2) the potential growth for both sales and supplies to such agencies in the short, medium, and long term;

(3) a description of existing ''Buy America'' provisions, and data provided by the Federal Transit Administration regarding the use or request of waivers from such provisions; and

(4) any recommendations as to whether such actions would result in a business line that makes sense for the automobile manufacturer.

(b) GAO REVIEW AND REPORT.—The Comptroller General of the United States shall review the analyses conducted under this section, and shall provide reports thereon to the Congress and the President's designee.

SEC. 15. REPORTING AND MONITORING.

(a) REPORTING ON CONSUMMATION OF LOANS.—The President's designee shall submit a report to the Congress on each bridge loan made under section 4 not later than 5 days after the date of the consummation of such loan.

(b) REPORTING ON RESTRUCTURING PROGRESS ASSESSMENT MEASURES.—The President's designee shall submit a report to the Congress on the restructuring progress assessment measures established for each manufacturer under section 5(a) not later than 10 days after establishing the restructuring progress assessment measures.

(c) REPORTING ON EVALUATIONS.—The President's designee shall submit a report to the Congress containing the detailed findings and conclusions of the President's designee in connection with the evaluation of an eligible automobile manufacturer under section 5(b).

(d) REPORTING ON CONSEQUENCES FOR FAILURE TO COMPLY.—The President's designee shall submit a report to the Congress on the exercise of a right under section 11(f) to accelerate indebtedness of an eligible automobile manufacturer under this Act or to cancel any other financial assistance provided to such eligible automobile manufacturer, and the facts and circumstances on which such exercise was based, before the end of the 10-day period beginning on the date of the exercise of the right.

(e) MONITORING.—The President's designee shall monitor the use of loan funds received by eligible automobile manufacturers under this Act, and shall report to Congress once every 90 days (beginning 30 days after the date of enactment of this Act) on the progress of the ability of the recipient of the loan to continue operations and proceed with restructuring processes that restore the financial viability of the recipient and promote environmental sustainability.

SEC. 16. REPORT TO CONGRESS ON LACK OF PROGRESS TOWARD ACHIEVING AN ACCEPTABLE NEGOTIATED PLAN.

(a) AUTHORITY TO FACILITATE A NEGOTIATED PLAN.—At any such time as the President's designee determines that action is necessary to avoid disruption to the economy or to achieve a negotiated plan, the President's designee shall submit to Congress a report outlining any additional powers and authorities necessary to facilitate the completion of a negotiated plan required under section 6.

(b) IMPEDIMENTS TO ACHIEVING NEGOTIATED PLANS.—If the President's designee determines, on the basis of an evaluation by the President's designee of the progress being made by an eligible automobile manufacturer toward meeting the restructuring progress assessment measures established under section 5, that adequate progress is not being made toward achieving a negotiated plan by March 31, 2009, the President's designee shall submit to Congress a report detailing the impediments to achievement of a negotiated plan by the eligible automobile manufacturer.

SEC. 17. SUBMISSION OF PLAN TO CONGRESS BY THE PRESIDENT'S DESIGNEE.

Upon submission of a report pursuant to section 16(b), the President's designee shall provide to Congress a plan that represents the judgement of the President's designee as to the steps necessary to achieve the long-term viability, international competitiveness, and energy efficiency of the eligible automobile manufacturer, consistent with the factors set forth in section 6(b), including through a negotiated plan, a plan to be implemented by legislation, or a reorganization pursuant to chapter 11 of title 11, United States Code.

SEC. 18. GUARANTEE OF LEASES OF QUALIFIED TRANSPORTATION PROPERTY.

(a) GUARANTEE.—Upon the request of a lessee of qualified transportation property, the President's designee shall serve as a guarantor with respect to all obligations of such lessee with respect to leases of such qualified transportation property. Such guarantee shall be on such terms and conditions as are determined by the President's designee, not later than 14 days after the date of enactment of this section.

(b) RECOUPMENT OF PAYMENT OF CLAIMS.—

(1) IN GENERAL.—Any claims under this section in excess of collateral held for the benefit of the President's designee shall be paid from the General Fund of the Treasury out of funds not otherwise appropriated.

(2) RECOUPMENT FEE.—Subsequent to any payment made under paragraph (1), the President's designee shall recoup amounts paid under paragraph (1) by establishing a fee that is sufficient to recoup the amount of the claim payment not later than 3 years after the date of such claim payment from any lessee or guarantor for whom the claim was paid or for whom a guarantee was issued.

(c) DEFINITIONS.—For purposes of this section—

(1) the term ''qualified transportation property'' means domestic property subject to a lease that was approved by the Federal Transit Administration prior to January 1, 2006; and

(2) the term ''guarantor'' includes, without limitation, any guarantor, surety, and payment undertaker.

SEC. 19. COORDINATION WITH OTHER LAWS.

(a) IN GENERAL.—No provision of this Act may be construed as altering, affecting, or superseding—

(1) the provisions of section 129 of division A of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009, relating to funding for the manufacture of advanced technology vehicles;

(2) any existing authority to provide financial assistance or liquidity for purposes of the day-to-day operations in the ordinary course of business or research and development.

(b) LIMITATION.—Except to provide bridge financing or to implement a restructuring

plan pursuant to this Act, no funds from the United States Treasury may be used for the purpose of assisting an eligible automobile manufacturer to achieve financial viability or otherwise to avoid bankruptcy.

(c) AUTHORIZATION OF FISCAL YEAR 2009 COST OF LIVING SALARY ADJUSTMENT FOR JUSTICES AND JUDGES.—Pursuant to section 140 of Public Law 97–92, justices and judges of the United States are authorized during fiscal year 2009 to receive a salary adjustment in accordance with section 461 of title 28, United States Code.

(d) ANTITRUST PROVISIONS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (4), the antitrust laws shall not apply to meetings, discussions, or consultations among an eligible automobile manufacturer and its interested parties for the purpose of achieving a negotiated plan pursuant to section (6)(a)(2).

(2) EXCLUSIONS.—Paragraph (1) shall not apply with respect to price-fixing, allocating a market between competitors, monopolizing (or attempting to monopolize) a market, or boycotting.

(3) ANTITRUST AGENCY PARTICIPATION.—The Attorney General of the United States and the Federal Trade Commission shall, to the extent practicable, receive reasonable advance notice of, and be permitted to participate in, each meeting, discussion, or consultation described in paragraph (1).

(4) PRESERVATION OF ENFORCEMENT AUTHORITY.—Paragraph (1) shall not be construed to preclude the Attorney General of the United States or the Federal Trade Commission from bringing an enforcement action under the antitrust laws for injunctive relief.

(5) SUNSET.—Paragraph (1) shall apply only with respect to meetings, discussions, or consultations that occur within the 3-year period beginning on the date of the enactment of this Act.

(6) DEFINITION.—For purposes of this subsection, the term ''antitrust laws''—

(A) has the same meaning as in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12(a)), except that such term includes section 5 of the Federal Trade Commission Act (15 U.S.C. 45), to the extent that such section 5 applies to unfair methods of competition; and

(B) includes any provision of State law that is similar to the laws referred to in subparagraph (A).

SEC. 20. TREATMENT OF RESTRUCTURING FOR PURPOSES OF APPLYING LIMITATIONS ON NET OPERATING LOSS CARRYFORWARDS AND CERTAIN BUILT-IN LOSSES.

Section 382 of the Internal Revenue Code of 1986 shall not apply in the case of an ownership change resulting from this Act or pursuant to a restructuring plan approved under this Act.

SEC. 21. EMERGENCY DESIGNATION.

Amounts provided by this Act are designated as an emergency requirement and necessary to meet emergency needs pursuant to section 204(a) of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

The SPEAKER pro tempore. Pursuant to House Resolution 1534, the bill is considered read.

After 1 hour of debate on the bill, it shall be in order to consider the amendment printed in House Report 110–922 if offered by the gentleman from Ohio (Mr. LATOURETTE) or his designee, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered read, and shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent.

The gentleman from Massachusetts (Mr. FRANK) and the gentleman from Alabama (Mr. BACHUS) each will control 30 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. FRANK of Massachusetts. Mr. Speaker, at the outset I ask that all Members have 5 legislative days within which to revise and extend their remarks on this bill and include extraneous remarks and material thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we consider this bill in a context, a context framed by the report last Friday of a massive loss of jobs in the American economy. This economy is in the worst shape that it has been in since the Great Depression.

We are facing a double hit, a credit crisis brought on by a variety of factors, but resulting now in a serious lack of confidence on the part of investors and a deterioration in the physical parts of the economy, which have combined to cause a serious, deep recession.

That is relevant because there have been suggestions that we could afford to allow the three domestically owned auto companies to founder, that there are other sources of automobiles, that they could be required to declare bankruptcy, to, therefore, not pay suppliers, to cut back substantially on money owed dealers, to reduce by large amounts the workforce and the compensation of the workforce, to take one of the major factors of the American economy and substantially reduce its economic impact.

I think that would have been a mistake in any economic period, but to contemplate the severity of that blow to our economic activity at this time is to invite further deterioration of an economy that has already deteriorated beyond what people expected and beyond what the American people ought to have to tolerate.

The bill is a limited bill. It is the product of a compromise, the terms of which were largely dictated by the President of the United States. I am struck, Mr. Speaker, by the lack of confidence that has been expressed on the Republican side of this House, not in the auto industry, but in George Bush and the people he has and will appoint.

The amount of money here, $15 billion, is a loan. It is a loan far more likely to be repaid than many of the much larger amounts that the Bush administration and the Federal Reserve, working with them, have advanced to Citigroup and AIG and the number of other entities.

It is $15 billion because the President said no new money, not even money from the $700 billion troubled assets fund, the TARP. This Congress voted a month or two ago, 2 months ago, to advance $25 billion to the auto industry to promote innovation, which everyone agrees is necessary. It wasn't just to the Big Three, it was to any applicant who was going to use this money to try to innovate.

The President said, to our dismay, he would veto any legislation trying to keep the auto industry out of bankruptcy that used any funds other than that $25 billion that had already been voted for that purpose. The Speaker, to her credit, resisted what I think was a strong temptation to engage in a dispute with the President that would have killed any effort to get legislation and instead, perhaps to his surprise, she agreed with him and said we would live with that constraint.

So the amount of money that is here is both in amount and, in short, exactly what George Bush wanted. This is an amount of money that George Bush told us we could make available.

We have made it available in a form that makes it overwhelmingly likely that it will be repaid. It is a loan with the American Government in a super senior position in terms of repayment and where there were some potential problems with that because of clauses in other agreements, heavy collateral.

So this $15 billion is very likely to be returned if the program fails. That's the worst case.

We will have advanced $15 billion, we will get it back in 3 months because disaster cannot be averted, but we are not willing to say that disaster cannot be averted without trying.

What this bill then says is the President of the United States, George Bush, shall designate an administration official to preside over a process of hard negotiation with all of those who have a share in this industry, the companies, of course, the bondholders, the workers, the suppliers and the auto dealers, and make it clear to them that if they are not willing and able to come together and reduce costs and put in place a program that makes it possible to envision a future in which more efficient cars are made and sold with a great likelihood of success, then not only will there be no more money than the $15 billion, but the $15 billion will have to be repaid.

Well, apparently my Republican colleagues, again, do not think that the Bush administration has within its ranks anyone capable, with all the help that they have been given, of beginning that process. Some have said, no, make them go bankrupt.

There is nothing about bankruptcy that cannot be accomplished within the framework we have said except the ability to unilaterally say ''no'' to this or that class of people who are owed money. All of the powers that you could accomplish in reorganization in a bankruptcy are given here, and the enforcement power is that the money will be withdrawn if this is not done and the entities will collapse.

We have provisions in here that make it impossible, if the Bush administration and then the Obama administration coming after them, say so to have money that was, in part, provided by the American taxpayer, used to finance activity in other countries. That doesn't mean American investors should never be in other countries. It does mean that taxpayer dollars made available in these circumstances shouldn't go to other countries. Then the question is, then, well, why the haste? We are hastily reacting to very fast-moving events.

A month ago it did not appear that the car companies would be in such dire straits. Car companies all over the world have been hurt by the credit crisis. Automobiles are paid for by credit. As credit has tightened up substantially, and as people have lost their jobs, there has been a greater than anticipated fall off in auto sales. Of course, the auto companies have made mistakes in the past, a lot of people in the industry have, including consumers.

But we find that the rapid deterioration in the general economy, it hasn't caused the problem for the automakers, but it has exacerbated them and greatly shortened our time horizon.

This bill is intended to keep them from going bankrupt between now and March 31. It does it in a way that will allow us to recapture the money if that effort fails. It does express the belief that, done properly, in conjunction with other things, things that could unstick the credit market, funds that we hope will be made available under the troubled assets program to auto dealers, who have a very real claim here, and we will be pushing for a program that will include them and funding be made available. Several Members of this House have spoken out strongly in favor of doing that.

We believe it is possible, and likely, that as the economy gets better, and as they continue the movements they have already made towards cars that are likely to sell and be more energy efficient, that we can survive this.

There are some Members who have consistently opposed any intervention, but this administration sent over $100 billion to AIG. Citigroup has been the recipient of very large amounts of money. I do not understand how people can have not made any effort to undo the administration's intervention with AIG, well over $100 billion, and then try and stop about one-seventh of that sum as a loan to the auto companies.

Yes, credit and finance are important, but the physical work done by working class and middle-class Americans in auto companies, in car dealerships, in the small businesses that are other suppliers, cumulatively, are just as important. To give up now on the auto industry would be to condemn the American economy at one of its most vulnerable periods in our economic history to a degree of further hurt, and the American people deserve better.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, December 10, 2008.

Hon. BARNEY FRANK,
Chairman, Committee on Financial Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN FRANK: This is to memorialize the provisions in H.R. 7321, the ''Auto Industry Financing and Restructuring Act,'' that fall within the rule X jurisdiction of the Committee on the Judiciary. In particular, there are several provisions in section 12(d) and (e) that alter the normal operation of the bankruptcy laws; section 19(c) provides the annual cost-of-living salary adjustment for the federal judiciary: and section 19(d) precludes private antitrust suits regarding certain consultations between a covered automaker and its employees, dealers, suppliers, and creditors.

In agreeing to be discharged from further consideration of the bill, in order that it may proceed without delay to the House floor for consideration, the Judiciary Committee does not waive any jurisdiction over subject matter contained in this or similar legislation. We also reserve the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this important legislation, and would ask your support if such a request is made.

I would appreciate your including this letter in the Congressional Record during consideration of the bill on the House floor. Thank you for your attention to this request, and for the cooperative relationship between our two committees.

Sincerely,

JOHN CONYERS, Jr.,
Chairman.

Mr. Speaker, I reserve the balance of my time.

Mr. BACHUS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we are here today because we all recognize the importance of our domestic automobile industry. We understand that the bankruptcy of either GM or Chrysler would have a cascading effect on the other manufacturers. We understand that the suppliers, the auto part manufacturers could fail. We also understand that dealerships are at risk, millions of jobs, families in jeopardy.

□ 1830

And even though we all want the industry to succeed, I cannot support this plan because this plan is a plan to spend taxpayer money without any real promise or ability to return the industry to profitability. In my view, any aid for the automobile industry should be limited to transitional assistance as a part of a fundamental restructuring plan and should fully protect the taxpayer, and this legislation does not meet that standard.

Some of the worst bills to come out of Congress are when we rush to judgment, and I fear that is exactly what we are doing here. Members have only had one or two hours to examine the text of this legislation. It was a measure which was the product of a closed-door negotiation between the Democratic Congress and the administration. It occurred outside the normal legislative process and the watchful eyes of the American people.

I see several glaring omissions or flaws in my cursory examination. We are creating a new car czar to manage these three companies from Washington; not a CEO, but a car czar.

Second, and this probably is the most troubling, this legislation actually imposes new and expensive mandates on our automobile companies. If they are in such bad shape that they need billions of dollars of taxpayer help, and we acknowledge that they are in bad shape, why are we imposing new, expensive mandates? This legislation, for instance, mandates that the companies comply with State laws that imposed inefficient and potentially excessive emissions standards instead of the more reasonable Federal laws. That cries in the face of logic under the circumstances.

Third, this legislation imposes Federal Government management on the Big Three, the wisdom of Washington. It is clear that the management of these companies have made mistakes, many mistakes, but a solution to that to set up a command and control in Washington D.C. with a Federal bureaucrat attempting to run the domestic automobile industry is exactly the wrong solution.

Mr. Speaker, this is a bad process and it is a bad bill and one I fear, as we have so often done with these bailouts, we will come to regret. I urge a no vote.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself 30 seconds to note that I am surprised to hear my friend argue that the bankruptcy courts have more automotive expertise and engineering and finance and industrial policy expertise than is present in the whole Bush administration. I think he is too pessimistic about that and too much supportive of the bankruptcy process.

Second, I would also just recall the very thoughtful remark of our colleague from Texas, Ms. JACKSON-LEE, who noted that those who thought bankruptcy was a disaster for mortgages appear to see it as a panacea for automobiles. Many of us fail to see how that transformation took place.

I yield 2 minutes to the gentlewoman from Detroit (Ms. KILPATRICK).

(Ms. KILPATRICK asked and was given permission to revise and extend her remarks.)

Ms. KILPATRICK. Mr. Speaker, I first want to thank Chairman BARNEY FRANK and his entire Financial Services team and committee for the outstanding work they have done with this very difficult situation for the last month or so. Thank you, BARNEY, and for the full committee. The Michigan delegation in a bipartisan way worked feverishly to make this happen. Thank you very much.

America is at a crossroads, a crossroads on whether America will be a first-rate country as we move through this century. Seventy years ago, my grandfather, as well as hundreds of others, came to this part of the country

from South Carolina to the midwest, to the manufacturing base of America, the base that built the middle-class in this country. Without the manufacturing, there would be no middle-class in America. Do we want to forsake that today? I hope not.

The American automobile industry is the military equipment builders of our country, from World War II and every war thereafter, building the tanks, the ammunition, the body armor and the like. It will be a mistake for us if we don't preserve this industry.

Three million-plus direct jobs with another 10 million from insurance, health care, security. You name it, those are 13.6 million Americans affected by this automobile industry. We must preserve it.

The middle class is dwindling as we speak. With all the problems America has, this is not the time to kill, if you will, the only manufacturing base we have left in our country. We already yielded the electronics industry. We yielded the fabric and the garment industry. Manufacturing is one of the tools that can keep our country alive. I hope you will vote today and save this most vital industry.

I mentioned my grandfather. I am the next generation after that. Because of the manufacturing industry, the automobile industry specifically, we have been able to send generations of young people who are now 40, 50, 60 years old to college, the manufacturing industry.

Vote for this bill. Don't do it wrong. Let's do it right.

Giving thanks to God, who is the power, force and director of my life, I thank the Democratic Leadership and my colleagues in the Michigan delegation for their continued hard work, objective analysis and hard questions for both automobile manufacturers and taxpayers. As an enthusiastic supporter of the automotive industry, I, along with the unanimous agreement of the Michigan delegation, seek a balanced, fair solution for American taxpayers, manufacturers, dealers, and suppliers to the automobile industry. A large part of that solution is this bill, crafted by Chairman FRANK and Members of the House Financial Services Committee on which I once served. This bill will provide $15 billion in bridge loans to help struggling automakers survive while they prepare plans to restructure their companies to build more competitive, fuel-efficient, and technologically-advanced vehicles. This assistance will not only help manufacturers, but it will help the workers, the dealers, the suppliers and the 13 million jobs that are directly and indirectly affected by the largest industry in our Nation—the automobile industry.

In addition, this bill, which would amend current law, demands taxpayer protections such as limits to executive compensation, including a ban on so-called "golden parachute" payments, a prohibition on dividend payments over the life of the loans, rigorous independent oversight, and provisions for the government taking warrants and allowing the taxpayer to profit in any upside of the restructuring. This is a fair balance for both the manufacturers and American taxpayers. If the Big Three were to collapse, there would be a loss of personal income of close to $400 billion, with a combined loss of tax receipts of $156 billion, over 3 years, according to the Center for Automotive Research. With the interdependence of Mexico, Canada and the United States because of the North American Free Trade Agreement (NAFTA), this vastly underestimates the ultimate impact if the Big Three were to go bankrupt.

With the recent loss of more than half a million jobs in one month, in our Nation, Federal assistance to the automotive industry is needed immediately for our economic, military, and energy security and safety. A government-supported restructuring of the auto industry is urgently needed for our economic, military and energy security. General Wesley Clark recently wrote that "some economists question the wisdom of Washington's intervening to help the Big Three, arguing that the automakers should pay the price for their own mistakes or that the market will correct itself. But we must act: aiding the American automobile industry is not only an economic imperative, but also a national security imperative."

This is an opportunity for Congress to do four things. One, it is an opportunity to get our country to energy security or energy independence. Two, it is a chance to ensure that, unlike our textile and electronics industry, to preserve and protect our manufacturing base, the last industry in which America still holds a slight but precarious lead. Three, it can be a way in which we get the manufacturers toward building the vehicles that Congress mandated that they build. Four, we can preserve the jobs and businesses of dealers and suppliers. In all of the discussions of saving the manufacturers, there has been little, if any, discussion to save the thousands of automobile dealers and suppliers to the automotive industry.

Congress has been advocating that our country become either energy independent or have energy security. Indeed, President Richard Nixon challenged that our Nation become independent on foreign oil in the early 1970s. Although the automotive industry is in a crisis, this is truly an opportunity to start a major reorganization and reprogramming of the entire automotive industry. In less than 2 years, General Motors will produce the first practical all-electric motor vehicle. This is a welcome opportunity, and is a development that all Americans should embrace. By being the first to produce a battery that can get hundreds of miles per charge, the United States can be the first in this manufacturing technology. This will create thousands of green jobs, clean up the air, and make us less dependent on foreign sources of fuel. This achievement is right around the corner, as GM is set to bring the Chevy Volt to market in less than 2 years. In less than 10 years, these batteries and fuel cells can be, and should be, built in the United States.

Second, we need to preserve the automotive industry as it is the base of manufacturing in the United States. Second only to the strong faith that Americans have in one another is the strength of our economy. Our modern economy was built by companies like General Motors, Ford, and Chrysler. These are the companies that essentially built this country to victory in World War II and every military conflict we have had ever since. These companies not only built the tanks, the Jeeps, the trucks that support the women and men in our military, they often created the technologies that allow us to have navigational systems in our cars, brakes that last for thousands of miles, and protect our bodies in accidents. We cannot afford to lose this innovative intellectual property.

The auto industry has come to the rescue, once again, for our women and men in the military. The Humvee, the Stryker, and the mine-resistant ambush vehicles, and the like are built primarily in Michigan but entirely in the United States. As General Wesley Clark said, "the lives of hundreds of soldiers and marines have been saved, and their tasks made more achievable, by the efforts of the American automotive industry. And unlike in World War II, America didn't have to divert much civilian capacity to meet these military needs. Without a vigorous automotive sector, those needs could not have been quickly met." Our economy and our troops cannot survive the loss of the automotive industry.

Third, the manufacturers know what is at stake today. It is not only their individual survival, but whether our country suffers a recession or a depression. We cannot afford, at this perilous time in our economy, the shut down of any company. Any form of bankruptcy would tear what little confidence consumers have in the auto industry to shreds by decimating consumer demand and forcing thousands of suppliers who need the cash flow from the auto manufacturers into immediate default. This legislation would allow time and cash for the manufacturers to make the necessary and needed change in their vehicles, again mandated by Congress, for the long-term energy self-sufficiency and environmental protection we seek. This legislation does just that.

One in every 10 jobs in the United States is somehow linked to the automotive industry. After the purchase of a home, the purchase of an automobile is the largest purchase for the overwhelming majority of America's consumers. Michigan, specifically my home city of Detroit, has been the home of the automotive industry for decades. More than 13 million jobs are directly or indirectly rely on the automotive industry. The losses of the automotive industry have been massive. In 2005, General Motors, which is headquartered in my Congressional District, lost more than $5.6 billion on its North America operations alone, with Ford losing $5.5 billion during the same period of time. GM's share of the market, which used to be 36 percent in 1990, had shrunk to 26 percent in 2005. Ford's 1990 share of the market, which was 24 percent, was 17 percent 2 years ago. Production for Ford and GM has dropped 26 percent since 1999.

In the wake of these losses, Michigan and our country have lost a significant number of jobs. Both GM and Ford announced a series of plant closings in North America, with an estimated loss of 60,000 jobs through layoffs and early retirement buy-outs. According to the Bureau of Labor Statistics, in 2005 the automotive industry lost a total of 215,000 jobs, and stated that "industry employment is headed downward and is not likely to recover for several years." This situation does not get any better for those related industries supplying automobile parts, providing insurance for automobiles, or selling vehicles wholesale or retail.

While domestic manufacturers are not entirely blameless for these losses, a significant factor has been the way in which China has

done business with the Big Three. One of the U.S./China Commission's conclusions, to which I testified 2 years ago, was ''the many subsidies provided by the Chinese government to the auto industry will quickly distort the nature of the market. This will be true especially in the United States, where markets are most open. The Chinese challenge to the U.S. auto industry is a significant assault on American manufacturing, and that assault is increasing in magnitude and in pace.'' Are we willing to concede to other countries, perhaps China, our manufacturing base?

Finally, I am worried about the health of automobile dealers and suppliers, specifically ethnic minority automobile dealers and suppliers. It is my understanding from experts in the field that up to 75 percent of ethnic minority new car dealers, if they do not receive financial assistance within 60 days, will fail. In a meeting two weeks ago with the Speaker and the House Democratic leadership, the manufacturers estimated that more than 700 dealers are expected to close their doors before the end of the year. In all of this discussion about helping the manufacturers, it is only fair that some of this help go directly to the ethnic minority dealers and suppliers who are the backbone of their communities and of the automotive industry. Ethnic dealers and suppliers are first generation dealers and suppliers and simply do not have the economy of scale of their majority counterparts. As we move forward with this legislation, it is my hope that we provide immediate assistance to those who most need it—ethnic minority automobile dealers and suppliers.

We face tough times. The automotive industry can succeed, with the help of Congress, once again. The automotive industry has made mistakes, and all of the manufacturers present will tell you that I have worked with them to improve their product, outreach, and business model. Here, in Washington, DC, it is often hard for legislators to truly appreciate how difficult life is for the rest of America. In Michigan, we face record foreclosures, unemployment and job loss from manufacturing. We must save the automobile industry for the future of not only the industry but for the state of Michigan and our country. We must not repeat the mistakes we made in giving away our textile and electronics industry to other countries. We must do all we can to retain this vital segment of America.

Mr. BACHUS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas (Mr. HENSARLING) control my time and that he be able to yield time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BACHUS. At this time I recognize the gentleman from Texas (Mr. PAUL) for 2 minutes.

(Mr. PAUL asked and was given permission to revise and extend his remarks.)

Mr. PAUL. Mr. Speaker, I rise in opposition to this bill. It doesn't make a whole lot of sense. But I am concerned that we are narrowed down on a problem of the car industry, which is a significant problem, but we are dealing with $15 billion here. But if you look at the grand problem we have, it is much, much bigger, and it seems like we don't pay much attention to it.

The problems that we are facing today and the problems that we have been trying to solve in these last 6 months were predictable. It had been building for a good many years. We can date it back to 1971. We have had a financial bubble building, so there were many who predicted that the climax would be exactly as we are witnessing.

But we don't seem to want to go back and find out how financial bubbles form and why they burst. Instead, we just carry on doing the same old thing and never look back. We spend more money, we run up more debt, we print more money, and we think that is going to solve the problem that was created by spending too much money, running up debt, printing too much money. And here we are today, we are talking about tinkering on the edges without dealing with the big problem.

The Federal Reserve has literally created over $2 trillion here in the last several months, at least in obligations, and that is outside the realm of the Congress. We don't even audit the Federal Reserve. They create this money, and when the Fed Chairman comes before our committee and we ask, well, where did you dispose of this $2 trillion that you have created recently, he says well, it is not your business. That is not necessary. Under the law, he doesn't even have to tell us.

So this is how out of control our problem is. Sure, there is a lot of debt in the economy, and once a government or a corporation gets an excessive amount of debt, it is never paid for. So, yes, we can transfer the debt to others.

We are dealing with only finding victims. We cannot get rid of the debt, whether it is our national debt or whether it is corporate debt, but we have to put it on somebody else. We need to look at the cause of these bubbles, and it has to do with monetary policy and the Federal Reserve system.

Mr. Speaker, no one can deny that Congress bears much culpability for the current condition of the United States auto industry, and therefore Congress should act to help that industry. We should be repealing costly regulations we have imposed on domestic auto manufactures. Congress should also be considering legislation like H.R. 7273 and H.R. 7278, which reduces taxes on American consumers to make it easier for them to purchase American automobiles.

Unfortunately, instead of repealing regulations and cutting taxes, Congress is nationalizing the automakers by giving them access to $14 billion of taxpayer funds in return for giving the federal government control over the management of these firms. Mr. Speaker, the federal government has neither the competence nor the constitutional authority to tell private companies, such as automakers, how to run their businesses. Yet, the bailout proposal forces automobile manufacturers to submit their business plans for the approval of a federal ''car czar.'' This czar will not only have the authority to approve the automakers' restructuring plan, but will also monitor implementation of the plans. The czar will also be able to stop transactions that are ''inconsistent with the companies' long-term viability.'' Of course, the czar has the sole authority to determine what transactions are ''inconsistent with the companies' long-term viability.''

I would have thought that failed experiments with central planning and government control of business that wrought so much harm in the last century would have taught my colleagues the folly of making businesses obey politicians and bureaucrats instead of heeding the wishes of consumers, employees, and stockholders.

The alternative proposal is less costly to the taxpayer; therefore I will vote for it if offered as a motion to recommit. However, I am troubled that the proposal endorses the notion that the federal government should play both a financial and managerial role in restoring the American automobile industry. Mr. Speaker, it is a shame that we are not given a chance to vote for a true free-market approach; instead we are asked to choose between two types of government interference with the market.

Providing this $14 billion in loan guarantees will contribute to the already fragile economy by increasing the federal debt and thus creating either increased inflation or increased taxes. Mr. Speaker, I ask my colleagues to consider how many businesses will not be started, jobs will not be created, and consumer desires will remain unfulfilled because the resources to start those business and create those jobs were taken from the private sector for the auto bailout. I urge my colleagues to reject this unconstitutional bill that will further the growth of government and damage the American economy. Instead, Congress should help the American auto industry, and all American business, by cutting taxes and regulations.

Mr. FRANK of Massachusetts. Mr. Speaker, I now yield 3 minutes to the dean of the House and a great expert over time on the auto industry, the gentleman from Michigan (Mr. DINGELL).

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Speaker, this is a bridge loan. Without this bridge, we are going to fall into the deepest calamity this country has seen since the Great Depression. I call on you to note that one in seven jobs in this country is in the auto industry. Put these companies into bankruptcy and you will bankrupt the entire industry, from the dealers to the suppliers to the small businessmen who depend upon this. That is how bad the situation is. All we ask is a chance to save the industry and to save the millions of Americans

who work there and who contribute to the growth of this country.

I saw the Depression. I know what happened: people standing on the corners without hope, somewhere around 33 percent of Americans without jobs. That is where we are going back to if we don't do something about this, and I don't want to hear any of my colleagues say, DINGELL, we didn't know what was going to happen. All we thought was if we put them into bankruptcy, everything would be fine.

Well, it won't. Bankruptcy will simply take down every dealer, every supplier and everybody who is in the auto industry, including the three major companies, and it will destroy the industrial base of the United States, what little remains.

I am here to tell you, this is too big a disaster for us to invite. Imagine a nation with double digit unemployment. That is what we are going to be talking about. And I ask you, how can you turn over $1.2 billion to the Wall Streeters who brought about this calamity when you do nothing?

Invest in America. Support this legislation, which has been brilliantly handled by the chairman of committee, to whom I express my praise and my gratitude for his leadership, and I thank our Speaker for what it is she has done in making this possible.

This bill is salvation. Vote against it and look forward to a terrible calamity. Vote for it and give hope to millions of Americans who desperately need it and who are now existing on the edge of both terror, want, deprivation and worry of the most gross sort.

If you want to see other industries collapse, if you want to see what is left of the housing industry die, if you want to see other industries in this country suffer and hurt, vote against this bill. That is what has happened.

I urge my colleagues, vote for this bill. It is hope. It is salvation for this country. It is the future of this country. Yes, it is going to cost more and we are going to have to do it. But, again, I remind you, invest in America. Invest in the future of your people. Invest in the future and the hopes and the dreams and the desires of Americans.

Without that, all I can say to you is a terrible disaster looms. Let us at all costs prevent that. Let us at all costs see to it that we protect the future, the hopes, the dreams of millions of hardworking Americans, without whom there is no hope for this country.

Mr. Speaker, we are in the midst of the worst financial crisis since the Great Depression. What is at stake today is nothing less than the livelihoods of millions of American workers. They are counting on us today to pass legislation that will give the domestic automakers the loans they need to survive this financial crisis. If we fail to act we will plunge this nation further into recession, add hundreds of thousands to the employment rolls in a matter of weeks, and deliver a crippling blow to the manufacturing sector from which it may never recover. As it stated on the cover of a special edition of the Detroit Free Press that was delivered to every Member's office, now is the time for us to "Invest in America."

The legislation we are voting on has been described as offering a "bridge loan" to the domestic automakers. It is important to recognize where this bridge will lead us, and the consequences that will befall our nation if we fail to act. General Motors, Ford, and Chrysler have made significant investments into new vehicle technologies, such as plug-in hybrids and electric vehicles. If we allow the automakers to continue to operate, and use the oversight authority provided for in this bill to guide them quickly towards the production of more fuel efficient vehicles, we can create the next generation of green manufacturing jobs here in this country. If the Big 3 fail we will have ceded these jobs to our competitors in China, South Korea, and Japan. These loans offer not just a bridge to solvency for the Big 3, but a bridge to a more vibrant and productive economy for all of us.

Protecting the economy was supposed to be the reason we acted to rescue Wall Street and save failing financial institutions. According to statistics released by the Board of Governors of the Federal Reserve System, more than $650 billion has been lent to financial institutions since the beginning of this financial crisis, and an additional $350 billion has been used to purchase private assets. This is in addition to the more than $200 billion in TARP funds that the Treasury Department has used to shore up financial institutions. It is unconscionable that approximately $1.2 trillion has now been sent to Wall Street, but there are those who would object to spending $15 billion to save 3 million blue collar jobs.

Before you cast your vote today, I would urge all of you to consider what this country would look like without a domestic automobile industry. Ask yourselves how many automobile dealerships or parts suppliers operate in your District, and how many of them will be forced to follow the Big 3 into bankruptcy. Imagine what a nation with double digit employment rates will look like, and what burden that will place on the states and on Federal Government. Ask yourselves why every other industrialized country is taking steps to provide support for their own automakers, and why they seem to place a higher value on good paying middle class jobs than we do. I urge my colleagues to consider these questions, and to support the legislation before us today.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to a dear friend, a great protector of our Constitution, one of the great champions of the taxpayer, the gentleman from Florida, (Mr. FEENEY).

Mr. FEENEY. Mr. Speaker, I thank my dear friend from Texas for yielding. It is an enormous challenge to follow a distinguished gentleman, the dean of the House from Michigan, who comes and asks us to invest in America. Indeed, all of us feel passionately about the investors and, more importantly, the workers, not just in Michigan, but around the country, that are currently dependent on the automobile industry in America.

But, as the gentleman from Michigan pleaded we ought to invest in America, the truth of the matter is the reason we are here tonight is that nobody in their right mind is willing to invest their own money in a failed and antiquated model. So they are asking Congress to confiscate money from taxpayers to make an investment.

That is what this is about. It is a short-term bailout so we can get until March so that much, much more money will be spent bailing out these failed and antiquated industries.

There are people in Florida hurting, not just in the automobile industry. We have got automobile dealers and salespeople and parts manufacturers. Our real estate industry is devastated, our time share industry, our theme park industry, our hotels and motels and restaurants.

But the truth of the matter is, micromanaging a business from Washington is the supreme act of hubris. It will never work. No matter how much the administration, no matter how much the Congress wants to do the right thing, they will hurt us.

110 years ago, the United States Congress probably felt bad for people that manufactured buggy whips and horse carriages. We could have bailed them out. We could have created a buggy whip and horse carriage czar. It would not have helped America move towards prosperity and freedom. And, unfortunately, this is a terrible idea that will punish taxpayers and just prolong the agony. I ask us to vote for freedom and free markets and reject this bailout.

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Mr. FRANK of Massachusetts. Mr. Speaker, I think we've gotten an imbalance of time here, so if it is all right with the gentleman from Texas, I would reserve and defer to him for another speaker or two to even out the time.

Mr. HENSARLING. Mr. Speaker, at this time I would yield 1 minute to the gentlewoman from Michigan (Mrs. MILLER.)

Mrs. MILLER of Michigan. Mr. Speaker, you know, after Hurricane Katrina devastated the Gulf Coast, this Congress passed well over $133 billion of assistance to that region, and we did so because Americans were hurting and they needed assistance. And we also did it because that region was vital to our energy industry that plays such a critical role in our national economy.

And I will also note that Americans, those taxpayers from my home State of Michigan and across this great Nation, contributed to that effort.

Now our industrial economy has been hit by a Category 5 economic hurricane brought on by the meltdown in the financial industry. And this has been a disaster which has hit my State hard, and people are hurting all across America. Credit is simply not available to enough consumers to keep the cash flow our automakers need and, because of this, millions of jobs across this Nation are at risk. And I cannot believe that this Congress will allow the backbone of our manufacturing and industrial sector to be swept away, because

I believe that most Members will agree that America cannot be a great Nation without a strong industrial base.

Think about the millions of Americans who are asking us to do the right thing, and support this vital legislation.

Mr. FRANK of Massachusetts. I would continue to reserve.

Mr. HENSARLING. Mr. Speaker, at this time I would like to yield 2 minutes to the gentleman from Georgia, the incoming chairman of the Republican Study Committee, Dr. PRICE.

Mr. PRICE of Georgia. Mr. Speaker, this is certainly a very serious time and a remarkably challenging issue. The good news is that there are positive solutions that are available.

We've been told that the bill before us tonight is a limited bill. I would ask my colleagues, compared to what?

There are many reasons that one might oppose this bill and support some positive, tried-and-true solutions, but I would suggest that the most important issue upon which to oppose this bill is on Page 15, under the authority of the car czar, which says that the President's designee, or the car czar, may prohibit the eligible automobile manufacturer which received the loan, from consummating any such proposed sale, investment, contract, commitment or other transaction. That means, Mr. Speaker, that one individual will have complete authority and power over three private American automobile manufacturers. That's a level of power in one individual, one bureaucrat, that is inconsistent, I would suggest, Mr. Speaker, with both American values and with American solutions.

Now, what's the solution? Well, it's a tried-and-true process that thousands of companies, large and small, are able to go through, a legal, a court-ordered, a court-approved reorganization and restructuring. It allows all stakeholders to come to the table and make concessions. It requires all stakeholders to come to the table and make concessions, and that's what's going to be necessary to allow our automobile manufacturers to get through this and come out on the other end vibrant and vital entities in the American marketplace.

Mr. Speaker, I urge my colleagues to oppose this and to support a positive, tried-and-true solution.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself 30 seconds to say that my friend from Georgia apparently doesn't trust the auto companies to know what's in their own interest. He says that the provision in our bill that gives the administrator the ability to cancel a decision, which we have in there as protection against money being sent overseas, is way too interventionist, and instead, they'd be better off with bankruptcy. That's a choice they will be free to make under this bill.

This bill doesn't force anybody to apply for the money. Any company that thinks the provisions of this bill are too burdensome and too interventionist retains the full authority to run to bankruptcy.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FRANK of Massachusetts. I will say this. I yield myself 15 seconds. They think bankruptcy is a lot less attractive than the gentleman from Georgia. But understand, he says, protect the companies from this intervention which keeps money from being sent overseas. Let them go bankrupt.

None of them want to make that choice, but if they do, this bill leaves them free to do it. It doesn't force them to take the money. They still have the joys of bankruptcy which the gentleman from Georgia explained to them.

I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I would like to enter into the RECORD an article from the Economic Policy Institute which says that the shutdown of one or more U.S. automakers could eliminate up to 3.3 million U.S. jobs.

[From the Economic Policy Institute, Dec. 3, 2008]

WHEN GIANTS FALL: SHUTDOWN OF ONE OR MORE U.S. AUTOMAKERS COULD ELIMINATE UP TO 3.3 MILLION U.S. JOBS

(By Robert E. Scott)

The U.S. motor vehicle industry is one of the largest, most complex and highly integrated sectors of the U.S. economy. The bankruptcy of one or more of the U.S. automakers and a collapse of the domestic auto assembly industry could eliminate up to 3.3 million U.S. jobs within the next year. The collapse of just one company, General Motors (GM), would lead to an estimated reduction of 900,000 jobs. Using the range of job-loss estimates, unemployment would rise by 3.0 to 8.9 percentage points in the nine hardest hit states in the United States. Jobs losses would be widespread throughout the U.S. economy. After the U.S. auto market recovers from the current historic recession the U.S. trade deficit could rise by at least $110 billion per year as imported vehicles displace domestic brands, increasing the deficit by 16% and putting additional downward pressure on the U.S. dollar and living standards.

In addition to its finding that a bankruptcy-related shutdown of the U.S. motor vehicle industry could cost up to 3.3 million U.S. jobs, this study finds:

The 900,000 to 3.3 million jobs lost nationwide would be distributed among all 50 states and the District of Columbia, with the biggest losers, in numeric terms: Michigan (112,500 to 407,300 jobs lost), California (84,500 to 305,900 jobs), Ohio (60,500 to 219,100 jobs), Texas (55,200 to 200,000), Illinois (42,800 to 154,900), Indiana (40,700 to 147,300), and New York (39,900 to 144,600) (Table 2a).

The hardest-hit states, as a share of total state employment, are: Michigan (up to 407,300 jobs, 8.9% of state employment), Indiana (up to 147,300 jobs, 5.0% of employment), Kentucky (up to 75,000 jobs, 4.2% of employment), Alabama (up to 76,100 jobs, 4.0% of employment), Tennessee (up to 106,400, 4.0% of employment), and Ohio (up to 219,100 jobs, 4.0% of employment) (Table 2b).

Between 113,900 and 412,600 jobs would be lost in the motor vehicle and parts industries alone. Other hard hit manufacturing sectors include fabricated metal products (up to 60,500 jobs lost), primary metals (up to 33,700 jobs lost), plastic and rubber products (up to 23,600 jobs lost), non-electrical machinery (up to 19,800 jobs lost) and computer and electronic parts (up to 16,800 jobs lost) (Table 4).

Service industries would also experience massive job losses including wholesale trade (up to 96,400 jobs lost), retail trade (up to 86,600 jobs lost), transportation (up to 69,6500 jobs lost), finance and insurance (up to 30,300 jobs lost), professional, scientific, and technical services (up to 76,300 jobs lost), and administrative support and temp help services (up to 55,300 jobs lost) (Table 4).

Jobs in the auto industry are some of the best paid in the economy, and when workers spend those wages they generate (on average) about 1.7 additional jobs for each job supported in the auto and related sectors. Thus, an auto industry shutdown would eliminate between 576,700 and 2.1 million ''respending'' jobs in the domestic economy (Table 4). These would constitute the bulk of the jobs displaced by an auto industry bankruptcy.

If the Big Three auto firms shut down, the U.S. trade deficit would rise by $109.3 billion, a significant (15.6%) increase in the U.S. goods and services trade deficit relative to 2007 levels. This increase would substantially exceed the combined U.S. goods trade deficit with Japan and South Korea in 2007 ($95.7 billion), which was second only to the U.S. deficit with China. Overall U.S. motor vehicle exports would fall by 61%, total imports would rise by 21%, and the U.S. auto trade deficit would rise from $123.5 billion to $232.8 billion (88%).

CONCLUSION

The bankruptcy of one or more U.S.-based automakers would lead to the shutdown of significant portions of the U.S. motor vehicle industry. This would, in turn, cause a wave of plant closures and bankruptcies throughout the manufacturing and services sectors of our economy. Under this scenario, as many as an estimated 3.3 million U.S. jobs would be eliminated, with thousands of jobs lost in every state. Massive increases in unemployment would result. But this would just be the first wave of consequences of an auto industry bankruptcy. Massive job loss and community disruption would result. Increased government payments and tax losses alone would exceed $150 billion in the first three years following bankruptcy of all three domestic auto companies, according to Code et al. (2008).

An airline-style (Chapter 11) bankruptcy re-organization is not an option for U.S.-based automakers. They have already extensively restructured product lines and labor contracts. Academic experts (Helper and MacDuffie 2008) and the industry itself have put forth restructuring plans that include independent oversight committees and regular performance benchmarking tied to future funding. These plans provide the foundation for a rebuilt, restructured domestic auto industry that is ready to compete and deliver good, sustainable U.S. jobs for the future. The alternative is simply too destructive to contemplate.

We have to understand that the implications of the failure of this legislation means that there are many industries across America that are going to be adversely affected, including tens of thousands of jobs in plastics, in rubber products, in primary metal, in fabricated metal products, in machinery, in computer and electronic products, in semiconductors, in wholesale trade and retail trade, in transportation, in finance and insurance, in professional,

scientific and technical services, in companies and enterprises, in administrative and support and waste management and remediation services.

We're not just talking about some small boutique industry here. We're talking about something that is vitally connected to the entire American economy.

Now, we may have agreement about the management of the automotive industry, but there shouldn't be any disagreement that the American workers make a good product when they are able to make their product.

We have to have confidence in our Nation. We have to have confidence in our ability to make things. We, as a Congress, should take a proprietary interest in the fact that America can make cars and that we can make steel and planes and that we can build ships. This is what made our country great. We cannot maintain any credibility in the world community if we see our automotive industry collapse. And steel will not be far behind.

Sixty-seven years ago, when this Nation was attacked, the ability to respond and defend America depended on the very industry which is facing this Congress today begging for help. But they're not begging for help for themselves. Think of millions of Americans who are watching our deliberations asking, do we have any sense about what the impact of the failure of this legislation would mean?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FRANK of Massachusetts. I yield the gentleman 30 seconds.

Mr. KUCINICH. We are expected to be able to see into the future. People elect us to be able to hold in our hands their lives, their jobs, their economic freedom. We cannot fail them in this moment. We cannot let this industry go bankrupt. We cannot let America descend to a second-rate power. We must be strong.

I will be introducing in the next Congress the National Industrial Manufacturing Act, which is going to say that steel, automotive, aerospace and shipping are deemed to be vital to our national defense. And we need a whole new direction. Let's start today by showing we can move towards economic recovery by saving our automotive industry.

Mr. HENSARLING. Mr. Speaker, at this time I am pleased to yield 2 minutes to the gentleman from Illinois (Mr. ROSKAM).

Mr. ROSKAM. Mr. Speaker, I want to applaud the gentleman from Ohio (Mr. KUCINICH) with his passion and his clarity really, but really want to urge a little bit of caution. And I think the reason for caution was on display today in the House Financial Services Committee on a different issue. We had some hearings on some oversight as it relates to the $700 billion bailout. And it was really, in my hearing, and during the time that I was there and watching on television also, it was really overwhelming to watch Members of Congress talking to members of the administration and almost talking past one another, you know, interpreting things differently, and I don't think that's what the legislation meant and so forth and so on. And so here we are $700 billion later, and administration and Capitol Hill talking past one another. And I think we're on the verge of doing that same thing here if we're not careful, because I represent a district, the western suburbs of Chicago, with a lot of auto supply manufacturers. But there's no guarantee that that money that we're contemplating tonight is going to get to the folks in my district. There's no guarantee that the type of pressure that has been put on the auto manufacturers is going to come to fruition and actually come up with something good.

What happened to the December 2 deadline? What happened to the December 2 moratorium by which there was going to be a new declaration and a new plan? And it has now been postponed now to the end of the first quarter.

So clearly, there is an urgency here to work. Clearly, there is an urgency to get something done. But heaven help us if we pass the same type of statute that was enacted with such urgency only 2 months ago.

Mr. FRANK of Massachusetts. I would reserve again. We have got an imbalance that we created.

Mr. HENSARLING. Mr. Speaker, may I inquire how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Texas has 17 minutes remaining. The gentleman from Massachusetts has 11½ minutes remaining.

Mr. HENSARLING. In that case, Mr. Speaker, I am happy to yield 2 minutes to the distinguished ranking member of the Energy and Commerce Committee, the gentleman from Texas (Mr. BARTON).

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, I rise in support of this legislation this evening. I think it's important that members of the Republican Party in the House be for Main Street and the workers of America as much as sometimes we are for Wall Street and the financiers of America.

I have the privilege to represent over 2,500 GM assembly workers and managers at the GM assembly plant in Arlington, Texas. They produce the highest quality products, SUV, hybrids, pickups in the world. They export a fair number of the products that they manufacture, and they manufacture over 200,000 vehicles on an annual basis every year.

It would be an absolute shame if we either force these companies into bankruptcy or watch them totally go out of business because they had the misfortune to be in a business cycle where gasoline was $4 a gallon and their product sale fell 40 percent on average in 1 year.

If I lost 40 percent of my votes in this last election in 2008, I would not be coming back as a Member-elect of the next Congress.

If we can give the AIGs and the Wells Fargos and the J.P. Morgans of the world, each of those individual companies, between 40 and $25 billion, in what amounts to some sort of a very unsecured loan, to be generous about it, certainly we can give the American nameplate automotive industry a $15 billion bridge loan that has a 5 percent interest rate for, I believe, the first 5 years and then a 9 percent interest rate after that; that has an automobile czar appointed by President Bush to oversee the industry, and force them to be accountable on any expenditure over $14 million.

I would ask for a ''yes'' vote on the bill.

Mr. FRANK of Massachusetts. I yield 1 minute to another long-time distinguished expert in the field, the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Speaker, not many people were here back in 1979 when this House and the Congress passed the loan guarantee for Chrysler. I was a cosponsor of that bill, and we made over $300 million on that loan. Before that vote, I was responsible for finding out how many congressional districts were affected by Chrysler. I spent hours on the phone looking at congressional district after congressional district. My research didn't yield many, if any, congressional districts that were not affected by the viability of Chrysler Corporation. Steel, aluminum, glass, plastic and computer chips are obvious components in today's cars.

□ 1900

But it goes beyond that, Mr. Speaker. My Republican colleague at the time, Congressman Jim Broyhill of North Carolina, asked me one day, ''Kildee, when are you people of Michigan getting back to work?''

I said, ''Jim, why do you ask?''

He said, ''Because my constituents in the carpet fiber manufacturing industry are suffering.''

This goes beyond the automobile industry. It touches all of America. What America drives drives America.

Mr. HENSARLING. Mr. Speaker, at this time, I'm happy to yield 1 minute to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Speaker, nobody here in this institution wants to see the auto industry go belly up. Some of us simply believe that the best way to ensure the long-term viability of the auto industry is to allow them to go into bankruptcy where they can reorganize in a way that will make them viable in the long term.

This legislation simply represents the fatal conceit, the notion that we in this institution can outguess the millions of decisions by independent actors in the marketplace. We simply

can't. We know that. Yet think about it. This legislation appoints a car czar. That sounds like the guy in East Germany in the 1970s who came up with the infamous Trabant, or Trabbie, which is the European version of the Edsel. How in the world can anybody in this institution or elsewhere in government outguess the marketplace? We simply can't.

Mr. Speaker, let's allow this industry to go into bankruptcy and to reorganize in a way that they will be viable in the long term.

Mr. FRANK of Massachusetts. Mr. Speaker, I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, may I inquire how much time remains on both sides.

The SPEAKER pro tempore. The gentleman from Texas has 14 minutes remaining. The gentleman from Massachusetts has 10½ minutes remaining.

Mr. HENSARLING. Mr. Speaker, at this time, I am happy to yield 1½ minutes to the distinguished ranking member of the Armed Services Committee, the gentleman from California (Mr. HUNTER).

Mr. HUNTER. Mr. Speaker, I am reminded that in World War II and at Willow Run, Michigan, I believe, Ford Motor Company made a bomber every 60 minutes for this country. Chrysler made tens of thousands of tanks. General Motors developed engines for practically every type of war machine that we utilized.

I would ask my colleagues to look at the need for this vote, after we have the vote and in the ensuing months, to move into the real requirement that is before the American people, and that is this: Right now, we have a non-level playing field around the world. We agreed to a GAT agreement many years ago after World War II in which we agreed to allow other nations to subsidize their auto industries by rebating their taxes, their VAT taxes, and by charging that same tax to American cars coming into their countries.

That means that a $10,000 car coming out of Japan receives a rebate from the Government of Japan to that car company for $1,500 if they'll do one thing—sell the car in America. When the American car comes to Japan, it receives a tax of $1,500 at the border for the American car to be sold. That's why, of the 132 trading nations moving beyond the auto industry, the United States has a deficit, a trade deficit, with practically every country in the world, including those with higher labor rates than the United States. So, as we apportion these jobs—this burden—for industry and for labor, there is also a job for government.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FRANK of Massachusetts. I yield the gentleman an additional 30 seconds.

Mr. HUNTER. That job for us is a job of leveling the playing field and of reforming our trade policies so that free trade moves in both directions. Right now, we have trade that is free in only one direction, and that is for products coming into the United States.

I thank my colleagues, and I thank the gentleman.

Mr. FRANK of Massachusetts. Mr. Speaker, I will take 30 seconds to say that my friend from Arizona says how can we assume that one bureaucrat would know more than the marketplace. Well, it's not harder to do that than to assume that one bankruptcy trustee would know more than the marketplace. Bankruptcy is a suspension of the marketplace. I am puzzled by this double standard here. Let's leave it to the market by appointing a bankruptcy trustee—a total abnegation of the concept of the market—and the appointment of a lawyer who is less likely, it seems to me, to have the expertise than the whole Bush administration might be able to find in industrial matters.

I yield 1 minute to the long-suffering and extremely patient gentleman from Missouri (Mr. CLAY).

(Mr. CLAY asked and was given permission to revise and extend his remarks.)

Mr. CLAY. Let me say that I stand in support of the bridge loans to the automobile companies. I speak today for workers. An overwhelming majority of my constituents in the First District support the bridge loans also. They, like me, do not want to see the Big 3 go bankrupt. This would not be good for our economy at this time in our history.

If these companies are to go into bankruptcy, it would mean that hundreds of smaller companies and suppliers would go into bankruptcy or would be economically crippled. Millions of Americans have stock in these auto companies, and I need not lecture on the further risk to their investments that this would cause. The state of the economy has already done enough damage to their investments, to pension fund investments and to the investments of business and of organizations of all kinds. The auto companies and the unions have agreements that will bring them in line with Toyota's by 2012. Cut labor costs and industry costs.

I urge the passage of the bill.

Mr. Speaker, I stand today in support of the bridge loans to the automobile companies. I speak today for workers. An overwhelming majority of my constitutents in the 1st Congressional District of the State of Missouri, support the bridge loans also. They, like me, do not see bankruptcy of the "Big 3" as a positive for workers or the economy at this time in history.

Mr. Speaker, if these companies are to go into bankruptcy, it would mean that hundreds of smaller companies, the suppliers, would go into bankruptcy or be economically crippled.

Small businesses employ more workers in the United States than all other employers combined. The failing of the big three auto makers would put approximately 300,000 jobs at risk in the auto industry. The associated industries, that supply and contract with the auto makers, would then have in excess of 3 million workers at risk.

If the auto makers are to go into bankruptcy, the warranties on your cars are at risk. This could result in families, already cash strapped, having to pay repairs out of pocket expenses that were not a part of their budgets and perhaps that requires shifting money from another necessity to pay for the repairs.

Millions of Americans have stock in these auto companies. I need not lecture on the further risks to their investments this would cause. The state of the economy has already done enough damage to their investments, pension fund investments, and the investments of businesses and organizations of all kinds.

The auto companies and the unions have agreements that will bring them in line with Toyotas' by 2012. They continue to work together to cut labor costs and industry costs to insure the economic stability of the auto industry.

I also understand that there are other credible arguments to the contrary, but I can't agree that this is the time to consider them. Our economy is too fragile to risk this kind of hit at this time in the country's economic history.

We have used the tarp money to bail out banks and investment houses and to insure that select securities are properly backed. I voted against this approach in previous votes. I believe that we need to concentrate more on putting money in the hands of consumers through the creation of jobs and the maintaining of jobs that do exist. This legislation directly targets the workers. We do not need to have an economy with healthy institutions and securities and consumers with no money to purchase goods or invest.

I am speaking to both parties on the floor. We won't solve these economic problems confronting us working for separate results. And I do know that no Member of this floor wants to see this economy crash. I do understand that we have some differences of opinion in the methods that Government has to employ to inject life into the economy. We can work on them after the first of the year. Roll up your sleeves and come back in January ready to find the best solutions.

Join me in supporting this package today. This is only a stopgap measure, but a necessary one. We cannot afford the risk of the alternatives.

Mr. HENSARLING. Mr. Speaker, at this time, I yield myself 3 minutes.

No one in this Chamber wants to see the Big 3 automakers fail. No one. The loss of these automakers would be a tragic circumstance for our economy. There is no doubt. Mr. Speaker, I ask the question that I asked of the chairman of the Big 3 automakers, and that is:

Name me three industries that are not hurting in this economy that could not be helped, sustained and made more profitable by the infusion of $15 billion?

Stone cold silence at the witness table.

Mr. Speaker, everyone in every industry is hurting in this economy. Why the automakers? Why not the airlines?

Why not the home builders? Why not the restaurants and the hotels? They do not have a monopoly on economic misery. If our purpose here today is to preserve jobs, I'm wondering why the money is not destined for the small businesses of America.

This year, a half a million small businesses that are employing an average of 10 workers will fail. Small business is the job engine of America, not just the small businesses that may be attached to the automakers in the industry but all small businesses.

Jacksonville Industries in my district in Jacksonville, Texas. Kenneth Framing in Athens, Texas. Now, I suspect nobody in this Chamber has heard the names of those businesses, but we've all heard the names of the Big 3 automakers, and we know that they've had the ability to spend $50 million to lobby this Congress this year. I don't deny them their first amendment opportunities to petition the Congress for the redress of their grievances.

But, Mr. Speaker, are they getting the money and small business isn't getting the money merely because we have not heard the names of the small businesses and because they're working hard to put food on their tables to sustain their families and because they don't have $50 million to spend on lobbying expenses?

I think there must be a better way. Indeed, it would be one thing if we knew for a fact that this money somehow would solve the problem, but we don't. Independent analysts in the auto industry tell us, if demand does not pick up for the domestic auto industry, $15 billion, $35 billion, $75 billion, and $105 billion will not solve the problem. It will not solve the problem.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HENSARLING. Mr. Speaker, I yield myself an additional minute.

Everybody agrees that the auto industry needs to reorganize, but the question that is before this body is: Is it going to reorganize at the risk of investors or is it going to reorganize at the risk of the poor, beleaguered taxpayer? Is it going to take voluntary capital from investors at risk or involuntary capital from taxpayers that is placed at risk?

The taxpayer can take no more. We are seeing the largest nominal deficit in the history of our Nation. The unfunded obligations of the average American family are over $400,000. Bailout mania has had thousands of dollars of obligations to them. We want the Big 3 to survive, but they've got to get down their labor costs. They've got to convince the American consumer that their products are worthy of their investment. They must reorganize, but another bailout at the taxpayer expense is not the answer, particularly when small business does not enjoy the same benefit.

This bill should be voted down.

Mr. FRANK of Massachusetts. I yield 1 minute to a member of the committee, to the Chair of the Subcommittee on Financial Institutions and Consumer Credit, the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. I thank the gentleman for yielding and for his leadership in bringing this important legislation to the body tonight.

I rise in strong support of the bridge loan of $15 billion to three of the largest manufacturers in America.

In response to my good friend on the other side of the aisle, if you're concerned about saving small businesses, there are literally thousands of small businesses that are associated with the auto industry in our country.

I would like to put in the RECORD a report that my office and I worked on that shows the ripple effect of the loss of these jobs in America. Over 3 million jobs are either directly or indirectly associated with the auto industry—one in seven manufacturing jobs, many small businesses, the auto dealers, the suppliers. This is a major employer in America.

Last month, we lost over 533,000 jobs. Unemployment is at 6.7 percent. If this industry fails, the unemployment rate will jump to, roughly, 8.3 percent. Our fragile economy is in a crisis. We can not afford to lose these jobs. Other countries support their auto industries. We should, too.

THE RIPPLE EFFECT: WHY FAILURE OF THE BIG 3 IS NOT AN OPTION

THE AUTO INDUSTRY EMPLOYS ONE IN TEN MANUFACTURING JOBS

The domestic vehicle manufacturing industry, including the numerous companies that manufacture parts and technologies to supply American automakers, represents over 10 percent of the nation's manufacturing employment. A major contraction or collapse of the domestic auto industry could have multiple adverse affects on the economy, especially by driving up unemployment. Serious jobs losses in the industry would also have negative spillover effects for the manufacturers that supply everything from tires to cutting edge advanced technology such as advanced batteries for hybrid vehicles. These spillover effects would harm future innovation in the United States broadly, not just in the auto sector. Finally, over 10 percent of U.S. exports are motor vehicles or parts, and an additional 39 percent of exports are from capital goods sectors such as industrial machinery that depend in part on supplying domestic automakers. For this reason, a major failure of U.S. automakers will have an immediate and severe negative effect on our trade deficit, and will make any future progress on improving our trade balance far more difficult.

APPROXIMATELY 2 MILLION WORKERS BUILD OR SELL VEHICLES MADE BY THE DETROIT THREE

Chart I shows a breakdown of the estimated employment that depends directly on the Detroit Three, based on data from the Department of Commerce. The production supply chain alone relies on almost 1.5 million workers, far more than the quarter million workers who are directly employed by the automakers. This is because most of the workers who produce a car work for outside suppliers who manufacture vehicle parts and components. In addition, vehicle parts suppliers must themselves draw on producers of other supplies and services, ranging from steel to machine tools. The Commerce Department's Bureau of Economic Analysis estimates that each job in auto assembly and parts production directly supports 2.4 additional jobs in the economy through its supply chain purchases.

Once the car is produced, it is sold and serviced through auto dealerships that employ over a million workers, approximately half of which sell Detroit Three cars. In total, almost two million workers are directly employed in the production and sale of Detroit vehicles. Only 12 percent of these jobs are in the Detroit automakers themselves, but all of them could potentially be threatened by an automaker shutdown.

MULTIPLE STUDIES ESTIMATE JOB LOSSES OF 2.5 MILLION OR MORE FROM A MAJOR AUTOMAKER CONTRACTION

The two million workers connected to the Detroit Three indirectly support many other jobs. Job loss among auto workers would reduce spending in their communities, leading to further job losses in retail and other sectors. At a time of general recession, the job and consumer expenditure losses created by a major auto industry contraction will not be made up from other sources.

The exact number of jobs supported by this spending is difficult to estimate. However, it is clear that numerous additional jobs would be at risk. Three separate studies—from Mark Zandi of the economic analysis firm Moody's Economy.com, the Center for Automotive Research, and the Economic Policy Institute—have estimated that a major disruption to the auto industry would lead to job losses of at least 2.5 million and possibly as much as 3 million jobs. This implies that a major contraction or collapse of the domestic auto industry could singlehandedly drive the unemployment rate from its current level of 6.7 percent to 8.3 percent, even as job losses in other sectors continue.

THE CURRENT FINANCIAL AUTOMAKER CRISIS IS EXACERBATED BY THE CREDIT CRISIS

The magnitude of these losses were driven by the combination of a massive spike in crude oil and gasoline prices during 2006–07, followed by the credit crisis and recession that has begun over the past year. The credit crisis has led to a sharp cutoff in financing for auto loans, and the general impact of the recession has led to record drops in consumer spending. Chart 2 shows the combination of these two factors has devastated North American vehicle sales for all manufacturers. Total vehicle sales in November 2008 were down 37 percent from one year ago. Once recovery has begun from the credit crisis and the recession, it is likely that automaker earnings and sales will begin to show a recovery as well.

AMERICAN AUTOMAKERS HAVE ALREADY MADE MAJOR PROGRESS ON NEEDED RESTRUCTURING

In 1990, MIT researchers estimated that Toyota and other Japanese ''lean manufacturers'' were twice as efficient as the U.S. ''Big Three'', and could manufacture a car in one-half the time required by American firms. Today, the most recent data finds that U.S. manufacturers have ''nearly erased the productivity deficit against their Japanese-based competitors.'' General Motors has increased its productivity 15 consecutive years, and now requires 32.3 hours to manufacture a car, as opposed to 30.7 hours for industry leader Toyota—a productivity gap of only about 5 percent. Chrysler has now tied Toyota in productivity.

GM and other Detroit manufacturers have also made major recent investments in improving fuel efficiency, to avoid a repeat of sales declines associated with rising gas prices. General Motor's 2008 model line has more vehicles with 30 or more miles per gallon than any other manufacturer, and the

company plans the introduction of 16 new hybrid vehicles by 2010.

AUTO WORKER PAY AND BENEFITS HAVE ALREADY BEEN SLASHED TO COMPETITIVE LEVELS

A major reason for cost difference between Detroit and Japanese automakers is that U.S. firms must assume additional pension and retiree health costs not faced by foreign manufacturers. However, in 2005 and 2007 the United Auto Workers (UAW) made major concessions in pay and benefits. The new contract slashed starting salaries at auto plants by 50 percent, to about $14 per hour. Current UAW workers also sacrificed all wage increases from 2006 through the end of the contract in 2011. Most important of all, the new contract established a health care trust fund that cut retiree pension and health benefits significantly. For example, the new contract will cut GM's total legacy pension and health benefits from $7 billion to approximately $1 billion beginning in 2010, and cuts Ford's legacy-related costs from $16 to $3 per current labor hour.

The frequently cited figure that UAW autoworkers make over $70 per hour is inaccurate, and is based on representing the full fixed costs of retiree health and benefits as part of labor costs for the current, much smaller auto-maker workforce. In fact, the most highly paid UAW worker at a Detroit Three automaker, a skilled trades worker with seniority, earns about $33 per hour. The new labor agreement cuts full labor costs, including all current and legacy benefit costs, to $53 per hour for U.S. automakers, as compared to $49 per hour at non-unionized Honda and Toyota assembly plants.

STANDARD BANKRUPTCY IS NOT A VIABLE SOLUTION FOR TROUBLED AUTOMAKERS

Companies in bankruptcy restructuring are dependent on external financing to continue operation. In the current credit crisis, it is highly unlikely that private sector external financing will be forthcoming for GM or other auto-makers that enter bankruptcy. Without private sector financing, a standard Chapter 11 process could quickly result in a movement to Chapter 7 liquidation, potentially resulting in the large-scale job losses outlined above.

It is also important to note that the bankruptcy process is designed to pay off creditors, not to protect the public interest. During the bankruptcy process, firm management would be unable to undertake major new initiatives to improve technology, fuel efficiency, or productivity, since their attention would be engaged by legal conflicts over finances. Finally, consumers are unlikely to purchase automobiles from a bankrupt manufacturer, due to concerns over warranties and service.

A CONDITIONAL BRIDGE LOAN FROM THE FEDERAL GOVERNMENT IS THE RIGHT STEP

The American auto industry is under tremendous financial pressure from a unique set of economic circumstances. If one or more auto manufacturers go out of business at this time, then the total costs to society will be far greater than the loan that has been requested from government. The study by the Center for Automotive Research found that a 50 percent contraction in Detroit automaker employment would cause government to lose $50 billion in the first year and $108 billion over three years due to combined declines in tax receipts and increases in transfer payments.

Bridge financing would be crucial in helping these companies past the current credit and economic crisis, until recent improvements in productivity and fuel efficiency pay off. Any bridge financing should be accompanied by strict oversight and conditions for investment in continued progress in improving efficiency, as well as further stakeholder concessions.

Mr. HENSARLING. Mr. Speaker, may I again inquire as to how much time is remaining on both sides, please.

The SPEAKER pro tempore. The gentleman from Texas has 8½ minutes remaining. The gentleman from Massachusetts has 7½ minutes remaining.

Mr. HENSARLING. Mr. Speaker, we are prepared to close. I would like to inquire of the distinguished chairman of the Financial Services Committee: I don't know if the gentleman has other speakers.

Mr. FRANK of Massachusetts. Well, I am personally prepared to close. I would not be allowed to, so I have several more speakers.

Mr. HENSARLING. In that case, Mr. Speaker, I would like to reserve the balance of my time.

Mr. FRANK of Massachusetts. I now yield 2 minutes to the gentleman from Michigan, who has been, as I can personally testify, the most ardent advocate in responding to this automobile crisis, Mr. LEVIN.

Mr. LEVIN. Thank you very much, Mr. FRANK, for your being a pillar of commitment and of intelligence.

I want to ask a question, but before I do that, I just want to say: We hear from the minority that they don't want the domestic industry to collapse, but then they give all of the reasons why they'll do nothing to help it from collapsing. They talk about the power, as Mr. FRANK has said, of someone appointed by the President, and give it to a trustee who is accountable to no one. Well, a person appointed by the President is accountable to the President of the United States.

To Mr. FRANK, our distinguished chairman: Is the savings clause in the subordination provision of the legislation intended to apply to unfunded committed credit facilities of an automobile manufacturer in effect on December 2, 2008?

Mr. FRANK of Massachusetts. If the gentleman would yield, the answer is, yes, that clause does apply. We would want an automobile manufacturer to be able to use any of its existing unfunded credit facilities as a source of liquidity. So we clearly intend for the savings clause in the subordination provision of the legislation to cover unfunded committed credit facilities in effect as of December 2.

Mr. FRANK of Massachusetts. Let me inquire of the gentleman: Does he have only one speaker remaining?

Mr. HENSARLING. Mr. Speaker, we have one speaker remaining, so we would reserve at this time.

Mr. FRANK of Massachusetts. Then I yield 1 minute to the gentleman from Maryland, the majority leader.

Mr. HOYER. In this time of economic crisis—as America is challenged, as economists tell us that we are facing the worst recession since the Great Depression—I want to say to BARNEY FRANK, the chairman of the Financial Services Committee, that nobody has worked harder over the last 12 months with Secretary Paulson, Ben Bernanke, CHRIS DODD, SPENCER BACHUS, and with others in the Senate and in the House to try to address this issue in a responsible, effective way.

□ 1915

There is nobody in this body, Republican or Democrat, who wants to see this economy go down further. There is nobody in this body, Republican or Democrat, who wants to see people losing jobs. There is nobody in this body who wants to see the 401(k) plans of our senior citizens who are relying on those plans for their retirement to have it eroded by further reduction in its value.

Lyndon Johnson once said, ''It's not difficult to do the right thing. It's difficult to know what the right thing is.'' And that is, of course, what this debate is about, what is the right thing.

I think it would be a fair statement that there will be really nobody who votes on this bill who will say this is absolutely right or this is absolutely wrong. There will be many of us who will vote, however, in a belief that this is a further effort to try to staunch the extraordinarily rapid fall that this economy has seen over the last 12 months.

This bill is designed to give the automakers the time and space they need to become a competitive job-creating industry once again. Why? Because we need them. We need their industrial capacity; we need them, frankly, psychologically; and we need them in terms of the employment they give, the profits they make, and the quality of product they provide.

It is designed, this bill, to do so while protecting taxpayer dollars. Does it do so absolutely? No, it does not. But it has made very substantial efforts to put us in the best position possible. Reconciling the goals of saving these companies for the welfare of our country and protecting our taxpayers has taken long negotiations and compromise on both sides, but I'm convinced we've come to a sound solution.

These rescue loans are necessary—not to reward bad decision making in Detroit, but to protect 3 million American jobs, 3 million livelihoods, 3 million families who depend on the automakers; not only their direct employees, but the workers, their suppliers, the small businesses—as the gentleman from Texas referenced—that serve those workers and entire communities.

Are we really willing to put those workers at risk in this deep recession? 533,000 jobs lost this year last month, 533,000 last month. Let me give you a comparison. During the last year of the last administration in 2000, we gained over 1½ million jobs. This year, we've lost over 1½ million jobs. That's a 3 million job turnaround in the two 8-year interfacing periods.

That's why people in America are hurting. We cannot take the risk of

having a million-month lost jobs. We're not willing to put those workers at risk in this deep recession.

As John Judis put it recently in the New Republic, without public loans, ''the industry will disappear the way the American television manufacturing industry disappeared. American workers and engineers will lose their ability to compete in a major durable goods industry.'' We cannot afford to have that happen.

The gentleman from Texas said that we don't want that to happen. The gentleman from Massachusetts says we don't want that to happen. We are trying to figure out how we ensure the objective that both of those gentlemen believe is appropriate.

That is the motive behind the $15 billion in emergency bridge loans for the car companies. But it is equally important to ensure that those loans lead to real reform to ensure that we do not find ourselves right back in this same emergency in just a few months' time. All 435 agree that that is not an objective or a result we want to see.

Congress has insisted that the automakers develop detailed plans for long-term viability. I'm pleased that we were able to work with the administration. It has been criticized, but the administration and the President, others in the administration with whom I have talked, believe that making sure that this industry has the ability to continue is critical to the welfare of this Nation—not just to this industry but of this Nation.

The viability plans that we are requiring were presented to Congress on December 2, and we've examined them in detail. Now, this bill will hold the automakers to their promises. They will be accountable to Congress and the administration as well as an administration-appointed ''car czar'' who will oversee the efforts of the industry and its stakeholders to cut costs, restructure debt, and renegotiate labor contracts. They will not be running the car companies, as they should not be, but they will be overseeing and ensuring that the car companies carry out the promises that they have made to us and to the taxpayers.

Just like any other lender, the Federal Government is insisting that the recipients of its loans be on a plausible path to profitability. If the automakers stick to their plans for viability, more assistance, of course, may be possible. But if the administration-appointed official finds that they have not made adequate progress on restructuring by March 31, the loans will be called, and the automakers will be a step closer to bankruptcy.

The automakers and most of the people with whom I've talked, liberal economists, conservative economists, Republicans and Democrats, believe that bankruptcy is not the option. There are some who believe that's the option, but most I have talked to do not.

This bill, of course, also includes safeguards for the taxpayers, as I said. It lets the American people profit if and when the value of the car companies recovers, as surely all of us hope it will. And it guarantees that taxpayer money will not fund lavish executive bonuses or golden parachutes.

Mr. Speaker, if we act today, we can seize the chance for an American auto industry that is leaner, greener, and once more competitive.

But ladies and gentlemen of this House, if we do nothing, we face the risk that sometime soon there will be no American auto industry. That will not be good for our national security, it will not be good for our economic security, it will not be good for the psychology of our country.

So Mr. Speaker, I urge us, as I urged before when we acted to try to free up credit to prop up the financial industries—so critical to the success of every industry, of every consumer, of every household—to act not as Democrats, not as Republicans. I believe this will be a bipartisan bill. There will be Republicans who vote for this bill and Democrats who will vote for this bill.

The administration has worked hard with us. We've worked hard with them to come to agreement. There may be some items that are still not in agreement. But the overwhelming objective of this bill and the result of this bill is agreed to between the administration and ourselves.

This bill has the power to protect innumerable American jobs, and its strong safeguards will ensure that we are authorizing anything but a bridge loan to nowhere.

Mr. Speaker, I rise on behalf of this legislation, and in closing, again thank BARNEY FRANK, SPENCER BACHUS, and all of the others in the House on both sides, proponents and opponents, who have worked on this bill conscientiously to try to respond to a crisis that confronts our country and that the American public is asking us to help them solve to make their lives better, to bring our country back.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. Thank you, Mr. Chairman.

And to my friends, Mr. HENSARLING and Dr. PRICE from the Financial Services Committee, you raise some legitimate points. But I think three questions have to be asked, and if they're answered in the affirmative, then I think we must go forward and pass this bill.

First, do you believe that the domestic auto industry is essential to America, whether it's for jobs or national security? I think the answer is ''yes.'' But that doesn't answer the whole question.

The second two questions are, are you throwing good money after bad, or can you restructure these companies so that they can be competitive and succeed going forward? I think the answer is ''yes.'' We've received reorganization/restructuring plans from them that show really an ability to compete and to bring technology that leapfrogs Japanese technologies and other technologies into the future for our companies. So we can restructure these companies.

And the third, can we protect the advances, the loans, that are made by the United States to these companies for the next hundred days? And the answer is ''yes.'' And in fact, we've gone about as far as we can go within the bounds of the Constitution and say that such loans shall be senior and prior to all obligations, liabilities, and debts of the automobile manufacturers, and we will take all available security and collateral.

So we've done those three things. Is it essential? Yes. Can they be restructured? Yes. Have we secured the taxpayer? Yes.

So we are making a loan for 100 days until a reorganization plan is approved by the President's designee. If in fact during that time there is no reorganization plan or one that is not viable, that designee can call the loan.

So this is a step for 100 days to protect an industry that is essential to this country. I've thought about this a lot. We have done what we can to limit executive pay, to stop dividends or distributions during the period of the loans.

So we are taking steps to protect taxpayers for an industry that is essential to this country, and we will see over the next 100 days whether they can be restructured.

Mr. FRANK of Massachusetts. Mr. Speaker, I will now speak, and I will have one speaker after that. So when I'm through, it will be the turn of the gentleman from Texas to do his closing because I'm retaining one speaker after myself.

I yield myself 1½ minutes.

Here is the dichotomy: Bankruptcy versus a piece of legislation which says to the administration—the incoming and outgoing—you do what you hope to accomplish in bankruptcy but with more flexibility, with a greater pool of people to call on.

We've heard mocked the notion that either this administration or the next would have within its ranks expertise in economics and industrial organization, and we're told, ''No, no. That doesn't work. Find a bankruptcy trustee.'' I think they get the worst part of that argument if they listen to it.

Beyond that, we have consumer marketing issues. The three companies are convinced—and almost every expert I talked to agrees with them—if they declare formal bankruptcy, their ability to sell cars is damaged. People buying cars want to know they will have a continuing relationship with an entity that will service the cars and make parts for the cars.

So this continuing longer term relationship makes bankruptcy far more of a problem for them than for an airline where your contingency was just to buy one seat and nothing further.

But again, the greatest illogic is to argue that somehow in the bankruptcy courts with a bankruptcy trustee, we were going to tie it to the lawyers. You get a far greater degree of expertise than either one of the two Presidential administrations could find within its ranks of economists and engineers and others. Therefore, we believe that our solution is the preferred one.

Mr. BACHUS. Mr. Speaker, it is my pleasure to yield the balance of our time to the distinguished gentleman from Michigan (Mr. MCCOTTER).

□ 1930

Mr. MCCOTTER. I come from Michigan. I was born in Detroit. Wherever you go in the world, people know two things about Detroit. They know we make cars and they know we make music, Motown. And so when we find ourselves in difficult situations, it is not unusual for us to refer to music to help keep our lucidity and our balance to come through the tough times.

As I listen to the debate on the auto industry, in many ways I'm reminded of Bob Seger's song where he says: To the IRS I'm another file. I'm just a statistic on a sheet. I feel like a number. I'm not a number. I'm a man.

We've heard a lot of talk about the policy undergirding this bill. There are good arguments on both sides, but I live with the people who will be affected by it. There have been those who have said bankruptcy is an option. Many people have said bankruptcy is a preferred option. I suppose bankruptcy is an option for those who it is not an option for. Why? Because those who like bankruptcy should first impose bankruptcy upon themselves and to see how their family feels when their future has been foreclosed, when they have no job, when they have no hope, when they believe that they have been forgotten because they are a number.

We can talk about the small businesses. We have small businesses in Michigan, and they rely on manufacturing jobs in the auto industry to stay in business, because the ripple effect is not a ripple effect. It is a tsunami effect. For one manufacturing job, you will lose 7 to 10 others, and we in Michigan have felt this pain. Oh, we have felt this pain, and we have seen the cost of the restructuring that so many here seem oblivious to.

But again, we're numbers, I guess, in Michigan. We're statistics. We're involved in systems. We've been devoid of souls evidently at least by the opinion-makers and looters that have now watched the restructuring that so many of us on both sides of the aisle have watched for years.

But we're from Michigan. We did not complain. We kept our nose to the grindstone. We gritted our teeth. We suffered and endured. We endured as businesses closed, as white collar and blue collar jobs were lost. We endured as retirees worried about what would happen to their hard-earned lifetime of benefits, those legacy costs so many are so willing to shave, our senior citizens' lifetimes of hard work. They played by the rules, which bankruptcy would change.

We've heard a lot about the quality gap. We have heard a lot about the cost. I guess we should make less to be like everybody else. It's not a very attractive option for real people, but if you're a number, if you're a statistic on a sheet, this makes perfect sense. It's very logical. It's very logical unless you start to worry about the person behind the statistic, the person who will get to look amongst their Christmas cards for a layoff notice, the ones who have already had an anxious Thanksgiving as we performed our due diligence upon the executives and President Gettelfinger of the UAW and had them come in and testify.

We asked them how they got here. We asked them why they were in a restructuring now, again, as if the last several years had never happened. And I think they were productive meetings in the end. It brought us here to a bill that we believe can protect taxpayers and can help an industry that has been restructuring continue to survive.

And if a bridge loan is passed, will we be happy in Detroit? Will we be happy in manufacturing throughout America? No. And it's not because it's not the money we wanted. It's because we know a painful restructuring will continue if this bridge loan is approved.

You see, to me, this is not abstract. My son Neal, my oldest son, turned 14, he looked at me and said, hey, Dad, I know what I want to be when I grow up. I said, well, as long as it is not a Congressman, I'm okay with that, whatever it is. And he looked at me, and he said I want to be an automotive engineer. And because of the restructuring in the auto industry, because of the pain that we've had and because of the reality that our children leave us for better climates economically and otherwise, I didn't have the heart to tell my son that the likelihood of him achieving his dream of being an automotive engineer would be foreclosed to him.

And there are so many other children that grow up loving cars, who want to have that experience, and it's not just the children. It is the parents, the parents who work in the industry, white collar, blue collar, and my Republican friends, it is not just the white collar we must worry about.

I have a very interesting experience when I talk to people on my side of the aisle about UAW and their concessions. Give credit where credit is due. They've been a partner with the big three in making painful concessions. I hope one thing yet will suffice.

I once spent a freezing winter morning in front of the glass house at the Ford Company corporate headquarters in Dearborn. All those employees, those UAW members that people say don't want to work, come to work and don't want to perform, don't care about their quality of performance, I will tell you what. They stood out in 0-degree temperatures to keep the Wixom plant in my district open. That's how badly they wanted to work. That's how much they cared about the production of those cars. That's how much they loved their families.

For those who think we've not been restructuring, the Wixom plant was closed as part of a Ford Motor Company restructuring. How many more people that want to work will be precluded because we did not give them the opportunity?

We hear that the auto industry has brought it on itself. Well, that's what Washington does. Washington makes bad decisions and blames the victim. And we're not going through the painful litany of how Washington has not been as helpful as it could be, but let us suffice to say that throughout the entire restructuring process that we have endured and know will continue, we did not come here with our hand out, did we?

We did not ask the Federal Government to take over all the health care of the employees. We did not ask the Federal Government to keep the Wixom plant open. We did not ask the Federal Government to do anything but leave us alone while we continued our painful restructuring and gritted our teeth and kept our nose to the grindstone.

And now, circumstances outside of our control have led us to the point where we have to be here or there will be no domestic auto industry in the United States, and there will be no manufacturing base in the United States, and this at a time when it has been pointed out the taxpayers that work in the auto industry are watching the people at AIG talk about $4 million per person bonuses after they have been bailed out to the tune of roughly $40 billion in this last round of their dollars. But then again, when you're a statistic, when you're a number, those things don't really matter for the people who have to make the decisions.

We come here to make decisions as best we can in public policy, but the overriding goal is to serve the people that those policies affect, and in my mind, the failure of sound policies here at least gives us the chance to give these people to survive, to keep a manufacturing sector in place in the United States, and to let these working families continue to endure and grit their teeth and keep their nose to the grindstone and work and hope for the best. Because if we do not, we will be confirming that they are statistics, they are numbers, that they are worthy of bankruptcy because that's what makes economic sense, if not moral and societal sense.

And to close, I remember very well coming home after the Thanksgiving break after we had the auto industry in, and I was driving past the Jefferson plant.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mrs. MCCARTHY of New York. Mr. Speaker, for the remainder of the time,

I am honored to announce that Speaker PELOSI will close.

Ms. PELOSI. I thank the gentlelady for yielding.

I rise in support of this important legislation and commend Chairman FRANK for his persistence in bringing a very focused, disciplined bill to the floor and thank Mr. BACHUS for his leadership as well.

As Speaker of the House, I am pleased to rise to quote another Speaker of the House, Sam Rayburn, a legend in our country, certainly in this Congress. He served here with great distinction, as many of us know from the history books and some of us saw as students, and he said the following. He said: When I was a child, I lived way out in the country. I'd sit on the fence on Sundays and wish to God that somebody would ride by on a horse or drive by on a buggy, just anything to relieve my loneliness. Loneliness, he said, consumes people. That's why I'm so glad to see that today farmers have cars. And he goes on to say what that progress meant in the life of developing a sense of community.

Since the days when the Model Ts first rolled off Henry Ford's assembly line owning a car has been part of the American dream. I know when I was young and when the new models would come out it was a very festive occasion. It has been for a long time. I just haven't kept up with all the cars. But today, the American automotive industry is imperiled due not only to recession and a credit freeze, but because it has been on the wrong track for long-term competitiveness and job creation.

Today, we are considering legislation not as life support to sustain a dying industry but a jump start for an industry that is essential to our country's economies, economic health. One in 10 American jobs is linked to the domestic auto industry, and it is a key pillar in an American sector critical to our national security and economic competitiveness for decades to come.

This legislation is about offering Detroit, and America, a chance to get back on track. This legislation is important. It is built on four principles, and actually it comes down to a question of tough love, tough love for an industry whose success is essential to our economic success, whose jobs are important to our workforce, whose innovation is essential to our progress, and whose manufacturing and technological and industrial base is also essential to our national security.

There are four principles in the bill. First, when we ask taxpayers to put up money to fund this restructuring, we must have accountability to the American people. The President will designate a car czar to oversee the industry's restructuring. The taxpayers get a return on their investment or are first in line to be repaid. I thank Mr. FRANK for insisting on that provision. No golden parachutes, bonuses, or corporate jets for executives. And the Government Accountability Office and the TARP, that's the Troubled Assets Relief Program, Inspector General will provide independent oversight to protect our investment. Accountability for the taxpayer.

Second, there must be shared sacrifice. Everybody, every party to the auto sector must be present at the table. Mr. MCCOTTER rightfully referenced the United Auto Workers making concessions, but they shouldn't be the only ones making concessions. I've called it a barbershop: When one person gets a haircut, everyone must get a haircut. That means those who are shareholders, those who are bondholders must have a cramdown on what return they get on the dollar. Suppliers have to understand the realities of what the market is for these cars. Dealers have to be treated with the respect that all of these elements deserve but with the reality of what the real marketplace is and what the market for the cars are. The auto workers have made concessions already. Perhaps they must be expedited, perhaps they must do more, but everything must be a shared sacrifice, and if one element is going to make the sacrifice, they shouldn't be asked to do so unless everyone shares in that. And the executive suite, the management of the companies, they must be part of that sacrifice as well, and I referenced that in the accountability section.

Third, the auto makers must restructure or repay. The companies must restructure to achieve viability, international competitiveness, and they must do this with fuel efficiency and reduced emissions.

And this is important for our colleagues who do not support this bill because we share many views. This has to be a tough standard because otherwise we're just putting out money for more of the same, but that is not what this legislation is about nor should it be. If they do not, the car czar can require immediate repayment of a loan if the company has not made adequate progress by February 15 to develop a long-term restructuring plan. The company will get no more Federal assistance if it fails to submit an acceptable final restructuring plan by March 31.

The list again, accountability, shared sacrifice, restructuring, and fourth and finally, there must be a commitment to innovation and efficiency.

□ 1945

Green is gold. Green is gold. Making a commitment to innovation and fuel economy and better emission standards makes the automotive industry in our country more competitive. People will want to buy their cars.

The legislation calls for maintaining a half billion dollars of the innovation funding set aside to help the industry retool to build advanced technology vehicles that greatly improve efficiency and reduce carbon emissions, and replenishing the remainder of the innovation funds in a matter of weeks.

Now, let me just say this. I have objected strenuously to using the green funds, the so-called 136 funds, because their purpose in our energy bill last year was very specific. It was for advanced, innovative manufacturing technology. In other words, it was for the retooling and making sure that companies had funds for them to research, develop, and benefit from that funding. The administration insisted that money be used instead for this restructuring period of time. I reluctantly agreed only with the idea that the money would be replenished, because without their advanced manufacturing technology, we are not going to have the progress necessary to compete internationally and domestically, for that matter. And most of that is about the environment. It's about the greening of the automotive industry.

I know the automotive industry can do it. Do you know, my colleagues, that in Europe this year the car that took first place in the ratings there was a GM Opel, a GM Opel, a General Motors Opel? Second place went to Ford Fiesta. Over 100 points behind them was Volkswagen. So these are General Motors- and Ford-made cars. Ranking just 1 point behind was Ford, 100 points or more behind was Volkswagen. These are American company-made cars in Europe that they have not chosen to sell in America.

Something is wrong with this picture. We know that in Latin America the flex-fuel cars for years have been sold. They were American-made cars, made by American manufacturers. Millions of them. But the industry chose not to advance them here because they made more money off of SUVs and the executive compensation and bonuses were tied to SUVs. Something is very wrong with this picture.

So what we are saying here is let everybody come to the table. Everybody get a haircut. Everybody has got to get a trim, maybe a big trim. Only then can we restructure this so that we have a competitive industry looking to the future, as Sam Rayburn looked to the future when he was so excited about seeing cars for the first time, bringing the American people together, American cars that have always been part of the American Dream.

So I'm optimistic because I see us with two choices: One is the automotive industry is on the brink, and some are advocating bankruptcy. Some of the people advocating bankruptcy will make money off that bankruptcy. But that takes us down to a deep pit that over a long period of time is detrimental to our economy, harmful to our workers, and certainly does not make us more competitive internationally.

Instead we have listened to what the companies have had to say. We said you're not going to see any money until we see the plan. We've seen the plan. It was better than what we saw before. Much more needs to be done. This affords a period of time with half of what they asked for. But we want to see performance, we want to see milestones by certain dates that they are

making this progress. And we want to see a change in mentality in the executive suite in Detroit.

What a great community, what a great State, Detroit and Michigan. They have been part, again, of the manufacturing part of the American Dream. We want to throw a lifeline for success. We do not intend to afford life support so that we just have to revisit this issue again at the same status quo.

So if you're upset with how the Big Three executives have operated, if you're upset about the fact that we are not competitive internationally, if you're upset that the taxpayer dollar has to be used to be committed to this, you should be very pleased with what this legislation does because it captures your frustration with it all. It sets us on a new path to viability, and it is a test, and we will soon see in a matter of weeks if the executive suites in Detroit are willing to make the choices. Certainly there needs to be retooling of the plants. Certainly there has to be renegotiating of the contracts. There may have to be reconsideration of the management of these companies if they cannot live up to the standard of this legislation and prove themselves worthy of the taxpayers' dollar that is being placed there.

So I think that on both sides of this issue we have a great deal of common ground. I just happen to come down on the side of giving a chance, this one more chance, to this great industry, optimistic by March 31 that we will all celebrate the new path that we are going down, but certainly ready, certainly ready to admit if that does not happen because unless it is absolutely clear in the minds of the people that we are talking about, the executives, the shareholders, the bondholders, the suppliers, the dealers, all of whom I respect, and the workers, who are a very high priority for us, unless it is clear to them that concessions and serious concessions must be made or else the alternative is almost unthinkable, they will not make the necessary concessions in some cases.

I salute the United Auto Workers for stepping up to the plate, for being the model, for leading the way to say we respect this industry, we want to advance it, and we are willing to take the lead in making those concessions.

So this is an important day in the life of America when the Congress speaking for the people, who are rightfully unhappy about all of this money going to companies that are supposed to be in the free market and be competitive, but nonetheless understanding what is at risk for all of us. As keepers of the taxpayers' trust here, if bankruptcy were to occur, the additional cost in unemployment insurance and food stamps and the safety net and the revenue foregone in our tax situation, locally, State, and nationally, would exact much more of a toll than the amount of money that we would be putting forth here.

So again I salute Mr. FRANK for his leadership.

And may I say that at the end of the day yesterday, the legislation that you have before us is the legislation that we conceded on several points to agree to the White House language. This is bipartisan in its nature, and it is the legislation that we said we would go forward with in a bipartisan way that the President would sign. Others have made other changes, adjustments, whatever it is. They say on the Senate side they need this and that. But we operate in good faith. We agree to concessions. And we would hope that the White House would keep its word that it gave us last night about this legislation and encourage the Senate to follow suit and the President can sign the bill so the message will be clear to the markets and to the American people, to the workers and to all concerned with this great industry that we want to share in that sacrifice as well and we stand willing to do it by voting ''yes'' on this important legislation.

Mr. UDALL of New Mexico. Madam Speaker, with all of the rhetoric about today's loan package, it is easy to lose track of the decision we have to make. We can, as some have suggested, decide to let two of America's largest businesses go bankrupt in the coming months. If that happens, more than 2 million workers will likely lose their jobs. Communities across this country will be devastated. According to estimates, New Mexico alone stands to lose roughly 10,000 jobs. New Mexicans who ask nothing more than to work hard and provide for their families will be forced to put their dreams on hold.

Or, we can pass this bill.

Nobody disagrees that the auto industry has made mistakes. Car company CEOs have been reckless and short-sighted. While Japanese companies were rushing to produce hybrids, American companies were suing states like New Mexico to stop energy efficiency standards. While other companies were investing in the cars of the future, Big Three executives were trying desperately to turn back the clock. They refused to anticipate rising energy prices. Today, their irresponsibility threatens their companies, their employees and millions of American workers.

But we should not punish 3.3 million American workers and their families for the errors of a few executives. Yes, car company CEOs have been reckless and short-sighted. But that ends today. If this proposal passes, American car companies will trade in their Hummers for hybrids. And in the process, they will build an industry ready to compete in the 21st Century. But all these changes will not be possible unless we act now.

Unlike TARP, which I opposed, this plan tells executives that if they do not change, they will not survive. If the auto industry does not have an acceptable viability plan in three and a half months, they will not see another dime of taxpayer money. Whatever money they have received will have to be repaid immediately.

Today's vote does not spend one additional taxpayer dollar. We have already approved $25 billion to help the American auto industry build energy efficient cars. I supported that because it was necessary to force Detroit to modernize. Today's legislation simply provides some of that money right now to make sure that there is an American auto industry to modernize. More importantly, this bill provides increased oversight to ensure that taxpayer dollars help American workers and drivers, not stockholders or executives. It mandates that our money will not be spent on executive salaries, dividends or corporate jets. It institutes unprecedented controls to protect the people's money from misuse. Most importantly, it ensures that Detroit can no longer continue with business as usual.

Madam Speaker, we face great economic challenges, some of the most difficult in decades. Job reports last week showed half a million jobs lost in November alone. This is not a perfect bill; it is just the best we could get from this president. But given the current climate, we cannot afford to risk another 3 million jobs by refusing to act. That is why today I will be voting yes.

Thank you, Madam Speaker.

Mr. BLUMENAUER. Mr. Speaker, I voted to support H.R. 7321, the Auto Industry Financing and Restructuring Act, having determined that it was the best compromise given the current circumstances. I supported the restructuring because it meets the standards that I used in voting on previous bailout proposals. First, this is a relatively small sum compared to the trillions that have been devoted to stabilizing the financial industry. Second, the taxpayer is protected by the smaller sums and stricter controls employed in these loans. Finally, unlike the financial services industry, this legislation offers a lifeline to people making a real product.

Unfortunately, that real product is not of the nature and quality that Americans need and demand. The auto industry leadership is ultimately responsible for their failure. New management should be put into place, along with a new direction. It is paramount that Congress takes this opportunity to move the domestic auto industry towards greater environmental sustainability. Providing resources and direction to the automakers to accelerate the development of fuel efficient vehicles and other environmental technologies will improve the position of those companies to meet future market demands.

There is no doubt that a serious change in direction and downsizing is necessary. There will be significant management and labor concessions. This proposal will allow the United States to see the automakers' survival is possible. If the industry cannot follow through on their promises to rebuild and restructure, it is very unlikely that I will be supportive of subsequent efforts. This is their chance to demonstrate that they can and will make significant changes in a new and better direction.

Finally, I am pleased that the legislation includes a provision that protects transit agencies from the consequences of the collapse of insurer American International Group Inc. (AIG), which guaranteed many lease agreements that transit agencies entered into to pay for buses, trains and other equipment in the 1990s. During a year of record ridership, our transit agencies need these resources. For example, the transit provider in my district, Tri-Met, is reporting a 5.47 percent year to date growth in ridership—a substantial figure for such a mature transit agency. Without this provision, Tri-Met could face the loss of $200 million in FTA-approved financing.

Mr. STARK. Mr. Speaker, I rise today in opposition to yet another taxpayer funded bailout

of an industry that has been poorly managed for years. I voted no when Wall Street came asking for their handout in September and I will vote no to bailing out corporations that have refused to evolve and build products that people want to buy.

The automakers are in trouble because they have been mismanaged. For years they built gas-guzzlers, stifled innovation, and lobbied against reasonable environmental and safety standards. Even when credit was flowing freely, Americans weren't buying Detroit's products.

Workers are not to blame—they have already accepted deep wage and benefit cuts. If there was anything in this bill that provided protection for those workers, then I might think differently. What I see, however, is a repeat of the September bailout scenario; a large commitment of taxpayer money with very little explanation of how these funds will address the significant problems of the industry. Indeed, the CEOs tell us that the $15 billion will ''get them through January.'' And then what?

If you want to see quality cars being made by unionized workers, go to my district. At the NUMMI plant in Fremont, UAW-organized workers build cars, such as Corollas, that people want to buy. This plant is a joint venture between GM and Toyota and has made a profit for both companies. They are not here asking for a bailout.

Let's not repeat the mistakes of three months ago by throwing good money after bad.

Mr. CONYERS. Mr. Speaker, for reasons enumerated elsewhere, I strongly support this bill. It is essential that Congress take this prudent step to provide a short-term bridge loan to help preserve a viable domestic auto industry, and its far-reaching contributions to the overall long-term health of our economy, while appropriately safeguarding the interests of American taxpayers.

The bill we are considering today contains a provision creating a limited antitrust exemption for certain consultations in which a U.S. automaker may be asked to engage with its employees, dealers, suppliers, and other creditors for the purpose of reaching agreement on a restructuring plan for the automaker under the bill. As Chairman of the Judiciary Committee, I would like to emphasize a few points regarding that provision.

The antitrust laws are the fundamental legal protector of our free market system—the Supreme Court has aptly referred to them as the Magna Carta of the free enterprise system. Exemptions from the antitrust laws can be very harmful and destructive of the basic economic freedom we cherish as Americans.

For that reason, any proposed antitrust exemption should be very carefully considered as to its need. And even if a need can be clearly demonstrated, the exemption should be carefully focused and of limited duration.

In keeping with those considerations, this exemption is temporary and very focused. It is designed to give greater assurance to the various ''interested parties''—the employees, retirees, dealers, suppliers, shareholders, and creditors of a U.S. automaker covered by this bill, listed in section 6(a)(1)(B)—who will be consulting and negotiating with the automaker in an effort to reach agreement on a long-term restructuring plan for the automaker pursuant to the bill.

Some of these interested parties are reportedly uncertain as to how their participation in these consultations might raise issues under the antitrust laws. With the urgent need to move quickly on this legislation, it has not been possible to sit down with them and understand the precise nature of their concerns. Based on similar concerns that are raised from time to time in various quarters, the concerns may well be misplaced, reflecting a lack of understanding about the antitrust laws, which prohibit only conduct that harms competition, permitting the wide range of conduct that does not harm competition.

While these concerns may be misplaced, however, they appear to be genuine and held in good faith, and could therefore have the effect of discouraging the kinds of participation that is needed from all interested parties in order to enable the restructuring plans to succeed. To help avert this risk, this antitrust exemption has been carefully crafted to provide sufficient reassurance and guidance to interested parties, while avoiding the risk of shielding truly anticompetitive conduct from effective antitrust enforcement.

First, the limited exemption covers only the discussions, consultations, and meetings among an eligible auto manufacturer and its own interested parties. It does not cover joint activity among two or more automakers, which could create more risk of harm to competition. It also does not cover action taking place outside those discussions, consultations, and meetings.

Second, the limited exemption fully preserves the authority of the Federal antitrust agencies to bring enforcement action for injunctive relief to stop anticompetitive conduct should it occur. Merger enforcement authority is also preserved.

Similarly, the so-called ''per se'' offenses, such as price fixing, market allocation, and boycott, remain fully subject to antitrust enforcement. These are not kinds of conduct that someone innocently stumbles into. They are intentional schemes to subvert competition, and can be extremely harmful to the free market system and the economy.

Third, in the event that the discussions, consultations, and meetings continue for an extended period, the exemption sunsets after 3 years. In all likelihood, the exemption will quickly prove unnecessary. If not, and if the negotiations are still ongoing as the end of the 3-year period approaches, Congress can always consider extending the sunset if the exemption is truly warranted. The sunset is consistent with the recommendation of the Antitrust Modernization Commission that any antitrust exemption should be temporary.

Finally, in order to encourage whatever further guidance may be appropriate, the provision requires that, to the extent practicable, the Federal antitrust enforcement agencies be given reasonable advance notice of any discussion, consultation, or meeting covered by the provision, and the opportunity to participate.

As carefully crafted, this provision should provide whatever guidance and reassurance the interested parties may need that their good-faith efforts to cooperate in achieving the bill's important objectives for this important bedrock American industry will not inadvertently create antitrust problems, while at the same time taking appropriate care not to inadvertently immunize truly anticompetitive conduct that could severely harm the long-term health of this industry, the many economic sectors it touches, and the American economy itself.

Mr. HOLT. Mr. Speaker, I rise today in support of the Auto Industry Financing and Restructuring Act (H.R. 7321), emergency legislation to authorize and appropriate funding to temporarily stabilize the American automobile industry.

The automobile industry provides one of the few manufacturing bases left in the United States, and approximately 3.3 million jobs in the Nation are either directly or indirectly dependent upon it. According to the Economic Policy Institute, New Jersey stands to lose 17,900 jobs if General Motors fails, and 65,000 jobs if the auto industry collapses—and an industry-wide collapse is the likely result if even one of the big-three auto makers fails. As we stand on the precipice, already facing an unemployment rate more than 6 percent, we cannot afford to stand by and watch as millions more in America join the ranks of the unemployed. It is well within the realm of possibility—some experts argue it is virtually a certainty—that allowing even one of our major auto makers to fail would send the country into a depression.

The United States is facing a virtual ''perfect storm'' with respect to the many sectors of its economy that are simultaneously in distress. One of the most damaging outcomes of this economic crisis has been that credit markets are frozen. In fact, despite the infusion of billions in funding intended to stabilize the financial services markets under the Emergency Economic Stabilization Act, EESA, enacted in October, credit markets still have not improved as of the closing days of 2008. Instead, stable banks that have received those Capital Purchase Program, CPP, funds under the EESA have tended either to retain the funds to improve their own stability or use the funds to purchase other struggling financial services entities. Had Troubled Asset Relief Program, TARP, funds under the EESA been used for the purpose the Treasury Secretary originally demanded them for—to purchase troubled assets or implement other mechanisms through which those assets could be liquidated and thus free up the credit markets—perhaps things would be different.

Under the EESA, the U.S. Comptroller General is required to report every 60 days on TARP implementation, and in its first report released last week, the GAO stated that ''Treasury has yet to address a number of critical issues, including determining how it will ensure that CPP is achieving its intended goals.'' I am not convinced that the CPP is achieving its goals, or even that the CPP program will be more effective than using TARP funds or other creative mechanisms to liquidate TARP assets would have been. In addition, the Treasury Secretary and the Bush administration have refused to use even a tiny fraction—less than 5 percent—of the TARP funds to stabilize the auto industry until the CPP has the impact of freeing up credit markets, which could then meet the auto industry's need for financing. Therefore, our major auto makers have come to Washington to ask the taxpayers for a loan.

Some commentators, and indeed some of my constituents, have argued that Congress should simply let the automakers go bankrupt. But the likelihood that that could deepen our current recession is too great, and the persons who would be punished by congressional inaction are not the ones who created the crisis,

but rather the millions of people whose jobs depend on the auto industry.

Therefore, we must support the auto industry. I am pleased to see that the measure before us will provide taxpayers with an equity stake in the underlying companies, prohibit the payment of dividends to shareholders during the life of the loans, and prohibit golden parachutes and payment of bonuses to the top 25 most highly paid employees at each company. In addition, it establishes both a ''Car Czar'' to hold the companies accountable for developing and implementing sustainable restructuring plans, and oversight authority by the Government Accountability Office and the Special Inspector General overseeing the TARP rescue funds.

But my own personal request to the automakers is that they look deep inside and unearth the roots of the problems that—independently of both the current financial crisis and the legacy costs that they have faced that other manufacturers have not—have caused them to lag behind their competitors overseas. It is important for us all to remember that it was General Motors that established the Saturn Corporation more than two decades ago, with the goal of creating a manufacturing plant from scratch to build small cars of superior quality and value, combining what was then the most advanced technology with the newest and most efficient and environmentally responsible approaches to management. Indeed, within a decade, Saturn achieved those goals by producing a car that J.D. Power & Associates ranked behind only the Lexus and the Infiniti, luxury cars produced by Toyota and Nissan overseas, for customer satisfaction in 1992.

And it was General Motors, again, that developed the EV1 electronic car more than one decade ago, in response to California's then-zero-emissions requirement. The EV1 was a sleek, fast, powerful vehicle than ran on an overnight charge in the garage, and it was the much-beloved means of transportation for numerous well-known Hollywood celebrities. And yet, within a decade, the EV1 had all but disappeared from the roads and most of them—as graphically depicted in the documentary ''Who Killed the Electric Car''—were actually destroyed. If we don't understand all of the reasons why the success of GM's Saturn venture waned, or why the GM EV1 was all but wiped from the earth, we will never relaunch a sustainable auto mobile industry in this country.

But we are here today because the United States remains in the throws of a financial crisis, and it is incumbent upon the government to act. Although I regret that already-authorized TARP funds are not being used for this purpose, and that the plan before us will in part cannibalizing the very funds authorized to facilitate the efforts of the automakers to develop more fuel-efficient vehicles, I will stand firmly behind our auto industry under the conditions the leadership have negotiated, rather than let it fail and disappear. I look forward to working with the new administration to craft a more sustainable, fiscally responsible solution to this problem in the coming months.

Mr. CARNAHAN. Mr. Speaker, I rise today in favor of taking tough but absolutely necessary action to help save thousands of jobs that affect every State in our Union including my home State of Missouri. Our country is experiencing a crisis and the problems facing automakers must be fixed to help stabilize our entire economy.

Missouri has the second-highest number, along with Ohio, of automobile plants in the Nation just after Michigan, but the truth is this problem is much larger than the Big Three. A failure of the auto manufacturing industry not only directly affects the dealerships, partsmakers, those with existing car warranties, it also puts thousands upon thousands out of work—3.3 million nationwide after direct and indirect hits are factored. Our country is already facing historically high unemployment. We cannot afford to let our manufacturing industry fail; we cannot afford to lose 3.3 million more American jobs.

Missouri has already been hit hard by auto manufacturing line closures in addition to layoffs crossing all sectors of the economy. The ramifications of doing nothing would be detrimental to our Nation's already crippling economy. In my home State of Missouri, thousands of jobs are on the verge of being permanently lost. The auto industry's roots in our State's economy are far reaching. This is a necessary investment for America's future.

Realizing that as soon as next year, or even sooner, we could lose General Motors, Chrysler, and Ford is a main street dilemma that requires immediate attention and action by Congress. Without action, we are putting our Nations' economic and national security at risk. Make no mistake, the loss of the American automobile industry, will cripple communities throughout Missouri and throughout our Nation.

There have been decades of foot dragging to produce smaller more fuel-efficient vehicles right here in the U.S. while U.S. subsidiaries are producing and selling these vehicles overseas with huge success. It's time for the American people have the same opportunity to purchase these vehicles. Everyone understands that was a huge mistake and we must do everything possible to correct it.

In the past, loans to the industry have actually paid off for the American taxpayer, and this bill does everything possible to ensure this will happen again. This bill institutes safeguards to protect taxpayer dollars and promotes future financial and economic success for our country. If the automakers do not present a feasible restructuring plan to get back on the right track early next year they will be cut off.

I want to make one point clear to the auto industry: loans given to them by the American people should be used to invest in America's interests. I don't want to hear about taxpayer dollars being used to build plants overseas. We are facing record-high unemployment. We must do everything we can to put people back to work.

Besides the plant jobs, the auto part jobs, and the service industry jobs that are intertwined with their manufacturing, will be the shuttering of businesses that rely on the employment of tens of thousands in my home State alone, more than 3 million nationwide.

Bankruptcy of one or more of the Big Three poses a huge risk. Mere questions of warranty and availability of parts, could trigger the collapse of manufacturing causing deep rooted problems that affect everyone.

American innovation and engineering may be close to delivering the most energy efficient cars the world has ever known and the United States desperately needs. American innovation has been, is, and must continue to be the world's leader.

While it is evident that the Big Three have made mistakes, it's important to note that market share is not down, and overall car sales worldwide are down across the board. Other countries continue to augment their manufacturers. For years foreign manufacturers have not had to absorb escalating healthcare costs. Ironically, in the U.S. many of these foreign manufacturers enjoy a variety of tax credits and tax liability waivers.

I have met and consulted with a wide-range of Missouri stakeholders including the Big Three, suppliers, UAW members, and auto dealers. All of the stakeholders are going to have to make concessions to put together a sustainable plan for the future. It's important that everyone come together for the greater good. Everyone loses if our auto industry goes bankrupt.

This comprehensive legislation will help the struggling U.S. auto industry in the short term, while protecting millions of American jobs and taxpayers. The limited loans of $14 billion are intended to help the struggling automakers survive while they prepare plans to restructure their companies to build more competitive, fuel-efficient, and technologically advanced vehicles.

This country should not give up on our automotive industry. If the auto industry doesn't make real progress by early next year we can and should reevaluate leadership and if need be demand the repayment of loans sooner rather than later.

It's important to recognize that this problem is just one piece to a complicated economic mess. We must get the auto industry back on their feet and we must get credit in the hands of the American people so that they can receive the loans necessary to purchase the next generation of American ingenuity.

I'm hopeful Americans will again prove to the world that we can overcome competing interests and rally together for the common good.

Mrs. BACHMANN. Mr. Speaker, today Congress is about to embark upon another corporate bailout—this time for Detroit's Big Three automakers—without any assurances to the taxpayers that it won't be back for more. In fact, from all news reports, while this bailout comes with a starting price of $15 billion, Congressional leadership negotiating the deal fully expects that this is just the beginning and that taxpayers will be hit up again in the new year.

Though the already-passed $700-billion Wall Street bailout has had little to no success, Congress is about to go down this same road again. And, it appears that it does so with few qualms about the impact of its actions on hard-pressed taxpayers.

We hear promises of strict oversight and accountability measures—but who does the Congress think it's kidding?

Already two nonpartisan, independent panels have lambasted Treasury for its execution of the current bailout scheme. The Government Accountability Office's (GAO) scathing report about the Federal Government's poor oversight says it all in the title: Additional Actions Needed to Better Ensure Integrity, Accountability, and Transparency.

Why should taxpayers expect the government's oversight of this bailout be any different?

Unfortunately, the Democrat-led Congress has chosen to blindly oblige Big Labor at

every turn, regardless of whether it's in the best interest of taxpayers.

They have dismissed consideration of alternative proposals that could truly restructure these companies over the long-term and help them rein in costs.

They don't want Ford, GM and Chrysler to reorganize under the protection of the bankruptcy courts, even if it would save them without a taxpayer bailout, because it means that they would actually make structural changes and renegotiate labor contracts without the threat of outside lawsuits.

The Democrats have already spent more than a trillion dollars in bailouts this year—why not a few billion more?

Mr. Speaker, the hardworking men and women in America did not sign up for this.

They did not turn over their hard-earned money to Uncle Sam just so Congress can dole it out to unaccountable companies that made poor business decisions for years.

Throwing taxpayer money at Detroit's spiraling problems will not fix their long-term management and productivity troubles and they will only be back for more time and time again.

Congress should not look the other way and put the taxpayers, and their children and grandchildren, on the hook for billions more in unaccountable spending.

Mr. ETHERIDGE. Mr. Speaker, I rise in support of H.R. 7321, Auto Industry Financing and Restructuring Act.

The automobile industry is one of the most critical manufacturers and job providers in the country and in North Carolina. Automobiles account for $690 billion, or about twenty percent of all retail sales in the United States. Over 4.5 million jobs in the United States depend on these 3 companies, and my State of North Carolina would stand to lose over 95,000 jobs with an auto industry shutdown. There are over 692 new-vehicle dealerships in North Carolina as well as hundreds of auto parts suppliers. These dealerships are often economic hubs of many of our small towns. The fallout of such a shutdown would be felt throughout all sectors of our economy and on almost every main street in America.

H.R. 7321 would provide the necessary financial assistance to keep our largest automobile manufacturers in business. Today's spiraling economy has been particularly devastating for the 3 largest automakers in the United States. Car sales are slumping sharply in the face of recession and the stagnant credit market has paralyzed these companies in the middle of their restructuring efforts. It has also left dealers unable to help finance most of their customers and move automobiles off of the lot.

H.R. 7321 would allow the President to designate one or more officers in the Executive Branch to oversee approximately $14 billion in bridge loans or lines of credit to the requesting companies. H.R. 7321 includes many taxpayer protections to help ensure that the government is repaid, including providing for stock in the company equal to 20 percent of the loan amount, and giving the government "super seniority" designation of the loans to ensure that the taxpayer is first in line to be repaid by the companies. In addition, the bill forbids bonuses or incentives for the 25 most highly paid employees in each company, and strictly prohibits "golden parachutes" during the life of these bridge loans. Furthermore, the President's designee will have a strong oversight role. The designee must establish appropriate measures to assess the restructuring plans, and evaluate the progress of each auto manufacturer within 45 days in order for loans to be approved. In order to qualify for any bridge loan, the auto company will have to submit a plan to achieve long-term viability, international competitiveness, energy efficiency, and plans for repayment of the government loan.

It is crucial that our Nation's leading automakers continue to restructure in order to meet the demands of a changing market, and to become healthier companies that can help lead American manufacturing in the future. Such healthier companies can continue to provide an economic engine to our Nation and provide innovations that can drive future growth.

I regret that these bridge loans are necessary, but today we can ill afford to risk the loss of more jobs and further damage to the economic base that our cities and small towns depend on in North Carolina and across the country. I support H.R. 7321, Auto Industry Financing and Restructuring Act, and I urge my colleagues to join me in voting for its passage.

Mr. HALL of New York. Mr. Speaker, I rise today to express my disappointment that the House has once again been forced to consider legislation to rescue some of America's most important and renowned companies. I regret the need to cast this vote, but I believe voting for this legislation is the better choice.

Congress cannot allow the Big Three automakers to go out of business. They are too important to our economy and our national security. In my district alone there are more than 3,000 jobs directly dependent on the auto industry, accounting for salaries of more than $150 million annually. The industry is a significant contributor to the tax base of New York State, which is already facing severe financial turmoil.

Beyond its economic importance, maintaining a successful domestic automobile industry is vital for the long term interests of the United States. There are certain industries which we must maintain domestically for national security reasons. During World War II, the automobile industry led the way in the conversion to a war economy by altering their manufacturing plants to make armored vehicles and tanks instead of cars and trucks. Few companies still maintain that capacity, and so for that reason alone we cannot let the industry fail.

We need to help the auto industry, but I do not believe we should be giving a blank check to anyone. That is why I appreciate the work this Congress has done to make the legislation tolerable. This is not a give away. We are voting on a loan which I expect to be paid back, and paid back with interest. It has protections for the taxpayers. As long as the loan remains outstanding, no dividends can be paid, no executive bonuses or golden parachutes can be issued and the government will receive warrants for equity value equivalent to part of the value of the loan. In addition, this loan takes legal priority over every other debt and obligation the companies face.

I am disappointed about provisions that this bill does not contain. I recognize that the presidentially appointed overseer will have a great deal of power to force specific changes in the way our Nation's auto industry does business, but I would have preferred to see many of these changes specifically tied to the loans by this legislation. For example, in their presentations last week, the CEOs of General Motors, Ford and Chrysler claimed that with these loans they will be able to meet and even exceed the increased CAFE standards Congress finally mandated last year. I believe that they should be required to do so by the legislation. It is critical that, over the coming months, Congress exercises the necessary oversight to make sure that the Big Three keep their word.

I would have liked to see clear goals that required a set percentage of products produced by the auto companies to be high-efficiency vehicles. I would have liked to see a commitment from the automakers to make hybrid technology options more prevalent and available more often. I would like to see more substantial investment made into research and development for new, greener, energy-efficient technology. Perhaps most importantly, I would have liked to see a guarantee of true reform, starting from the top, in how these companies do business and the kinds of cars they produce and sell. Taxpayer-supported companies cannot be allowed to continue the sort of ill-advised business decisions the industry has been making the last few years.

Mr. Speaker, I hope that today will be the first step towards the beginning of a new era for U.S. automakers. Congress is doing what we must, stepping in and saving the manufacturers, but we are not doing so without a commitment for genuine and long lasting reform on their part.

Mr. HARE. Mr. Speaker, I rise in support of H.R. 7321, the Auto Industry Financing and Restructuring Act.

Our country is mired in the worst economic crisis since the Great Depression. We have been in recession for well over a year. Manufacturing activity and vehicle sales are at a 26-year low. Unemployment is at a staggering 6.7 percent. Over half a million jobs were lost in November alone. Since the Bush Administration took over in January of 2001, unemployment has risen by 71 percent.

The domestic automobile industry and its blue collar workforce have been especially hard hit by this current economic crisis. Over the last several weeks, I've heard a lot of blame being passed around for the situation our car companies find themselves in. I agree with those who say the Big Three have been too rigid in their opposition to building more fuel efficient cars. I believe strongly, as many Americans do, that the Bush Administration and Congress have not done enough to create and protect American jobs. But it is not the auto executives or politicians who are suffering. It's the hard working UAW members who spend every day on an assembly line to support their family. They are the victims of corporate greed, bad business models, and government indifference. They are the reason we are here today, months after Congress adjourned for the year.

The consequences of a collapse of the domestic auto industry would be catastrophic for working families. Recession would spiral into depression. Millions of jobs would be lost. It is something we must prevent.

The bill before us gives $15 billion in conditional loans to the auto industry to help them survive over the next few months. During that time, they will be required to achieve viability, international competitiveness, fuel efficiency,

and reduced emissions. The bill gives the President the authority to appoint a ''car czar'' who will be responsible for ensuring these conditions are met. If the car czar determines that the companies have not made themselves viable by the end of March, they will be required to pay back the government immediately. If the companies utilize this line of credit wisely and restructure into successful, sustainable operations, they will still have to pay the money back with interest, but the government will have the opportunity to turn a profit by gaining equity in these companies. Furthermore, the car czar will have the authority to prevent an automaker from closing the doors of any of its factories or from outsourcing its operations to another country, should the czar determine such an action detrimental to the viability of the company.

Like all legislation, this bill is not perfect. But it is necessary. Letting the auto industry collapse would unfairly punish America's workers for sins they did not commit.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I rise today in support of our Nation's workers. The workers who built this country following depression and war. I rise in support of this loan program for our Nation's automobile manufacturers.

Just last Friday the Department of Labor reported that employers slashed 533,000 jobs in November: the most jobs lost in 34 years. As a percentage, this figure now jettisoned our Nation's unemployment rate to 6.7 percent; the largest one-month decline since December 1974. Overall, since the start of the current recession, the United States has shed 1.9 million jobs, 1.3 million of which has disappeared in the last 4 months. In the manufacturing sector, manufacturing jobs lost in November alone come to a total of 85,000. In fact, in the last 4 months we have witnessed the disappearance of 258,000 manufacturing jobs, and since the outset of the recession last December, over half a million (604,000) manufacturing jobs have been lost.

So with regard to the question of whether or not to assist our Nation's domestic auto manufactures, given that the Big Three automakers generate one out of every 10 jobs in our Nation, merely letting these businesses go bankrupt is simply not an acceptable option. Indeed, General Motors, Ford and Chrysler account for roughly 70 percent of U.S. auto production and are estimated to support around 5 million jobs across all 50 states. And according to a report released last week by the Center for Automotive Research, the failure of even one U.S. automaker would mean the loss of millions of jobs and cost our economy hundreds of billions of dollars.

Employment for millions of hard working Americans depends on a strong domestic auto industry. And nations throughout the world, such as Japan, South Korea, and France support their domestic auto industries, so we certainly would not be creating a precedent or an unfair playing field with respect to international trade. Indeed, President-elect Obama stated just last week that ''the auto industry is the backbone of American manufacturing and a critical part of our attempt to reduce our dependence on foreign oil. . . .'' Given that our government recently provided a tremendous amount of financial assistance ($700 billion) to sustain our country's financial sector, I believe that to provide assistance with strong federal oversight to our Nation's automakers is critical to our workforce.

Ms. ESHOO. Mr. Speaker, I rise today in support of a bridge loan for the American automotive industry.

Last month the heads of General Motors, Ford, and Chrysler came to Congress seeking a $25 billion emergency bridge loan. They each flew to Washington on corporate jets without a credible restructuring plan for long-term viability and profitability. The message they got from Congress was, ''no plan, no money.''

Last week the CEOs returned to Washington with detailed plans to create new, lean, profitable, and competitive companies. Their plans include manufacturing more fuel-efficient cars and crossovers, concessions from the United Auto Workers, more streamlined companies with less brands and retail outlets, reductions in manufacturing and structural costs, as well as many other necessary elements to make the companies viable again.

Through bipartisan negotiations with the White House, the Congressional leadership has produced legislation that offers the ailing automakers a $15 billion bridge loan if they agree to strict oversight of their finances and business practices.

Many people have suggested that bankruptcy is a better option for the automakers. A recent study by an automotive research firm found that 80 percent of car buyers would switch brands if the vehicle they want comes from an automaker that has filed for bankruptcy. If the companies are forced into bankruptcy it would ultimately lead to liquidation which would lead to even more turmoil in our economy. Manufacturing facilities would close immediately. Hourly and salaried employees would lose their jobs and the small businesses that provide parts and services to the automotive industry would lose billions of dollars if the ''Detroit 3'' went into liquidation. These devastating losses would be felt nationwide and our economy can't afford it.

The ''Detroit 3'' automakers have made numerous bad decisions in the past and no one has been more critical of them than I have, but allowing them to fail would cause a chain of events felt well beyond Detroit. Job losses would occur in every sector, from the engineers needed to design the cars, to the car dealership employees that make their living selling them. According to the Economic Policy Institute, the U.S. could lose up to 3.3 million jobs if one or more of the automakers fail. The same study found that California alone could lose up to 305,900 jobs. A shutdown of the auto industry would have a catastrophic effect on an economy that is already in historic distress. That's why prudent steps must be taken to prevent this from happening.

H.R. 7321, the Auto Industry Financing and Restructuring Act will give the participating automakers a $15 billion, 7-year bridge loan at a 5 percent interest rate for the first 5 years and a 9 percent interest rate thereafter. The funding for these loans will come from $25 billion that Congress already approved in Section 136 of the Energy Independence and Security Act of 2007.

The bill incorporates strong protections and numerous oversight provisions to protect the American taxpayer. It includes the creation of a ''Car Czar,'' a person to be appointed by the President in order to oversee the loan program. This oversight official would also have the power to negotiate with creditors, unions and other stakeholders in the restructuring process.

The car companies are barred from paying bonuses to their executives and barred from paying dividends to shareholders while the loans are outstanding. The bill also gives the government an equity stake in the companies so that taxpayers will benefit when the companies return to profit. It also mandates that the automakers submit to an audit by the Government Accountability Office and the Inspector General for the Treasury's financial bailout program.

I voted ''yes'' today because I believe that the stakes are too high for the economy to not do anything. Without the bridge loan to the American automakers we will put the jobs of millions of Americans at risk and impose further strife on our economy. Their failure would reverberate far beyond the manufacturing sector and a bridge loan to keep these companies viable while they restructure is necessary to protect the economy in this financial crisis.

Mr. STUPAK. Mr. Speaker, I rise today in support of H.R. 7321, the Auto Industry Financing and Restructuring Act, which would provide $15 billion in bridge loans for the Big 3 domestic automakers, to help them weather the current credit crunch and financial crisis.

These loans are critical for the survival of our domestic automakers, our manufacturing sector, and the American middle class.

One in ten American jobs are linked to the auto industry. Chrysler, Ford and General Motors support about 5 million American jobs. More than 1 million American workers and retirees are directly employed or supported by the major automakers. Two million Americans receive health care benefits through the auto industry. An estimated 3 million jobs would be lost in the first year if the American automakers collapsed—nearly three times the jobs lost nationwide this year.

The Ann Arbor-based Center for Automotive Research estimates that the collapse of the domestic auto industry would mean an estimated 2.5 million jobs lost over the next year, costing Federal, State, and local governments a total of $50 billion next year and $108 billion over the next 3 years.

In my district, the dramatic drop in demand for new cars and trucks is already taking a toll on parts suppliers and our domestic steel industry. At Cliffs Natural Resources' Tilden and Empire mines in Marquette County, reduced demand for iron ore to produce steel for the automakers has led to the layoff of 350 workers. The closure of the Dura Automotive Systems plant in Antrim County caused 300 jobs to be lost. Lexamar in Boyne City had to layoff 90 workers, Northern Tool in Mio laid off 68 workers, H&H Tube in Cheboygan closed causing 60 jobs to be lost, and layoffs at more than a dozen other suppliers to the automakers across northern Michigan are the result of the current economic crisis.

What we are debating today is not new. In 1979, the Federal Government provided Chrysler a $1.5 billion loan. Chrysler paid back the full amount with interest in 4 years, and operated successfully for 2 decades because of this assistance.

Why are some of my colleagues so willing to spend more than $700 billion to help Wall Street, but so hesitant to assist an industry that creates so many middle-class jobs?

According to data analyzed by ABC News, in 2007, Wall Street's five biggest firms—Bear Stearns, Goldman Sachs, Lehman Brothers, Merrill Lynch, and Morgan Stanley—paid a record $39 billion in bonuses to themselves.

Those 2007 bonuses were paid, even though the shareholders in those firms last year collectively lost about $74 billion in stock declines—their worst year since 2002.

If split equally among the approximately 186,000 employees at the former Big Five Houses, that bonus money means an average of $201,500 per employee—almost six times the $34,076 median household income in my district last year.

Instead of preserving $200,000 bonuses, Congress should be preserving American middle class jobs.

In addition, the legislation we are considering today has greater oversight and stronger taxpayer protections than the Wall Street bailout.

There were four main principles that should have applied to the Wall Street bailout: transparency and accountability; no windfalls or golden parachutes for executives; strong oversight by Congress; and effective taxpayer protections. The Wall Street bailout final bill did not contain these safeguards.

The auto loan legislation Congress is considering today provides greater transparency, stronger restrictions on executive compensation, tough oversight provisions, and more taxpayer protections.

This legislation requires a commitment on the part of auto executives, employees, labor unions, dealers, suppliers, creditors and shareholders to participate in the restructuring efforts that will ensure the long-term viability of an industry that helped create this Nation's middle class.

The jobs of millions of middle-class Americans and the pensions and benefits of millions more depend on a vibrant domestic auto industry.

The automakers are not asking for a handout. They are asking for a loan, which in the current credit crisis only the Federal Government can provide.

This legislation includes strong protections for the taxpayers and I have every confidence the loans will be paid back with interest and the result will be a stronger auto industry and a stronger American economy.

As the automakers implement restructuring plans and the economy improves, these loans will have laid the groundwork for the recall of laid-off workers and the creation of new jobs.

Doing nothing is not an option. Inaction by Congress would cost the American taxpayers more than this legislation.

I urge my colleagues to vote "yes" on this important loan assistance for the automakers, to preserve middle-class jobs and improve our economy while protecting taxpayers!

LAYOFFS/CLOSURES IN MI–01 IN 2008

Company	City	Date	Accident type	Layoffs
Jacquart Fabric Products, Inc.	Ironwood	1/29/2008	Mass Layoff	11
Citizens Bank	Hancock	4/9/2008	Mass Layoff	21
Khoury Furniture	Kingsford	9/9/2008	Mass Layoff	7
Fayas and Sons	Kingsford	10/22/2008	Plant Closing	12
Lloyd/Flanders	Menominee	11/5/2008	Mass Layoff	7
Cleveland-Cliffs (Tilden Mine)	Ishpeming	11/7/2008	Mass Layoff	200
Cleveland Cliffs (Empire)	Negaunee	11/7/2008	Mass Layoff	151
Pardon, Inc.	Gladstone	11/24/2008	Mass Layoff	10
Engineered Machine Products	Escanaba	11/24/2008	Mass Layoff	20
Bill Burton & Sons	Newberry	3/25/2008	Plant Closing	14
Sault Tribe of Chippewa Indians	Sault Ste. Marie	8/11/2008	Mass Layoff	75
H & H Tube	Cheboygan	1/7/2008	Plant Closing	60
Cooper Standard Automotive	Gaylord	8/28/2008	Mass Layoff	8
Northern Tool	Mio	10/30/2008	Plant Closing	68
Lexamar Corp.	Boyne City	2/22/2008	Mass Layoff	90
Maverick Metal Stamping	Mancelona	3/19/2008	Plant Closing	40
Dura Automotive Systems	Mancelona	4/1/2008	Plant Closing	300
Traverse Bay Manufacturing	Elk Rapids	7/14/2008	Plant Closing	25
Odawa Casino	Petoskey	8/19/2008	Mass Layoff	69
Manthei, Inc.	Petoskey	8/25/2008	Mass Layoff	14
Charlevoix Manufacturing Co.	Charlevix	8/25/2008	Mass Layoff	18
Northern Michigan Review	Petoskey	9/12/2008	Mass Layoff	11
East Jordan Iron Works	East Jordan	10/16/2008	Mass Layoff	41
Anchor Danley	Bellaire	11/20/2008	Mass Layoff	12
Sure Shift Transmissions	Kawkawlin	3/27/2008	Plant Closing	5
Magline, Inc.	Pinconning	5/27/2008	Mass Layoff	5
Tubular Metal Systems	Pinconning	8/6/2008	Mass Layoff	11
Total layoffs				1,305

This list is based on data from the State of Michigan, regional labor centers and media accounts. It should not be considered comprehensive.

Mr. LANGEVIN. Mr. Speaker, I rise in support of H.R. 7321, the Auto Industry Financing and Restructuring Act. It is clear that the auto industry itself carries a great deal of responsibility for the crisis it faces today, due to an inability or unwillingness to take the steps necessary to compete in a 21st century market. Nonetheless, I recognize the urgency of extending federal loans to Detroit's automakers, as their collapse could trigger massive job losses and ripple effects throughout a wide range of industries. One in ten American jobs is linked to the domestic auto industry, and it is estimated that as many as 10,000 jobs could be affected by its failure in my home state of Rhode Island.

To win my support, it was imperative that this bill place strict conditions and requirements on the automakers receiving assistance, and I believe it meets that test. These companies will have to submit a final and acceptable long-term restructuring plan by March 31, 2009, and if adequate progress has not been made by February 15th, 2009 on efforts to stabilize the auto industry, the companies will be forced to repay their loan. Their restructuring plans must show how the companies will achieve long-term viability, international competitiveness and energy efficiency. Furthermore, upon enactment of this bill, the administration must immediately appoint a "car czar" to monitor the progress of these plans. This designee will also have veto power over company expenditures of more than $100 million. H.R. 7321 also demands accountability to taxpayers by banning golden parachutes to company executives, bonuses for the 25 most highly paid employees, and corporate jets. Finally, a company may not pay dividends to shareholders over the duration of the loan.

Mr. Speaker, our domestic car manufacturers have made some unwise business decisions in the past. However, the fall of the U.S. auto industry would be a devastating blow to our already fragile economy, impacting millions of workers and countless businesses, large and small. Today, we have the opportunity to give these companies a chance for survival and to point them in the right direction for our future needs as a country, which includes a strong manufacturing base for fuel-efficient vehicles. I encourage my colleagues to vote for H.R. 7321 and in support of the future of our country's auto industry.

Mr. WILSON of South Carolina. Mr. Speaker, I think it is reasonable to assume that I am not alone when I say that my office has been contacted with hundreds of phone calls and e-mails asking Congress not to spend billions more to bailout the Big 3 American automakers. Congress has already asked the American taxpayer to stomach a $700 billion package of economic relief aimed at unfreezing the credit markets. It is wrong to ask American families to trust that billions in bailout relief for three specific companies will do anything but cement a dangerous and expensive precedent for future big government spending and control of a vital industry in America.

In fact, at this time the credit markets have not been unfrozen after the onslaught of this recent economic downturn, and I hope Congress, this current administration, and the incoming administration will ensure that the programs we have passed into law already are implemented and reviewed. Recent reports of a failure to adequately utilize the oversight mechanisms outlined in the economic rescue package are troubling. The taxpayers deserve to know that we are following the letter of the law.

Nevertheless, the debate today is on whether we should give $15 billion dollars to help shore up the books of General Motors, Ford, and Chrysler. The primary argument that continues to be made in support of this bailout is predicated upon the claim that bankruptcy is not an option. Never mind that other companies and industries—most notably the members of the airline industry—have successfully emerged from bankruptcy stronger, more agile, and successful. We have a bankruptcy process in place, the sole purpose of which is to deal with circumstances similar to those that GM, Ford, and Chrysler face. Unfortunately, in typical Washington fashion, Congress wants to reinvent the wheel and create a new process and a new bureaucratic office in the form of a "Car Czar." Such a redundant proposal would be slightly less harmless were

a $15 billion taxpayer funded price tag not tacked onto it. But it is.

The bankruptcy process that already exists does not spell the end of a company or the loss of every one of their jobs. The scare tactics that have been spread around that without this multi-billionaire bailout, the American auto industry would disappear is just not the case. In fact, bankruptcy procedures would allow the companies to restructure to make them competitive in the global market. Bankruptcy is never an ideal situation for any company but it is far more preferable to spending billions of taxpayer dollars and ceding control to big government.

It should be noted that opposition to this massive bailout is not a commentary on my or my colleagues' support for the American auto industry. We represent American automotive dealerships, American automakers, parts manufacturers, the people they employ, and in many instances, we own American automobiles. We want to see these companies prosper, build the future fleet of automobiles for the world to drive, and continue to employ millions of hardworking Americans. What many of us are unwilling to accept is the suggestion that taxpayers need to be signing the check to keep particular businesses in a particular industry afloat when there is a sound, bankruptcy process already available.

It is clear from every angle that the American auto industry needs to make some dramatic changes to their business model and to the current agreements they have with the unions who represent their employees. These changes will make them financially stronger and more competitive. It will help protect current and future employees. They can accomplish this without a taxpayer funded bailout, and it would be unwise to betray the interests of American taxpayers by choosing to simply throw money at the problem.

Mr. EHLERS. Mr. Speaker, I rise to honor the life and service of William Spoelhof, president emeritus of Calvin College in Grand Rapids, Michigan. He was born in 1909 in Paterson, New Jersey, and passed away on December 3, 2008, at the age of 98.

William Spoelhof graduated from Calvin College in 1931, and began teaching history and civics at the secondary level. He received his masters of arts degree from the University of Michigan in 1937, and began his doctoral studies there.

During World War II, Mr. Spoelhof enlisted in the U.S. Navy, and served our country in the Office of Strategic Services. Following the war, he completed his doctoral work, and went to Calvin College to teach history and political science in 1946.

After becoming president of Calvin College, Dr. Spoelhof oversaw the process of moving Calvin College from its original Franklin Street campus, located in urban Grand Rapids, to its current Knollcrest campus in southeast Grand Rapids.

Dr. Spoelhof carefully balanced the college's vision for excellent academics with its relationship with the Christian Reformed Church, as he effectively steered the college through occasional church conflicts and the tumultuous, nation-wide student protests of the 1960s.

In 1976, Dr. Spoelhof announced his retirement after 25 years, the longest serving president in Calvin College's history. After his formal retirement, he was named president emeritus and maintained an office and steady presence at the College, offering continued support and goodwill whenever needed.

Dr. Spoelhof was a Christian role model and mentor to many faculty members, staff and students, as he provided wisdom and counsel to thousands during his more than 8 decades of service to Calvin College.

On a personal note, Dr. Spoelhof recruited me from the University of California at Berkeley to teach physics at Calvin College. I am deeply grateful for his guidance and for leading me to teach at a wonderful, Christian liberal arts college.

Dr. Spoelhof is fondly remembered for his contributions to daily discussions with retired faculty and students at the ''Emeritorium'', and for his kind words to passers-by around the campus.

In 1935, William Spoelhof married Miss Angeline Nydam, and they had three children, Robert Spoelhof, Elsa Scherphorn, and Peter Spoelhof. Ange, as Dr. Spoelhof lovingly called his wife, passed away in 1994.

Dr. Spoelhof lived a life of gratitude, and desired to bring God glory in all he did. On December 3, 2008, the Calvin College community lost a visionary leader and wise friend. He is to be honored and recognized for his outstanding devotion and service as a member of the military, a Calvin College professor, and president and friend.

Mr. TIAHRT. Mr. Speaker, no one wants to see the auto industry fail. I don't want to see this. This would result in millions of job lost. I don't, however, believe this is the right approach for the long-term viability of the American auto industry and the sustainability of millions of American workers.

In October, the Treasury Secretary came to Congress asking for a $700 billion blank check for the financial industry. I said then and I repeat today, a quick bailout fix might work for a short time, but it may not be long before we are asked again for more tax dollars. In fact, some have said the $15 billion being given to the auto manufacturers will get them through to March 2009. Then what? A quick bailout fix might work for the short term, but without addressing the underlying problems, we will be asked again for more tax dollars.

We cannot keep passing bailout after bailout without fundamental reforms to help American workers and businesses achieve long-term prosperity. The plan offered today offers more government involvement instead of incentives for private-sector solutions. We are placing risks on the American taxpayer that private investors are not willing to take. Furthermore, this bill does nothing to address economic competitiveness barriers faced by the American automotive industry.

I also strongly oppose the job-killing provision contained in this bill that would ban these automakers from leasing or owning business jets. The use of business jets by company leaders is not why the U.S. auto industry is in financial trouble. This provision is a symbolic slap in the face to more than 1.2 million workers spread across every State whose jobs depend on general aviation. Banning our automakers from leasing or owning jets makes as much sense as asking them to stop using BlackBerrys and laptops—tools that have made us the most efficient and productive workforce in the world.

I remain committed to working for a long-term solution with Democrats and Republicans who are willing to put the good of our country ahead of short-term fixes. It's the right thing to do.

Mr. HERGER. Mr Speaker, I rise in opposition to this legislation. The truth is that the ''Big Three'' didn't get into this position overnight. They are suffering from decades of poor management decisions, uncompetitive labor agreements, and failure to stay at the cutting edge of innovation. And while this bailout may provide some short-term relief for these companies, it doesn't fix their fundamental problems.

My constituents want to know why their tax dollars should be used to bail out companies that haven't been willing to make the necessary changes to stay competitive. They also want to know where we will draw the line. Lots of businesses are hurting because of this recession. How many more bailouts will they be asked to pay for? We all know that this $14 billion is only the first installment. Until these companies are thoroughly restructured and modernized, they will just keep coming back for more taxpayer money.

As a member of the Ways and Means Committee, I'm also concerned by the last-minute inclusion of a provision that requires the federal government to insure certain leases that the IRS has ruled are illegal tax shelters. Taxpayers who play by the rules certainly don't want to see a bailout for agencies that participated in questionable tax deals. The collapse of AIG does raise some difficult issues, but this provision needs more consideration and should not be in this bill.

Mr. Speaker, this is an all-around bad deal for the taxpayer. I urge my colleagues to vote ''no.''

Mr. SKELTON. Mr. Speaker, since World War II, America's middle class has been built and strengthened by the auto industry—not just by the companies that make cars and trucks but also by those that make parts for them. In Missouri, the auto industry is particularly important to our economy, creating hundreds of well paying jobs in Kansas City and St. Louis, and in smaller towns like Sedalia and Versailles.

Sadly, because of a variety of conditions that have been made worse by the global credit crisis, the auto industry has fallen on terribly difficult times and is on the verge of collapse. The urgency of the automakers' troubles has prompted our debate today in Congress.

The auto industry is unique in our country and must be given a chance to restructure and become more viable into the future. Without assistance, the industry will likely fail and millions of jobs will be in jeopardy.

Today's legislation has been carefully written with views incorporated from Congressional Republicans and Democrats and from the President. It would provide immediate help to the auto industry and its employees while simultaneously forcing them to become leaner, greener, and more competitive in the 21st century.

The bill would authorize a loan of up to $15 billion to the car companies in exchange for their promise to draw up more realistic business plans. To ensure the industry restructures according to the law, a powerful ''car czar'' would manage the process and have a great deal of authority with respect to lending money and recalling loans, if necessary.

The bill would further protect taxpayers by allowing them to profit from a participating

companies' recovery and by requiring that the government be repaid before other lenders. It also would prohibit auto company shareholders from earning dividends during the life of the loans, would ban excessive corporate pay and the ownership of private aircraft by auto companies, and would require strong, independent oversight by the nonpartisan Government Accountability Office.

I am unhappy that we find ourselves considering a loan of such magnitude to America's auto industry. But, after careful consideration and review, I am convinced that inaction by Congress would be far more catastrophic to American workers, to the fragile economy, and to our country.

Mr. CONYERS. Mr. Speaker, I rise in support of H.R. 7321. With this vote today, the Congress is acting decisively to protect American auto workers and dealers in every Congressional district in the country and sets Detroit on the path to near-term and long-term economic viability.

We cannot forget that the auto industry is the backbone of our domestic manufacturing sector—the very sector which drives our economy. Additionally, should one or more of the Big Three automakers fail, it would mean the loss of more than 100,000 jobs directly associated with the industry in my home state of Michigan and more than 3 million jobs around the country indirectly associated with the industry, such as auto dealers and auto part suppliers.

At the same time, I and my fellow Members in the Congress are wary of bailing out or rewarding companies that have so often pursued their own interests at the expense of the public good. Whether it was fighting to undermine more demanding fuel efficiency standards or dragging their feel when it came to developing electric car and hybrid technology, the Big 3 are in a large way responsible for the predicament they find themselves in today.

Now, the executives of Big 3 have come to Capitol Hill, not as titans of industry, but as caretakers of uncompetitive behemoths on the verge of collapse. They are in no position to make demands of the American people and the aid offered by the Congress today reflects that reality.

I believe that the aid package offered to the Big 3 here today extracts real, tangible, expansive reforms from the industry. With this bill we are sending a clear message to Detroit: If you are to survive, you must dramatically alter your business models, slim your corporate structure, spin off unprofitable lines, invest in the technologies of the future, and, above all else, cease producing the gas-guzzling steel chariots of the past. There is no alternative to these reforms. This bridge loan will only work if it truly serves as a bridge to the future and not as a cushion slowing inevitable decline.

Over the last month, there has been much discussion about the need for a strong central figure to oversee the dramatic changes being undertaken by the auto industry. I called for the creation of such a position and I am heartened to see that an auto czar-type position is established with this legislation.

If Detroit does its part, the Congress can and will do much to make the American auto industry the world and industry leader it once was. The $25 billion authorized in the 2007 Energy Bill and appropriated by the Congress to retrofit the Big 3's aging factories was a step in the right direction. It was my hope that this money would be left untouched during the current debate, so that it could continue to further the original purposes the Congress intended. I remain hopeful that the $15 billion appropriated for the auto companies in this Act will be refunded when we return in January with a larger Democratic majority and a change-minded new President.

Let me be clear—this bill is far from perfect. I would have preferred that a provision that mandates that bridge loan recipients withdraw from their suit against California's higher tailpipe emission standards remain in the bill. Stripping this provision will accomplish little. As my colleagues in the upper body, Senators DIANNE FEINSTEIN of California and BILL NELSON of Florida, have noted, GM and Ford have laid out business plans indicating that they intend to outperform the California fuel economy standards within a few years anyway. The fact that blocking these suits would have absolutely no effect on the Big 3's bottom lines makes these taxpayer subsidized lawsuits even more outrageous.

I also think we must acknowledge the failures in leadership which have contributed to the dire straits the Big 3 find themselves in at this time. The New York Times and others have called for the resignation of the Big 3's CEOs, citing their complicity in the current crisis and their lack of foresight and competitive instincts. I support this call because even now, there is tremendous evidence that the leadership of the Big 3 just doesn't get it.

Just today, in an interview on Fox News Channel, GM Vice Chairman Bob Lutz stated that Americans want more sports utility vehicles and large pickup trucks and that small vehicles are a bad investment.

I strongly encourage the "Auto Czar," or "President's Designee" as it is referred to in this legislation, to push for the removal of any and all executives at the Big 3 who stand in the way of a greener, more fuel efficient auto industry.

Finally, it should not go unnoticed that during the final legislative debate overseen by the 43rd President of the United States, the current Administration chose to fight tooth and nail against strong measures aimed at furthering the fight against global warming and promoting energy independence. We are only here today because Treasury Secretary Paulson could find $300 billion to invest in Wall Street financiers who manipulated securities and other financial tools for a living, but couldn't find $15 billion to help working men and women who create products made and consumed here in the United States of America. Instead of gracefully acknowledging the will of the American people, this lame duck President yet again fought against progress. It is a fitting reminder of the politics that we leave behind with this vote today and, hopefully, of the brighter days that await us.

I encourage my colleagues to support the bill.

Mr. GARY G. MILLER of California. Mr. Speaker, please let the record reflect that had I been present to vote on final passage for H.R. 7321, the Auto Industry Financing and Restructuring Act, I would have voted "nay." This bill is a vague and ambiguous attempt to restructure the domestic auto industry and lacks the specificity necessary to protect taxpayers. This bill does nothing to guarantee that once domestic automakers receive billions of dollars in taxpayer money that they will become independent of government funding.

The bill was introduced after 11 a.m. on December 10, 2008. However, the House began consideration of the bill at 2:30 p.m. the very same day. It is unreasonable to expect Members of Congress to take their first vote in less than five hours after a bill has been made public. If this language would have been made available at least 24 hours before being voted upon, I would have had adequate time to travel to Washington to cast this important vote. This is not the "open and fair government" that Democrats have promised.

Other than being in Washington waiting for last-minute legislation to be introduced and voted on, Members of Congress have additional responsibilities and other obligations to their constituents that are just as important. This week, I have been in my district meeting with my constituents on various issues including ongoing international conflicts.

I am disappointed and appalled that Democratic leadership has treated American taxpayer money in such an irresponsible manner.

The SPEAKER pro tempore. All time for debate has expired.

AMENDMENT OFFERED BY MR. LATOURETTE

Mr. LATOURETTE. Mr. Speaker, I have an amendment at the desk that I am offering with my good friend AL GREEN of Texas made in order under the rule.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment printed in House Report 110–922 offered by Mr. LATOURETTE:

SEC.__NEW LENDING THAT IS ATTRIBUTABLE TO TARP INVESTMENTS AND ASSISTANCE.

Section 7(a) of the Federal Deposit Insurance Act (U.S.C. 1817(a)) is amended by adding at the end the following new paragraph:

"(12) LENDING INCREASES ATTRIBUTABLE TO INVESTMENT OR OTHER ASSISTANCE UNDER THE TROUBLED ASSETS RELIEF PROGRAM.—

"(A) IN GENERAL.—Each report of condition filed pursuant to this subsection by an insured depository institution which received an investment or other assistance under the Troubled Assets Relief Program established by the Emergency Economic Stabilization Act of 2008 or section 136(d) of the Energy Independence and Security Act of 2007 shall report the amount of any increase in new lending in the period covered by such report (or the amount of any reduction in any decrease in new lending) that is attributable to such investment or assistance, to the extent possible.

"(B) ALTERNATIVE MEASURE.—If an insured depository institution that is subject to subparagraph (A) cannot accurately quantify the effect that an investment or other assistance under such Troubled Assets Relief Program has had on new lending by the institution, the insured depository institution shall report the total amount of the increase in new lending, if any, in the period covered by such report."

The SPEAKER pro tempore. Pursuant to House Resolution 1534, the gentleman from Ohio (Mr. LATOURETTE) and a Member opposed each will control 5 minutes.

Mr. FRANK of Massachusetts. Mr. Speaker, in very shaky opposition, I start out claiming the time, but I am open minded on the subject, so I claim the 5 minutes.

The SPEAKER pro tempore. The gentleman from Massachusetts will be recognized in opposition for 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. LATOURETTE. I thank the Chair for his wholehearted opposition to the amendment.

Basically a couple things. I want to thank the chairwoman of the Rules Committee, Ms. SLAUGHTER, for making this rule in order and give a shout out to BETTY SUTTON, my fellow Ohioan who is on the committee that advocated that this be made in order. And I don't know if the Speaker is still on the floor, but, Madam Speaker, you can now take credit that this was the only amendment offered. It's made in order. You have a complete open rule on this piece of legislation; so it's a day of celebration.

The way this came about is to date we have given away about $335 billion of TARP money, a bill that I opposed along with a number of my colleagues, and the intended purpose doesn't appear to have happened. People aren't being kept in their homes. People have to have perfect credit scores to buy a car, and they're using the funds, some banks, to buy other banks. In Cleveland, PNC will use $7 billion to buy National City Bank.

This amendment is simple. Chairman FRANK has had excellent oversight hearings, but the fact of the matter is the answer we are getting from Treasury is there's no way to track this, and they say the bankers come in and say, sure, we're going to spend the money the way we are supposed to, but nobody knows. It's inconceivable to me that we can't figure out where the money is going and they can't be made to certify that they're spending it for what we thought they would spend it for. So I called Chairman FRANK, and I said can we get this done? And he said, well, find AL GREEN. And I called AL GREEN, and we worked together on a stand-alone bill. This may be the last day we're going to be here until the next administration comes in. I think we need to know where the 335 went before January 20.

So knowing this legislation was coming up, we drafted an amendment, AL GREEN and I, and we are going to introduce a stand-alone bill tomorrow, I guess. But it basically says that if you've taken $400 billion of TARP money, you have to certify on your quarterly report that you've engaged in new lending and show us how you've done it and if not, why not. And it's a reasonable amendment. I urge support.

Mr. Speaker, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Speaker, as evidence of my open-mindedness here and being willing to listen, I will yield 2 minutes to our very able committee colleague and cosponsor of this amendment, Mr. GREEN.

Mr. AL GREEN of Texas. Thank you, Mr. Chairman, for yielding. And I especially thank the chairman for the outstanding job that he's done on the broader bill. I thank Mr. LATOURETTE for the service that he has rendered with reference to putting this amendment together. While I take a small amount of assurance in knowing that I may have been there, it was really his stalwart work that made the difference in getting the amendment through.

Mr. Speaker, I am honored to say that this amendment is one that should please persons on both sides of the aisle. Today in the Financial Services hearing there was much talk about transparency and talk of how we should be able to acquire the empirical evidence to ascertain whether or not new lending is taking place. This piece of legislation, this amendment, will, in fact, allow us to get some idea as to what's happening with the money as it relates to transparency.

So I thank the chairman for allowing this opportunity to speak on the amendment, and I thank Mr. LATOURETTE for his outstanding work on the amendment.

Mr. LATOURETTE. Mr. Speaker, at this time before I yield to my next speaker, I just want to say that Mr. GREEN is hiding his light under a bushel basket. His assistance in the drafting of not only this amendment but also the stand-alone legislation was invaluable, and I appreciate Chairman FRANK putting the two of us together.

Mr. Speaker, at this time it's my pleasure to yield 1 minute to my colleague from Cleveland, Ohio, Congressman KUCINICH.

Mr. KUCINICH. Mr. Speaker, I rise in support of the LaTourette amendment.

Transparency is vital to the success of the congressional action with the TARP, and we know that when Congress intended to get help for consumers, unless you have transparency, you don't know if consumers are actually going to be helped. The LaTourette amendment resolves that question. I thank him for introducing it, and I urge its approval.

Mr. LATOURETTE. Mr. Speaker, at this time it's my pleasure to yield 30 seconds to the distinguished ranking member of the Financial Services Committee, Mr. BACHUS of Alabama.

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Mr. BACHUS. Mr. Speaker, in the capital injection program, the bank signed a statement that they will use the money for the purpose intended, and that purpose is to lend. This amendment will give an assist to that.

They are not lending. They should lend. They were given money to lend. They have signed a document that they will lend, and this will go a long way towards ensuring that. So I rise in support of the amendment.

Mr. LATOURETTE. I don't have any further speakers, and I would just yield myself the balance of the time and indicate that I think it's a good amendment.

Listen, we were told, even though I didn't support the TARP Program, we were told, it was advertised as this money was going to free up credit, free up interbank lending, help people buy cars, help people who are subject to foreclosure stay in their homes. Just today, on the front page or in the business section of the Wall Street Journal, one of the companies that has received billions of dollars is now engaged in about $10 billion of speculative losses rather than doing the intended purpose.

All this amendment says is until the Obama administration gets in place, in fact, they have to file, on their report, on December 30, that if they took money, if they wanted to participate—nobody put a gun at their head and said you have to participate—but if you participate in the program, and you take billions of dollars from the taxpayer, you have to demonstrate that you are engaged in new lending. That's all there is to it.

In the brief amount of time that I have left, I would just ask the chairman a procedural question.

I think it's a good oversight vote that every Member would want to be recorded on. I am mindful of people wanting to catch airplanes. Do you think we should have a recorded vote on this or not?

Mr. FRANK of Massachusetts. If the gentleman will yield, yes, we will have a recorded vote on this.

Mr. LATOURETTE. Perfect.

I yield back the balance of my time, urge support of the amendment and thank Mr. GREEN for his help.

Mr. FRANK of Massachusetts. I believe I have 3 minutes remaining?

The SPEAKER pro tempore. The gentleman has 3½ minutes remaining.

Mr. FRANK of Massachusetts. Well, I intend to use the 3½ minutes to speak enthusiastically for this amendment now for a couple of reasons.

First, the merits of the amendment. We were told by the Treasury Department that they would get more lending done. Some people unfairly said that the bill we passed didn't have good oversight. It had a number of pieces of oversight, including the best oversight you can have in this Federal Government, the Government Accountability Office, an outstanding organization.

We worked with them, and they were there on the first day of this program. We had a briefing with them. They have given us a report, and the report said that Treasury was not doing a good job of seeing whether the people who received the capital injections were, in turn, lending.

We heard that anecdotally, we got a confirmation that Treasury wasn't measuring. What particularly distressed me was Treasury didn't say, well, you don't understand how hard it is. Treasury said, you are right, we are not going to try, that we will judge the overall success of the program without doing that.

Now, I will give Mr. Kashkari credit. Today, at a hearing we held—and we called a hearing just to deal with this

issue—he indicated they now do plan to do it. But I think given the initial reluctance, this amendment is very important.

For Members who voted for the TARP and want to see that vote vindicated, you need to vote for this amendment, because it makes it valid. But there is one other thing you have to do. Let me ask you another procedural question. This is the last train out of the legislative station this year.

So I would advise Members, if you believe that we need to put pressure on the Treasury to have the TARP do more lending, you have to do two things. You have to vote for the LaTourette amendment, but then you have to vote for the underlying bill. Because I would advise Members, if you vote for the LaTourette amendment, and you then vote against the bill, Mr. Speaker, I would caution Members going back to their districts and taking credit for having voted for an amendment into a vehicle which they then crashed into the sea.

So the only way the LaTourette amendment will have any effect, and I hope it will have effect because it's important, is if the bill to which it is about to be attached passes.

So I congratulate the gentleman on an extraordinary amendment. I am envious that I didn't think of this strategy to help get the bill passed, but I will acknowledge my strategic better in this case. That may sound ironic, but it's the case.

If you vote for the LaTourette amendment—which I think does a very important job of improving the TARP—and you then vote against this bill, you have completely and totally negated it.

Now you may, Mr. Speaker, have Members here who find it of value to be on both sides of this issue, to take credit for improving the TARP in theory, but disimproving it in practice, but I would hope that most of us would not want to be in that position. So I urge Members to vote for this, and having voted for this important thing, the gentleman is right, the gentleman from Ohio, he did put it in a separate bill. But that separate bill is not going anywhere.

There will be no further legislative work. So if you believe that we need to have the banks who have not been lending, and who have received part of the TARP, relend, vote for the amendment, and vote for the underlying bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1534, the previous question is ordered on the bill and on the amendment by the gentleman from Ohio (Mr. LATOURETTE).

The question is on the amendment offered by the gentleman from Ohio.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. FRANK of Massachusetts. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 403, noes 0, answered ''present'' 1, not voting 29, as follows:

[Roll No. 689]

AYES—403

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellsworth
Emerson
Engel
English (PA)
Eshoo
Etheridge
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Granger
Graves
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch (VT)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

Campbell (CA)

NOT VOTING—29

Cleaver
Costa
Cubin
Delahunt
Doolittle
Ellison
Emanuel
Everett
Gilchrest
Gordon
Gutierrez
Hastings (FL)
Hooley
Johnson, E. B.
Keller
Kuhl (NY)
Miller, Gary
Nunes
Peterson (PA)
Pryce (OH)
Renzi
Rohrabacher
Saxton
Sensenbrenner
Snyder
Tancredo
Walberg
Watson
Weldon (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 2027

Mr. FLAKE changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. BACHUS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 237, noes 170, answered ''present'' 1, not voting 26, as follows:

[Roll No. 690]

AYES—237

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Buyer
Camp (MI)
Capito
Capps
Capuano
Carnahan
Carney
Carson
Castle
Castor
Cazayoux
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards (MD)
Edwards (TX)
Ehlers
Ellsworth
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Foster
Frank (MA)
Frelinghuysen
Fudge
Gillibrand
Gonzalez
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hare
Harman
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Klein (FL)
Knollenberg
Kucinich
LaHood
Lampson
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pelosi
Perlmutter
Pomeroy
Porter
Price (NC)
Ramstad
Rangel
Regula
Reyes
Richardson
Rogers (MI)
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Solis
Souder
Space
Speier
Spratt
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth
Young (AK)

NOES—170

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Boyd (FL)
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Cannon
Cantor
Cardoza
Carter
Chabot
Childers
Coble
Cole (OK)
Conaway
Cooper
Crenshaw
Culberson
Davis (AL)
Davis (KY)
Davis, David
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Drake
Dreier
Duncan
Fallin
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Hobson
Hulshof
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Kagen
King (IA)
Kingston
Kirk
Kline (MN)
Lamborn
Latham
Latta
Lewis (CA)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
Marshall
Matheson
McCarthy (CA)
McCaul (TX)
McHenry
McIntyre
McKeon
McMorris Rodgers
Mica
Miller (FL)
Mitchell
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Price (GA)
Putnam
Radanovich
Rahall
Rehberg
Reichert
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roskam
Royce
Sali
Saxton
Scalise
Schmidt
Sessions
Shadegg
Shays
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Stark
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Walden (OR)
Walz (MN)
Wamp
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (FL)

ANSWERED ''PRESENT''—1

Campbell (CA)

NOT VOTING—26

Costa
Cubin
Delahunt
Doolittle
Ellison
Emanuel
Everett
Gilchrest
Gordon
Gutierrez
Hastings (FL)
Hooley
Johnson, E. B.
Keller
Kuhl (NY)
Miller, Gary
Peterson (PA)
Pryce (OH)
Renzi
Rohrabacher
Sensenbrenner
Snyder
Tancredo
Walberg
Watson
Weldon (FL)

□ 2046

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 6184. An act to provide for a program for circulating quarter dollar coins that are emblematic of a national park or other national site in each State, the District of Columbia, and each territory of the United States, and for other purposes.

H.R. 7311. An act to authorize appropriations for fiscal years 2008 through 2011 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

The message also announced that the Senate has passed a bill and a Joint Resolution of the following titles in which the concurrence of the House is requested:

S. 3731. An act to amend the Emergency Economic Stabilization Act of 2008 (division A of Public Law 110–343) to provide the Special Inspector General with additional authorities and responsibilities, and for other purposes.

S.J. Res. 46. Joint resolution ensuring that the compensation and other emoluments attached to the office of Secretary of State are those which were in effect on January 1, 2007.

The message also announced that pursuant to Public Law 101–549, the Chair, on behalf of the Majority Leader, appoints the following individuals to the Board of Directors of the Mickey Leland National Urban Air Toxics Research Center:

Jane Delgado, of the District of Columbia.

John Hiatt, of Nevada.

WORKER, RETIREE, AND EMPLOYER RECOVERY ACT OF 2008

Mr. POMEROY. Mr. Speaker, I ask unanimous consent that the Committees on Ways and Means and Education and Labor be discharged from further consideration of the bill (H.R. 7327) to make technical corrections related to the Pension Protection Act of 2006, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. LAMPSON). Is there objection to the request of the gentleman from North Dakota?

There was no objection.

The text of the bill is as follows:

H.R. 7327

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Worker, Retiree, and Employer Recovery Act of 2008''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
TITLE I—TECHNICAL CORRECTIONS RELATED TO THE PENSION PROTECTION ACT OF 2006
Sec. 100. References in title.
Subtitle A—Technical Corrections Related to the Pension Protection Act of 2006
Sec. 101. Amendments related to Title I.
Sec. 102. Amendments related to title II.
Sec. 103. Amendments related to title III.
Sec. 104. Amendments related to title IV.
Sec. 105. Amendments related to title V.
Sec. 106. Amendments related to title VI.
Sec. 107. Amendments related to title VII.
Sec. 108. Amendments related to title VIII.
Sec. 109. Amendments related to title IX.
Sec. 110. Amendments related to title X.
Sec. 111. Amendments related to title XI.
Sec. 112. Effective date.
Subtitle B—Other Provisions
Sec. 121. Amendments Related to Sections 102 and 112 of the Pension Protection Act of 2006.
Sec. 122. Modification of interest rate assumption required with respect to certain small employer plans.
Sec. 123. Determination of market rate of return for governmental plans.
Sec. 124. Treatment of certain reimbursements from governmental plans for medical care.
Sec. 125. Rollover of amounts received in airline carrier bankruptcy to Roth IRAs.

Sec. 126. Determination of asset value for special airline funding rules.
Sec. 127. Modification of penalty for failure to file partnership returns.
Sec. 128. Modification of penalty for failure to file S corporation returns.
TITLE II—PENSION PROVISIONS RELATING TO ECONOMIC CRISIS
Sec. 201. Temporary waiver of required minimum distribution rules for certain retirement plans and accounts.
Sec. 202. Transition rule clarification.
Sec. 203. Temporary modification of application of limitation on benefit accruals.
Sec. 204. Temporary delay of designation of multiemployer plans as in endangered or critical status.
Sec. 205. Temporary extension of the funding improvement and rehabilitation periods for multiemployer pension plans in critical and endangered status for 2008 or 2009.

TITLE I—TECHNICAL CORRECTIONS RELATED TO THE PENSION PROTECTION ACT OF 2006

SEC. 100. REFERENCES IN TITLE.

For purposes of this title:

(1) AMENDMENT OF 1986 CODE.—The term ''1986 Code'' means the Internal Revenue Code of 1986.

(2) AMENDMENT OF ERISA.—The term ''ERISA'' means the Employee Retirement Income Security Act of 1974.

(3) 2006 ACT.—The term ''2006 Act'' means the Pension Protection Act of 2006.

Subtitle A—Technical Corrections Related to the Pension Protection Act of 2006

SEC. 101. AMENDMENTS RELATED TO TITLE I.

(a) AMENDMENTS RELATED TO SECTIONS 101 AND 111.—

(1) AMENDMENTS TO ERISA.—

(A) Clause (i) of section 302(c)(1)(A) of ERISA is amended by striking ''the plan is'' and inserting ''the plan are''.

(B) Section 302(c)(7) of ERISA is amended by inserting ''which reduces the accrued benefit of any participant'' after ''subsection (d)(2)'' in subparagraph (A).

(C) Section 302(d)(1) of ERISA is amended by striking '', the valuation date,''.

(2) AMENDMENTS TO 1986 CODE.—

(A) Clause (i) of section 412(c)(1)(A) of the 1986 Code is amended by striking ''the plan is'' and inserting ''the plan are''.

(B) Section 412(c)(7) of the 1986 Code is amended by inserting ''which reduces the accrued benefit of any participant'' after ''subsection (d)(2)'' in subparagraph (A).

(C) Section 412(d)(1) of the 1986 Code is amended by striking '', the valuation date,''.

(b) AMENDMENTS RELATED TO SECTIONS 102 AND 112.—

(1) AMENDMENTS TO ERISA.—

(A) Section 303(b) of ERISA is amended to read as follows:

''(b) TARGET NORMAL COST.—For purposes of this section:

''(1) IN GENERAL.—Except as provided in subsection (i)(2) with respect to plans in at-risk status, the term 'target normal cost' means, for any plan year, the excess of—

''(A) the sum of—

''(i) the present value of all benefits which are expected to accrue or to be earned under the plan during the plan year, plus

''(ii) the amount of plan-related expenses expected to be paid from plan assets during the plan year, over

''(B) the amount of mandatory employee contributions expected to be made during the plan year.

''(2) SPECIAL RULE FOR INCREASE IN COMPENSATION.—For purposes of this subsection, if any benefit attributable to services performed in a preceding plan year is increased by reason of any increase in compensation during the current plan year, the increase in such benefit shall be treated as having accrued during the current plan year.''.

(B) Section 303(c)(5)(B)(iii) of ERISA is amended by inserting ''beginning'' before ''after 2008''.

(C) Section 303(c)(5)(B)(iv)(II) of ERISA is amended by inserting ''for such year'' after ''beginning in 2007)''.

(D) Section 303(f)(4)(A) of ERISA is amended by striking ''paragraph (2)'' and inserting ''paragraph (3)''.

(E) Section 303(h)(2)(F) of ERISA is amended—

(i) by striking ''section 205(g)(3)(B)(iii)(I)) for such month'' and inserting ''section 205(g)(3)(B)(iii)(I) for such month)'', and

(ii) by striking ''subparagraph (B)'' and inserting ''subparagraph (C)''.

(F) Section 303(i) of ERISA is amended—

(i) in paragraph (2)—

(I) by striking subparagraph (A) and inserting the following new subparagraph:

''(A) the excess of—

''(i) the sum of—

''(I) the present value of all benefits which are expected to accrue or to be earned under the plan during the plan year, determined using the additional actuarial assumptions described in paragraph (1)(B), plus

''(II) the amount of plan-related expenses expected to be paid from plan assets during the plan year, over

''(ii) the amount of mandatory employee contributions expected to be made during the plan year, plus'', and

(II) in subparagraph (B), by striking ''the target normal cost (determined without regard to this paragraph) of the plan for the plan year'' and inserting ''the amount determined under subsection (b)(1)(A)(i) with respect to the plan for the plan year'', and

(ii) by striking ''subparagraph (A)(ii)'' in the last sentence of paragraph (4)(B) and inserting ''subparagraph (A)''.

(G) Section 303(j)(3) of ERISA—

(i) is amended by adding at the end of subparagraph (A) the following new sentence: ''In the case of plan years beginning in 2008, the funding shortfall for the preceding plan year may be determined using such methods of estimation as the Secretary of the Treasury may provide.'',

(ii) by adding at the end of subparagraph (E) the following new clause:

''(iii) PLAN WITH ALTERNATE VALUATION DATE.—The Secretary of the Treasury shall prescribe regulations for the application of this paragraph in the case of a plan which has a valuation date other than the first day of the plan year.'', and

(iii) by striking ''AND SHORT YEARS'' in the heading of subparagraph (E) and inserting '', SHORT YEARS, AND YEARS WITH ALTERNATE VALUATION DATE''.

(H) Section 303(k)(6)(B) of ERISA is amended by striking '', except'' and all that follows and inserting a period.

(2) AMENDMENTS TO 1986 CODE.—

(A) Section 430(b) of the 1986 Code is amended to read as follows:

''(b) TARGET NORMAL COST.—For purposes of this section:

''(1) IN GENERAL.—Except as provided in subsection (i)(2) with respect to plans in at-risk status, the term 'target normal cost' means, for any plan year, the excess of—

''(A) the sum of—

''(i) the present value of all benefits which are expected to accrue or to be earned under the plan during the plan year, plus

''(ii) the amount of plan-related expenses expected to be paid from plan assets during the plan year, over

''(B) the amount of mandatory employee contributions expected to be made during the plan year.

''(2) SPECIAL RULE FOR INCREASE IN COMPENSATION.—For purposes of this subsection, if any benefit attributable to services performed in a preceding plan year is increased by reason of any increase in compensation during the current plan year, the increase in such benefit shall be treated as having accrued during the current plan year.''.

(B) Section 430(c)(5)(B)(iii) of the 1986 Code is amended by inserting ''beginning'' before ''after 2008''.

(C) Section 430(c)(5)(B)(iv)(II) of the 1986 Code is amended by inserting ''for such year'' after ''beginning in 2007)''.

(D) Section 430(f) of the 1986 Code is amended—

(i) by striking ''as of the first day of the plan year'' the second place it appears in the first sentence of paragraph (3)(A),

(ii) by striking ''paragraph (2)'' in paragraph (4)(A) and inserting ''paragraph (3)'',

(iii) by striking ''paragraph (1), (2), or (4) of section 206(g)'' in paragraph (6)(B)(iii) and inserting ''subsection (b), (c), or (e) of section 436'',

(iv) by striking ''the sum of'' in paragraph (6)(C), and

(v) by striking ''of the Treasury'' in paragraph (8).

(E) Section 430(h)(2) of the 1986 Code is amended—

(i) by inserting ''and target normal cost'' after ''funding target'' in subparagraph (B),

(ii) by striking ''liabilities'' and inserting ''benefits'' in subparagraph (B),

(iii) by striking ''section 417(e)(3)(D)(i)) for such month'' in subparagraph (F) and inserting ''section 417(e)(3)(D)(i) for such month)'', and

(iv) by striking ''subparagraph (B)'' in subparagraph (F) and inserting ''subparagraph (C)''.

(F) Section 430(i) of the 1986 Code is amended—

(i) in paragraph (2)—

(I) by striking subparagraph (A) and inserting the following new subparagraph:

''(A) the excess of—

''(i) the sum of—

''(I) the present value of all benefits which are expected to accrue or to be earned under the plan during the plan year, determined using the additional actuarial assumptions described in paragraph (1)(B), plus

''(II) the amount of plan-related expenses expected to be paid from plan assets during the plan year, over

''(ii) the amount of mandatory employee contributions expected to be made during the plan year, plus'', and

(II) in subparagraph (B), by striking ''the target normal cost (determined without regard to this paragraph) of the plan for the plan year'' and inserting ''the amount determined under subsection (b)(1)(A)(i) with respect to the plan for the plan year'', and

(ii) by striking ''subparagraph (A)(ii)'' in the last sentence of paragraph (4)(B) and inserting ''subparagraph (A)''.

(G) Section 430(j)(3) of the 1986 Code is amended—

(i) by adding at the end of subparagraph (A) the following new sentence: ''In the case of plan years beginning in 2008, the funding shortfall for the preceding plan year may be determined using such methods of estimation as the Secretary may provide.'',

(ii) by striking ''section 302(c)'' in subparagraph (D)(ii)(II) and inserting ''section 412(c)'',

(iii) by adding at the end of subparagraph (E) the following new clause:

''(iii) PLAN WITH ALTERNATE VALUATION DATE.—The Secretary shall prescribe regulations for the application of this paragraph in

the case of a plan which has a valuation date other than the first day of the plan year.'', and

(iv) by striking ''AND SHORT YEARS'' in the heading of subparagraph (E) and inserting '', SHORT YEARS, AND YEARS WITH ALTERNATE VALUATION DATE''.

(H) Section 430(k) of the 1986 Code is amended—

(i) by inserting ''(as provided under paragraph (2))'' after ''applies'' in paragraph (1), and

(ii) by striking '', except'' and all that follows in paragraph (6)(B) and inserting a period.

(3) EFFECTIVE DATES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the amendments made by paragraphs (1)(A), (1)(F)(i), (2)(A), and (2)(F)(i) shall apply to plan years beginning after December 31, 2008.

(B) ELECTION FOR EARLIER APPLICATION.—The amendments made by such paragraphs shall apply to a plan for the first plan year beginning after December 31, 2007, if the plan sponsor makes the election under this subparagraph. An election under this subparagraph shall be made at such time and in such manner as the Secretary of the Treasury or the Secretary's delegate may prescribe, and, once made, may be revoked only with the consent of the Secretary.

(c) AMENDMENTS RELATED TO SECTIONS 103 AND 113.—

(1) AMENDMENTS TO ERISA.—

(A) Section 101(j) of ERISA is amended—

(i) in paragraph (2), by striking ''section 206(g)(4)(B)'' and inserting ''section 206(g)(4)(A)''; and

(ii) by adding at the end the following: ''The Secretary of the Treasury, in consultation with the Secretary, shall have the authority to prescribe rules applicable to the notices required under this subsection.''.

(B) Section 206(g)(1)(B)(ii) of ERISA is amended by striking ''a funding'' and inserting ''an adjusted funding''.

(C) The heading for section 206(g)(1)(C) of ERISA is amended by inserting ''BENEFIT'' after ''EVENT''.

(D) Section 206(g)(3)(E) of ERISA is amended by adding at the end the following new flush sentence:

''Such term shall not include the payment of a benefit which under section 203(e) may be immediately distributed without the consent of the participant.''.

(E) Section 206(g)(5)(A)(iv) of ERISA is amended by inserting ''adjusted'' before ''funding''.

(F) Section 206(g)(9)(C) of ERISA is amended—

(i) by striking ''without regard to this subparagraph and'' in clause (i), and

(ii) in clause (iii)—

(I) by striking ''without regard to this subparagraph'' and inserting ''without regard to the reduction in the value of assets under section 303(f)(4)'', and

(II) by inserting ''beginning'' before ''after'' each place it appears.

(G) Section 206(g) of ERISA is amended by redesignating paragraph (10) as paragraph (11) and by inserting after paragraph (9) the following new paragraph:

''(10) SECRETARIAL AUTHORITY FOR PLANS WITH ALTERNATE VALUATION DATE.—In the case of a plan which has designated a valuation date other than the first day of the plan year, the Secretary of the Treasury may prescribe rules for the application of this subsection which are necessary to reflect the alternate valuation date.''.

(H) Section 502(c)(4) of ERISA is amended by striking ''by any person'' and all that follows through the period and inserting ''by any person of subsection (j), (k), or (l) of section 101 or section 514(e)(3).''.

(2) AMENDMENTS TO 1986 CODE.—

(A) Section 436(b)(2) of the 1986 Code is amended—

(i) by striking ''section 303'' and inserting ''section 430'' in the matter preceding subparagraph (A), and

(ii) by striking ''a funding'' and inserting ''an adjusted funding'' in subparagraph (B).

(B) Section 436(b)(3) of the 1986 Code is amended—

(i) by inserting ''BENEFIT'' after ''EVENT'' in the heading, and

(ii) by striking ''any event'' in subparagraph (B) and inserting ''an event''.

(C) Section 436(d)(5) of the 1986 Code is amended by adding at the end the following new flush sentence:

''Such term shall not include the payment of a benefit which under section 411(a)(11) may be immediately distributed without the consent of the participant.''.

(D) Section 436(f) of the 1986 Code is amended—

(i) by inserting ''adjusted'' before ''funding'' in paragraph (1)(D), and

(ii) by striking ''prefunding balance under section 430(f) or funding standard carryover balance'' in paragraph (2) and inserting ''prefunding balance or funding standard carryover balance under section 430(f)''.

(E) Section 436(j)(3) of the 1986 Code is amended—

(i) in subparagraph (A)—

(I) by striking ''without regard to this paragraph and'',

(II) by striking ''section 430(f)(4)(A)'' and inserting ''section 430(f)(4)'', and

(III) by striking ''paragraph (1)'' and inserting ''paragraphs (1) and (2)'', and

(ii) in subparagraph (C)—

(I) by striking ''without regard to this paragraph'' and inserting ''without regard to the reduction in the value of assets under section 430(f)(4)'', and

(II) by inserting ''beginning'' before ''after'' each place it appears.

(F) Section 436 of the 1986 Code is amended by redesignating subsection (k) as subsection (m) and by inserting after subsection (j) the following new subsections:

''(k) SECRETARIAL AUTHORITY FOR PLANS WITH ALTERNATE VALUATION DATE.—In the case of a plan which has designated a valuation date other than the first day of the plan year, the Secretary may prescribe rules for the application of this section which are necessary to reflect the alternate valuation date.

''(l) SINGLE-EMPLOYER PLAN.—For purposes of this section, the term 'single-employer plan' means a plan which is not a multiemployer plan.''.

(3) AMENDMENTS TO 2006 ACT.—Sections 103(c)(2)(A)(ii) and 113(b)(2)(A)(ii) of the 2006 Act are each amended—

(A) by striking ''subsection'' and inserting ''section'', and

(B) by striking ''subparagraph'' and inserting ''paragraph''.

(d) AMENDMENTS RELATED TO SECTIONS 107 AND 114.—

(1) AMENDMENTS TO ERISA.—

(A) Section 103(d) of ERISA is amended—

(i) in paragraph (3), by striking ''the normal costs, the accrued liabilities'' and inserting ''the normal costs or target normal costs, the accrued liabilities or funding target'', and

(ii) by striking paragraph (7) and inserting the following new paragraph:

''(7) A certification of the contribution necessary to reduce the minimum required contribution determined under section 303, or the accumulated funding deficiency determined under section 304, to zero.''.

(B) Section 4071 of ERISA is amended by striking ''as section 303(k)(4) or 307(e)'' and inserting ''or section 303(k)(4),''.

(2) AMENDMENTS TO 1986 CODE.—

(A) Section 401(a)(29) of the 1986 Code is amended by striking ''ON PLANS IN AT-RISK STATUS'' in the heading.

(B) Section 401(a)(32)(C) of the 1986 Code is amended—

(i) by striking ''section 430(j)'' and inserting ''section 430(j)(3)'', and

(ii) by striking ''paragraph (5)(A)'' and inserting ''section 430(j)(4)(A)''.

(C) Section 401(a)(33) of the 1986 Code is amended—

(i) by striking ''section 412(c)(2)'' in subparagraph (B)(iii) and inserting ''section 412(d)(2)'', and

(ii) by striking ''section 412(b)(2) (without regard to subparagraph (B) thereof)'' in subparagraph (D) and inserting ''section 412(b)(1), without regard to section 412(b)(2)''.

(D) Section 411 of the 1986 Code is amended—

(i) by striking ''section 412(c)(2)'' in subsection (a)(3)(C) and inserting ''section 412(d)(2)'', and

(ii) by striking ''section 412(e)(2)'' in subsection (d)(6)(A) and inserting ''section 412(d)(2)''.

(E) Section 414(l)(2)(B)(i)(I) of the 1986 Code is amended to read as follows:

''(I) the sum of the funding target and target normal cost determined under section 430, over''.

(F) Section 4971 of the 1986 Code is amended—

(i) by striking ''required minimum'' in subsection (b)(1) and inserting ''minimum required'',

(ii) by inserting ''or unpaid minimum required contribution, whichever is applicable'' after ''accumulated funding deficiency'' each place it appears in subsections (c)(3) and (d)(1), and

(iii) by striking ''section 412(a)(1)(A)'' in subsection (e)(1) and inserting ''section 412(a)(2)''.

(3) AMENDMENT TO 2006 ACT.—Section 114 of the 2006 Act is amended by adding at the end the following new subsection:

''(g) EFFECTIVE DATES.—

''(1) IN GENERAL.—The amendments made by this section shall apply to plan years beginning after 2007.

''(2) EXCISE TAX.—The amendments made by subsection (e) shall apply to taxable years beginning after 2007, but only with respect to plan years described in paragraph (1) which end with or within any such taxable year.''.

(e) AMENDMENT RELATED TO SECTION 116.—Section 409A(b)(3)(A)(ii) of the 1986 Code is amended by inserting ''to an applicable covered employee'' after ''under the plan''.

SEC. 102. AMENDMENTS RELATED TO TITLE II.

(a) AMENDMENT RELATED TO SECTIONS 201 AND 211.—Section 201(b)(2)(A) of the 2006 Act is amended by striking ''has not used'' and inserting ''has not adopted, or ceased using,''.

(b) AMENDMENTS RELATED TO SECTIONS 202 AND 212.—

(1) AMENDMENTS TO ERISA.—

(A) Section 302(b)(3) of ERISA is amended by striking ''the plan adopts'' and inserting ''the plan sponsor adopts''.

(B) Section 305(b)(3)(C) of ERISA is amended by striking ''section 101(b)(4)'' and inserting ''section 101(b)(1)''.

(C) Section 305(b)(3)(D) of ERISA is amended by striking ''The Secretary'' in clause (iii) and inserting ''The Secretary of the Treasury, in consultation with the Secretary''.

(D) Section 305(c)(7) of ERISA is amended—

(i) by striking ''to agree on'' and all that follows in subparagraph (A)(ii) and inserting ''to adopt a contribution schedule with terms consistent with the funding improvement plan and a schedule from the plan sponsor,'', and

(ii) by striking subparagraph (B) and inserting the following new subparagraph:

''(B) DATE OF IMPLEMENTATION.—The date specified in this subparagraph is the date which is 180 days after the date on which the collective bargaining agreement described in subparagraph (A) expires.'', and

(iii) by adding at the end the following new subparagraph:

''(C) FAILURE TO MAKE SCHEDULED CONTRIBUTIONS.—Any failure to make a contribution under a schedule of contribution rates provided under this paragraph shall be treated as a delinquent contribution under section 515 and shall be enforceable as such.''.

(E) Section 305(e) of ERISA is amended—

(i) in paragraph (3)(C)—

(I) by striking all that follows ''to adopt a'' in clause (i)(II) and inserting ''to adopt a contribution schedule with terms consistent with the rehabilitation plan and a schedule from the plan sponsor under paragraph (1)(B)(i),'',

(II) by striking clause (ii) and inserting the following new clause:

''(ii) DATE OF IMPLEMENTATION.—The date specified in this clause is the date which is 180 days after the date on which the collective bargaining agreement described in clause (i) expires.'', and

(III) by adding at the end the following new clause:

''(iii) FAILURE TO MAKE SCHEDULED CONTRIBUTIONS.—Any failure to make a contribution under a schedule of contribution rates provided under this subsection shall be treated as a delinquent contribution under section 515 and shall be enforceable as such.'',

(ii) in paragraph (4)—

(I) by striking ''the date of'' in subparagraph (A)(ii), and

(II) by striking ''and taking'' in subparagraph (B) and inserting ''but taking'',

(iii) in paragraph (6)—

(I) by striking ''paragraph (1)(B)(i)'' and inserting ''the last sentence of paragraph (1)'', and

(II) by striking ''established'' and inserting ''establish'',

(iv) in paragraph (8)(C)(iii)—

(I) by striking ''the Secretary'' in subclause (I) and inserting ''the Secretary of the Treasury, in consultation with the Secretary'', and

(II) by striking ''Secretary'' in the last sentence and inserting ''Secretary of the Treasury'', and

(v) by striking ''an employer's withdrawal liability'' in paragraph (9)(B) and inserting ''the allocation of unfunded vested benefits to an employer''.

(F) Section 305(f)(2)(A)(i) of ERISA is amended by adding at the end the following: ''to a participant or beneficiary whose annuity starting date (as defined in section 205(h)(2)) occurs after the date such notice is sent,''.

(G) Section 305(g) of ERISA is amended by inserting ''under subsection (c)'' after ''funding improvement plan'' the first place it appears.

(H) Section 502(c)(2) of ERISA is amended by striking ''101(b)(4)'' and inserting ''101(b)(1)''.

(I) Section 502(c)(8)(A) of ERISA is amended by inserting ''plan'' after ''multiemployer''.

(2) AMENDMENTS TO 1986 CODE.—

(A) Section 432(b)(3)(C) of the 1986 Code is amended by striking ''section 101(b)(4)'' and inserting ''section 101(b)(1)''.

(B) Section 432(b)(3)(D)(iii) of the 1986 Code is amended by striking ''The Secretary of Labor'' and inserting ''The Secretary, in consultation with the Secretary of Labor''.

(C) Section 432(c) of the 1986 Code is amended—

(i) in paragraph (3), by striking ''section 304(d)'' in subparagraph (A)(ii) and inserting ''section 431(d)'', and

(ii) in paragraph (7)—

(I) by striking ''to agree on'' and all that follows in subparagraph (A)(ii) and inserting ''to adopt a contribution schedule with terms consistent with the funding improvement plan and a schedule from the plan sponsor,'', and

(II) by striking subparagraph (B) and inserting the following new subparagraph:

''(B) DATE OF IMPLEMENTATION.—The date specified in this subparagraph is the date which is 180 days after the date on which the collective bargaining agreement described in subparagraph (A) expires.''.

(D) Section 432(e) of the 1986 Code is amended—

(i) in paragraph (3)(C)—

(I) by striking all that follows ''to adopt a'' in clause (i)(II) and inserting ''to adopt a contribution schedule with terms consistent with the rehabilitation plan and a schedule from the plan sponsor under paragraph (1)(B)(i),'', and

(II) by striking clause (ii) and inserting the following new clause:

''(ii) DATE OF IMPLEMENTATION.—The date specified in this clause is the date which is 180 days after the date on which the collective bargaining agreement described in clause (i) expires.'',

(ii) in paragraph (4)—

(I) by striking ''the date of'' in subparagraph (A)(ii), and

(II) by striking ''and taking'' in subparagraph (B) and inserting ''but taking'',

(iii) in paragraph (6)—

(I) by striking ''paragraph (1)(B)(i)'' and inserting ''the last sentence of paragraph (1)'', and

(II) by striking ''established'' and inserting ''establish'',

(iv) in paragraph (8)—

(I) by striking ''section 204(g)'' in subparagraph (A)(i) and inserting ''section 411(d)(6)'',

(II) by inserting ''of the Employee Retirement Income Security Act of 1974'' after ''4212(a)'' in subparagraph (C)(i)(II),

(III) by striking ''the Secretary of Labor'' in subparagraph (C)(iii)(I) and inserting ''the Secretary, in consultation with the Secretary of Labor'', and

(IV) by striking ''the Secretary of Labor'' in the last sentence of subparagraph (C)(iii) and inserting ''the Secretary'', and

(v) by striking ''an employer's withdrawal liability'' in paragraph (9)(B) and inserting ''the allocation of unfunded vested benefits to an employer''.

(E) Section 432(f)(2)(A)(i) of the 1986 Code is amended—

(i) by striking ''section 411(b)(1)(A)'' and inserting ''section 411(a)(9)''; and

(ii) by inserting at the end the following: ''to a participant or beneficiary whose annuity starting date (as defined in section 417(f)(2)) occurs after the date such notice is sent,''.

(F) Section 432(g) of the 1986 Code is amended by inserting ''under subsection (c)'' after ''funding improvement plan'' the first place it appears.

(G) Section 432(i) of the 1986 Code is amended—

(i) by striking ''section 412(a)'' in paragraph (3) and inserting ''section 431(a)'', and

(ii) by striking paragraph (9) and inserting the following new paragraph:

''(9) PLAN SPONSOR.—For purposes of this section, section 431, and section 4971(g):

''(A) IN GENERAL.—The term 'plan sponsor' means, with respect to any multiemployer plan, the association, committee, joint board of trustees, or other similar group of representatives of the parties who establish or maintain the plan.

''(B) SPECIAL RULE FOR SECTION 404(c) PLANS.—In the case of a plan described in section 404(c) (or a continuation of such plan), such term means the bargaining parties described in paragraph (1).''.

(H) Section 412(b)(3) of the 1986 Code is amended by striking ''the plan adopts'' and inserting ''the plan sponsor adopts''.

(I) Section 4971(g)(4) of the 1986 Code is amended—

(i) in subparagraph (B)(ii), by striking ''first day of'' and inserting ''day following the close of'', and

(ii) by striking clause (ii) of subparagraph (C) and inserting the following new clause:

''(ii) PLAN SPONSOR.—For purposes of clause (i), the term 'plan sponsor' has the meaning given such term by section 432(i)(9).''.

(3) AMENDMENTS TO 2006 ACT.—

(A) Section 212(b)(2) of the 2006 Act is amended by striking ''Section 4971(c)(2) of such Code'' and inserting ''Section 4971(e)(2) of such Code''.

(B) Section 212(e)(1) of the 2006 Act is amended by inserting '', except that the amendments made by subsection (b) shall apply to taxable years beginning after 2007, but only with respect to plan years beginning after 2007 which end with or within any such taxable year'' before the period at the end.

(C) Section 212(e)(2) of the 2006 Act is amended by striking ''section 305(b)(3) of the Employee Retirement Income Security Act of 1974'' and inserting ''section 432(b)(3) of the Internal Revenue Code of 1986''.

SEC. 103. AMENDMENTS RELATED TO TITLE III.

(a) AMENDMENT RELATED TO SECTION 301.—Clause (ii) of section 101(c)(2)(A) of the Pension Funding Equity Act of 2004, as amended by section 301(c) of the 2006 Act, is amended by striking ''2008'' and inserting ''2009''.

(b) AMENDMENTS RELATED TO SECTION 302.—

(1) AMENDMENT TO ERISA.—Section 205(g)(3)(B)(iii)(II) of ERISA is amended by striking ''section 205(g)(3)(B)(iii)(II)'' and inserting ''section 205(g)(3)(A)(ii)(II)''.

(2) AMENDMENTS TO 1986 CODE.—

(A) Section 417(e)(3)(D)(i) of the 1986 Code is amended by striking ''clause (ii)'' and inserting ''subparagraph (C)''.

(B)(i) Section 415(b)(2)(E)(v) of the 1986 Code is amended to read as follows:

''(v) For purposes of adjusting any benefit or limitation under subparagraph (B), (C), or (D), the mortality table used shall be the applicable mortality table (within the meaning of section 417(e)(3)(B)).''.

(ii)(I) Except as provided in subclause (II), the amendment made by clause (i) shall apply to years beginning after December 31, 2008.

(II) A plan sponsor may elect to have the amendment made by clause (i) apply to any year beginning after December 31, 2007, and before January 1, 2009, or to any portion of any such year.

SEC. 104. AMENDMENTS RELATED TO TITLE IV.

(a) AMENDMENT RELATED TO SECTION 401.—Section 4006(a)(3)(A)(i) of ERISA is amended by striking ''1990'' and inserting ''2005''.

(b) AMENDMENT RELATED TO SECTION 402.—Section 402(c)(1)(A) of the 2006 Act is amended by striking ''commercial airline'' and inserting ''commercial''.

(c) AMENDMENT RELATED TO SECTION 408.—Section 4044(e) of ERISA, as added by section 408(b)(2) of the 2006 Act, is redesignated as subsection (f).

(d) AMENDMENTS RELATED TO SECTION 409.—Section 4041(b)(5)(A) of ERISA is amended by striking ''subparagraph (B)'' and inserting ''subparagraphs (B) and (D)''.

(e) AMENDMENTS RELATED TO SECTION 410.—Section 4050(d)(4)(A) of ERISA is amended—

(1) by striking ''and'' at the end of clause (i), and

(2) by striking clause (ii) and inserting the following new clauses:

''(ii) which is not a plan described in paragraph (2), (3), (4), (6), (7), (8), (9), (10), or (11) of section 4021(b), and

''(iii) which, was a plan described in section 401(a) of the Internal Revenue Code of 1986 which includes a trust exempt from tax under section 501(a) of such Code, and''.

SEC. 105. AMENDMENTS RELATED TO TITLE V.

(a) AMENDMENT RELATED TO SECTION 501.—Section 101(f)(2)(B)(ii) of ERISA is amended—

(1) by striking ''for which the latest annual report filed under section 104(a) was filed'' in subclause (I)(aa) and inserting ''to which the notice relates'', and

(2) by striking subclause (II) and inserting the following new subclause:

''(II) in the case of a multiemployer plan, a statement, for the plan year to which the notice relates and the preceding 2 plan years, of the value of the plan assets (determined both in the same manner as under section 304 and under the rules of subclause (I)(bb)) and the value of the plan liabilities (determined in the same manner as under section 304 except that the method specified in section 305(i)(8) shall be used),''.

(b) AMENDMENTS RELATED TO SECTION 502.—

(1) Section 101(k)(2) of ERISA is amended by filing at the end the following new flush sentence:

''Subparagraph (C)(i) shall not apply to individually identifiable information with respect to any plan investment manager or adviser, or with respect to any other person (other than an employee of the plan) preparing a financial report required to be included under paragraph (1)(B).''.

(2) Section 4221 of ERISA is amended by striking subsection (e) and by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(c) AMENDMENTS RELATED TO SECTION 503.—

(1) AMENDMENTS TO ERISA.—

(A) Section 104(b)(3) of ERISA is amended by—

(i) striking ''section 103(f)'' and inserting ''section 101(f)'', and

(ii) striking ''the administrators'' and inserting ''the administrator''.

(B) Section 104(d)(1)(E)(ii) of ERISA is amended by inserting ''funding'' after ''plan's''.

(2) AMENDMENTS TO 2006 ACT.—Section 503(e) of the 2006 Act is amended by striking ''section 101(f)'' and inserting ''section 104(d)''.

(d) AMENDMENT RELATED TO SECTION 505.—Section 4010(d)(2)(B) of ERISA is amended by striking ''section 302(d)(2)'' and inserting ''section 303(d)(2)''.

(e) AMENDMENTS RELATED TO SECTION 506.—

(1) Section 4041(c)(2)(D)(i) of ERISA is amended by striking ''subsection (a)(2)'' the second place it appears and inserting ''subparagraph (A) or the regulations under subsection (a)(2)''.

(2) Section 4042(c)(3)(C)(i) of ERISA is amended—

(A) by striking ''and plan sponsor'' and inserting '', the plan sponsor, or the corporation'', and

(B) by striking ''subparagraph (A)(i)'' and inserting ''subparagraph (A)''.

(f) AMENDMENTS RELATED TO SECTION 508.—Section 209(a) of ERISA is amended—

(1) in paragraph (1)—

(A) by striking ''regulations prescribed by the Secretary'' and inserting ''such regulations as the Secretary may prescribe'', and

(B) by striking the last sentence and inserting ''The report required under this paragraph shall be in the same form, and contain the same information, as periodic benefit statements under section 105(a).'', and

(2) by striking paragraph (2) and inserting the following:

''(2) If more than one employer adopts a plan, each such employer shall furnish to the plan administrator the information necessary for the administrator to maintain the records, and make the reports, required by paragraph (1). Such administrator shall maintain the records, and make the reports, required by paragraph (1).''.

(g) AMENDMENT RELATED TO SECTION 509.—Section 101(i)(8)(B) of ERISA is amended to read as follows:

''(B) ONE-PARTICIPANT RETIREMENT PLAN.—For purposes of subparagraph (A), the term 'one-participant retirement plan' means a retirement plan that on the first day of the plan year—

''(i) covered only one individual (or the individual and the individual's spouse) and the individual (or the individual and the individual's spouse) owned 100 percent of the plan sponsor (whether or not incorporated), or

''(ii) covered only one or more partners (or partners and their spouses) in the plan sponsor.''.

SEC. 106. AMENDMENTS RELATED TO TITLE VI.

(a) AMENDMENTS RELATED TO SECTION 601.—

(1) AMENDMENTS TO ERISA.—

(A) Section 408(g)(3)(D)(ii) of ERISA is amended by striking ''subsection (b)(14)(B)(ii)'' and inserting ''subsection (b)(14)(A)(ii)''.

(B) Section 408(g)(6)(A)(i) of ERISA is amended by striking ''financial adviser'' and inserting ''fiduciary adviser''.

(C) Section 408(g)(11)(A) of ERISA is amended—

(i) by striking ''the participant'' each place it appears and inserting ''a participant'', and

(ii) by striking ''section 408(b)(4)'' in clause (ii) and inserting ''subsection (b)(4)''.

(2) AMENDMENTS TO 1986 CODE.—

(A) Section 4975(d)(17) of the 1986 Code, in the matter preceding subparagraph (A), is amended by striking ''and that permits'' and inserting ''that permits''.

(B) Section 4975(f)(8) of the 1986 Code is amended—

(i) in subparagraph (A), by striking ''subsection (b)(14)'' and inserting ''subsection (d)(17)'',

(ii) in subparagraph (C)(iv)(II), by striking ''subsection (b)(14)(B)(ii)'' and inserting ''(d)(17)(A)(ii)'',

(iii) in subparagraph (F)(i)(I), by striking ''financial adviser'' and inserting ''fiduciary adviser,'',

(iv) in subparagraph (I), by striking ''section 406'' and inserting ''subsection (c)'', and

(v) in subparagraph (J)(i)—

(I) by striking ''the participant'' each place it appears and inserting ''a participant'',

(II) in the matter preceding subclause (I), by inserting ''referred to in subsection (e)(3)(B)'' after ''investment advice'', and

(III) in subclause (II), by striking ''section 408(b)(4)'' and inserting ''subsection (d)(4)''.

(3) AMENDMENT TO 2006 ACT.—Section 601(b)(4) of the 2006 Act is amended by striking ''section 4975(c)(3)(B)'' and inserting ''section 4975(e)(3)(B)''.

(b) AMENDMENTS RELATED TO SECTION 611.—

(1) AMENDMENT TO ERISA.—Section 408(b)(18)(C) of ERISA is amended by striking ''or less''.

(2) AMENDMENTS TO 1986 CODE.—Section 4975(d) of the 1986 Code is amended—

(A) in the matter preceding subparagraph (A) of paragraph (18)—

(i) by striking ''party in interest'' and inserting ''disqualified person'', and

(ii) by striking ''subsection (e)(3)(B)'' and inserting ''subsection (e)(3)'',

(B) in paragraphs (19), (20), and (21), by striking ''party in interest'' each place it appears and inserting ''disqualified person'', and

(C) by striking ''or less'' in paragraph (21)(C).

(c) AMENDMENTS RELATED TO SECTION 612.—Section 4975(f)(11)(B)(i) of the 1986 Code is amended by—

(1) inserting ''of the Employee Retirement Income Security Act of 1974'' after ''section 407(d)(1)'', and

(2) inserting ''of such Act'' after ''section 407(d)(2)''.

(d) AMENDMENTS RELATED TO SECTION 624.—Section 404(c)(5) of ERISA is amended by striking ''participant'' each place it appears and inserting ''participant or beneficiary''.

SEC. 107. AMENDMENTS RELATED TO TITLE VII.

(a) AMENDMENTS TO ERISA.—

(1) Section 203(f)(1)(B) of ERISA is amended to read as follows:

''(B) the requirements of section 204(c) or 205(g), or the requirements of subsection (e), with respect to accrued benefits derived from employer contributions,''.

(2) Section 204(b)(5) of ERISA is amended—

(A) by striking ''clause'' in subparagraph (A)(iii) and inserting ''subparagraph'', and

(B) by inserting ''otherwise'' before ''allowable'' in subparagraph (C).

(3) Subclause (II) of section 204(b)(5)(B)(i) of ERISA is amended to read as follows:

''(II) PRESERVATION OF CAPITAL.—An applicable defined benefit plan shall be treated as failing to meet the requirements of paragraph (1)(H) unless the plan provides that an interest credit (or equivalent amount) of less than zero shall in no event result in the account balance or similar amount being less than the aggregate amount of contributions credited to the account.''.

(b) AMENDMENTS TO 1986 CODE.—

(1) Section 411(b)(5) of the 1986 Code is amended—

(A) by striking ''clause'' in subparagraph (A)(iii) and inserting ''subparagraph'', and

(B) by inserting ''otherwise'' before ''allowable'' in subparagraph (C).

(2) Section 411(a)(13)(A) of the 1986 Code is amended—

(A) by striking ''paragraph (2)'' in clause (i) and inserting ''subparagraph (B)'',

(B) by striking clause (ii) and inserting the following new clause:

''(ii) the requirements of subsection (a)(11) or (c), or the requirements of section 417(e), with respect to accrued benefits derived from employer contributions,'', and

(C) by striking ''paragraph (3)'' in the matter following clause (ii) and inserting ''subparagraph (C)''.

(3) Subclause (II) of section 411(b)(5)(B)(i) of the 1986 Code is amended to read as follows:

''(II) PRESERVATION OF CAPITAL.—An applicable defined benefit plan shall be treated as failing to meet the requirements of paragraph (1)(H) unless the plan provides that an interest credit (or equivalent amount) of less than zero shall in no event result in the account balance or similar amount being less than the aggregate amount of contributions credited to the account.''.

(c) AMENDMENTS TO 2006 ACT.—

(1) Section 701(d)(2) of the 2006 Act is amended by striking ''204(g)'' and inserting ''205(g)''.

(2) Section 701(e) of the 2006 Act is amended—

(A) by inserting ''on or'' after ''period'' in paragraph (3),

(B) in paragraph (4)—

(i) by inserting ''the earlier of'' after ''before'' in the matter preceding subparagraph (A), and

(ii) by striking ''earlier'' and inserting ''later'' in subparagraph (A),

(C) by inserting ''on or'' before ''after'' each place it appears in paragraph (5), and

(D) by adding at the end the following new paragraph:

''(6) SPECIAL RULE FOR VESTING REQUIREMENTS.—The requirements of section 203(f)(2) of the Employee Retirement Income Security Act of 1974 and section 411(a)(13)(B) of the Internal Revenue Code of 1986 (as added by this Act)—

''(A) shall not apply to a participant who does not have an hour of service after the effective date of such requirements (as otherwise determined under this subsection); and

''(B) in the case of a plan other than a plan described in paragraph (3) or (4), shall apply to plan years ending on or after June 29, 2005.''.

SEC. 108. AMENDMENTS RELATED TO TITLE VIII.

(a) AMENDMENTS RELATED TO SECTION 801.—

(1) Section 404(o) of the 1986 Code is amended—

(A) by striking ''430(g)(2)'' in paragraph (2)(A)(ii) and inserting ''430(g)(3)'', and

(B) by striking ''412(f)(4)'' in paragraph (4)(B) and inserting ''412(d)(3)''.

(2) Section 404(a)(7)(A) of the 1986 Code is amended—

(A) by striking the next to last sentence, and

(B) by striking ''the plan's funding shortfall determined under section 430'' in the last sentence and inserting ''the excess (if any) of the plan's funding target (as defined in section 430(d)(1)) over the value of the plan's assets (as determined under section 430(g)(3))''.

(b) AMENDMENT RELATED TO SECTION 802.—Section 404(a)(1)(D)(i) of the 1986 Code is amended by striking ''431(c)(6)(C)'' and inserting ''431(c)(6)(D)''.

(c) AMENDMENT RELATED TO SECTION 803.—Clause (iii) of section 404(a)(7)(C) of the 1986 Code is amended to read as follows:

''(iii) LIMITATION.—In the case of employer contributions to 1 or more defined contribution plans—

''(I) if such contributions do not exceed 6 percent of the compensation otherwise paid or accrued during the taxable year to the beneficiaries under such plans, this paragraph shall not apply to such contributions or to employer contributions to the defined benefit plans to which this paragraph would otherwise apply by reason of contributions to the defined contribution plans, and

''(II) if such contributions exceed 6 percent of such compensation, this paragraph shall be applied by only taking into account such contributions to the extent of such excess.

For purposes of this clause, amounts carried over from preceding taxable years under subparagraph (B) shall be treated as employer contributions to 1 or more defined contributions plans to the extent attributable to employer contributions to such plans in such preceding taxable years.''.

(d) AMENDMENTS RELATED TO SECTION 824.—

(1) Section 408A(c)(3)(B) of the 1986 Code, as in effect after the amendments made by section 824(b)(1) of the 2006 Act, is amended—

(A) by striking the second ''an'' before ''eligible'',

(B) by striking ''other than a Roth IRA'', and

(C) by adding at the end the following new flush sentence:

''This subparagraph shall not apply to a qualified rollover contribution from a Roth IRA or to a qualified rollover contribution from a designated Roth account which is a rollover contribution described in section 402A(c)(3)(A).''

(2) Section 408A(d)(3)(B), as in effect after the amendments made by section 824(b)(2)(B) of the 2006 Act, is amended by striking ''(other than a Roth IRA)'' and by inserting at the end the following new sentence: ''This paragraph shall not apply to a distribution which is a qualified rollover contribution from a Roth IRA or a qualified rollover contribution from a designated Roth account which is a rollover contribution described in section 402A(c)(3)(A)''.

(e) AMENDMENT TO SECTION 827.—The first sentence of section 72(t)(2)(G)(iv) of the 1986 Code is amended by inserting ''on or'' before ''before''.

(f) AMENDMENTS RELATED TO SECTION 829.—

(1) Section 402(c)(11) of the 1986 Code is amended—

(A) by inserting ''described in paragraph (8)(B)(iii)'' after ''eligible retirement plan'' in subparagraph (A), and

(B) by striking ''trust'' before ''designated beneficiary'' in subparagraph (B).

(2)(A) Section 402(f)(2)(A) of the 1986 Code is amended by adding at the end the following new sentence: ''Such term shall include any distribution to a designated beneficiary which would be treated as an eligible rollover distribution by reason of subsection (c)(11), or section 403(a)(4)(B), 403(b)(8)(B), or 457(e)(16)(B), if the requirements of subsection (c)(11) were satisfied.''

(B) Clause (i) of section 402(c)(11)(A) of the 1986 Code is amended by striking ''for purposes of this subsection''.

(C) The amendments made by this paragraph shall apply with respect to plan years beginning after December 31, 2009.

(g) AMENDMENT RELATED TO SECTION 832.—Section 415(f) of the 1986 Code is amended by striking paragraph (2) and by redesignating paragraph (3) as paragraph (2).

(h) AMENDMENTS RELATED TO SECTION 833.—

(1) Section 408A(c)(3)(C) of the 1986 Code, as added by section 833(c) of the 2006 Act, is redesignated as subparagraph (E).

(2) In the case of taxable years beginning after December 31, 2009, section 408A(c)(3)(E) of the 1986 Code (as redesignated by paragraph (1))—

(A) is redesignated as subparagraph (D), and

(B) is amended by striking ''subparagraph (C)(ii)'' and inserting ''subparagraph (B)(ii)''.

(i) AMENDMENTS RELATED TO SECTION 841.—

(1) Section 420(c)(1)(A) of the 1986 Code is amended by adding at the end the following new sentence: ''In the case of a qualified future transfer or collectively bargained transfer to which subsection (f) applies, any assets so transferred may also be used to pay liabilities described in subsection (f)(2)(C).''

(2) Section 420(f)(2) of the 1986 Code is amended by striking ''such'' before ''the applicable'' in subparagraph (D)(i)(I).

(3) Section 4980(c)(2)(B) of the 1986 Code is amended by striking ''or'' at the end of clause (i), by striking the period at the end of clause (ii) and inserting '', or'', and by adding at the end the following new clause:

''(iii) any transfer described in section 420(f)(2)(B)(ii)(II).''.

(j) AMENDMENTS RELATED TO SECTION 845.—

(1) Subsection (l) of section 402 of the 1986 Code is amended—

(A) in paragraph (1)—

(i) by inserting ''maintained by the employer described in paragraph (4)(B)'' after ''an eligible retirement plan'', and

(ii) by striking ''of the employee, his spouse, or dependents (as defined in section 152)'' ,

(B) in paragraph (4)(D), by—

(i) inserting ''(as defined in section 152)'' after ''dependents'', and

(ii) striking ''health insurance plan'' and inserting ''health plan'', and

(C) in paragraph (5)(A), by striking ''health insurance plan'' and inserting ''health plan''.

(2) Subparagraph (B) of section 402(l)(3) of the 1986 Code is amended by striking ''all amounts distributed from all eligible retirement plans were treated as 1 contract for purposes of determining the inclusion of such distribution under section 72'' and inserting ''all amounts to the credit of the eligible public safety officer in all eligible retirement plans maintained by the employer described in paragraph (4)(B) were distributed during such taxable year and all such plans were treated as 1 contract for purposes of determining under section 72 the aggregate amount which would have been so includible''.

(k) AMENDMENTS RELATED TO SECTION 854.—

(1) Section 3121(b)(5)(E) of the 1986 Code is amended by striking ''or special trial judge''.

(2) Section 210(a)(5)(E) of the Social Security Act is amended by striking ''or special trial judge''.

(l) AMENDMENTS RELATED TO SECTION 856.—Section 856 of the 2006 Act, and the amendments made by such section, are hereby repealed, and the Internal Revenue Code of 1986 shall be applied and administered as if such sections and amendments had not been enacted.

(m) AMENDMENT RELATED TO SECTION 864.—Section 864(a) of the 2006 Act is amended by striking ''Reconciliation''.

SEC. 109. AMENDMENTS RELATED TO TITLE IX.

(a) AMENDMENT RELATED TO SECTION 901.—Section 401(a)(35)(E)(iv) of the 1986 Code is amended to read as follows:

''(iv) ONE-PARTICIPANT RETIREMENT PLAN.—For purposes of clause (iii), the term 'one-participant retirement plan' means a retirement plan that on the first day of the plan year—

''(I) covered only one individual (or the individual and the individual's spouse) and the individual (or the individual and the individual's spouse) owned 100 percent of the plan sponsor (whether or not incorporated), or

''(II) covered only one or more partners (or partners and their spouses) in the plan sponsor.''.

(b) AMENDMENTS RELATED TO SECTION 902.—

(1) Section 401(k)(13)(D)(i)(I) of the 1986 Code is amended by striking ''such compensation as exceeds 1 percent but does not'' and inserting ''such contributions as exceed 1 percent but do not''.

(2) Sections 401(k)(8)(E) and 411(a)(3)(G) of the 1986 Code are each amended—

(A) by striking ''an erroneous automatic contribution'' and inserting ''a permissible withdrawal'', and

(B) by striking ''ERRONEOUS AUTOMATIC CONTRIBUTION'' in the heading and inserting ''PERMISSIBLE WITHDRAWAL''.

(3) Section 402(g)(2)(A)(ii) of the 1986 Code is amended by inserting ''through the end of such taxable year'' after ''such amount''.

(4) Section 414(w)(3) of the 1986 Code is amended—

(A) in subparagraph (B), by inserting ''and'' after the comma at the end,

(B) by striking subparagraph (C), and

(C) by redesignating subparagraph (D) as subparagraph (C).

(5) Section 414(w)(5) of the 1986 Code is amended by striking ''and'' at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting a comma, and by adding at the end the following:

''(D) a simplified employee pension the terms of which provide for a salary reduction arrangement described in section 408(k)(6), and

''(E) a simple retirement account (as defined in section 408(p)).''.

(6) Section 414(w)(6) of the 1986 Code is amended by inserting ''or for purposes of applying the limitation under section 402(g)(1)'' before the period at the end.

(c) AMENDMENTS RELATED TO SECTION 903.—

(1) AMENDMENT OF 1986 CODE.—Section 414(x)(1) of the 1986 Code is amended by adding at the end of paragraph (1) the following new sentence: ''In the case of a termination of the defined benefit plan and the applicable

defined contribution plan forming part of an eligible combined plan, the plan administrator shall terminate each such plan separately.''

(2) AMENDMENTS OF ERISA.—Section 210(e) of ERISA is amended—

(A) by adding at the end of paragraph (1) the following new sentence: ''In the case of a termination of the defined benefit plan and the applicable defined contribution plan forming part of an eligible combined plan, the plan administrator shall terminate each such plan separately.'', and

(B) by striking paragraph (3) and by redesignating paragraphs (4), (5), and (6) as paragraphs (3), (4), and (5), respectively.

(d) AMENDMENTS RELATED TO SECTION 906.—

(1) Section 906(b)(1)(B)(ii) of the 2006 Act is amended by striking ''paragraph (1)'' and inserting ''paragraph (10)''.

(2) Section 4021(b) of ERISA is amended by inserting ''or'' at the end of paragraph (12), by striking ''; or'' at the end of paragraph (13) and inserting a period, and by striking paragraph (14).

SEC. 110. AMENDMENTS RELATED TO TITLE X.

(a) AMENDMENTS TO RAILROAD RETIREMENT ACT.—

(1) Section 14(b) of the Railroad Retirement Act of 1974 (45 U.S.C. 231m(b)) is amended by adding at the end the following:

''(3)(A) Payments made pursuant to paragraph (2) of this subsection shall not require that the employee be entitled to an annuity under section 2(a)(1) of this Act: Provided, however, That where an employee is not entitled to such an annuity, payments made pursuant to paragraph (2) may not begin before the month in which the following three conditions are satisfied:

''(i) The employee has completed ten years of service in the railroad industry or, five years of service all of which accrues after December 31, 1995.

''(ii) The spouse or former spouse attains age 62.

''(iii) The employee attains age 62 (or if deceased, would have attained age 62).

''(B) Payments made pursuant to paragraph (2) of this subsection shall terminate upon the death of the spouse or former spouse, unless the court document provides for termination at an earlier date. Notwithstanding the language in a court order, that portion of payments made pursuant to paragraph (2) which represents payments computed pursuant to section 3(f)(2) of this Act shall not be paid after the death of the employee.

''(C) If the employee is not entitled to an annuity under section 2(a)(1) of this Act, payments made pursuant to paragraph (2) of this subsection shall be computed as though the employee were entitled to an annuity.''.

(2) Subsection (d) of section 5 of the Railroad Retirement Act (45 U.S.C. 231d) is repealed.

(b) EFFECTIVE DATES.—

(1) SUBSECTION (a)(1).—The amendment made by subsection (a)(1) shall apply with respect to payments due for months after August 2007. If, prior to the effective date of such amendment, payment pursuant to paragraph (2) of section 14(b) of the Railroad Retirement Act of 1974 (45 U.S.C. 231m(b)) was terminated because of the employee's death, payment to the former spouse may be reinstated for months after August 2007.

(2) SUBSECTION (a)(2).—The amendment made by subsection (a)(2) shall take effect upon the date of the enactment of this Act.

SEC. 111. AMENDMENTS RELATED TO TITLE XI.

(a) AMENDMENT RELATED TO SECTION 1104.—Section 1104(d)(1) of the 2006 Act is amended by striking ''Act'' the first place it appears and inserting ''section''.

(b) AMENDMENTS RELATED TO SECTION 1105.—Section 3304(a) of the 1986 Code is amended—

(1) in paragraph (15)—

(A) by redesignating clauses (i) and (ii) of subparagraph (A) as subclauses (I) and (II),

(B) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii),

(C) by striking the semicolon at the end of clause (ii) (as so redesignated) and inserting '', and'',

(D) by striking ''(15)'' and inserting ''(15)(A) subject to subparagraph (B),'', and

(E) by adding at the end the following:

''(B) the amount of compensation shall not be reduced on account of any payments of governmental or other pensions, retirement or retired pay, annuity, or other similar payments which are not includible in the gross income of the individual for the taxable year in which it was paid because it was part of a rollover distribution;'', and

(2) by striking the last sentence.

(c) AMENDMENTS RELATED TO SECTION 1106.—Section 3(37)(G) of ERISA is amended by—

(1) striking ''paragraph'' each place it appears in clauses (ii), (iii), and (v)(I) and inserting ''subparagraph'',

(2) striking ''subclause (i)(II)'' in clause (iii) and inserting ''clause (i)(II)'',

(3) striking ''subparagraph'' in clause (v)(II) and inserting ''clause'', and

(4) by striking ''section 101(b)(4)'' in clause (v)(III) and inserting ''section 101(b)(1)''.

SEC. 112. EFFECTIVE DATE.

Except as otherwise provided in this subtitle, the amendments made by this subtitle shall take effect as if included in the provisions of the 2006 Act to which the amendments relate.

Subtitle B—Other Provisions

SEC. 121. AMENDMENTS RELATED TO SECTIONS 102 AND 112 OF THE PENSION PROTECTION ACT OF 2006.

(a) AMENDMENT OF ERISA.—The last sentence of section 303(g)(3)(B) of ERISA is amended to read as follows: ''Any such averaging shall be adjusted for contributions, distributions, and expected earnings (as determined by the plan's actuary on the basis of an assumed earnings rate specified by the actuary but not in excess of the third segment rate applicable under subsection (h)(2)(C)(iii)), as specified by the Secretary of the Treasury.''.

(b) AMENDMENT OF 1986 CODE.—The last sentence of section 430(g)(3)(B) of the 1986 Code is amended to read as follows: ''Any such averaging shall be adjusted for contributions, distributions, and expected earnings (as determined by the plan's actuary on the basis of an assumed earnings rate specified by the actuary but not in excess of the third segment rate applicable under subsection (h)(2)(C)(iii)), as specified by the Secretary.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of the 2006 Act to which the amendments relate.

SEC. 122. MODIFICATION OF INTEREST RATE ASSUMPTION REQUIRED WITH RESPECT TO CERTAIN SMALL EMPLOYER PLANS.

(a) IN GENERAL.—Subparagraph (E) of section 415(b)(2) of the 1986 Code (relating to limitation on certain assumptions) is amended by adding at the end the following new clause:

''(vi) In the case of a plan maintained by an eligible employer (as defined in section 408(p)(2)(C)(i)), clause (ii) shall be applied without regard to subclause (II) thereof.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to years beginning after December 31, 2008.

SEC. 123. DETERMINATION OF MARKET RATE OF RETURN FOR GOVERNMENTAL PLANS.

(a) AMENDMENT OF ADEA.—Section 4(i)(10)(B)(i)(III) of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 623(i)(10)(B)(i)(III)) is amended by adding at the end the following: ''In the case of a governmental plan (as defined in the first sentence of section 414(d) of the Internal Revenue Code of 1986), a rate of return or a method of crediting interest established pursuant to any provision of Federal, State, or local law (including any administrative rule or policy adopted in accordance with any such law) shall be treated as a market rate of return for purposes of subclause (I) and a permissible method of crediting interest for purposes of meeting the requirements of subclause (I), except that this sentence shall only apply to a rate of return or method of crediting interest if such rate or method does not violate any other requirement of this Act.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the provisions of the Pension Protection Act of 2006 to which such amendment relates.

SEC. 124. TREATMENT OF CERTAIN REIMBURSEMENTS FROM GOVERNMENTAL PLANS FOR MEDICAL CARE.

(a) IN GENERAL.—Section 105 of the 1986 Code (relating to amounts received under accident and health plans) is amended by adding at the end the following new subsection:

''(j) SPECIAL RULE FOR CERTAIN GOVERNMENTAL PLANS.—

''(1) IN GENERAL.—For purposes of subsection (b), amounts paid (directly or indirectly) to the taxpayer from an accident or health plan described in paragraph (2) shall not fail to be excluded from gross income solely because such plan, on or before January 1, 2008, provides for reimbursements of health care expenses of a deceased plan participant's beneficiary.

''(2) PLAN DESCRIBED.—An accident or health plan is described in this paragraph if such plan is funded by a medical trust that is established in connection with a public retirement system and that—

''(A) has been authorized by a State legislature, or

''(B) has received a favorable ruling from the Internal Revenue Service that the trust's income is not includible in gross income under section 115.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to payments before, on, or after the date of the enactment of this Act.

SEC. 125. ROLLOVER OF AMOUNTS RECEIVED IN AIRLINE CARRIER BANKRUPTCY TO ROTH IRAS.

(a) GENERAL RULE.—If a qualified airline employee receives any airline payment amount and transfers any portion of such amount to a Roth IRA within 180 days of receipt of such amount (or, if later, within 180 days of the date of the enactment of this Act), then such amount (to the extent so transferred) shall be treated as a qualified rollover contribution described in section 408A(e) of the Internal Revenue Code of 1986, and the limitations described in section 408A(c)(3) of such Code shall not apply to any such transfer.

(b) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

(1) AIRLINE PAYMENT AMOUNT.—

(A) IN GENERAL.—The term ''airline payment amount'' means any payment of any money or other property which is payable by a commercial passenger airline carrier to a qualified airline employee—

(i) under the approval of an order of a Federal bankruptcy court in a case filed after

September 11, 2001, and before January 1, 2007, and

(ii) in respect of the qualified airline employee's interest in a bankruptcy claim against the carrier, any note of the carrier (or amount paid in lieu of a note being issued), or any other fixed obligation of the carrier to pay a lump sum amount.

The amount of such payment shall be determined without regard to any requirement to deduct and withhold tax from such payment under sections 3102(a) and 3402(a).

(B) EXCEPTION.—An airline payment amount shall not include any amount payable on the basis of the carrier's future earnings or profits.

(2) QUALIFIED AIRLINE EMPLOYEE.—The term ''qualified airline employee'' means an employee or former employee of a commercial passenger airline carrier who was a participant in a defined benefit plan maintained by the carrier which—

(A) is a plan described in section 401(a) of the Internal Revenue Code of 1986 which includes a trust exempt from tax under section 501(a) of such Code, and

(B) was terminated or became subject to the restrictions contained in paragraphs (2) and (3) of section 402(b) of the Pension Protection Act of 2006.

(3) REPORTING REQUIREMENTS.—If a commercial passenger airline carrier pays 1 or more airline payment amounts, the carrier shall, within 90 days of such payment (or, if later, within 90 days of the date of the enactment of this Act), report—

(A) to the Secretary of the Treasury, the names of the qualified airline employees to whom such amounts were paid, and

(B) to the Secretary and to such employees, the years and the amounts of the payments.

Such reports shall be in such form, and contain such additional information, as the Secretary may prescribe.

(c) EFFECTIVE DATE.—This section shall apply to transfers made after the date of the enactment of this Act with respect to airline payment amounts paid before, on, or after such date.

SEC. 126. DETERMINATION OF ASSET VALUE FOR SPECIAL AIRLINE FUNDING RULES.

(a) IN GENERAL.—Section 402(e)(4)(C) of the 2006 Act is amended to read as follows:

''(C) the value of plan assets shall be determined under sections 303(g)(3) of such Act and 430(g)(3) of such Code.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to plan years beginning after December 31, 2007.

SEC. 127. MODIFICATION OF PENALTY FOR FAILURE TO FILE PARTNERSHIP RETURNS.

(a) IN GENERAL.—Section 6698(b)(1) of the 1986 Code is amended by striking ''$85'' and inserting ''$89''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to returns required to be filed after December 31, 2008.

SEC. 128. MODIFICATION OF PENALTY FOR FAILURE TO FILE S CORPORATION RETURNS.

(a) IN GENERAL.—Section 6699(b)(1) of the 1986 Code is amended by striking ''$85'' and inserting ''$89''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to returns required to be filed after December 31, 2008.

TITLE II—PENSION PROVISIONS RELATING TO ECONOMIC CRISIS

SEC. 201. TEMPORARY WAIVER OF REQUIRED MINIMUM DISTRIBUTION RULES FOR CERTAIN RETIREMENT PLANS AND ACCOUNTS.

(a) IN GENERAL.—Section 401(a)(9) of the Internal Revenue Code of 1986 (relating to required distributions) is amended by adding at the end the following new subparagraph:

''(H) TEMPORARY WAIVER OF MINIMUM REQUIRED DISTRIBUTION.—

''(i) IN GENERAL.—The requirements of this paragraph shall not apply for calendar year 2009 to—

''(I) a defined contribution plan which is described in this subsection or in section 403(a) or 403(b),

''(II) a defined contribution plan which is an eligible deferred compensation plan described in section 457(b) but only if such plan is maintained by an employer described in section 457(e)(1)(A), or

''(III) an individual retirement plan.

''(ii) SPECIAL RULES REGARDING WAIVER PERIOD.—For purposes of this paragraph—

''(I) the required beginning date with respect to any individual shall be determined without regard to this subparagraph for purposes of applying this paragraph for calendar years after 2009, and

''(II) if clause (ii) of subparagraph (B) applies, the 5-year period described in such clause shall be determined without regard to calendar year 2009.''.

(b) ELIGIBLE ROLLOVER DISTRIBUTIONS.—Section 402(c)(4) of the Internal Revenue Code of 1986 (defining eligible rollover distribution) is amended by adding at the end the following new flush sentence:

''If all or any portion of a distribution during 2009 is treated as an eligible rollover distribution but would not be so treated if the minimum distribution requirements under section 401(a)(9) had applied during 2009, such distribution shall not be treated as an eligible rollover distribution for purposes of section 401(a)(31) or 3405(c) or subsection (f) of this section.''.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply for calendar years beginning after December 31, 2008.

(2) PROVISIONS RELATING TO PLAN OR CONTRACT AMENDMENTS.—

(A) IN GENERAL.—If this paragraph applies to any pension plan or contract amendment, such pension plan or contract shall not fail to be treated as being operated in accordance with the terms of the plan during the period described in subparagraph (B)(ii) solely because the plan operates in accordance with this section.

(B) AMENDMENTS TO WHICH PARAGRAPH APPLIES.—

(i) IN GENERAL.—This paragraph shall apply to any amendment to any pension plan or annuity contract which—

(I) is made pursuant to the amendments made by this section, and

(II) is made on or before the last day of the first plan year beginning on or after January 1, 2011.

In the case of a governmental plan, subclause (II) shall be applied by substituting ''2012'' for ''2011''.

(ii) CONDITIONS.—This paragraph shall not apply to any amendment unless during the period beginning on the effective date of the amendment and ending on December 31, 2009, the plan or contract is operated as if such plan or contract amendment were in effect.

SEC. 202. TRANSITION RULE CLARIFICATION.

(a) AMENDMENT TO ERISA.—Subparagraph (B) of section 303(c)(5) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1083(c)(5)) is amended—

(1) by striking clause (iii) and redesignating clause (iv) as clause (iii); and

(2) by striking clause (i) and inserting the following:

''(i) IN GENERAL.—Except as provided in clause (iii), in the case of plan years beginning after 2007 and before 2011, only the applicable percentage of the funding target shall be taken into account under paragraph (3)(A) in determining the funding shortfall for purposes of paragraph (3)(A) and subparagraph (A).''.

(b) AMENDMENT TO 1986 CODE.—Subparagraph (B) of section 430(c)(5) of the Internal Revenue Code of 1986 is amended—

(1) by striking clause (iii) and redesignating clause (iv) as clause (iii); and

(2) by striking clause (i) and inserting the following:

''(i) IN GENERAL.—Except as provided in clause (iii), in the case of plan years beginning after 2007 and before 2011, only the applicable percentage of the funding target shall be taken into account under paragraph (3)(A) in determining the funding shortfall for purposes of paragraph (3)(A) and subparagraph (A).''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply as if included in the enactment of sections 102 and 112, respectively, of the Pension Protection Act of 2006.

SEC. 203. TEMPORARY MODIFICATION OF APPLICATION OF LIMITATION ON BENEFIT ACCRUALS.

In the case of the first plan year beginning during the period beginning on October 1, 2008, and ending on September 30, 2009, sections 206(g)(4)(A) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1056(g)(4)(A)) and 436(e)(1) of the Internal Revenue Code of 1986 shall be applied by substituting the plan's adjusted funding target attainment percentage for the preceding plan year for such percentage for such plan year but only if the adjusted funding target attainment percentage for the preceding plan year is greater.

SEC. 204. TEMPORARY DELAY OF DESIGNATION OF MULTIEMPLOYER PLANS AS IN ENDANGERED OR CRITICAL STATUS.

(a) IN GENERAL.—Notwithstanding the actuarial certification under section 305(b)(3) of the Employee Retirement Income Security Act of 1974 and section 432(b)(3) of the Internal Revenue Code of 1986, if a plan sponsor of a multiemployer plan elects the application of this section, then, for purposes of section 305 of such Act and section 432 of such Code—

(1) the status of the plan for its first plan year beginning during the period beginning on October 1, 2008, and ending on September 30, 2009, shall be the same as the status of such plan under such sections for the plan year preceding such plan year, and

(2) in the case of a plan which was in endangered or critical status for the preceding plan year described in paragraph (1), the plan shall not be required to update its plan or schedules under section 305(c)(6) of such Act and section 432(c)(6) of such Code, or section 305(e)(3)(B) of such Act and section 432(e)(3)(B) of such Code, whichever is applicable, until the plan year following the first plan year described in paragraph (1).

If section 305 of the Employee Retirement Income Security Act of 1974 and section 432 of the Internal Revenue Code of 1986 did not apply to the preceding plan year described in paragraph (1), the plan actuary shall make a certification of the status of the plan under section 305(b)(3) of such Act and section 432(b)(3) of such Code for the preceding plan year in the same manner as if such sections had applied to such preceding plan year.

(b) EXCEPTION FOR PLANS BECOMING CRITICAL DURING ELECTION.—If—

(1) an election was made under subsection (a) with respect to a multiemployer plan, and

(2) such plan has, without regard to such election, been certified by the plan actuary under section 305(b)(3) of such Act and section 432(b)(3) of such Code to be in critical status for the first plan year described in subsection (a)(1),

then such plan shall be treated as a plan in critical status for such plan year for purposes of applying section 4971(g)(1)(A) of such Code, section 302(b)(3) of such Act (without regard to the second sentence thereof), and section 412(b)(3) of such Code (without regard to the second sentence thereof).

(c) ELECTION AND NOTICE.—

(1) ELECTION.—An election under subsection (a) shall—

(A) be made at such time and in such manner as the Secretary of the Treasury or the Secretary's delegate may prescribe and, once made, may be revoked only with the consent of the Secretary, and

(B) if the election is made—

(i) before the date the annual certification is submitted to the Secretary or the Secretary's delegate under section 305(b)(3) of such Act and section 432(b)(3) of such Code, be included with such annual certification, and

(ii) after such date, be submitted to the Secretary or the Secretary's delegate not later than 30 days after the date of the election.

(2) NOTICE TO PARTICIPANTS.—

(A) IN GENERAL.—Notwithstanding section 305(b)(3)(D) of such Act and section 431(b)(3)(D) of such Code, if the plan is neither in endangered nor critical status by reason of an election made under subsection (a)—

(i) the plan sponsor of a multiemployer plan shall not be required to provide notice under such sections, and

(ii) the plan sponsor shall provide to the participants and beneficiaries, the bargaining parties, the Pension Benefit Guaranty Corporation, and the Secretary of Labor a notice of the election and such other information as the Secretary of the Treasury (in consultation with the Secretary of Labor) may require—

(I) if the election is made before the date the annual certification is submitted to the Secretary or the Secretary's delegate under section 305(b)(3) of such Act and section 432(b)(3) of such Code, not later than 30 days after the date of the certification, and

(II) if the election is made after such date, not later than 30 days after the date of the election.

(B) NOTICE OF ENDANGERED STATUS.—Notwithstanding section 305(b)(3)(D) of such Act and section 431(b)(3)(D) of such Code, if the plan is certified to be in critical status for any plan year but is in endangered status by reason of an election made under subsection (a), the notice provided under such sections shall be the notice which would have been provided if the plan had been certified to be in endangered status.

SEC. 205. TEMPORARY EXTENSION OF THE FUNDING IMPROVEMENT AND REHABILITATION PERIODS FOR MULTIEMPLOYER PENSION PLANS IN CRITICAL AND ENDANGERED STATUS FOR 2008 OR 2009.

(a) IN GENERAL.—If the plan sponsor of a multiemployer plan which is in endangered or critical status for a plan year beginning in 2008 or 2009 (determined after application of section 204) elects the application of this section, then, for purposes of section 305 of the Employee Retirement Income Security Act of 1974 and section 432 of the Internal Revenue Code of 1986—

(1) except as provided in paragraph (2), the plan's funding improvement period or rehabilitation period, whichever is applicable, shall be 13 years rather than 10 years, and

(2) in the case of a plan in seriously endangered status, the plan's funding improvement period shall be 18 years rather than 15 years.

(b) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

(1) ELECTION.—An election under this section shall be made at such time, and in such manner and form, as (in consultation with the Secretary of Labor) the Secretary of the Treasury or the Secretary's delegate may prescribe.

(2) DEFINITIONS.—Any term which is used in this section which is also used in section 305 of the Employee Retirement Income Security Act of 1974 and section 432 of the Internal Revenue Code of 1986 shall have the same meaning as when used in such sections.

(c) EFFECTIVE DATE.—This section shall apply to plan years beginning after December 31, 2007.

Mr. POMEROY. Mr. Speaker, I rise today in favor of moving this bill, H.R. 7327, the Worker, Retiree, and Employer Recovery Act of 2008, forward in an expedited manner.

Mr. Speaker, this Congress needs to provide pension funding relief rightaway before adjourning in order to prevent needless unemployment and unnecessary freezing of pension plans. We also need to help seniors who are forced to take funds out of retirement accounts that are much lower than balances at the end of last year.

This bill is important to workers so that their retirement years will be more secure, and to employers so that the cost of the defined benefit pensions, which they are committed to offering their employees, will be more predictable. This bill also provided relief to retirees over age 70 and a half who are required to take a distribution from their IRA or 401(k).

I commend the Chairman and Ranking Member of the Ways and Means Committee, and the Chairman and Ranking Member of the Education and Labor Committee for bringing a bill to the floor that helps retirees, workers and pension plans cope with the unprecedented volatile investment environment while also including technical tax and ERISA provisions that give the added clarity retirement plans needed to comply with the Pension Protection Act.

Let me also extend thanks to the staff of the Ways and Means Committee, and the Education and Labor Committee and their counterparts in the Senate. Their hard work brings us to this point.

It is imperative that we act now.

Facing the most severe recession in decades, U.S. companies will need to plan a careful business strategy and keep a firm control on expenses. According to a survey of Chief Executive Officers (CEOs), pension costs have become a major concern in this fiscal environment as sizeable increases in pension funding requirements due to the significant market declines will make an economic recovery more challenging.

The bill takes important steps to help corporations remain committed to providing retirement promises to workers through defined benefit plans. In addition, the bill includes similar critical relief for multi-employers' pension plans that cover union workers at many smaller employers especially those in construction industry. At the same time if workers are covered in a plan and its funding level falls below a level at which benefit restrictions would apply the bill allows those plans to look at their 2008 funding level and protect workers from a mandated frozen pension.

We do not want to put employers in a no win pinch when they would have to choose between providing pensions or keeping employees on their jobs. Our Nation's pension plan is a voluntary system and employers can decide that offering a pension simply no longer makes good business sense. Tonight Congress tells employers we understand that and we want to help you meet your pension obligations in a predictable way.

For those retirees who must take a distribution from their IRA or 401(k) account that today has a dramatically lower value than the account at the end of last year, the bill will allow them to not take such distributions in 2009.

In conclusion, just let me say that American workers are anxious about their retirement security. Today, the House of Representatives is acting to address and to reduce this uneasiness. It is a very important bill, and I urge its adoption.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SHORT-TERM ANALOG FLASH AND EMERGENCY READINESS ACT

Mrs. CAPPS. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce be discharged from further consideration of the Senate bill (S. 3663) to require the Federal Communications Commission to provide for a short-term extension of the analog television broadcasting authority so that essential public safety announcements and digital television transition information may be provided for a short time during the transition to digital television broadcasting, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

The text of the Senate bill is as follows:

S. 3663

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Short-term Analog Flash and Emergency Readiness Act''.

SEC. 2. COMMISSION ACTION REQUIRED.

(a) PROGRAM REQUIRED.—Notwithstanding any other provision of law, the Federal Communications Commission shall, not later than January 15, 2009, develop and implement a program to encourage and permit, to the extent technically feasible and subject to such limitations as the Commission finds to be consistent with the public interest and the requirements of this Act, the broadcasting in the analog television service of only the public safety information and digital transition information specified in subsection (b) during the 30-day period beginning on the day after the date established by law under section 3002(b) of the Digital Television Transition and Public Safety Act of 2005 for termination of all licenses for full-power television stations in the analog television service and the cessation of broadcasting by full-power stations in the analog television service.

(b) INFORMATION REQUIRED.—The program required by subsection (a) shall provide for the broadcast of—

(1) emergency information, including critical details regarding the emergency, as broadcast or required to be broadcast by full-power stations in the digital television service;

(2) information, in both English and Spanish, and accessible to persons with disabilities, concerning—

(A) the digital television transition, including the fact that a transition has taken place and that additional action is required to continue receiving television service, including emergency notifications; and

(B) the steps required to enable viewers to receive such emergency information via the digital television service and to convert to receiving digital television service, including a phone number and Internet address by which help with such transition may be obtained in both English and Spanish; and

(3) such other information related to consumer education about the digital television transition or public health and safety or emergencies as the Commission may find to be consistent with the public interest.

SEC. 3. LIMITATIONS.

In designing the program required by this Act, the Commission shall—

(1) take into account market-by-market needs, based upon factors such as channel and transmitter availability;

(2) ensure that broadcasting of the program specified in section 2(b) will not cause harmful interference with signals in the digital television service;

(3) not require the analog television service signals broadcast under this Act to be retransmitted or otherwise carried pursuant to section 325(b), 338, 339, 340, 614, or 615 of the Communications Act of 1934 (47 U.S.C. 325(b), 338, 339, 340, 614, or 615);

(4) take into consideration broadcasters' digital power levels and transition and coordination plans that already have been adopted with respect to cable systems and satellite carriers' systems;

(5) prohibit any broadcast of analog television service signals under section 2(b) on any spectrum that is approved or pending approval by the Commission to be used for public safety radio services, including television channels 14-20; and

(6) not include the analog spectrum between channels 52 and 69, inclusive (between frequencies 698 and 806 megahertz, inclusive) reclaimed from analog television broadcasting pursuant to section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)).

SEC. 4. DEFINITIONS.

As used in this Act, the term ''emergency information'' has the meaning such term has under part 79 of the regulations of the Federal Communications Commission (47 C.F.R. part 79).

Mrs. CAPPS. Mr. Speaker, I rise today in strong support of S. 3663, the Short-term Analog Flash and Emergency Readiness Act.

On February 18, 2009, full-power television stations in the United States will stop broadcasting in analog and transition to all-digital broadcasting. This is undoubtedly an important step forward for our country; it allows us to more efficiently utilize our airwaves, and to lay the groundwork for a nationwide public safety network. However, we must proceed with caution to ensure that segments of our population are not left behind and remain informed in cases of emergency.

That is why I introduced the SAFER Act. This bill creates a program within the FCC that allows for the continuation of analog signals to televisions for 30 days following the DTV transition. It ensures that, once the digital television transition has taken place, unprepared analog televisions will receive a short ''slide''—in English and Spanish—explaining that the digital transition has occurred and what viewers need to do to continue receiving television broadcasts. The bill also allows for emergency communications, such as natural disaster alerts, to be broadcast to unprepared analog televisions. The fires that raged through my congressional district and other parts of southern California last month are an example of alerts that could be broadcast to television viewers who were unprepared for the DTV transition.

According to the GAO, over 17 million households rely exclusively on analog over-the-air television, and while broadcasters, the FCC and others have been working furiously to let them know about the upcoming transition, there will inevitably be some folks left behind. In fact, that is exactly what happened after an FCC ''test'' transition in Wilmington, NC. Despite saturation advertising announcing the change and a geographic topography most conducive to it, nearly 2,000 households woke up to find that their televisions did not work; when extrapolated to the entire Nation this could mean that at least 1.5 million households will wake up on February 18 without a working television.

We also know that certain segments of our population will likely be disproportionately impacted by the digital transition: Latinos, African Americans, and seniors. As someone who represents a congressional district that is 42 percent Latino and has many senior citizens, I find this very troubling. Clearly, we should be doing everything we can to ensure that no Americans are left behind during this important time.

Mr. Speaker, I am grateful to my colleague Senator ROCKEFELLER and his staff for taking leadership on this important bill in the Senate, and to Chairman DINGELL and his staff for working closely with us to ensure that no one is left behind by the DTV transition.

I urge my colleagues to support S. 3663, the Short-term Analog Flash and Emergency Readiness Act.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mrs. CAPPS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill that was just passed by the House.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

MAKING A TECHNICAL CORRECTION TO THE PAUL WELLSTONE AND PETE DOMENICI MENTAL HEALTH PARITY AND ADDICTION EQUITY ACT OF 2008

Mrs. CAPPS. Mr. Speaker, I ask unanimous consent that the Committees on Energy and Commerce, Education and Labor, and Ways and Means be discharged from further consideration of the Senate bill (S. 3712) to make a technical correction in the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

The text of the Senate bill is as follows:

S. 3712

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TECHNICAL CORRECTION IN MENTAL HEALTH PARITY EFFECTIVE DATE.

Section 512(e)(2)(B) of the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 (subtitle B of title V of division C of Public Law 110–343) is amended by striking ''January 1, 2009'' and inserting ''January 1, 2010''.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mrs. CAPPS. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill just passed by the House.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

ENSURING THAT THE COMPENSATION AND OTHER EMOLUMENTS ATTACHED TO THE OFFICE OF SECRETARY OF STATE ARE THOSE WHICH WERE IN EFFECT ON JANUARY 1, 2007

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table S.J. Res. 46 and ask for its immediate consideration in the House.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

Mr. ISSA. Mr. Speaker, I reserve the right to object. If I could inquire of the gentleman: Would this bill, in fact, proactively cover the Secretary of State if it is Senator HILLARY CLINTON?

Mr. DAVIS of Illinois. Yes, it covers whoever is nominated.

Mr. ISSA. A further inquiry: Would this cover anyone in the House or in the Senate who had voted on a pay package in the House or in the Senate so that they could then become the Secretary of State?

Mr. DAVIS of Illinois. As written, it does not.

Mr. ISSA. So who would it be limited to?

Mr. DAVIS of Illinois. It would be limited to those in the position of Secretary of State.

Mr. ISSA. So it would be limited to the Secretary of State. Regardless of where they came from, they would be frozen at this year's pay as a result of this bill?

Mr. DAVIS of Illinois. That is correct.

Mr. ISSA. A last inquiry: If I understand correctly then, in every way possible, this piece of legislation passed in this Congress would, by definition, by freezing the pay, actually be, though relatively small, a savings to the taxpayers?

Mr. DAVIS of Illinois. Correct, it would.

Mr. ISSA. With that, I withdraw my reservation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The text of the Senate joint resolution is as follows:

S.J. RES. 46

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. COMPENSATION AND OTHER EMOLUMENTS ATTACHED TO THE OFFICE OF SECRETARY OF STATE.

(a) IN GENERAL.—The compensation and other emoluments attached to the office of Secretary of State shall be those in effect January 1, 2007, notwithstanding any increase in such compensation or emoluments after that date under any provision of law, or provision which has the force and effect of law, that is enacted or becomes effective during the period beginning at noon of January 3, 2007, and ending at noon of January 3, 2013.

(b) CIVIL ACTION AND APPEAL.—

(1) JURISDICTION.—Any person aggrieved by an action of the Secretary of State may bring a civil action in the United States District Court for the District of Columbia to contest the constitutionality of the appointment and continuance in office of the Secretary of State on the ground that such appointment and continuance in office is in violation of article I, section 6, clause 2, of the Constitution. The United States District Court for the District of Columbia shall have exclusive jurisdiction over such a civil action, without regard to the sum or value of the matter in controversy.

(2) THREE JUDGE PANEL.—Any claim challenging the constitutionality of the appointment and continuance in office of the Secretary of State on the ground that such appointment and continuance in office is in violation of article I, section 6, clause 2, of the Constitution, in an action brought under paragraph (1) shall be heard and determined by a panel of three judges in accordance with section 2284 of title 28, United States Code. It shall be the duty of the district court to advance on the docket and to expedite the disposition of any matter brought under this subsection.

(3) APPEAL.—

(A) DIRECT APPEAL TO SUPREME COURT.—An appeal may be taken directly to the Supreme Court of the United States from any interlocutory or final judgment, decree, or order upon the validity of the appointment and continuance in office of the Secretary of State under article I, section 6, clause 2, of the Constitution, entered in any action brought under this subsection. Any such appeal shall be taken by a notice of appeal filed within 20 days after such judgment, decree, or order is entered.

(B) JURISDICTION.—The Supreme Court shall, if it has not previously ruled on the question presented by an appeal taken under subparagraph (A), accept jurisdiction over the appeal, advance the appeal on the docket, and expedite the appeal.

(c) EFFECTIVE DATE.—This joint resolution shall take effect at 12:00 p.m. on January 20, 2009.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

□ 2100

THE TERRORIST ATTACKS IN MUMBAI, INDIA

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. In the recent week, we watched in horror as terrorists, criminals, and people who are uncaring attacked the innocent people of Mumbai, India—a band of 10, attacking innocent persons in hotels, traveling to hospitals and to train stations, going to the Chabad religious community and killing recklessly.

Mr. Speaker, this should be a signal that we have to join together to again confront those who would terrorize the world. I know that this is going to be a place of conflict—Pakistan, Bangladesh, and India—but it is important for us to recognize that the people of India want peace, the people of Pakistan want peace, and the Bangladesh want peace, and the people in the Mid-East want peace. But we must weed out those who would terrorize us. We need to join together in the effort of stamping out terrorism and meanwhile continue to secure the homeland.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HOUSTON POLICE OFFICER TIMOTHY ABERNETHY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, for Houston police officer Timothy Abernethy, fighting crime was more than an occupation; it was his personal calling. Officer Abernethy was part of a special effort through the Houston Police Department to place more peace officers in high crime areas, which is why he was in an area of town that others tend to shy away from when he was shot and killed this past Sunday, December 7.

Working overtime and in a one-man patrol unit, Abernethy had pulled over a 28-year-old male for a traffic violation. As the man and the officer talked, the individual made a run for it and Officer Abernethy pursued him on foot through a nearby northwest Houston apartment complex. Tragically, the coward of a man, who happened to be out on parole, hid and ambushed Abernethy shooting him four times and killing him. The criminal has been apprehended and is charged with capital murder of a peace officer.

Officer Abernethy graduated May 27, 1997, from the Houston Police Academy, Class 170. During his 11-year HPD career, he was assigned to patrol at the North Command station and served with the HPD Search and Recovery Dive Team. Recently, Abernethy was part of an HPD bomb squad and was due to be transferred full-time to this squad.

Officer Abernethy is remembered as a giving person. His Captain, Ceaser Moore, recalls a time during Hurricane Ike this past fall when his power was out for weeks, and even though Abernethy already had his in-laws staying with him, he invited Captain Moore to stay with him until electricity was restored.

Officer Abernethy was the type of person who worked hard not only to improve his community but also himself. He worked successfully to obtain a degree while he was a member of the Houston Police Department.

Prior to joining the Houston Police Department, Officer Abernethy served in the United States Navy in the Submarine Corps.

Officer Abernethy is survived by his wife Stephanie, his son Timothy Scott Abernethy, Junior, and his daughter Olivia Ann Abernethy.

His only son, Tim, Jr., followed in his father's footsteps and joined the United States Navy so that he, too, could serve his country. Abernethy's daughter Olivia is a 2008 graduate of Texas A&M University in College Station, Texas.

Officer Abernethy was a man of honor who was dedicated to making our world a safer place for the rest of us. He will be greatly missed by citizens and peace officers alike. He was one of Houston's finest. Mr. Speaker, he was a cut above the rest of us.

His funeral will be this Friday in Houston, Texas, and his fellow officers will wear their black cloth of sacrifice across their badges. Peace officers are the last strand of wire in the fence between the law and those that violate the law.

Officer Timothy Abernethy lived and died serving the people of Texas and the City of Houston.

And that's the just way it is.

THE AUTO INDUSTRY FINANCING AND RESTRUCTURING ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Speaker, I rise tonight to commend Chairman BARNEY FRANK, the House leadership, and the administration for working together to bring relief to the automobile industry and millions of workers. By passing the Auto Industry Financing and Restructuring Act, H.R. 7321, we took the monumental step of both saving jobs and setting the U.S. automotive industry on a path that will make it globally effective, efficient, and competitive. And equally important, we established a new standard of accountability that must be enforced for any institutions seeking government assistance.

For months, the Federal Government has been blindly throwing money at nearly every financial institution that blinks with no written requirements on how that money is to be used and with no written standards of transparency or accountability. In response, these institutions have taken hundreds of billion of taxpayer dollars and continued to do business as usual: the business of partying at the spa, getting their facials and manicures, getting millions in retention payments and spending hundreds of millions of dollars on sports sponsorships.

This type of mismanagement of taxpayer funds has left the American people suffering from bailout fatigue. I get that. I have been one of the most vocal critics of this distribution of top funds to date.

However, today's legislation is completely different. The automakers have been forced to leap over 5 million hurdles to even be considered to receive a loan. And with every demand we have made of them, these companies have willingly obliged.

We cannot have one standard for white collar employees and a different standard for blue collar employees. We need to have strict standards for every one.

The legislation passed today includes very important oversight provisions to protect taxpayer dollars, such as prohibiting golden parachutes and capping executive bonuses. It also establishes a ''car czar'' position to hold these companies accountable for developing and implementing viable long-term restructuring plans and ensuring compliance on financing efforts.

And yet despite these requirements, there are some who will still believe that assisting the Big Three is a continuation of throwing good money after bad. I strongly disagree. With one in ten American jobs tied to the auto industry, this should not be considered a waste of money. We're talking about 3 million jobs expecting to be lost within a year if the auto industry goes down. With men and women across America continuing to struggle to keep roofs over their heads, to make ends meet, we simply cannot afford to lose these jobs.

Lastly, the Bureau of Labor Statistics released a report showing the loss of 533,000 jobs in November, the highest single month loss in 34 years, and one of the most dismal reports in the Bureau's 124-year existence.

These figures were simply staggering, and we can and we must do better. And by passing this legislation today, we are taking a first step in doing so.

For this reason, I urge my colleagues in the Senate to quickly consider H.R. 7321 and enact this much-needed legislation as soon as possible. I ask them, and I hope they will have more faith in our automobile industry, and I encourage all of my colleagues to continue the strict standards of accountability as we move forward.

With that, I yield back.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ECUADOR FACING HUMANITARIAN AND ENVIRONMENTAL CRISES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. MCGOVERN) is recognized for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, I have just returned from a remarkable trip to Ecuador. From November 8 through 13, I traveled through northern Ecuador looking at the refugee crisis on its border with Colombia and on the effects of oil contamination on the land and people of the Amazon basin.

I saw firsthand the terrible human and environmental costs that have resulted from the decades-long failure to properly clean the contamination left by oil drilling and production. Specifically, the sites I visited were those that were under the control of Texaco, now Chevron. I visited oil pits that were poorly constructed, poorly remediated, or remediated not at all. This has left a toxic legacy for poor campesinos and indigenous peoples.

I also saw the infrastructure that Chevron/Texaco created that allowed for the wholesale dumping of formation water and other highly toxic materials directly into the Amazon and its waters.

As an American citizen, the degradation and contamination left behind in a poor part of the world by this U.S. company made me angry and ashamed.

The drinking water for thousands of poor people is horribly unfit, even deadly. Children are drinking and bathing in water that reeks of oil. In one village, San Carlos, I couldn't come across a family that hasn't been touched by cancer. Mothers brought their children to show me the terrible rashes and sores that covered their bodies.

A lawsuit has been filed against Chevron by 30,000 Amazon residents demanding that the company accept responsibility for substandard production practices and help with the clean-up efforts. Chevron, for its part, asserts it was released from responsibility in the 1990s, and the release remains in legal dispute.

Neither Congress nor the United States Government should get involved in a legal matter that will soon be decided in a court of law. But as the years pass and nothing is done, the situation on the ground has become more and more desperate for thousands of poor people, and the pollution spreads deeper into the soil, the water, and the Amazon basin.

I firmly believe these people and their environment need help and they need help now.

As I traveled further north towards the border frontier, I found a growing humanitarian and security crisis. Eight years ago, the United States started pouring military aid—$4.8 billion of it—into Colombia, much of it focused on military operations in the violent coca growing zones just across the border from Ecuador.

The result has been an alarming spillover of violence into Ecuador's peaceful but impoverished borderlands. Over 200,000 Colombians—a number rivaling many refugee crises in Africa—have fled to Ecuador to escape the violence and intense fighting between guerilla groups, the Colombian military, and Colombian paramilitary militias.

As the GAO recently reported, harsh U.S. counter-drug strategies have failed to halt cocaine production in Colombia or ease the violence that comes with this illegal economy. Instead, organized crime has been pushed across the border into Ecuador.

Mr. Speaker, I stood on the banks of the San Miguel River, which marks the border between Putumayo, Colombia, and Sucumbios, Ecuador. Only a few hundred yards of water separate the two.

Mr. Speaker, Colombia's war is literally bleeding, violently, into Ecuador, which has no history of illegal drug cultivation or insurgency from its own people. Tensions between the two nations are high and diplomatic relations remain cut off.

The refugee communities that I spoke with in Lago Agrio, Barranca Bermeja, and Puerto Mestanza feel abandoned and discriminated against.

They long to return to Colombia even as they describe the terror that forced them to seek safe haven in Ecuador.

□ 2115

They spoke of the need for community development projects but have no one to turn to to help them help bring their modest ideas into reality. The United Nations High Commissioner for Refugees, UNHCR, is nearly the lone partner with the Ecuadorian government in dealing with the largest refugee crisis in the hemisphere, with some aid from the World Food Programme and the IOM. Where are the other NGOs and U.N. agencies that would normally be involved in a crisis of this magnitude?

These crises are not of the making of the government of President Rafael Correa. Ecuador needs and deserves the support of the international community and Congress to address these challenges. They cannot be allowed to remain invisible.

Mr. Speaker, I was deeply moved by my visit to Ecuador, and I will never forget the courageous people, Ecuadorians and Colombians, who told me their stories and asked for my help. They deserve to live a much better life. In the weeks ahead, I hope I can count on my House colleagues to help these communities in this effort.

[From the Christian Science Monitor, June 24, 2008]

TACKLING ECUADOR'S REFUGEE BUILDUP

LAGO AGRIO, Ecuador.—Less than a month ago, Rosalba Agredo González was given only a few minutes to leave her house in Colombia. She was woken up in the middle of the night by armed men who threatened her and took away her neighbor.

''They told me they wouldn't do anything to me because of my children. Otherwise they would have killed me,'' she says.

Agredo now lives with her elderly father and her three children in Lago Agrio, a small city in northern Ecuador, 15 miles from the Colombian border. They've made their temporary home alongside one wall of a small wooden house, with only a tin roof, concrete floor, and plastic sheets for walls. She doesn't have a job but sometimes prepares a local pastry at a neighbor's house which her eldest son sells on the street. Despite her precarious situation, she is happy to be in Ecuador. ''I don't want to go back to Colombia, even if I have to maintain myself by selling empanadas,'' she says. ''I feel very happy here because even if I don't own anything I know my children are safe.'' Agredo's story is not uncommon. Ecuador has more refugees than any other Latin American country—a consequence of the longstanding conflict in Colombia, which has received little international attention. Five to 10 refugees arrive in Ecuador every day, according to the United Nations High Commissioner for Refugees (UNHCR), mainly, from two southern Colombian provinces bordering Ecuador, Putumayo and Nariño. Given the buildup of refugees, the Ecuadorean government and a few humanitarian agencies are taking measures to provide asylum and assistance. But the challenges remain large. Of the estimated 180,000 who have entered Ecuador escaping violence, 16,500 have received a refugee visa and 22,000 are awaiting a response.

TROUBLE SECURING ASYLUM

The remaining 80 percent have yet to apply—some fear becoming vulnerable to further persecution, while others are unaware they might qualify for asylum. Asylum seekers are granted access to public health and education from the moment they set foot in Ecuador. However they often have trouble affording decent housing and supporting their families, as they are not allowed to work until granted a refugee visa. ''Legalizing refugees is very important so that they come out of their invisibility, otherwise they can't get legal jobs and become very vulnerable,'' says Alfonso Morales, who heads the department for refugees at Ecuador's Ministry of Foreign Affairs. ''They become easy prey to illegal networks and often end up participating in illegal activities.'' On June 20, to coincide with World Refugee Day, the Ecuadorean Ministry of Foreign Affairs inaugurated a new office in Lago Agrio, an important step toward improving refugee registration. The new office will make registration faster for applicants, as documents will be processed directly instead of being sent to Quito, Ecuador's capital. Another new measure is an enhanced registration process that will start in September and will make it possible for refugees to apply for and receive their visas in one day. Right now the registration process takes about four months if applicants can go to Quito and between 18 and 24 months if they can't leave the north.

ISOLATED, POOR COMMUNITIES

But registration is just an initial step in the process of providing better living conditions for refugees. The northern province of Sucumbíos, of of which Lago Agrio is the capital, faces the largest influx of refugees. A jungle area separated from Colombia by two rivers, the area also presents many logistical and security challenges for humanitarian work. Border communities here are difficult to access and often lack basic infrastructure such as roads, drinking water, and health facilities. Though Sucumbíous is rich in oil, the province is among the least developed in Ecuador, with high levels of unemployment and an informal economy that relies on illegal activity such as drug trafficking, weapons smuggling, and human trafficking. It was in this province that Colombia's cross-border raid on March 1 took place, leaving FARC commander Raul Reyes—and another 25 people—dead and creating a regional diplomatic crisis. ''In small communities the solidarity is amazing. They are willing to share everything, but it's important to intervene quickly so as not to allow tensions to develop,'' says Xavier Creach, head of the UNHCR field office in Lago Agrio. UNHCR has prioritized reaching those isolated communities along the border.

''We have serious economic and institutional limits when it comes to taking care of the huge quantity of Colombian refugees that have come to our country,'' says Mr. Morales, the government official. ''The international community hasn't yet recognized the magnitude of the problem. We need foreign support.''

[From UNHER—The UN Refugee Agency, June 24, 2008]

ECUADOR OPENS FIRST REFUGEE OFFICE ALONG BORDER WITH COLOMBIA

LAGO AGRIO.—Ecuador's Directorate General for Refugees has just opened an office in the border province of Sucumbíous, the first state-run facility of its kind to be established outside the national capital, Quito.

President Rafael Correa presided over the opening ceremony in the provincial capital of Lago Agrio last Friday, World Refugee Day. Lago Agrio is located just a few kilometres from northeast Ecuador's border with Colombia.

Foreign Minister Maria Isabel Salvador told guests that the office would help Ecuador fulfill its obligations to refugees and others in need of international protection. Equador has the largest refugee population in Latin America, coming mostly from Colombia.

''This is in agreement with Ecuador's commitment to all human rights, a commitment that calls us to welcome any person forced to leave their home country in search of safety and a secure life,'' Salvador said, adding that the government hoped to soon open more refugee offices along the border.

The new refugee office will provide advice and orientation to registered refugees and other people of concern. Its staff will also conduct interviews to assess the applications of asylum seekers as well as issue documentation.

It will he fully operational as of next month, allowing the UN refugee agency to focus its activities on border monitoring and local integration of refugees, with projects that help both refugees and their host communities.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. WOLF) is recognized for 5 minutes.

(Mr. WOLF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. LEE) is recognized for 5 minutes.

(Ms. LEE addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

BRIDGE LOAN FOR THE AUTOMOTIVE INDUSTRY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, it's a particular joy this evening to have Congressman NICK LAMPSON in the Chair as Speaker Pro Tem and thank him for his remarkable and exemplary service to the people of the United States.

Tonight, I would like to address the subject of the fact that a majority of House Members today voted for a bridge loan, a very tightly structured bridge loan, to throw a lifeline to American workers, American communities, American manufacturing, to save American jobs, in fact, one of every 10 jobs in our country. They're jobs not just in the so-called automotive assembly plants, but twice as many jobs in the automotive parts plants, the steel industry, the plastic industry, the semi-conductor industry, even the textile industry. Nearly half of that production is used in automotive products. It is simply staggering the way in which this integrated set of production occurs in our country.

What was passed was a bridge loan to the auto industry, and I underline the word ''loan.'' It has to be paid back. It has to be paid back in 7 years, and it has to be paid back with interest, 5 percent interest over the first 5 years, and 9 percent interest over the last 2 years.

It requires restructuring by March 31, severe restructuring in order to place the United States in a competitive position again in our country and globally. It requires enormous sacrifice.

Now, what's interesting to me is the amount of the total loan was $15 billion; yet Wall Street received $700 billion plus, $750 billion, in that bill that passed here. There were no such requirements. There's no mandatory payback. There are no sacrifices that are as significant as they're being asked of this manufacturing industry, and the manufacturing of automobiles is a really tangible, goods producing industry. It creates real value. It creates wealth because you sell something. Wall Street's bailout is basically accounting and paper trades. They don't really produce anything.

And one of the points I want to make tonight is that in order to lead America forward out of this deep, deepening recession in which we find ourselves, we have to manufacture our way out. We have to grow our way out of it, and we are not in recession because of the automotive industry. In fact, the reverse is true. The auto industry is the victim of the credit crunch caused by the mortgage foreclosure crisis. The bailout of Wall Street, the improper bill that was passed here, is making the situation worse, and it's affecting industries like the automotive industry.

I visited the U.S. Treasury Department today as well to share a list of foreclosures just in my home county of Lucas County in Toledo, Ohio. That is 4,100 homes since the beginning of this year. Before the end of January of next, an additional 600 families will lose their homes just in that county because the TARP program, the Wall Street bailout program, is not working at the local level. The list is so long I could roll it through the Chamber and out that door, and there would still be more paper left, and that's with four columns. In fact, it could probably be rolled over to the Senate for the size that it is.

Now, why is the Treasury program not working? The first reason it's not working is Treasury's not a housing agency. Its experience is not in resolving mortgage workouts. More paper shuffling isn't going to solve the problem.

What's happening over at Treasury is they're buying banks. They are concentrating the banking system of this country rather than doing mortgage workouts, and they're concentrating them up on Wall Street, and the big banks like PNC, which has just bought National City Bank in the State of Ohio, National City shouldn't have been purchased. A workout should have been done in Ohio for the loans that gravitated to Ohio and may have been troubled. Seventy-five percent of the loans were working before the Treasury Department took over. The problem is that the Treasury Department is like a truck with several wheels, and they're all going in a different direction. There's not coordination.

The Federal Deposit Insurance Corporation should be involved to do the mortgage workouts on the books of local banks. That's really not happening for most of the loans at risk.

The Securities and Exchange Commission should be taking a look at their accounting standards and marking them to true value.

You know, in order to fix the automotive industry, you've got to fix the mortgage industry, and the Wall Street bailout isn't working.

Mr. Speaker, Godspeed to you in your future years.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

(Mr. PAUL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. DREIER) is recognized for 5 minutes.

(Mr. DREIER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ECONOMIC STIMULUS: BIG, FAST, TOUGH, TEMPORARY, AND SELF-REVERSING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SHERMAN) is recognized for 5 minutes.

Mr. SHERMAN. Mr. Speaker, let me commend you on your years of service to this House, to your district, and to the Nation, and I look forward to working with you and serving the people of this Nation in whatever capacity your future takes you.

I'd like to address the kind of economic stimulus that we should write next month. I hope that the economic stimulus is big, fast, tough, temporary, and self-reversing.

We face the specter, not just of a recession, but of a depression. A deflationary cycle threatens a long period of economic contraction. We need an enormous, immediate economic stimulus. But unless that stimulus is well-designed, it may not pass Congress, and we may not achieve its objectives or it may sow the seeds of future, disastrous declines in the value of the dollar.

Now, it is important that this stimulus be fast and be very large, but it also needs to be tough because Federal dollars should not be extended to private interests except on the toughest terms. Taxpayers should demand the highest yields, the largest equity upside, and the strictest limits on executive compensation and perks.

Being tough on those who get bailouts will give us three advantages. First, it will increase public support for the bailout, and we are going to need a lot of public support to enact the size of stimulus that is necessary.

Second, by being tough on those obtaining bailouts, we can limit the number of companies that seek bailouts. Not even the Federal Government can afford to provide a bailout to everyone who will ask for it if executives see the Federal Government as a source of easy and cheap money.

Third, by getting a good deal on each investment we make, we minimize the eventual increase in the Federal deficit and the eventual burden to succeeding generations. Many of the companies that we make investments in will still not make it. So we had better make a good profit on our winning investments. We need to look at not only the rate of return that we get on preferred stock but on the value of the warrants because the warrants are our share, as taxpayers, of the upside of those companies that are successful.

It, therefore, concerns me that on a recent bailout of Goldman Sachs by the Treasury Department, we taxpayers got half the rate of return and one-sixth the warrants that Mr. Warren Buffett was able to receive on a very similar investment in the same firm.

So we must be tough. But we also must make sure that the stimulus we adopt is temporary and reversible. Keynesian economics offers a simple prescription for the difficult economic times ahead. Easy money now, and austerity when the economy improves.

But how in good conscience can I vote for a massive economic stimulus now if I believe that Congress will not be able to adopt fiscal restraint later? I know we in Congress love handing out money in the form of tax cuts or infrastructure projects or subsidies or aid. Can we count on a future Congress to discontinue expansionary policies and adopt austerity when times demand?

If we adopt a huge fiscal stimulus economy now, then both our tendencies toward profligacy and toward inertia may cause us to leave the spigot on too long, perhaps permanently.

What is likely to happen I fear is that the advocates of fiscal responsibility will prevent us today from getting the full measure of economic stimulus that we need now, and that advocates of tax cuts and free spending tomorrow will prevent us from turning off the spigot when that is what we should be doing. We will get inadequate stimulus in 2009, and we will continue the stimulus long after it is necessary and even when it is harmful.

To avoid this outcome, the stimulus package should be both temporary and self-reversing. The same statutes which

provide for a huge stimulus now should also provide for particular and identified tax increases and expenditure cuts to go into effect in 2013 automatically. The statute, of course, could provide that those automatic actions will be delayed temporarily if we fail to achieve 3 percent economic growth in 2012.

Now, sure, we're going to need to fine-tune this program later, but we need to give the upper hand to those Members of Congress who will advocate for fiscal responsibility in the early part of the next decade. If austerity in 2013 is mandated by statute that we adopt in 2009, then the advocates of fiscal responsibility will have a fighting chance when the budgets are negotiated early next decade.

Only if the economic stimulus proposal is tough, temporary, and self-reversing can we be confident that Congress will adopt a proposal that is big enough and fast enough to meet today's needs. And only if the stimulus measures are temporary and self-reversing can we make sure that the actions we take today do not lead to inflation, higher interest rates, a declining dollar and an enormous permanent increase in our Federal deficit in the years to come.

RECOGNIZING THE LOSS OF TWO FRIENDS

The SPEAKER pro tempore (Mr. CUMMINGS). Under a previous order of the House, the gentleman from Texas (Mr. LAMPSON) is recognized for 5 minutes.

Mr. LAMPSON. It is a pleasure to stand before this auspicious body yet again and express my farewell and make notice of the kind words so many of my colleagues made about me and my service. It has been a privilege to serve in the U.S. House of Representatives.

On this night, I would recognize the death of two friends of mine who provided significant service to the people of southeast Texas.

The electrical workers contracting industry lost a tremendous ambassador and friend when Charles M. ''Charlie'' LeBlanc died suddenly on Thursday, August 21. Charlie served admirably as the long-time governor of the southeast chapter of NECA. He formed relationships at the local, State, and national level that were very instrumental in benefiting not only NECA, but all of our associated industry partners and friends.

Charlie LeBlanc's career in the electrical industry began in 1970 when he became indentured as an apprentice in Beaumont, Texas. Charlie accepted employment around this time with Gold Crest Electric Company and formed a friendship with a co-worker, Wayne Brockett, that would transform into a highly successful business partnership.

The two hardworking, industrious men formed Crown Electric Company in 1980. Charlie's natural charm and technical acumen was vital in the continuing success of Crown Electric, Incorporated, and made him a favorite with customers, general contractors, engineers, and architects. Charlie's entrepreneurial spirit resulted in a company that has contributed to his community and the electrical contracting industry at large for over 20 years.

Crown Electric, Inc., became a NECA member in 1987, and Charlie LeBlanc's service to the southeast Texas chapter was immediate, continuous, and resounding. Charlie assumed a position in 1988 on the Chapter Codes and Standards Committee, where he applied his technical expertise for the next three years, and in 1990, Charlie was elected to the chapter board of directors, where he continued to serve until his passing. Charlie served with distinction as chapter treasurer from 1992 to 2000. And he served concurrently on the Chapter Manpower Development, Membership, and Finance Committees. Charlie sacrificed a great amount of his own personal time in his devotion to chapter affairs.

□ 2130

In addition to service on the board of directors and committees, Charlie served as division chairman of the Coastal Sabine Division for 4 years and has served on every negotiating committee from 1996 to present. Charlie served as trustee on the Greater Texas IBEW–NECA Annuity Fund from 1999 to 2004; trustee on the Southeast Texas Benefit Trust from 1998 to 2008; the Coastal Sabine Labor Management Cooperative Committee from 2001 to 2008; and Charlie served continuously on the Local Union 479 JATC from 1988 to 2008. Charlie's compassionate but firm leadership, especially on the Apprenticeship Committee, has had a profound and lasting effect on generations of apprentices and has left an indelibly positive mark on our industry's most important resource.

His service at the national level began with his appointment to the District V Apprenticeship Committee in 1997. Charlie understood the importance of political action and was selected to serve on the NECA National Governmental Affairs Committee from 2000 to 2001 and again in 2008. Most important to the chapter, Charlie assumed the role of Governor in 2001 and was an extremely effective and well-liked NECA ambassador at all levels of our industry. Charlie applied his boundless energy, infinite patience, and genuine caring and keen instincts to the service of our industry.

Charlie LeBlanc managed to devote himself to civic service in the City of Beaumont; service that is important not only to the beneficiaries themselves but to the positive perception of our customers, community leaders, and the IBEW. Charlie served with distinction in the past on the City of Beaumont Electrical Board and the City of Beaumont Board of Electrical Inspectors. Charlie served on the board of directors of the Southeast Texas AGC. He provided service to the Young Men's Business League and served on the board of directors of Boy's Haven, an outreach program designed to benefit disenfranchised youth.

Charlie LeBlanc will be terribly missed by all who were privileged to know him.

And Charles ''Chuck'' Wilson, who was the tax assessor/collector for 16 years of Galveston County, Texas, Chuck died the night before last. He was a very dear friend, one who had many friends across southeast Texas and in the profession of property tax assessors and collectors across the State of Texas, and he too will be missed. His family loved him and he was known and loved by many.

It has been a privilege to stand before the body of the United States House of Representatives for 10 years. I am wishing my friends and colleagues a farewell and Godspeed on the business of the United States of America. I wish them well.

GIVE AMERICA A TAX HOLIDAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the minority leader.

Mr. GOHMERT. Mr. Speaker, it's a pleasure to be here on the floor where so much history has been made since the House moved down here around 1858, 1859.

Recently I saw an estimate that our Secretary of the Treasury, Mr. Henry Paulson, and the Fed Chair may have committed or are in the process of committing an estimated $7.7 trillion. I couldn't believe it, $7.7 trillion?

So I wanted to know how much do people pay each year in income tax? The estimate I got was $1.21 trillion from individual income tax payments is what is estimated for the year 2008. Six and a half times less than what our bureaucrats here in Washington, two people, have committed us to or are trying to commit us to to get the economy going and to make credit more available so people who are lagging behind on their mortgages can catch up? I couldn't believe it. Six and a half times more than individual income tax that's going to be paid in this year? It's outrageous.

My first thought was we'd be better off if we had an entire tax holiday for all of 2008, that everybody that paid in money so far this year gets all of their money back. Can you imagine, Mr. Speaker, people around this country starting to think about how much money they would get back that they have already paid into the Federal treasury this year, how much they wouldn't have to pay in for the rest of the year? It's an incredible amount of money. Think about the cars that would be bought, how many automakers would be bailed out as people

bought new cars. Think about all of the mortgages, all the new home sales that would take place, new homes built, new businesses built. An extraordinary amount of money. And yet we've got bureaucrats trying to get the economy going, obligating six and a half times that much money.

Now, I understand that some of that $7.7 trillion is an investment. We have heard people say here in Washington, leaders I care a lot about, but they've said only the Federal Government has enough patience to hold private assets for years until they meet full maturity. Now, I am finishing my 4th year here, but just in the 4 years I have been here, I can tell you there is no patience in the Federal Government. We can't even keep the same tax incentives in place from year to year, and here we're supposed to hold these administration to administration?

The bailout bill in September was a fiasco. Even those who supported the idea of a bailout bill, when you look closely at the bill, should have known this was not the thing to do. We have never in the history of the country since the Constitution came into play in 1787, as it came into being, we have not given one man this much unrestricted, unfettered authority to just obligate hundreds of billions of taxpayer dollars just however he feels it ought to be spent.

So you look at the way Secretary Paulson has obligated the first $350 billion. Well, it's been squandered when you look at the effect it was supposed to have. For one thing banks we hear are starting to use the money to buy up competition. What does that do? It monopolizes banking. It kills the community bank for sure. And this is the same Secretary of the Treasury who back in September used his emergency authority to say we're going to stand good dollar for dollar for every dollar you've got in money markets, but we are not going to say the same thing for the good, safe community banks. They're only good for $100,000. He didn't say it. He didn't have to. They knew it. So he knowingly, and it had to be knowingly because I can't believe he's that ignorant otherwise—he's a very intelligent man. He had to know that he was intentionally creating the biggest 1-day run on banks in American history as people went in, pulled their money down to the $100,000 level that had that much, and moved it to money markets. Maybe that was the intent. Since he comes from Wall Street, he wanted to take it out of the community, the safe, commercial banks, and send it to his friends on Wall Street. Maybe that was the point, but he did that.

Now, others for whatever reason have gotten money and all of a sudden decided to tighten up credit. I have a friend, a constituent in Nacogdoches, Texas, who has a restaurant there. He went down to Wells Fargo, he tells me this week. He went down, I believe it was last week, to Wells Fargo in Houston and asked for a loan, and they said you're just a little late. Apparently after Wells Fargo, they said, got their money from the Federal taxpayers, they tightened the screws on credit and now they could no longer lend it to him. They could have if he had been there sooner before the Federal Government gave Wells Fargo the money. But now that Wells Fargo got the money, it's time to pull the plug and not lend to good borrowers anymore.

That was not the intent. I was against the bailout, voted against it both times. Did not support it. You read it. We should not have given that kind of authority to one person and especially the provision that allowed him to hire whatever advisers and whatever managers, whatever he wanted when he was going to outsource that. And now I hate to be in a position of saying I told you so, but it wasn't a good bill and now we have seen that.

Now, because he was doing all this fear mongering for 2 weeks, you know, the financial sky is falling as he ran around, he scared the stock market into paranoid schizophrenia. That's why it's up, it's down, it's up, it's down. The least little thing sets it off because he scared it into that. You cannot have a national leader go on television and say we're about to have a worse depression than the 1930s. We're about to have a stock market crash like 1929. You can't do that. You have to be the one that says ''we have nothing to fear but fear itself.'' Calm down, it's going to be okay. And it turns out all the while I read something that indicated that we had more home sales in September than any month since the year 2003. So things were going pretty good until we got all that fear mongering.

The other thing was he said he was going to buy troubled assets, buy the mortgage-backed securities. And if I understood right, before the Senate he testified he was already thinking by the time it passed the House that he was going to have to do something else. Maybe it was the next day. If he were to have been considering doing something else other than what he represented, going back to my days as a judge, if somebody, whether it was the Secretary of the Treasury or anybody else, comes in and gets money based on false premises or false promises that he knows he's not going to follow through on, you get into some interesting doctrines, whether it's a promissory estoppel, fraud, different things like that. The bottom line is it's time to end his authority.

Now, I've had people in this Congress tell me, no, what was negotiated with the Treasury was that we will get a strict up-or-down vote before Paulson can spend the other $350 billion. That's not what the bill says. The bill basically says that before he can squander the other $350 billion, and ''squandering'' is my word and I paraphrase based on his prior performance, that before he can get that $350 billion, all he has to do is propose a plan, and if Congress doesn't vote to disapprove the plan within 15 days, he gets the money. They could do that over Christmas. People not get back in time to have a vote, and he's got the money.

So it's time to end that. That's why even though my first thought was a whole year tax holiday, and imagine what that would do for the economy, it would be extraordinary, there were not a lot of supporters for that. I love and cherish and appreciate the support of the great congressman from the State of Arizona, JOHN SHADEGG. JOHN has been a confidant. He has been a helpful source and resource. He liked the idea and was telling me tonight he may go ahead and file that anyway. But in looking at the $350 billion still unspent of the original $700 billion that this Congress allocated for him to spend, let's cut that off and let's see what we could get instead. Instead of letting Mr. Paulson spend that money, let's let the taxpayers keep their own money for 2 months. What you would do under this bill, and we filed it yesterday, H.R. 7309, it would allow for the months of January and February a complete tax holiday. This isn't by and by in the sky. This is real time. In January if this bill were to be brought to the floor—and I feel sure if it gets to the floor it will pass because otherwise people would be afraid to face the voters if they voted not to let taxpayers spend their money but to allow Paulson to continue to have that authority or some other Secretary of the Treasury. Let there be no Federal withholding for the months of January and February. Not only would there be no withholding, the tax rate, as it says in the bill, for wages received for services performed during the period beginning January 1, 2009, ending February 28, 2009, shall be 0 percent. On down it indicates self-employment income for services performed during the period beginning January 1, 2009, ending February 28, 2009, the percentage shall be 0 percent.

□ 2145

So, basically, getting a two-twelfth or 16⅔ percent tax cut for the year 2009, now, that will help get the economy going. Why not let somebody have that substantial amount of money being pulled out of their check and sent to Washington for Paulson to squander, why not let them have it, let them catch up on their mortgage?

Because I know, I have heard a number of people say we fell a little behind back when gasoline was $4 a gallon. I can't get my breath. I can't catch a breather. Let them get the breather by getting their own money, getting their own FICA. Because that means even people who are on the lowest wage-earning scale, who don't make enough to pay income tax, they still have FICA withheld for Social Security and all from their paycheck.

This would let them have that back, give them a boost. Since they are not

having to take anything out for FICA, the employer would not have to match that for 2 months. That will allow the employer not to have to fire anybody for a couple of months, give them a little breather to catch up.

Then at the end of the year you have 2 months for which you did not have income that's taxable. Now, the reason we had to word it the way we did was because people were saying, man, if that were about to happen, we will just postpone Christmas bonuses and put them in January or February. Well, that's not what this is for. This is for wages earned, for services performed during those months, and that would make it work.

Now, I have been joined by my friend here from Georgia, Dr. PAUL BROUN, who it is an honor to serve with. I would like to yield such time to my friend, PAUL BROUN, as he may use.

Mr. BROUN of Georgia. Thank you, Mr. GOHMERT, for introducing this very innovative legislation. I would like to ask a couple of questions if you don't mind, if that's all right with you, have a little colloquy with you.

Mr. GOHMERT. Certainly.

Mr. BROUN of Georgia. If I remember correctly, John F. Kennedy, when he became President, lowered the tax rate, the top tax rates, which were extremely high at the time, but he lowered those. If I remember correctly, didn't that stimulate the economy, and didn't we have a stronger economy when President Kennedy, a Democrat, actually lowered taxes?

Mr. GOHMERT. It absolutely did, no question.

Mr. BROUN of Georgia. I kind of remember also that Ronald Reagan did the same thing, and we had one of the fastest growths of economy in the history of this Nation, is that not correct?

Mr. GOHMERT. You remember correctly, yes, sir.

Mr. BROUN of Georgia. And I think also when President Bush proposed cutting capital gains taxes and the death taxes and other things, gave us an increase in child tax credits, I think that also stimulated the economy?

Mr. GOHMERT. It certainly did.

Mr. BROUN of Georgia. That's the thing about your bill that I see. This will lower the tax rate for everybody. It's time to bail out the taxpayer.

It's time to bail out small business, and we are not doing that. We have been bailing out the Wall Street bankers, the big insurance companies, now the Big Three automakers, but the car dealers need a bailout. Small business needs a bailout. Working people need a bailout, and the best way to do that is pass your bill, in my opinion.

Actually, I think our mutual friend, JOHN SHADEGG, did introduce his bill this evening, is what I understand. He came up to me on the floor and did introduce the bill. I am honored to be a cosponsor of that bill, as well as yours. I applaud you for the idea, because you brought it up, and JOHN SHADEGG took that idea.

Mr. GOHMERT. I am a cosponsor on Mr. SHADEGG's bill as well, because I love the idea. It would get the economy flying so high, going to strong. Who knows if and when it could ever come down, it would move it so quickly. Thank you.

Mr. BROUN of Georgia. Mr. GOHMERT, the thing I see about your bill that I see is that what it will do is it will put dollars in people's pockets.

Mr. GOHMERT. Absolutely.

Mr. BROUN of Georgia. And they will be able to go and help pay off their mortgages. They will be able to go and help buy a new automobile. So that will bail out the car dealers, which this bailout deal that we passed, that the House passed tonight, is not going to do.

In fact, there is nothing in this bill that guarantees the car dealers are going to have their warranties recognized. There is nothing in this bill tonight, from what I understand, that's going to give them their hold back that the car companies are keeping from the car dealers.

So, actually, the car dealers are working on a float—I mean, the car manufacturing companies are working on a float from the car dealers, which is totally unfair. It's something that your bill will actually give people dollars in their pocket. That's going to stimulate our economy, I believe, and I think you believe the same thing too.

It will stimulate our economy, because what we have to do to create jobs is for people to have money, to be able to invest it, whether they save it and put that money in the bank or in some financial institution, so the financial institution that then, in turn, can loan that money out to someone else, it will put money in the hands of small business, so that that will be stronger. That will create jobs, which creates a stronger economy every time we have seen a lowering of tax rates throughout this country, by Democratic as well as Republican Presidents, Democratic and Republican Congresses.

We have seen a growth of the economy of the United States. Everybody, everybody has benefited, from the lowest wage owners to the highest wage earners. It also creates jobs so that this brings people who are unemployed into the job market. We have seen a greater income to the Federal Government because of the increase in the economy.

I was asked today at your news conference, by one of the members of the press, is your bill one that's going to create a bigger deficit? Frankly, I told the young lady that asked me that that, no, I don't think it's going to create a deficit. If you scored by static scoring then maybe. But if you do dynamic scoring, which is real live scoring, then the Federal Government will get more money in because of greater economic activity in America.

We will see a greater growth of our economy. We will see jobs created. We will see people catching up on their mortgages. Are people going out and actually buying houses?

So we will see a tremendous economic growth throughout America. That's the reason I have cosponsored your bill. I applaud your efforts. I have also cosponsored JOHN SHADEGG's bill, which is actually your bill, and I congratulate you on that also.

We have to bail out the taxpayer. We have to bail out the working man and woman in this Nation. We have to build small businesses, because that's the engine that drives the economy of the United States. That's where most jobs are created in America.

It's absolutely critical for us to lower taxes, not raise taxes. It's absolutely critical for us to stop borrowing money from our grandchildren, not only our children, but our grandchildren, and that's what we are doing. We are creating greater Federal debt, greater deficits, and we are borrowing that money, actually, today, from China and foreign entities, and our grandchildren will have to pay for that. It's criminal, it's immoral, in my opinion, that we are doing that as a Congress.

So, Mr. GOHMERT, I highly applaud what you have done in this bill. I highly applaud your very innovative thinking, your thinking outside the box, if you will, to use a trite phrase.

But what you have done is you have brought a piece of legislation that if the American public will just understand how important this is to them, how this will put dollars in their pocket, it will help them pay their bills. It will help them to catch up if they are behind.

It will help create new jobs. It will help create a stronger economy. Your bill and JOHN SHADEGG's bill is the kind of spark plug that we need to have a greater economy, and to stop these doldrums that we have today.

I deplore what Hank Paulson has done. I think it's just horrible that he has created this tremendous fear throughout our Nation, so people are holding on to their money, those that even have it. There are segments of our society that are doing fairly well economically. But there are many segments of our society that need some help, and your bill will help everybody at all levels, from the lowest-income people in this country to the highest.

It will help create a stronger economy. It will help create economic growth. It will help create new jobs. It will help do the things that we desperately need to do to put this country back on the right course from an economic standpoint.

So, Mr. GOHMERT, I highly applaud what you have done, and I want the American taxpayers to be able to control their own money, not Mr. Paulson, or whoever the new finance czar might be. We have set up a finance czar in this country, and I think that is extremely dangerous.

As you said in your opening remarks, we are federalizing banks. We have created an environment where the

megabanks are buying up smaller banks, so we have less competition. The marketplace is the best way to control quality, quantity and cost of all goods and services.

So we need to defederalize the financial institutions, we need to put money back in the pockets of the taxpayers, the workers of America. We need to put money back in the pockets of small business owners so that they can create a stronger business and thus create more jobs, and your bill just does exactly those things.

So I highly applaud what you are doing with this bill, and I call upon the American taxpayers, the American public, to contact your Member of Congress and demand a vote on the Gohmert bill.

What is the number, Mr. GOHMERT?

Mr. GOHMERT. It would be H.R. 7309.

Mr. BROUN of Georgia. H.R. 7309; is that correct?

Mr. GOHMERT. That's correct.

Mr. BROUN of Georgia. H.R. 7309, so I hope that the people watching tonight will contact their neighbors, their friends, their family members, contact everybody they know and say there is a bill in Congress, right now, today, that can be voted on, that will lower our tax rate by 16½ percent, right?

Mr. GOHMERT. That's correct.

Mr. BROUN of Georgia. And it will put dollars back in people's pockets. It will help stimulate our economy, and it will help us to get back on the right track economically so that America can be economically secure.

So I applaud what you are doing. I highly recommend to other Members of Congress to get on your bill, and I highly recommend that the American public contact their Member of Congress in the House and the Senate and demand a vote on Mr. GOHMERT's bill, H.R. 7309, which will lower your tax rate, put money in your pocket, and let you control your economic destiny.

Mr. GOHMERT, I thank you so much, and I appreciate this time that you have yielded to me.

Mr. GOHMERT. I sure do thank my friend from Georgia. I appreciate those comments very much.

This poster pretty much says it all. This is what boils down H.R. 7309 into a nutshell. You have the Secretary of the Treasury Paulson here on one side, and then they have got you, the taxpayer, all the taxpayers across America on the other. The question is, who do you want to spend your $350 billion, because it hasn't been spent very well.

When you hear that there are executives that may get millions in bonuses for running their business into the ground, and, sure, the government has some culpability in that, we sure do. Things haven't been run very well. But, obviously, they haven't run them very well either, and they want bonuses while the taxpayers they are taking it from have none and are cutting back on Christmas presents. Because of the way things are going, it is really tragic.

My friend from Georgia mentioned the automakers bailout that we voted on tonight is a mistake, it's not properly done. It is only a temporary fix that's going to lead to more and more and more. It sounds like a placation to the UAW.

I am much more concerned about car dealers than the UAW. I am very concerned about the auto workers and all these plants all over the country.

Because one of the things I found when we went to China a few years ago, a number of bipartisan groups went, talked to different CEOs from industry. Why did you move your industry to China?

Over and over we heard them say, well, our quality control was better in America. I thought perhaps they would say we moved because of the cheaper labor. They said, yes, labor is cheaper, and no unions to deal with. But that's not the reason we kept hearing that they moved. It was that we have a corporate tax that's over twice what China has, and then apparently they are willing to negotiate with some corporations, depending on what they bring to China.

□ 2200

So I am not as concerned for organizations as I am for the individuals; the workers in these plants, the workers at the car dealers, all these people that will be hurt if the automobile makers in America go down. But I don't think that will happen, even through a chapter 11.

But I am extremely concerned any time any entity has money that belongs to other people and they hold on to it as if for ransom, and that is what we are hearing may be happening with some of the hold-back money, the rebate money that is owed by the auto makers to the dealers. And it is just not right.

You come in here to Congress begging for money and you are not even going to live up to your side of the bargain? Regardless of what your religious beliefs are, and I never seek to impose mine on anyone else, but Jesus did refer to such a situation in one of his parables, like as in one person being forgiven their debts, and then they go and lord it over someone under them.

We are seeing that kind of thing, and it should not be happening, and there should not be a dime provided to the auto makers until they provide the money that is owed to the people that they have, that should be going to these dealers rather than holding them up for the money they are properly owed. I don't think they ought to get a dime until they are properly reimbursed themselves out in the dealerships.

Anyway, we have bureaucrats in Washington picking winners and losers. The former Speaker of the House of Representatives, Newt Gingrich, wrote an article this past week, and I quote from it: ''The bankruptcy of the current Washington political establishment makes Representative Louie Gohmert's new proposal for a tax holiday proposal intriguing.''

He went on to say, ''What Pelosi and Paulson are proposing to pour into crony capitalism is more than what it would cost to give every American taxpayer a total Federal tax holiday for 2 months.'' It is a great article and I would commend that to you. ''A people stimulus package, a tax holiday instead of a bailout.'' He has a website at Newt.org.

Also American Solutions has some wonderful information about the proposed tax holiday. And Jeb Babbin of Human Events, the publisher there, has a tremendous article on this. He has been extraordinary in his support for this idea. At one point he says, ''Most Americans were opposed to the bank bailout last fall, and neither they nor the markets themselves have confidence that any of the bailouts or 'stimulus packages' will work. They will have confidence in Gohmert's plan because it is an economic stimulus that has been proven by history. Tax cuts mean more spending, savings and investment. They pave the way to economic recovery. Government bailouts do not.''

He said, ''Gohmert's tax holiday plan is eloquent in its simplicity.''

Mr. Speaker, that is all I know to do, is come back with simplicity.

''Every American taxpayer would pay no Federal income or FICA taxes for the first two months of 2009. For the typical American family earning about $50,000 a year, that would mean they would keep about $2,000 that would otherwise be paid to the government. People making that kind of money could certainly use $2,000 more than someone getting a multi-million dollar bonus.''

''In any event,'' he says, ''Gohmert's plan doesn't pay for Wall Street bonuses or let banks use bailout money to buy other banks or pay dividends. It doesn't rely on bureaucrats to pay money out to the right people at the right time or try to stimulate the economy with token payments to people who don't pay taxes. Most Americans pay about 25 percent of their income in Federal income tax and another 7.25 percent in FICA, Social Security and Medicare taxes.

''Computing how much money Gohmert's tax holiday would leave in your family's checkbook is very simple. The fact is, you can just look at your paycheck. Look at the stub. It will tell you how much has been held out of your check. You see how much has been held out of your check for a month for Federal withholding and for FICA. That is what you would get back.''

I would like to point out, there was a quote decades ago from John Kenneth Galbraith about economists. Opinions of economists have been bantered about over and over again. But I think about Galbraith's quote when he said there are only two kinds of economists: There are those who don't know, and

those who don't know they don't know, and I think our Treasury Secretary is in the latter category.

An interesting article published, ''Less Government is More Better,'' by Ted Nugent. The guy is amazing. He is a rock star, and he is an amazing rock star when it comes to political philosophy as well, and I am quoting from his article.

He says, ''That is right, a 2 month, $350 billion tax holiday, and no income tax for January and February 2009. This would be massive wads of your money staying in your pockets where it belongs, surely doing more for the sagging economy than using it to bail out Wall Street or the automotive industry.''

He also says, ''Fedzilla,'' apparently that is his term for the Federal Government here in Washington, ''has just gotten bigger and bigger. Of course, Fedzilla,'' he says, ''bureaucrats such as Speaker Pelosi and others, will fight Congressman Gohmert's proposal because they believe Fedzilla knows how to better spend your money than you do. But this arrogant attitude by Fedzilla-addicted zombies is always the problem, never the solution.''

He said, ''Fedzilla rarely gets anything right. Need proof? Quick, name three specific things Fedzilla has spent your money on which you believe was a wise use of your tax dollars.''

He says, ''Taxpayers are partially to blame for the financial mess created by Fedzilla. We have sat idly by and drank the bureaucratic Kool-Aid brewed by Fedzilla and slowly surrendered our financial independence to big government bureaucrats. Shame on us,'' Ted Nugent says. He says, ''We should have been snarling watchdogs of the bureaucrats with our tax dollars stuffed in their bloated wallets, instead of solace, disconnected, apathetic accomplice lapdogs.''

You have got a quote here from Thomas Jefferson. Ted Nugent quotes Jefferson saying, ''I predict future happiness for Americans if they can prevent the government from wasting the labors of the people under the pretense of taking care of them.''

Boy, if that doesn't apply. Of course, Ted Nugent says, ''You think?'' Sounds like my sister's response. ''You think?''

In any event, this is a simple bill. And I know some people have said, won't that hurt Social Security? Section 3 deals with that, and requires the Secretary of the Treasury, in consultation with the Secretary of Health and Human Services and the Commissioner of Social Security as appropriate, to determine what impact the nonpayment of FICA for 2 months would have on the Social Security trust fund and the Federal Old Age and Survivors Insurance trust fund, Federal Disability Insurance trust fund, Federal Hospital Insurance trust fund, and they have to make sure the difference is made up.

We have already allocated $350 billion, so shutting them down from using that and saying the taxpayers get it instead sounds like a pretty good deal. I hope it would.

We have got to get back to the roots of what America was founded on. It broke my heart back in September when we had this bailout proposed. On that first Monday we took the vote, some of us knew it was going to be tough in the stock market. Why? Because the Treasury Secretary had forecast a self-fulfilling prophesy that the stock market would drop unless he got his $700 billion slush fund.

Well, that is a self-fulfilling prophecy. When you promise the market is going to drop unless something happens, it usually happens the way you say it, because the market is fragile. It relies so much on confidence. So it dropped 777 points. Something Biblical about that, 777. Or I guess if you are into I guess slot machines, something intriguing about that as well, 777.

But it also broke my heart to see so many people, they knew the principles of this country, they knew what it was founded on. They knew what started the Revolution. They had their history. They knew that the people in the colonies, in what back then were the colonies of America, did not want the king's government, any government, owning all that they held dear in this country.

When the king, the government, started exhorting too much power and control and ownership over things in the colony, it started a revolution. When the signers of the Declaration of Independence signed that document, they knew that King George would see it. It was posted. It was made available. It was read out. People knew who had signed it, and so would King George III. They knew if the Revolution failed, their lives were over.

You look at the end of the Declaration of Independence. They said ''we pledge our lives, our fortunes,'' and many of them lost both. Some lost their lives, some lost their fortunes, some lost their families, but they believed it was worth it to have a country in which people could be free to decide what to do with their own property.

You know, the pilgrims tried this idea of basically socialism. They had a beautiful compact when they came to this land here, the ''New World'' they called it. The compact was they would all share the land, they would all produce from it, they would bring into the common storehouse and then they would share equally.

After the first winter, when so many died of starvation, they realized we got to go do something different here. First of all, if you don't work, you don't eat. Sound familiar? That is what the Apostle Paul had to order after the New Testament church tried the idea of everybody bringing into the common storehouse and then sharing it equally.

The other thing they did was provide private plots of land to each individual so they could eat what they produced and then share what was left. That is the way America got started. Those were lessons that the founders knew. And they knew that if individuals had the ability to succeed and flourish as private individuals without government control and government constant intervention, that this could become the greatest country in the world.

If you read one of John Adams's letters to Abigail after the signing of the Declaration, you can just virtually feel the excitement. He said, ''This is a great day.'' My paraphrase is, this is a great day. We have within our grasp in this country something that the philosophers and the dreamers have only dreamed about, and that is within our grasp. This day ought to be celebrated throughout this Nation's history with picnics and parades, and he mentioned firing of guns. We substitute fireworks. He knew how important it was, because of the ideal that people could have a government, this experiment in government, where they would control the government and govern themselves.

And somehow we have wandered so far from that that in September of this year, we could have a bill that so many would vote for that would allow one man, a king of a treasurer, to buy private assets, let the government take them and make money.

Let me just say, when you hear somebody in the government say we are going to take taxpayer money and make money with it, then the response should be, it is none of your business. Taxpayers always make more money with taxpayer money than the government could ever do. That is not their job. It is called socialism when the government buys into banks, buys stock in the banks, buys stock in insurance companies, and stock has been offered in the car companies.

We have a bill that will make a Car Czar. Can you imagine? I mean, Ted Nugent called the government ''Fedzilla.'' Can you imagine the kind of creation Fedzilla would come up with if it starts being the Car Czar, designing cars and telling Detroit what they have to produce? I wouldn't want to buy one of those. We saw those kind of cars. Not that many people bought the Yugos or the other Russian cars produced over there designed by a government-controlled car company.

□ 2215

People didn't want them. They wanted American cars if they could get them.

But, in any event, we've come to this time when, in American history, people would willingly vote to socialize a segment of the economy. I was told, well, this couldn't be socialism, this was before the final vote, because I only know three socialists in America and they're all against the bailout bill.

Well, it turns out they didn't like the idea of giving Wall Street all this money. They just wanted the government to take over the financial sector. But hearing one of them on television

after the bailout, he said, you know, this actually ends up being a great day because we've federalized, socialized whatever you want—he didn't say that, but it's basically socialized a segment of the financial economy, the financial sector. And now we just need, according to him, to take over the rest of it and then we spread it across the country.

That sounds good. And I heard somebody call into a talk show and say, what's really wrong with socialism?

Well, let me explain it to you this way. When I was an exchange student in the Soviet Union back in 1973, I spent the summer over there; went out to a collective farm, and there were some farmers who were sitting in the shade, you know, mid-morning.

Well, I've worked on farms, ranches, growing up in East Texas, and I know, during the summer, like this was, you start your work as quick as you can after daylight, and you want to be finished before the sun gets too hot. I've worked in 104, 105-degree heat with lots of humidity and it isn't fun, so you try and finish before it gets that hot.

These guys were all sitting in the shade. And I spoke a little Russian back then and I asked them, trying to be nice, when do you work out in the field? And they laughed at me, at the question. And one of them spoke and said, I make the same number of rubles if I'm out there or if I'm here, so I'm here. That's why socialism never works, because when people find out that they can get just as much as the person that works from sun up to sun down, then it falls apart.

Now, the Soviets set a record of having socialism for 70 years. And the only way they could make it work was to have a tyrannical central government that could kill you or imprison you if you didn't play along. But it was doomed to failure.

Socialism is always doomed to failure. And this country, if it were to continue going down this road, would not make 70 years unless it went to a tyrannical government as well; and God help us if that were to happen.

In any event, I would rather the prayers be that God continue to bless America; that we get back to our founding principles; that we embrace the principles that made America great, and not the principles that brought about the Revolution.

My bill, H.R. 7309, helps get us back a little bit on track. And you know what a great healthy by-product would be? When people start realizing how much money they're sending to Washington, they might demand a little better accountability, the kind of accountability we have not gotten from the first $350 billion that have been squandered for who knows what. It hasn't helped.

But with that, Mr. Speaker, I appreciate the patience. I would encourage, Mr. Speaker, people all across America to call your Representative, call your Senators, let them know that the taxpayers should be the one to spend the $350 billion, not the Treasury Secretary.

VACATING 5-MINUTE SPECIAL ORDER

The SPEAKER pro tempore (Mr. KAGEN). Without objection, the 5-minute Special Order of the gentleman from California (Mr. HUNTER) is vacated.

There was no objection.

THANKING AMERICANS IN UNIFORM WHO SERVED IN IRAQ

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from California (Mr. HUNTER) is recognized for 60 minutes.

Mr. HUNTER. Mr. Speaker, I rise tonight to do something that I think has been a long time coming. On March 19 of 2003, the United States made the initial strikes in Iraq with two F–117 aircraft carrying 2,000-pound bombs that initiated the action in which Americans took Iraq, overthrew the dictator, Saddam Hussein, ultimately established a free government, and built from scratch a security apparatus and a military in Iraq capable of protecting that free government. And today, Mr. Speaker, I thought it would be appropriate for this Congress to thank the more than 1 million Americans in uniform who have served in Iraq, in the Army, the Navy, the Marine Corps, the Air Force, the Coast Guard and in our intelligence services and our security services, to thank those more than 1 million Americans, men and women, for doing something that Americans often applaud; that's winning. We have won in Iraq.

Mr. Speaker, it was March 19 when we initiated that operation with those first Tomahawk missiles that were launched on leadership positions in Baghdad, and those first two F–117 stealth aircraft that moved out and dropped 2,000-pound bombs on important sites. And after that, just 48 hours later, on March 20, 2003, two prongs of coalition forces moved across the berm in Kuwait, after American intelligence agents and American Special Operation Forces had laid the groundwork, and they moved out and they started to move toward Baghdad.

Mr. Speaker, the launch of the operations and the ground forces and, incidentally, those ground forces were led by Army Lieutenant General David McKiernan. He was the commanding general of the Combined Forces Land Component Command. They crossed the line of departure from the Kuwaiti desert into Southern Iraq, and they had to go about 600 kilometers to get to Baghdad. We covered that distance in record time. And I don't know how many people in Congress or in the American populace remember it, but you had many commentators, many armchair commentators stating that the United States forces would be bogged down, that Secretary of Defense Don Rumsfeld had not sent enough forces, and that we would see this operation grind to a halt and we would take heavy casualties. They were wrong, and Tommy Franks' forces, in fact, you would have talk shows in which the commentator or the guest would be talking about American forces bogging down, and his statement would be interrupted by a news flash that Tommy Franks' forces had taken yet another one of Saddam Hussein's strongholds.

So we drove on to Baghdad. And on March 21, in fact, Iraq's 51st Army Division, which was estimated to be about 8,000 personnel, surrendered and deserted at Iraq's southern border.

The main ground effort was led by U.S. Army Fifth Corps under Lieutenant General William Wallace. Fifth Corps moved along a western route up to Baghdad, and the First Marine Expeditionary Force, 1MEF, under General James Conway, now the Commandant of the Marine Corps, moved along the more urban route closer to the border with Iran, on the east side. They took the far southern port of Umm Kasar. The main Marine force encountered some resistance as they pushed north, in particular, An Nasariya.

Mr. Speaker, I can remember talking with a young Marine who had some injuries and was at Bethesda hospital shortly after that operation, and he talked about how much he loved those Marine tanks when he was pinned down by fire coming from several buildings at An Nasariya, and these big Marine tanks came whipping in, laid some heavy fire on the Feyadeen who were laying down these torrents of RPG fire; that's rocket propelled grenades. And they rushed out, that is the Feyadeen did, after being hit with several tank volleys, and surrendered to the Marines at that choke point.

In the west, the Army faced a longer distance but a less populated terrain. And Fifth Corps began combat operations with two divisions under its command, the Third ID under Major General Blunt, and the 101st Airborne Division, the 101st under Major General David Petraeus.

The Third ID led the western charge to Baghdad. They moved speedily through the south. They reached Saddam International Airport on April 4 of 2003. At that point the division launched the first of what it called ''thunder runs.'' And a ''thunder run'' was a fast armored strike going right into the heart of Baghdad. And according to the Brigade Commander in Charge, General David Perkins, the Americans wanted to ''create as much confusion as they could inside the city.'' And the second purpose was to make sure that no one in that city, whether it was a member of the Iraqi population or an Iraqi leader, had any doubt that the city had fallen and the Americans were in charge.

The 101st followed the Third ID up the western route into Southern Iraq,

clearing resistance in southern cities, and that allowed the Third ID to move up very quickly. Soldiers from the 101st faced intense fighting in Hillah, Najaf and Karbala. And just after mid-April a division arrived and set up its headquarters in Mosul in northern Iraq.

In the north, on March 26, 2003, the 173rd Airborne jumped into Iraq. They had to parachute into Northern Iraq because the Turkish government decided not to allow the Fourth Infantry Division to move across Turkey into that anchor position in the north. So the 173rd, deploying out of Italy, flying in C–17s, jumped at about 1:30 in the morning; came into some hip-deep mud, but they anchored Northern Iraq, and they linked up with the peshmerga and Kurdish fighters who were moving then into the Kirkuk area and moved down and secured and anchored that northern portion of Iraq.

The UK First Armored Division, our great friends in the coalition, the United Kingdom, the Brits, were operating under the Marine force, took the important port city of Basra by April 6 of 2003.

On April 9, 2003, just some 21 days after we had gone over the line from Kuwait into Iraq, the statue of Saddam Hussein fell in Baghdad. This was just 21 days after we initiated that operation.

Mr. Speaker, we had, at that point, taken less than 150 KIA, precious American lives, but we had destroyed more than 20 enemy divisions in an unprecedented move through the center of Iraq.

And for that, Mr. Speaker, I know that over the last year or so the pundits have been filling their pages, and some politicians have been filling their quote lines with critical statements about Don Rumsfeld. But Don Rumsfeld's operation, in ignoring the critics who wanted him to build slowly and to bring in more divisions before he moved on Baghdad, was absolutely right, and the critics who said he would bog down were absolutely wrong because he moved with precision, like a hot knife through butter, straight into Baghdad and took down the Iraqi divisions before they could really establish a strong position against the Americans.

And I might add that General Myers, the Chairman of the Joint Chiefs at that time, was an able assistant in helping to carry out Secretary Rumsfeld's policy.

The First Armored Division also began arriving in Iraq in April 2003.

□ 2230

Saddam Hussein was captured outside his hometown of Tikrit by 4ID units on December 13, 2003.

In April 2004, the young Shiite cleric Muqtada al-Sadr and his militia, which we refer to as the Mahdi Army staged uprisings in cities and towns throughout the Shiia populated southern Iraq, just as a volatile Sunni populated City of Fallujah in Anbar province simmered in the wake of the murders of four Blackwater contractors.

For all the great men and women of the United States Marines, the chapter entitled ''Fallujah'' will forever be a part of the history of the U.S. Marines, which testifies to their tenacity, to their greatness on the field of battle, to their compassion for their fellow marines, to their ability to handle tough, difficult situations, for their tenacity, and for their courage.

Now, we went into Fallujah right after the four contractors were hung from the bridge and burned. After we were partway through the city, because of political considerations, which was a real mistake on the part of the American governance and Iraq, the marines were pulled back out of the city even though they'd taken KIA. At that point, they were moving swiftly through that city and were taking out the terrorists.

Well, after that, Fallujah became a hotbed for terrorists and a base for operations throughout al Anbar province. So, in November, the marines went back again, and they went into a determined enemy who was waiting for them, who was set in place, but it's a credit to the great men and women who wear the uniform of the United States Marine Corps, from where the sun now stands to the end of our history. The chapter of ''Fallujah'' is a testament to their capability and to their courage.

I want every single marine in the United States and every family of a marine and every neighbor and every friend of a marine and every citizen who loves that globe and anchor to be proud of what they did in Fallujah.

In Fallujah, they went into a determined enemy. The operation included some 540 air strikes, 14,000 artillery and mortar shells fired, 2,500 tank main gun rounds fired, and at the end of that operation, over 70 marines had been KIA—that is killed in action—and over 609 had been wounded. Incidentally, army units participated in that, and a few other coalition units participated in that, but of the 39,000 buildings in Fallujah, 18,000 had been damaged or had been taken down by the force and fury of this marine operation. Now, at the same time, military operations in the town of Tal Afar in 2005 marked an early, multifaceted and successful application of what we call counterinsurgency approaches.

In Washington, Tal Afar gave birth to a new Iraq policy lexicon in Iraq, though not immediately to the expanded use of counterinsurgency practices. Tal Afar is located in Ninewah Province, along the route from the provincial capital of Mosul to Syria. Its population is about 290,000. It includes Sunni Arabs, Kurds, Turkmen, and Yezidis.

From April 2003 until early 2004, the 101st Airborne Division had responsibility for Ninewah and for Iraq's three northern, largely Kurdish populated provinces. Because the north was relatively quiet, due in part to the effectiveness of the pesh merga, the 101st was able to concentrate primarily on Ninewah, a relatively high troops-to-population ratio.

In early 2005 when the 101st redeployed, the responsibility for the area passed to a much smaller striker brigade. That brigade, in turn, was periodically asked to provide forces for operations elsewhere in Iraq. So the coalition force footprint in Ninewah was substantially reduced. Tal Afar was a convenient trade route location, and a mixed population perfect for fomenting sectarian strife became a base of operations for former regime elements and Sunni extremists, including suicide bombers.

In May 2005, the 3rd Armored Cavalry Regiment, now commanded by Colonel H.R. McMaster, arrived in Tal Afar. Colonel McMaster was familiar with OIF issues from his previous service as director of General Abizaid's Commander's Action Group at CENTCOM.

In early 2005, the ACR began their deployment preparations at home in Fort Carson, Colorado, studying counterinsurgency approaches. Later in Iraq, Colonel McMaster described the regiment's mission in the classical counterinsurgency lexicon of population security. The whole purpose of the operation is to secure the population so that we can lift the enemy's campaign of intimidation and coercion over the population and allow economic and political development to proceed here and to return to normal life.

Now, for every single American who participated in the Iraq operation—and I don't care if you were stocking shelves in Kuwait or fixing strikers as a mechanic or working in Balad in logistics or making thunder runs in Baghdad early in the war or going house to house in Fallujah—you participated in a very important operation.

Let me tell you why it's very clear that we've won in Iraq. We've deposed Saddam Hussein. Saddam Hussein was the guy who sent Chemical Ali to put poisoned gas on the Kurdish population in northern Iraq. He is the first leader since Hitler who had put poisoned gas on his own people. If you ever have any questions about the morality of what we did in intervening in Iraq, push aside this argument about weapons of mass destruction and pick up the picture of Kurdish mothers holding their babies where they were killed in mid stride, laying on those hillsides in northern Iraq by the thousands, where that poisoned gas struck them and killed them immediately or go to the History Channel, and watch the mass excavations where you will see mothers with their children, where they were executed by Saddam Hussein's army and bulldozed into open trenches and where, if you will look closely, as the scientists and the excavators who have the stomach to do it did for these reviews and analyses, you will see bullet

holes in the backs of the heads of the mothers and, in many cases, bullet holes in the backs of their babies' heads where they, too, were executed before mother and baby were pushed with a bulldozer into open trenches.

That's the regime that you, every single American who wore the uniform of the United States, put out of business when you did your job in Iraq—you, the more than 1 million Americans who left your families, who in many cases did multiple tours, who were separated from your loved ones, who in many cases undertook some very, very difficult, very dangerous missions, who suffered some very hot weather and, in some cases, some very cold weather, who suffered lots of inconveniences but who did it for a purpose, which was a good and idealistic and moral purpose, and you won. Let me tell you how we know that you've won.

We now have an Iraqi Government which was elected by the people, and it's not a perfect government, and it has got lots of strife and lots of crosscurrents of politics and lots of people who resent other people on the other side of their aisle, but it's a government where people settle most of their problems with ballots, not bullets. It has got a modicum of democracy and representative government. Only the Americans, only the people who wear the uniform of the United States could have brought that to Iraq.

Throughout Iraq, there are schools and there are medical facilities that you built, that you Americans in uniform built. There are millions of babies who were inoculated because of the Americans, and there are hundreds of thousands of expectant mothers who were given prenatal care because of the Americans. There are people who have avoided disease because of the Americans, and there are people who have enough to eat now because of the Americans.

Now, it's true that they have a fragile infrastructure. They've always had a fragile infrastructure, and it's true that Iraq hasn't developed all of its natural resources. On the other hand, neither has Mexico and neither have lots of countries throughout the world, but on the backs of the American men and women who wear the uniform of our country, they had free elections, and they now have a government, and that government is holding. The voices in Congress and the voices of the pundits who talked about an all-out civil war don't talk about that anymore, and they never say they were wrong or sorry. They just move on to a different subject. There is no civil war, and we now have a government which is settling in and a people who are settling into the idea of having fierce fights but of having those fights with words and by settling things with ballots and not bullets.

Now, one thing that we did that has to be credited very strongly to President Bush—and for all of those who don't like President Bush, he has one characteristic which Winston Churchill admired above all others, persistence, because at a time when many people were saying you have to give up and leave Iraq, he said, ''I'm not going to give up.'' He joined with Mr. Maliki in sending in more American troops and more coalition troops and more Iraqi troops into Baghdad in what is known as a surge.

If you want to talk about the surge, very simply, the surge was this: Instead of Americans going in and clearing an area and coming back out and having the terrorists flow back into that area, the surge involved going in, clearing the area, sometimes with Iraqi forces in the lead, sometimes with Americans, but clearing that area and then holding the area, building the area, restoring the confidence of the population, securing the area, making the area a little bit more terrorist resistant and not giving up those games.

That's what this President did, and he should be commended for it. Of course, history, as we go down through the years—and as the Iraqi Government continues to hold and as it is a friend, not an enemy of the United States as it was before and as it has a modicum of democracy and as it will not be a state sponsor of terrorism as it had been in the past and as its neighbors are—will be appreciative of what those more than 1 million Americans did who wore the uniform. You won. You fulfilled this mission. We've got a government in place that's holding. We've got a military that's holding. It has got about 160 battalions, and we built that military from scratch.

Now, many of the pundits and many of the politicians said we should have taken Saddam Hussein's army and kept it in place. That wouldn't have worked. It wouldn't have worked because Saddam Hussein's army had 11,000 Sunni generals. That's a recipe for disaster. Especially in a country in which the Shiite population is in the majority, the idea that you're going to have an army with 11,000 Sunni generals—literally squads of generals, each one a futile lord in his own right with his own arms cache—and the idea that they would be honest brokers is ridiculous. That's why we had to build that army from scratch.

Now, we've got a few weaknesses in the army. We've had a few weaknesses in the Field Grade Officer Corps. This is an army that traditionally did not have a large noncommissioned officer segment, and we've had to build that segment from scratch, but we're being successful.

One of the marks of success was when Mr. Maliki, the President of Iraq, moved into Basra on his own initiative. Now, we were used to calling the shots in Iraq. Yet, in Basra, Mr. Maliki decided to move ahead on his own. He moved into Basra. He initially took quite a few casualties. We had situations in which we had Iraqi battalions which didn't show up for the fight the next day, some of the green battalions. In the end, with Americans backing them up and with this fledgling government working against the extremists in Basra, the coalition and the Iraqi forces prevailed. That is the mark of a government which is maturing, one which takes its own initiatives.

Now, Mr. Maliki had initially a force of some very small numbers of battalions that were ready. Then he got to the point where he had over 100 battalions and then 130, and he has got, roughly, 160 battalions right now.

□ 2245

Now, I recommended to the President and to our military leadership that the way you build a military is through military operations; that means saddling up your battalion, moving them into the fight, rotating them into the fight, exposing their weaknesses—whether it's logistics or your leadership levels or your ability to direct fire power—and fixing those problems. You build a strong military force through military operations.

And in fact, they did this in many cases, and they rotated their forces—when we did the surge in Baghdad, the Iraqi forces rotated battalions in and out of that particular area of operations where they made lots of contact with the enemy where they had to exercise their logistics chain, where they had to exercise their chain of command, where they had to be soldiers. And so the Iraqi Army has matured.

Now, it's nowhere near the capability of the American forces. Nobody in the world is near the capability of the American forces. It needs lots of enablers.

On the other hand, the Iraqi Army today can do what it has to do. It can go to an area in Iraq where the extremists, were al Qaeda are in control, maybe where extremist Shiite militias are in control, and it can push them out and it can fracture them, and it can defeat them on the battlefield.

They don't have to handle a column of armored divisions. All they have to do is be able to hold on to their own sovereignty in their own country, and the Iraqi military can do that. And they can protect their government, and they can now largely protect their infrastructure. That's important.

So for all of the Americans who participated in the Iraq operation, whether you were there when we first went over the line in March of 2003, whether you just got back, or whether you have friends that are there right now kind of wrapping up the operation—and that's what we're going to do over the next couple of years. We're going to mop up, and we're going to pack up, and we're going to leave. But we have taken out the tyrant Saddam Hussein. We have defeated al Qaeda.

In fact, when the leader of the Senate was saying that we had lost in Iraq—and he was absolutely wrong. You had senior Marines in Anbar province sending messages back saying, ''We are

crushing al Qaeda in al Anbar.'' So we won. You won. Everybody that wears the uniform of the United States, whether you carried a base plate for mortars, drove a truck in those difficult convoy runs, were a nurse in one of the many medical clinics and facilities we had, if you were a medic in some of the difficult battles, maybe you were a support troop, maybe you flew aircraft or a crew in aircraft, whether it was a C–130 or a tactical fighter, what you did was of enormous value to the United States of America.

You know, I'm reminded of great stories that have emanated from Iraq. I'm reminded of the battle of Fallujah when General John Kelley was the assistant division commander, and at the same time his son, Robert, was a private first class in a rifle squad fighting door-to-door at close range. And when it was over, Robert was the only one in his platoon who had not been wounded.

I'm reminded of Jason Fry, Captain Jason Fry who, going up through the Nassiriyah choke-point was hit by an RPG that took off his right arm; and when the medics were working on him and one of them asked, ''Are you right handed or left handed,'' he said, ''I'm left handed now. You tell my men I'm okay.'' That was the spirit of the American service personnel who served in Iraq.

And remember when they went into Iraq, we had intelligence to the effect that they would use poison gas against our troops because we'd seen them use poison gas against their own people killing thousands of them. And yet the American service personnel persevered and moved ahead into that storm of unknown quality.

And because of them, we have won in Iraq. Yes, we have won in Iraq. And don't let any left-wing journalist come up and tell you that we haven't won. It's true that there's no surrender on the Battleship Missouri. There's not going to be one in this war against terror. But if you look at the military missions that we have—and it's also true we haven't turned Iraq into Iowa. That was never the mission. And if somebody says the other guys won, you tell them to produce Saddam Hussein.

But what we have done, we've taken out the dictator and his forces, we've installed an elected government, and we've now installed a security apparatus, including an army built from scratch by the Americans capable of protecting that government. Nobody is guaranteed freedom and perpetuity, including this country.

But the American military mission in Iraq has been accomplished. You brought us victory. You, the more than 1 million Americans who served in uniform in that theater. And for that, Mr. Speaker, I think the American people owe a huge ''thank you'' to those great men and women, to their families who endured those separations, for all of the difficult burdens that they've carried ever since March of 2003 when we took that first unit across the line into that country known as Iraq.

Thank you to everyone who wears the uniform in that operation. Thank you for winning.

Mr. Speaker, I would yield back the balance of my time.

CORRECTION TO THE CONGRESSIONAL RECORD OF THURSDAY, OCTOBER 2, 2008 AT PAGE H10678

APPOINTMENT AS MEMBERS TO ADVISORY COMMITTEE ON STUDENT FINANCIAL ASSISTANCE

The SPEAKER pro tempore. Pursuant to section 491 of the Higher Education Act (20 U.S.C. 1098), amended by section 494C of the Higher Education Opportunity Act (P.L. 110–315), and the order of the House of January 4, 2007, the Chair announces the Speaker's appointment of the following Member on the part of the House to the Advisory Committee on Student Financial Assistance for a term of 4 years:

Upon the recommendation of the Majority Leader:

Ms. Helen Benjamin, Vallejo, California

Upon the recommendation of the Minority Leader:

Mr. Anthony Guida, Pittsburgh, Pennsylvania

CORRECTION TO THE CONGRESSIONAL RECORD OF TUESDAY, DECEMBER 9, 2008, AT PAGE H10860

APPOINTMENTS TO CONGRESSIONAL OVERSIGHT PANEL

The SPEAKER pro tempore. Pursuant to section 125(c)(1) of the Emergency Economic Stabilization Act of 2008 (P.L. 110–343), and the order of the House of January 4, 2008, the Chair announces the November 14, 2008, joint appointment by the Speaker and the Majority Leader of the Senate and appointment by the Speaker on the part of the House to the Congressional Oversight Panel:

Joint appointment:

Mr. Damon Silvers, Maryland

Speaker's appointment:

Mr. Richard H. Neiman, New York

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ELLISON (at the request of Mr. HOYER) for today.

Ms. EDDIE BERNICE JOHNSON of Texas (at the request of Mr. HOYER) for today on account of medical reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. CUMMINGS) to revise and extend their remarks and include extraneous material:)

Mr. CUMMINGS, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. LEE, for 5 minutes, today.

Mr. MCGOVERN, for 5 minutes, today.

Mr. LAMPSON, for 5 minutes, today.

Mr. SHERMAN, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 5 minutes, today, December 11 and 12.

Mr. POE, for 5 minutes, today, December 11 and 12.

Mr. WOLF, for 5 minutes, today.

Mr. JONES, for 5 minutes, today, December 11 and 12.

Mr. PAUL, for 5 minutes, today and December 11.

Mr. DREIER, for 5 minutes, today.

Mr. HUNTER, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3731. An act to amend the Emergency Economic Stabilization Act of 2008 (division A of Public Law 110–343) to provide the Special Inspector General with additional authorities and responsibilities, and for other purposes; to the Committee on Financial Services.

ADJOURNMENT

Mr. WELCH of Vermont. Mr. Speaker, pursuant to House Concurrent Resolution 440, 110th Congress, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 51 minutes p.m.), the House adjourned until Saturday, January 3, 2009, at 11 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for speaker-authorized official travel during the first, second and third quarters of 2008, pursuant to Public Law 95–384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, CHRISTOPHER CHAD CAUSEY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 1 AND AUG. 5, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Christopher Chad Causey	8/2	8/2	Kuwait								
	8/2	8/3	Iraq								
	8/4	8/5	Sicily		176.00						176.00
Committee total											176.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

CHRISTOPHER CHAD CAUSEY, Sept. 30, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, HON. HOWARD BERMAN, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 22 AND AUG. 22, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Howard Berman	8/22	8/22	Georgia						[3] 126.00		126.00
Committee total									126.00		126.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Delegation costs.

HON. HOWARD L. BERMAN, Chairman, Sept. 15, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, ROLAND M.J. DAIGLE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 1 AND AUG. 8, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Roland M.J. Daigle	8/2	8/4	Europe		330.00		(3)				330.00
	8/4	8/5	Europe		217.00		(3)				217.00
	8/5	8/6	Europe		200.00		(3)				200.00
	8/6	8/8	Africa		191.26		(3)				191.26
Committee total											938.26

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military aircraft transportation.

ROLAND M.J. DAIGLE, Sept. 9, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, KAY A. KING, PH.D., HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 1 AND AUG. 12, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Kay A. King	8/2	8/3	Greece		875.00		(3)				375.00
	8/4	8/7	Singapore		1,640.00		(3)				1640.00
	8/7	8/9	Vietnam		712.00		(3)				712.00
	8/9	8/11	Taiwan		718.00		(3)				718.00
Committee total											3,445.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

KAY A. KING, Sept. 12, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, HON. GEORGE MILLER, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 22 AND AUG. 22, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. George Miller	8/22	8/22	Tbilisi, Georgia				(3)				
Committee total											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. GEORGE MILLER, Chairman, Sept. 24, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JENNIFER STODDARD, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 1 AND AUG. 8, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Jennifer Stoddard	8/2	8/4	Europe		330.00		(3)				330.00
	8/4	8/5	Europe		217.00		(3)				217.00
	8/5	8/6	Europe		200.00		(3)				200.00
	8/6	8/8	Africa		191.26		(3)				191.26

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JENNIFER STODDARD, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 1 AND AUG. 8, 2008—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Committee total											938.26

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

JENNIFER STODDARD, Sept. 10, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JOE STRICKLAND, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 20 AND AUG. 23, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Joe Strickland	8/20	8/23	Netherlands		711.00		7,142.28		683.84		8,537.12
Committee total					711.00		7,142.28		683.84		8,537.12

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JOE STRICKLAND, Sept. 16, 2008.

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO SLOVENIA AND ITALY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAY 23 AND MAY 30, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Amanda Sloat	5/23	5/26	Slovenia		446.54				652.36		1,098.90
*Amanda Sloat (amending report)	5/26	5/30	Italy		534.29				378.18		912.47
Delegation Expenses in Slovenia	5/23	5/26	Slovenia		5,573.91						5,573.91
Delegation Expenses in Italy	5/26	5/30	Italy		8,668.80						8,668.80
Committee total											16,254.08

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

SHELLEY BEADLEY, Aug. 26, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO BRUSSELS AND BELGIUM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 30 AND SEPT. 6, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Lorraine C. Miller	8/30	9/6	Belgium		1,434.00		6,034.68		218.61		7,687.29
Robert F. Reeves	8/30	9/6	Belgium		1,434.00		6,034.68		218.61		7,687.29
Fred Hay	8/30	9/6	Belgium		1,434.00		6,034.68		218.61		7,687.29
Thomas Wickham	8/30	9/6	Belgium		1,434.00		6,034.68		218.61		7,687.29
Frances Chiappardi	8/30	9/6	Belgium		1,434.00		6,034.68		218.61		7,687.29
Tonya L. Spratt-Williams	8/30	9/6	Belgium		1,434.00		7,132.68		218.61		8,785.29
Committee total											47,221.74

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

LORRAINE C. MILLER, Oct. 3, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO JAPAN, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 31 AND SEPT. 3, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Nancy Pelosi	8/31	9/2	Japan		1,105.00		(3)				1,105.00
Dr. John F. Eisold	8/31	9/2	Japan		1,105.00		(3)				1,105.00
Hon. Wilson Livingood	8/31	9/2	Japan		1,105.00		(3)				1,105.00
John Lawrence	8/31	9/2	Japan		1,105.00		(3)				1,105.00
Michael Sheehy	8/31	9/2	Japan		1,105.00		(3)				1,105.00
Micaela Fernandez	8/31	9/2	Japan		1,105.00		(3)				1,105.00
Kate Knudson	8/31	9/2	Japan		1,105.00		(3)				1,105.00
Andrew Hammill	8/31	9/2	Japan		1,105.00		(3)				1,105.00
Steven Rusnak	8/31	9/2	Japan		1,105.00		(3)				1,105.00
Committee total											9,945.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. NANCY PELOSI, Oct. 3, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Senator Benjamin L. Cardin	6/27	6/28	United Kingdom		711.79	(3)					711.79
	6/28	7/2	Kazakhstan		2,493.32						2,493.32
	7/2	7/3	Italy		639.00						639.00
Erika Schlager	7/9	7/12	Austria		1,095.00		5,696.51				6,791.51
Marlene Kaufmann	8/2	8/6	Syria		1,104.00		8,372.59				9,476.59
	8/6	8/9	Lebanon		606.00						606.00
Lale Mamaux	8/2	8/6	Syria		1,104.00		8,372.59				9,476.59
	8/6	8/9	Lebanon		595.80						595.80
Mischa Thompson	9/8	9/10	Belgium		777.06		6,004.09				6,781.15
Hon. Alcee L. Hastings	9/17	9/18	Canada		429.60		2,281.96				2,711.56
Senator Benjamin L. Cardin	9/20	9/21	Canada		429.60		2,026.11				2,455.71
Alex Johnson	9/17	9/21	Canada		1,839.80		1,429.23				3,269.03
Marlene Kaufmann	9/17	9/20	Canada		1,288.72		2,720.56				4,009.28
Mr. Orest Deychakiwsky	9/25	9/30	Belarus		1,970.00		8,272.87				10,242.87
Winsome Packer	9/25	9/30	Belarus		1,550.00		1,877.00				3,427.00
Winsome Packer	7/1	7/31	Austria		11,315.00		5,696.87				17,011.87
	8/9	9/25	Austria		18,685.01						18,685.01
Committee total					46,633.70		52,750.38				99,384.08

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. ALCEE L. HASTINGS, Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008

Name of member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Collin C. Peterson	9/2	9/3	Brazil		120.00		(3)				120.00
	9/3	9/6	Argentina		1,042.80		(3)				1,042.80
Control Room	9/3	9/6	Argentina						286.08		286.08
Hon. Collin C. Peterson	9/6	9/8	Uruguay		484.00		(3)		484.00		484.00
Operations	9/6	9/8	Uruguay						5,742.00		5,742.00
Hon. Steve Kagen	7/26	7/27	Iraq				(3)				
	7/27	7/28	Israel		451.00		(3)				451.00
	7/28	7/30	Czech Republic		983.73		(3)				983.73
Hon. Bob Goodlatte	6/28	6/29	Kuwait		432.00						432.00
	6/29	6/30	Iraq								
	6/30	7/1	Kuwait		432.00						432.00
	7/1	7/2	Afghanistan								
	7/2	7/3	Pakistan		339.00		13,689.25				14,028.25
Hon. Travis W. Childers	6/28	6/29	Kuwait		432.00						432.00
Hon. Travis W. Childers	6/29	6/30	Iraq								
	6/30	7/1	Kuwait		432.00						432.00
	7/1	7/2	Afghanistan								
	7/2	7/3	Pakistan		339.00		9,956.25				10,295.25
Committee total					5,487.53		23,645.50		6,028.08		35,161.11

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. COLLIN C. PETERSON, Chairman, Nov. 3, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Frank Wolf	6/28	7/1	China		732.00						732.00
Commercial airfare							9,786.40				9,786.40
Hon. David R. Obey	7/18	7/20	Kuwait		939.26						939.26
	7/19	7/19	Iraq								
	7/20	7/21	Ireland		546.45						546.45
Misc. Embassy Costs									1,249.96		1,249.96
Misc. Transportation Costs							213.71				213.71
Hon. John Murtha	7/18	7/20	Kuwait		939.26						939.26
	7/19	7/19	Iraq								
	7/20	7/21	Ireland		546.45						546.45
Misc. Embassy Costs									1,249.96		1,249.96
Misc. Transportation Costs							213.71				213.71
Hon. Tim Ryan	7/18	7/20	Kuwait		939.26						939.26
	7/19	7/19	Iraq								
	7/20	7/21	Ireland		546.45						546.45
Misc. Embassy Costs									1,249.96		1,249.96
Misc. Transportation Costs							213.71				213.71
Hon. Rodney Frelinghuysen	7/18	7/20	Kuwait		939.26						939.26
	7/19	7/19	Iraq								
	7/20	7/21	Ireland		546.45						546.45
Misc. Embassy Costs									1,249.96		1,249.96
Misc. Transportation Costs							213.71				213.71
Hon. Michael Simpson	7/18	7/20	Kuwait		939.26						939.26
	7/19	7/19	Iraq								
	7/20	7/21	Ireland		546.45						546.45
Misc. Embassy Costs									1,249.96		1,249.96
Misc. Transportation Costs							213.71				213.71
Hon. Dennis Rehberg	7/18	7/20	Kuwait		939.26						939.26
	7/19	7/19	Iraq								
	7/20	7/21	Ireland		546.45						546.45
Misc. Embassy Costs									1,249.96		1,249.96
Misc. Transportation Costs							213.71				213.71
Robert Nabors	7/18	7/20	Kuwait		939.26						939.26
	7/19	7/19	Iraq								
	7/20	7/21	Ireland		546.45						546.45

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Misc. Embassy Costs									1,249.96		1,249.96
Misc. Transportation Costs							213.71				213.71
Hon. Paul Juola	7/18	7/20	Kuwait		939.26						939.26
	7/19	7/19	Iraq								
	7/20	7/21	Ireland		546.45						546.45
Misc. Embassy Costs									1,249.96		1,249.96
Misc. Transportation Costs							213.71				213.71
Nisha Desai Biswal	7/18	7/20	Kuwait		939.26						939.26
	7/19	7/19	Iraq								
	7/20	7/21	Ireland		546.45						546.45
Misc. Embassy Costs									1,249.96		1,249.96
Misc. Transportation Costs							213.71				213.71
Craig Higgins	7/18	7/20	Kuwait		939.26						939.26
	7/19	7/19	Iraq								
	7/20	7/21	Ireland		546.45						546.45
Misc. Expense Costs									1,249.96		1,249.96
Misc. Transportation Costs							213.71				213.71
Hon. Barbara Lee	8/3	8/7	Mexico		2,775.00						2,775.00
Misc. Expense									[4] 1,301.75		1,301.75
Commercial airfare							1,363.90				1,363.90
Hon. Ben Chandler	8/2	8/2	Kuwait								
	8/2	8/3	Iraq								
	8/3	8/5	Italy		176.00						176.00
Hon. Marion Berry	8/2	8/2	Kuwait								
	8/2	8/3	Iraq								
	8/3	8/5	Italy		176.00						176.00
John Blazey	8/10	8/12	Denmark		1,524.00						1,524.00
	8/13	8/15	Estonia		1,324.00						1,324.00
Commercial airfare							8,775.08				8,775.08
Michele Sumilas	8/3	8/5	Peru		758.00						758.00
	8/5	8/7	Ecuador		590.00						590.00
	8/7	8/9	Nicaragua		412.00						412.00
Misc. Embassy Costs									714.50		714.50
Commercial airfare							6,388.30				6,388.30
Hon. Robert Cramer	8/2	8/3	Greece		375.00						375.00
	8/3	8/7	Singapore		1,640.00						1,640.00
	8/7	8/9	Vietnam		712.00						712.00
	8/9	8/12	Thailand		752.00						752.00
Misc. Embassy Costs									97.29		97.29
Commercial airfare							3,077.72				3,077.72
Sarah Young	8/9		Travel Day		101.25						101.25
	8/10	8/12	Germany		533.09						533.09
	8/12	8/16	kenya		1,603.10						1,603.10
	8/16	8/17	Ethiopia		341.72						341.72
	8/17	8/19	Djibouti		352.00						352.00
	8/19		Travel Day		144.50						144.50
Commercial airfare							15,581.30				15,581.30
B.G. Wright	8/10	8/12	South Korea		800.00						800.00
	8/12	8/14	Japan		340.00						340.00
	8/14	8/16	Qatar		845.00						845.00
Misc. Embassy Costs									550.13		550.13
Commercial airfare							11,246.59				11,246.59
Hon. Rush Holt	8/3	8/4	The Netherlands		491.00						491.00
Commercial airfare							2,006.97				2,006.97
Nisha Desai Biswal	8/13	8/14	Bosnia		409.72						409.72
	8/14	8/17	Serbia		743.00						743.00
	8/17	8/19	Kosovo		711.00						711.00
Misc. Embassy Costs									885.75		885.75
Commercial airfare							7,486.07				7,486.07
Clelia Alvarado	8/13	8/14	Bosnia		409.72						409.72
	8/14	8/17	Serbia		743.00						743.00
	8/17	8/19	Kosovo		711.00						711.00
Misc. Embassy Costs									885.75		885.75
Commercial airfare							7,486.07				7,486.07
Mike Ringler	8/13	8/14	Bosnia		409.72						409.72
	8/14	8/17	Serbia		743.00						743.00
	8/17	8/19	Kosovo		711.00						711.00
Misc. Embassy Costs									885.75		885.75
Commercial airfare							7,486.07				7,486.07
Anne Marie Chotvacs	8/13	8/14	Bosnia		409.72						409.72
	8/14	8/17	Serbia		743.00						743.00
	8/17	8/19	Kosovo		711.00						711.00
Misc. Embassy Costs									885.75		885.75
Commercial airfare							7,486.07				7,486.07
Carol Murphy	8/6	8/7	Italy		526.00						526.00
	8/7	8/8	Turkey		262.00						262.00
	8/8	8/10	Romania		428.00						428.00
	8/10	8/12	Spain		603.00						603.00
Commercial airfare							6,680.51				6,680.51
Martin Delgado	8/6	8/7	Italy		526.00						526.00
	8/7	8/8	Turkey		132.00						132.00
	8/8	8/10	Romania		208.00						208.00
	8/10	8/12	Spain		225.00						225.00
Commercial airfare							6,680.51				6,680.51
Chester Lee Turner	8/24	8/29	Indonesia		1,253.00						1,253.00
Commercial airfare							11,044.40				11,044.40
Steve Marchese	8/20	8/24	Philippines		1,140.00						1,140.00
	8/24	8/25	Singapore		413.00						413.00
	8/25	8/29	Indonesia		1,229.00						1,229.00
	8/29	9/2	Thailand		960.00						960.00
Misc. Embassy Costs									564.25		564.25
Commercial Air/Misc. Travel							10,781.12				10,781.12
Craig Higgins	8/20	8/24	Philippines		1,140.00						1,140.00
	8/24	8/25	Singapore		413.00						413.00
	8/25	8/29	Indonesia		1,229.00						1,229.00
	8/29	9/2	Thailand		960.00						960.00
Misc. Embassy Costs									564.25		564.25
Commercial Air/Misc. Travel							10,781.12				10,781.12
	8/17	8/19	Kosovo		711.00						711.00
Hon. David Hobson	8/30	9/8	Korea		680.00						680.00
Commercial airfare							6,377.60				6,377.60
Hon. Ben Chandler	9/2	9/3	Brazil		170.00						170.00
	9/3	9/6	Argentina		1,042.80						1,042.80
	9/6	9/8	Uruguay		463.00						463.00
Misc. Embassy Costs									3,082.50		3,082.50

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Misc. Transportation Costs							161.75				161.75
Hon. Marion Berry	9/2	9/3	Brazil		170.00						170.00
	9/3	9/6	Argentina		1,042.80						1,042.80
	9/6	9/8	Uruguay		463.00						463.00
Misc. Embassy Costs									3,082.50		3,082.50
Misc. Transportation Costs							161.75				161.75
Committee total					55,488.24		142,976.40		25,960.14		224,424.78

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
[4] Registration fee.

HON. DAVID R. OBEY, Chairman, Oct. 31, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Visit to Kuwait, Iraq, Afghanistan, Pakistan, with CODEL Hirono, June 27–July 3, 2008:											
Hon. Thelma Drake	6/28	6/29	Kuwait		432.00						432.00
	6/29	6/30	Iraq								
	6/30	7/1	Kuwait		432.00						432.00
	7/1	7/2	Afghanistan								
	7/2	7/3	Pakistan		339.00						339.00
Commercial airfare							13,808.25				13,808.25
Tom Hawley	6/28	6/29	Kuwait		432.00						432.00
	6/29	6/30	Iraq								
	6/30	7/1	Kuwait		432.00						432.00
	7/1	7/2	Afghanistan								
	7/2	7/3	Pakistan		339.00						339.00
Commercial airfare							9,956.25				9,956.25
Frank Rose	6/28	6/29	Kuwait		432.00						432.00
	6/29	6/30	Iraq								
	6/30	7/1	Kuwait		432.00						432.00
	7/1	7/2	Afghanistan								
	7/2	7/3	Pakistan		339.00						339.00
Commercial airfare							9,956.25				9,956.25
Visit to Pakistan, The United Kingdom, July 21–26, 2008:											
Paul Oostburg Sanz	7/21	7/24	Pakistan		797.00						797.00
	7/24	7/25	United Kingdom		475.00						475.00
Commercial airfare							10,254.67				10,254.67
Robert W. DeGrasse	7/21	7/24	Pakistan		867.00						867.00
	7/24	7/25	United Kingdom		535.00						535.00
Commercial airfare							10,254.67				10,254.67
Kari Bingen Tytler	7/21	7/24	Pakistan		797.00						797.00
	7/24	7/25	United Kingdom		475.00						475.00
Commercial airfare							10,254.67				10,254.67
Aileen Alexander	7/21	7/24	Pakistan		867.00						867.00
	7/24	7/25	United Kingdom		535.00						535.00
Commercial airfare							10,254.67				10,254.67
Visit to Israel, Iraq, Kuwait, The Czech Republic, with CODEL Lynch, July 25–29, 2008:											
Hon. Jeff Miller	7/26	7/27	Iraq								
	7/27	7/28	Israel		1,760.00						1,760.00
	7/28	7/29	The Czech Republic		186.00						186.00
Visit to Australia, Papua New Guinea, August 1–10, 2008:											
Hon. Susan Davis	8/4	8/6	Australia		787.20						787.20
	8/6	8/8	Papau New Guinea		782.50						782.50
	8/8	8/9	Australia		393.60						393.60
Commercial airfare							16,167.01				16,167.01
Debra Wada	8/4	8/6	Australia		787.20						787.20
	8/6	8/8	Papau New Guinea		782.50						782.50
	8/8	8/9	Australia		393.60						393.60
Commercial airfare							15,734.01				15,734.01
Visit to Greece, Singapore, Viet Nam, Taiwan, with CODEL Costello, August 1–12, 2008:											
Hon. Solomon Ortiz	8/2	8/3	Greece		375.00						375.00
	8/4	8/7	Singapore		1,640.00						1,640.00
	8/7	8/9	Viet Nam		712.00						712.00
	8/9	8/11	Taiwan		718.00						718.00
Visit to Bulgaria, Romania, Italy, August 5–8, 2008:											
Hon. Madeleine Bordallo	8/5	8/7	Bulgaria		607.34						607.34
	8/7	8/8	Romania		354.00						354.00
Hon. Loretta Sanchez	8/5	8/7	Bulgaria		536.03						536.03
	8/7	8/8	Romania		354.00						354.00
Hon. Joe Wilson	8/5	8/7	Bulgaria		533.40						533.40
	8/7	8/8	Romania		354.00						354.00
David Sienicki	8/5	8/7	Bulgaria		523.87						523.87
	8/7	8/8	Romania		354.00						354.00
Thomas Hawley	8/5	8/7	Bulgaria		523.87						523.87
	8/7	8/8	Romania		354.00						354.00
Delegation Expenses	8/5	8/7	Bulgaria						190.43		190.43
	8/7	8/8	Romania				250.00		3,473.91		3,723.91
Visit to Italy August 8–11, 2008											
Hon. Loretta Sanchez	8/8	8/11	Italy		636.00						636.00
Visit to Kuwait, Iraq, Pakistan, Afghanistan, Germany, August 12–19, 2008:											
Hon. Madeleine Bordallo	8/13	8/14	Kuwait		167.00						167.00
	8/14	8/15	Iraq								
	8/15	8/17	Pakistan		678.00						678.00
	8/17	8/18	Afghanistan								
	8/18	8/19	Germany		391.00						391.00
Hon. David Loebsack	8/13	8/14	Kuwait		167.00						167.00
	8/14	8/15	Iraq								

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	8/15	8/17	Pakistan		678.00						678.00
	8/17	8/18	Afghanistan								
	8/18	8/19	Germany		391.00						391.00
Hon. Michael Turner	8/13	8/14	Kuwait		167.00						167.00
	8/14	8/15	Iraq								
	8/15	8/17	Pakistan		678.00						678.00
	8/17	8/18	Afghanistan								
	8/18	8/19	Germany		391.00						391.00
William Ebbs	8/13	8/14	Kuwait		167.00						167.00
	8/14	8/15	Iraq								
	8/15	8/17	Pakistan		678.00						678.00
	8/17	8/18	Afghanistan								
	8/18	8/19	Germany		391.00						391.00
Jenness Simler	8/13	8/14	Kuwait		167.00						167.00
	8/14	8/15	Iraq								
	8/15	8/17	Pakistan		678.00						678.00
	8/17	8/18	Afghanistan								
	8/18	8/19	Germany		391.00						391.00
Visit to Israel, Jordan, Iraq, Pakistan, Afghanistan, August 13–22, 2008:											
Hon. Jim Marshall	8/14	8/16	Israel		786.00						786.00
	8/16	8/17	Jordan		301.00						301.00
	8/17	8/18	Iraq								
	8/18	8/20	Pakistan		867.00						867.00
	8/20	8/21	Afghanistan								
	8/21	8/22	Pakistan								
Visit to Germany, Ethiopia, Nigeria, Italy, August 14–21, 2008:											
Hon. Hank Johnson	8/14	8/16	Germany		629.00						629.00
	8/16	8/18	Ethiopia		664.00						664.00
	8/18	8/20	Nigeria		264.00						264.00
	8/20	8/21	Italy		476.00						476.00
Commercial airfare							10,120.05				10,120.05
Hon. Phil Gingrey	8/14	8/16	Germany		629.00						629.00
	8/16	8/18	Ethiopia		664.00						664.00
	8/18	8/20	Nigeria		264.00						264.00
	8/20	8/21	Italy		476.00						476.00
Commercial airfare							10,120.05				10,120.05
John Kruse	8/14	8/16	Germany		397.95						397.95
	8/16	8/18	Ethiopia		431.26						431.26
	8/18	8/20	Nigeria								
	8/20	8/21	Italy		177.30						177.30
Commercial airfare							10,095.05				10,095.05
Stephanie Sanok	8/14	8/16	Germany		629.00						629.00
	8/16	8/18	Ethiopia		664.00						664.00
	8/18	8/20	Nigeria		264.00						264.00
	8/20	8/21	Italy		476.00						476.00
Commercial airfare							10,095.05				10,095.05
Delegation Expenses	8/19	8/21	Nigeria		510.00						510.00
Visit to Morocco, Kenya, The Netherlands, With CODEL Thompson, August 18–22, 2008:											
Hon. Phil Gingrey	8/18	8/18	Morocco		284.00						284.00
	8/19	8/21	Kenya		714.00						714.00
	8/21	8/22	The Netherlands		455.00						455.00
Visit to Kuwait, Iraq, Afghanistan, Germany, With CODEL Donnelly, August 26–September 1, 2008:											
Hon. John McHugh	8/26	8/27	Kuwait		167.00						167.00
	8/27	8/28	Iraq								
	8/28	8/29	Kuwait		167.00						167.00
Commercial airfare							9,703.29				9,703.29
John Sullivan	8/26	8/27	Kuwait		167.00						167.00
	8/27	8/28	Iraq								
	8/28	8/29	Kuwait		167.00						167.00
	8/30	8/31	Afghanistan		75.00						75.00
	8/31	9/1	Germany		216.00						216.00
Commercial airfare							9,607.28				9,607.28
John Capla	8/26	8/27	Kuwait		167.00						167.00
	8/27	8/28	Iraq								
	8/28	8/29	Kuwait		167.00						167.00
	8/30	8/31	Afghanistan		75.00						75.00
	8/30	9/1	Germany		216.00						216.00
Commercial airfare							9,607.28				9,607.28
Visit to England, Jordan, Israel, September 3–9, 2008:											
Hon. Adam Smith	9/3	9/5	Jordan		230.00						230.00
	9/5	9/11	Israel		1,572.00						1,572.00
Commercial airfare							8,226.62				8,226.62
William H. Natter, III	9/3	9/5	Jordan		230.00						230.00
	9/5	9/11	Israel		1,572.00						1,572.00
Commercial airfare							7,638.12				7,638.12
Visit to Pakistan, Afghanistan, Italy, Austria, September 4–8, 2008:											
Hon. Ellen Tauscher	9/4	9/5	Italy		161.00						161.00
	9/5	9/7	Afghanistan								
	9/7	9/8	Pakistan								
Hon. Jim Cooper	9/4	9/5	Italy		161.00						161.00
	9/5	9/7	Afghanistan								
	9/7	9/8	Pakistan								
Hon. Nancy Boyda	9/4	9/5	Italy		161.00						161.00
	9/5	9/7	Afghanistan								
	9/7	9/8	Pakistan								
Rudy Barnes	9/4	9/5	Italy		161.00						161.00
	9/5	9/7	Afghanistan								
	9/7	9/8	Pakistan								
Kari Bingen Tytler	9/4	9/5	Italy		161.00						161.00
	9/5	9/7	Afghanistan								
	9/7	9/8	Pakistan								
Delegation expenses	9/4	9/5	Italy		4,502.51						4,502.51
Visit to Haiti, September 12–13, 2008:											
Hon. Kendrick Meek	9/12	9/13	Haiti		118.00						118.00
Mark Lewis	9/12	9/13	Haiti		118.00						118.00
Committee total					51,339.13		192,103.24		3,664.34		2,457,106.71

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. IKE SKELTON, Chairman, Oct. 31, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Jo Bonner	7/10	7/16	England		5,561.60		(3)				5,561.60
	7/16	7/16	United States				4,166.99				4,166.99
Committee total					5,561.60		4,166.99				9,278.59

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. JOHN M. SPRATT, JR., Chairman, Oct. 31, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND LABOR, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. George Miller	6/27	7/8	Africa		2,239.28		(3)				
(CODEL-Berman)	6/27	6/29	Nigeria								
	6/29	7/1	Zambia								
	7/1	7/6	South Africa								
	7/6	7/7	Liberia								
Hon. Tim Bishop	8/1	8/5	Iraq		354.00		(3)				
(CODEL-Ross)	8/1	8/2	Kuwait								
	8/3	8/5	Italy								
Tico Almeida (PSM)	8/11	8/15	Bogota, Colombia		601.00		1,632.28				
(STAFFDEL)											
Committee total					3,194.28		1,632.28				

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. GEORGE MILLER, Chairman, Nov. 3, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Mike Ross	08/03	08/04	Kuwait		167.00						167.00
	08/04	08/05	Italy		176.00						176.00
Jeff Weaver	08/03	08/04	Kuwait		167.00						167.00
	08/04	08/05	Italy		176.00						176.00
Hon. Rich Boucher	08/03	08/07	Ireland		1,012.00						1,012.00
Commercial airfare							1,442.28				1,442.28
Bruce Harris	09/01	09/05	Belgium		447.00						447.00
Commercial airfare							9,682.15				9,682.15
Committee total					2,145.00		11,124.43				13,269.43

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JOHN D. DINGELL, Chairman, Oct. 27, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Gary Ackerman	6/27	6/29	Egypt		507.00		(3)				507.00
	6/29	6/30	Afghanistan		75.00		(3)				75.00
	6/30	7/2	Pakistan		678.00		(3)				678.00
	7/2	7/4	India		782.80		(3)				782.80
	7/4	7/6	Israel		902.00		(3)				902.00
Melissa Adamson	8/29	9/2	Thailand		847.00						847.00
	9/2	9/5	Cambodia		604.00						604.00
	8/29	9/5	Round Trip Airfare				11,063.74				11,063.74
David Adams	6/27	6/29	Egypt		507.00		(3)				507.00
	6/29	6/30	Afghanistan		75.00		(3)				75.00
	6/30	7/2	Pakistan		678.00		(3)				678.00
	7/2	7/4	India		782.80		(3)				782.80
	7/4	7/6	Israel		902.00		(3)				902.00
Manpreet Anand	6/30	7/2	Pakistan		678.00		5,642.65				6,320.65
	7/2	7/14	India		782.80		(3)				782.80
	7/4	7/6	Israel		902.00		(3)				902.00
	8/19	8/21	Bangladesh		636.00						636.00
	8/21	8/27	India		2,412.00		1,137.82				3,549.82
	8/27	8/29	Nepal		146.00						146.00
	8/19	8/29	Round Trip Airfare				9,841.03				9,841.03
Douglas Anderson	8/27	9/3	Thailand		1,677.00		9,387.97				11,064.97
David Barnes	8/29	9/2	Thailand		436.00						436.00
	9/2	9/5	Cambodia		604.00						604.00
	8/29	9/5	Round Trip Airfare				12,425.22				12,425.22
David Beraka	8/31	9/4	Turkey		1,400.00						1,400.00
	9/4	9/6	Greece		738.00						738.00
	8/31	9/6	Round Trip Airfare				9,390.97				9,390.97
Hon. Howard Berman	6/27	6/29	Nigeria		648.00		(3)				648.00
	6/29	7/1	Zambia		745.00		(3)				745.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	7/1	7/6	South Africa		1,401.00		(3)				1,401.00
	7/6	7/7	Liberia		300.00		(3)				300.00
	8/17	8/20	Finland		1,365.00						1,365.00
	8/20	8/22	Kosova		474.00						474.00
	8/22	8/26	Germany		2,164.00						2,164.00
	8/17	8/26	Round Trip Airfare				10,095.72				10,095.72
Doug Campbell	6/27	6/29	Nigeria		648.00		(3)				648.00
	6/29	7/1	Zambia		745.00		(3)				745.00
	7/1	7/6	South Africa		1,401.00		(3)				1,401.00
	7/6	7/7	Liberia		300.00		(3)				300.00
Hon. Russ Carnahan	6/27	6/29	Egypt		507.00		(3)				507.00
	6/29	6/30	Afghanistan		75.00		(3)				75.00
	6/30	7/2	Pakistan		678.00		(3)				678.00
	7/2	7/4	India		782.80		(3)				782.80
	7/4	7/6	Israel		902.00		(3)				902.00
Nicolas Cook	6/28	6/29	Ghana		424.00		(3)				424.00
	6/29	7/1	Liberia		600.00		(3)				600.00
	7/1	7/2	DRC		372.00		(3)				372.00
	7/2	7/5	Kenya		1,071.00		(3)				1,071.00
	7/5	7/6	Malawi		240.00		(3)				240.00
	7/6	7/7	Mauritania		340.00		(3)				340.00
Hon. Jim Costa	6/27	6/29	Nigeria		648.00		(3)				648.00
	6/29	7/1	Zambia		745.00		(3)				745.00
	7/1	7/6	South Africa		1,401.00		(3)				1,401.00
	7/6	7/7	Liberia		300.00		(3)				300.00
Theodore Dagne	8/2	8/5	Rwanda		975.00		(3)				975.00
	8/5	8/6	Burundi		129.00		(3)				129.00
	8/6	8/9	Kenya		1,071.00		(3)				1,071.00
	8/9	8/11	South Sudan		536.00		(3)				536.00
	8/11	8/12	Kenya		357.00		(3)				357.00
	8/12	8/13	Belgium		464.56		(3)				464.56
	8/2	8/13	Round Trip Airfare				11,979.46				11,979.46
Howard Diamond	6/27	7/2	Egypt		1,341.00		(3)				1,341.00
	7/2	7/6	Israel		1,769.00		385.87				2,154.87
Hon. Eni F.H. Faleomavaega	8/30	9/7	South Korea		3,200.00		8,167.38				11,367.38
Heather Flynn	8/17	8/20	Niger		689.50						689.50
	8/20	8/24	Mali		1,070.00						1,070.00
	8/17	8/24	(4)				10,611.74				10,611.74
Hon. Green	7/3	7/4	Cyprus		260.00		(3)				260.00
	7/4	7/5	Pakistan		289.00		(3)				289.00
	7/5	7/6	Afghanistan		75.00		(3)				75.00
	7/6	7/7	Germany		341.00		(3)				341.00
Dennis Halpin	8/8	8/14	Japan		2,300.00		9,721.76				12,021.76
Daniel Harsha	8/5	8/9	The Philippines		728.00		6,157.30				6,885.30
Hon. Rubén Hinojosa	8/13	8/14	Kuwait		167.00		(3)				167.00
	8/14	8/15	Iraq		0.00		(3)				0.00
	8/15	8/17	Pakistan		678.00		(3)				678.00
	8/17	8/18	Afghanistan		0.00		(3)				0.00
	8/18	8/19	Germany		391.00		(3)				391.00
Hon. Bob Inglis	7/26	7/27	Iraq		0.00		(3)				0.00
	7/27	7/28	Israel		275.00		(3)				275.00
	7/28	7/29	Czech Republic		975.64		(3)				975.64
Eric Jacobstein	8/18	8/22	Bolivia		528.00		3,678.50				4,206.50
Hon. Jackson-Lee	6/27	6/29	Egypt		507.00		(3)				507.00
	6/29	6/30	Afghanistan		75.00		(3)				75.00
	6/30	7/2	Pakistan		678.00		(3)				678.00
	7/2	7/4	India		782.80		(3)				782.80
	7/4	7/5	Israel		451.00		3,889.90				4,340.90
David Killion	8/21	8/27	Japan		2,168.00						2,168.00
	8/27	8/30	United Kingdom		1,605.00						1,605.00
	8/21	8/30	Round Trip Airfare				13,105.07				13,105.07
Robert King	6/27	6/29	Nigeria		648.00		(3)				648.00
	6/29	7/1	Zambia		745.00		(3)				745.00
	7/1	7/6	South Africa		1,401.00		(3)				1,401.00
	7/6	7/7	Liberia		300.00		(3)				300.00
Jessica Lee	8/8	8/13	Japan		1,923.00						1,923.00
	8/14	8/18	Australia		1,010.00						1,010.00
	8/18	8/19	Singapore		413.00		2,445.00				2,858.00
	8/19	8/23	Indonesia		816.00						816.00
	8/8	8/23	Round Trip Airfare				13,773.18				13,773.18
Noelle LuSane	8/2	8/5	Rwanda		975.00						975.00
	8/5	8/6	Burundi		129.00						129.00
	8/6	8/7	Kenya		357.00						357.00
Commercial airfare	8/2	8/7					11,323.38				11,323.38
Alan Makovsky	8/31	9/4	Turkey		1,400.00						1,400.00
	9/4	9/6	Greece		738.00						738.00
Commercial airfare	8/31	9/6					9,390.97				9,390.97
Pearl-Alice Marsh	6/27	6/29	Nigeria		648.00		(3)				648.00
	6/29	7/1	Zambia		745.00		(3)				745.00
	7/1	7/6	South Africa		1,401.00		(3)				1,401.00
	7/6	7/7	Liberia		300.00		(3)				300.00
Hon. Meeks	8/8	8/9	Uruguay								0.00
	8/9	8/11	Colombia		862.00						862.00
Commercial airfare	8/8	8/11					7,014.92				7,014.92
James McCormick	6/27	6/29	Egypt		507.00		(3)				507.00
	6/29	6/30	Afghanistan		40.00		(3)				40.00
	6/30	7/2	Pakistan		678.00		(3)				678.00
	7/2	7/5	India		1,144.20		5,671.16				6,815.36
Mark Milosch	8/19	8/23	Georgia		1,604.00		9,329.78				10,933.78
Jonathan Cobb Mixter	8/8	8/13	Japan		1,923.00						1,923.00
	8/14	8/18	Australia		1,010.00						1,010.00
	8/18	8/19	Singapore		413.00		2,445.00				2,858.00
	8/19	8/23	Indonesia		816.00						816.00
Commercial airfare	8/8	8/23					14,910.66				14,910.66
Hon. Payne	6/27	6/29	Nigeria		648.00		(3)				648.00
	6/29	7/1	Zambia		745.00		(3)				745.00
	7/1	7/6	South Africa		1,401.00		(3)				1,401.00
	7/6	7/7	Liberia		300.00		(3)				300.00
	8/3	8/5	DRC		740.00						740.00
	8/5	8/6	Burundi		129.00						129.00
	8/6	8/9	Kenya		1,071.00						1,071.00
	8/9	8/11	South Sudan		536.00						536.00
	8/11	8/12	Kenya		357.00						357.00
	8/12	8/13	Belgium		464.56						464.56
Commercial airfare	8/3	8/13					13,653.87				13,653.87

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Lauren Ploch	6/28	6/29	Ghana		424.00		(3)				424.00
	6/29	7/1	Liberia		600.00		(3)				600.00
	7/1	7/2	DRC		372.00		(3)				372.00
	7/2	7/5	Kenya		1,071.00		(3)				1,071.00
	7/5	7/6	Malawi		288.00		(3)				288.00
	7/6	7/7	Mauritania		340.00		(3)				340.00
Hon. Poe	8/16	8/17	Pakistan		339.00		(3)				339.00
	8/17	8/18	Afghanistan				(3)				
	8/18	8/19	Germany		391.00		6,208.90				6,599.90
Amy Porter	6/27	6/29	Nigeria		648.00		(3)				648.00
	6/29	7/1	Zambia		745.00		(3)				745.00
	7/1	7/6	South Africa		1,401.00		(3)				1,401.00
	7/6	7/7	Liberia		300.00		(3)				300.00
Sarah Preisser	8/31	9/4	Turkey		1,289.96						1,289.96
	9/4	9/6	Greece		397.04						397.04
	8/31	9/6	Round Trip Airface				9,390.97				9,390.97
David Richmond	8/30	9/7	South Korea		3,200.00		8,604.38				11,804.38
Sheri Rickert	8/29	9/2	Thailand		822.34						822.34
	9/2	9/5	Cambodia		602.26						602.96
	8/29	9/5	Round Trip Airfare				11,063.74				11,063.74
Hon. Rohrabacher	8/17	8/20	Finland		1,365.00						1,365.00
	8/20	8/22	Kosova		474.00						474.00
	8/22	8/26	Germany		2,164.00						2,164.00
	8/17	8/26	Round Trip Airfare		12,491.06						12,491.06
Hon. Royce	6/27	6/29	Nigeria		648.00		(3)				648.00
	6/29	7/1	Zambia		745.00		(3)				745.00
	7/1	7/6	South Africa		1,401.00		(3)				1,401.00
	7/6	7/7	Liberia		300.00		(3)				300.00
Deanne Samuels	6/27	6/29	Nigeria		648.00		(3)				648.00
	6/29	7/1	Zambia		745.00		(3)				745.00
	7/1	7/6	South Africa		1,401.00		(3)				1,401.00
	7/6	7/7	Liberia		300.00		(3)				300.00
Hon. Sanchez	6/27	6/29	Nigeria		648.00		(3)				648.00
	6/29	7/1	Zambia		745.00		(3)				745.00
	7/1	7/6	South Africa		1,401.00		(3)				1,401.00
	7/6	7/7	Liberia		300.00		(3)				300.00
Thomas Sheehy	6/27	6/29	Nigeria		648.00		(3)				648.00
	6/29	7/1	Zambia		745.00		(3)				745.00
	7/1	7/6	South Africa		1,401.00		(3)				1,401.00
	7/6	7/7	Liberia		300.00		(3)				300.00
Amanda Sloat	8/18	8/23	Georgia		1,604.00		9,329.78				10,933.78
Gene Smith	6/27	6/29	Nigeria		648.00		(3)				648.00
	6/29	7/1	Zambia		745.00		(3)				745.00
	7/1	7/6	South Africa		1,401.00		(3)				1,401.00
	7/6	7/7	Liberia		300.00		(3)				300.00
Hon. Smith (NJ)	8/19	8/23	Georgia		1,640.00		9,329.78				10,933.78
Mark Walker	8/18	8/22	Bolivia		528.00		3,678.50				4,206.50
Lynne Weil	8/5	8/9	The Philippines		696.00						696.00
	8/9	8/14	Vietnam		1,182.00						1,182.00
	8/14	8/15	Canada		134.00						134.00
	8/5	8/15	Round Trip Airfare				9,446.31				9,446.31
Kristin Wells	8/29	9/2	Thailand		847.00						847.00
	9/2	9/5	Cambodia		604.00						604.00
	8/29	9/5	Round Trip Airfare				11,063.74				11,603.74
Brent Woolfork	8/19	8/21	Bangladesh		636.00						636.00
	8/21	8/27	India		2,410.00		479.08				2,889.08
	8/27	8/29	Nepal		146.00						146.00
	8/19	8/29	Round Trip Airfare				13,310.99				13,310.09
Peter Yeo	8/19	8/21	Bangladesh		636.00						636.00
	8/21	8/24	India		819.00						819.00
	8/19	8/24	Round Trip Airfare				9,214.30				9,214.30
Committee total											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
[4] Round trip airfare.

HON. HOWARD L. BERMAN, Chairman, Oct. 30, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOMELAND SECURITY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1, AND SEPT. 30, 2008.

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Loretta Sanchez	7/6	7/8	France		578.00		5,318.21				5,896.21
Hon. Henry Cuellar	7/2	7/2	Ireland				(3)				
	7/3	7/3	Cyprus		260.00		(3)				260.00
	7/3	7/3	Beirut				(3)				
	*7/4	7/5	Pakistan		502.00		(3)				502.00
	7/5	7/6	Afghanistan				(3)				
	7/6	7/7	Germany		341.00		(3)				341.00
Hon. Bennie G. Thompson	8/18	8/18	Morocco		284.00		(3)		179.00		463.00
	8/19	8/21	Kenya		714.00		(3)				714.00
	8/21	8/22	The Netherlands		455.00		(3)				455.00
Hon. Bob Etheridge	8/18	8/18	Morocco		284.00		(3)		179.00		463.00
	8/19	8/21	Kenya		714.00		(3)				714.00
	8/21	8/22	The Netherlands		455.00		(3)				455.00
Todd Levett	8/18	8/18	Morocco		284.00		(3)		179.00		463.00
	8/19	8/21	Kenya		714.00		(3)				714.00
	8/21	8/22	The Netherlands		455.00		(3)				455.00
Michael Stroud	8/18	8/18	Morocco		284.00		(3)		179.00		463.00
	8/19	8/21	Kenya		714.00		(3)				714.00
	8/21	8/22	The Netherlands		455.00		(3)				455.00
Tamla Scott	8/18	8/18	Morocco		284.00		(3)		179.00		463.00
	8/19	8/21	Kenya		714.00		(3)				714.00
	8/21	8/22	The Netherlands		455.00		(3)				455.00
Stephen Viña	8/18	8/18	Morocco		284.00		(3)		179.00		463.00
	8/19	8/21	Kenya		714.00		(3)				714.00
	8/21	8/22	The Netherlands		455.00		(3)				455.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOMELAND SECURITY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1, AND SEPT. 30, 2008.—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Michael Beland	8/18	8/18	Morocco		284.00		(3)		179.00		463.00
	8/19	8/21	Kenya		714.00		(3)				714.00
	8/21	8/22	The Netherlands		455.00		(3)				455.00
Cory Horton	8/18	8/18	Morocco		284.00		(3)		179.00		463.00
	8/19	8/21	Kenya		714.00		(3)				714.00
	8/21	8/22	The Netherlands		455.00		(3)				455.00
Karis Gutter	8/18	8/18	Morocco		284.00		(3)		179.00		463.00
	8/19	8/21	Kenya		714.00		(3)				714.00
	8/21	8/22	The Netherlands		455.00		(3)				455.00
Deron McElroy	8/18	8/18	Morocco		284.00		(3)		179.00		463.00
	8/19	8/21	Kenya		714.00		(3)				714.00
	8/21	8/22	The Netherlands		455.00		(3)				455.00
Mike Russell	8/18	8/18	Morocco		284.00		(3)		179.00		463.00
	8/19	8/21	Kenya		714.00		(3)				714.00
	8/21	8/22	The Netherlands		455.00		(3)				455.00
K. Denise Krepp	8/10	8/12	United Kingdom		972.00		8,266.35				9,238.35
	8/12	8/13	The Netherlands		542.00				335.00		877.00
	8/13	8/15	France		1,187.00						1,187.00
Rosaline Cohen	8/10	8/12	United Kingdom		972.00		8,266.35				9,238.35
	8/12	8/13	The Netherlands		542.00				335.00		877.00
	8/13	8/15	France		1,187.00						1,187.00
Joseph Vealencis	8/10	8/12	United Kingdom		972.00		8,266.35				9,238.35
	8/12	8/13	The Netherlands		542.00				335.00		877.00
	8/13	8/15	France		1,187.00						1,187.00
Hon. Yvette D. Clarke	9/12	9/13	Haiti		118.00		(3)				118.00
Committee total					25,885.00		30,117.26		2,974.00		58,976.26

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. BENNIE G. THOMPSON, Chairman, Nov. 19, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Blake Chisam	8/02	8/14	Japan		1,336.00		7,698.48				9,034.48
David Shahoulian	8/02	8/14	Japan		1,336.00		9,093.61				10,429.61
Lou DeBaca	8/26	9/6	Thailand/Cambodia		604.00		12,769.17				13,373.17
Committee total											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JOHN CONYERS, JR., Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON NATURAL RESOURCES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008.

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Tony Babauta	8/3	8/6	Japan		1,336.00		8,522.33				9,858.33
Brian Modeste	8/3	8/6	Japan		1,336.00		7,939.33				9,275.33
Richard Stanton	8/3	8/6	Japan		1,336.00		8,143.33				9,479.33
Committee total					4,008.00		24,604.99				28,612.99

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. NICK RAHALL, Chairman, Oct. 3, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Tom Davis	6/27	6/29	Nigeria		648.00		(3)				648.00
	6/29	7/1	Zambia		745.00						745.00
	7/1	7/6	South Africa		1,401.00						1,401.00
	7/6	7/7	Liberia		300.00						300.00
Hon. Betty McCollum	6/29	7/1	Algeria		680.76		9881.01				10,561.77
	7/1	7/5	Tunisia		1,112.00						1,112.00
Aimee Brooke Bennett	6/29	7/1	Algeria		680.76		9372.01				10,052.77
	7/1	7/5	Tunisia		1,112.00						1,112.00
Hon. Brian Bilbray	6/28	6/29	Kuwait		432.00		12,462.78				12,894.78
	6/29	6/30	Iraq								
	6/30	7/1	Kuwait		432.00						432.00
	7/1	7/2	Afghanistan								
	7/2	7/3	Pakistan		339.00						339.00
Naomi Seiler	8/3	8/10	Mexico City		1,503.18		756.51				2,259.69
Hon. Christopher Shays	8/14	8/16	Israel		786.00		11,105.19				11,891.19
	8/16	8/17	Jordan		301.00						301.00
	8/17	8/18	Iraq				(3)				
	8/18	8/20	Pakistan		867.00		(3)				867.00
	8/20	8/21	Afghanistan				(3)				
	8/21	8/22	Pakistan				(3)				
R.N. Palarino	8/14	8/16	Israel		786.00		10,881.00				11,667.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	8/16	8/17	Jordan		301.00						301.00
	8/17	8/18	Iraq				(3)				
	8/18	8/20	Pakistan		867.00		(3)				867.00
	8/20	8/21	Afghanistan				(3)				
	8/21	8/22	Pakistan				(3)				
Hon. Bill Sali	8/4	8/5	Kuwait		482.00		(3)				482.00
	8/5	8/6	Iraq				(3)				
	8/6	8/7	Germany		391.00		(3)				391.00
Lawrence Halloran	7/26	7/27	Iraq				(3)				
	7/27	7/28	Israel		451.00						451.00
	7/28	7/29	Prague		983.73						983.73
Theodore Chuang	7/26	7/27	Iraq		0.00		(3)				
	7/27	7/28	Israel		451.00						451.00
	7/28	7/29	Prague		983.73						983.73
Russell Anello	7/26	7/27	Iraq				(3)				
	7/27	7/28	Israel		451.00						451.00
	7/28	7/29	Prague		983.73						983.73
Hon. Stephen Lynch	7/26	7/27	Iraq				(3)				
	7/27	7/28	Israel		451.00						451.00
	7/28	7/29	Prague		983.73						983.73
Other Delegation Costs Prague									3,325,85		3,325.85
Hon. Tom Davis	6/27	6/29	Nigeria		648.00		(3)				648.00
	6/29	7/1	Zambia		745.00						745.00
	7/1	7/6	South Africa		1,401.00						1,401.00
	7/6	7/7	Liberia		300.00						300.00
Committee total					22,999.62		54,458.50		3,325.85		80,783.97

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. HENRY A. WAXMAN, Chairman, Oct. 30, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RULES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. LOUISE McINTOSH SLAUGHTER, Chairman, Sept. 30, 2008.

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE AND TECHNOLOGY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Brian Baird	12/31	1/2	New Zealand		300.00	(3)					300.00
	1/2	1/4	Antarctica			(3)					
	1/4	1/5	New Zealand		156.00	(3)					156.00
	1/5	1/7	Australia		350.00	(3)					350.00
Hon. Russ Carnahan	12/31	1/2	New Zealand		300.00	(3)					300.00
	1/2	1/4	Antarctica			(3)					
	1/4	1/5	New Zealand		156.00	(3)					156.00
	1/5	1/7	Australia		350.00	(3)					350.00
Hon. Bob Inglis	12/31	1/2	New Zealand		300.00	(3)					300.00
	1/2	1/4	Antarctica			(3)					
	1/4	1/5	New Zealand		156.00	(3)					156.00
	1/5	1/7	Australia		350.00	(3)					350.00
Hon. Frank Lucas	12/31	1/2	New Zealand		300.00	(3)					300.00
	1/2	1/4	Antarctica			(3)					
	1/4	1/5	New Zealand		156.00	(3)					156.00
	1/5	1/7	Australia		350.00	(3)					350.00
Hon. Charlie Melancon	12/31	1/2	New Zealand		300.00	(3)					300.00
	1/2	1/4	Antarctica			(3)					
	1/4	1/5	New Zealand		156.00	(3)					156.00
	1/5	1/7	Australia		350.00	(3)					350.00
Hon. Randy Neugebauer	12/31	1/2	New Zealand		300.00	(3)					300.00
	1/2	1/4	Antarctica			(3)					
	1/4	1/5	New Zealand		156.00	(3)					156.00
	1/5	1/7	Australia		350.00	(3)					350.00
Hon. Mike Ross	12/31	1/2	New Zealand		300.00	(3)					300.00
	1/2	1/4	Antarctica			(3)					
	1/4	1/5	New Zealand		156.00	(3)					156.00
	1/5	1/7	Australia		350.00	(3)					350.00
Hon. Adrian Smith	12/31	1/2	New Zealand		300.00	(3)					300.00
	1/2	1/4	Antarctica			(3)					
	1/4	1/5	New Zealand		156.00	(3)					156.00
	1/5	1/7	Australia		350.00	(3)					350.00
Leslee Gilbert	12/31	1/2	New Zealand		300.00	(3)					300.00
	1/2	1/4	Antarctica			(3)					
	1/4	1/5	New Zealand		156.00	(3)					156.00
	1/5	1/7	Australia		350.00	(3)					350.00
Richard Obermann	12/31	1/2	New Zealand		300.00	(3)					300.00
	1/2	1/4	Antarctica			(3)					
	1/4	1/5	New Zealand		156.00	(3)					156.00
	1/5	1/7	Australia		350.00	(3)					350.00
Leigh Ann Brown	12/31	1/5	New Zealand		750.00	(3)					750.00
	1/2	1/4	Antarctica			(3)					
	1/5	1/7	Australia		350.00	(3)					350.00
Entire delegation-lodging, transport, other			New Zealand		26,987.00		6,958.00		8,735.00		42,680.00

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE AND TECHNOLOGY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2008—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Entire delegation-lodging, transport, other			Australia		31,797.00		6,963.00		9,670.00		48,430.00
Committee total					67,944.00		13,921.00		18,405.00		100,270.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. BART GORDON, Chairman, Oct. 30, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE AND TECHNOLOGY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Alisa Ferguson	8/24	8/28	Iceland		700.00		3,589.20				4,289.20
Chuck Atkins	8/24	8/28	Iceland		700.00		3,589.20				4,289.20
Chris King	8/24	8/28	Iceland		700.00		3,589.20				4,289.20
Lodging for delegation	8/24	8/28	Iceland		2,293.00						2,293.00
In-country transportation for delegation.	8/24	8/28	Iceland				1,194.00				1,194.00
Committee total [1 2]					4,393,000.00		11,961.60				16,354.60

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. BART GORDON, Chairman, Oct. 30, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. GENE GREEN, Chairman, Oct. 17, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Mazie Hirono	6/28	6/29	Kuwait		432.00		(3)				432.00
	6/29	6/30	Iraq		30.00		(3)				30.00
	6/30	7/1	Kuwait		432.00		(3)				4320.00
	7/1	7/2	Afghanistan		35.00		(3)				35.00
	7/2	7/3	Pakistan		339.00		(3)				339.00
John Mica	6/29	7/5	Belgium		2,727.68		2,070.86				4,798.54
	7/5	7/8	France		1,146.00		(3)				1,146.00
Hon. Jerry Costello	8/2	8/3	Greece		685.00		(3)				685.00
Hon. John Duncan	8/2	8/3	Greece		685.00		(3)				685.00
Hon. Tim Holden	8/2	8/3	Greece		685.00		(3)				685.00
Hon. E.B. Johnson	8/2	8/3	Greece		685.00		(3)				685.00
Hon. Michael Capuano	8/2	8/3	Greece		685.00		(3)				685.00
Hon. Henry Brown	8/2	8/3	Greece		685.00		(3)				685.00
Hon. Dan Lipinski	8/2	8/3	Greece		685.00		(3)				685.00
Hon. Mary Fallin	8/2	8/3	Greece		685.00		(3)				685.00
Jimmy Miller	8/2	8/3	Greece		685.00		(3)				685.00
Dara Schlieker	8/2	8/3	Greece		685.00		(3)				685.00
Amy Steinmann	8/2	8/3	Greece		685.00		(3)				685.00
Holly Woodruff Lyons	8/2	8/3	Greece		685.00		(3)				685.00
Jana Denning	8/2	8/3	Greece		685.00		(3)				685.00
Christa Fornarotto	8/2	8/3	Greece		685.00		(3)				685.00
Hon. Jerry Costello	8/4	8/7	Singapore		2,750.00		(3)				2,750.00
Hon. John Duncan	8/4	8/7	Singapore		2,750.00		(3)				2,750.00
Hon. Tim Holden	8/4	8/7	Singapore		2,750.00		(3)				2,750.00
Hon. E.B. Johnson	8/4	8/7	Singapore		2,750.00		(3)				2,750.00
Hon. Michael Capuano	8/4	8/7	Singapore		2,750.00		(3)				2,750.00
Hon. Henry Brown	8/4	8/7	Singapore		2,750.00		(3)				2,750.00
Hon. Dan Lipinski	8/4	8/7	Singapore		2,750.00		(3)				2,750.00
Hon. Mary Fallin	8/4	8/7	Singapore		2,750.00		(3)				2,750.00
Jimmy Miller	8/4	8/7	Singapore		2,750.00		(3)				2,750.00
Dara Schlieker	8/4	8/7	Singapore		2,750.00		(3)				2,750.00
Amy Steinmann	8/4	8/7	Singapore		2,750.00		(3)				2,750.00
Holly Woodruff Lyons	8/4	8/7	Singapore		2,750.00		(3)				2,750.00
Jana Denning	8/4	8/7	Singapore		2,750.00		(3)				2,750.00
Christa Fornarotto	8/4	8/7	Singapore		2,750.00		(3)				2,750.00
Hon. Jerry Costello	8/7	8/9	Vietnam		1,152.00		(3)				1,152.00
Hon. John Duncan	8/7	8/9	Vietnam		1,152.00		(3)				1,152.00
Hon. Tim Holden	8/7	8/9	Vietnam		1,152.00		(3)				1,152.00
Hon. E.B. Johnson	8/7	8/9	Vietnam		1,152.00		(3)				1,152.00
Hon. Michael Capuano	8/7	8/9	Vietnam		1,152.00		(3)				1,152.00
Hon. Henry Brown	8/7	8/9	Vietnam		1,152.00		(3)				1,152.00
Hon. Dan Lipinski	8/7	8/9	Vietnam		1,152.00		(3)				1,152.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Mary Fallin	8/7	8/9	Vietnam		1,152.00		(3)				1,152.00
Jimmy Miller	8/7	8/9	Vietnam		1,152.00		(3)				1,152.00
Dara Schlieker	8/7	8/9	Vietnam		1,152.00		(3)				1,152.00
Amy Steinmann	8/7	8/9	Vietnam		1,152.00		(3)				1,152.00
Holly Woodruff Lyons	8/7	8/9	Vietnam		1,152.00		(3)				1,152.00
Jana Denning	8/7	8/9	Vietnam		1,152.00		(3)				1,152.00
Christa Fornarotto	8/7	8/9	Vietnam		1,152.00		(3)				1,152.00
Hon. Jerry Costello	8/9	8/11	Taiwan		1,087.00		(3)				1,087.00
Hon. John Duncan	8/9	8/11	Taiwan		1,087.00		(3)				1,087.00
Hon. Tim Holden	8/9	8/11	Taiwan		1,087.00		(3)				1,087.00
Hon. E.B. Johnson	8/9	8/11	Taiwan		1,087.00		(3)				1,087.00
Hon. Michael Capuano	8/9	8/11	Taiwan		1,087.00		(3)				1,087.00
Hon. Henry Brown	8/9	8/11	Taiwan		1,087.00		(3)				1,087.00
Hon. Dan Lipinski	8/9	8/11	Taiwan		1,087.00		(3)				1,087.00
Hon. Mary Fallin	8/9	8/11	Taiwan		1,087.00		(3)				1,087.00
Jimmy Miller	8/9	8/11	Taiwan		1,087.00		(3)				1,087.00
Dara Schlieker	8/9	8/11	Taiwan		1,087.00		(3)				1,087.00
Amy Steinmann	8/9	8/11	Taiwan		1,087.00		(3)				1,087.00
Holly Woodruff Lyons	8/9	8/11	Taiwan		1,087.00		(3)				1,087.00
Jana Danning	8/9	8/11	Taiwan		1,087.00		(3)				1,087.00
Christa Fornarotto	8/9	8/11	Taiwan		1,087.00		(3)				1,087.00
Hon. Jean Schmidt	8/14	8/16	Germany		538.92		10,125.05				10,663.97
	8/16	8/18	Ethiopia		664.00						664.00
	8/18	8/20	Nigeria		324.00						324.00
	8/20	8/21	Italy		412.08						412.08
Hon. Thomas Petri	9/4	9/5	Italy		42.00		(3)				42.00
Hon. David Reichert	9/4	9/5	Italy		42.00		(3)				42.00
Hon. Thomas Petri	9/5	9/7	Afghanistan		70.00		(3)				70.00
Hon. David Reichert	9/5	9/7	Afghanistan		70.00		(3)				70.00
Hon. Thomas Petri	9/7	9/7	Pakistan				(3)				
Hon. David Reichert	9/7	9/7	Pakistan				(3)				
Hon. Thomas Petri	9/7	9/8	Austria		161.00		(3)				161.00
Hon. David Reichert	9/7	9/8	Austria		161.00		(3)				161.00
Hon. Donna Edwards	9/12	9/13	Haiti		118.00		(3)				118.00
Committee total											98,948.59

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. JAMES L. OBERSTAR, Chairman, Nov. 3, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. John Boozman	8/01	8/05	Italy		176.00						176.00
Hon. Michael Michaud	8/04	8/05	Kuwait		167.00						167.00
Hon. Jeff Miller	8/04	8/05	Kuwait		167.00						167.00
Cathleen Wiblemo	8/04	8/05	Kuwait		167.00						167.00
Dolores Dunn	8/04	8/05	Kuwait		167.00						167.00
Hon. Michael Michaud	8/06	8/07	Germany		391.00						391.00
Hon. Jeff Miller	8/06	8/07	Germany		391.00						391.00
Cathleen Wiblemo	8/06	8/07	Germany		391.00						391.00
Dolores Dunn	8/06	8/07	Germany		391.00						391.00
Hon. Joe Donnelly	8/25	8/26	Germany		216.00						216.00
Committee total											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. BOB FILNER, Chairman, Nov. 3, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JUNE 30 AND SEPT. 30, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Behnaz Kibria	6/29	7/2	Switzerland		1,602.00		9,908.95				11,510.95
Evan Alexander	6/30	7/2	Switzerland		1,068.00		9,837.51				10,905.51
Timothy Reif	7/24	7/26	Switzerland		1,068.00		7,041.84				8,109.84
Vijaya Rangaswami	7/24	7/26	Switzerland		1,277.00		7,892.57				9,169.57
Evan Alexander	7/23	7/27	Switzerland		2,136.00		9,851.52				11,987.57
Hon. Charles Rangel	8/15	8/17	Dominican Republic		500.00		100.00		291.33		891.33
		8/20	Dominican Republic				2,075.40				2,075.40
Hon. Jerry Weller	9/2	9/3	Brazil		120.00						120.00
	9/3	9/6	Argentina		1,042.80						1,042.80
	9/6	9/8	Uruguay		463.00						463.00
Hon. Jon Porter	9/4	9/5	Italy								
	9/5	9/7	Afghanistan								
	9/7	9/7	Pakistan								
	9/7	9/8	Austria		161.00						161.00
Committee total					9,437.80		46,707.79		291.33		56,436.92

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CHARLES B. RANGEL, Chairman, Nov. 13, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Bud Cramer	7/10	7/15	London		5,561.60		(3)				5,561.60
Mark Young	7/15	7/17	Mexico		700.00						
Commercial airfare							2,158.01				2,858.01
Hon. Silvestre Reyes											
	8/3	8/5	Europe		330.00		(3)				330.00
	8/5	8/6	Europe		150.00		(3)				150.00
	8/6	8/7	Europe		150.00						150.00
	8/7	8/8	Africa		191.26						191.26
Hon. Mike Thompson	8/3	8/5	Europe		330.00		(3)				330.00
	8/5	8/6	Europe		200.00						200.00
	8/6	8/7	Europe		200.00						200.00
	8/7	8/8	Africa		191.26						191.26
Hon. James Langevin	8/3	8/5	Europe		330.00		(3)				330.00
	8/5	8/6	Europe		217.00		(3)				217.00
	8/6	8/7	Europe		200.00						200.00
	8/7	8/8	Africa		191.26						191.26
Hon. Heather Wilson	8/3	8/5	Europe		330.00		(3)				330.00
	8/5	8/6	Europe		150.00		(3)				150.00
	8/6	8/7	Europe		200.00		(3)				200.00
	8/7	8/8	Africa		191.26		(3)				191.26
Michael Delaney	8/3	8/5	Europe		330.00		(3)				330.00
	8/5	8/6	Europe		150.00		(3)				150.00
	8/6	8/7	Europe		200.00		(3)				200.00
	8/7	8/8	Africa		191.26		(3)				191.26
Mark Young	8/3	8/5	Europe		330.00		(3)				330.00
	8/5	8/6	Europe		150.00		(3)				150.00
	8/6	8/7	Europe		200.00		(3)				200.00
	8/7	8/8	Africa		191.26		(3)				191.26
Brian Morrison	8/3	8/5	Europe		330.00		(3)				330.00
	8/5	8/6	Europe		150.00		(3)				150.00
	8/6	8/7	Europe		200.00		(3)				200.00
	8/7	8/8	Africa		191.26		(3)				191.26
Stacey Dixon	8/3	8/5	Europe		330.00		(3)				330.00
	8/5	8/6	Europe		150.00		(3)				150.00
	8/6	8/7	Europe		200.00		(3)				200.00
	8/7	8/8	Africa		191.26		(3)				191.26
Christopher Donesa	8/3	8/5	Europe		330.00		(3)				330.00
	8/5	8/6	Europe		150.00		(3)				150.00
	8/6	8/7	Europe		200.00		(3)				200.00
	8/7	8/8	Africa		191.26		(3)				191.26
Stephanie Leaman	8/3	8/5	Europe		330.00		(3)				330.00
	8/5	8/6	Europe		150.00		(3)				150.00
	8/6	8/7	Europe		200.00		(3)				200.00
	8/7	8/8	Africa		191.26		(3)				191.26
Laurence Hanauer	8/2	8/4	E. Europe		746.00						
	8/5	8/6	E. Europe		642.00						
	8/7	8/9	E. Europe		802.00						
	8/10	8/11	E. Europe		191.14						
Commercial airfare							12,141.21				14,522.35
Donal Vieira	8/2	8/4	E. Europe		746.00						
	8/5	8/6	E. Europe		642.00						
	8/7	8/9	E. Europe		802.00						
	8/10	8/11	E. Europe		191.14						
Commercial airfare							12,141.21				14,522.35
Joshua Kirshner	8/2	8/4	E. Europe		746.00						
	8/5	8/6	E. Europe		642.00						
	8/7	8/9	E. Europe		802.00						
	8/10	8/11	E. Europe		191.14						
Commercial airfare							12,141.21				14,522.35
Sarah Rolan	8/2	8/4	E. Europe		746.00						
	8/5	8/6	E. Europe		642.00						
	8/7	8/9	E. Europe		802.00						
	8/10	8/11	E. Europe		266.27						
Commercial airfare							12,141.21				14,597.48
Jamal Ware	8/2	8/4	E. Europe		746.00						
	8/5	8/6	E. Europe		642.00						
	8/7	8/9	E. Europe		802.00						
	8/10	8/11	E. Europe		266.27						
Commercial airfare							12,141.21				14,597.48
Mark Young	8/16	8/24	Asia		2,400.00						
Commercial aircraft							10,592.00				12,992.00
George Pappas	8/16	8/24	Asia		2,400.00						
Commercial airfare							10,592.00				12,992.00
Committee total											115,945.22

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. SILVESTRE REYES, Chairman, Oct. 31, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT JOINT COMMITTEE ON TAXATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Allen Littman	8/31	8/5	Belgium		1,163.99						1,163.99
	9/05	9/10	France		964.17						964.17
Committee total					2,128.16						2,128.16

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CHARLES B. RANGEL, Chairman, Nov. 7, 2008.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

9794. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Modification of Pesticide Tolerance Revocation for Diazinon [EPA-HQ-OPP-2007-1170; FRL-8390-7] received November 21, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9795. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Chlorothalonil; Pesticide Tolerances [EPA-HQ-OPP-2007-1106; FRL-8387-9] received November 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9796. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Diflubenzuron; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2008-0714; FRL-8388-9] received November 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9797. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Glyphosate; Pesticide Tolerances [EPA-HQ-OPP-2007-0147; FRL-8385-7] received November 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9798. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Ipconazole; Pesticide Tolerances [EPA-HQ-OPP-2007-0226; FRL-8389-1] received November 18, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9799. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Polyoxin D Zinc Salt; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2008-0417; FRL-8389-5] received November 18, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9800. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pesticide Regulations; Technical Amendments [EPA-HQ-OPP-2008-0247; FRL-8146-6] received December 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9801. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Etofenprox; Pesticide Tolerance [EPA-HQ-OPP-2008-0567; FRL-8390-9] received December 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9802. A letter from the Chairman, National Labor Relations Board, transmitting notification of two violations of the Antideficiency Act, as required by section 1351 of Title 31, United States Code; to the Committee on Appropriations.

9803. A letter from the Assistant Secretary of the Navy for Installations and the Environment, Department of the Navy, transmitting notification of a public-private competition for Commander, Navy Installations Command, (CNIC) Non-Guard Security Support Service functions being performed by four-hundred sixty-one (461) civilian employees and one-thousand four-hundred and eighty (1,480) military authorizations located nationwide, including Hawaii and Guam; to the Committee on Armed Services.

9804. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations — received December 5, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

9805. A letter from the Under Secretary for International Affairs, Department of the Treasury, transmitting a legislative proposal to complete the reauthorization of the U.S. Commitment to the International Development Association (IDA); to the Committee on Financial Services.

9806. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Ireland pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

9807. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to the Netherlands pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

9808. A letter from the Acting Chief Executive Officer, Corporation for National & Community Service, transmitting the Corporation's Annual Financial Report for FY 2008, in accordance with the Office of Management and Budget Circular A-136; to the Committee on Education and Labor.

9809. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — The Treatment of Data Influenced by Exceptional Events (Exceptional Event Rule): Revised Exceptional Event Data Flagging Submittal and Documentation Schedule for Monitoring Data Used in Designations for the 2008 Ozone NAAQS [EPA-HQ-OAR-2005-0159; FRL-8743-2] (RIN: 2060-AP28) received November 18, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9810. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Rhode Island Update to Materials Incorporated by Reference [RI-19-1222c; FRL-8733-6] received November 21, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9811. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District, Mojave Desert Air Quality Management District, South Coast Air Quality Management District, and Ventura County Air Pollution Control District [EPA-R09-OAR-2008-0590; FRL-8732-4] received November 18, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9812. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Amendments to National Emission Standards for Hazardous Air Pollutants for Area Sources: Electric Arc Furnace Steelmaking Facilities [EPA-HQ-OAR-2004-0083; FRL-8747-1] (RIN: 2060-AM71) received November 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9813. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; 2002 Base Year Inventory for the Pittsburgh-Beaver Valley 8-Hour Ozone Nonattainment Area [EPA-R03-OAR-2007-0453; FRL-8741-5] received November 18, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9814. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Tennessee; Approval of Revisions to the Knox County Portion of the Tennessee State Implementation Plan — ''Permit by Rule'' Provision [EPA-R04-OAR-2008-0052-200803(a); FRL-8743-8] received November 18, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9815. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) or Superfund, Section 128(a); Notice of Grant Funding Guidance for State and Tribal Response Programs [FRL-8742-3] received November 18, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9816. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Regulation of Fuel and Fuel Additives: Gasoline and Diesel Fuel Test Methods [EPA-HQ-OAR-2008-0558; FRL-8742-6] received November 18, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9817. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Standards Applicable to Generators of Hazardous Waste; Subpart K — Alternative Requirements for Hazardous Waste Determination and Accumulation of Unwanted Material at Laboratories Owned by Colleges and Universities and Other Eligible Academic Entities Formally Affiliated with Colleges and Universities [EPA-HQ-RCRA-2003-0012; FRL-8743-9] (RIN: 2050-AG18) received November 21, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9818. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Regulation of Fuels and Fuel Additives: Modifications to Renewable Fuel Standard [EPA-HQ-OAR-2005-0161; FRL-8745-2] (RIN: 2060-AO80) received November 21, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9819. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Rulemaking to Reaffirm the Promulgation of Revisions of the Acid Rain Program Rules [EPA-HQ-OAR-2008-0744; FRL-8750-8] received December 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9820. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Rulemaking to Reaffirm the Promulgation of Revisions of the Acid Rain Program Rules [EPA-HQ-OAR-2008-0774; FRL-8750-9] (RIN: 2060-AP35) December 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9821. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Connecticut ; Enhanced Vehicle Inspection and Maintenance Program [EPA-R01-OAR-2008-

0194; A-1-FRL-8717-9] received December 2, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9822. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Texas; Control of Emissions of Nitrogen Oxides (NOx) From Stationary Sources [EPA-R06-OAR-2007-0523; FRL-8747-6] received December 2, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9823. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Repeal of Obsolete Regulations under the Marine Protection, Research, and Sanctuaries Act Regarding Interim Ocean Dumping Sites, Interim Ocean Dumping Permits, and Interim Ocean Dumping Criteria [FRL-8748-4] (RIN: 2040-AF01) received December 2, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9824. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, South Coast Air Quality Management District [EPA-R09-OAR-2008-0788; FRL-8745-4] received December 2, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9825. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Great Basin Unified Air Pollution Control District and Kern County Air Pollution Control District [EPA-R09-OAR-2007-0290, FRL-8745-6] received December 2, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9826. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971; Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978; Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units; and Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units [EPA-HQ-OAR-2005-0031; FRL-8748-2] (RIN: 2060-AO61) Received December 2, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9827. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Control of Air Pollution From New Motor Vehicles and New Motor Vehicle Engines; Regulations Requiring On-board Diagnostic Systems on 2010 and Later Heavy-duty Engines used in Highway Applications Over 14,000 Pounds; Revisions to On-board Diagnostic Requirements for Diesel Highway Heavy-duty Vehicles Under 14,000 Pounds [EPA-HQ-OAR-2005-0047; FRL-8750-3] (RIN: 2060-AL92) received December 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9828. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Digital Television Distributed Transmission System Technologies [MB Docket No. 05-312] received November 21, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9829. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations. (Madison, Wisconsin) [MB Docket No. 08-127 RM-11459] received November 21, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9830. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations. (Bryan, Texas) [MB Docket No. 08-175 RM-11484] received November 21, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9831. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's fourth annual report on Ethanol Market Concentration, pursuant to Section 1501(a)(2) of the Energy Policy Act of 2005; to the Committee on Energy and Commerce.

9832. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Addition of Certain Persons to the Entity List: Persons Acting Contrary to the National Security or Foreign Policy Interests of the United States [Docket No. 0809191235-81395-01] (RIN: 0694-AE48) received December 5, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

9833. A letter from the Executive Director, Christopher Columbus Fellowship Foundation, transmitting the Foundation's Financial Statements for 2008 which ended on September 30, 2008, pursuant to the Accountability of Tax Dollars Act; to the Committee on Oversight and Government Reform.

9834. A letter from the Senior Procurement Executive and Director for Acquisition Management, Department of Commerce, transmitting the Department's FY 2007 inventory of commercial activities performed by Federal employees, pursuant to Public Law 105-270; to the Committee on Oversight and Government Reform.

9835. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting noitification that the Department will comply with the guidelines of the No FEAR Act; to the Committee on Oversight and Government Reform.

9836. A letter from the Administrator and Chief Executive Officer, Department of Energy, transmitting the Department's 2008 Annual Report, in accordance with Pub. L. 89-448 and Pub. L. 101-576; to the Committee on Oversight and Government Reform.

9837. A letter from the Chair, Election Assistance Commission, transmitting the Commission's Performance and Accountability Report for Fiscal Year 2008; to the Committee on Oversight and Government Reform.

9838. A letter from the Chairman, National Capital Planning Commission, transmitting the Commission's Performance and Accountability Report for FY 2008; to the Committee on Oversight and Government Reform.

9839. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's FY 2008 Agency Financial Report; to the Committee on Oversight and Government Reform.

9840. A letter from the President & CEO, Overseas Private Investment Corporation, transmitting the Corporation's FY 2008 annual report on audit and investigative coverage required by the Inspector General Act Amendments of 1988, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

9841. A letter from the Secretary, Department of the Interior, transmitting notification that the Department will issue an additional payment to the counties and local jurisdictions in your State for Fiscal Year 2008 under the Payments in Lieu of Taxes (PILT) Program; to the Committee on Natural Resources.

9842. A letter from the Assistant Sec. for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Importation, Exportation, and Transportation of Wildlife; Inspection Fees, Import/Export Licenses, and Import/Export License Exemptions [[FWS-R9-LE-2008-0024][99011-1224-0000-9B]] (RIN: 1018-AV31) received December 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

9843. A letter from the Acting Deputy Director, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Gulf of the Farallones National Marine Sanctuary Regulations; Monterey Bay National Marine Sanctuary Regulations; and Cordell Bank National Marine Sanctuary Regulations [Docket No. 080302355-81415-02] (RIN: 0648-AT14, 0648-AT15, 0648-AT16) received December 5, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

9844. A letter from the Acting Deputy Director, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Papahanaumokuakea Marine National Monument Proclamation Provisions [Docket No. 080227317-81455-02] (RIN: 0648-AW44) received December 5, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

9845. A letter from the Chief, Regulatory Management Division, Office of the Executive Secretariat, Department of Homeland Security, transmitting the Department's final rule — Special Immigrant and Nonimmigrant Religious Workers [CIS No. 2302-05; DHS Docket No. USCIS-2005-0030] (RIN: 1615-AA16) received December 5, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

9846. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting noitification that the Solicitor General has decided not to appeal the final judgement in Linares, et al. v. Secretary of Housing and Urban Development, et al., No. CV-06-876 (E.D.N.Y.), pursuant to 28 U.S.C. 530D; to the Committee on the Judiciary.

9847. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting a progress report, pursuant to Section 145 of the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248; to the Committee on the Judiciary.

9848. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the Department's quarterly report of the Office of Privacy and Civil Liberties, pursuant to Public Law 110-53, 121 Stat. 266, 360; to the Committee on the Judiciary.

9849. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Civil Monetary Penalty Inflation Adjustment Rule [FRL-8750-4] (RIN: 2020-AA46) received December 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

9850. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Security Related Considerations in the Design and Operation of Transport Category Airplanes [Docket No. FAA-2006-26722; Amendment Nos. 25-127, 121-341] (RIN: 2120-AI66) received November 18, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9851. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Standards; Propellers [Docket No.: FAA-2007-27310; Amendment Nos. 23-59, 25-126, 33-28, and 35-5] (RIN: 2120-AI95) received November 18, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9852. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Security Related Considerations in the Design and Operation of Transport Category Airplanes [Docket No. FAA-2006-26722; Amendment Nos. 25-127, 121-341] (RIN: 2120-AI66) received November 14, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9853. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Special Awareness Training for the Washington, DC Metropolitan Area; OMB Approval of Information Collection [Docket No. FAA-2006-25250; Amdt. No. 91-303] (RIN: 2120-AI63) received November 14, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9854. A letter from the Progam Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Standards; Propellers [Docket No.: FAA-2007-27310; Amendment Nos. 23-59, 25-126, 33-28, and 35-5] (RIN: 2120-AI95) received November 14, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9855. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Enhanced Airworthiness Program for Airplane Systems/Fuel Tank Safety (EAPAS/FTS); Technical Correction [Docket No. FAA-2004-18379; Amendment No. 26-0] (RIN: 2120-AI31) received October 27, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9856. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Reservation System for Unscheduled Arrivals at Chicago's O'Hare International Airport [Docket No. FAA-2005-19411; Amdt. No. 93-89] (RIN: 2120-AI47) received November 18, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9857. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Reservation System for Unscheduled Arrivals at Chicago's O'Hare International Airport [Docket No. FAA-2005-19411; Amdt. No. 93-89] (RIN: 2120-AI47) received November 14, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9858. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company (Type Certificate previously held by Columbia Aircraft Manufacturing) Models LC40-550FG, LC41-550FG, and LC42-550FG Airplanes [Docket No. FAA-2007-27628; Directorate Identifier 2007-CE-025-AD; Amendment 39-15713; AD 2008-22-17] (RIN: 2120-AA64) received November 14, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9859. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-100, -200, -200C, -300, -400, and -500 Series Airplanes [Docket No. FAA-2008-1147; Directorate Identifier 2008-NM-128-AD; Amendment 39-15719; AD 2008-13-12 R1] (RIN: 2120-AA64) received November 14, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9860. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747SP Series Airplanes [Docket No. FAA-2008-0585; Directorate Identifier 2008-NM-027-AD; Amendment 39-15704; AD 2008-22-09] (RIN: 2120-AA64) received November 14, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9861. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 727 Airplanes [Docket No. FAA-2008-0151; Directorate Identifier 2007-NM-347-AD; Amendment 39-15708; AD 2008-22-12] (RIN: 2120-AA64) received November 14, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9862. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330-200, A330-300, and A340-300 Series Airplanes [Docket No. FAA-2008-0667; Directorate Identifier 2008-NM-009-AD; Amendment 39-15717; AD 2008-22-20] (RIN: 2120-AA64) received November 14, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9863. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A310 Series Airplanes [Docket No. FAA-2008-0849; Directorate Identifier 2008-NM-080-AD; Amendment 39-15709; AD 2008-22-13] (RIN: 2120-AA64) received November 14, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9864. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Standards; Propellers: Correction [Docket No.: FAA-2007-27310; Amendment Nos. 23-59, 25-126, 33-28, and 35-5] (RIN: 2120-AI95) received November 14, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9865. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class D and E Airspace; Brunswick, ME [Docket No. FAA-2008-0203; Airspace Docket No. 08-ANE-99] received October 27, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9866. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No. 30635 ; Amdt. No. 477] received November 14, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9867. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No. 30634; Amdt. No. 3293] received November 14, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9868. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No. 30633; Amdt. No 3292] received November 4, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9869. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Estabishment of Class E Airspace; Kwethluk, AK [Docket No. FAA-2008-0453; Airspace Docket No. 08-AAL-12] received November 14, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9870. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification to the Norton Sound Low, Woody Island Low, Control 1234L and Control 1487L Offshore Airspace Areas; AK [Docket No. FAA-2007-28391; Airspace Docket No. 07-AAL-10] received November 14, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9871. A letter from the Administrator, Department of Transportation, Saint Lawrence Seaway Development Corporation, transmitting the Corporation's annual financial audit and management report, in accordance with OMB Circular A-136; to the Committee on Transportation and Infrastructure.

9872. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for 12 Species of Picture-wing Flies from the Hawaiian Islands [[FWS-R1-ES-2007-0006] [92210-1117-0000-B4]] (RIN: 1018-AU93) received December 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9873. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Oil Pollution Prevention; Spill Prevention, Control, and Countermeasure Rule; Revisions to the Regulatory Definition of ''Navigable Waters'' [EPA-HQ-OPA-2008-0569; FRL-8746-1] (RIN: 2050-AG48) received November 21, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9874. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Section 1274.—-Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property (Also Sections 42, 280G, 382, 412, 467, 468, 482, 483, 642, 807, 846, 1288, 7520, 7872.) (Rev. Rul. 2008-53) received November 20, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9875. A letter from the Chief Counsel, Department of Commerce, transmitting the Department's final rule — Revisions to the EDA Regulations [Docket No.: 080213181-8811-01] (RIN: 0610-AA64) received December 5, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Transportation and Infrastructure and Financial Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MOLLOHAN: Committee on Appropriations. H.R. 7322. A bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2009, and for other purposes (Rept. 110–919). Referred to the Committee of the Whole House on the State of the Union.

Mr. SERRANO: Committee on Appropriations. H.R. 7323. A bill making appropriations for financial services and general government for the fiscal year ending September 30, 2009, and for other purposes (Rept.

110–920). Referred to the Committee of the Whole House on the State of the Union.

Mr. VISCLOSKY: Committee on Appropriations. H.R. 7324. A bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2009, and for other purposes (Rept. 110–921). Referred to the Committee of the Whole House on the State of the Union.

Ms. SLAUGHTER: Committee on Rules. House Resolution 1534. Resolution providing for consideration of the bill (H.R. 7321) to authorize financial assistance to eligible automobile manufacturers, and for other purposes (Rept. 110–922). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. FRANK of Massachusetts:

H.R. 7321. A bill to authorize financial assistance to eligible automobile manufacturers, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Energy and Commerce, Ways and Means, the Judiciary, Transportation and Infrastructure, and the Budget, 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. Considered and passed.

By Mr. DREIER:

H.R. 7325. A bill to amend the Internal Revenue Code of 1986 to allow all individuals, whether or not first-time homebuyers, a refundable income tax credit for the purchase of a residence during 2009 or 2010; to the Committee on Ways and Means.

By Ms. WATERS (for herself, Ms. VELÁZQUEZ, Mr. CAPUANO, Mrs. MALONEY of New York, Mr. AL GREEN of Texas, Mr. SCOTT of Georgia, Mr. CLEAVER, Mr. WATT, and Mr. BACA):

H.R. 7326. A bill to establish a systematic mortgage modification program at the Federal Deposit Insurance Corporation, and for other purposes; to the Committee on Financial Services.

By Mr. RANGEL (for himself, Mr. MCCRERY, Mr. GEORGE MILLER of California, and Mr. MCKEON):

H.R. 7327. A bill to make technical corrections related to the Pension Protection Act of 2006, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and Labor, 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. Considered and passed.

By Mr. CONYERS (for himself, Mr. DELAHUNT, and Mr. NADLER):

H.R. 7328. A bill to amend title 11 of the United States Code with respect to modification of certain mortgages on principal residences, and for other purposes; to the Committee on the Judiciary.

By Mr. THOMPSON of Mississippi:

H.R. 7329. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize funding for emergency management performance grants to provide for domestic preparedness and collective response to major disasters, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, 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.

By Mr. BARTON of Texas (for himself, Mr. RUSH, Mr. SMITH of Texas, and Mr. MCCAUL of Texas):

H.R. 7330. A bill to prohibit, as an unfair and deceptive act or practice, the promotion, marketing, and advertising of any post-season NCAA Division I football game as a national championship game unless such game is the culmination of a fair and equitable playoff system; to the Committee on Energy and Commerce.

By Mr. BRADY of Pennsylvania:

H.R. 7331. A bill to provide immediate fiscal relief to cities experiencing serious budget deficits by providing funds for payments to qualified local governments; to the Committee on Oversight and Government Reform.

By Mr. CAPUANO (for himself, Mr. SCOTT of Virginia, Mr. GALLEGLY, and Ms. NORTON):

H.R. 7332. A bill to amend title 18, United States Code, to provide penalties for counterfeiting or selling Presidential inauguration tickets, and for other purposes; to the Committee on the Judiciary.

By Mr. FLAKE:

H.R. 7333. A bill to amend the Emergency Economic Stabilization Act of 2008 (Public Law 110-343) to provide the Special Inspector General with additional personnel, audit, and investigation authorities, and for other purposes; to the Committee on Financial Services.

By Mr. LATOURETTE (for himself and Mr. AL GREEN of Texas):

H.R. 7334. A bill to amend the Federal Deposit Insurance Act to require each insured depository institution which receives an investment or other assistance under the Troubled Assets Relief Program to include in the quarterly call report the amount of any increase in new lending that is attributable to such investment or assistance, and for other purposes; to the Committee on Financial Services.

By Mr. MORAN of Virginia:

H.R. 7335. A bill to amend title 31, United States Code, to allow certain local tax debt to be collected through the reduction of Federal tax refunds; to the Committee on Oversight and Government Reform, and in addition to the Committee on 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.

By Mr. NEAL of Massachusetts:

H.R. 7336. A bill to amend the Internal Revenue Code of 1986 to prevent the alternative minimum tax from effectively repealing the Federal tax exemption for interest on State and local private activity bonds; to the Committee on Ways and Means.

By Mrs. SCHMIDT:

H.R. 7337. A bill to require certain air carriers of foreign air transportation to disclose the nature and source of delays and cancellations experienced by air travelers; to the Committee on Transportation and Infrastructure.

By Mr. SHADEGG (for himself, Mr. BROUN of Georgia, Mr. GOHMERT, Mr. BURTON of Indiana, Mr. WESTMORELAND, Mr. SALI, and Mrs. BACHMANN):

H.R. 7338. A bill to exclude $125,000 ($250,000 in the case of a joint return) of taxable income from the individual Federal income tax for 2008 and to reduce the rates of tax on income subject to Federal income tax for 2008; to the Committee on Ways and Means.

By Mr. SHADEGG (for himself, Mr. BROUN of Georgia, Mr. GOHMERT, Mr. BURTON of Indiana, Mr. WESTMORELAND, Mr. GARRETT of New Jersey, Mr. SALI, and Mrs. BACHMANN):

H.R. 7339. A bill to exclude six months of earnings in 2009 from Federal income and payroll taxes, and for other purposes; to the Committee on Ways and Means.

By Mr. WELCH of Vermont:

H.R. 7340. A bill to direct the Secretary of Transportation to waive non-Federal share requirements for certain transportation programs and activities through September 30, 2009; to the Committee on Transportation and Infrastructure.

By Ms. ROS-LEHTINEN (for herself, Mr. BURTON of Indiana, Mr. BOOZMAN, Mr. FORTENBERRY, and Mr. FORTUÑO):

H. Con. Res. 443. Concurrent resolution to establish the Joint Select Committee on Reorganization and Reform of Foreign Assistance Agencies and Programs; to the Committee on Rules.

By Ms. LEE (for herself, Ms. WOOLSEY, Mr. STARK, Mr. KUCINICH, Mr. PAUL, Mr. GRIJALVA, and Mr. LEWIS of Georgia):

H. Res. 1535. A resolution expressing disapproval of the Agreement Between the United States of America and the Republic of Iraq on the Withdrawal of United States Forces from Iraq and the Organization of Their Activities During Their Temporary Presence in Iraq, and for other purposes; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 1117: Mr. RANGEL.

H.R. 1246: Mr. BISHOP of New York.

H.R. 1742: Mr. SHERMAN.

H.R. 2244: Mr. COHEN.

H.R. 2329: Mr. MARKEY.

H.R. 2860: Mr. BAIRD.

H.R. 3423: Mr. STARK, Mr. HARE, and Mr. MARKEY.

H.R. 3563: Mr. EDWARDS of Texas.

H.R. 5877: Mr. LATHAM.

H.R. 5927: Ms. ZOE LOFGREN of California.

H.R. 6076: Ms. BORDALLO and Mr. STARK.

H.R. 6333: Mr. POMEROY, Mr. CROWLEY, and Mr. MORAN of Virginia.

H.R. 6643: Mr. FRANK of Massachusetts.

H.R. 6666: Mr. SMITH of Nebraska.

H.R. 6723: Mr. FORTENBERRY.

H.R. 6941: Mr. SIRES.

H.R. 7114: Ms. JACKSON-LEE of Texas.

H.R. 7122: Mr. HOLDEN.

H.R. 7123: Ms. FOXX.

H.R. 7187: Mr. ROSS, Mr. PITTS, and Mr. BURGESS.

H.R. 7273: Mr. RUPPERSBERGER, Mr. SARBANES, Mr. MCCOTTER, Mr. LARSON of Connecticut, Mr. MCHUGH, Mr. FARR, Mr. BRADY of Pennsylvania, Mr. GOODE, Mrs. MYRICK, Mr. REICHERT, Mr. PRICE of Georgia, Mr. KAGEN, Mr. MOORE of Kansas, Mr. BROWN of South Carolina, Mr. PLATTS, Mr. DREIER, and Mr. BURTON of Indiana.

H.R. 7276: Mr. POE, Ms. GRANGER, Mr. RADANOVICH, Mr. WITTMAN of Virginia, Mr. SENSENBRENNER, Mr. LINDER, Mr. CAPUANO, Mr. GINGREY, and Mr. LATTA.

H.R. 7277: Mr. MCCAUL of Texas, Mr. NEUGEBAUER, Mr. DENT, Mr. DUNCAN, and Mr. GOODLATTE.

H.R. 7279: Mr. BACHUS.

H.R. 7296: Mr. HINCHEY.

H.R. 7298: Mr. PITTS, Mr. BARTLETT of Maryland, Mr. LATTA, Mr. WAMP, Mr. POE, Mr. BROUN of Georgia, Mr. GINGREY, Mrs. BLACKBURN, Mr. GOHMERT, Mr. ISSA, Mr. WESTMORELAND, Mr. BURTON of Indiana, and Mr. WITTMAN of Virginia.

H.R. 7300: Mr. BLUMENAUER, Ms. SLAUGHTER, Mr. THOMPSON of California, and Ms. LINDA T. SÁNCHEZ of California.

H.R. 7301: Mr. MEEK of Florida.

H.R. 7303: Mr. MARIO DIAZ-BALART of Florida.

H.R. 7307: Mr. CLAY, Mr. CARSON, and Mr. CAPUANO.

H.R. 7308: Mr. LEWIS of Kentucky, Mr. BARTLETT of Maryland, Mr. WAMP, Mr. BROUN of Georgia, Mr. KING of Iowa, Mr. WITTMAN of Virginia, Mr. GINGREY, Mr. FRANKS of Arizona, Mr. WESTMORELAND, Mr. CONAWAY, Ms. GINNY BROWN-WAITE of Florida, and Mr. POE.

H.R. 7309: Mr. CULBERSON, Mr. BROUN of Georgia, Mr. LAMBORN, Mr. PITTS, Mr. BARTLETT of Maryland, Mr. POE, Mr. SAM JOHNSON of Texas, Mr. BARRETT of South Carolina, Mr. GINGREY, Mr. FEENEY, Mr. ISSA, Mr. NEUGEBAUER, Mr. YOUNG of Alaska, Mr. LINDER, Mr. HALL of Texas, Mr. KLINE of Minnesota, and Mr. FLAKE.

H. Con. Res. 406: Mrs. BIGGERT.

H. Res. 1268: Mr. SERRANO.

H. Res. 1303: Mr. MARKEY.

H. Res. 1319: Ms. MCCOLLUM of Minnesota.

H. Res. 1397: Ms. LORETTA SANCHEZ of California.

H. Res. 1477: Mr. PETERSON of Pennsylvania, Mr. ROGERS of Kentucky, Mr. BARRETT of South Carolina, and Mr. BERRY.

H. Res. 1529: Mr. BOSWELL, Mr. PAYNE, Mr. INGLIS of South Carolina, Ms. DEGETTE, and Mr. ETHERIDGE.

H. Res. 1531: Ms. BALDWIN, Mr. COHEN, and Mr. WEXLER.

H. Res. 1532: Mr. ISRAEL, Mr. MARKEY, Ms. SCHAKOWSKY, Ms. BERKLEY, Mr. SIRES, Mr. ENGEL, Mr. WALZ of Minnesota, Ms. BALDWIN, Mr. FILNER, Mrs. TAUSCHER, Ms. SLAUGHTER, Mr. KUCINICH, Mr. HINCHEY, Mr. MCCOTTER, Mr. LEWIS of Georgia, Mr. CAPUANO, Mr. VAN HOLLEN, Mr. LYNCH, Mr. HONDA, Mr. WEXLER, Mr. SCOTT of Georgia, Ms. LORETTA SANCHEZ of California, Mr. KLEIN of Florida, Mr. CULBERSON, Ms. JACKSON-LEE of Texas, Mr. UDALL of Colorado, and Mr. GENE GREEN of Texas.