

2007. The celebration will feature an array of events, such as the Queen's Ball, Historic Home Tours, Commemorative Post Mark, Pumpkin Festival Parade, Carnival Rides, Historic Train Rides, Time Capsule Dedication, live musical performances, art show, and golf tournament.

French Lick has a long and distinguished history. In the 1800s, as pioneers began settling the Indiana Territory, one of the few roads connecting Louisville and Vincennes was the buffalo trail through current day French Lick. Several pioneers established hotels and other business trades along the route, leading to the founding of French Lick in 1857. Some of these early residents included the likes of Dr. William Bowles, who constructed the first health resort sometime between 1840 and 1845; Charles Edward Ballard, the town's most famous entrepreneur known for his successful management of saloons and casino operations; and Ferdinand and Henry Cross, brothers whose artistic talents enriched the lives on travels to the town. Henry's work would later be used for the sketch of the buffalo on the United States nickel.

The tourist demand for French Lick's magical, health-rejuvenating water led to the construction and remodeling of the French Lick Hotel. One of the hotel's most famous owners was a resourceful entrepreneur named Thomas Taggart. Taggart, who served in several elected positions including as Mayor of Indianapolis and as a U.S. Senator, also led the State Democratic Party beginning in 1892 and the National Democratic Party in 1905. After fire destroyed part of the original hotel, it was Taggart that expanded and rebuilt the facility with its trademark yellow brick, six story front. Thousand of travelers flocked to the new hotel as a resort destination prior to traveling to other destinations or attending popular events such as the Kentucky Derby in nearby Louisville, KY.

The mineral springs of the French Lick area brought many travelers to the region, but it was the gambling that established the Spring Valley as the leisure destination during the first half of the twentieth century. Although seen as a "victimless crime" to many, gambling was illegal and in the late 1940s raids on several casinos ended the practice in the area. The resulting loss of tourism to the area created an economic hardship in the region and the French Lick Hotel passed among several owners. It was in the late 1990s that residents of the town and surrounding region, aided by Historical Preservationist such as William Cook, began restoring the Grand Hotels of the area. Coupled with the legalization of gaming in 2003, the French Lick Springs Resort Hotel and town has returned to its former grandeur as a resort and leisure destination.

Congratulations French Lick on this historical occasion. All Hoosiers look forward to seeing how this unique and wonderful town develops for decades to come.

#### PERSONAL EXPLANATION

### HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 25, 2007*

Mrs. CAPPS. Madam Speaker, I was not able to be present for the following rollcall

votes on September 24, 2007. I would have voted as follows: Rollcall No. 891: "yea"; rollcall No. 892: "yea"; rollcall No. 893: "yea"; and rollcall No. 894: "yea".

#### PROTECTING EMPLOYEES AND RETIREES IN BUSINESS BANKRUPTCIES ACT OF 2007

### HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 25, 2007*

Mr. CONYERS. Madam Speaker, the "Protecting Employees and Retirees in Business Bankruptcies Act of 2007," addresses the vast inequities in current bankruptcy law with respect to how American workers and retirees are treated, an area long-neglected by Congress.

The rights of workers and retirees have greatly eroded over the past two decades, particularly in the context of Chapter 11. Let me just cite three reasons.

First, it is no secret that certain districts in our Nation interpret the law to favor the reorganization of a business over all other priorities, including job preservation, salary protections, and other benefits. Part of the problem is that the law is simply not clear, leading to a split of authority among the circuits.

This is particularly true with respect to the standards by which collective bargaining agreements can be rejected and retiree benefits can be modified in Chapter 11. Businesses, as a result, take advantage of these venue options and file their Chapter 11 cases in employer-friendly districts. This was one of the main reasons that Delphi, a Michigan-headquartered company, filed for bankruptcy in New York.

Second, it is clear that at least some businesses use Chapter 11 to bust unions or to at least give themselves unfair leverage in its negotiations with unions. According to a recently released GAO analysis that I requested nearly 2 years ago, 30 percent of companies in the study sought to reject their collective bargaining agreements in bankruptcy. Nearly as many companies took advantage of special provisions in the Bankruptcy Code by employers that can modify retiree benefits.

Let me be specific here. What we are talking about is terminating retiree health care benefits, medical benefits, prescription drug benefits, disability benefits, and death benefits, among other protections.

And, remember that these benefits were bargained for in good faith by hardworking Americans who gave their all to their employers and now are in retirement. This is a travesty.

Third, as a result of Chapter 11's inequitable playing field, employers are able to extract major concessions from workers and retirees, while lining their own pockets. As we learned at a hearing held earlier this year by the Subcommittee on Commercial and Administrative Law, executives of Chapter 11 debtors often receive extravagant multi-million dollar bonuses and stock options, while regular workers are forced to accept drastic pay cuts or even job losses and while retirees lose hard-won pensions and health benefits.

As many of you know, the Ford Motor Company reported a record \$12.7 billion loss for last year. But what many of you may not know

is that Ford paid \$28 million to its new CEO, Alan Mulally, in his first 4 months on the job. This disclosure comes as companies like Ford, General Motors, and DaimlerChrysler are in the midst of negotiations with unions to obtain concessions and labor cost savings when their current contracts end in this month.

A factor that will likely be present at the bargaining table is the threat of a potential Chapter 11 filing. As many of you know, the United Auto Workers yesterday announced a strike at General Motors principally because GM wants to shed more than \$50 billion in future health care benefits for retirees.

We need to restore the level playing field that the drafters of Chapter 11 originally envisioned and to ensure that workers and retirees receive fair treatment when their company is in bankruptcy. It is time that we include the interests of working families in the bankruptcy law and consider how we can add a measure of fairness to a playing field that is overwhelmingly tilted against workers.

My bill addresses these problems by:

Increasing the amount by which unpaid wage and employee benefit claims would be entitled to payment priority;

Creating a more level playing field for employees in Chapter 11 cases where employers want to terminate jobs, reduce wages, reject collective bargaining agreements, and terminate medical benefits for retirees;

Prohibiting companies in bankruptcy from paying lavish performance bonuses and incentive compensation to key management; and

Ensuring that the bankruptcy judges have clear statutory guidance that the purpose of Chapter 11 is—to the greatest extent possible—maximize assets so as to preserve jobs.

I will urge prompt consideration of this legislation by the Subcommittee on Commercial and Administrative Law and further proceedings by the House Judiciary Committee.

#### EQUITY FOR OUR NATION'S SELF-EMPLOYED ACT OF 2007

### HON. WALLY HERGER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 25, 2007*

Mr. HERGER. Madam Speaker, with nearly 47 million uninsured in America, rising health care costs, and a federal health entitlement system that is simply unsustainable in the long run, America is truly on the verge of a health crisis. Yet despite the looming fiscal insolvency of Medicare and other challenges facing U.S. health care, Congress is preparing now to approve one of the largest expansions of government health care in decades. Mr. Speaker, we must change course in today's debate, and address the root problems facing our health system. And true change can be achieved only through working together on a bipartisan level.

It is for this very reason that I am pleased to join with my colleague from the other side of the aisle, Representative RON KIND of Wisconsin, in introducing truly collaborative, bipartisan legislation that would help expand health coverage to millions of currently uninsured American taxpayers. Our legislation, the "Equity for Our Nation's Self-Employed Act of 2007," would correct an inequity that currently