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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

Rev. Dr. Ivan Raley, First Baptist Church, Byrdstown, Tennessee, offered the following prayer:

Almighty and eternal Father, we humbly come before You in this hallowed place that we might seek Your wisdom for the work of these whom You have chosen to serve our Nation.

Father, there are many people in our land today who are hurting. There are people this morning who are afraid. They are confused, and they are fearful of the future and what it holds. Father, they need the help of this Congress.

God, accept this prayer as our confession of faith in You and total dependence on You. Forgive us where we have failed and fallen short. Father, You know the solution our Nation needs. Teach it to these who have been chosen to lead our Nation so that they can know Your will as well.

Father, may future generations call these who are now assembled the greatest generation. Let them be like those who came before them, who rose to their country's need and were thus called. May they say of these, they did their best. They are a great generation.

Father, God, we pray this in Your Son's name. God bless America.

Amen.

THE JOURNAL

The SPEAKER. 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.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina 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.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed withuot amendment a bill of the House of the following title:

H.R. 3357. An act to restore sums to the Highway Trust Fund and for other purposes.

WELCOMING REV. DR. IVAN RALEY

The SPEAKER. Without objection, the gentleman from Tennessee (Mr. DAVIS) is recognized for 1 minute.

Mr. DAVIS of Tennessee. Madam Speaker, it's an honor to thank my friend and pastor, Dr. Ivan Raley of First Baptist Church in Byrdstown, for joining us here today. Pastor Raley has served our church at home since 2002, and is retired after 10 years of service as regional vice president of the Tennessee Baptist Children's Homes in Brentwood, Tennessee.

While serving as pastor, Dr. Raley has traveled on mission trips to Venezuela, Belize, Guatemala and Mexico, and in September of 2001, he went to New York to serve as a chaplain with the police and firemen involved in the 9/11 World Trade Center attack. He also served with the International Mission Board of the Southern Baptist Convention in Rwanda during the wars there in 1994.

I want to thank Ivan for being here today and for serving our church family for the past 7 years. I have looked to him for ministry as we continue our work in Congress to build a stronger America for our children and our grandchildren. Through the war in Iraq and Afghanistan, and now in the midst of a difficult economy, I appreciate Pastor Raley being there to join me in search of guidance and wisdom.

On behalf of my colleagues, I welcome Dr. Raley, and again, I thank him for delivering our invocation here this morning.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PASTOR of Arizona). The Chair will entertain up to five further requests for 1-minute speeches on each side of the aisle.

MEDICAL DEBT IN AMERICA

(Ms. KILROY asked and was given permission to address the House for 1 minute.)

Ms. KILROY. Mr. Speaker, in my district, as in many districts around the country, medical debt has been a contributing factor in bankruptcies and in foreclosures. In fact, 72 million Americans today are affected by the issue of medical debt.

Another more insidious but also serious issue that arises from medical debt, and one that costs our constituents a great deal of money, is the issue of medical debt that is paid late or is settled eventually, but paid nevertheless, but has gone to collections and is reported negatively on a credit report or a score.

Twenty-eight million Americans pay their medical debt off over a period of time. Some of those accrue debt only because of a dispute with an insurance company, some of them because of the high cost of medical care and high deductibles or caps that have been exceeded in the course of the year, some because of job loss. But that negative credit score stays with them for years to come.

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□ 0915

RECOGNIZING THE 150TH ANNIVERSARY OF ST. COLUMBAN ROMAN CATHOLIC CHURCH

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

Mrs. SCHMIDT. Mr. Speaker, I rise this morning to recognize the 150th anniversary of my childhood parish, St. Columban Roman Catholic Church of Loveland, Ohio.

In 1859, Father John Baptist O'Donoghue, of St. Andrew's Parish in Milford, and 10 families worked together to raise enough money to purchase an old, one-room schoolhouse from the Village of Loveland on Broadway Avenue.

Like many budding parishes, the original rectory did not meet the needs of the local Catholic community for very long. In 1893, St. Columban built their second house of worship on that site. A few years later, the first school was built. This church will always hold a special place in my heart because my home was built from its bricks.

As the parish was celebrating its 100th anniversary, St. Columban was, once again, forced to expand to a new church at a different site. I was in attendance that day 50 years ago when Archbishop Karl J. Alter dedicated the new school building which housed the church in the cafeteria. Rapid growth twice required separate additions to be built to house the church. In 2002, the church finally moved out of the school and into its own building.

Each year, I have the privilege to host the St. Columban eighth-grade students to the Capitol. I am honored to be their Congresswoman and tour guide.

Mr. Speaker, I ask you to join me in celebrating St. Columban's 150th anniversary and in wishing them continued success.

God bless them. God bless the United States of America.

COMMONSENSE LEGISLATION TO PROMOTE WELLNESS

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

Mrs. DAHLKEMPER. Mr. Speaker, during the upcoming August work period, my colleagues and I will travel back to our districts to talk about meaningful health care reform that fixes what is broken and that protects what works.

One of the things that does not work is the skyrocketing costs of medical treatment in the United States. If Congress is serious about tackling the issue, we must address the growing concern of chronic disease—preventable conditions that account for 85 percent of total health spending. Obesity alone cost $147 billion last year.

Today, I am introducing legislation that will offer up to 20 percent discounted premiums to those who make the effort to live healthier lifestyles, such as not smoking, such as achieving and maintaining normal body mass index and working at lowering blood pressure and cholesterol levels. As a result, there will be an economic incentive to encourage personal responsibility for one's health, which will dramatically reduce overall costs.

As we look at health insurance reform, we need to make sure that we look at encouraging wellness. I urge my colleagues to join me in support of this commonsense legislation to promote wellness.

IN APPRECIATION OF ALLEN AIMAR

(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. Mr. Speaker, I rise today to wish a fond farewell to a member of the Second Congressional District staff, Allen Aimar.

Allen first served as a field representative in our Beaufort Lowcountry office before coming to Washington as military legislative assistant. Allen is leaving Washington behind for his law school career at Capital University in Columbus, Ohio. He will be joined by his wife, Amber, who previously served on the staff of the Second District and as staff to Dr. Phil Roe.

Allen has been vital in helping constituents, particularly on military issues. He has brought his own experience and knowledge as a veteran of the Army National Guard in Iraq. He appreciates our servicemembers, their families and veterans.

Allen is the son of Allen and Deborah Aimar of Johnson City, Tennessee, and of Greg and Marian Erickson of Beaufort, South Carolina, and is brother to Adam Aimar.

We are all tremendously proud of Allen and Amber, and we wish them and their young son, Alexander Jacob Aimar, all the best in the years to come. Godspeed to the Aimar family.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

HEALTH CARE REFORM

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

Mr. MCGOVERN. Mr. Speaker, as we debate health care reform legislation, my Republican friends say things are fine just the way they are. ''Take two tax breaks and call me in the morning,'' is their prescription. This in spite of the fact that premiums have doubled in 9 years, growing three times faster than wages; this in spite of the fact that the average American family already pays an extra $1,100 a year in premiums to support a broken system; this in spite of the fact that 46 million Americans are uninsured.

When my Republican friends say that the American people don't deserve health reform, my response is: Are you kidding?

KATRINA ANNIVERSARY

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

Mr. CAO. Mr. Speaker, August 29, 2009 will mark the fourth anniversary of Hurricane Katrina. As I prepare to return to the Second District, I am reflective not so much of the unprecedented damage that wreaked havoc on the innocent but of the power of the human spirit that was so evident in every citizen as they've returned to New Orleans to rebuild their homes and to jump-start their communities.

I, too, lost everything in this storm. My wife and I, like so many others, were forced to start over after losing our home and business.

As Katrina became the byword for our Nation's social ills and failures, many even questioned the logic of rebuilding, but one only has to look around New Orleans and Jefferson Parish today to completely dispute that line of reasoning. New Orleans and Jefferson Parish are reemerging as the productive areas they once were. Tourism is back on the rise, and entrepreneurs are returning to reintroduce commerce and to boost the job market. But there is still much work to do.

The Stafford Act must be redesigned to bring a systemic means of Federal natural disaster assistance for State and local governments to aid citizens, and there must be a fundamental change in FEMA's approach to catastrophic disasters.

A UNIQUELY AMERICAN HEALTH CARE PLAN

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

Ms. EDWARDS of Maryland. Mr. Speaker, today, it is time for health care reform.

Now, there are some out there who like to claim that we don't need reform now because the private marketplace will take care of everything. Well, the private marketplace hasn't taken care of anything except to increase deductibles, to increase premiums, and to increase copays that cost the American people. Let me tell you what that means in my home State of Maryland.

In 2001, if you were paying on the average of $600 a month for your health care, today, you're paying an average of $1,000 a month for your health care. Well, I don't know about anybody else, but in my household, an extra $400 a month is real money. It's groceries. It's an electric bill. It's daycare. I mean, this is an important cost to the American people.

It is time for us to enact a uniquely American plan that doesn't embrace the insurance industry, that doesn't close down the insurance industry, but that says to the insurers: you have to compete in the marketplace with a public plan that relies on Medicare rates, that ensures that we will have real competition, and that is real change for the American people.

It is time for us to educate the American people and to get this done for the public so that we can be competitive.

THE BRITISH HEALTH CARE SYSTEM IS UNHEALTHY

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

Mr. POE of Texas. Mr. Speaker, government-run health care has been around in England for over 60 years. In those years, the government still hasn't gotten it right.

In March, Britain's Health Care Commission, which has ironically been renamed the Care Quality Commission, reported that 1,200 people have died needlessly at two British hospitals over the past 3 years.

The government report said that Stafford Hospital and Cannock Chase Hospital have filthy conditions and unhygienic practices. The government report says government-run hospitals don't have enough doctors and nurses and the doctors and nurses are poorly trained. They don't know how to use the cardiac monitors, and the hospitals don't even have enough of the cardiac monitors that they don't know how to operate. The British Government report also says that these two government-run hospitals have left patients with no food, no water and no medicine for up to 4 days.

Mr. Speaker, this is just another example that government-run health care has not worked. Doctors and nurses are rationed; care is rationed; medicine, food and water are rationed. The British health care plan is: ''Just don't get sick'' because the government-run system can't help you.

And that's just the way it is.

AMERICANS WILL FINALLY BE GUARANTEED HEALTH CARE

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

Mr. PALLONE. Mr. Speaker, today is a great day.

My committee, the Energy and Commerce Committee, will report out the health care reform bill today. It is very exciting because what it means is that people will finally be guaranteed health care, and they'll know that they'll have health care regardless of what job they have. They won't lose it if they go from job to job.

Right now, we have a lot of people in this country who are uninsured. They will be provided with health insurance. We have a lot of other people who are afraid they're going to lose their jobs or who are afraid they're not going to be able to afford their health insurance.

Again, we'll address the affordability issue by bringing down costs for people who actually have insurance, and we'll guarantee that, whether or not you have a health condition and regardless of your gender, you'll be able to get the same health care; you'll be able to get the same insurance policy, and you won't be discriminated against.

This is a real opportunity for America to see that this Congress can actually do the job, that we can get the job done—that we can cover everyone and reduce costs—so that you'll finally have the peace of mind that you're guaranteed health insurance.

THE TRUTH ABOUT HOUSE DEMOCRATS' TAX INCREASES

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

Mr. PENCE. Mr. Speaker, the American people know we need health care reform in this country, but thanks to House Republicans and a handful of Democrats in Congress, the American people have been given a reprieve on the Democrat plan to enact a government takeover of health care, paid for with more than $800 billion in new taxes. Now, that tax increase number has been disputed in the past 24 hours, so I thought I'd pull the stats.

According to the Congressional Budget Office and the Joint Committee on Taxation, the House Democrat reform bill includes $543 billion in a surtax on high-income filers, $208 billion in increased taxes on businesses, an additional set of tax increases—international tax increases which they refer to—of $37 billion, and more taxes on benefits of $2 billion. Taxes on individuals who do not purchase bureaucrat-approved health insurance—$29 billion. So the total amount of tax increases included in the Democrat bill, according to official estimates, is $820.1 billion over 10 years.

The chance for the American people to know what's in this plan and to come back and to pass health care reform without more government and more taxes? Priceless.

Let the debate begin.

PROVIDING FOR CONSIDERATION OF H.R. 3269, CORPORATE AND FINANCIAL INSTITUTION COMPENSATION FAIRNESS ACT OF 2009

Mr. McGOVERN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 697 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 697

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3269) to amend the Securities Exchange Act of 1934 to provide shareholders with an advisory vote on executive compensation and to prevent perverse incentives in the compensation practices of financial institutions. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions of the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, 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 the Financial Services; (2) the amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Frank of Massachusetts or his designee, which 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 division of the question; (3) the amendment in the nature of a substitute printed in the report of the Committee on Rules, if offered by Representative Garrett of New Jersey or his designee, which shall be considered as read, and shall be separately debatable for 30 minutes equally divided and controlled by the proponent and an opponent; and (4) one motion to recommit with or without instructions.

SEC. 2. All points of order against amendments printed in the report of the Committee on Rules accompanying this resolution are waived except those arising under clause 9 or 10 of rule XXI.

SEC. 3. During consideration of an amendment printed in the report of the Committee on Rules accompanying this resolution, the Chair may postpone the question of adoption as though under clause 8 of rule XX.

SEC. 4. In the engrossment of H.R. 3269, the Clerk is authorized to make technical and conforming changes to amendatory instructions.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 1 hour.

Mr. McGOVERN. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent that all Members may be given 5 legislative days in which to revise and extend their remarks on House Resolution 697.

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

There was no objection.

Mr. McGOVERN. I yield myself such time as I may consume.

Mr. Speaker, House Resolution 697 provides for the consideration of H.R. 3269, the Corporate and Financial Institution Compensation Fairness Act of 2009, under a structured rule.

The rule provides 1 hour of general debate controlled by the Committee on Financial Services. The rule makes in order an amendment by Chairman

FRANK, which is debatable for 10 minutes. It also makes in order an amendment in the nature of a substitute by Representative GARRETT, which is debatable for 30 minutes. The rule provides one motion to recommit with or without instructions.

Mr. Speaker, I rise today in support of H.R. 3269, the Corporate and Financial Institution Compensation Fairness Act. I would like to congratulate my good friend and my colleague from Massachusetts, Chairman BARNEY FRANK, for all of his hard work on this bill.

□ 0930

Mr. Speaker, if the last year has taught us anything, it's that the compensation practices of some of our largest corporations have gotten completely out of control. Middle class Americans on Main Street are struggling to hold on to their jobs, struggling to pay for health care and education and food and energy. They have seen their wages stagnate while their costs have skyrocketed.

Meanwhile, over on Easy Street, things are great. Corporate executives are continuing to give themselves multi-million dollar pay packages; the golden parachutes are still flying. One of the most egregious cases of this came when American taxpayers watched as AIG, the American International Group, doled out lavish bonuses after being bailed out of the financial mess that they helped create.

Chairman FRANK is thoroughly committed to ensuring our financial system remains sound, and I am pleased to see this bill as the first piece of larger reforms by the House Financial Services Committee.

Mr. Speaker, I would also like to voice my support for the proposed Consumer Financial Protection Agency. I know there has been strong pushback from the industry, but I would like to commend my colleagues for their perseverance in putting these protections in place. The bill will help to give the owners of these corporations, the shareholders, a meaningful voice in how companies are run. Specifically, this bill grants shareholders a say on pay for top executives by guaranteeing them a non-binding advisory vote on their company's pay practices. Again this vote is nonbinding.

The board of directors and the compensation committees are free to ignore their shareholders' wishes, but those shareholders will at least have the opportunity to express their views.

The bill would also strengthen the ability of Federal regulators, namely, the Federal Reserve and Federal Deposit Insurance Corporation, to restrict pay structures that encourage inappropriate risk at financial companies. If regulators see a large company driving itself off a cliff by employing unstable pay practices for top executives, they should have the ability to act.

I'm pleased that the Financial Services Committee adopted a number of amendments. To note one in particular, Mr. HENSARLING, my Republican colleague from Texas, recognized the need to take the size of the institution into account. His amendment to exempt financial institutions with assets of less than $1 billion from the bill's incentive base compensation disclosure requirements and related compensation structure oversight was adopted in committee.

I look forward to the debate on this bill and on the Republican substitute which is made in order under this rule.

I urge my colleagues to send a strong message that the misbehavior in corporate America must come to an end by supporting this bill.

I reserve my time.

Mr. SESSIONS. Mr. Speaker, I appreciate the gentleman from Massachusetts, my friend Mr. MCGOVERN, for yielding me the time this morning. And I would yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to this rule and to the underlying legislation. The structured rule does not call for the open and honest debate that we really had been promised years ago by our Democrat colleagues to have an open, honest debate on the issues that are before this country. But once again, time in and time out, here we are without an open rule.

Mr. Speaker, it's my intention today to discuss the dangerous precedent that this legislation sets forth on the future of business in America and the stranglehold that government will have over the free enterprise system.

Additionally, I offered two amendments in the Rules Committee last night, and I will discuss those here today. One would ensure this legislation would not create a bonanza for trial lawyers, and the other would provide for the necessary transparency and disclosure for shareholders. Both were rejected by the Democrats of the Rules Committee and eliminated from debate on the House floor today.

Mr. Speaker, government takeover of the free enterprise system seems to be a common theme with this Democrat Congress and with the Obama administration, a theme that has led to record deficits and record unemployment. This underlying legislation has masked itself as a bill to restrict CEO pay by giving shareholders a nonbinding vote on executive compensation. Yet in reality, it gives the government broad authority to review and determine appropriate compensation for every employee of a financial firm.

This legislation empowers the Federal Government to set unprecedented standards for annual shareholder votes while providing broad government authority for regulators who will have guidance to implement this and give authority to them over the free enterprise system.

We all agree that we need to curb abuses of the past and to promote responsible approaches to executive compensation. But this bill provides unprecedented government intervention in the free enterprise system. It is the wrong solution. The goal of regulatory reform should be to help, not hinder, our economy's ability to sustain economic growth and job creation.

This legislation does the opposite by legislating a one-size-fits-all rule for public companies that discourage private firms from going public. This will limit U.S. companies' access to the capital markets and undermine U.S. economic competitiveness. This legislation allows financial regulators the authority to determine wages for all employees, not just CEOs, officers, and bankers, but everyone.

The rank and file of community banks, minority banks, and credit unions could all have their compensation determined by unelected Washington bureaucrats. This perception undermines the confidence in corporate America and unfairly taints the vast majority of U.S. companies.

In an effort to provide the clarification necessary to ensure the intent of this legislation is not to create a bonanza for trial lawyers, I offered an amendment in the Rules Committee. The amendment would have clarified that this legislation simply creates no new private right of action in our courts, nor would its passage make a compensation committee's decisions to uphold its fiduciary responsibilities to shareholders subject to any existing private right of action.

Without this amendment, trial lawyers will be able to exploit a new opportunity to shake down companies for huge payments by challenging any action deemed non-compliant from this non-binding vote. This is a commonsense amendment that should have been considered on the House floor today, and it should be in the bill as law.

My second amendment would have provided sunshine and transparency for shareholders by requiring a full SEC disclosure about who is financing efforts to influence votes on this new congressionally mandated non-binding shareholder resolution. Put simply, this amendment would provide shareholders with access to information about who is spending money to influence that vote.

As Federal candidates, we're obligated to disclose to the Federal Election Commission the name, occupation, and amount given from each of our donors. We require this because the public interest is advanced by letting voters know who funds each candidate's campaign. My amendment asks the same disclosure so the shareholders know what people, what organization—whether they be labor unions, environmental groups, consumer advocates or simply a normal citizen of this country. We need to know who is spending money on influencing this new mandatory, non-binding vote.

Americans pride themselves on free enterprise choice and a marketplace

that works for all of us; yet today Congress will pass legislation that increases government intervention in the financial markets, rations resources, limits consumer choices, and dictates wages and prices. In a time of economic recession with record unemployment and record deficits, Congress should be enacting legislation to assist our economy.

Mr. Speaker, the motives are clear. This administration and this Congress are using policy and regulation to force a government takeover of the free enterprise system.

Mr. Speaker, this Congress should be doing things to encourage employment, to encourage people to go back to work, to encourage competitiveness, to encourage our country to be prepared tomorrow; not to have record unemployment, not to spend more money for record debts, but to give America and the free enterprise system the chance and opportunity it deserves to flourish in America.

Mr. Speaker, I encourage my colleagues to vote against this rule and the underlying legislation.

I reserve the balance of my time.

Mr. MCGOVERN. We have no further speakers at this time, and I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, in closing, I would like to stress that while my friends on the other side of the aisle claim to be protecting consumers with this legislation, they refuse to protect all Americans in this legislation from trial lawyers benefiting from their tax dollars, and they also voted in the committee against transparency and accountability.

Mr. Speaker, as a Nation, we have many, many, many real problems to deal with that require leadership and dedication to ensure the future of this Nation. We need to provide for jobs, encourage economic growth and spur innovation and prosperity of this Nation, not to hamper the free enterprise system. This is, without question, further government control and muzzling of the free enterprise system. Some argue that this legislation is about executive compensation; but in reality, it continues to be the government takeover of the free enterprise system.

I encourage a ''no'' vote on this structured rule and a ''no'' vote on the underlying legislation.

I yield back the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself the remaining time.

Mr. Speaker, as we're about to adjourn for the August recess, I think it's important to note that this is a Congress that accomplished a great deal.

We have passed 12 of our appropriations bills. We passed the historic Recovery and Reinvestment Act, which is keeping teachers and police officers employed, and stimulating economic growth throughout this country. We have passed an energy bill that, if signed into law, will create thousands and thousands of new green jobs as well as free us of our dependence on foreign oil. We have extended SCHIP, which means that more and more children have access to health care. We passed the Lilly Ledbetter Pay Equity Act bill to address the issue of discrimination of women in the workplace. Yesterday we passed a food safety bill.

So we did all of this in spite of resistance and in spite of obstructionism by many of my colleagues on the other side of the aisle. But I think it is an indication that this is a Congress that has accomplished a great deal.

Let me just say finally, Mr. Speaker, with regard to the underlying legislation, that if you like the status quo, if you want to embrace the same old, same old when it comes to corporate misbehavior, then vote against the rule and vote against the bill. If you want things to change, if you want to ensure corporate responsibility, then please support the underlying bill championed by Chairman FRANK.

With that Mr. Speaker, I urge a ''yes'' vote on the previous question and on the rule.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 0945

CORPORATE AND FINANCIAL INSTITUTION COMPENSATION FAIRNESS ACT OF 2009

Mr. FRANK of Massachusetts. Mr. Speaker, pursuant to H. Res. 697, I call up the bill (H.R. 3269) to amend the Securities Exchange Act of 1934 to provide shareholders with an advisory vote on executive compensation and to prevent perverse incentives in the compensation practices of financial institutions, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 697, the amendment in the nature of a substitute recommended by the Committee on Financial Services, now printed in the bill is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 3269

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 ''Corporate and Financial Institution Compensation Fairness Act of 2009''.

SEC. 2. SHAREHOLDER VOTE ON EXECUTIVE COMPENSATION DISCLOSURES.

(a) AMENDMENT.—Section 14 of the Securities Exchange Act of 1934 (15 U.S.C. 78n) is amended by adding at the end the following new subsection:

''(i) ANNUAL SHAREHOLDER APPROVAL OF EXECUTIVE COMPENSATION.—

''(1) ANNUAL VOTE.—Any proxy or consent or authorization (the solicitation of which is subject to the rules of the Commission pursuant to subsection (a)) for an annual meeting of the shareholders to elect directors (or a special meeting in lieu of such meeting) where proxies are solicited in respect of any security registered under section 12 occurring on or after the date that is 6 months after the date on which final rules are issued under paragraph (4), shall provide for a separate shareholder vote to approve the compensation of executives as disclosed pursuant to the Commission's compensation disclosure rules for named executive officers (which disclosure shall include the compensation committee report, the compensation discussion and analysis, the compensation tables, and any related materials, to the extent required by such rules). The shareholder vote shall not be binding on the issuer or the board of directors and shall not be construed as overruling a decision by such board, nor to create or imply any additional fiduciary duty by such board, nor shall such vote be construed to restrict or limit the ability of shareholders to make proposals for inclusion in such proxy materials related to executive compensation.

''(2) SHAREHOLDER APPROVAL OF GOLDEN PARACHUTE COMPENSATION.—

''(A) DISCLOSURE.—In any proxy or consent solicitation material (the solicitation of which is subject to the rules of the Commission pursuant to subsection (a)) for a meeting of the shareholders occurring on or after the date that is 6 months after the date on which final rules are issued under paragraph (4), at which shareholders are asked to approve an acquisition, merger, consolidation, or proposed sale or other disposition of all or substantially all the assets of an issuer, the person making such solicitation shall disclose in the proxy or consent solicitation material, in a clear and simple form in accordance with regulations to be promulgated by the Commission, any agreements or understandings that such person has with any named executive officers of such issuer (or of the acquiring issuer, if such issuer is not the acquiring issuer) concerning any type of compensation (whether present, deferred, or contingent) that is based on or otherwise relates to the acquisition, merger, consolidation, sale, or other disposition of all or substantially all of the assets of the issuer and the aggregate total of all such compensation that may (and the conditions upon which it may) be paid or become payable to or on behalf of such executive officer.

''(B) SHAREHOLDER APPROVAL.—Any proxy or consent or authorization relating to the proxy or consent solicitation material containing the disclosure required by subparagraph (A) shall provide for a separate shareholder vote to approve such agreements or understandings and compensation as disclosed, unless such agreements or understandings have been subject to a shareholder vote under paragraph (1). A vote by the shareholders shall not be binding on the issuer or the board of directors of the issuer or the person making the solicitation and shall not be construed as overruling a decision by any such person or issuer, nor to create or imply any additional fiduciary duty by any such person or issuer.

''(3) DISCLOSURE OF VOTES.—Every institutional investment manager subject to section 13(f) shall report at least annually how it voted on any shareholder vote pursuant to paragraphs (1) or (2) of this section, unless such vote is otherwise required to be reported publicly by rule or regulation of the Commission.

''(4) RULEMAKING.—Not later than 6 months after the date of the enactment of the Corporate and Financial Institution Compensation Fairness Act of 2009, the Commission shall issue final rules to implement this subsection.

''(5) EXEMPTION AUTHORITY.—The Commission may exempt certain categories of issuers from the requirements of this subsection, where appropriate in view of the purpose of this subsection. In determining appropriate exemptions, the Commission shall take into account, among

other considerations, the potential impact on smaller reporting issuers.''.

(b) PROHIBITION ON CLAWBACKS.—

(1) PROHIBITION.—No compensation of any executive of an issuer, having been approved by a majority of shareholders pursuant to section 14(i) of the Securities Exchange Act of 1934 (as added by subsection (a)), may be subject to any clawback except—

(A) in accordance with any contract of such executive providing for such a clawback; or

(B) in the case of fraud on the part of such executive, to the extent provided by Federal or State law.

(2) REGULATIONS.—The Securities and Exchange Commission shall promulgate rules necessary to implement and enforce paragraph (1).

SEC. 3. COMPENSATION COMMITTEE INDEPENDENCE.

(a) STANDARDS RELATING TO COMPENSATION COMMITTEES.—The Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended by inserting after section 10A the following new section:

''SEC. 10B. STANDARDS RELATING TO COMPENSATION COMMITTEES.

''(a) COMMISSION RULES.—

''(1) IN GENERAL.—Effective not later than 9 months after the date of enactment of the Corporate and Financial Institution Compensation Fairness Act of 2009, the Commission shall, by rule, direct the national securities exchanges and national securities associations to prohibit the listing of any class of equity security of an issuer that is not in compliance with the requirements of any portion of subsections (b) through (f).

''(2) OPPORTUNITY TO CURE DEFECTS.—The rules of the Commission under paragraph (1) shall provide for appropriate procedures for an issuer to have an opportunity to cure any defects that would be the basis for a prohibition under paragraph (1) before the imposition of such prohibition.

''(3) EXEMPTION AUTHORITY.—The Commission may exempt certain categories of issuers from the requirements of subsections (b) through (f), where appropriate in view of the purpose of this section. In determining appropriate exemptions, the Commission shall take into account, among other considerations, the potential impact on smaller reporting issuers.

''(b) INDEPENDENCE OF COMPENSATION COMMITTEES.—

''(1) IN GENERAL.—Each member of the compensation committee of the board of directors of the issuer shall be independent.

''(2) CRITERIA.—In order to be considered to be independent for purposes of this subsection, a member of a compensation committee of an issuer may not, other than in his or her capacity as a member of the compensation committee, the board of directors, or any other board committee accept any consulting, advisory, or other compensatory fee from the issuer.

''(3) EXEMPTION AUTHORITY.—The Commission may exempt from the requirements of paragraph (2) a particular relationship with respect to compensation committee members, where appropriate in view of the purpose of this section.

''(4) DEFINITION.—As used in this section, the term 'compensation committee' means—

''(A) a committee (or equivalent body) established by and amongst the board of directors of an issuer for the purpose of determining and approving the compensation arrangements for the executive officers of the issuer; and

''(B) if no such committee exists with respect to an issuer, the independent members of the entire board of directors.

''(c) INDEPENDENCE STANDARDS FOR COMPENSATION CONSULTANTS AND OTHER COMMITTEE ADVISORS.—Any compensation consultant or other similar adviser to the compensation committee of any issuer shall meet standards for independence established by the Commission by regulation.

''(d) COMPENSATION COMMITTEE AUTHORITY RELATING TO COMPENSATION CONSULTANTS.—

''(1) IN GENERAL.—The compensation committee of each issuer, in its capacity as a committee of the board of directors, shall have the authority, in its sole discretion, to retain and obtain the advice of a compensation consultant meeting the standards for independence promulgated pursuant to subsection (c), and the compensation committee shall be directly responsible for the appointment, compensation, and oversight of the work of such independent compensation consultant. This provision shall not be construed to require the compensation committee to implement or act consistently with the advice or recommendations of the compensation consultant, and shall not otherwise affect the compensation committee's ability or obligation to exercise its own judgment in fulfillment of its duties.

''(2) DISCLOSURE.—In any proxy or consent solicitation material for an annual meeting of the shareholders (or a special meeting in lieu of the annual meeting) occurring on or after the date that is 1 year after the date of enactment of the Corporate and Financial Institution Compensation Fairness Act of 2009, each issuer shall disclose in the proxy or consent material, in accordance with regulations to be promulgated by the Commission whether the compensation committee of the issuer retained and obtained the advice of a compensation consultant meeting the standards for independence promulgated pursuant to subsection (c).

''(3) REGULATIONS.—In promulgating regulations under this subsection or any other provision of law with respect to compensation consultants, the Commission shall ensure that such regulations are competitively neutral among categories of consultants and preserve the ability of compensation committees to retain the services of members of any such category.

''(e) AUTHORITY TO ENGAGE INDEPENDENT COUNSEL AND OTHER ADVISORS.—The compensation committee of each issuer, in its capacity as a committee of the board of directors, shall have the authority, in its sole discretion, to retain and obtain the advice of independent counsel and other advisers meeting the standards for independence promulgated pursuant to subsection (c), and the compensation committee shall be directly responsible for the appointment, compensation, and oversight of the work of such independent counsel and other advisers. This provision shall not be construed to require the compensation committee to implement or act consistently with the advice or recommendations of such independent counsel and other advisers, and shall not otherwise affect the compensation committee's ability or obligation to exercise its own judgment in fulfillment of its duties.

''(f) FUNDING.—Each issuer shall provide for appropriate funding, as determined by the compensation committee, in its capacity as a committee of the board of directors, for payment of compensation—

''(1) to any compensation consultant to the compensation committee that meets the standards for independence promulgated pursuant to subsection (c), and

''(2) to any independent counsel or other adviser to the compensation committee.''.

(b) STUDY AND REVIEW REQUIRED.—

(1) IN GENERAL.—The Securities and Exchange Commission shall conduct a study and review of the use of compensation consultants meeting the standards for independence promulgated pursuant to section 10B(c) of the Securities Exchange Act of 1934 (as added by subsection (a)), and the effects of such use.

(2) REPORT TO CONGRESS.—Not later than 2 years after the rules required by the amendment made by this section take effect, the Commission shall submit a report to the Congress on the results of the study and review required by this paragraph.

SEC. 4. ENHANCED COMPENSATION STRUCTURE REPORTING TO REDUCE PERVERSE INCENTIVES.

(a) ENHANCED DISCLOSURE AND REPORTING OF COMPENSATION ARRANGEMENTS.—

(1) IN GENERAL.—Not later than 9 months after the date of enactment of this Act, the appropriate Federal regulators jointly shall prescribe regulations to require each covered financial institution to disclose to the appropriate Federal regulator the structures of all incentive-based compensation arrangements offered by such covered financial institutions sufficient to determine whether the compensation structure—

(A) is aligned with sound risk management;

(B) is structured to account for the time horizon of risks; and

(C) meets such other criteria as the appropriate Federal regulators jointly may determine to be appropriate to reduce unreasonable incentives offered by such institutions for employees to take undue risks that—

(i) could threaten the safety and soundness of covered financial institutions; or

(ii) could have serious adverse effects on economic conditions or financial stability.

(2) RULES OF CONSTRUCTION.—Nothing in this subsection shall be construed as requiring the reporting of the actual compensation of particular individuals. Nothing in this subsection shall be construed to require a covered financial institution that does not have an incentive-based payment arrangement to make the disclosures required under this subsection.

(b) PROHIBITION ON CERTAIN COMPENSATION ARRANGEMENTS.—Not later than 9 months after the date of enactment of this Act, and taking into account the factors described in subparagraphs (A), (B), and (C) of subsection (a)(1), the appropriate Federal regulators shall jointly prescribe regulations that prohibit any incentive-based payment arrangement, or any feature of any such arrangement, that the regulators determine encourages inappropriate risks by covered financial institutions that—

(1) could threaten the safety and soundness of covered financial institutions; or

(2) could have serious adverse effects on economic conditions or financial stability.

(c) ENFORCEMENT.—The provisions of this section shall be enforced under section 505 of the Gramm-Leach-Bliley Act and, for purposes of such section, a violation of this section shall be treated as a violation of subtitle A of title V of such Act.

(d) DEFINITIONS.—As used in this section—

(1) the term ''appropriate Federal regulator'' means—

(A) the Board of Governors of the Federal Reserve System;

(B) the Office of the Comptroller of the Currency;

(C) the Board of Directors of the Federal Deposit Insurance Corporation;

(D) the Director of the Office of Thrift Supervision;

(E) the National Credit Union Administration Board;

(F) the Securities and Exchange Commission; and

(G) the Federal Housing Finance Agency; and

(2) the term ''covered financial institution'' means—

(A) a depository institution or depository institution holding company, as such terms are defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813);

(B) a broker-dealer registered under section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o);

(C) a credit union, as described in section 19(b)(1)(A)(iv) of the Federal Reserve Act;

(D) an investment advisor, as such term is defined in section 202(a)(11) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–2(a)(11));

(E) the Federal National Mortgage Association;

(F) the Federal Home Loan Mortgage Corporation; and

(G) any other financial institution that the appropriate Federal regulators, jointly, by rule, determine should be treated as a covered financial institution for purposes of this section.

(e) EXEMPTION FOR CERTAIN FINANCIAL INSTITUTIONS.—The requirements of this section shall not apply to covered financial institutions with assets of less than $1,000,000,000.

(f) GAO STUDY.—

(1) STUDY REQUIRED.—

(A) IN GENERAL.—The Comptroller General of the United States shall carry out a study to determine whether there is a correlation between compensation structures and excessive risk taking.

(B) FACTORS TO CONSIDER.—In carrying out the study required under subparagraph (A), the Comptroller General shall—

(i) consider compensation structures used by companies from 2000 to 2008; and

(ii) compare companies that failed, or nearly failed but for government assistance, to companies that remained viable throughout the housing and credit market crisis of 2007 and 2008, including the compensation practices of all such companies.

(C) DETERMINING COMPANIES THAT FAILED OR NEARLY FAILED.—In determining whether a company failed, or nearly failed but for government assistance, for purposes of subparagraph (B)(ii), the Comptroller General shall focus on—

(i) companies that received exceptional assistance under the Troubled Asset Relief Program under title I of the Emergency Economic Stabilization Act of 2009 (12 U.S.C. 5211 et seq.) or other forms of significant government assistance, including under the Automotive Industry Financing Program, the Targeted Investment Program, the Asset Guarantee Program, and the Systemically Significant Failing Institutions Program;

(ii) the Federal National Mortgage Association;

(iii) the Federal Home Loan Mortgage Corporation; and

(iv) companies that participated in the Security and Exchange Commission's Consolidated Supervised Entities Program as of January 2008.

(2) REPORT.—Not later than the end of the 1-year period beginning on the date of the enactment of this Act, the Comptroller General shall issue a report to the Congress containing the results of the study required under paragraph (1).

The SPEAKER pro tempore. After 1 hour of debate on the bill, as amended, the amendment printed in House Report 111–237, if offered by the gentleman from Massachusetts (Mr. FRANK) or his designee, shall be considered read, and shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent. Thereafter, the amendment in the nature of a substitute printed in the report, if offered by the gentleman from New Jersey (Mr. GARRETT) or his designee, shall be considered read and shall be debatable for 30 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 will recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. FRANK of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days on this bill to revise and extend their remarks and include therein extraneous material.

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 recognize myself for such time as I may consume.

Mr. Speaker, I have encountered gaps between rhetoric and reality in this Chamber, never one as great as the wildly distorted description of this bill that we've got before us.

Let's be very clear. There are differences between the parties here on the whole, at least as reflected in the committee vote. I think it will probably be different on the floor. There is much less difference than there used to be about one piece of it, the say-on-pay.

When the say-on-pay bill came up previously in 2007—by the way, when the Republicans were in the majority prior to 2007, on this, as on many other issues, we Democrats tried to do some reforms, predatory lending being one—we got nowhere—credit cards being another. We did try, in our Committee on Financial Services, to bring this up. The Republicans used their majority not to allow it.

In 2007, when we were in the majority, we did bring it to the floor, and it passed over the objection of most Republicans, and I will introduce into the RECORD their comments denouncing say-on-pay. But 2 years later, they have moved some. So they are now for reform on say-on-pay, many of them, although a somewhat watered-down form.

I should say there is a stark difference between us remaining on whether or not any action should be taken whatsoever by the Federal Government to restrain compensation practices that inflict excessive risk on the economy. We should be very clear; this assertion that this amounts to control of all wages and prices is nonsense. There is, of course, nothing about prices at all in the bill. As to wages, what it says is that the SEC shall impose rules that prevent excessive risk-taking, and the reference to wages is only in that context.

The amount of wages is irrelevant to the SEC. What this bill explicitly aims at is the practice whereby people are given bonuses that pay off if the gamble or the risk pays off but don't lose you anything if it doesn't. That is, there is a wide consensus that this incentivizes excessive risk for you a shorter time. If you're the head of a financial institution or you're one of the decisionmakers or you take actions that are risky and 1 month later it looks like they paid off and you get your money and then 6 months later it turns out it blew up, you don't lose any of the money you got. And if at the outset you take a risk and it costs the company a lot of money, that doesn't cost you anything.

All we are saying is that there has to be some balance to the risk-taking. And people ask, What is excessive risk? Excessive risk is when the people who take the risk pay no penalty when it goes wrong; when they have a heads they win, tails they break even situation; when the company loses money and the economy may suffer, but the decision-makers do not.

Now, one of the sillier remarks we heard was this will cause us a problem with international competition. In fact, say-on-pay, when the Republican Party overwhelmingly opposed it 2 years ago, was already borrowed from Great Britain, the United Kingdom. And we were told during 2006 that we were losing a lot of business to Great Britain, that we should cut back on Sarbanes-Oxley, for instance, because people would go to England. But England had the very proposal that they were saying was going to drive people away.

In fact, today—I will read from an article from a couple weeks ago. The Prime Minister of England says they are going to adopt plans forcing banks to hold back half of all bonuses for up to 5 years to discourage excessive risk-taking. That's our major financial competitor. And the conservative opposition is critical because it's not mandatory.

We have been in conversations with the European Union, the United Kingdom, with Canada, and others. This will be done on a coordinated basis. In fact, American salaries, American compensation has been much higher.

So, no, there is no price control; no, there is no wage control; no, it is not a problem for international competition. And by the way, as to every institution, every credit union—you heard that rhetoric—the bill exempts any institution with less than $1 billion in assets, and it gives the SEC the authority to even raise that so there's even less. But here's the nub of it: The Republican Party has reluctantly been dragged—reality sometimes has an impact—to supporting a watered-down version of say-on-pay.

Say-on-pay, by the way, says that the shareholders of the company can vote and express their opinion. The gentleman from Texas was upset that we don't have a Federal Election Commission mechanism for these votes. But why only these votes? Shareholders vote on everything. Apparently it's only when the shareholders tend to vote on pay that Republican sensibilities are trampled.

We do not, in this bill, talk about the amounts. We do say the shareholders should. We say, in consultation with all the advocacy groups who represent shareholders and pension funds and elsewhere, that the people who own the company, the shareholders, should be able to express their opinion on the compensation.

We go beyond that to say that we believe the Federal Government has interest—not in the level of compensation, that's up to the shareholders—in the structure. When you have, as we have seen, structures whereby companies lose lots of money, and they lose lots of money on particular deals, but the people who made those deals make money on them, that has a systemic

negative impact on this society because it incentivizes much too much risk.

Now, what is the Republican approach to that? Nothing. They admit that these are problems. They regret that these things are happening, but their regrets won't stop the damage. In the Republican substitute there is a watering down of say on pay, but they at least acknowledge that reluctantly. But when it comes to the practice of large corporations in the financial area structuring bonuses that incentivize excessive risk, my Republican friends admit that that's the case and lament it and are adamant that we should do nothing about it. That's the big difference.

We believe that the SEC—and by the way, as to the form, it was a Republican former Member of this body, Christopher Cox, who was Chair of the SEC, proposed disclosure. He broached it first. He said we have an important public interest in knowing it.

So we are going to take the form of disclosure of compensation prescribed by a Republican Member of this House as Chairman of the SEC, with his colleagues, and let the shareholders say yes or no. We are going to go beyond that and say that the SEC should look at this and say, you know, you have a situation here where people making the decisions will have an incentive to take too much risk. If you tell people that if they take a risk and it pays off they are enriched, and if it fails miserably, they don't lose anything, they will take more risk than rationally should be taken.

You should not incentivize people to take risks where they can only benefit and never suffer a penalty. That's all this bill says. We will prevent that kind of thing from happening. We won't set amounts. We won't deal with wage controls. We won't do anything else, and we exempt institutions under $1 billion.

So I await the Republican counter. Yes, they want to water down say-on-pay, but they reluctantly accept it, but they have zero to offer with regard to the situation of excessive bonuses. And yes, we did get some reluctant agreement that we put some limits on the people who are recipients of TARP funds, but one of those who received TARP funds prospered with those funds, paid back the funds, and are now engaging in the same risky bonus practices they had before.

The Republican position, at least in committee, was to do nothing about it, zero. Ours is, have rules, not that set the limits, not that set wage controls, but simply say that you cannot structure it so that whatever level of compensation you have, you profit if the bonus pays off and you lose nothing if the bonus causes great damage to your company and the economy.

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

Mr. BACHUS. Mr. Speaker, I rise in opposition to this legislation and yield myself 5 minutes.

Mr. Speaker, the American people are rightly disturbed by almost daily reports of so-called ''too big to fail'' corporations that have received billions of dollars in government assistance and have, at the same time, paid their employees billions of dollars in bonuses.

In response to those events, Republicans have introduced legislation which gets the American people out of the bailout business—that, Mr. Speaker, is our response—and prohibits the government from picking winners and losers. We believe that's the solution.

The legislation we have introduced clearly establishes a structure where failure is not rewarded and market discipline is reestablished by placing responsibility for those who engage in risky behavior squarely where it belongs, on the risk-taker, not the taxpayer. That is the Republican response.

The Obama administration takes a different approach. It continues to embrace the ''too big to fail'' doctrine. That's why we're here today. That's why we have to address executive compensation. It appoints a pay czar to oversee compensation at the growing list of companies receiving taxpayer-funded bailouts and guarantees.

Despite growing public outrage over these companies dishing out billions of dollars in government-enabled bonuses, the Obama administration and the Democratic congressional leadership steadfastly refuses to embrace Republican legislation or offer its own proposals prohibiting further taxpayer bailouts. Instead, it says that these same corporations are simply too significant to allow them to fail, which not only enables but encourages these same corporations to continue what the Obama administration concedes is more risky behavior.

One of the behaviors that the administration and Chairman FRANK identify as risky in these systematically significant corporations is executive compensation. Today we are presented with a fix, a legislative response to these bailout bonuses and the resulting public outrage. The cure-all solution bears the lofty and noble title Corporate and Financial Institution Compensation Fairness Act. It is in every way up to the challenge laid down by our former colleague, Mr. Emanuel, most recently of 1600 Pennsylvania Avenue, who said, ''Never let a crisis go to waste.''

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It is also in many ways closely akin to the recently departed cap-and-tax legislation and the ever-looming government, or should I say public option, health plan. All three are sweeping power grabs into the private sector under the guise of the government's riding to the rescue. All three rely on the government to fix the problem. All three promise to fix the problem, which to a great extent was caused by guess who? That's right, the government and lack of regulation by the government. All three will create, or more accurately duplicate, large government bureaucracies. All three represent ill-advised and in many cases incompetent government intrusions.

Just 3 weeks or 4 weeks ago, Gene Sperling, legal counsel for our Secretary of Treasury, warned, Go slow. He said this is a very difficult subject. It needs testing. It has potential for unintended consequences. Just yesterday before the Senate, the White House press spokesman Robert Gibbs stated that the Obama administration is concerned that the chairman's legislation may give the government regulators too much say on incentive-based compensation. But as the chairman said to the Rules Committee, My legislation goes beyond what the Obama administration has proposed.

Now, if that doesn't take your breath away, nothing will.

In some ways this legislation borders on the classic ''bait and switch.'' It's being sold as giving the owners of the corporation the right to set pay and compensation standards. That's the shareholders. Chairman FRANK just this week on CNBC said, Dollar amounts are for the shareholders to decide. It's up to the shareholders.

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

Mr. BACHUS. I yield myself an additional 2 minutes.

At the markup of this bill, he said say-on-pay empowers the shareholders, and that's where questions about amounts would come in. True, the first 6 pages of the bill give the owners, the shareholders, a non-binding vote on the pay of top executives. But then come the next 8 pages, the switch, which gives the regulators the power to decide appropriate compensation for not only just top executives but for all employees of all financial institutions above $1 billion in assets and all without regard for the shareholders' prior approval. So under the guise of empowering shareholders, it is, in fact, the government that is empowered.

One lesson we have learned from the government's arbitrary interventions over the past 18 months, and that is the converse of ''too big to fail'' is too small to save, which, of course, is the designation which applies to 99.9 percent of businesses, which have been deemed by this administration and the regulators as ''systemically unimportant or insignificant.'' But not so unimportant, not so insignificant to be totally ignored. While not significant enough to receive a bailout, they are apparently worthy of increased regulation in the form of government-mandated pay regulations and new disclosure requirements in the chairman's bill.

And, finally, on page 15, the bill designates those same government entities which are empowered to control compensation plans that would threaten the safety of financial institutions or adversely impact economic conditions or financial stability to oversee this riskiness. Look over the list and see if it inspires confidence.

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

Mr. BACHUS. I yield myself 1 additional minute.

These are the same government agencies that regulated AIG, Countrywide, and collectively failed to prevent the worst financial calamity since the Great Depression. If it took them 30 years to catch Bernie Madoff, do you really think the SEC can do a better job of identifying inappropriate risk than the vast majority of financial institution executives whose businesses have remained solvent during these challenging times? Really, now, is there any question who is better qualified or, for that matter, who ought to be responsible for setting compensation within an American corporation?

In closing, Mr. Speaker, this bill continues the Democrat majority's tendency to go to the default solution for every problem: create a government bureaucracy to make decisions better left to private citizens and private corporations. That's what we did in cap-and-trade. That's what we did in the health care proposals. And it's this bill on executive compensation. Government bureaucrats do not know what's best for America.

For those reasons, Mr. Speaker, I urge opposition to this legislation.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself 3 minutes to deal with some of these comments.

First of all, I am struck by the fact that the gentleman, as he indicated in our markup, is sufficiently nervous about the political implications of opposing this bill and having the House take no action whatsoever to deal with the problem of risk-incentivizing bonuses but he wants to debate cap-and-trade and health care. They're not before us. What's before us is this bill. And when Members debate the bills that aren't there, it's an indication that they're a little shaky on the bills that are there.

Secondly, yes, it does say that they can deal with all wages but not in general. The gentleman reads very selectively. The language about taking action is in this context: to determine whether the compensation structure is aligned with sound risk management, is structured to account for the time horizon of risks, and will reduce unreasonable incentives by such institutions for employees to take undue risks.

It is limited in its grant of authority only to structures that incentivize excessive risk. There is no mandate here to set wages for anybody. There is no mandate to say this percentage is bonuses and that percentage is pay. It is a mandate only to act where the structure incentivizes risk, as has been recognized as part of the problem, very broadly.

I will plead guilty to one issue, yes. We are not in this case taking orders from the Obama administration. And maybe having represented a party that took orders from the Bush administration, they now wish they didn't, but that's not an example I want to follow. I am not here as a Member of Congress or as chairman of a committee to do whatever the administration says. I am here for us to put our independent judgment on it.

The gentleman closed with the key difference between us: the Republican position, as he articulates it—and I don't think it will be the unanimous position—is have the Federal Government take no action whatsoever to restrain the granting of bonuses that incentivize excessive risk. If they pay back that TARP money having benefited from it—and, by the way, on the bailout, every single bailout now underway happened under the Bush administration. But their position is, do nothing to deal with this. We take the opposite position.

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

Mr. BACHUS. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. BARRETT).

Mr. BARRETT of South Carolina. Mr. Speaker, I rise today in opposition of H.R. 3269, the Corporate and Financial Institution Compensation Fairness Act of 2009.

Restoring confidence in our financial markets is crucial, Mr. Speaker, a component in bringing about economic recovery. And I support efforts to responsibly address the issues that led to the financial crisis that we're facing today.

However, H.R. 3269 does not do either. Instead of addressing the need for smarter regulation, this bill represents further government intrusion into the private sector that could ultimately hinder economic recovery. If this legislation is passed, it will put in place far-reaching and permanent government regulations on the compensation practices of financial institutions, crippling their ability to recruit top talent and remain competitive abroad and here at home.

Mr. Speaker, this bill goes too far by giving the Federal Government the authority to make compensation decisions for a wide range of employees in thousands of financial firms across the United States, which we can all agree is a far cry from just capping executive pay.

In tough economic times like these, we need to focus on ways to restore confidence in America's financial markets and increase the ability of American businesses through responsible policies that restore market discipline and discourage excessive risk. I firmly believe that we cannot have a successful economic recovery with the permanent overreaching regulations that this puts in place by this legislation.

I therefore urge my colleagues to join me in voting ''no'' on this legislation.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 4 minutes to a member of the committee, the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Speaker, let me just start out by saying this. We're hearing complaints from the other side that we are taking over the private enterprise system; we are taking over the free enterprise system.

Let me remind them that it wasn't us that went to the private enterprise system. It wasn't the government that went to Wall Street. Wall Street came to the government to bail them out from their behaviors.

Now, Mr. Speaker, the American landscape is absolutely littered with company after company that has been driven into the ground by executives who were greedy, who were selfish, cared only about themselves, with these huge salaries, and these companies are left to wither on the vine after they have gotten their golden parachutes and have landed elsewhere.

Somebody needs to say something about the American people. This is a free enterprise system, but it's not just free for top executives. It's free for shareholders. It's free for those men and women who have given their lives, their blood, their sweat, and their tears. And to see their companies in shambles because of excessive pay by executives who have abandoned those companies, what about their pensions? What about their retirements that have gone?

No, Mr. Speaker, this is not about taking over the private enterprise system. Mr. Speaker, this is about saving and protecting the free enterprise system so that we all can be free to participate in this system.

Mr. Speaker, what we have before us here is something because of the fact that financial firms put together compensation packages and bonuses that were based on incentives, that were laden with excessive risk, that caused our financial crisis and brought this economy to the edge of collapse and caused us here in Congress to go and get over $2 trillion of the American taxpayers' money to bail them out.

Now, the first order of business—and this is why this bill that Chairman FRANK has pushed, and I'm proud to say that we worked on this together over 3 years ago. Had we had that bill in place 3 years ago, we might not have had this financial crisis, because we would have been able to rein in the risky corporate behavior that brought about the collapse. So that's what we are doing. We're putting forward some reasonable means here.

What is more reasonable than giving the shareholders a simple say, a vote? It's nonbinding. We are not setting the salaries. Even the shareholders are not. But don't they have a right? Isn't it their company? They are the ones that are pumping the money into it.

The other feature about the bill, Mr. Speaker, that is very simple, very reasonable, is that we require these compensation committees that are on these boards to be independent. Right now it's a cozy relationship. The CEO refers to them as his board. They're

handpicked. They are paid $50,000, $100,000, $200,000 to come and sit.

They need to be independent. And we have rules and regulations in the bill that allow for the regulators to determine what these conditions will be to make sure they're independent. We make sure that the consultants who come in and help set up these compensation packages are there.

The other point that we do, Mr. Speaker, is this, which is very important: we also want to make sure that as we move forward in this, that risky behavior is disclosed so that we can prevent it.

It's a very good bill, Mr. Speaker, and I urge its passage.

Mr. BACHUS. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. LANCE).

□ 1015

Mr. LANCE. Mr. Speaker, I rise out of concern for section 4 of this bill. We had an amendment in the Rules Committee that I offered with the distinguished gentleman from Georgia, and it was ruled out of order by the Rules Committee. We believe that the amendment was germane, drafted properly and submitted on time. The amendment dealt with section 4.

Regarding section 4, I believe that it is overly broad, and in particular I am concerned with the section that says, regarding incentive-based compensation, that Federal regulators can review that based upon other criteria as the appropriate Federal regulators jointly may determine to be appropriate to reduce unreasonable incentives for officers and employees to take undue risks.

In my judgment, that gives too much discretion to Federal regulators, and we should be specific as Members of Congress in the statutory basis for compensation issues.

I am also concerned that if this becomes law, that there will be a tendency for capital to move away from the United States, particularly New York, and to places like London and Asia. This is a matter I have discussed previously in the committee, and I certainly believe that we should continue to be the place in the world where this type of activity occurs.

Our amendment in no way takes away the other provisions of this bill regarding say-on-pay and the independence of compensation boards. But I am sorry that our amendment was not considered favorably in the Rules Committee and therefore will not be considered favorable here on the floor.

This morning, a report from Bloomberg indicates that the White House press secretary, Mr. Gibbs, said yesterday the administration is concerned that the measure may give regulators too much say on incentive pay. I agree with that sentiment.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself 30 seconds to say on behalf of the Obama administration, I welcome this very temporary expression of deference to their views. It will not last very long. As soon as it is politically convenient, it will disappear. So I urge them to enjoy that brief moment of graciousness.

Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Mr. Speaker, although they are not my words, we have heard that it takes an act of Congress to get many things done. I would only add to this what I have heard, it also takes a Congress willing to act. This is our opportunity to act. This is our opportunity to do what Dr. King called ''bending the arc of the moral universe toward justice.'' This piece of legislation is just, given the circumstances that we have been coping with.

There is no dispute that many CEOs have had their pay structured such that no matter what the consequences of their actions, they were going to receive enormous bonuses. I think there are two good reasons to support this legislation: one, it deals with the safety and soundness of the banking institutions. It performs perfectly if it does just this, as far as I am concerned.

If it allows a banking regulator who sees that the structure of pay is impacting the safety and soundness of the institution, if it allows this regulator to take some affirmative action to protect the safety and soundness of the institution, this piece of legislation is working. That is what it is designed to do, not to structure the pay, but to prevent the pay from causing ordinary people to have to bail out big banks.

People are expecting us to do something to prevent this from happening again. If we are going to act, this is a means by which we can act. Talking about that which we cannot do and will not do that is not on the agenda will not help us to do what we can do today. I never let what I cannot do prevent me from doing what I can do.

The second reason why I support this legislation: this legislation allows shareholders—by the way, I trust shareholders. I think people who have a vested interest in something ought to have some say. I think they ought to be able to know what the salary structure is and say something about it. And in this case it is nonbinding. There are many people who are of the opinion that nonbinding is not enough. But I trust the shareholders to have an opinion. They have but an opinion. They don't do anything to bind the corporation.

These two reasons, when combined, will help us with the safety and soundness of these institutions and give the shareholders an opportunity to know how the salaries are structured and have some say.

Finally, if we want to be a Congress that acts, we have got to have courage. These are trying times. These are difficult times. It is easy to stay with the status quo. Those who want change have got to be willing to take the risk of doing the right thing.

The arc of the moral universe bends towards justice, but it doesn't do so by itself. It does so because of people who are willing to do the right thing under unusual and extraordinary circumstances.

I am going to stand with the chairman. I believe the chairman is eminently correct. He has structured a great piece of legislation. Those who really want change will vote for this legislation. Those who want to see a better system so we don't end up with more headlines that read ''bailed out banks gave millions in executive bonuses,'' notwithstanding the fact that these banks have not been managed properly and could have been managed a lot better, these kinds of headlines are going to cause problems for a lot of people.

I am going to vote with the chairman. I am voting for the bill. It is a good bill. It is a just bill.

Mr. BACHUS. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. Mr. Speaker, I thank the gentleman for yielding.

There are aspects of this legislation that I certainly appreciate. All Americans have been outraged—it is a word we use frequently, and we use justifiably—about some of the compensation packages we have seen from failed companies that come with tin cup in hand to the United States taxpayer looking for more.

This bill has some provisions that add increased transparency, some increased accountability; and that is good. But, unfortunately, the bad in the bill way outshadows the good.

I have always said, Mr. Speaker, what you do with your money is your business. What you do with the taxpayer money is our business.

Mr. Speaker, unfortunately, you can't just read the bumper sticker slogan. You actually have to read the legislation. So we hear speech after speech about these failed institutions taking in all of this government money.

Well, I wonder then why in committee on a party-line vote did we vote down an amendment that I brought that would have ensured that the bailout recipients, that this legislation applied to them and them only. They are the poster children in this debate, yet the legislation extends potentially to every public company in America that somehow is defined as a ''covered financial institution.''

By the way, I would say to my friends on the other side of the aisle, the best way to deal with risky pay schemes is to quit bailing them out in the first place. My friends on the other side of the aisle are enshrining us as a bailout Nation. So you complain about the taxpayers picking up the tab. I have complained about the taxpayers picking up the tab. Quit bailing them out in the first place.

Again, we have to read the bill and not just read the slogan, because if you read the bill, what you find out is,

number one, this isn't just pay restrictions that go to those in the troubled Wall Street firms. Again, it is almost every covered financial institution. And guess what? If you read further into the bill, it doesn't just cover the top officers, the top executives. Every single employee, every single employee who has an ''incentive-based compensation plan'' could be covered by this.

We have already learned that somehow, with a very interpretive approach to the English language, General Motors and Chrysler have been found to be financial institutions. This means that any employee, any employee who receives a tip, a sales commission, a Christmas bonus, could have a Federal bureaucrat take it away from them. Ho ho ho.

That is what this legislation is all about. Again, don't get sucked in by the bumper sticker slogan. Read the legislation. That was the problem here on the original bailout. Nobody read the legislation. The government stimulus, nobody read the legislation. Well, fortunately, this isn't a 1,000-page bill. I think it is about 15 or 20 pages. I actually took the time to read it.

And if this is just about class warfare, Mr. Speaker, why doesn't this do anything about Hollywood stars who make $25 million for a movie, and yet the movie loses money? Why isn't it about a third baseman for the New York Yankees who gets $21 million and ties his worst record for striking out in the season? Why doesn't this have anything to do with the personal injury trial lawyers who make millions and millions, and their clients are doing good to make thousands?

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

Mr. BACHUS. I yield the gentleman 1 additional minute.

Mr. HENSARLING. So I hear the rhetoric from the other side of the aisle, which once again seems like a lot of recycled class warfare to me.

Another point I would make, Mr. Speaker, is we hear that we need this in order to somehow deal with safety and soundness. We need this legislation to somehow deal with systemic risk.

Well, number one, I listened very carefully to the testimony that was presented in our committee, and I am sure it is theoretically possible that there are pay structures that somehow may lend themselves to this. But, again, show me the evidence. Where is the evidence? When I look at pay structures among financial firms that failed versus those that didn't fail, I don't see the correlation.

Second of all, as we know, Mr. Speaker, the regulators have the power to regulate the liquidity and capital standards of these financial firms to make it commensurate with the risk. That is the remedy. That is the remedy, not to take Christmas bonuses away from employees.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

There is, of course, a contradiction here. When we are talking about a power, namely, to reduce excessive risk incentivizing bonuses that the Republicans want to defend, they talk about the unelected bureaucrats. The unelected bureaucrats can't be trusted. Except the gentleman from Texas, of course, just closed by saying don't worry, the unelected bureaucrats are out there to protect us.

The unelected bureaucrats in the Republican cosmology are like the Obama administration: they are either convenient whipping boys or great sources of wisdom, depending on where Republican ideology turns to them. But the gentleman from Texas just said we don't have to worry. We have those, as his colleagues called them, unelected bureaucrats to do it.

But I am interested, I have noticed a number of Members have said they don't like the bonuses. Is there a Republican proposal to deal with the bonuses that are being given?

Our proposal does not empower anybody to limit the amounts. The question is, is there a Republican proposal that would deal with what Paul Volcker and Ben Bernanke and the financial regulators in England and Warren Buffett and many others believe is a destabilizing tendency to give out bonuses that give you an incentive to take excessive risks, excessive in the sense that you benefit if the risk pays off and you don't lose.

We want people to take risks, but we want them to take risks which balance the upside and the downside, not which just look only at the upside. And I continue to point out not in that committee, not in that 12 years they controlled this place, not during this debate today, not in the Rules Committee, we have not seen a single Republican proposal to deal with bonuses.

Their position apparently is however the financial industry wants to structure bonuses, no matter what they say, that you get a bonus if it pays off in the short term and it turns sour in the long term. You get a bonus if it pays off, but you don't lose a thing if it doesn't pay off. They would leave that entirely unchanged. I think that is very dangerous to the economy, and, yes, there is a consensus among financial regulators and others that this has contributed to risk-taking.

We all believe in the free-market system and the incentives. How can it be that you acknowledge that there is a system which says to people, take a risk, because it is risk-free for you?

□ 1030

It's risk-free for the individual. It's risky for the company; and when you accumulate all those risks for the company, it's risky for the economy. We're saying, if it's risky for the company and risky for the economy, it ought to be risky for the individual. We want an alignment of risks. We don't want risk-free individuals taking big risks on behalf of those who are going to have to suffer. We have a proposal to restrain that. The Republican position on that is, do nothing. Let them keep going exactly as they have been going.

Let us return, as I said the other day, to the thrilling days of yesteryear when the lone rangers will ride again, untrammeled by any set of rules. They will be able to continue to give themselves bonuses that allow them to be free of risk. That's the deal. The company will face risk. The economy will accumulate and face risk. But the decision-makers will be free of the risks' negative side; they will gain from the risks' positive side; and like rational people, they will take more risks.

I reserve the balance of my time.

Mr. BACHUS. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. I thank the gentleman for yielding, and I hear the chairman's comments and remarks. There is no argument with anyone, I think, on this floor that executive pay has been an issue, that there have been excesses and that there have been problems that have been created in companies and the economy with executive compensation. I think I would argue that rather than excessive risk taking, that it's more about short-term thinking instead of long-term thinking, which, by the way, is way bigger than just executive pay and is way bigger than the scope of this bill, and which this bill will not solve. But that's another issue.

The question for me is whether this is the right way to deal with it. I would argue no, because is the only problem out there in corporate governance? Is the only thing that has created problems for companies related to executive pay? No. Let's look at General Motors and Chrysler and their recent problems. Were their problems created because of executive pay? I'm not sure I've heard anybody argue that. But were their problems caused, in part at least, because of excessive union contracts? Yes. How about with retirement programs that were unfundable over time? Yes. What about other companies where perhaps there have been legal settlements that have created problems that have been fatal or resulted in companies going bankrupt? Those have occurred. How about mergers and acquisitions?

So what are we going to do? Are we going to have shareholders vote on pay, on mergers, on acquisitions, on union contracts, on retirement pay, on legal settlements, on fees to attorneys? Any of those arguably can bring a company down. Should the shareholders have a say on that? You know, obviously the shareholders are the ultimate owners of the company. If you want to give them a say on pay, fine. Then you'd better give them a say on the rest of that. But I'm not sure anybody on this floor thinks that that's the right thing to do. The best way for shareholders to express their displeasure with the management or operation of a company is

through the board of directors. That's the way it has been done, and that's the way it should be done.

Mr. SCOTT of Georgia. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. MILLER).

Mr. MILLER of North Carolina. I look forward to working with Mr. CAMPBELL on giving shareholders much more power over their own corporations. There is much more we need to do to reform corporate governance in this country. It has been one of many failings of our economy in the last year or so.

Mr. Speaker, I don't want to run corporations, but someone needs to set some rules. We need the law to set some rules. We need someone to provide some oversight. We need someone to be a watchdog of what they are doing because we have found out what happens when there are no rules, when there is no oversight, when there is no watchdog. We are now in the worst economic downturn since the Great Depression, and we have been perilously close to a financial collapse that would have left the Great Depression in the shade. And we know what caused it. It's essentially the same things that went wrong in the 1920s. Corporate executives were looting the country with predatory lending practices to make as much money as they possibly could without any regard for the consequences; and then corporate executives, in turn, were looting their companies to make as much money for themselves as they could. They weren't doing right by the American consumers. They weren't doing right by their own shareholders. They were only looking after themselves. The idea that the corporate executives were acting in the best interests of their own shareholders is simply a farce. We saw compensation for executives and other top officials who were doing very little of any value to society. In fact, their predatory lending practices were doing much more harm than good, and it wasn't even to the benefit of their shareholders because of the risks that they were creating for the corporation, that the short-term profits would lead to great risk in a very short while.

This bill is part of what we need to do. It is only part of what we need to do. This just scratches the surface. We need to make sure the financial collapse that we have seen in the last year never happens again. This bill is only part of it.

Mr. BACHUS. Mr. Speaker, I yield 3 minutes to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong opposition to H.R. 3269, the Corporate and Financial Institution Compensation Fairness Act. This overreaching bill, which is being sold as a response to the financial crisis, would, in effect, take away the rights of individual companies to conduct business as they see fit. It places government bureaucrats in charge of making key decisions about how businesses should be run. We can agree that some executives in this country are grossly overpaid; but allowing government to make such determinations is counter to everything that has made our country great. America has always been an economic powerhouse in the world, but this bill restricts competition through government intervention in a way that infringes on the entrepreneurial spirit of this Nation.

Section 4 of H.R. 3269 would actually allow the government to involve itself in the running of private businesses by empowering Federal regulators to prohibit compensation arrangements for all employees of all financial institutions, including banks, bank holding companies, broker dealers, credit unions and investment advisers. Even regulators under the current administration have testified that they do not intend to cap pay or set forth ''precise prescriptions for how companies should set compensation, which can often be counterproductive.'' However, the majority has ignored the administration's wishes by adding section 4 to H.R. 3269.

This bill is a vast overreach and an overreaction to the current financial crisis. Like many, I am concerned that executives at a handful of large companies, like AIG, have been awarded extravagant pay packages and bonuses even after the companies have faced failure and received assistance from the Federal Government to the tune of billions of taxpayer dollars. In these cases, when Federal assistance has been granted, I believe the Federal Government does have a right to mandate the pay structure of these firms, which is why I voted for an amendment during committee consideration of H.R. 3269 to only apply the provisions in the underlying bill to TARP recipients for the amount of time that the TARP money is outstanding. Unfortunately this amendment was rejected, leaving many financial institutions who did not contribute to the current crisis to pay for the mistakes of others.

Finally, this bill undermines the primacy of State corporate governance laws. Corporate law has typically been left up to the States, allowing this diversity to foster competition. Passing this bill would eliminate these traditions, which run against the American free market ideals we have always stood for. For this reason I support Mr. GARRETT's amendment to allow State law to preempt the underlying bill.

H.R. 3269 was introduced without a single legislative hearing to examine its far-reaching implications, despite numerous requests from myself and other Members of the Financial Services Committee. I believe this legislation may have unintended consequences on our Nation's businesses, and I urge my colleagues to vote ''no'' on the underlying bill.

Mr. FRANK of Massachusetts. Mr. Speaker, there is a little bit of an imbalance. I would ask if I could reserve for one more speaker while I work something out.

Mr. BACHUS. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. PRICE).

Mr. PRICE of Georgia. I thank my friend from Alabama for yielding me time and for leading on this issue. What we hear from the other side of the aisle is this famous old phrase ''trust us,'' right? Now we know that folks on the other side don't have any real reluctance to have the government run things. We've seen it over and over and over again. In fact, we've just heard it from one of the speakers who said, We don't want to run private companies, and then he followed that up and said, But this is only part of what we need to do.

Mr. Speaker, the bill has language in it that would, in effect, allow the Federal Government to determine pay, compensation for employees; and that might be all right if it was just companies that were receiving tax money. That might be okay. But in fact, it's not. It is so many other companies. Covered financial institutions, the definition in the bill would expose companies like CVS Caremark—that's right, drugstores—WellCare Health Plans, Value Line, Textron, McGraw-Hill Companies, Medco Health Solutions, Lowe's Corporation.

Mr. Speaker, this is another far reach by the Democrats in charge who believe that the government knows best, not just about automobile companies, not just about energy companies, not just about how to spend your money, not just about your health care—they're working on that government-run health care plan—but also private companies across this land. They believe that they ought to be able to come in and say, Okay, this is what you can make, and this is what you can't make.

If you don't believe it, just read the bill. Nobody is concerned about having shareholders give their opinions, have a say about what executives make when shareholders own part of that company. That makes a whole lot of sense. But what we do have concerns about, grave concerns, is the intervention of the Federal Government into one business after another after another. This is just another example of that. It's a terrible idea. It strikes at the very core of the free market principles that have made us the greatest Nation in the history of the world. Bad idea, Mr. Speaker. Vote ''no''.

Mr. FRANK of Massachusetts. Well, Mr. Speaker, I yield myself 15 seconds to say I welcome the gentleman from Georgia to the cause of say-on-pay. When we debated this on March 22, 2007, he was quite critical of it. So maybe 2 years from now, he will think we should do something about excessive, incentivizing bonuses.

I now yield for a question to the gentlewoman from California.

Ms. SPEIER. I thank the gentleman from Massachusetts.

In section 4 of the bill, it defines the term ''covered financial institutions'' to include depository institutions, broker dealers, credit unions and investment advisers but also authorizes the appropriate Federal regulators to designate jointly, by rule, other financial institutions that are covered. Because this authority is granted to appropriate Federal regulators, can we assume that entities not regulated by a Federal financial regulator are not intended to be ''covered financial institutions''?

Mr. FRANK of Massachusetts. Yes. As to section 4, if they are public companies, they are covered by say-on-pay. And there may be companies not now federally regulated that may become so by decision. But as of now, if they're not federally regulated, they're not covered. Of course AIG was federally regulated by the OTS, so they would have been covered. The gentlewoman is correct.

Mr. Speaker, I have no further requests for time, and I have only one more speaker. So I am going to reserve the balance of my time.

Mr. BACHUS. Mr. Speaker, let me tie up a few—what I consider loose ends about this legislation. One is the motivation. Of course we've heard that one of the motivations is that these pay schemes and arrangements could heighten risk; and then if one endorses the Obama administration approach, that would precipitate a bailout because the government would continually have to assure against some outsized risk. As I have said, the Republican approach is, simply don't bail these companies out, and then you don't have to be micromanaging every compensation decision by a company. I think there's another motivation, and I think it is a slippery slope. Chairman FRANK was on CNBC this past Tuesday, and he asked this question: is there some character defect with some people where they get hired, they give them a prestige job, but they really won't do it right unless you give them an extra bonus? Most of us don't need that.

So I'm wondering if one motivation for this legislation is so that the government can decide whether people need a bonus or don't need a bonus, whether they're deserving of a bonus. In fact, several pages of the bill does just that. Some people may not need that bonus. Other people may. That decision will be made by the list of government entities on page 15, not by the shareholders even though this bill is trotted out as a shareholder bill, not by the board of directors, not by the management who an important tool of management is to offer incentives and to incentivize performance and achievement. But apparently now it's the government who will decide whether you need a bonus or not. That, Mr. Speaker, is scary in my mind.

I reserve the balance of my time.

Mr. WATT. Mr. Speaker, I yield 1½ minutes to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. I thank my colleague from North Carolina for his leadership on this issue.

Mr. Speaker, in this country, we believe that hard work should be rewarded, and I think most people in this country believe in the concept of pay for performance. But what we've seen on Wall Street over the last many years is turning that concept of pay for performance on its head. We saw CEOs and the folks in the Wall Street boardrooms getting huge bonuses based on short-term gains for their companies, even while that excessive risk-taking put those institutions at risk.

□ 1045

Now, if it was just those institutions, I think we'd say, okay, let them take that risk. If they want to overpay their CEOs in the sense that the company's going to be put in jeopardy, and it was just that company at risk, okay. But what happened is this kind of excessive risk-taking went on at the biggest financial institutions of this country and put the entire economy at risk, put the financial system at risk, and at the end of the day, put all of the taxpayers in this country on the line.

So we all have a stake in changing the system. We all have a stake in making sure people get paid for performance, and not paid by putting taxpayers in the financial system at risk because, at the end of the day, we're all holding the line, not just the CEO and not just the shareholders.

So, Mr. Speaker, it's time to say, enough is enough. Let's pass this legislation to protect consumers, shareholders and the taxpayer.

Mr. BACHUS. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. ROSKAM).

Mr. ROSKAM. Mr. Speaker, I was minding my own business in my office, and I've been listening to this debate and felt like I needed to come and just point a couple of things out, some real weaknesses of this bill.

First of all, I'm hearing from manufacturers, Mr. Speaker, in my district who are particularly concerned about section 4 of the bill. They're making their concerns known through the National Association of Manufacturers, and they've said that they are concerned that this bill would give authority to government regulatory agencies to review and prohibit pay arrangements for a wide range of employees and, as a result, they strongly oppose the government intervention in the internal dynamics of companies.

Look, I'm the first to say that if you took bailout money, if you took TARP money, fine, be in this category, and those are entities that the taxpayers have a right and an expectation to regulate. But when we start to use ambiguous terms, terms that are not well-defined, with all due respect to the majority, ultimately, we're creating an environment where there's going to be more government intervention.

Why is it that the National Association of Manufacturers says, Don't do this to us? They're working hard to create jobs in this country and they haven't been able to do it, in part, because of bad policies that they've seen come out of Washington, D.C., Mr. Speaker. And we can do much, much more.

Look, in a nutshell, this bill is an invitation for political meddling at its worst in the private confines of companies that are trying to work hard to create jobs and to create opportunities. You can imagine a politician getting on the phone with the regulator and saying, You know what, I'm interested in you checking into that company because I don't like them and I don't like the way that they're doing business.

We can do better. Let's send this bill back to committee. Let's vote ''no.''

Mr. WATT. Mr. Speaker, we have only one final speaker, so we'll reserve the balance of our time.

Mr. BACHUS. Mr. Speaker, at this time I would like to recognize the gentleman from New Jersey (Mr. GARRETT) for 1½ minutes.

Mr. GARRETT of New Jersey. In a few moments I'll be submitting an amendment to this bill, but before I do that, I just want to talk about someone else's comment on this bill. This is Nell Minow of the Corporate Library, someone who has been influential and involved in this issue for some period of time, as you may know, someone who no one would consider a conservative on this issue. And she just did a blog on this recently where she says, The House Financial Services Committee has recently approved this legislation. She recognizes why this is coming up, and she says, The impulse is understandable, but the standard is unworkable. What does inappropriate mean? What, while we're at it, does risk-taking mean? And the most terrifying question is, who gets to decide what they mean?

Chairman BARNEY FRANK warned earlier this month, she reminds us, and he did so again just recently, that recent news of compensation of Wall Street shows that some financial leaders yearn for the stirring years of yesteryear, and demonstrates a need to adopt legislation on executive pay. But it's a question of empowering the shareholder to decide the question of appropriate level of pay and not by the regulators.

She concludes by saying, Who is in the best position to evaluate and respond to badly designed pay packages? As someone who is very proud of 8 years of serving in government, she says she has the most utmost respect for politicians and bureaucrats, but she also recognizes their limits. The government, therefore, should not be micromanaging pay. Instead, and this is what Republicans suggest, remove the obstacles that currently prevent oversight from those who are best qualified and motivated to manage the risk, the shareholders.

Mr. WATT. Mr. Speaker, we reserve the balance of our time.

Mr. BACHUS. Mr. Speaker, it appears as if this bill is so much more than a shareholders' right to say-on-pay bill. We already have a czar, a pay czar. Are we going to have a consultant czar? You know, we're going to enable these compensation consultants, they have to go to the agencies, they meet certain criteria. Are we going to have a consultant czar? Are we going to need management czars? Are we going to need risk czars? Because these 20 pages—and 15 of it deals with risks. It deals with inappropriate behavior.

Are we going to, on the bonuses, are we going to have every bonus submitted to some government agency to review? How are you going to report those bonuses? How are you going to approve those bonuses? How long is it going to take to approve those bonuses? The administration, itself, has warned that this bill goes too far. Independent witnesses have warned that this bill goes too far.

Mr. WATT. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, the fact that we are here today debating this bill with such vociferous opposition, to me, is a commentary on how out of whack our whole system has become.

First of all, this bill is a modest bill which gives shareholders the right to make advisory votes, take advisory votes on compensation. Who are these shareholders? They're the owners of the company. They're the owners of the company, and somehow, the opponents of this bill are trying to convince the public that the owners of a company shouldn't have the right to express their opinion to the board about compensation of the officers of that company.

And the bill specifically says, and I'm reading from the bill, The shareholder vote shall not be binding on the board of directors and shall not be construed as overruling a decision of the board. We're just giving them the explicit right to advise the board about compensation.

One gentleman has said that this applies to manufacturers. It doesn't apply to manufacturers. Section 4 doesn't apply to manufacturers. And even if it did, it would apply only to the extent that they could threaten the safety and soundness of a financial institution—manufacturers are not financial institutions—and only to the extent that they could cause serious adverse effects on economic conditions or financial stability. And that, I would submit, is an appropriate Federal Government role to play, to make sure that we don't get back into the kind of meltdown that we are experiencing and have been experiencing as a result of greed and irresponsibility in the private sector.

This is not the government taking over the corporate sector, either in the financial sector or any other sector of our economy. It is a statement by the American people that it's time for us to straighten up the ship. We should pass this bill today and move on.

Mr. GRAYSON. Mr. Speaker, I would like to clarify a point regarding H.R. 3269, the Corporate and Financial Institution Compensation Fairness Act of 2009. On page 17, the bill states "No regulation promulgated pursuant to this section shall require the recovery of incentive based compensation under compensation arrangements in effect on the date of enactment of this Act provided such compensation agreements are for a period of no more than 24 months."

The words "this section" are intended to mean the fourth section of H.R. 3269, not the section of the U.S. Code in which this provision may be found.

In addition, I would like to add into the RECORD this important statement by Leo Hindery published in the Washington Note, because it pertains to this bill.

President Obama was absolutely right a couple of weeks ago when he demanded that the compensation of the executives, managers and traders at the failed financial institutions that received bail-out cash be scrutinized by a new "oversight council". He was right because these are the people who saddled the rest of us with a staggering $2.8 billion or more of trading and credit losses, and yet wanted to be paid as if everything was just swell.

But he and especially his advisers were wrong not to impose specific limits on executive compensation, rather than (mostly) just guidelines. They were especially wrong not to enact permanent limits that apply to all regulated financial institutions and all public companies.

The evidence is clear that excessive executive and management compensation lies at the root of all corporate crimes and misbehavior, of most of corporate America's inattention to creating and preserving high-quality domestic jobs and fair overall employee compensation, and of almost all of the recent massive trading and credit losses.

In his speech, Obama also said that government's "role is not to disparage wealth, but to expand its reach". He absolutely should have added that its role is also to "ensure wealth's fair and equitable distribution".

For the 35 years following the end of the second world war, CEOs generally viewed responsible and fair business behavior as a critical component of the American dream. And during all those years, and in fact during most of the past century, corporate leaders in the US earned 20 to 30 times as much as their average employees. Even today, the ratio of chief executive pay to average employee earnings in all other main developed countries has remained near this level. The ratio is still only about 22 times in Britain, 20 times in Canada and 11 times in Japan.

Beginning in the 1990s, however, many US executives, with the complicity of their boards, began to treat management as a separate constituency, often the primary one. Suddenly, fair executive compensation was abandoned in hundreds of corporations and financial institutions.

In America now, the average public company chief executive earns an almost unbelievable 400 times what his average employee makes, and his officers and senior managers aren't far behind in their own compensation. And now we know that executives and senior managers in the financial services industry drink just as heartily from the same frothy trough.

Obama and Congress need to enact three changes in executive and management compensation practices, not just hope, as one of his senior advisors recently said, that some (not even all) corporations will voluntarily "assess risk induced by [their] compensation practices".

First, Congress needs immediately to grant public shareholders the right to call shareholders' meetings, to vote out the current board and to pass binding (not simply advisory) votes on executive compensation.

Second, Congress should establish, for all public companies, a ceiling on individual executive compensation as a reasonable multiple of average employee compensation—say, 35 times—and then penalize through tax policies those companies that elect to pay anyone in excess of this multiple.

Third, Congress should empower the Treasury to oversee the compensation practices of any entity that is regulated, whether or not it currently relies on government guarantees. This should apply to employees at the individual trader level, too.

Mr. POSEY. Mr. Speaker, I rise to express my concerns about H.R. 3269, the Corporate and Financial Institution Compensation Fairness Act of 2009, as drafted.

It should not come as a surprise that the American public is outraged at those executives who would benefit from lavish compensation packages while failing to produce results. Worse still are those executives who would deliberately place their own interests above those for whom they are accountable. As the land of opportunity, America is a very forgiving place for risk and failure, but Americans also believe that those who fail should take responsibility for their failures.

Executives of public companies should have the fiduciary responsibility to put the long-term best interests of shareholders foremost in all their dealings, and executive compensation committees should have the same responsibility.

The bill before the House, however, goes too far. Section 4 of the bill is most troubling. As written and amended, this bill is a significant expansion of the power of the federal government to micromanage the compensation practices for executives and employees in all financial institutions over $1 billion. The bill also has a loosely defined definition of financial institutions, potentially opening the door to controlling even more companies.

Despite two requests from me and many of my colleagues on the House Financial Services Committee, the Chairman did not even hold a hearing on this legislation to address some of these questions. We were unable to inquire with federal regulators on how they would interpret their newfound duties to judge if compensation is commensurate with the vague criteria of "sound risk management." It is thus left to the imagination how the federal government would approve or disapprove the compensation packages and what other "unreasonable incentives" would be banned by unelected bureaucrats. It is bewildering, but the United States Congress is punting enormous, arbitrary power to the unelected bureaucrats to decide how much money people can earn and whether any risk they take is "unreasonable."

As we debate financial regulatory reform, it is important that we refrain from condemning the free enterprise system which has given us the greatest prosperity in the history of the world. The rise of the corporation is integral to free markets and the prosperity we enjoy. Congress should not pass legislation so sweeping as to micromanage the thousands of enterprises which create jobs in our communities and produce goods and services we want.

Unfortunately, the House has rushed a bill to the House floor that has not been fully vetted and is filled with vague language that no one fully understands. It is no wonder that so much that has passed the House has been found unacceptable by the Senate.

Mr. FRANK of Massachusetts. Mr. Speaker, Aflac was the first publicly traded company to give shareholders an opportunity to vote on executive compensation, commonly referred to as say-on-pay. Aflac CEO Daniel P. Amos explained the company's decision to voluntarily adopt the measure by saying, "Our shareholders, as owners of the company, have the right to know how executive compensation works. An advisory vote on our compensation report is a helpful avenue for our shareholders to provide feedback on our pay-for-performance compensation philosophy and pay package."

The first year of the vote, 2008, 93% of the shareholders voting approved the company's pay-for-performance compensation policies and procedures. In May of this year, 97% of the shareholders voting cast ballots in favor of the compensation policies, even though the stock price of virtually all financial companies had declined—including Aflac's. The results of both shareholder votes clearly demonstrate that shareholders appreciate Aflac's philosophy of paying for performance and the company's long history of transparency.

I submit the following for the RECORD.

[From USA TODAY, July 15, 2009]

CEOs OPENLY OPPOSE PUSH FOR SAY-ON-PAY BY SHAREHOLDERS

(By Del Jones)

Top executives have taken a relentless public thrashing as they lay off workers and fight to keep stock prices above the floor. In a suffering economy, no one seems happy with leadership, and the image of CEOs has sunk so low that their approval scores are now south of those serving in Congress. But no matter how low their image sinks, nor how shrill the outrage, executives have remained steadfast in their opposition to one thing: They are roundly against legislation that would force companies to let shareholders vote on CEO compensation packages.

''I wonder if the congressmen backing this legislation would propose similar laws governing their own compensation,'' says Steve Hafner, CEO of travel search engine Kayak. ''I'd love to vote on congressional pay and perks,''

EXEC PAY: PROPOSAL GIVES SHAREHOLDERS NON-BINDING SAY

That executives oppose congressional noodling with their pay is unsurprising. What is surprising is that they are willing to go so public in their opposition, even though passage of a so-called ''say-on-pay'' law is likely, says Dawn Wolfe, associate director of social research for Boston Common Asset Management.

President Obama, who co-sponsored say-on-pay legislation while in the Senate, remains in support, as is the Democrat-controlled Congress. Likewise the public at large. Focus groups have been describing CEO pay with words such as ''obscene'' and ''immoral'' rather than words like ''excessive'' or ''overly generous'' as in the past, says Leslie Gaines-Ross, chief reputation strategist at Weber Shandwick.

''Everyone I talk to understands say-on-pay legislation to be a question of when, not if,'' Wolfe says. ''There is a sense in the investment community that it is inevitable.''

CEOs have opinions like everyone else, but the public rarely sees that side because positions on anything controversial risk upsetting customers. When they feel compelled to take a stand at odds with the public, it is usually articulated by trade associations and lobbyists, so as to put CEOs and the companies they run at arm's length from controversy. Not this time, Even though say-on-pay legislation is almost a sure thing, CEOs and former CEOs contacted by USA TODAY spoke out against it, both forcefully and individually.

''Say-on-pay is just another government regulation and intrusion into free enterprise,'' says Howard Putnam, former CEO of Southwest and Braniff airlines.

No one likes downward pressure applied to their pay, and in this respect CEOs are no different than professional athletes, rock stars, union members, Social Security recipients—and elected officials. Howard Behar, former president of Starbucks, asks: Why not let people vote on the salaries of government workers? He says government employee unions influence politicians, who commit huge resources to pensions and raises to get re-elected.

HOW SAY-ON-PAY WOULD WORK

Say-on-pay legislation would require companies to give shareholders an up-or-down vote each year on the compensation of the top five executives of publicly traded companies. The vote would not be binding, leaving the final decision in the hands of boards of directors. However, directors are elected by shareholders and a shareholder vote against a pay package would likely pressure directors to rethink the package and make changes.

The Netherlands requires binding shareholder votes on executive pay. The U.S. law would model those in Britain, Australia, Norway, Spain and France, where the vote is non-binding. Boston Common Asset Management has been pushing shareholder say-on-pay resolutions for three years, and Wolfe says she doesn't understand the CEO opposition, as there are only two examples in Britain when shareholders voted a majority against a CEO's pay: at GlaxoSmithKline in 2003 and at home builder Bellway in 2009. It may be true that most CEOs are fairly paid, she said, which means they have nothing to fear.

Only 24 U.S. companies have implemented say-on-pay without legislation, Wolfe says. Of those, only Aflac and RiskMetrics did so without it first coming to a shareholder vote. The Securities and Exchange Commission continues to get feedback regarding say-on-pay at companies that have accepted government money under the Troubled Asset Relief Program (TARP).

At Aflac, shareholders approved the pay of CEO Dan Amos by 93% in 2008, and that approval rose to 97% this year when Amos did not accept a $2.8 million bonus even though he had met the conditions of the bonus as set by the Aflac board.

''That tells me that (shareholders) had the ability to look beyond the price of stocks and understand,'' says Amos, who supports say-on-pay at Aflac but declines to weigh in on what is best at other companies. Giving shareholders a voice ''takes away the frustration that is out there,'' he says. ''People just want to be heard.''

Sarah Anderson, director of the global economy program for the liberal think tank Institute for Policy Studies, says say-on-pay is a first step but does not go far enough to rein in abuses. She cites oil executives who had big paydays that had nothing to do with personal performance and everything to do with spikes in oil prices. But shareholders didn't ''bat an eye'' because they were happy with rising stock prices.

''Everyone, not just shareholders, has a stake in fixing the executive compensation system,'' Anderson says.

Ralph Ward, publisher of Boardroom Insider, an online newsletter about boards of directors, agrees that say-on-pay does not go far enough, because it offers shareholders ''so little substance.''

Substance or not, CEOs complain that say-on-pay is government intrusion into the private sector. Such consensus among CEOs is rare because they run very different companies that can be made winners and losers on a range of sensitive issues, from energy to health care. They lean Republican, but there are signs that they are increasingly blue, and 40% supported Democrats during the last presidential primary season, according to an unscientific USA TODAY survey. But when USA TODAY last month contacted 31 CEOs and former CEOs of large companies, 77% were against say-on-pay.

Are CEOs fairly compensated? Two of the 31 CEOs declined to answer, but 24 of the other 29 (83%) said yes. Five (17%) said that, in general, CEOs are overcompensated. When asked if say-on-pay would influence CEO compensation, 76% said yes.

CEO median compensation at S&P 500 companies rose 23% from 2003–2008 despite going down 7.5% to $8 million from 2007 to 2008, according to Equilar, which tracks executive compensation. John Castellani, president of the Business Roundtable, an association representing CEOs of companies with more than $5 trillion in annual revenue, says shareholders have always had the ability to enforce say-on-pay by using the shareholder resolution process. That makes legislation unnecessary, he says.

The pro-business U.S. Chamber of Commerce is also against legislation. ''The decision to allow say-on-pay votes should come, as it has, through a dialogue between shareholders, directors and management, not via a Washington mandate,'' says Tom Quaadman, the chamber's executive director for capital markets.

CEOS' ARGUMENTS AGAINST IT

CEOs say the legislation would open the door to micromanagement by largely uninformed shareholders, who understand neither the competitive market forces that drive executive pay nor the complex incentives designed by experts to get the best results. The law could drive top talent to private companies and injure the ability of U.S. companies to compete in a global market, they say.

''You cannot run companies effectively through the democratic process of voting on all things,'' says Judy Odom, former CEO of Software Spectrum. ''Independent boards should be elected, and they should do their jobs.''

While most shareholders are uninformed, some are so informed that they could use a say-on-pay law to an unfair advantage, says Andrew Puzder, CEO of CKE Restaurants, which operates Carl's Jr. and Hardee's. For example, certain investors could threaten to vote ''no'' on the CEO's pay to coerce the CEO into making decisions for short-term gain, such as delaying capital investment or taking on unnecessary debt. Such tactics could temporarily boost the stock price to the detriment of the company's long-term health, he says.

An argument could be made that CEO pay is excessive and does not drive performance, says Anders Gustafsson, CEO of publicly traded Zebra Technologies, which sells printing services to 90% of Fortune 500 companies. But he says CEOs have a significant impact on company performance and are being unfairly targeted in a bad economy because their pay is publicly disclosed.

CEOs are not unanimous in their opinions, even where it comes to pay. Patrick Byrne, CEO of Internet retailer Overstock, says he is more concerned about CEOs influencing boards than shareholders influencing CEOs.

''The CEO is hired by shareholders. He works for them, just like a farmhand works for the folks who own the ranch,'' says Byrne, among the CEOs who support say-on-pay legislation. He says CEOs ''capture'' their boards, leaving shareholders unrepresented.

Real estate developer Don Peebles, recently named by Forbes as one of the 20 wealthiest African-Americans, also supports say-on-pay. He says CEOs who have no significant ownership often have compensation packages designed to reward them on the upside, but they suffer few consequences on the downside.

''There is no real alignment of interests,'' Peebles says.

But Behar says he has served on eight boards and says directors are not stupid, and they are in control of CEOs.

''How will our country be better off if CEOs earn less than $2 million a year?'' says Behar. ''Are we trying to create a country without the opportunity to get rich? We had better be careful about the buttons we push down. We may not like the ones that pop up.''

Mrs. BACHMANN. Mr. Speaker, I rise in opposition to H.R. 3269.

This misguided legislation will do nothing to restore confidence in our financial markets and could, in fact, undermine our nation's economic recovery.

The bill directs federal financial regulators to literally prohibit compensation arrangements it deems ''inappropriate.'' But when did it become appropriate for the federal government to take on this role?

How can we not expect this to stifle the global competitiveness so vital to American companies? When American companies are subjected to rigid pay structures as set by government bureaucrats and companies in other nations are free to follow the market, common sense tells us that America's top talent will go elsewhere.

Furthermore, the bill requires an annual shareholder vote—a non-binding vote—on executive compensation, which seems terribly impractical and complex and may only exacerbate problems, not fix them. We're heading down the same road the trial lawyers have led us in the courts, and experience tells us that that road leads to a distorted market.

We've heard from groups across the nation on this—from the U.S. Chamber of Commerce, which represents more than three million American businesses and organizations, to the United Brotherhood of Carpenters union. They all say that requiring them to hold an annual shareholder vote on compensation is overly burdensome and could actually diminish proper due diligence by investors.

On average, most companies already approve these packages once every three years. The Republican alternative, which I support, would honor this real-world practice. Our substitute would also allow shareholders to opt out of the shareholder triennial advisory vote if two-thirds vote to do so. This gives the shareholders more flexibility to decide whether they actually want this ''say on pay.'' This is real empowerment of the shareholders—not just lip service.

Finally, our substitute strikes the section of the bill which directs government bureaucrats to determine the compensation arrangements of private companies rather than its board and shareholders.

No one on our side of the aisle is for free-wheeling pay practices or lack of oversight. But, we are calling for balance. We support an alternative that would preserve American competitiveness while ensuring real transparency and disclosure over compensation packages. The majority's legislation is sound-bite governance at best, extending onerous regulatory burdens that have little more than the appearance of actual empowerment of American shareholders.

Mr. PAUL. Mr. Speaker, many Americans are justly outraged that Wall Street firms that came hat in hand to receive bailouts from the federal government rewarded their executives with lavish bonuses. But while holding those financial firms accountable to the taxpayers is a laudable aim, the legislation before us, H.R. 3269, goes far beyond this.

This is not the first time that Congress has meddled in matters of executive compensation, and unfortunately it will not be the last. Just like Congress' meddling with the economy, each intervention creates unseen problems which, when they crop up, are again addressed by legislation that creates further unseen problems, thus continuing the cycle ad infinitum. Problems with executive compensation cannot be addressed by further burdensome legislation.

The Wall Street bailouts have already given the federal government too much power in corporate boardrooms, and H.R. 3269 is yet another step in the wrong direction. While shareholder votes on compensation may be non-binding now, once the precedent of government intervention on behalf of shareholders is set, there is no reason to believe that these votes will not become binding in the future.

Perhaps even more frustrating is that enforcement of the provisions of this bill will be undertaken by overpaid bureaucrats who lack the skills to earn comparable salaries in the marketplace by providing useful products or services desired by consumers. People who shuttle between federal regulator and federally regulated firms, trading on their political connections and epitomizing the corruption endemic to the government-managed financial system, will be making decisions that affect every single public company in this country.

In order to understand the reasons behind excessive executive compensation, we need to take a look at the root causes. The salaries and bonuses raising the most ire are those from the financial sector, the sector which directly benefits from the Federal Reserve's loose monetary policy. Loose monetary policy leads to speculative bubbles which drive up stock prices and enrich executives who cash in their stock options. It makes debt cheaper, which encourages reckless business expansion. And it shuttles money from industries that produce valuable products and services to industries that are favored by the federal government. H.R. 3269 is a well-intended but misguided piece of legislation. Until we strike at the root of the problem, we will never get our financial system back on a firm footing.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 3269, the ''Corporate and Financial Institution Compensation Fairness Act of 2009''. I would like to thank my colleague Representative BARNEY FRANK for introducing this resolution, as well as the cosponsors.

I stand in support of this important resolution, because it is designed to address the perverse incentives in compensation plans that encourage executives in large financial firms to take excessive risk at the expense of their companies, shareholders, employees, and ultimately the American taxpayer—risks that contributed to the recent financial collapse.

One of the solutions it offers is practically the manifestation of common sense itself—let the stockholders of the company, the people the corporate executives are supposed to be working for, have a say in how those executives should be compensated. For example, the bill requires shareholder non-binding votes on so-called ''golden parachutes.'' It requires publicly-traded corporations to allow shareholders to take non-binding votes during annual meetings on the top five executive compensation packages. And it allows SEC to exempt small companies from the nonbinding vote requirement if it finds such an exemption necessary.

The bill also seeks to change the incentives for the sort of financial firms that brought our economy to the brink of collapse, so that those who manage the money of our countrymen are not even tempted to take us back to that precipice. The bill authorizes the SEC, along with the federal financial regulatory agencies, to develop regulations for financial firms with at least $1 billion in assets that proscribe the use of employee compensation structures that pose a risk to financial institutions and the broader economy. It also specifically, authorizes the regulations to restrict or prohibit ''inappropriate or imprudently risky compensation practices'' at these large financial firms, and further requires financial firms with at least $1 billion in assets to disclose to the federal regulators any compensation structures that include incentive-based elements.

The bill does not require disclosure of any individuals' compensation information; nor does it allow government pre-approval of anyone's compensation. Rather, the bill is the first step towards enacting comprehensive financial regulatory reform to make sure we never face another historic financial crisis that depletes the retirement savings of millions, locks businesses out of much-needed credit, and threatens the entire economy.

Finally, the bill requires the compensation committees of the Boards of Directors of public companies to be made up of independent directors. It further requires that these compensation consultants satisfy independence criteria established by the SEC. I would also point out that this bill will, in practice, only apply to companies already sufficiently large enough—it specifically allows the SEC to exempt small companies from the non binding vote requirement if it finds such an exemption necessary.

Not only is this bill common sense personified, it is also long overdue. Corporate culture has, in the past three decades, undergone a transformation for the worse, where the most economically powerful have come to see, not just stockholder profit, but short term profit, as the greatest good. Today, the people with most economic influence see little or no incentive in seeking anything but the next bonus.

It was not always so—from the end of World War II until the mid 1990s, prominent public and private company CEOs almost universally viewed their responsibilities as being equally split among shareholders, employees, customers, and the Nation. This broad sense of corporate responsibility was actually so widely

and comfortably held that in 1981, the Business Roundtable, which is the key public policy arm of the Nation's largest public companies and their CEOs, officially endorsed a policy that said that shareholder returns had to be balanced against other considerations.

However, just as the Business Roundtable was making its policy statement, the deregulation and laissez-faire era that was born in the Reagan administration was starting to chip away at the statement's core contention. And by 2004—even after many of the myriad scandals and outright thefts that have hallmarked the last decade of American business had already come to light—the Roundtable amended its position. It said that the job of business is only to maximize the wealth of shareholders.

But even that statement did not, in any meaningful way, restrict or amend their pursuit of personal wealth, as board members effectively wrote their own paycheck. So not only were our corporate leaders explicitly no longer concerned with stakeholders other than those with the bottom line, they saw little concern for the long term well being of their company. A well-connected man could just as easily make sure the short term profits were inflated as much as possible, so it would look like he was doing a good job, and jump off when the bonuses get handed out.

We see this behavior, for example, among the companies Americans entrust their health care with. In 2001, Aetna's CEO made $3.5 million; 7 years later, it increased nearly seven-fold, to $24.3 million, making over $100 million in the past 9 years. In 2000, Coventry paid its Chief Executive $2.2 million; apparently that wasn't enough; because in 2007 they gave him nearly $15 million. In the past 9 years, ten individuals—people who are in charge of companies, whose source of profit is the denial of care to the people who take large cuts in their paychecks to give them money—made over $690 million.

In 2007, several high profile corporate executives resigned and received multimillion dollar financial packages. That year, Home Depot CEO Robert Nardelli resigned and received a severance package worth $210 million, which followed several other "golden parachutes," including the $122 million retirement package for Pfizer's former CEO, the $175 million package for KB Homes' former CEO, who retired after he was found to have manipulated the company's stock, and the $85 million severance package for Viacom's CEO who was on the job for less than a year.

That was the year our noble body tried to act. The House passed a bill that would have required publicly traded corporations, beginning this year, to allow shareholders to take a non binding vote on executive compensation and golden parachutes. Our colleagues in the Senate, however, never acted on the measure.

And, as everybody sitting in this noble body knows, the outrage has only grown. In 2008, one man—the head of a financial firm—made over $700 million. Another CEO, of the Oracle Company, made over half a billion dollars that same year. Six energy companies paid their CEOs nearly $800 billion. All told, in 2008, less than 10 individuals made over $2 billion, over 1 percent of the Gross Domestic Product of my home city of Houston.

During the worst days of the financial crisis, a raw nerve was struck when workers generally became aware, many for the first time, of the huge salaries being earned on Wall Street and on other streets far removed from Main Street. Wherever earned, excessive executive and CEO compensation, simply by being "excessive," belies the principles of a meritocracy, which is what corporations should be. Managers rise to something akin to royalty when their compensation is at unjustified levels and when the rewards of employment are not more commonly and fairly shared with the general employee base.

To conclude: This regulatory overhaul is urgently needed to avoid the possibility of a repeat of the recent financial disaster which nearly crippled our economy. It does so through common sense measures to curb executive power to write their own checks, and dis-incentivizes them from taking the mad risks that nearly brought us to ruin. It is long overdue, and becomes only more necessary as time passes. And so I support the bill.

Ms. CLARKE. Mr. Speaker, I rise in support of H.R. 3269, the Corporate and Financial Institution Compensation Fairness Act of 2009.

This legislation is important because it encourages the corporate community to address the issue of excessive compensation to high level executives by creating greater transparency and giving investors a "say on pay." Some studies have found that as recently as 2003, CEO compensation was 500 times that of an average worker. Even in 2008, a year of significant economic decline, the median CEO salary actually increased by almost 5% with the average worker's wages went up only 2.8%.

This legislation protects the interests of investors, including pension and mutual fund participants, giving them an advisory vote on executive compensation. Today's legislation comes in response to growing concerns in the economic community that excessive executive compensation is helping to fuel systemic risk in corporate America. These luminaries, including former Fed Chairman Paul Volcker and the Group of 30 believe that compensation structures were a factor in the current financial crisis. The legislation will not affect smaller institutions such as credit unions and companies that hold less than $1 billion in assets.

I believe this legislation strikes the right balance in addressing executive compensation while protecting the rights of the companies that provide so many jobs and are so critical to New York's economy.

I urge the rest of my colleagues to support this important legislation.

The SPEAKER pro tempore. All time for debate has expired.

AMENDMENT NO. 1 OFFERED BY MR. FRANK OF MASSACHUSETTS

Mr. FRANK of Massachusetts. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore (Mr. HOLDEN). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 printed in House Report 111–237 offered by Mr. FRANK of Massachusetts:

Page 3, line 8, strike "(a) AMENDMENT.—".

Page 7, strike lines 1 through 14.

Page 17, after line 4, insert the following:

(f) LIMITATION.—No regulation promulgated pursuant to this section shall require the recovery of incentive-based compensation under compensation arrangements in effect on the date of enactment of this Act, provided such compensation agreements are for a period of no more than 24 months. Nothing in this Act shall prevent or limit the recovery of incentive-based compensation under any other applicable law.

Page 17, line 5, strike "(f)" and insert "(g)".

The SPEAKER pro tempore. Pursuant to House Resolution 697, the gentleman from Massachusetts (Mr. FRANK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. I yield myself 1 minute.

At the markup, the gentleman from Georgia (Mr. PRICE) offered an amendment, which I said we would be willing to accept subject to some further change. We've talked. We have not yet reached agreement, and this is going to be an entirely legitimate debate.

What the gentleman was concerned about, and I think legitimately, was the possibility of a callback; that is, a requirement that people give back bonuses they'd already received. That would be arbitrary. Now, we hope that there will be rules adopted that will set those rules in place, and I agree that there should not be people's pay subjected unreasonably to arbitrary retroactive decisions.

But there was—and I was not aware of it at the time—an SEC decision that said that where someone had received the compensation and it subsequently turned out that the transaction was not profitable, although it appeared to be, that a return of the money that was given because of the profitability might be appropriate. So our language reflects that. It does not overturn that SEC decision. It does give some protection against arbitrary return.

I reserve the balance of my time.

Mr. PRICE of Georgia. Mr. Speaker, I claim the time in opposition.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 5 minutes.

Mr. PRICE of Georgia. Mr. Speaker, the debate on this amendment is very appropriate and germane to the actions of this entire Congress. The amendment that was offered in committee in good faith, to try to make certain that there weren't any changes that could be made retroactively to compensation packages and incentive pay, was very specific.

It said that no compensation of any executive having been approved by a majority of the shareholders may be subject to any callback, which is the retroactivity, unless it was part of the contract or unless there had been fraud committed. And that's what was accepted by committee, Mr. Speaker, accepted by committee.

The amendment was put into the bill with the caveat that the chairman wanted, potentially, a few changes. And I would quote from the chairman, who said, The impulse to retroactivity is not one of our finest and ought to be constrained. And he said, We could

work together to make sure this does not derogate from the SEC prospectively to say that you can't do this kind of thing.

Well, Mr. Speaker, I'm here to tell you that there weren't any discussions before the Rules Committee met. There weren't any discussions before the amendment that we now have before us was offered as the apparently good-faith effort to the amendment that was offered and adopted in a bipartisan manner majority in the committee. And what does the new amendment say? It says, No regulation promulgated pursuant to this section shall require the recovery of incentive-based compensation under compensation arrangements in effect as of the date of the enactment of this act.

Now, what does that mean? Well, it means that the SEC, that is the Federal Government, Mr. Speaker, will be able to dictate pay, dictate pay because of the language of this amendment, to publicly held companies. Now, that may be okay if they take tax money, Federal tax money, but this would be publicly traded companies that don't take a dime of tax money.

Mr. Speaker, this is a huge step in the wrong direction. Section 4 is the area of this bill that we have great concerns about. It puts the Federal Government, it puts the SEC into the agreements for compensation for executives in publicly traded companies. It cuts at the very core of our free market system.

I would urge a ''no'' vote on the amendment.

I reserve the balance of my time.

□ 1100

Mr. FRANK of Massachusetts. How much time remains?

The SPEAKER pro tempore. The gentleman from Massachusetts has 4 minutes remaining, and the gentleman from Georgia has 2½ minutes remaining.

Mr. FRANK of Massachusetts. Who has the right to close, Mr. Speaker?

The SPEAKER pro tempore. The gentleman from Georgia has the right to close.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself 30 seconds to acknowledge one thing that should have been drafted better. The word ''require'' is ambiguous here. The word should have been ''permit'' rather than ''require.'' That is, we did mean to say that you could not require the individual to give it back. We do want to restrain the SEC or anybody else from an inappropriate one. We will try to change that one word, and it will make a difference to the gentleman of Georgia, but I believe that ''permit'' would have been more appropriate. When we say ''require,'' we mean that you could not require the individual to give it back. That was it.

I now yield 2 minutes to the gentleman from North Carolina (Mr. MILLER).

Mr. MILLER of North Carolina. Mr. Speaker, it may be that the amendment was offered in good faith, but the explanation for the amendment had very little to do with what the amendment actually says. This amendment, Mr. FRANK's amendment, does accomplish the reason or the argument in favor of the amendment.

We don't think that a regulator or regulation should require the recovery of incentive-based pay where the existing contract doesn't require it. We shouldn't change contracts retroactively, existing contracts retroactively, but we also don't need to undermine the existing law that may provide for that.

Mr. FRANK mentioned the SEC. The SEC is now trying to recover money that was paid supposedly because transactions were profitable when, in fact, they weren't because of the accounting. So we don't want to reward accounting irregularities. Going forward, the regulators may well decide that an effective constraint on imprudent risk-taking is to require longer horizons for incentive-based pay.

That is the purpose of this amendment. It is what this amendment actually accomplishes. It is consistent with the reasons given in committee for the original amendment.

Mr. PRICE of Georgia. Mr. Speaker, I continue to reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Speaker, if the gentleman is going to close with his remaining time, I will just take, I think, 15 seconds to say that I've talked to the gentleman from Georgia. Again, we will still have a disagreement, but instead of ''require,'' it should say—and he and I have agreed within the limited version here—''allow'' them to require it. In other words, we don't want the SEC to be able to make an inappropriate requirement. So that will be clarified.

I will take our remaining time to say, yes, we did tentatively agree to it. There had been an SEC decision that day, which I wasn't aware of, and I did believe that the amendment as we originally agreed—and I did say to the gentleman that I thought we would want to make some further changes.

Mr. PRICE of Georgia. Will the gentleman yield?

Mr. FRANK of Massachusetts. Yes.

Mr. PRICE of Georgia. Given the agreement that you and I have reached on language, what is the posture about changing the language on this amendment? Is that a unanimous consent?

Mr. FRANK of Massachusetts. Yes.

I would ask unanimous consent, if that is permissible—we are in the whole House—to change line 2. Instead of ''require,'' it will read ''shall allow to require,'' ''shall allow the SEC to require.'' No. I take it back. Here is how I will say it: ''Shall be allowed to require.''

The SPEAKER pro tempore. Will the gentleman submit that language to the desk?

Mr. FRANK of Massachusetts. Yes.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. FRANK of Massachusetts. That's easy for you to say, Mr. Speaker.

Mr. PRICE of Georgia. Mr. Speaker, until that language has been introduced, I will reserve the balance of my time.

PARLIAMENTARY INQUIRY

Mr. PRICE of Georgia. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. PRICE of Georgia. Has the language that has been offered at the desk been introduced as business allows?

Mr. FRANK of Massachusetts. Mr. Speaker, if the gentleman would yield to me, I would ask unanimous consent to amend the bill according to that language which the gentleman has seen.

The SPEAKER pro tempore. The Clerk will report the modification.

The Clerk read as follows:

MODIFICATION TO AMENDMENT NO. 1 OFFERED BY MR. FRANK OF MASSACHUSETTS:

On line 2 of the matter proposed to be inserted, after ''shall'' insert ''be allowed to''.

The SPEAKER pro tempore. Without objection, the amendment is modified.

There was no objection.

The text of the amendment, as modified, is as follows:

Page 3, line 8, strike ''(a) AMENDMENT.—''.

Page 7, strike lines 1 through 14.

Page 17, after line 4, insert the following:

(f) LIMITATION.—No regulation promulgated pursuant to this section shall be allowed to require the recovery of incentive-based compensation under compensation arrangements in effect on the date of enactment of this Act, provided such compensation agreements are for a period of no more than 24 months. Nothing in this Act shall prevent or limit the recovery of incentive-based compensation under any other applicable law.

Page 17, line 5, strike ''(f)'' and insert ''(g)''.

Mr. PRICE of Georgia. Mr. Speaker, I thank the gentleman, the chairman, for his desire and willingness to work together on this.

That being said, the challenges with section 4 are huge. The far reach of the SEC and the ability of the Federal Government now to get into the executive compensation packages for businesses for which there is no Federal money involved is remarkable in its extent. As we know, the Democrat majority has a great desire to have the government everywhere in our lives, whether it's in financial institutions, whether it's in energy companies or whether it's that the American people have to pay to turn on and off their light switches.

I just picked up the paper this morning, Mr. Speaker, and saw that there is an op-ed in The Wall Street Journal which talks about health reform and cancer and about how, if the Federal Government is allowed to control health care, it may result in decreasing innovation in the area of cancer.

I would suggest, Mr. Speaker, that if the Federal Government is allowed in this arena that what we will see is a huge, depressing effect on the ability of businesses all across this land to be

able to create the most vibrant, entrepreneurial and active businesses that inure to the benefit of the American people, that create jobs and that allow us to remain the greatest Nation in the history of the world. It's just little bits that chip away at the fabric of our Nation that make it so that it is impossible to continue to compete on an international basis.

So, Mr. Speaker, I am pleased that the chairman was willing to clarify the amendment. However, it still gets to the heart of whether or not we are going to allow the Federal Government into decisions that ought to be left in a free market and in a private-sector arrangement, so I urge the defeat of the amendment.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Massachusetts (Mr. FRANK), as modified.

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

RECORDED VOTE

Mr. PRICE of Georgia. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to House Resolution 697, further proceedings on this question will be postponed.

AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 2 OFFERED BY MR. GARRETT OF NEW JERSEY

Mr. GARRETT of New Jersey. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment in the nature of a substitute No. 2 printed in House Report 111–237 offered by Mr. GARRETT of New Jersey:

Strike all after the enacting clause and insert the following:

SEC. 1. SHORT TITLE.

This Act may be cited as the ''Corporate and Financial Institution Compensation Fairness Act of 2009''.

SEC. 2. SHAREHOLDER VOTE ON EXECUTIVE COMPENSATION.

(a) AMENDMENT TO THE SECURITIES EXCHANGE ACT OF 1934.—Section 14 of the Securities Exchange Act of 1934 (15 U.S.C. 78n) is amended by adding at the end the following new subsection:

''(i) TRIENNIAL ADVISORY SHAREHOLDER VOTE ON EXECUTIVE COMPENSATION.—

''(1) IN GENERAL.—A proxy or consent or authorization for an annual meeting of the shareholders to elect directors (or a special meeting in lieu of such meeting) occurring on or after the date that is 6 months after the date on which final rules are issued under paragraph (4), shall provide for a separate shareholder advisory vote, at least once every 3 years, to approve the issuer's executive compensation policies and practices as set forth pursuant to the Commission's disclosure rules. The shareholder vote shall be advisory in nature and shall not be binding on the issuer or its board of directors and shall not be construed as overruling a decision by such board, nor to create or imply any additional fiduciary duty by such board, nor shall such vote be construed to restrict or limit the ability of shareholders to make proposals for inclusion in proxy materials related to executive compensation for meetings of shareholders at which such an advisory vote on executive compensation is not to be conducted.

''(2) OPT OUT.—If not less than ⅔ of votes cast at a meeting of shareholders on a proposal to opt out of the triennial shareholder advisory vote on executive compensation required under paragraph (1) are cast in favor of such a proposal, then such shareholder advisory vote required under such paragraph shall not be required to take place for a period of 5 years following the vote approving such proposal.

''(3) SHAREHOLDER APPROVAL OF GOLDEN PARACHUTE COMPENSATION.—

''(A) DISCLOSURE.—In any proxy or consent solicitation material for a meeting of the shareholders occurring on or after the date that is 6 months after the date on which final rules are issued under paragraph (4), at which shareholders are asked to approve an acquisition, merger, consolidation, or proposed sale or other disposition of all or substantially all the assets of an issuer, the person making such solicitation shall disclose in the proxy or consent solicitation material, in a clear and simple tabular form in accordance with regulations to be promulgated by the Commission, any agreements or understandings that such person has with the named executive officers (as such term is defined in the rules promulgated by the Commission) of such issuer (or of the acquiring issuer, if such issuer is not the acquiring issuer) concerning any type of compensation (whether present, deferred, or contingent) that is based on or otherwise relates to the acquisition, merger, consolidation, sale, or other dispositions of all or substantially all of the assets of the issuer, and the aggregate total of all such compensation that may (and the conditions upon which it may) be paid or become payable to or on behalf of such named executive officer.

''(B) SHAREHOLDER APPROVAL.—Any proxy or consent or authorization relating to the proxy or consent solicitation material containing the disclosure required by subparagraph (A) shall provide for a separate shareholder vote to approve such agreements or understandings and compensation as disclosed. A vote by the shareholders shall not be binding on the corporation or the board of directors of the issuer or the person making the solicitation and shall not be construed as overruling a decision by such board, nor to create or imply any additional fiduciary duty by such board.''

''(4) RULEMAKING.—Not later than 1 year after the date of the enactment of the Corporate and Financial Institution Compensation Fairness Act of 2009, the Commission shall issue rules and regulations to implement this subsection.''.

(b) STUDY AND REPORT.—The Securities and Exchange Commission shall conduct a study and review of the results of shareholder advisory votes on executive compensation held pursuant to this section and the effects of such votes. Not later than 5 years after the date of enactment of this Act, the Securities and Exchange Commission shall submit a report to the Congress on the results of the study and review required by this subsection.

SEC. 3. COMPENSATION COMMITTEE INDEPENDENCE.

(a) STANDARDS RELATING TO COMPENSATION COMMITTEES.—The Securities Exchange Act of 1934 (15 U.S.C. 78f) is amended by inserting after section 10A the following new section:

''SEC. 10B. STANDARDS RELATING TO COMPENSATION COMMITTEES.

''(a) COMMISSION RULES.—

''(1) IN GENERAL.—Effective not later than 270 days after the date of enactment of the Corporate and Financial Institution Compensation Fairness Act of 2009, the Commission shall, by rule, direct the national securities exchanges and national securities associations to prohibit the listing of any security of an issuer that is not in compliance with the requirements of any portion of subsections (b) through (f).

''(2) OPPORTUNITY TO CURE DEFECTS.—The rules of the Commission under paragraph (1) shall provide for appropriate procedures for an issuer to have an opportunity to cure any defects that would be the basis for a prohibition under paragraph (1) before the imposition of such prohibition.

''(3) EXEMPTION AUTHORITY.—The Commission may exempt certain categories of issuers from the requirements of subsections (b) through (f), where appropriate in view of the purpose of this section. In determining appropriate exemptions, the Commission shall take into account, among other considerations, the potential impact on smaller reporting issuers.

''(4) NO FEDERAL PREEMPTION.—If the law of the State under which an issuer is incorporated provides for a procedure for the board of directors to establish an independent compensation committee, then such State law shall be controlling and nothing in this section shall preempt such State law.

''(b) INDEPENDENCE OF COMPENSATION COMMITTEES.—

''(1) IN GENERAL.—Each member of the compensation committee of the board of directors of the issuer shall be a member of the board of directors of the issuer, and shall otherwise be independent.

''(2) CRITERIA.—The Commission shall, by rule, establish the criteria for determining whether a director is independent for purposes of this subsection. Such rules shall require that a member of a compensation committee of an issuer may not, other than in his or her capacity as a member of the compensation committee, the board of directors, or any other board committee—

''(A) accept any consulting, advisory, or other compensatory fee from the issuer; or

''(B) be an affiliated person of the issuer or any subsidiary thereof.

''(3) EXEMPTION AUTHORITY.—The Commission may exempt from the requirements of paragraph (2) a particular relationship with respect to compensation committee members, where appropriate in view of the purpose of this section.

''(4) DEFINITION.—As used in this section, the term 'compensation committee' means—

''(A) a committee (or equivalent body) established by and amongst the board of directors of an issuer for the purpose of determining and approving the compensation arrangements for the executive officers of the issuer; and

''(B) if no such committee exists with respect to an issuer, the independent members of the entire board of directors.

''(c) INDEPENDENCE STANDARDS FOR COMPENSATION CONSULTANTS AND OTHER COMMITTEE ADVISORS.—The charter of the compensation committee of the board of directors of an issuer shall set forth that any outside compensation consultant formally engaged or retained by the compensation committee shall meet standards for independence to be promulgated by the Commission.

''(d) COMPENSATION COMMITTEE AUTHORITY RELATING TO COMPENSATION CONSULTANTS.—

''(1) IN GENERAL.—The compensation committee of each issuer, in its capacity as a committee of the board of directors, shall have the authority, in its sole discretion, to retain and obtain the advice of a compensation consultant meeting the standards for independence promulgated pursuant to subsection (c), and the compensation committee

shall be directly responsible for the appointment, compensation, and oversight of the work of such independent compensation consultant. This provision shall not be construed to require the compensation committee to implement or act consistently with the advice or recommendations of the compensation consultant, and shall not otherwise affect the compensation committee's ability or obligation to exercise its own judgment in fulfillment of its duties.

''(2) DISCLOSURE.—In any proxy or consent solicitation material for an annual meeting of the shareholders (or a special meeting in lieu of the annual meeting) occurring on or after the date that is 1 year after the date of enactment of the Corporate and Financial Institution Compensation Fairness Act of 2009, each issuer shall disclose in the proxy or consent material, in accordance with regulations to be promulgated by the Commission whether the compensation committee of the issuer retained and obtained the advice of a compensation consultant meeting the standards for independence promulgated pursuant to subsection (c).

''(e) AUTHORITY TO ENGAGE INDEPENDENT COUNSEL AND OTHER ADVISORS.—The compensation committee of each issuer, in its capacity as a committee of the board of directors, shall have the authority, in its sole discretion, to retain and obtain the advice of independent counsel and other advisers meeting the standards for independence promulgated pursuant to subsection (c), and the compensation committee shall be directly responsible for the appointment, compensation, and oversight of the work of such independent counsel and other advisers. This provision shall not be construed to require the compensation committee to implement or act consistently with the advice or recommendations of such independent counsel and other advisers, and shall not otherwise affect the compensation committee's ability or obligation to exercise its own judgment in fulfillment of its duties.

''(f) FUNDING.—Each issuer shall provide for appropriate funding, as determined by the compensation committee, in its capacity as a committee of the board of directors, for payment of compensation—

''(1) to any compensation consultant to the compensation committee that meets the standards for independence promulgated pursuant to subsection (c); and

''(2) to any independent counsel or other adviser to the compensation committee.''.

(b) STUDY AND REVIEW REQUIRED.—

(1) IN GENERAL.—The Securities Exchange Commission shall conduct a study and review of the use of compensation consultants meeting the standards for independence promulgated pursuant to section 10B(c) of the Security Exchange Act of 1934 (as added by subsection (a)), and the effects of such use.

(2) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act, the Commission shall submit a report to the Congress on the results of the study and review required by this paragraph.

The SPEAKER pro tempore. Pursuant to House Resolution 697, the gentleman from New Jersey (Mr. GARRETT) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GARRETT of New Jersey. I yield myself 4 minutes at this time.

Mr. Speaker, the American public truly should be outraged when they read the front page headlines nowadays with regard to bonuses and pay.

In The Wall Street Journal today, it's a bank bonus tab of $33 billion. You have to read the second headline, though, to realize that the $33 billion is going to the banks that received, basically, the taxpayer bailouts. The bottom line on all of this is that there is nothing in this legislation that would have prohibited this from going forward.

Now, the other side of the aisle on the floor today repeatedly says, Well, the Republican side simply has no alternative; it is just the party of ''no.'' Well, we know that that's not true. On the legislation before us today, with regard to executive compensation, both in committees and through Rules, the Republicans have proposed a number of substantive proposals, which I'll go through right now, which would address the underlying problems that we're trying to address here.

So, if you will permit me, I will now address the three or four main points in this substitute which would get at these points that, I think, outrage America with regard to compensation but which do so in a fair and just manner.

Firstly, in the underlying bill, it allows for a non-binding shareholder vote on executive compensation every year.

We propose instead that such vote should occur every 3 years. Why is that? All the expert testimony we've heard so far says that Wall Street focuses too much on the short term—on the year, on the 6 months, on the three-quarters or on the end of the quarter. Why then when compensation packages usually go longer than 1 year, usually go for 3 years, would we be requiring a vote that would once again refocus the attention on 1 year, a short period of time, as opposed to being in line with the 3-year longer time frame? So we suggest that a 3-year vote would be much more appropriate than a 1-year.

Secondly, as to the shareholders and whom we trust with these decisions, we suggest, if we are going to trust the shareholders to be making these decisions, should we not also trust them to make the decision as to whether or not to have such votes on executive compensation in the future?

So our amendment would suggest that a substitute would allow for a two-thirds vote of shareholders to opt out of the shareholder triennial advisory vote if they are so inclined. We know that this has been a position taken by a number of institutions and companies in the past because they've said that we do not want to have such power, that we do not want to involve ourselves in such decision-making.

We know that it is right now as well because we have a letter from the United Brotherhood of Carpenters which points out the very real reason of why this is. You know, they hold something like 3,603 different companies in their portfolio. They said if they were going to have to make this decision either every 1 year or every 3 years—and considering the due diligence that they would have to engage in—this commitment would be a severe challenge to their fiduciary responsibilities. So, if they want to opt out of this, shouldn't we give them that ability if two-thirds of the voters decide to do so?

Thirdly, State law. The other side of the aisle speaks about State law and about hypocrisy on this issue. Should we be preempting State law in this situation or, as to those States that have already engaged in this area, should they not be able to speak up and have their voices heard and not be preempted by the Federal Government?

Fourthly, and most importantly, is section 4. This section goes well beyond what the administration has already talked about. The administration says they do not really like what this section is in the bill and that they did not propose this section.

So our substitute says that we should be deleting section 4 of the bill, which would allow government bureaucrats rather than shareholders. The bottom line on this one is: Who is it that the other side really trusts to make these decisions? Is it the shareholders, as we saw in the first three sections of this bill, who would make the decisions, and that we would suggest they should be in the position to make the decisions, or is it the bureaucrats whom they think should be able to make these decisions? Is it the same bureaucrats, in the past, over at the SEC, who totally missed the whole Madoff situation, who should be making decisions as opposed to the stockholders? Is it the same bureaucrats who were the regulators for AIG and who totally missed that situation? Is that who they trust instead?

So we would suggest all four points are substantive amendments to this, and we would appreciate their consideration.

I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, I support the bill. I wish it went a bit further, and I, of course, oppose Mr. GARRETT's amendment.

First, his amendment significantly weakens the say-on-pay provisions. That's right. It weakens a provision, which, itself, simply provides for non-binding resolutions; but the core of the Garrett amendment is that it eliminates the provision in the bill which is designed to provide very modest restrictions on some very peculiar and pernicious compensation formulas that have been used on Wall Street. Now let us look at how narrow this provision is.

It applies only to financial institutions and then only to those with over $1 billion. It does not prohibit $1 million-dollar-a-month salaries. It does not prohibit $10 million-dollar-a-month salaries. It allows an executive to get a kajillion stock options and another kajillion shares of restricted stock. This bill is not an overall limit on compensation on Wall Street.

What it does is it prohibits those compensation formulas that provide an incentive for taking extreme risks, risks that are bad for our economy, risks that are bad for the company.

Now, the Group of 30, led by Paul Volcker, found and reported that there are numerous examples of misaligned incentives, of incentives that contribute to instability and to cyclicality in financial markets. The crisis has driven home the importance of aligning compensation practices with the incentives and controls in a firm's risk-management program, aligning pay with long-term shareholder interests rather than with short-term returns that cannot be sustained and which entail greater risk.

□ 1115

So this is a provision not designed, not intended to limit the overall financial compensation in financial institutions, not designed to prevent enormous bonuses. But the bonuses must not, by themselves, be designed to undermine the economy or the company.

Now, this is a small step that we can take to make sure we don't have another financial meltdown.

Let me respond to Mr. HENSARLING and others who came to this floor and basically said all we have to do is make sure there are no further bailouts. Well, I opposed the Wall Street bailout, but I'm not going to join with those who say the only problem we had in September of 2008 is that we voted for the bill.

We've got to act to prevent the next financial meltdown, and it is not enough to come to this floor and say, Well, it's okay to have another September 2008 as long as we vote against some future bailout bill twice instead of once.

The goal is not to defeat the TARP bill. The goal is to prevent the conditions which caused so many to think that it was necessary and for all of us to recognize that we faced a great financial crisis.

The way to do that is to vote down this amendment and make sure that some very peculiar, very pernicious incentive formulas are not used to cause those on Wall Street to feel that if they could only take the most enormous risk, they can maximize their compensation.

Mr. GARRETT of New Jersey. I yield 3 minutes to the gentleman from Texas (Mr. NEUGEBAUER).

Mr. NEUGEBAUER. Mr. Speaker, I rise in support of the Garrett substitute. This is a reasonable and thoughtful substitute. Republicans on the Financial Services Committee are here to bring good ideas to the table to try to work with the majority to ensure that our markets operate with transparency and integrity.

Our substitute includes a non-binding shareholder vote on executive legislation. Rather than vote every year, though, our substitute aligns the vote with standard time frames of compensation packages and ensures that institutional investors who represent the shareholders in casting their votes will be able to have proper time to do the due diligence necessary to make meaningful votes.

The substitute allows shareholders who don't want to be involved in these votes to opt out. Makes sense to me. If I don't want to particularly be involved in that, give me the opportunity.

Finally, the substitute ensures that the Federal Government cannot decide to pay for employees or financial institutions. Determining pay practices is not the role of government. As we work together to reform the financial regulatory structure, debating compensation practices may make some feel better, but it doesn't fix the cause of our financial crises. While we and the public may not like to hear about some of the large salaries and bonuses others have earned, we have to ask ourselves how much did these compensation practices really contribute to the problem.

The most important tool available to regulators is the ability to set capital standards for financial institutions, not the ability to tell financial institutions how they can pay or how much they should pay their employees. We need regulators to ensure capital and leverage ratios at financial institutions match the risk that those entities are taking on. That's what regulators should focus on, not deciding whether or not a certain incentive practice is appropriate or not.

Ohio State University finance professor Rene Stulz recently released a finished study comparing bank performance last year and CEO incentives leading up to the crisis. Professor Stulz is quoted in today's New York Times: ''It's hard to believe that regulators will be better at devising compensation plans with proper incentives,'' he says. ''Properly designed capital requirements are a much more efficient approach to regulate the risk of financial institutions than fiddling with compensation.''

When we allow Federal regulators to decide how much employees of financial institutions get paid, the government is overreaching. Congress should be working to encourage well-managed, well-run, and well-capitalized financial institutions. This bill does the opposite.

Support the commonsense Garrett substitute.

Mr. FRANK of Massachusetts. I yield myself 3 minutes.

First, I had been taking as given that the President's press secretary said he had some problems with the bill. I know Mr. Sperling did, and as I said, we have the Republicans in a temporary mode of obedience to the President. A little bit of a culture gap there. They thought it was still George Bush. They are used to snapping to attention for President Bush. Apparently, a little of that left over for President Obama. I think we should have been independent in both cases.

I read the transcript of the press conference. Mr. Gibbs said nothing negative about this. He was asked if he would sign this bill. He said, Well, there are some pieces of it we are moving and it will go through the Senate. And when he didn't fully answer it, he got a tough follow-up question about whether or not they were trying to avoid spilling beer on the President's children's table.

I do also want to talk about say-on-pay, which the Republicans are now embracing.

Here's what the gentleman from Alabama, the ranking member of the committee, had to say as a prediction when we debated this in March of 2007:

Evidence that free-market forces are already at work to correct any excesses in the system should give this committee real pause before it seeks to impose a legislative fix that could, like past efforts in this area, have unintended and negative consequences.

In March, well over 2 years ago, the gentleman from Alabama confidently predicted that free-market forces are already at work to correct pay excesses. So apparently the gentleman from Alabama was correct, there have been no pay excesses in 2½ years. We've all been hallucinating. He was wrong then, and he's wrong now. Now they're wrong on different levels. They've now had to acknowledge the importance of say-on-pay.

I also would repeat when I say the Republicans have no version. They want to weaken say-on-pay, but with regard to the bonus structure that gives people an incentive to take risks because the decision-maker is risk free, even though the company is at risk, the Republican position is zero. There has not been in any of our deliberations any Republican approach to how you deal with the incentive to take excessive risk. No way, no how.

They have reluctantly agreed to say-on-pay, although they want to water it down, and that's to the argument that an annual vote focuses you short term. Of course not. There is an annual proxy vote. It goes on the proxy. It doesn't require you—if you've got a 3-year contract, then every year it would still be approved.

So this notion that it focuses on the shorter term is, of course, wholly inaccurate because it simply says you put it on the proxy every year. Some companies will have annual contracts, some biennial, and they are voted on. And if they are triennial, there is nothing at issue.

But again, the central point is this. The purpose of this amendment—there are two. We can say on paper but more importantly have the Federal Government say nothing whatsoever about the bonus structure. Those financial institutions that received TARP money and paid it back and now want to do these bonuses in ways that will recreate the risk will be entirely free to do so under this amendment.

Mr. GARRETT of New Jersey. I am pleased to yield 3 minutes to a leader

in advocating for those free-market principles that made this country as great as it is, the gentleman from Texas (Mr. HENSARLING.)

Mr. HENSARLING. Mr. Speaker, to quote the distinguished chairman of the Financial Services Committee, he was wrong then, he is wrong now to say that Republicans have no program to deal with excessive risk and compensation packages. Yes, we do have a program: end the bailouts. End the TARP program. If you quit bailing out risky behavior, Mr. Speaker, you receive less risky behavior.

Second of all, the gentleman is also wrong as far as the Republicans having no program otherwise we wouldn't have this substitute that we are debating at the moment. I also heard the gentleman from North Carolina earlier say, Well, we need to have the underlying legislation because shareholders have no right to have a say-on-pay. Wrong again, Mr. Speaker. Shareholders have the right. They can have a say-on-pay by electing directors who will fire the management. They have a say to invest elsewhere.

Their bill says we have to have mandatory say-on-pay. Now, we can debate the merits of it, but the gentleman from North Carolina was simply, clearly wrong.

I also want to say to my friends on the other side of the aisle, when I listen to, again, the logic that we have to have a new Federal regulation that somehow will regulate risky incentive pay structures, again, all of the rhetoric has to do with Wall Street. But guess what? Read the bill. Look at the interpretation.

Financial institutions. Chrysler and GM have been found to be financial institutions. We have had testimony when they came looking for the taxpayer bailout that the UAW, the United Auto Workers, had a pay structure that was 40 percent higher than their competitors.

So now we have a law here that will allow Federal regulators, I assume, to come in and say, Folks at the UAW, your incentive structure is contributing to the demise of Chrysler and GM. So we're going to have to come down and take down your wage rates.

Read the bill, Mr. Speaker. This isn't restricted to the top executives. And if anybody believes this is restricted to Wall Street, then why did Chrysler and why did GM get coverage under a statute that described institutions?

So, Mr. Speaker, what we have is a Federal Government that is now taking over our auto companies, telling us what kind of automobiles we can drive. They're taking over our mortgage companies, telling us whether or not we can even enjoy a mortgage. They now want to control access to our family doctor, and now they want to decide for millions and millions of Americans whether or not they can ever receive a sales commission or a Christmas bonus that they may view as too risky.

What is risky is too much politization of our economy. What is risky is too much government control of our economy. We have had enough.

Mr. FRANK of Massachusetts. Mr. Speaker, just briefly, the gentleman talked about the bailout of General Motors and Chrysler which, of course, was under the Bush administration. The fact that the Bush administration decided to initiate a bailout of General Motors and Chrysler is not binding on this legislation. They are not under financial regulators and wouldn't be covered under this bill.

I now yield 3 minutes to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Let me say this: Mr. GARRETT's amendment is sort of like not having a say-on-pay but maybe just a little whisper. Mr. GARRETT's amendment goes at the heart and the soul of this bill and that is this: that we must have a very strong, definitive say-so from the shareholders.

Now, Mr. HENSARLING, the gentleman from Texas, pointed out about the bailouts and how we're to prevent this. This measure that we have is designed to prevent this same situation from happening again. In section 4, as he pointed out, the reason we need section 4—and let us remember what section 4 is: section 4, again, is the heart and soul of this because it spells out how we're going to go about preventing bonuses tied to incentives that have dragged down this economy and brought us into the financial situation we have.

He questions the regulators. Maybe the American people might need to know who we're talking about. We're not talking about somebody over here inexperienced we're just going to set up. Who are these regulators? These regulators are the Federal Reserve Bank whose duty it is to regulate our economy. It is the Office of the Comptroller of the Currency, the Federal Deposit Insurance Corporation that has to go in afterwards and fix banks and declare bankruptcy of banks. The Office of Thrift Supervision, the National Credit Union Administration Board and the Security and Exchange Commission and the Federal housing agencies.

What is this awesome power we're giving to them? It's spelled out very simply. What we want them to do is simply we will require these regulators to prohibit certain compensation structures at large financial institutions if they could have a serious adverse effect on financial instability. That's what we are trying to do. We're trying to prevent the same thing from happening again.

And then, secondly, we will require Federal regulations to write rules requiring Federal institutions to simply disclose their incentive-based pay plans, incentives that are tied to risk behavior.

□ 1130

Mr. Speaker, what has happened that brought this on here is a simple case, AIG. They went and they set up a little department with 430 employees out of Connecticut and over into Europe and assigned them risky behavior and signed their rewards to that risky behavior for their bonuses. The company came down. We had to bail them out. And you know who had to pay for those bonuses? The taxpayers. This bill is designed to prevent that. This amendment is designed to gut it.

Vote down the amendment.

Mr. GARRETT of New Jersey. I yield 2½ minutes to the ranking member, the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. Mr. Speaker, we continue to hear this mantra that this is all about shareholders and empowering them with rights, but then you sort of give them a crumb, you give them a non-binding right to have a vote on pay and then you follow that up with 12 or 14 pages where you give the government all sorts of powers, powers to regulate pay bonuses. And you do that, you give the shareholders the right to have a non-binding say on the top executives, but then you give the government, in the back door, the last 15 pages of the bill, 14 pages, you give them the right to set the pay for every rank-and-file employee. And you also do it under the guise that these companies are so big and so systemically important that they may fail. And that's right, they may. But then you do all the other 99 percent of the companies that aren't going to fail.

Now, Chairman FRANK, last month, invited, I think, one of his favorite witnesses, Nell Minow, who is a leading shareholder rights advocate, to testify on his say-for-pay bill. And she came and she testified favorably. And then he added this government say-on-pay, where the government will make the decisions. Well, just yesterday, we had what we call a ''man bites dog'' moment. She came out and she posted this on her Web site. She now opposes, vehemently opposes, section 4 of the bill, the government say-on-pay.

She states, The standard is unworkable. What does inappropriate mean? Boy, I agree. Deciding whatever bonus or whatever incentive pay or whatever commission is inappropriate. She asked the same question that we asked, Who is in the best position to evaluate and respond to badly designed pay packages? Here's her answer, the entire answer: ''I have the utmost respect for politicians and bureaucrats, but I also recognize their limits. The government should not micromanage pay.''

And that is what this debate is about: Are you going to let the government do it, the board of directors do it, or are you going to let the shareholders do it? Obviously, you go to the default position that you went to on health care, cap-and-trade, and now financial services: Let the government decide.

Mr. FRANK of Massachusetts. Mr. Speaker, I will take 30 seconds to say, apparently the gentleman from Alabama only has witnesses if he's sure he will agree with everything they've ever

said. He says it's ''man bites dog'' because we had an honest witness with whom we agreed in some parts and disagreed on others. Apparently, the notion of having a witness that you haven't totally vetted for everything she's ever said is new to the gentleman from Alabama.

I will continue to invite witnesses that I think are useful, even if I don't always agree with them. And I would repeat that the gentleman from Alabama's say on this—he was against say-on-pay. He says it's just not much, but it was enough for him to say it was going to cause real problems 2½ years ago. And I repeat his view on pay, in March of 2007, Evidence that free market forces are already at work to create any excesses should give this committee pause, but seeks to oppose a legislative fix that could have unintended and negative consequences. He was talking about that insignificant say-on-pay.

I yield 1 minute to the gentleman from Indiana (Mr. CARSON).

Mr. CARSON of Indiana. Mr. Speaker, today I've heard a number of interesting accusations about what this legislation would do if passed. I have heard that the government will sit in board rooms and set caps on pay. But of course my constituents are accustomed to hearing these kinds of false arguments from those who wish to maintain the status quo.

My constituents sent me to Congress to move beyond the status quo of a broken financial regulatory structure. They sent me to enact commonsense reforms like those included in the legislation we're discussing today, Mr. Speaker. They know that average families have cut back, work longer hours, and have saved their money during this crisis. Meanwhile, Wall Street execs have acted irresponsibly and enjoy the lavish compensation packages that have allowed their companies to fail.

So I am proud to be an original cosponsor of this bill that will bring about a new era of responsibility on Wall Street. I encourage my colleagues to do the same.

Mr. GARRETT of New Jersey. Mr. Speaker, may I inquire as to how much time is remaining and who will be closing?

The SPEAKER pro tempore. The gentleman from Massachusetts has the right to close.

The gentleman from New Jersey has 3 minutes remaining, and the gentleman from Massachusetts has 3¼ minutes remaining.

PARLIAMENTARY INQUIRY

Mr. GARRETT of New Jersey. Parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. GARRETT of New Jersey. As far as the procedure for determining who closes, is it not the author of the amendment?

The SPEAKER pro tempore. A manager controlling time in opposition has the right to close the debate.

Mr. FRANK of Massachusetts. Parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. FRANK of Massachusetts. Did the gentleman not notice that Mr. PRICE had the right to close because he was defending the committee on the amendment that I offered?

Mr. GARRETT of New Jersey. I yield myself the remaining 3 minutes.

Mr. Speaker, the final question, I guess, is who do we trust. Who do we trust to deal with the situation of pay?

The gentleman just spoke on the floor with regard to protecting the interests of his constituents. You know, it doesn't really matter who your constituents are, whether they are the CEO at the top of the ladder, someone in between, the receptionist, anywhere along the line as far as pay scale, this bill will affect them and will affect their ability as far as what their compensation is. It will affect the ability of the Federal Government to dictate what their compensation will be. Government bureaucrats will be making those decisions in the future as opposed to the people involved with the company. Large income or small, bureaucrats will be the ones at hand to make those final decisions.

The odd thing about this legislation, as we read through it and as you look at our amendment to try to address this problem, is that the underlying bill gives with one hand and takes with the other. As has been previously indicated, it gives with one hand in a tacit approach to say that the shareholders should be able to make these decisions, but then it takes that right back again when it says, then, When the government decides that those shareholders made an incorrect decision, some bureaucrat at the SEC or the Federal Reserve or someplace else will overrule that decision and take that power away from them.

It says in the committee, on the one hand, that States should have some say in some aspects of financial service regulation matters, such as with the VFPA, where they do not want to preempt State rights, but here they want to step in and preempt those States, States that may have had a long history of dealing with such situations as executive pay compensation, or States that may want to address it in the future, but the underlying bill says that they will preempt that.

That is why we have come up with an alternative. We have come up with a solution. We are not the ''party of no,'' we are the party of reform, a party that says we should address this on a longer period of time, a party that says that we should allow the shareholders to be able to decide these issues, a party that says that when it comes to compensation, the Federal Government should not be intermeddling.

Now, there was an article in The New York Times recently. It quoted from Alan Blinder, a Princeton economist and former Vice Chairman of the Fed who wrote recently for the Wall Street Journal with regard to this. He said, The executives, lawyers, and accountants who design compensation systems are imaginative, skilled, and definitely not disinterested. Congress and government bureaucrats won't beat them at their own game. Congress has tried to do this in the past when they set the issue with regard to deductibility for executive compensation at $1 million. It had the unintended consequence of setting $1 million as the floor, and Wall Street then went from compensation packages greatly exceeding this. We may well see the same thing with this underlying legislation as well.

In the headlines that I started the hour out with, Bank Bonuses $33 Billion, money that is actually coming from the very taxpayers who are watching us here right now, this underlying legislation will not change that. Despite the fact that the gentleman from Texas tried to limit this legislation to try to address this legislation to situations as TARP companies, this legislation will not solve this. Our substitute will.

Our substitute will return the power to the individual. It will return the power to the corporation and, most importantly, return the power to the shareholder and take it from the government bureaucrat.

Mr. FRANK of Massachusetts. I yield our remaining time to a leading member of the committee, the gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. Mr. Speaker, I appreciate the comments of my friend from New Jersey, but I would say the word that comes to mind is ''amnesia.'' My friends on the Republican side of the aisle have amnesia. They have amnesia over how the Bush administration tried to deregulate everything, tried to make government smaller and more ineffective so that we could have Ponzi schemes as existed under Madoff. That occurred under the George Bush administration. We had the failure with Katrina, and we had the biggest collapse in the banking sector ever because of deregulation and a belief that the free market could do anything it wanted to do.

Now, this bill is very mild. What it allows, Mr. Speaker, is it allows shareholders to have a say on what the officers of the company make in terms of salary, the owners having a say on pay. What could be more American and more free enterprise than that?

What it does allow is the board of directors to overrule the shareholders if they think that's appropriate. But we need to have the ownership of the company have a say on what their executives make so that it doesn't get out of line and that there is no back-scratching going on.

The second piece that my friends complain about and that the substitute is designed to gut is that the Federal banking regulators have a say on the commissions and the bonuses and the

stock options that exist. And where we saw this most specifically was in mortgages. Lots of mortgages sold, lots of commissions made, lots of stock options went straight through the roof, but there was a time bomb in those mortgages 4 or 5 years down the road that caused all those mortgages to fail and companies and banks to collapse.

We're not going to allow that anymore. We're not going to allow the taxpayer to be holding the bag the way we've had to hold the bag this last fall. It is a time for reasonable regulation to restore confidence in our financial system. That's what this bill does. The substitute amendment guts that.

I urge a ''no'' vote on the substitute and a ''yes'' vote on say-on-pay.

PARLIAMENTARY INQUIRY

Mr. GARRETT of New Jersey. Parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. GARRETT of New Jersey. Can the Chair indicate how much time is remaining?

The SPEAKER pro tempore. All time for debate on the amendment has expired.

Does a Member seek unanimous consent to extend the debate?

Mr. GARRETT of New Jersey. Yes.

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

Mr. FRANK of Massachusetts. Let me reserve the right to object.

Members want to get out of here. I cannot be responsible for keeping Members here.

Apparently there is an effort—I don't think we ought to keep everybody in the dark about all this. There is apparently an effort to negotiate a unanimous consent agreement involving another bill, so they are asking us to delay this. I am perfectly willing to do this as long as people know it's not our fault. We were ready to get finished. There is a bipartisan leadership request that we wait another 10 minutes. I am perfectly prepared once people understand that, but I do think this kind of whisper-whisper, nobody will know is not a good way to go, so let's be honest about it.

The SPEAKER pro tempore. Without objection, debate will be extended by 5 minutes on each side of the aisle.

Mr. FRANK of Massachusetts. Mr. Speaker, I reserve my time. I have, at most, one further speaker.

Mr. GARRETT of New Jersey. I yield myself such time as I may consume.

I appreciate the gentleman from Massachusetts for working with the respective parties in order to ameliorate any situation that is going on outside of this area. And just as the gentleman says, it's nothing on your side of the aisle in the Chambers today at fault, and I guess we would say the same thing for those who are sitting here right now as well.

I left my last comments with the question of who do you trust and what do we need to do in order to address this situation. I will step back from that for a moment to look to the larger issue here that we are trying to uncover.

I commend the gentleman for the number of hearings that we have had over the last several weeks to try to delve into the various matters that dealt with the fiscal crisis we are currently facing in this country.

□ 1145

One of the takeaways, though, that I have had from those myriad of hearings that we have had is that the underlying concern of the Members of the House on both sides of the aisle is to try to get at the root cause of what was it that actually brought us to the current financial situation that we find in this country today.

We have heard a number of experts from think tanks, from Wall Street, from across the country expound upon where they believe what the underlying cause was. We have heard some who said it was with regard to GSEs, Fannie Mae and Freddie Mac, the fact that there was excessive leverage there allowed this to occur. There was someone who just spoke on the other side of the aisle who is in the chair right now who said that it was all due to deregulation, although I always raise the question whether or not they could cite those specific actions by Congress of deregulation other than the issue of Gramm-Leach-Bliley with regard to deregulation. And we have heard other areas as far as excesses both by government and Wall Street.

But through all those debates, I have yet to recall anyone who could provide any factual evidence, any factual proof, other than just their opinion, that the underlying cause was because of excessive pay by various corporations in this country. No one, certainly, brought up the idea that the problems that brought us here were due to excessive pay outside of the financial sector. So then we have to look at the underlying legislation and answer the question, what is it we are trying to get to here?

In the major portion of the legislation, which goes to allowing shareholders' rights to vote with regard to executive compensation outside of the financial sector, no evidence whatsoever that that brought us to the situation. So we ask why is that even in the underlying bill?

Now, we do try to attempt to reform it, inasmuch as that is all we can do at this point, by putting on a 3-year extension as opposed to a 1-year period of time. We also tried to reform their idea to say that States that have already looked into these issues should have the prerogative to continue with their legislation, that they are more knowledgeable, they have been more engaged, they follow the trends more in their States in their corporations in this area.

So we tried to reform and improve the legislation in that area as well. We also tried to reform it in a last way to say that, for those corporations that say that we have looked at this situation, our shareholders have digested the information and realize it would not be to the benefit of the corporation or the shareholders themselves, and over two-thirds of those shareholders say that they do not want to engage in setting pay but rather would allow it to return to where it has always historically been in this country, and that is by management and by the directors, we put that in the legislation as well.

But, still, the underlying bill takes all those powers away from the shareholders, from the management, from the directors, and it does so without any evidence that they were at all a cause of the problem.

Now, section 4 does, arguably, go to financial institutions, and it goes to those institutions that, arguably, could be, some would say, a cause of our current situation. But we already had regulation in place for most of those financial institutions. We already had regulators who were supposed to be doing their job. We had regulators over at SEC with regard to the Madoff situation. And, unfortunately, we know all too well they failed in that job. Despite the fact that there was testimony that evidence was presented to them, handed to them, documenting why that Madoff situation was out there and why the SEC should be involved, the regulators missed it.

We saw it as well with regard to regulators missing it over at AIG as well. Those regulators had authority to regulate those institutions as well, but did they do so? No. They missed it completely with regard to the whole AIG situation.

Now, the other side of the aisle seems to say that that was then and this is now, that the same regulators who missed Madoff, the same regulators who missed AIG, the same regulators who missed executive compensation and other problems in the past, now, all of a sudden, we are going to expand it even further and say we are going to give those regulators even broader authority for financial institutions, however they may be defined in the future, because this bill realizes that it may be expanded further. They now entrust those regulators.

We would conclude that we should trust the shareholders, the American people, more than we should trust the bureaucrats.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself 5 minutes.

First of all, let me emphasize when the gentleman from New Jersey says ''trust the shareholders,'' that's a conversion. We are born-again shareholder advocates, because in 2006 when the Republicans controlled this institution, they would not even on the Financial Services Committee allow it to come up. We had a petition under the rules for a hearing. Then we asked for a markup and they refused it.

Then in 2007 the gentleman from Alabama, the gentleman from New Jersey, and the others, they all opposed say-on-pay. The gentleman from Alabama told us in 2007 that the free enterprise system was taking care of pay excess. He said that in March of 2007. All of the problems that we've had with pay in the interim apparently were figments of our imagination. The gentleman from Alabama had such confidence in the free enterprise system 2½ years ago, he told us they weren't going to happen. And say-on-pay now, oh, it's not a big deal. It was a big enough deal for them to oppose it.

By the way, let me say to the gentleman from New Jersey, here's the problem: No, it's not so much conscious acts of deregulation as nonregulation. What happened was new things grew up in the economy, particularly in the area of subprime mortgage and the way of packaging them and sending them around. And some of us in the minority wanted to change it. There were party differences.

In 2004 my friend from North Carolina (Mr. MILLER) who was here earlier, he spoke with people at the Center For Responsible Lending in North Carolina who told us in 2004 trouble was coming. By the way, trouble was coming because of an excessive encouragement of low-income people to buy homes, not from the CRA and not from liberal Democrats, but from the Bush administration. The gentleman from Texas (Mr. HENSARLING) inserted an amendment which we adopted. In 2002 the Bush administration sped this up. In 2004, over my objection among others, the Bush Administration directed Fannie Mae and Freddie Mac to substantially increase the number of subprime mortgages they were buying and for people below income. That's in the amendment that Mr. HENSARLING offered that we adopted.

And some of us saw the problem at that point. I hadn't seen a problem with Fannie Mae and Freddie Mac before, but I did in 2004 become worried. I joined the gentleman Mr. Oxley in trying to pass a bill, although I had a housing problem on the floor. The gentleman from Alabama voted with Mr. Oxley and many others did. Other Republicans thought Mr. Oxley was too soft, and we then got into an intra-Republican dispute on Fannie Mae and Freddie Mac where the House passed the bill, the House under the Republicans, supported by the overwhelming majority of Republicans, every amendment offering to toughen it up rejected by an overwhelming majority of Republicans.

And the Republican Senate had a difference. Ironically, the Democrats in the Senate agreed with Mr. Oxley. The Republicans in the Senate agreed with Mr. Bush. No bill.

We also tried, as I said, to do something about subprime lending. The gentleman from North Carolina pushed for legislation. The gentleman from Alabama, to his credit, was somewhat interested in working with us on it. But the Republicans were overruled by the then-majority leader, Mr. DeLay, who used the rhetoric we're hearing today: keep the bureaucrats out of it and let the free enterprise system do it. That was the prevailing philosophy of the Republicans who ruled this House in 2004 and 2005.

So when some of us, including the gentleman from Alabama (Mr. BACHUS), tried to work on legislation to restrict subprime lending, Mr. BACHUS was even chairman of the subcommittee, and he was overruled. The chairman of the committee, Mr. Oxley, was told, No, we don't do that. We're Republicans. We believe in free enterprise.

So it was a conscious decision not to do anything about——

Mr. LEWIS of California. Will the gentleman yield?

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

Mr. LEWIS of California. I wish the gentleman would start over. I'm finding it difficult to understand your very rapid speech. Will you slow down a little bit?

Mr. FRANK of Massachusetts. No. I tell you, to the gentleman from California, he's going to have to speed up. I'm not going to slow down. But if he waits a couple of days, there's a very competent transcriber here. He'll be able to read it, and maybe we can even get it put into large type for the gentleman from California.

And now, the gentleman's having tried to interrupt me because that's what people do when they don't like what you're saying, I will return to the tale of how the Republicans told us not to do subprime lending. And we had legislation working. If we had been able in 2005 to get that legislation done, we could have retarded the depths of the crisis. So, yes, there were regulators who didn't do their job, but there were conscious decisions not to regulate.

There was a bill passed, by the way, in 1994 by a Democratic Congress, replaced in 1995 by a Republican Congress, which gave the Federal Reserve the authority to regulate mortgages of the kind that caused trouble. Alan Greenspan, supported by the Republicans in Congress, refused to use that authority. It was when he continued to refuse that some of us tried to do something. So, yes, that's where we got this, because a Republican commitment to never doing anything of the sort that they are talking about now that let subprime mortgages flourish.

The SPEAKER pro tempore. All time has expired.

Pursuant to House Resolution 697, the previous question is ordered on the bill, as amended, and on the amendment in the nature of a substitute printed in House Report 111–237 offered by the gentleman from New Jersey (Mr. GARRETT).

The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

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

RECORDED VOTE

Mr. GARRETT of New Jersey. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to House Resolution 697, further proceedings on this question will be postponed.

Pursuant to clause 1(c) of rule XIX, further proceedings on the bill will be postponed.

□ 1200

PARLIAMENTARY INQUIRY

Mr. FRANK of Massachusetts. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FRANK of Massachusetts. Is there some way that I can convey to the membership that this incredible intrusion on their time is in no way the responsibility of the Financial Services Committee, that we are ready to go to a vote and we are as much the victim as anybody else of this—whatever it is?

The SPEAKER pro tempore. The gentleman may seek time to address the body.

Mr. FRANK of Massachusetts. Well, I don't want to inflict further excess on the body.

SUPPLEMENTAL APPROPRIATIONS, FISCAL YEAR 2009

Mr. PERLMUTTER. Mr. Speaker, I ask unanimous consent that the Speaker be authorized on this legislative day to entertain a motion to suspend the rules relating to H.R. 3435.

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

There was no objection.

Mr. OBEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3435) making supplemental appropriations for fiscal year 2009 for the Consumer Assistance to Recycle and Save Program.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3435

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2009, and for other purposes, namely:

DEPARTMENT OF TRANSPORTATION

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

CONSUMER ASSISTANCE TO RECYCLE AND SAVE PROGRAM

(TRANSFER OF FUNDS)

For an additional amount for ''Consumer Assistance to Recycle and Save Program'' to carry out the Consumer Assistance to Recycle and Save Program established by the Consumer Assistance to Recycle and Save

Act of 2009 (title XIII of Public Law 111–32), not to exceed $2,000,000,000, to remain available until September 30, 2010: *Provided*, That such amount shall be available for such purpose only to the extent directed by the President, and shall be derived by transfer from the amount made available for ''Department of Energy—Energy Programs—Title 17–Innovative Technology Loan Guarantee Program'' in title IV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5): *Provided further*, That the amount under this heading is designated as an emergency requirement and necessary to meet emergency needs pursuant to sections 403 and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SEC. 2. Section 1302(g) of Public Law 111–32 is amended by inserting the following new paragraph:

(3) REVIEW OF ADMINISTRATION OF THE PROGRAM BY GOVERNMENT ACCOUNTABILITY OFFICE AND INSPECTOR GENERAL. Not later than 180 days after the termination date described in subsection (c)(1)(A), the Government Accountability Office and the Inspector General of the Department of Transportation shall submit reports to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate reviewing the administration of the program.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from California (Mr. LEWIS) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. OBEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on H.R. 3435.

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

There was no objection.

Mr. OBEY. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, late yesterday, it came to our attention that the cash for clunkers program, which went active just a few days ago, has proven even more wildly popular than its strongest supporters had predicted.

Just last month, Congress passed the program, which provided up to $4,500 if you trade in your old gas guzzler for a new car that gets better mileage. That was done in the hopes of spurring some new car sales and encouraging people to be a little more environmentally friendly. We provided $1 billion in the supplemental to get it going, enough for about 250,000 sales.

The program kicked off Monday, and it has already officially received 40,000 requests for reimbursement, worth about $160 million in rebates. A survey done by the National Automobile Dealers Association this week suggested that at least 200,000 deals have been completed but not yet officially submitted. If that is true, and we are being told it probably is, then the entire $1 billion is just about exhausted. So we have before us a bill to provide stopgap funding for cash for clunkers by allowing the administration to transfer up to $2 billion from the Department of Energy's Innovative Technology Loan Guarantee program, which doesn't expect to award funding until late next year.

Some would call this letting the markets work. Consumers have spoken with their wallets, and they are saying they like this program; and clearly it is doing what it was intended to do, to spur car sales in this sluggish economy.

□ 1215

This action will keep it going, hopefully; and I would urge support for the bill.

I reserve the balance of my time.

Mr. LEWIS of California. Mr. Speaker, I rise to point out the absurdity of the situation we find ourselves in today. In the majority's haste to slam legislation through the floor with almost no consideration at the committee level, with no time for consideration by the House membership in general, and with absolutely no ability for the Members of this body to amend bills on the floor, we are now seeing the effects of such shortsighted martial law tactics.

Mr. Speaker, the Cash for Clunkers program was passed on the suspension calendar so no Members were able to offer amendments. The Senate had a comparable bill with some significant differences. The House and Senate bills should have gone to full and open conference so those differences could have been negotiated and a conference report then brought for a vote. Instead, the leadership of this body, without consultation or negotiation, stuck the House version of Cash for Clunkers on what was supposed to be a, quote, clean war supplemental, a bill only for the purpose of funding and supporting our troops and our efforts overseas in the war on terror. They had to do that because of the mess the majority created of the conferenced bill, and I use that term loosely, as most of the funding levels and programs were determined not in a conference but by the House leadership and by my chairman. But when it came to counting votes, the leadership and the chairman had to do some dancing and started loading up the war supplemental with extraneous and unrelated items, all of which needed to get more votes. Cash for Clunkers was one of those items.

My colleagues in the Senate, Senator FEINSTEIN, in particular, and Senator COLLINS, had some serious concerns with the House bill. Senator FEINSTEIN tried to negotiate some changes to improve the program but was rebuffed, as I understand it, by my chairman. Basically they were told that it was his way or the highway. Here we are today—not one hearing on the Cash for Clunkers program in the Appropriations Committee, not one hearing on the needs of the program prior to receiving funds, not one hearing on how the first billion dollars has been spent, not one hearing on how much money the program will need to get through the fiscal year. Instead, we find ourselves on the suspension calendar for the second time in 3 days, bailing out another program, shoveling another $2 billion out the door this fiscal year after we've shoveled $14 billion out the door to bail out the highway programs and other related items.

My colleagues are going to pat themselves on the back for finding an offset for this transfer; and for that I say two things: first, you should have been finding ways to offset spending all year; second, if there was an extra $2 billion in the stimulus program that was suitable for a different purpose, why did we spend the $2 billion in the first place? How many other billions of dollars are in the stimulus not being spent that we can return to our taxpayers?

Now many of my colleagues will say, This is a great program, and it is necessary for the revitalization of the economy and the car industry. I'm not really going to argue with those goals. Those are good goals, and we are looking for solutions. However, are we sure this program is working like it's supposed to? I don't think so. How is it that we didn't hear of this funding problem until last night? And even then we were told there was roughly 24 hours before they were going to shut down the program. This program has only been up and running 1 week. If that is how the government is going to handle billion-dollar programs affecting all Americans, I ask, Whatever will we do if the administration takes control of our health care system? I quote one car dealer from New York: ''If they can't administer a program like this, I'd be a little concerned about my health insurance.'' I say, amen.

I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself 30 seconds.

I'm not going to give any political speeches. We are simply trying to react to one program that the public has latched onto. The demand for this was so great that within 3 days of its inception, the funds were, apparently, totally used up. That indicates that we need to do something if we don't want the program to shut down 3 days after it begins. That's what we're trying to do today.

With that, I yield 2 minutes to the distinguished gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. I thank the distinguished chairman for the time.

Mr. Speaker, I was one of the original sponsors of the Cash for Clunkers bill. Many of us knew that it would work well. Few of us realized how well it would work. This program has been truly stimulative. Lots of people are questioning whether the Congress has passed anything that is stimulating the economy. This program has stimulated the economy. We have doubled car sales over the past 5 days. This is truly stimulative. It is creating jobs. It

is creating a surge for car dealers. The American consumer is satisfied with it, and we need to continue it. The American consumer has taken Cash for Clunkers on a test drive, and they want to continue driving Cash for Clunkers. They want to continue this program. In fact, not only should we continue it over the next 6 weeks by providing emergency funding, but we ought to improve it when we return in September. We should improve it by increasing the efficiency standards. We should improve it by making used cars eligible for the program. We should improve it through a long-term program because we have learned that the short-term program was so successful that we have exhausted the funds in only 5 days. This is an example of a bipartisan program that makes sense. We need to create a bridge of funding for the next 6 weeks, come back and extend it and improve it into the future.

Mr. LEWIS of California. Mr. Speaker, I yield 3 minutes to the gentlelady from Michigan (Mrs. MILLER).

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

Mr. Speaker, I was very proud to be the Republican lead sponsor of the original legislation that we passed a number of months ago. Cash for Clunkers—what a fantastic success. This program has exceeded everybody's expectations; and now most of the naysayers are even admitting that it's the best $1 billion in economic stimulus funds that the Federal Government has ever spent.

Here are a couple of today's quotes from those who are directly impacted. First of all, the CEO of one of our Nation's largest auto groups said, ''The most brilliantly conceived and most effective economic stimulus program ever put forward by the Federal Government.''

Ford Motor Company says, ''Huge success.''

This Congress appropriated $1 billion or November 1, whatever came first, and only several days into the program, we need more cash for the Cash for Clunkers. We can just think about the tremendous economic multiplier effect this is having. It is good for the auto dealers; it is good for the auto manufacturers; it is good for the suppliers; it is good for workers; it is good for the States, Mr. Speaker. Think about all of the revenue that is being generated by sales tax and licensing fees as well for this program. It is good for the environment. It's getting all of these old vehicles off the road, and it's absolutely great for consumers.

Let me just read quickly. Here's one letter I got from a lady in Dearborn Heights, Michigan:

Thank you for pushing through and helping to develop the Cash for Clunkers legislation. I am now the happy owner of an American-made 2010 Ford Fusion that I will be picking up on July 30. It has been 12 years since I have been able to purchase a new vehicle. I was able to save over $7,000, before tax, on my Ford Fusion. My old vehicle was a 1995 Ford Windstar with 150,000 miles.''

She says, ''I'm so excited for me.''

Well, we're excited too.

Mr. Speaker, throughout our Nation's history—since we've had the automobile, actually—it has been automobile sales that have literally pulled our Nation out of recession; and this time it's going to be the same. I think we are seeing ourselves being placed on the road to economic recovery here, and this road is paved by the Cash for Clunkers program.

I actually wrote a letter at the beginning of this week to the Speaker and to the House leadership, saying that we were going to run out of money, that we were going to need some more money for this program. Here we are on Friday of the first week. We absolutely need to do this, Mr. Speaker. We cannot leave for our August recess until we vote for this reprogramming of unspent economic stimulus funds for this program. We need to do it.

One other thing, for those who keep saying that we need to get the government out of the automobile business, if you really want to get the government out of the pocket of General Motors or whatever, this is the way to do it, Mr. Speaker. I would urge my colleagues to support this bill. It is very, very important not just for the State of Michigan, this is a national economic program, the best thing we've ever done. More cash for Cash for Clunkers.

Mr. OBEY. Mr. Speaker, I yield 1¾ minutes to the gentleman from Michigan (Mr. LEVIN).

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

Mr. LEVIN. The public has spoken. Consumers have been going to dealerships. The White House is now active, and the issue is whether this House will respond. As I see it, and I think the public will see it, this is a test of whether Congress can shed its disagreements on other issues and respond to what the public, indeed, wants. The rush to use this program shows its need.

I say to the gentleman from California and anybody else, what else do we need to see? This program is working. The White House has made clear that the dealers can go forward. This program is open until further notice, and dealers are urged not to rush too much but to do it right in the first place and get in line. So it's open until further notice. The question is whether this institution will shut it down or whether it will continue to open up the valves. It will be good for everybody. It will be good for the national economy. This isn't just an issue for Michigan, Ohio, Wisconsin, Indiana and Illinois but for the whole Nation. This is an issue of our national economic recovery, and anyone who votes ''no'' on this is saying ''no'' to an important boost to our economy at a critical time.

Mr. LEWIS of California. Mr. Speaker, I am proud to yield 2 minutes to the gentleman from Michigan (Mr. UPTON), the cochairman of the bipartisan Auto Caucus.

Mr. UPTON. I thank my friend from California.

I'm from the great State of Michigan where our unemployment is, sadly, at 15.2 percent, almost twice the national average. Last night we learned from the National Association of Auto Dealers that, in fact, in just 3 days this program has brought about almost a quarter of a million new car sales, yet the cash is going to run out literally in the next couple of days without an infusion. It's important that we're not taking new money. This is existing money. This bill moves existing money from other accounts, so it will not add to this year's deficit, but it is going to run out without this legislation.

Here is today's USA Today, a full page ad by Chrysler-Dodge-Jeep, $4,500 back if you purchase a new vehicle, turn in your old one, and get something that's at least 10 miles per gallon better. A lot of our auto dealers can do it, whether it's the Big Three or the transplants too. Nationwide, one in 10 jobs are auto-related. In Michigan it's about one in four, one in five jobs. For the last 3 years, auto sales have declined by nearly 50 percent. There are 16 other countries that have done this. Whether it be Germany, South Korea, even Slovakia has done this. In all of those 16 countries, car sales have come back. This country lost one in five manufacturing jobs in the last 16 months. If we want to keep jobs here in this country, bring back some of those that we have lost, obviously it's got to be in the auto sector where 1 in 10 jobs are auto-related. This bill sends those dominos the other way. It brings people back in the showroom. We've demonstrated that just this week. It brings back the call orders. We've heard from a number of dealers across Michigan that they're, frankly, running out of cars. Guess what they're going to do—they're going to order them back, and that's going to bring people back to work.

Let me just end on this, wouldn't you rather have people working and paying taxes than being unemployed and receiving benefits which, in Michigan, are becoming exhausted? I ask my colleagues to vote for this bill.

□ 1230

Mr. OBEY. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Michigan (Mr. DINGELL).

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

Mr. DINGELL. Mr. Speaker, I rise to commend the leadership and to commend my dear friend, the chairman of the Appropriations Committee, for his extraordinary leadership on this matter.

The success of the CARS program in just a few short days has been extraordinary. The program has been doing so well, in fact, that the initial $1 billion

allocated for the program is already running low. This is a great problem to have in the midst of all the difficulties that we confront. It's a sign that the program is not only working well and the consumers are very interested, but it's also proving that CARS is providing a jolt, a meaningful upward jolt to our economic recovery efforts.

This is a simple extension. It's an infusion of money in an area where it's needed and where it's working, and the legislation should not get bogged down by calls for changing the program. That would only serve to stall the extension and confuse consumers.

We cannot and should not make changes in an extraordinarily successful program that has only been operating for a week. That would be irresponsible. I would add that the additional $2 billion for the program has already been appropriated under ARRA and will not cost the taxpayers an additional dime.

I urge passage of the bill. I commend the leadership, and I thank my dear friend, the chairman of the committee, and the other members of the committee who have made it possible for us to consider this legislation so fast.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. Cash for Clunkers, Mr. Speaker, obviously it's a popular program. It's a clever title. It pays people several thousand dollars to trade in their old cars if they will buy new cars. And yes, Mr. Speaker, people are hurting in the auto industry. There's no doubt about it. But I would also note that the taxpayers are hurting. $80 billion to Chrysler and GM. And the auto industry does not have a monopoly on hard times in this economy.

Recently, one of the largest poultry producers in America, Pilgrims Pride, just a few miles outside of my congressional district, they had to declare Chapter 11. Maybe we should have a Cash for Cluckers program and pay people to eat chicken. Then after that, we can have a program to pay people to buy TVs, and then a program to pay people to buy lumber. It would pass the test. It has a clever title. It would help a large industry. It would put free money in the hands of consumers.

But this is not a humorous affair, Mr. Speaker, and it's not humorous because this is an extension of a program that has the government picking winners and losers. Why is the auto industry the winner? Why is the poultry industry the loser? This is one more step in enshrining us as a bailout Nation.

Now, people say, Well, it's $2 billion that's coming out of the stimulus program. Well, I would tell my distinguished colleagues that that is still $2 billion that has to be borrowed from the Chinese, with the bill sent to our children and grandchildren, at a time when the deficit has hit $1 trillion for the first time in history. You cannot bail out, borrow and spend your way into economic prosperity. Instead, let's unleash the spirit of entrepreneurial capitalism. Let's help small businesses with tax relief. Let's grow our way out of this economic recession.

Mr. OBEY. I yield 1½ minutes to the distinguished gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Speaker, when we passed the Cash for Clunkers legislation last month, I said it would provide a much needed boost to our auto industry and our manufacturing communities. After just 1 week, we see the great success of this program. I've been working closely with the White House, the auto task force and my Congressional colleagues to add additional funds to the program to keep it up and running. This program has been an unprecedented success, and there are no plans to suspend it. This program is a successful example of economic stimulus at work.

To continue this positive program, I join my colleagues today to introduce legislation to redirect $2 billion from the economic stimulus bill to the Cash for Clunkers program. We are poised to pass this legislation through the House of Representatives today, and I urge my Senate colleagues to do the same as quickly as possible.

Mr. LEWIS of California. I yield, Mr. Speaker, 2 minutes to the gentleman from Michigan (Mr. HOEKSTRA).

Mr. HOEKSTRA. Mr. Speaker, I would like to begin by thanking the chairman of the committee and the ranking member of the Appropriations Committee for moving so expeditiously and getting this bill to the floor of the House this afternoon. The response from consumers to this program has been, as one of my dealers described it this week, he had chaos in his showroom. It accomplished what we wanted it to accomplish.

I was skeptical when this program passed a while back, but it has delivered customers into the showroom and they are buying cars. And being from Michigan and experiencing a 15.2 percent unemployment rate, this is not going to only provide opportunities for employment in the people that assemble cars, but also for the suppliers and those types of things. And hopefully this can be a catalyst for a stronger economic recovery. It appears to be one of the programs in the stimulus packages that have passed this House that actually appears to be working.

At the same time, while we are maybe euphoric about the parts of the program that are working, I think we also have to recognize that the back end of this program, the parts that are being handled by the Federal Government, have been a disaster for our dealers. I have yet to have one dealer who has sold a car that has gotten it approved by the Department of Transportation. The Federal Government can't process a simple rebate.

I've got dealers that have submitted the paperwork three times and have gotten three rejections. The last one came back and it said, No reason for rejection. What is a dealer supposed to do? They've already destroyed the cars that have been traded in. They have sold the car. They're now on the hook and expecting a check for $3,500 to $4,500 from the Federal Government and they're not getting it.

We need to get these backroom problems fixed to be able to call this program truly successful. It can't just be the front end. It has to be the entire process, from selling it to the customer to the dealer getting the money from the Federal Government. That all has to work seamlessly for this program to be an unqualified success.

Mr. OBEY. Mr. Speaker, I yield 1 minute and 45 seconds to the gentlewoman from Ohio (Ms. SUTTON).

Ms. SUTTON. Mr. Speaker, I rise today in support of this legislation that's going to provide an additional $2 billion for the CARS Act, a bill that I sponsored, sometimes referred to as Cash for Clunkers. But by any name, this bill has been, thus far, a tremendous success.

It has helped consumers purchase cars that they couldn't have purchased in this economic downturn perhaps but which they needed. It's going to give them cars and fuel savings for a long time to come. It's helping our auto companies, our auto dealers, all of the jobs associated with that very vital and important industry in this country, to maintain itself, to continue and give it the chance to grow and restore.

The program also, of course, is good for our environment because it's taking out those less fuel-efficient cars and getting them off the road and replacing them with more fuel-efficient cars.

This is an unprecedented success, and my colleague is right. We must make sure that it works throughout the entire process. But we are well on our way, and I appreciate the leadership of the chairman of the Appropriations Committee, Secretary LaHood, the administration, who I've been working very closely with to make sure that we build on this success which is stimulating our economy, keeping people working, helping our environment, and helping our consumers when they really, really need it.

Mr. LEWIS of California. Mr. Speaker, I would like to say to the gentlelady who authored this bill, she has more influence with the Appropriations chairman than most people around here. He just picked that up for her and moved it along, expedited the process.

I am proud to yield 2 minutes to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. Mr. Speaker, the Cash for Clunkers program was inartfully drafted. It is more complex and cumbersome than it needs to be. The administration of it is not going very well at all, but it has worked. And, Mr. Speaker, we have passed a number of things in this Congress this year intended to stimulate the economy. The vast majority of them have

not had that effect, but this one has, and it has clearly worked.

For the initial $1 billion to be exhausted, that means that roughly 250,000 new vehicles must have been sold in just the last week or two in order to exhaust all of that money. That is clearing inventories in car dealerships, which means car dealers will be ordering more cars.

When they order more cars, plants will begin to run again. Plants will open up. They will be producing more cars, and people will go back to work. There will be suppliers that will produce supplies, various parts for those cars, steel mills producing for those cars, and those people will go back to work. There will be trucks and trains that deliver those cars, and those people will go back to work.

And Mr. Speaker, the $2 billion for this is coming out of the existing funding, so it is not increasing the debt or the deficit any more than what has already been there.

Mr. Speaker, I support this bill. I support this effort. It is the one thing that we have done here in this Congress that is absolutely working. It is stimulating the economy. It is creating jobs, and we want it to create more.

Mr. OBEY. I yield 1½ minutes to the distinguished gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY of Massachusetts. I thank the chairman very much, and I very much appreciate your very hard work on extending this program.

This program is a win for consumers who are trading in old gas guzzlers for new hybrids, a win for the recovering economy, and a win for energy independence and the environment as the new vehicles are averaging 60 percent more fuel efficiency than the junkers being taken off the road.

However, I am concerned that we are taking funding from the Renewable Energy Loan Guarantee Program and would express my strong belief that we must find a way of replenishing those funds as soon as possible.

Mr. Chairman, could you work with me and other Members to ensure that the funds for this program will be replenished?

Mr. OBEY. If the gentleman would yield, I share the gentleman's view that the Renewable Energy Loan Guarantee Program is of vital importance to creating a new, green economy. We have talked with the White House. We have talked with the Speaker, and I want to assure you that all of us certainly have every intention of restoring these funds.

Mr. MARKEY of Massachusetts. I thank the chairman very much. I know that this has always been the highest priority for yourself, for Speaker PELOSI, and for the Obama administration, and I look forward to working with you in the future in order to make sure that we have a win-win here for renewable energy and for our fuel-efficient vehicles.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding, and I won't take 2 minutes.

I just want to say, I thought I'd heard it all until I came to the floor today. Somebody said earlier, this bill's a success. Ford Motor Company loves it. I think that that's self-evident. But I think that there are taxpayers around the country who are wondering why we're taking $2 billion more from them to decide which industry here is going to get a break.

We decided to give out free money, and now we're surprised when people take advantage of it and love the program. I mean, that's the nature of human nature. If you're given free money, you like it and you want more. And that's what this program is. Why are we deciding to aid this sector and not another?

If you're Mr. or Mrs. Businessman across the country, you've got to be wondering if we have lost our minds here by saying that we're going to continue to give out more money just for this industry but not help the others. I don't understand this process and how we can bring this up this quickly. But an Appropriation Committee that can bring a Defense bill to the floor in 18 minutes for a markup that has more than 1,100 earmarks, I guess, has no problem doing this.

Mr. OBEY. Mr. Speaker, I yield myself 20 seconds.

I just want to say, Mr. Speaker, that what we have heard several times here today about this action are complaints from the people who helped wreck America's economy and are now complaining because of the way this President and this Congress are trying to pull the country out of the ditch and restore economic growth. We've come to expect that, but that doesn't make it any more pleasant.

I yield 1 minute to the distinguished Speaker of the House.

□ 1245

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding, and I thank him for his very important and swift action to address the opportunity that was given to us this week.

As you know, my colleagues, as part of the supplemental earlier this year, the Cash for Clunkers provision was provided in it. Many people had worked very, very hard on that for a long time, and we were able to have it pass on a bill that was going to be signed by the President.

I want to acknowledge Congresswoman SUTTON for her enthusiastic support and leadership; Congressman INSLEE and Congressman ISRAEL of New York, who all worked very hard on this; certainly the chairman emeritus of the Energy and Commerce Committee, Mr. DINGELL; the current chairman, Mr. WAXMAN; and Mr. MARKEY as Chair of the Select Committee on Global Warming for his leadership on this issue for a long period of time.

I mention all of them because this brings together so many elements of what we want to do to grow our economy, to help our workers, to protect our environment, and to do so in a very focused way that works, and that's what is interesting about this week.

In about 6 days, it is estimated that 250,000 cars were sold. On both sides of the aisle, people acknowledge the effectiveness of this initiative, and that is why yesterday—and as we were seeing what was happening this week—the Obama administration asked us to help consumers who have yet to have the opportunity to take advantage of trading in their old cars for new energy-efficient models. When they do that, again, they strengthen the auto industry, strengthen our economy at large and help preserve our environment.

What's interesting about it, and the point that has been made by many speakers already, is just that everything has performed beyond the requirements of the bill. The cars that have been purchased are much more fuel-efficient and the emissions standard much better than the bill even required, and that's good news.

I do share the concern that has been put forth by Mr. MARKEY—and I don't know if Mr. INSLEE has yet, but he will—about the source of the revenue, and that is the Innovative Technologies Loan Guarantee Program.

In the recovery package in January, we voted for a $6 billion initiative. It was very important to have it at that level, and it's very important in terms of our renewables program—$6 billion—but the administration has just released a solicitation for about half of that money, for $3 billion in loans for renewable energy. The rest of the money would not be released until next year, until after January. So that gave us an opportunity, for the time being, to use $2 billion of that for this Cash for Clunkers expansion.

Again, I am concerned about the fact that that money is taken from that account, but it has not cost any opportunities for the program, because the timing is such that that money would be spent next year.

I do hope, whether it's in the continuing resolution or some other step along the way, that those funds will be restored, because it's not appropriate for us to take money to do one thing for fuel efficiency out of an account that is designed to do just that in looking into the future with further innovation. So I share the concerns expressed by Mr. MARKEY, and I appreciate the comments made by Mr. OBEY in the colloquy that they had about restoring those funds.

But, again, I think this is a pretty exciting day. As I said, we got the word just as this news was unfolding this week. Yesterday, it was determined that we could go forward. The Rules Committee under Congresswoman SLAUGHTER responded very positively. The chairman of the Appropriations Committee, Mr. OBEY, has been trying to find solutions for us, and the leadership of the Republican Party has been

very cooperative in how we could bring the bill to the floor.

So this is a very positive, bipartisan initiative to help our auto industry, to help consumers grow our economy and to do it in an environmentally sound way. I think it is the perfect message for us to take home for August.

Thank you all for your leadership in making this possible.

Mr. LEWIS of California. Mr. Speaker, may I inquire of the time remaining on both sides?

The SPEAKER pro tempore. The gentleman from California has 4 minutes remaining, and the gentleman from Wisconsin has 7¾ minutes remaining.

Mr. LEWIS of California. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. BROUN).

Mr. BROUN of Georgia. I thank my friend from California for yielding.

Mr. Speaker, Cash for Clunkers has serious problems that are administrative problems. I have dealers in my district in northeast Georgia who probably are going to go bankrupt because of these problems. I hope, as we go forward, that we'll fix these administrative snafus that are in this problem.

We're throwing money into another government program that has very serious problems where dealers can't get their money. I have one dealer who has paid out of his pocket for 50 cars but has only gotten money back for one. Now, that dealer, if he doesn't get paid back, is going to have very severe financial problems, and his employees are going to be put out of work if we don't fix this.

Certainly, we've sold a lot of cars because of this program, but just throwing money into a program that has tremendous administrative, red tape problems and other problems is not going to be the long-term answer. I hope that the administration will straighten out these administration snafus and will get the money to our dealers, money that they desperately need.

Mr. OBEY. I yield 1 minute to the distinguished gentleman from New York (Mr. MAFFEI).

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

Mr. MAFFEI. Mr. Speaker, today, we are faced with a rare problem. We have a program that has proven to be working, and all we need to do is to keep it working. Getting gas-guzzling vehicles off the road and replaced with new fuel-efficient vehicles is helping our environment. It is putting money directly into the pockets of middle-income families. It is a ray of hope for auto dealers in this country, a ray of hope for the U.S. auto industry and a ray of hope for our economy.

Finally we have a bailout, not for the big businesses, not for Wall Street, but a bailout for Main Street.

As the lead sponsor of a bill to help protect the legal rights of auto dealers, I can tell you this is a godsend for the auto dealers in my district. Don't stall what's working. Give it a fill-up, and let's get Cash for Clunkers back on the road.

Mr. LEWIS of California. Mr. Speaker, I will be the last speaker on our side, so I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. SCHAUER).

Mr. SCHAUER. Thank you, Mr. Chairman. Thank you for your quick leadership on such an important issue.

When I ran for Congress—and I'm from Michigan—I pledged that I would fight every day for people in businesses in my community who are being hurt by a brutal economy. The Cash for Clunkers program has breathed life into a very difficult economy in communities all around my district. Here is why this is important:

I've talked to car dealers in my district. They can't keep cars on the lots. They will be ordering new cars from manufacturers in my State and from around the country. Suppliers who supply parts for those cars will be manufacturing more of them. This is very, very critical, and it has been very effective in turning around our economy in just a matter of days.

Mr. Chairman, thank you for giving us the opportunity to continue this program and to continue to turn our economy around.

Mr. LEWIS of California. Mr. Speaker, I continue to reserve the balance of my time.

Mr. OBEY. I yield 1 minute to the gentleman from Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, I want to just make a point that this program has been spectacularly successful from an environmental perspective. It was originally criticized that we did not call for high enough efficiency improvement in these cars. The people have fixed this problem for us. We are seeing average increases of efficiency of 60 percent—well, well above what was required by Congress.

For one car company, 78 percent of the cars that they're buying are over 30 miles a gallon and 39 percent above 30 miles per gallon. The American people have seen spectacular improvements in efficiency and in environmental performance.

I want to thank the Speaker and Mr. OBEY for essentially assuring us—I'll take it as that, almost—that we, in fact, are going to replace this money. I hope it is in the CR. It is necessary to achieve our efficiency goals.

Mr. LEWIS of California. Mr. Speaker, I continue to reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield 30 seconds to the gentleman from Indiana (Mr. DONNELLY).

Mr. DONNELLY of Indiana. Mr. Speaker, I want to thank the chairman for bringing this bill to the floor. This program has been an enormous success. It's good for our environment to have cars with better mileage. It's good for our families, who get to save some money when they make these big purchases. It's also very, very good for the workers of Indiana, who are back to work, building these cars.

This is a win-win-win for our country. It's one of the great programs to create jobs, to help our environment and to help our families. We're very supportive, and we want to thank the chairman for bringing this program forward.

Mr. LEWIS of California. Mr. Speaker, it should be noted that the Speaker, when she was presenting her views to the membership, indicated that, one way or another, she'd find a way to get this money back into the bill somewhere down the line. Between now and then, it's pretty obvious that this bill could not have been on the floor today if it had not been for an emergency designation that would allow us to exercise ourselves in this fashion.

I would remind ourselves one more time of the quote received from a car dealer in New York. Speaking of us, about how this bill was handled, he said, If they can't administer a program like this, I'd be a little concerned about my health insurance.

With that, I join the gentleman one more time in saying, ''Amen.''

I yield back the balance of my time.

Mr. OBEY. I yield myself the remainder of the time.

Mr. Speaker, today, the Commerce Department just issued figures which have indicated that the depth of the recession in the last quarter of last year was much more severe than anyone had estimated. This is the good news part of the day: They also tell us that, in the first quarter of this year, the shrinkage of the economy has now slowed considerably, which is a very hopeful sign, because the economy, evidently, performed significantly better than most of the economic experts had thought it would perform. We all welcome that news, but as you know, that is not good enough. We need to see more progress. Our dilemma is this:

Ordinarily in a recession, when the country is losing jobs, the Federal Reserve lowers interest rates, and that helps the housing industry to move ahead. It helps the auto industry to sell cars. Our economy is normally led out of the recession by the housing industry and by the auto industry. This time around, the situation is very different, because those two sectors have been basket cases for the past year and a half.

The first glimmer of hope we've seen in the auto industry is the news that we received yesterday from the Secretary of Transportation, Mr. LAHOOD, who informed us that, in just 3 days' time, when the program was started, as far as they can tell, it's already oversubscribed. That means the consumers like this program; it means they are reacting to it, and it means that it would be irresponsible of us not to try

to prevent the shutdown of this program just 3 days after it began.

So we're here, trying to take advantage of one of the few bright spots in the economy to help move the economy forward. We still have a long way to go before good news shows up on the unemployment side of the ledger, but we'll take every bit of good news we can. Today, I think this is one piece of good news, and I think we need to respond to it.

Mr. LEWIS of California. Would the gentleman yield?

Mr. OBEY. I would be happy to yield very briefly to my friend.

Mr. LEWIS of California. I just want to say, Mr. Chairman, that, for some reason or another, the gentleman who is our Speaker pro tempore has drawn the short end of the stick this week. He has been doing wonderful work in moving the process along, and I think the body should recognize his work.

Mr. OBEY. I thank the gentleman.

Mr. Speaker, I would ask for an ''aye'' vote.

Mr. BLUMENAUER. Mr. Speaker, while I strongly support the ''cash for clunkers'' concept, I voted against this legislation to provide the program with infusion of cash. The bill that was rushed to the Floor today tripled the program without any discussion of how it's working administratively or why the money ran out so quickly. I'm concerned that rushing ahead without better understanding these issues will create additional problems in the future. In addition, by bringing this legislation to the Floor so quickly, we have missed an opportunity to make improvements to the program.

Cash for clunkers is a much better approach to help both consumers and the auto industry than simply bailing out the automakers by throwing money at them. With this program we are not only helping them to modernize their fleet, but we are taking some of the dirtiest, most polluting cars off the road.

The fact that the program ran out of money within the course of a few days shows its popularity and its potential to help rescue and transform our nation's automakers. Consumers have clearly demonstrated that they want to purchase more fuel efficient vehicles. Action to extend the program would have been a good opportunity to strengthen and better target the provisions so they do more to improve fuel efficiency, reduce vehicle emissions and reduce our dependence on foreign oil.

I am also concerned that in order to triple cash for clunkers, the bill takes money away from another important economic recovery program that supports renewable energy projects. We don't know the consequences of this action and how it will impact other Oregon priorities and job prospects in the renewables sector.

Cash for clunkers is a program I support and I think it has an important role to play in our economic recovery. However, I don't want this rushed action to weaken both its effectiveness and long-term viability.

Mr. STUPAK. Mr. Speaker, I rise in support of H.R. 3435.

The CARS program has proven widely successful. Within five days of the program's official start for electronic submission of applications, there is concern that the original $1 billion in funding will soon be depleted.

This means an estimated 250,000 new vehicles were sold since the start of the program. This is a great boost to our auto industry, with reports of dealerships being unable to keep current vehicles in stock due to the strong demand from consumers—a problem my local dealers welcome.

Preliminary statistics on the program point to consumers gaining a 69 percent improvement in fuel efficiency from their trade-in vehicles, with an average annual gasoline savings of $750.

The goals of increasing fuel efficiency, reducing pollution, and providing a needed economic stimulus for our nation's auto industry have all been met by the program. An additional $2 billion, transferred from the economic stimulus bill, should provide enough funding for the program to sell an additional 500,000 vehicles.

Even ineligible consumers are benefiting as more foot traffic from the program will boost automotive sales for dealerships across the country.

A bipartisan group of Members and the White House are in agreement that this successful program must continue. Congress should pass H.R. 3435 to provide $2 billion from economic stimulus funding to support this widely successful program. Consumers should continue to benefit from the program, and we must ensure the financial security of existing deals between consumers and car dealerships.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I am concerned over the news reports that the Consumer Assistance to Recycle and Save Program, or the Car Allowance Rebate System has run out of money.

This program took effect approximately one week ago, and American auto dealers have already sold 8,000 cars thanks to subsidies contained in the legislation. Equally impressive is the fact that appropriated funds have already been dispersed. This swift action by Congress and the Department of Transportation is extremely encouraging. This legislation has been having a stabilizing effect moving forward and delivers badly needed relief to the American auto industry.

The Cars for Clunkers program is a part of the federal government's efforts to help local dealers who are suffering financially and shutting down because of the economy, and I am thrilled by the program's early success.

We need to fully fund the House-passed authorized level of $4 billion before we leave for our August district work period.

The government's new Cash for Clunkers program took effect approximately one week ago, and American auto dealers have already sold 8,000 cars thanks to subsidies contained in the legislation. I am confident that this legislation will have a stabilizing effect moving forward and deliver badly needed relief to the American auto industry. Creation of the Cash for Clunkers program was not the first action Congress has taken this year to help struggling auto dealers. As we move forward with implementation of this new program, it is important that Congress make sure previously appropriated funds are used to help auto dealers on Main Street and not just manufacturers.

As a senior member of the Transportation Committee, I work every day to help Americans who depend on the transportation industry for jobs and services. I firmly believe that every mode of transportation contributes to America in meaningful ways. However, no mode of transportation has shaped American life as profoundly as the automobile—and that is why Congress needs to do everything in its power to help struggling auto dealers across America.

In good economic times, manufacturers established as many dealerships as possible in order to maximize profit. However, in today's recession, these same dealerships are being asked to sacrifice. And those responsible for the industry's collapse—namely the management of GM and Chrysler who insisted on building bigger, gas-guzzling automobiles—are the ones being propped up by federal bailout dollars. This is hardly fair, and Congress has a responsibility to exercise oversight and ensure dealers are not punished for management's mistakes.

Most dealerships across America are seeing layoffs and some have been closed altogether. These dealers are the bedrock of our communities; they sponsor our children's sports teams and are known for participating in community organizations. Supporting upstanding auto dealers across America is not ''political pandering'' as your editorial suggested. Congress is simply taking action to protect hard-working Americans whose dealerships are being taken from them for no mistake of their own.

When we committed taxpayer dollars to these companies, we accepted the responsibility to make sure those monies would help Americans on Main Street—that means dealerships and not just manufacturers. Dealers deserve to be protected by these funds, and Members of Congress should be committed to effective oversight.

In a rare exhibit of bipartisanship, Democrats and Republicans are working together to save American auto dealers. Members of both parties agree that the closing of dealerships may violate state franchise laws designed to protect dealers from unfair and oppressive trade practices.

The actions of Chrysler and GM simply ignore these protected rights. Dealers have lost their dealerships without due process or adequate compensation. Action by Congress could not only reinstate dealers but will also revitalize the communities that depend crucially on dealerships for jobs and services. Simply, auto dealers are part of the solution to manufacturers' problems, not a part of the problem.

Most dealers would prefer to remain in the automobile business as GM or Chrysler franchisees, but today manufacturers are allowed to eliminate entire dealerships regardless of clear precedent that protects dealers' rights. Chrysler and GM are being allowed to operate as the ''exception to the rule.'' This is unfair to our communities that depend on auto dealers and represents a clear federal level assault on state franchise laws.

Congress must take action to save our dealerships, communities, and American jobs.

Mr. TONKO. Mr. Speaker, I rise in support of H.R. 3435, the Consumer Assistance to Recycle and Save (CARS) Program, or the ''Cash for Clunkers'' initiative.

This additional $2 billion in funding will help promote automotive sales and protect our environment. In the past week, it is estimated that 250,000 cars were sold. On both sides of the aisle, people acknowledged the effectiveness of this initiative. I am proud to support its extension.

I also ask for special consideration and clarification on an important part of this bill. As it currently stands, if one spouse owns the title to a "clunker" and the other spouse holds the registration, that couple is not eligible to participate in the program. I believe that consideration to married couples should be afforded more flexibility and that regardless of the registration/title configuration, those married couples should be able to participate.

Finally, this is a very positive, bipartisan initiative to help our auto industry, to help consumers, to grow our economy, and to do it in an environmentally sound way.

Mr. OBEY. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. OBEY) that the House suspend the rules and pass the bill, H.R. 3435.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. LEWIS of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

Pursuant to House Resolution 697, this 15-minute vote on the motion to suspend the rules will be followed by 5-minute votes on adoption of the Frank amendment, as modified, to H.R. 3269; adoption of the Garrett amendment to H.R. 3269.

The vote was taken by electronic device, and there were—yeas 316, nays 109, answered "present" 2, not voting 6, as follows:

[Roll No. 682]

YEAS—316

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Altmire
Andrews
Arcuri
Austria
Baca
Bachus
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blunt
Boccieri
Bono Mack
Boren
Boswell
Boucher
Boustany
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Brown-Waite, Ginny
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castle
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Gerlach
Gingrey (GA)
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kingston
Kirk
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Massa
Matheson
Matsui
McCollum
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Pomeroy
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tiberi
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth
Young (FL)

NAYS—109

Akin
Alexander
Bachmann
Baird
Barrett (SC)
Bartlett
Bilirakis
Bishop (UT)
Blackburn
Blumenauer
Boehner
Bonner
Boozman
Boyd
Brady (TX)
Broun (GA)
Brown (SC)
Burgess
Cantor
Carter
Chaffetz
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Dent
Doggett
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Giffords
Goodlatte
Granger
Graves
Hastings (WA)
Heller
Hensarling
Herger
Herseth Sandlin
Hunter
Inglis
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
King (IA)
Kirkpatrick (AZ)
Lamborn
Latta
Lewis (CA)
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Marshall
McCarthy (CA)
McClintock
McHenry
McMorris Rodgers
Mica
Miller (FL)
Mitchell
Moran (KS)
Murphy (NY)
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Peterson
Polis (CO)
Posey
Price (GA)
Radanovich
Rogers (KY)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Schrader
Sensenbrenner
Sessions
Shadegg
Smith (NE)
Smith (TX)
Sullivan
Thornberry
Tierney
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)

ANSWERED "PRESENT"—2

Buchanan
Deal (GA)

NOT VOTING—6

Gohmert
Harper
Linder
McCarthy (NY)
McCaul
Salazar

□ 1324

Messrs. COFFMAN of Colorado, BLUMENAUER and BAIRD and Ms. JENKINS changed their vote from "yea" to "nay."

Mr. BACHUS changed his vote from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CORPORATE AND FINANCIAL INSTITUTION COMPENSATION FAIRNESS ACT OF 2009

The SPEAKER pro tempore. Pursuant to House Resolution 697, proceedings will now resume on the bill (H.R. 3269) to amend the Securities Exchange Act of 1934 to provide shareholders with an advisory vote on executive compensation and to prevent perverse incentives in the compensation practices of financial institutions.

The Clerk read the title of the bill.

AMENDMENT NO. 1, AS MODIFIED, OFFERED BY MR. FRANK OF MASSACHUSETTS

The SPEAKER pro tempore. The unfinished business is the question on the amendment by the gentleman from Massachusetts (Mr. FRANK), as modified, on which a recorded vote was ordered.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The SPEAKER pro tempore. The question is on the amendment, as modified.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 242, noes 178, not voting 13, as follows:

[Roll No. 683]

AYES—242

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth

Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (MA)
Marshall
Massa
Matheson
Matsui
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Woolsey
Wu
Yarmuth

NOES—178

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Markey (CO)
McCarthy (CA)
McClintock
McCotter
McHenry
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Teague
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Westmoreland
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—13

Gohmert
Harper
Linder
McCarthy (NY)
McCaul
McCollum
McMorris Rodgers
Olver
Paulsen
Salazar
Schock
Wamp
Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1330

Mr. CLEAVER changed his vote from ''no'' to ''aye.''

So the amendment, as modified, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. PAULSEN. Mr. Speaker, on rollcall No. 683 I was unavoidably detained. Had I been present, I would have voted ''no.''

AMENDMENT NO. 2 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. GARRETT OF NEW JERSEY

The SPEAKER pro tempore. The unfinished business is the question on the amendment offered by the gentleman from New Jersey (Mr. GARRETT) on which a recorded vote was ordered.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 179, noes 244, not voting 10, as follows:

[Roll No. 684]

AYES—179

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Cuellar
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Markey (CO)
McCarthy (CA)
McClintock
McCotter
McHenry
McHugh
McKeon
McMahon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Moran (KS)
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Teague
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOES—244

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Cao
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar

Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOT VOTING—10

Bilbray
Gohmert
Gutierrez
Harper
Linder
McCarthy (NY)
McCaul
Pingree (ME)
Salazar
Wamp

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1338

Messrs. CONYERS and OBEY changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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.

MOTION TO RECOMMIT

Mr. SESSIONS. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SESSIONS. I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Sessions moves to recommit the bill, H.R. 3269, to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

At the end of section 14(i) of the Securities Exchange Act of 1934 (as added by section 2 of the bill), insert the following:

''(6) DISCLOSURE OF ACTIVITIES TO INFLUENCE VOTE.—Notwithstanding paragraphs (1) or (2)(B), a shareholder's vote shall not be counted under such paragraphs if the shareholder has spent, directly or indirectly, more than a de minimis amount of money (as determined by the Commission) on activities to influence the vote under such paragraphs of other shareholders, unless such shareholder discloses to the Commission, in accordance with rules prescribed by the Commission—

''(A) the identity of all persons or entities engaged in activities to influence such a vote;

''(B) the activities engaged in to influence such a vote; and

''(C) the amount of money expended on activities to influence such a vote.''.

Mr. SESSIONS (during the reading). Mr. Speaker, I ask unanimous consent to have the motion considered as read.

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

There was no objection.

Mr. SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas is recognized for 5 minutes in support of his motion.

Mr. SESSIONS. Mr. Speaker, I would like to preempt a common protest by the gentleman, my friend from Massachusetts, and let my colleagues know that this motion will not ''kill the bill.'' In fact, it will not even send it back to committee. We have the authority right here, right now to provide for the appropriate transparency and accountability just by passing this motion.

The legislation that the Democrat majority has brought before the House today forces every publicly held company to bear the cost of administering a toothless, non-binding shareholder vote on pay packages during every proxy vote.

This motion to recommit would improve this interventionist legislation by providing sunshine and transparency for shareholders so that there is full disclosure about who is financing efforts to influence a vote on this new, congressionally mandated, non-binding shareholder resolution.

Let me give an example of a substantially similar disclosure requirement that every Member of this body understands because it's already a current practice: As Federal candidates, we are obligated to disclose to the FEC the name, occupation, and amount given from each of our donors. We require this because public interest is advanced by letting voters know who funds each candidate's campaign.

My motion asks for the same disclosure so that shareholders know what persons or organizations are spending money to influence the new mandatory, non-binding vote.

The purpose of this motion is not to impede the ability of organizations to influence the vote. If they hold shares in stock, they will be able to express their opinion. The point of the motion is to simply provide voters, in this case shareholders, with access to information about who is spending money and what are they attempting to influence with their vote.

My motion tasks the SEC with setting a de minimus level of spending and with collecting important information about anyone or any organization that spends over that amount to influence a vote, including who is spending the money, what they are spending the money on, and how much they are spending to influence the votes of other shareholders.

This motion provides an appropriate level of transparency for shareholder elections. If we believe that voters deserve this information, we should also give to shareholders this same level of transparency.

Once again, I would like to make it clear that this legislation will not ''kill the bill,'' as its opponents might claim. It will not send the bill back to committee to fix its current lack of transparency because it allows it to be done right here, right now.

I encourage all my colleagues to support this commonsense motion to improve transparency for shareholders about who is trying to influence their votes.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I rise to claim the time in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Mr. Speaker, that speech would have been impressive—I might have disagreed with it—if it applied to all shareholder votes. The recommittal motion singles out the say-on-pay. And if you want to influence pay, you have to report everything. If you want to vote on a merger or an acquisition or if you want to vote on anything else, you don't have to do it. It's not a uniform requirement of a disclosure. It burdens the say-on-pay vote and leaves every other vote in the dark. If that's so important, why did we not have a broader version of it?

It also is quite burdensome.

□ 1345

If you want to spend money to oppose large bonuses, to oppose large salaries, to oppose a company paying 72 percent of its revenue, as recently happened, in compensation, if you are a pension fund, if you are a union, if you want to write to your own members and say this is a bad idea, if you hold shares, vote ''no.'' You have to give the identity of all persons or entities engaged in the activity and the activities engaged.

It is not simply a reporting of the amount of money. It is a very detailed one, and it burdens only those voting on say-on-pay. It clearly comes from a hostility of the notion of say-on-pay. Members who opposed it 2 years ago can't oppose it today, so they now have a new tactic. They are trying to aggravate it.

And while we are on the subject of aggravation, I hope to reduce the level here by asking people to vote ''no.''

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. SESSIONS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 178, noes 244, not voting 11, as follows:

[Roll No. 685]

AYES—178

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Ellsworth
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Teague
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOES—244

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Wu
Yarmuth

NOT VOTING—11

Gohmert
Harper
Linder
McCarthy (NY)
McCaul
McHugh
Rangel
Salazar
Skelton
Wamp
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1402

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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. FRANK of Massachusetts. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 237, noes 185, not voting 11, as follows:

[Roll No. 686]

AYES—237

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boswell
Boucher
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Marshall
Massa
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOES—185

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Berry
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Boyd
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan

Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Cuellar
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Halvorson
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Markey (CO)
McCarthy (CA)
McClintock
McCotter
McHenry
McKeon
McMahon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Souder
Stearns
Sullivan
Teague
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—11

Gohmert
Grijalva
Harper
Lee (NY)
Linder
Markey (MA)
McCarthy (NY)
McCaul
McHugh
Salazar
Wamp

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1409

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MARKEY of Massachusetts. Mr. Speaker, on rollcall No. 686, I inadvertently did not vote, but intended to vote "aye".

Stated against:

Mr. LEE of New York. Mr. Speaker, on rollcall No. 686, had I been present, I would have voted "no."

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 172. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

AUTHORIZING USE OF CAPITOL GROUNDS FOR NATIONAL WEEKEND OF REMEMBRANCE EVENT

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure be discharged from further consideration of the concurrent resolution (H. Con. Res. 171) authorizing the use of the Capitol Grounds for an event to honor military personnel who have died in service to the United States and to acknowledge the sacrifice of the families of those individuals as part of the National Weekend of Remembrance, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore (Mr. MAFFEI). Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 171

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF CAPITOL GROUNDS FOR NATIONAL WEEKEND OF REMEMBRANCE EVENT.

(a) IN GENERAL.—The White House Commission on Remembrance (in this resolution referred to as the "sponsor") shall be permitted to sponsor a public event (in this resolution referred to as the "event") on the Capitol Grounds to honor military personnel who have died in service to the United States and to acknowledge the sacrifice of the families of those individuals as part of the National Weekend of Remembrance.

(b) DATE OF EVENT.—The event shall be held on September 26, 2009, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsor is authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment, as may be required for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of House Concurrent Resolution 171, authorizing the use of the Capitol Grounds for an event to honor military personnel who have died in service to the United States and to acknowledge the sacrifice of the families of those individuals as part of the National Weekend of Remembrance.

This concurrent resolution will permit the use of the Capitol Grounds for a Time of Remembrance tribute for military families who have lost loved ones in Iraq and Afghanistan, including 72 Minnesota families (with 12 families from my Congressional District). This event will be held on September 26, 2009, on the West Front of the Capitol and will be sponsored by the White House Commission on Remembrance and Families United for Our Troops and Their Mission, a non-profit organization.

The White House Commission on Remembrance was established by Congress in 2000, under the National Moment of Remembrance Act (P.L. 106–579). This law directed the Commission to unite the nation in a National Moment of Remembrance, to be held at 3:00 p.m. each Memorial Day. Since 2006, the Commission has also sponsored an annual Time of Remembrance ceremony to "honor all those who have died in service to our country, with a special tribute to America's fallen in Afghanistan and Iraq and the families they left behind."

Passing this resolution will ensure that this year's ceremony, and a picnic to follow, will be allowed to go forward on the Capitol Grounds on September 26, 2009. Activities on the Capitol Grounds conducted under H. Con. Res. 171 will be coordinated with the Architect of the Capitol and the Capitol Police Board, and will be free of charge.

This ceremony is an opportunity to demonstrate to military families that their fellow Americans join them in mourning their loss, and to express our sincere and immeasurable gratitude for the service of their sons, daughters, mothers, fathers, sisters, and brothers to our nation. While we can never adequately thank those who have died for the sacrifice they have made, taking time to remember these brave men and women and celebrating their lives with their families is an appropriate tribute.

I urge my colleagues to join me in supporting H. Con. Res. 171.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

SIDNEY M. ARONOVITZ UNITED STATES COURTHOUSE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent for the immediate consideration in the House of the bill (H.R. 2913) to designate the United States courthouse located at 301 Simonton Street in Key West, Florida, as the "Sidney M. Aronovitz United States Courthouse".

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 2913

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

SECTION 1. DESIGNATION.

The United States courthouse located at 301 Simonton Street in Key West, Florida, shall be known and designated as the ''Sidney M. Aronovitz United States Courthouse''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the ''Sidney M. Aronovitz United States Courthouse''.

Mr. OBERSTAR. Mr. Speaker, I rise in support of the bill, H.R. 2913, introduced by the gentlelady from Florida (Ms. ROS-LEHTINEN), to designate the United States courthouse located at 301 Simonton Street in Key West, Florida, as the "Sidney M. Aronovitz United States Courthouse".

Judge Sidney M. Aronovitz served as a U.S. District Court Judge for the Southern District of Florida for 21 years. Aronovitz was born in Key West, Florida, on June 20, 1920. After graduating from Key West High School in 1937, he went on to attend the University of Florida where he was awarded a bachelor of arts degree in 1942, and a law degree, with honors, in 1943. Aronovitz went on to serve as a U.S. Army captain from 1943 to 1946, earning multiple distinctions, including a Bronze Star.

Between 1943 and 1976, Aronovitz served as a lawyer in private practice in Miami, Florida. He also served as a City Commissioner from 1962 to 1966, holding the position of Vice-Mayor in 1965. In 1976, President Gerald Ford nominated Sidney M. Aronovitz to serve as a U.S. District Court Judge for the Southern District of Florida. Judge Aronovitz was commissioned on September 21, 1976, and served as a U.S. District Court Judge until his death in 1997. In addition, he periodically sat on the U.S. Court of Appeals, 11th Circuit, and served on the U.S. Foreign Intelligence Surveillance Court from 1988 to 1992.

Judge Aronovitz served with distinction and it is fitting that we honor him today with this designation.

I urge my colleagues to support H.R. 2913.

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.

PRIVILEGED REPORT ON RESOLUTION OF INQUIRY TO THE ATTORNEY GENERAL

Mr. COHEN, from the Committee on the Judiciary, submitted an adverse privileged report (Rept. No. 111–242) on the resolution (H. Res. 636) directing the Attorney General to transmit to the House of Representatives all information in the Attorney General's possession relating to the transfer or release of detainees held at Naval Station, Guantanamo Bay, Cuba, into the United States, which was referred to the House Calendar and ordered to be printed.

SUPPORTING NATIONAL SAVE FOR RETIREMENT WEEK

Ms. SCHWARTZ. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means be discharged from further consideration of the resolution (H. Res. 662) supporting the goals and ideals of ''National Save for Retirement Week'', including raising public awareness of the various tax-preferred retirement vehicles as important tools for personal savings and retirement financial security, 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 gentlewoman from Pennsylvania?

There was no objection.

The text of the resolution is as follows:

H. RES. 662

Whereas people in the United States are living longer and the cost of retirement continues to rise, in part because the number of employers providing retiree health coverage continues to decline, and retiree health care costs continue to increase at a rapid pace;

Whereas Social Security remains the bedrock of retirement income for the great majority of the people of the United States, but was never intended by Congress to be the sole source of retirement income for families;

Whereas recent data from the Employee Benefit Research Institute indicates that, in the United States, less than ⅔ of workers or their spouses are currently saving for retirement and that the actual amount of retirement savings of workers lags far behind the amount that will be needed to adequately fund their retirement years;

Whereas saving for one's retirement is a key component to overall financial health and security during retirement years;

Whereas many workers may not be aware of their options for saving for retirement or may not have focused on the importance of, and need for, saving for their own retirement;

Whereas many employees have available to them through their employers access to defined benefit and defined contribution plans to assist them in preparing for retirement, yet many of them may not be taking advantage of employer-sponsored defined contribution plans at all or to the full extent allowed by the plans as prescribed by Federal law;

Whereas many workers who are saving for retirement in tax-preferred vehicles have experienced declines in their account values as a result of the recent economic downturn and market decline, making continued contributions all the more important;

Whereas all workers, including public- and private-sector employees, employees of tax-exempt organizations, and self-employed individuals, can benefit from increased awareness of the need to develop personal budgets and financial plans including retirement savings strategies, and to take advantage of the availability of tax-preferred savings vehicles to assist them in saving for retirement; and

Whereas October 18 through October 24, 2009, has been designated as ''National Save for Retirement Week'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of ''National Save for Retirement Week'', including raising public awareness of the various tax-preferred retirement vehicles as important tools for personal savings and retirement financial security;

(2) supports the need to raise public awareness of efficiently utilizing substantial tax revenues that currently subsidize retirement savings, revenues estimated to be in excess of $120,400,000,000 for the 2008 fiscal year budget;

(3) supports the need to raise public awareness of the importance of saving adequately for retirement, and the availability of tax-preferred employer-sponsored retirement savings vehicles; and

(4) calls on the States, localities, schools, universities, nonprofit organizations, businesses, other entities, and the people of the United States to observe this week with appropriate programs and activities with the goal of increasing retirement savings for all the people of the United States.

The resolution was agreed to.

A motion to reconsider was laid on the table.

WASHINGTON METROPOLITAN AREA TRANSIT REGULATION COMPACT AMENDMENTS

Mr. COHEN. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the joint resolution (S.J. Res. 19) granting the consent and approval of Congress to amendments made by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to the Washington Metropolitan Area Transit Regulation Compact, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

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

There was no objection.

The text of the joint resolution is as follows:

S.J. RES. 19

Whereas Congress in title VI of the Passenger Rail Investment and Improvement Act of 2008 (section 601, Public Law 110–432) authorized the Secretary of Transportation to make grants to the Washington Metropolitan Area Transit Authority subject to certain conditions, including that no amounts may be provided until specified amendments to the Washington Metropolitan Area Transit Regulation Compact have taken effect;

Whereas legislation enacted by the State of Maryland (Chapter 111, 2009 Laws of the Maryland General Assembly), the Commonwealth of Virginia (Chapter 771, 2009 Acts of Assembly of Virginia), and the District of Columbia (D.C. Act 18–0095) contain the amendments to the Washington Metropolitan Area Transit Regulation Compact specified by the Passenger Rail Investment and Improvement Act of 2008 (section 601, Public Law 110–432); and

Whereas the consent of Congress is required in order to implement such amendments: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONSENT OF CONGRESS TO COMPACT AMENDMENTS.

(a) CONSENT.—Consent of Congress is given to the amendments of the State of Maryland, the amendments of the Commonwealth of Virginia, and the amendments of the District of Columbia to sections 5, 9 and 18 of title III of the Washington Metropolitan Area Transit Regulation Compact.

(b) AMENDMENTS.—The amendments referred to in subsection (a) are substantially as follows:

(1) Section 5 is amended to read as follows:

''(a) The Authority shall be governed by a Board of eight Directors consisting of two Directors for each Signatory and two for the federal government (one of whom shall be a regular passenger and customer of the bus or rail service of the Authority). For Virginia, the Directors shall be appointed by the Northern Virginia Transportation Commission; for the District of Columbia, by the Council of the District of Columbia; for Maryland, by the Washington Suburban Transit Commission; and for the Federal Government, by the Administrator of General Services. For Virginia and Maryland, the Directors shall be appointed from among the members of the appointing body, except as otherwise provided herein, and shall serve for a term coincident with their term on the appointing body. A Director for a Signatory may be removed or suspended from office only as provided by the law of the Signatory from which he was appointed. The nonfederal appointing authorities shall also appoint an alternate for each Director. In addition, the Administrator of General Services shall also appoint two nonvoting members who shall serve as the alternates for the federal Directors. An alternate Director may act only in the absence of the Director for whom he has been appointed an alternate, except that, in the case of the District of Columbia where only one Director and his alternate are present, such alternate may act on behalf of the absent Director. Each alternate, including the federal nonvoting Directors, shall serve at the pleasure of the appointing authority. In the event of a vacancy in the Office of Director or alternate, it shall be filled in the same manner as an original appointment.

''(b) Before entering upon the duties of his office each Director and alternate Director shall take and subscribe to the following oath (or affirmation) of office or any such other oath or affirmation, if any, as the constitution or laws of the Government he represents shall provide: 'I, , hereby solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution and laws of the state or political jurisdiction from which I was appointed as a director (alternate director) of the Board of Washington Metropolitan Area Transit Authority and will faithfully discharge the duties of the office upon which I am about to enter.' ''.

(2) Subsection (a) of section 9 is amended to read as follows:

''(a) The officers of the Authority, none of whom shall be members of the Board, shall consist of a general manager, a secretary, a treasurer, a comptroller, an inspector general, and a general counsel and such other officers as the Board may provide. Except for the office of general manager, inspector general, and comptroller, the Board may consolidate any of such other offices in one person. All such officers shall be appointed and may be removed by the Board, shall serve at the pleasure of the Board and shall perform such duties and functions as the Board shall specify. The Board shall fix and determine the compensation to be paid to all officers and, except for the general manager who shall be a full-time employee, all other officers may be hired on a full-time or part-time basis and may be compensated on a salary or fee basis, as the Board may determine. All employees and such officers as the Board may designate shall be appointed and removed by the general manager under such rules of procedure and standards as the Board may determine.''.

(3) Section 9 is further amended by inserting new subsection (d) to read as follows (and by renumbering all subsequent paragraphs of section 9):

''(d) The inspector general shall report to the Board and head the Office of the Inspector General, an independent and objective unit of the Authority that conducts and supervises audits, program evaluations, and investigations relating to Authority activities; promotes economy, efficiency, and effectiveness in Authority activities; detects and prevents fraud and abuse in Authority activities; and keeps the Board fully and currently informed about deficiencies in Authority activities as well as the necessity for and progress of corrective action.''.

(4) Section 18 is amended by adding a new section 18(d) to read as follows:

''(d)(1) All payments made by the local Signatory governments for the Authority for the purpose of matching federal funds appropriated in any given year as authorized under title VI, section 601, Public Law 110–432 regarding funding of capital and preventative maintenance projects of 1 the Authority shall be made from amounts derived from dedicated funding sources.

''(2) For the purposes of this paragraph (d), a 'dedicated funding source' means any source of funding that is earmarked or required under State or local law to be used to match Federal appropriations authorized under title VI, section 601, Public Law 110–432 for payments to the Authority.''.

SEC. 2. RIGHT TO ALTER, AMEND, OR REPEAL.

The right to alter, amend, or repeal this Act is expressly reserved. The consent granted by this Act shall not be construed as impairing or in any manner affecting any right or jurisdiction of the United States in and over the region that forms the subject of the compact.

SEC. 3. CONSTRUCTION AND SEVERABILITY.

It is intended that the provisions of this compact shall be reasonably and liberally construed to effectuate the purposes thereof. If any part or application of this compact, or legislation enabling the compact, is held invalid, the remainder of the compact or its application to other situations or persons shall not be affected.

SEC. 4. INCONSISTENCY OF LANGUAGE.

The validity of this compact shall not be affected by any insubstantial differences in its form or language as adopted by the State of Maryland, Commonwealth of Virginia and District of Columbia.

SEC. 5. EFFECTIVE DATE.

This Act shall take effect on the date of enactment of this Act.

The 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.

SUPPORTING DESIGNATION OF GOSPEL MUSIC HERITAGE MONTH

Mr. CLAY. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the joint resolution (H.J. Res. 12) expressing support for designation of September 2009 as ''Gospel Music Heritage Month'' and honoring gospel music for its valuable and longstanding contributions to the culture of the United States, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

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

There was no objection.

The text of the joint resolution is as follows:

H.J. RES. 12

Whereas gospel music is a beloved art form unique to the United States, spanning decades, generations, and races;

Whereas gospel music is one of the cornerstones of the musical tradition of the United States and has grown beyond its roots to achieve pop-culture and historical relevance;

Whereas gospel music has spread beyond its geographic origins to touch audiences around the world;

Whereas the history of gospel music can be traced to multiple and diverse influences and foundations, including African-American spirituals that blended diverse elements from African music and melodic influences from Irish folk songs and hymns, and gospel music ultimately borrowed from uniquely American musical styles including ragtime, jazz, and blues;

Whereas that tradition of diversity remains today, as the influence of gospel music can be found infused in all forms of secular music, including rock and roll, country, soul, rhythm and blues, and countless other styles;

Whereas the legacy of gospel music includes some of the most memorable voices and musical pioneers in the history of the United States, such as Thomas Dorsey, Mahalia Jackson, James Vaughan, Roberta Martin, Virgil Stamps, Diana Washington, Stamps Quartet, The Highway QCs, The Statesmen, The Soul Stirrers, Point of Grace, Smokie Norful, Terry Woods, James Cleveland, Billy Ray Hearns, Rex Humbard, Joe Ligon and The Mighty Clouds of Joy, Kirk Franklin, V. Michael McKay, Theola Booker, Yolanda Adams, Edwin and Walter Hawkins, Sandi Patty, The Winans, Kathy Taylor, and Brenda Waters, Carl Preacher, Shirley Joiner of B, C & S;

Whereas many of the biggest names in music emerged from the gospel music tradition or have recorded gospel music, including Sam Cooke, Al Green, Elvis Presley, Marvin Gaye, Aretha Franklin, Whitney Houston, Little Richard, Ray Charles, Buddy Holly, Alan Jackson, Dolly Parton, Mariah Carey, Bob Dylan, and Randy Travis;

Whereas, regardless of their musical styles, those artists and so many more have turned to gospel music as the source and inspiration for their music, which has blurred the boundaries between secular and gospel music;

Whereas, beyond its contribution to the musical tradition of the United States, gospel music has provided a cultural and musical backdrop across all of mainstream media, from hit television series to major Hollywood motion pictures, including ''American Idol'', ''Heroes'', ''Dancing with the Stars'', ''O Brother, Where Art Thou?'', ''Sister Act'', ''The Preacher's Wife'', ''Evan Almighty'', and more;

Whereas gospel music has a huge audience around the country and around the world, a testament to the universal appeal of a historical American art form that both inspires and entertains across racial, ethnic, religious, and geographic boundaries; and

Whereas September 2009 would be an appropriate month to designate as ''Gospel Music Heritage Month'': Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress supports the designation of ''Gospel Music Heritage Month'' which would recognize the contributions to the culture of the United States derived from the rich heritage of gospel music and gospel music artists.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to support my bill, H.J. Res. 12, that will

designate September 2009 as Gospel Music Heritage Month and honor gospel music for its valuable and longstanding contributions to the culture of the United States. Gospel music is an American art form that has spanned hundreds of generations and its musical roots can be heard throughout many musical genres that we love today. It is important that we recognize and celebrate the vital role gospel music has had on music history. For this reason, I ask that you join me in supporting my resolution expressing support for designating September 2009 as "Gospel Music Heritage Month," honoring gospel music for its valuable long-standing contributions to American culture. I would also like to thank the 6 co-sponsors who have seen fit to honor our gospel music heritage.

The history of gospel music can be traced back to African American spirituals that blended diverse elements from African music, melodic influences from Irish folk songs and hymns, and ultimately borrowed from other uniquely American musical styles including ragtime, jazz, and blues.

The influence of gospel music can be found infused in all forms of secular music, from rock & roll, country, soul, R&B, and countless other styles. The legacy of gospel music includes some of the most memorable voices and pioneers in American history, such as Thomas Dorsey, Mahalia Jackson, James Vaughan, Roberta Martin, and many more. Gospel music has laid down the musical foundation for legendary recording artists such as Elvis Presley, Marvin Gaye, Aretha Franklin, Buddy Holly, Whitney Houston, Ray Charles, Dolly Parton, Mariah Carey, Bob Dylan, and Randy Travis.

Gospel music has had an overwhelming influence on American culture and this bill recognizes gospel music's contributions by celebrating the rich heritage of gospel music and its artists in the month of September, 2009.

I urge my colleagues to support this bill as we move it to the floor for a vote.

The joint resolution 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.

□ 1415

SUPPORTING GOLD STAR MOTHERS DAY

Mr. CLAY. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the resolution (H. Res. 513) supporting the goals and purpose of Gold Star Mothers Day, which is observed on the last Sunday in September of each year in remembrance of the supreme sacrifice made by mothers who lose a son or daughter serving in the Armed Forces, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 513

Whereas the American Gold Star Mothers have suffered the supreme sacrifice of motherhood by losing a son or daughter who served in the Armed Forces, and thus perpetuate the memory of all whose lives are sacrificed in war;

Whereas the American Gold Star Mothers assist veterans of the Armed Forces and their dependents in the presentation of claims to the Department of Veterans Affairs and aid members of the Armed Forces who served and died or were wounded or incapacitated during hostilities;

Whereas the services rendered to the United States by the mothers of America have strengthened and inspired Americans throughout the history of the United States;

Whereas Americans honor themselves and the mothers of America when they revere and emphasize the role of the home and the family as the true foundations of the United States;

Whereas by doing so much for the home, the American mother is a source of moral and spiritual guidance for the people of the United States and thus acts as a positive force to promote good government and peace among all mankind; and

Whereas the last Sunday in September, which in 2009 is September 27, is observed as Gold Star Mothers Day: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and purpose of Gold Star Mothers Day, which is observed in remembrance of the supreme sacrifice made by mothers who lose a son or daughter serving in the Armed Forces; and

(2) urges the President to issue a proclamation calling upon the people of the United States to observe Gold Star Mothers Day with appropriate ceremonies and activities.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measures just considered.

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

There was no objection.

ATTEMPTS TO DERAIL HEALTH CARE REFORM

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

Mr. CONNOLLY of Virginia. Mr. Speaker, when our friends on the other side of the aisle decide in advance to oppose any health care reform bill, they're putting politics ahead of the needs of the American people.

Guaranteeing coverage for preexisting conditions, which affect 45 percent of insured Americans, they're against it. Closing the prescription drug doughnut hole for seniors, they're against it. Protecting families from the cost of catastrophic illness, they're against it. Half a trillion in Medicare and Medicaid savings, they're against it. A plan of their own, they're even against that, too.

Why, Mr. Speaker? Uniform opposition to all reform, all savings, all extended coverage? Why? The answer is simple, chilling, and deeply troubling. Senator DEMINT, Republican of South Carolina, put it bluntly: If we're able to stop Obama on health care, it will be his Waterloo. It will break him.

At least the distinguished Senator from South Carolina is honest about the Republican agenda. It's not about a substantive critique. It's about politics, a calculated cynical strategy to derail reform of a broken health care system, a reform that can benefit every American family and small business.

NATIONAL THERAPEUTIC RECREATION WEEK

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, in July we celebrate National Therapeutic Recreation Week. And therapeutic recreation or recreational therapy embraces a definition of health, which includes not only the absence of illness, but extends to enhancement of the physical, cognitive, emotional, social, and leisure development.

This caring profession touches the lives of individuals facing life-changing disease and disability all across the Nation. These services are provided by professionals nationally certified by the National Council for Therapeutic Recreation Certification as certified therapeutic recreation specialists.

Every day, countless individuals face rebuilding lives as a result of disease and disability. These individuals benefit from compassionate and cost-effective care of a certified therapeutic recreation specialist. Recreational therapy ultimately aims to improve an individual's functioning and keep them as active, healthy, and independent as possible.

Mr. Speaker, I congratulate the caring professionals of the therapeutic recreation profession for the services and care that they provide every day.

HONORING THE LIFE OF THOMAS MAROVICH, JR.

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

Mr. MCCLINTOCK. Mr. Speaker, I rise to pay tribute to a young man who gave his life last week while fighting the Backbone Fire in the Trinity Alps wilderness.

Thomas Marovich, Jr. was just 20 years old. He was in his second year with the U.S. Forest Service assigned to the Modoc National Forest. He was training with the Chester Helitack crew assigned to the Backbone Fire when a training accident claimed his life.

He was born and raised in Hayward, but he had come to Northeastern California to protect our forests, our communities, and our citizens from the

ravages of fire. Thomas Marovich had wanted to be a firefighter since he was a little boy and, by all accounts, had an exemplary life ahead of him. He was only able to live 20 years of that life, sacrificing the rest of it for the safety of our community. And for that, we owe him and his grieving family our eternal gratitude.

THE COMMUNITY LIVING ASSISTANCE SERVICES AND SUPPORTS ACT

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

Mr. PRICE of Georgia. Mr. Speaker, there's a health care bill that the Democrats have proposed here in the House that would have a major impact on the way that health care is provided in this Nation.

One of the areas that hasn't been talked about a lot is long-term care. Specifically, the CLASS Act, Community Living Assisted Services and Supports Act, is included, which would mandate government-sponsored, long-term care insurance on all Americans. Now, unfortunately, the $50-a-day allocation for long-term care insurance is only a portion of the actual cost for the long-term care. Consequently, this is a huge unfunded mandate on who, Mr. Speaker? On you, the American people.

Instead, Congress should consider positive solutions which would make long-term care insurance more accessible by allowing it to be covered under FSAs and cafeteria plans and other patient-centered plans. Without a doubt, Americans need a plan in advance for long-term care. They should be allowed to work with family and trusted advisers to ensure their long-term needs are covered. The government should not limit the type of long-term care Americans may select.

This is just another example of the government telling people what kind of care they should need and may receive.

GOSPEL MUSIC HERITAGE MONTH

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, we've had a long session of hard work, and I believe this is an appropriate ending to be able to honor some of America's culture. And so I rise today to acknowledge the passing of H.J. Res. 12, to designate September 2009 as Gospel Music Heritage Month and honor the gospel music for its valuable and longstanding contributions to the culture of the United States.

I thank the majority leader and the Republican leadership. I thank the chairman of the committee, Chairman TOWNS, and Ranking Member ISSA of Government Oversight, all of those who have worked, along with my 16 cosponsors who recognize the value of the songs sung by the likes of Mahalia Jackson singing Precious Lord; Yolanda Adams, The Battle is the Lord's; Sandi Patty; and the work that Elvis Presley did when he sang his gospel songs; Israel, out of Lakewood Church; Kurt Carr with This Little Light of Mine; Donnie McClurkin, Just Stand; and Rev. Gregg Patrick, who is both a producer and a singer.

We have a wide vastness of musical talent in this Nation. I'm glad we're celebrating gospel music.

THE AMERICAN PEOPLE ARE HURTING

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

Ms. FOXX. Mr. Speaker, the American people are hurting and losing jobs at an alarming rate. The President and the Democrats in Congress promised that their trillion dollar stimulus bill would create jobs immediately and keep unemployment below 8 percent. But since the President signed his so-called stimulus into law, the national unemployment rate has reached 9.5 percent, a 26-year high, and over 2 million more jobs have been lost.

It's clear the Democrats $1.1 trillion stimulus scheme isn't working. It's clear Democrats are on the side of more government, more taxes, and more debt. House Republicans are on the side of the American people, fighting for working families and small businesses to put America back to work.

The American people deserve real solutions for real recovery, and House Republicans will continue to fight for these solutions on behalf of the American people.

COMMUNICATION FROM CHAIR OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the Chair of the Committee on Transportation and Infrastructure:

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, July 30, 2009.

Hon. NANCY PELOSI,
Speaker of the House, House of Representatives, The Capitol, Washington, DC.

DEAR MADAM SPEAKER: Today, on July 30, 2009, the Committee on Transportation and Infrastructure met in open session to consider three resolutions for the U.S. Army Corps of Engineers, in accordance with 33 U.S.C. 542. The resolutions authorize Corps surveys (or studies) of water resources needs and possible solutions. The Committee adopted the resolutions by voice vote with a quorum present.

Enclosed are copies of the resolutions adopted by the Committee.

Sincerely,

JAMES L. OBERSTAR.

Enclosures.

RESOLUTION—DOCKET 2819—BLACK RASCAL CREEK, MERCED, CALIFORNIA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army review the reports on the Sacramento-San Joaquin Basin Streams, California, published as House Document No. 367, 81st Congress, 1st Session, and other reports to determine whether any modifications of the recommendations contained therein are advisable at the present time in the interest of flood damage reduction, and other related purposes in the vicinity of the Black Rascal Creek Watershed, Merced, California.

RESOLUTION—DOCKET 2820—DEADMAN'S RUN, LINCOLN, NEBRASKA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army review the reports of the Chief of Engineers on the Missouri River and Tributaries, published as House Document Numbered 475, 78th Congress, and other reports to determine whether any modifications of the recommendations contained therein are advisable at the present time in the interest of flood damage reduction, environmental restoration, and other related purposes in the Deadman's Run Watershed, located in the vicinity of Lincoln, Nebraska.

RESOLUTION—DOCKET 2821—HYDROELECTRIC POWER, UPPER MISSISSIPPI RIVER SYSTEM, ILLINOIS, IOWA, MINNESOTA, MISSOURI, AND WISCONSIN

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army review the report of the Corps of Engineers, entitled Upper Mississippi River and Illinois Waterway System: Report of the Chief of Engineers, dated December 15, 2004, and other pertinent reports, to determine whether any modifications of the recommendations contained therein are advisable at the present time in determining the feasibility of incorporating hydroelectric power into the improvements of the navigable portions of the Upper Mississippi and Illinois River system, Illinois, Iowa, Minnesota, Missouri, and Wisconsin.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

LET'S TAKE CARE OF AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE of Texas. Mr. Speaker, a year ago today, when we recessed for the August break, there were some of us who stayed here on the House floor and continued to talk about energy and American independence in energy. Eventually, the powers that be turned out most of the lights, turned off the microphone, turned off the cameras, but we talked on that Friday, and then we continued to talk through most of the month of August, even though a formal session did not occur. And we talked about the need to be energy independent.

Now we've gone a year from that, and what has happened in that 1 year? Well, things have only gotten worse as

far as energy independence has gone. Let me give you one example.

In 2008 at this time, in the United States proper we had 1,808 rigs drilling for crude oil and natural gas. A year later, we only have 1,128, so that means 680 rigs fewer now than we did a year ago producing oil and natural gas. What has happened? Well, things have only gotten worse.

We have, or this body passed, barely, legislation to punish energy consumption by the cap-and-tax bill, which means that if you use energy in this country, natural gas, electricity, you use gasoline, you're going to have to pay more down the road. Hopefully, the Senate will not pass this legislation.

And we have fewer rigs and we are not more independent. We're more dependent. And who are we dependent on? We're dependent on the countries who hate us, some countries in the Middle East, some countries that we know and we have heard that actually the money that we spend on crude oil that we send them finds its way to people who don't like America and funds their organizations.

Why do we continue to do that? Because we don't take care of ourselves. We hear about clean energy, and we all want to go to alternative energy, but we're not there yet, Mr. Speaker. We need to do the simple things. We need to use and drill for our own natural gas and our own crude oil, and we can do that in the United States, in ANWR. We can do that offshore, and that keeps the money in the United States. It produces jobs for Americans, and doesn't send those jobs overseas. It keeps our oil companies and our natural gas companies in the United States. It's a good thing for America.

But because of the fear lobby, we're afraid to drill for natural gas and crude oil. And that is a mistake, because it can be done safely, and it should be done safely. The places that we drill offshore, it's been proven that it can be done safely. And we should continue to do that. So, a year from now, hopefully we won't be in a worse situation, depending on foreign countries for our energy.

We should do the obvious. Take care of America. Drill safely, drill anywhere that we have natural gas or crude oil and help bring energy back home to America, furnish jobs, keep that money in the United States and quit sending it overseas to people who don't even like the United States.

And that's just the way it is.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 172. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

□ 1430

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

AMERICA'S FINANCIAL CRISIS

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, the financial crisis has resulted in the largest transfer of wealth in U.S. history, from Main Street citizens to Wall Street titans, and Wall Street insiders made huge profits off the Ponzi scheme they set up that led to the real estate bust and to our economic demise.

As the rest of America tries to dig itself out from the rubble left in their wake, The New York Times reports today that the nine biggest banks paid $32 billion in bonuses to their employees of the $165 billion they got from us, the taxpayers; 4,793 bankers and traders got a minimum of an additional $1 million each. The average dealer at Goldman Sachs will earn $750,000 extra. Meanwhile, Wall Street is dumping their bad loans on us, through the government, while dragging their feet on the mortgage workouts.

Bear in mind, some people in this Congress and in the Obama administration decided to pay servicers to do mortgage workouts because they weren't doing them themselves. So, rather than holding them accountable and rather than this Congress' holding them accountable, the administration is paying them, and they're still not doing it.

Look at the rogues gallery. Bank of America got $45 billion in TARP funds while pulling in $2.7 billion in profits last quarter. They're going to pay $3.3 billion in bonuses. Wells Fargo got $25 billion in TARP funds and turned a $2.6 billion profit, and they will pay $980 million in bonuses. J.P. Morgan is one of the worst. They got $25 billion in TARP funds, and wracked up $2.7 billion in profits last quarter, and they will pay $8.9 billion in bonuses.

I am introducing legislation today to place a full excise tax on all of those Wall Street bonuses, to recoup the taxpayers' money and to direct it be used to do real mortgage workouts across this country on behalf of the American people to get our local real estate markets working again from coast to coast.

You know, Wall Street gorges itself on profits while unemployment is rising across our country, while foreclosures are rising and while pink slips are rising.

Look at JPMorgan. Within one week—and this happened in Ohio—on a Friday, they invited borrowers to attend a workshop for workouts. One little problem: Nobody from JPMorgan showed up until our office had to do their work and call their staff and get them there hours late. Only five of the original 20 borrowers who showed up to the meeting were left because they'd all taken off work, and they'd been able to get sick time to go to the meeting. Then we invited JPMorgan to a workout, and they said they'd send three staff. They didn't. The event went on with one staff member, and people left frustrated.

This is what is going on across our country, so the Obama administration called the 25 servicers up to Washington this week, and tried to talk sweet talk to them. The New York Times said it right yesterday. Here is what they said:

Why aren't these companies cooperating? We're enriching them, but beyond that, ''Even when borrowers stop paying, mortgage companies that service the loans collect fees out of the proceeds when homes are ultimately sold in foreclosure. So the longer borrowers remain delinquent, the greater the opportunities for these mortgage companies to extract revenue—fees for insurance, appraisals, title searches, and legal services.''

A Florida lawyer who defends homeowners against foreclosure, Margery Golant, says, ''It frustrates me when I see the government looking to the servicer for the solution, because it will never ever happen.''

The tax laws favor them. So, despite the Federal Government's chicken-hearted efforts, the servicers will have none of it because they can make more money with all of these bonuses and in letting people lose their homes.

Look in your neighborhood. How many more foreclosure signs do you see there? When America went to war in the early 20th century, each citizen sacrificed for the Nation. Now it's all about the big shots. It's all about their bonuses and their power.

Has greed really become the top American value? Foreclosures are rising. Unemployment is rising. Ninety percent of the people in our country say the economy is not working for them, and Wall Street banks just can't seem to help themselves. They're squeezing more profits off of our people's misery.

What is wrong with this Congress? What is wrong with the Obama administration? What was wrong with the Bush administration that preceded it? Somebody had better stand up for the interests of the Republic.

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.)

CAN GOVERNMENT PROGRAMS STAY WITHIN BUDGET?

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

Ms. FOXX. Mr. Speaker, today, the House rushed through a bill that provides an additional $2 billion for the so-called Cash for Clunkers program. Apparently, the lure of free money from Uncle Sam provoked such a tsunami of clunkers that the program is already broke.

Mr. Speaker, everyone loves ''free money.'' The bailed-out banks loved their $700 billion last fall. The bailed-out automakers loved their $86 billion. So it's not a surprise that the initial funding for Cash for Clunkers dried up in a matter of days.

So the question is: If the government so underestimated the cost of this program, and if the backlog of requests from dealers is already so huge, what does this tell us about these types of government programs—that maybe they don't always function as they were predicted to, and that sometimes they cost taxpayers much more than was estimated?

One large dealership group in Utah had this to say about the hoops they had to jump through to avoid the fines for noncompliance: The auto dealer said, ''Dealers are being asked to be compliant with several rules that are often confusing and unrealistic . . . it is apparent that those writing the rules don't understand how a car deal actually happens.''

This dealer went on to say that the government agency in charge of the Cash for Clunkers program has ''threatened large fines for noncompliance. We are a top-10 dealer group in the country, and have gone to great lengths to be compliant, but it is even confusing to us. It will be a nightmare for the many smaller dealerships around the country.''

So far, we've learned several things from this Cash for Clunkers program. Lesson 1: Businesses and consumers really love free money—except when they're the ones paying for someone else's free money. Lesson 2: The government is abysmal at predicting how much programs will cost. Lesson 3: Complying with Federal mandates is a nightmare.

Of course, we should not overlook the fact that there may very well be some unintended consequences of this program. For instance, The New York Times reported in April that France had a similar program from 1994 to 1996. Guess what? It worked. Well, kind of. There were lots of auto sales initially, but the program was followed by a severe drop in auto sales in 1997 and in 1998. Isn't that interesting? It turns out the program was simply shifting demand forward. What is keeping the U.S. Cash for Clunkers program from doing the same thing? Nothing.

Let's return to Lesson 2: Congress' inability to accurately estimate the cost or the effect of new government programs.

Based on research from Congress' Joint Economic Committee over the years, congressional estimates of the cost of health care programs have been extremely unreliable. For example, when Congress was considering Medicare part A, the hospital insurance component, Congress estimated it would cost $9 billion by 1990. The actual cost in 1990 was $67 billion, 7 times more than Congress estimated. The 1967 estimate for the entire Medicare program in 1990 was $12 billion. The actual cost? $111 billion. It was almost 10 times the original estimate.

Later, in 1987, Congress estimated that Medicaid's disproportionate share of hospital payments to States would cost less than $1 billion in 1992. Five years later, the results were in. It was $17 billion, which is an incomprehensible 17-fold increase over the estimate from just 5 years earlier. You get the idea.

Today's Cash for Clunkers example is just the latest in a long line of programs that turned out to be dramatically more expensive than anyone predicted, not to mention notoriously difficult to comply with or to figure out. Perhaps the most amazing part of this example is that it reminds me of the ongoing discussion over health care reform.

Here we've got a health system that is in need of reform, and some people are pushing a bill that amounts to a government takeover of health care. They like to call it a ''public option.'' The Congressional Budget Office already has said it would add $239 billion to the deficit over 10 years, but as we've just seen, government programs have a tendency to take on a life of their own and cost taxpayers way more than was originally estimated or envisioned.

While I'm willing to allow for some margin of error in estimated costs—they are estimates after all—what concerns me is that, today, we're starting out with estimates for huge deficits with this health care plan. At the same time, we're paying for it out of the pockets of America's job creators—small businesses.

If the current proposal becomes law, are we going to be coming back to these small businesses with another tax increase in 5 or 10 years? With our track record on programs like Cash for Clunkers, that wouldn't surprise me one bit.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) is recognized for 5 minutes.

(Ms. LINDA T. SÁNCHEZ of California addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GOHMERT) is recognized for 5 minutes.

(Mr. GOHMERT 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 Texas (Ms. JACKSON LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas 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 Minnesota (Mrs. BACHMANN) is recognized for 5 minutes.

(Mrs. BACHMANN addressed the House. Her 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.)

REFILE THE VOTER INTIMIDATION CASE AGAINST THE NEW BLACK PANTHER PARTY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. WOLF) is recognized for 5 minutes.

Mr. WOLF. Mr. Speaker, earlier today, I sent a letter to Attorney General Eric Holder, which I submit for the RECORD, imploring him to refile the voter intimidation case against the New Black Panther Party that was inexplicably dismissed in May.

This case was brought in January by career attorneys in the department's Civil Rights Division against the party and several of its members for deploying uniformed men to a polling station in Philadelphia on election day last November to harass and intimidate voters—one of whom brandished a nightstick to the voters.

The public can view video of the incident as well as other examples of their intimidation in a January 2009 National Geographic Channel documentary that is posted on the Web at www.electionjournal.org.

One of the witnesses of the election day incident, Bartle Bull—a veteran civil rights activist who served as Bobby Kennedy's New York campaign manager in 1968—has publicly called this ''the most blatant form of voter intimidation'' he has ever seen. He also reminded us that Martin Luther King did not die to have people in jackboots with billy clubs block doors of polling places. Neither did Robert Kennedy. It's an absolute disgrace.

In 1981, I was the only member of the Virginia delegation in the House to vote for the Voting Rights Act, and I was harshly criticized by the editorial page of the Richmond Times Dispatch. When I supported the act's reauthorization in 2006, I was again criticized by editorial pages. My commitment to voting rights is unquestioned.

Given my consistent support for voting rights, I was deeply troubled by a report in yesterday's Washington Times, which I also submit for the RECORD, indicating that improper political influence by Associate Attorney General Thomas Perrelli led to the dismissal of this case—over the objections of justice career attorneys on the trial team.

I am troubled, but unfortunately not surprised, to learn of the existence of this guidance from the chief of the department's Appellate Division, which recommended that the department proceed with the case and obtain default judgment. Despite a congressionally directed request, the guidance was not previously shared with Members of Congress.

According to a summary of the Appellate Division guidance reported in The Washington Times, ''Appellate Chief Diana K. Flynn said in a May 13 memo obtained by The Times that the appropriate action was to pursue the default judgment unless the department had evidence the court ruling was based on unethical conduct by the government.''

She goes on to say many other things, which I'll submit for the RECORD, but she ends by saying that the complaint appeared to be sufficient to support the injunctions sought by the career employee, stating, ''The government's predominant interest is preventing intimidation, threats and coercion against voters.''

Just last week, Eric Holder declared that the department's Civil Rights Division is ''back and open for business.'' I question Eric Holder's commitment to voting rights, and I question Eric Holder's judgment. Yet where are the other Members of this Congress—Republican or Democrat—who want to even look at this issue?

Given that both the department's trial team and the Appellate Division argued strongly in favor of proceeding with the case, I can only conclude that the decision to overrule the career attorneys, Associate Attorney General Thomas Perrelli or other administration officials was politically motivated.

HOUSE OF REPRESENTATIVES,
Washington, DC, July 31, 2009.

Hon. ERIC H. HOLDER, JR.,
Attorney General, Department of Justice, Washington, DC.

DEAR ATTORNEY GENERAL HOLDER: In light of the troubling reports of political influence in the enclosed article from yesterday's Washington Times, as well as the many unanswered questions to members of Congress, I implore you to re-file the voter intimidation case against the New Black Panther Party and other defendants so that impartial judges—not political benefactors—may rule on the merits of this case. Given your declaration on July 22 that the department's Civil Rights Division is ''back and open for business,'' I would urge you to demonstrate your commitment to enforcing the law above political interests by re-filing.

My commitment to voting rights is unquestioned. In 1981, I was the only member—Republican or Democrat—of the Virginia delegation in the House to vote for the Voting Rights Act and was harshly criticized by the editorial page of the Richmond Times Dispatch, and when I supported the act's reauthorization in 2006, I was again criticized by editorial pages.

Given my consistent support for voting rights throughout my public service, I hope you can understand why I am particularly troubled by the dismissal of this case. The video evidence of the defendants' behavior on Election Day, as well as a January National Geographic Channel documentary, ''Inside: The New Black Panther Party,'' should leave no question of the defendants' desire to intimidate or incite violence.

The ramifications of the dismissal of this case were serious and immediate. Defendant Jerry Jackson received a new poll watcher certificate, a copy of which I have enclosed, on May 19, 2009, immediately after the case was dismissed. Mr. Jackson faced no consequences for his blatant intimidation and promptly involved himself in the next election. Is that justice served?

As you will read in the enclosed memorandum of opinion from the Congressional Research Service's American Law Division, there is no legal impediment that would prevent you from re-filing this case. Unlike a criminal case, a civil case seeking an injunction against the other defendants could be brought again at any time. According to the memo provided to me, ''It appears likely that the Double Jeopardy Clause would not bar a subsequent civil action against the [New Black Panther] Party or most of its members,'' and ''second, because the United States voluntarily dismissed its suit against the Party and two of the three individual members before those defendents had filed an answer or motion to dismiss the suit, the previous action had not moved sufficiently beyond preliminary steps so as to implicate the Double Jeopardy Clause.''

I was surprised to learn from The Washington Times report of the existence of the enclosed correspondence from the chief of the department's Appellate Division recommending that the department proceed with the case and the default judgment. These opinions were never disclosed to me or other members of Congress by the department in its previous responses to questions regarding the dismissal of the case. According to the report:

''Appellate Chief Diana K. Flynn said in a May 13 memo obtained by The Times that the appropriate action was to pursue the default judgment unless the department had evidence the court ruling was based on unethical conduct by the government.

''She said the complaint was aimed at preventing the 'paramilitary style intimidation of voters at polling places elsewhere' and Justice could make a 'reasonable argument in favor of default relief against all defendants and probably should.' She noted that the complaint's purpose was to 'prevent the paramilitary style intimidation of voters while leaving open 'ample opportunity for political expression.'

''An accompanying memo by Appellate Section lawyer Marie K. McElderry said the charges not only included bringing the weapon to the polling place, but creating an intimidating atmosphere by the uniforms, the military-type stance and the threatening language used. She said the complaint appeared to be 'sufficient to support the injunctions' sought by the career lawyers.

''The government's predominant interest is preventing intimidation, threats and coercion against voters or persons urging or aiding persons to vote or attempt to vote, she said.''

Given that both the department's trial team and the Appellate Division argued strongly in favor of proceeding with the case, I can only conclude that the decision to overrule the career attorneys Associate Attorney General Thomas Perrelli, or other administration officials, was politically motivated. This report further confirms my suspicions that the Department of Justice under your watch is becoming increasingly political.

It is imperative that we protect all Americans right to vote. This is a sacrosanct and inalienable right of any democracy. The career attorneys and Appellate Division within the department sought to demonstrate the federal government's commitment to protecting this right by vigorously prosecuting any individual or group that seeks to undermine this right. The only legitimate course of action is to allow the trial team to bring the case again and allow the our nation's justice system to work as it was intended—impartially and without bias.

Sincerely,

FRANK R. WOLF,
Member of Congress.

CONGRESSIONAL RESEARCH SERVICE,
Washington, DC, July 30, 2009.

Memorandum

To: Hon. Frank Wolf, Attention: Thomas Culligan.

From: Anna Henning, Legislative Attorney.

Subject: Application of the U.S. Constitution's Double Jeopardy Clause to Civil Suits.

This memorandum responds to your request for an analysis of the application of the Double Jeopardy Clause to successive civil suits in federal courts. In particular, it examines the clause's potential application in the context of a civil suit brought against the New Black Panther Party for Self-Defense or its members, against whom the United States had previously brought an action for injunctive relief. In sum, it appears likely that the Double Jeopardy Clause would not bar a subsequent civil action against the Party or most of its members.

DOUBLE JEOPARDY CLAUSE: APPLICATION TO CIVIL PENALTIES

The Double Jeopardy Clause provides that no ''person [shall] be subject for the same offence to be twice put in jeopardy of life or limb.'' It has been interpreted as prohibiting only successive punishments or prosecutions that are criminal in nature. However, some penalties designated as ''civil'' by statute have been found to be sufficiently ''criminal'' to implicate double jeopardy concerns. In other words, whether a particular punishment is criminal or civil may require an interpretation of congressional intent and the extent to which the penalty can be characterized as penal in nature.

Factors that courts consider when determining whether a penalty is criminal in nature include: (1) ''whether the sanction involves an affirmative disability or restraint''; (2) ''whether it has historically been regarded as a punishment''; (3) ''whether it comes into play only on a finding of scienter''; (4) ''whether its operation will promote the traditional aims of punishment—retribution and deterrence''; (5) ''whether the behavior to which it applies is already a crime''; (6) ''whether an alternative purpose to which it may rationally be connected is assignable for it''; and (7) ''whether it appears excessive in relation to the alternative purpose assigned.'' However, Congress' designation of a penalty as ''civil'' creates a presumption which must be overcome by clear evidence to the contrary. Thus, civil penalties are not typically found to be criminal in nature. For example, in Hudson v. United States, the U.S. Supreme Court held that monetary assessments and an occupational debarment order did not implicate the Double Jeopardy Clause, because neither type of penalty constituted a ''criminal punishment.''

Regardless of the nature of the penalty sought, the Double Jeopardy Clause does not bar a subsequent action if no more than preliminary proceedings commenced in the prior action. Typically, an action must have reached at least the stage where jury members have been sworn (in a jury trial) or where the first evidence has been presented to the judge (in a bench trial).

APPLICATION TO A SUBSEQUENT SUIT AGAINST THE NEW BLACK PANTHER PARTY FOR SELF-DEFENSE OR ITS MEMBERS

In January 2009, the U.S. Department of Justice filed a civil suit in a U.S. district court against the New Black Panther Party for Self-Defense and three of its members. The suit was brought by the Department's Civil Rights Division pursuant to the Voting Rights Act of 1965, 42 U.S.C. §1973 et. seq., which prohibits intimidation of ''any person for voting or attempting to vote'' and authorizes the Attorney General to bring civil actions to obtain declaratory judgment or injunctive relief to prohibit such actions. The Department alleged that members of the Party had intimidated voters and those aiding them during the November 2008 general election and sought an injunction banning the Party from deploying or displaying weapons near entrances to polling places in future elections. However, after the Department obtained an injunction barring one member's future use of weapons near polling places, it voluntarily dismissed its suit against the Party and the other members.

For two reasons, it appears likely that the Double Jeopardy Clause would not prohibit the Justice Department from bringing a similar suit on the same or similar grounds against at least the Party and the individual members for whom the previous suit was dismissed. First, it is likely that a court would find that the injunctive relief sought in the previous action constitutes a civil, rather than criminal, punishment.

Although Congress' designation of the injunctive relief actions as a civil penalty is not ultimately dispositive, it is unlikely, based on the seven factors noted previously, that injunctive relief sought by the Justice Department would be viewed as sufficiently criminal in nature so as to overcome the presumption in favor of accepting Congress' characterization. Most importantly, the injunctions seem to have been primarily designed to prohibit the use of guns at polling places for the purpose of implementing the purposes of the Voting Rights Act, rather than to impose punishment on the defendants.

Second, because the United States voluntarily dismissed its suits against the Party and two of the three individual members before those defendants had filed an answer or motion to dismiss the suit, the previous action had not moved sufficiently beyond preliminary steps so as to implicate the Double Jeopardy Clause. With respect to the one member against whom an injunction was obtained, this second factor would not apply. However, due to the likely characterization of the injunction as a civil penalty, it remains unlikely that a subsequent action would be barred.

□ 1445

It is imperative that we protect all Americans' right to vote. This is sacrosanct on an inalienable right of any democracy. The career attorneys and the appellate division within the Department sought to demonstrate the Federal Government's commitment to protecting this right by vigorously prosecuting any individual or group who seeks to undermine this right. The only legitimate course of action for the trial team is to bring the case again and allow our Nation's justice system to work as it was intended.

And to see it again, look for it in your own eyes. Look at www.electionjournal.org.

IMAC, NOT THE SILVER BULLET IT WAS PROMISED TO BE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. PRICE) is recognized for 5 minutes.

Mr. PRICE of Georgia. Mr. Speaker, before I came to Congress I spent 20-plus years as a physician taking care of folks in the north Atlanta area, so this whole debate about the health care bill, there are many aspects of it that give me great concern. And the fact of the matter is, Mr. Speaker, there are many aspects of it that give the Nation great concern.

So whether it's the government-run program or the takeover of health care or whether it's the potential for huge mandates from the Federal Government, many aspects point to areas of different concern for the American people. And one of them is the issue of rationing, the issue of whether or not the Federal Government should be deciding to what extent which Americans receive medical care.

So earlier this year when there was a proposal that was passed in this House and in the Senate signed by the President for something called the Comparative Effectiveness Research Council, fancy name for a potential rationing board, many people voiced concerns about that, as did I.

And what we heard from the other side of the aisle, the majority party, the Democrats, they said, Don't worry about that. There will be congressional oversight. Congress will be able to hold their feet to the fire. Well, Mr. Speaker, what's now come out is that may not be the case.

The IMAC program, or the Independent Medicare Advisory Council, is a proposal that is being added to the current health care bill that would create a new Presidentially appointed board empowered to make recommendations on cost savings proposals. These are very, very personal medical decisions that we're talking about here, and cost savings proposals oftentimes means rationing.

This proposal in the health care bill right now would eliminate all congressional oversight of the Medicare program and put it in the hands of, you guessed it, the White House and the President. It creates a new executive branch agency with unelected board members appointed by the President to make recommendations on the reductions in Medicare payment levels, reimbursement for providers, potentially refusing to pay for services or care prescribed by doctors as they are deemed not to be ''cost efficient.'' That's the language, Mr. Speaker.

The bill says that the reforms must ''either improve the quality of medical care received by the beneficiaries of the Medicare program or,'' not and, ''improve the efficiency of the Medicare program's operation.''

Mr. Speaker, this is extremely concerning. This Congress has created the Comparative Effectiveness Resources Board that will have the power to ration care based on cost or quality. It would make the board's recommendations binding in the absence of action by Congress within 30 days if the President approved the recommendation.

Now, many Members of Congress are concerned about payment rates in rural parts of the country, yet this board eliminates State and community input into the Medicare program by rendering irrelevant the influence of local Medicare Carrier Advisory Communities, or MCACs, to develop and implement policies expressly applicable to their patient population.

Further, it would reduce the availability of patient advocacy groups to implement new policies that would improve the health care of our Nation's seniors.

The real concern as a physician is that nonmedical people will be making medical decisions. It's a terrible idea. It's not what the American people want, and they are actually waking up to the proposal that's before Congress right now. And that's why you see the numbers of support across this land decreasing.

Let's move in a positive direction. There is a positive direction, and that is to allow quality decisions, medical decisions to be made between patients and their families and caring and compassionate physicians. It's a simple way to do it, not put it in the hands of a bureaucrat, not put it in the hands of the White House, not put it in the hands of the President. Let patients and doctors decide.

Mr. Speaker, that's the right way. Mr. Speaker, that's the American way.

SINGLE-PAYER, NOT-FOR-PROFIT HEALTH CARE SYSTEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. KUCINICH) is recognized for 5 minutes.

Mr. KUCINICH. Mr. Speaker, I've listened to the health care debate, as all Members have, for the last few months. And what's very interesting about it is that in this debate, we've essentially talked past the single most effective way to reduce costs and to provide health care for all Americans, and that is to create a single-payer, universal not-for-profit health care system.

Such a system is envisioned in and provided for in H.R. 676, Medicare for All, a bill that I had the privilege of writing with JOHN CONYERS of Michigan, a bill that is supported by 85 Members of Congress, by hundreds of community organizations and labor unions, by over 14,000 physicians, and a bill which represents an idea whose time has come.

Some basic facts require discussion when we're speaking about our health care system. And that is that we spend about $2.4 trillion on health care in America, all spending. That amounts to about 16 to 17 percent of our gross domestic product. Clearly health care is a huge item in the American economy.

If all of that money, all of that $2.4 trillion went to care for people, every American would be covered. But today, not every American is covered. As a matter of fact, there are 50 million Americans without health insurance and another 50 million underinsured. Why is it in this country which has so much wealth in this country, which has given so much of its wealth to people at the top, we can have 50 million Americans without insurance? By and large, it's because people cannot afford private insurance.

Why not? Well, it's very simple. When you look at the fact that an individual can pay $300 to $600 a month or more for a premium, when you look at the fact that a family can pay $1,000, $2,000 a month or more for a health care premium, when you consider that a family budget cannot in any way countenance the kind of health care expenses that most families can run into, when you understand that any family can lose its middle class status with a single illness in that family, you come to understand the dilemma that we have in America.

Why isn't health care a basic right in a democratic society? Why do we have a for-profit health care system? I will tell you why. Because out of that $2.4 trillion that is spent every year in health spending, $1 out of $3, or $800 billion a year, goes to the activities of the for-profit system for corporate profits, stock options, executive salaries, advertising, marketing, the cost of paperwork; 15 to 30 percent in the private sector as compared to Medicare's 3 percent.

This is what this fight is about in Washington. This is why the insurance industry is hovering around Washington like a flock of vultures. $800 billion a year is at stake. And so they will do anything that they can to be part of this game so that the government can continue to subsidize insurance companies one way or another.

One out of every $3 goes for the activities of the for-profit system. If we took that $800 billion a year and put it into care for everyone, we'd have enough money to cover every American. Not just basic health care, with doctor of choice, but dental care, mental health care, vision care, prescription drugs, long-term care, all would be covered. Everything.

People say how is that possible? It's because we're already paying for the universal standard of care. We're just not getting it.

GET 'ER DONE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Ohio (Mr. LATOURETTE) is recognized for 60 minutes as the designee of the minority leader.

Mr. LATOURETTE. I thank the Speaker for the recognition and thank the minority leader for this hour.

I'm going to be joined by my good friend, Mr. NUNES, from California and Mr. MCCOTTER, who is on his way.

I want to talk tonight, Mr. Speaker—most folks in America recognize the picture to my left. It's Larry the Cable Guy. And if you watch Larry the Cable Guy, his line is get 'er done. And get 'er done is a good way to entertain somebody in a movie. I would suggest it's not such a good way to run the United States of America.

Sadly, since the beginning of this year, we have had a majority in this House and in the other body and at the other end of Pennsylvania Avenue that has taken the attitude of just get 'er done. And that can lead sadly to some unfortunate consequences.

The first get 'er done was we were told we had to have an economic stimulus package spending $789 billion of taxpayer money by President's Day. It was very important that the President of the United States have the opportunity to sign this bill by President's Day. So the White House's message to the Congress was get 'er done. And the leadership of this House got it done.

Sadly, they were embarrassed because included—and we're going to talk a little bit later in the hour—in the bowels of that stimulus package, which, by the way, was 1,100 pages long and Members of the House got 90 minutes to read it so I doubt many people read it—so people were embarrassed because they didn't read the bill to find out that in the bill was an authorization to give the insurance company AIG, which has received more, billions and billions of dollars, from the taxpayer, bonuses totaling $173 million.

Well, then the next get 'er done came along—and everybody knows we have a problem with the automobile industry in this country. And rather than wrapping up their affairs and going through a bankruptcy the old fashioned American way, the message from the White House was we gotta get 'er done in 40 days. Can you imagine a 40-day bankruptcy for Chrysler, the third largest automobile manufacturer in this country and for General Motors, the largest.

And the get 'er done there has been a lot of collateral damage. We have seen plants all across the country closed; we have seen about 50,000 auto workers about to be thrown out of their jobs. We have seen parts suppliers not get paid for manufacturing and making the parts that go into the cars. And we will talk a little bit later about the car dealers. Some brainiac decided that car dealers were a problem in this country and so therefore we have had to get 'er done; we had to close about 3,000 auto dealerships in this country, and we're going to talk about that, too.

□ 1500

But, again, just like the economic stimulus bill, get 'er done is not really a good way to run the country because the other collateral damage that has occurred here recently is there are about 50,000 people that didn't work for General Motors, worked for companies like Delphi, that had their health insurance through General Motors, and guess what? Nobody cared at all about what happens to their health care. So while some of the UAW members that work for General Motors and Chrysler are now secured by stock ownership in the new companies, these 50,000 workers don't have any health care.

Then we came along to what at least in my State is a pretty controversial issue, the cap-and-trade legislation. Some folks on my side called it the ''cap-and-tax'' legislation. And basically, when fully implemented, I believe it will drive any job that's left in the State of Ohio out of the State of Ohio.

But, again, there's a way to do things here. I've been here for 15 years, and the way legislation usually works is somebody has an idea. We talk about it. We have hearings. They bring it to the floor. Members who have other good ideas have the opportunity to amend that legislation, and then we vote on it. Well, cap-and-trade, sadly, came to the floor, and at 3 o'clock in the morning—I think we voted on the bill on a Friday, and at 3 o'clock Friday morning, in a 1,200-page bill—which, again, nobody had read. They put in 309 new pages at 3 o'clock in the morning, and then we voted on the bill later in the day. And, again, get 'er done.

But we were told we had to get it done by July 4. So the White House called up the House, said get 'er done. Leadership said to their troops, get 'er done, and they got it done. But just like in the stimulus bill, people are embarrassed, because in those 309 pages,

which nobody read, they have found out that this cap-and-trade legislation, aside from dealing with carbon emissions and setting up a whole new speculative system, derivative system to trade carbon credits, it regulates water coolers.

If you have one of those water coolers in your house or at the office with the big jugs you've got to tip over, that's going to be subject to regulation. If you have a hot tub or spa outside your house, that's regulated under the cap-and-trade legislation. And people were really surprised that Christmas lights are regulated under the cap-and-trade legislation.

Now, listen, all of us want to deal with climate change, but you're going to have to go a long way to convince me that Christmas lights are somehow leading to global warming. So that's in the cap-and-trade bill. So get 'er done isn't really a good way to run the country.

And now this week, thankfully, they were not able to get 'er done on health care. The proposal going through the committees of this House—again, the White House said we've got to get 'er done by August 1, which is tomorrow. Everybody began moving around. But a funny thing happened on the way to get 'er done. Some conservative Democrats, Blue Dog Democrats, said, We don't think the government should be in the business of running the health care system and we should have a United States health care policy in this country.

And the previous speaker, Mr. PRICE, was talking. This bill, again, get 'er done won't take care of it because there are some scary things in this legislation. One piece of it is, for the first time in our Nation's history under the national policy, end-of-life counseling will be available. Well, that's good. I happen to be a big supporter of hospice and all the wonderful work they do at the end of a person's life.

But the problem with end-of-life counseling in this bill is that to get the cost savings that they want to achieve, you have to control cost. And so many of the models are taken from Great Britain and Canada, and in those systems there is a board, as the President wants to set up, that determines what procedures are covered, what drugs are covered, and what are not. And just by way of example, the same board over in the United Kingdom, it's called NICE. So who could be against something nice?

But NICE doesn't cover drugs for people with Alzheimer's, doesn't cover drugs for people with breast cancer, doesn't cover some drugs for people with prostate cancer. And the best one was macular degeneration, which is a degeneration of the eye and can lead to blindness. They won't approve the most effective drug. They approve the second-most effective drug, but this NICE board has determined that you can only get treatment in one eye. And so if you go to Great Britain in about 5 years, you're going to see a bunch of folks running around that look like pirates with eye patches because the NICE board is only going to let them take care of one eye.

I will yield to my friend from California.

Mr. NUNES. I thank the gentleman for yielding.

I know my friend has spent a lot of time on these issues. We were involved in the first bailout back in the day, and I remember when you and I were very concerned about the country, where we were heading with the debt piling up. And then we got into the new administration with the stimulus bill, and keeping with get 'er done, they actually got that done, borrowed almost $1 trillion, and now they have very little of that money spent, out the door.

Unemployment was only supposed to go to 8 percent. Now unemployment is at 10 percent. In my home State of California, it is well over 10 percent. In my district, it's almost 20 percent. So they got it done, but really nothing got done.

And when you look at the cap-and-trade bill or the cap-and-tax bill, that was another example of getting it done and really getting nothing done, because ultimately, in their bill, if it becomes law, it won't take any CO_2 out of the air because you're going to have China and India continuing to build coal-fired power plants. In fact, your home State of Ohio I know pays 3 cents a kilowatt for its electricity because you use one of the greatest resources in America, which is coal.

And if you look at California today, in California we've passed, basically, cap-and-trade legislation through the State legislature. And I don't know if the gentleman knows this already, but in California we're paying 17 cents a kilowatt for electricity. So it's no wonder that California's unemployment rate continues to go up, costs to Americans continue to go up.

And so the Democrat Congress definitely is trying to get something done, but in the process of getting legislation passed out of this House, it's legislation that, at the end of the day, is going to hurt America.

And just to finish up on this health care debate, we were told numerous times by the Speaker that she had the votes. The majority leader said they had the votes. And now, here we are today. They don't even have the votes in the Energy and Commerce Committee, which is still meeting today in committee, and it seems like they're not getting it done—and thankfully. We don't want them to get this done because we don't want the government to take over our health care system, which the gentleman, I think, was pointing out.

Mr. LATOURETTE. I thank my friend very much. You make a great point, and I think I want to reinforce that point.

There have been some speakers that have come to the floor during the last few days saying that somehow Republicans are the Party of No and we don't want to reform health care and we're blocking this great health care proposal that they have. Well, that's not true. There are 178 Republican Members of the House of Representatives, 247 Democratic Members of the House of Representatives, and they can do whatever they want, whenever they want.

Mr. NUNES. Just to correct the gentleman, 256 Democrats, I believe.

Mr. LATOURETTE. Well, they got more.

Mr. NUNES. And how many votes does it take to pass a bill out of the House?

Mr. LATOURETTE. That would be 218. So 47 people can leave the reservation and you still have a piece of legislation.

So we're not preventing them from doing anything. As a matter of fact, we have four or five good pieces of legislation on health care that solve the problems of the doughnut hole and Medicare part D, take care of the uninsured in this country that don't have insurance.

And not only that, it's a sad situation that leads to a lot of cost shifting for people who do have insurance, deals with making sure that you can't be excluded from health care if you have a preexisting condition. But nobody will talk to our side of the aisle. And the attitude since the beginning of this year has been, we've got 258 votes, and we're going to do what we want when we want, and when we want your ideas, we'll ask you. And it's unfortunate that we haven't been asked.

But we are certainly not blocking what it is they're attempting to do. They are, at the moment, having a fight amongst themselves. You have conservative Democrats versus liberal Democrats, and they can't figure it out. And once they're all on the same page, they can pass it, and pass it in the Senate, and the President clearly wants to sign it.

Mr. NUNES. And if the gentleman would yield again, we've heard several times from the White House and from the Democrat leadership and this Congress blaming the Republicans for not having a plan. And as the gentleman pointed out, first of all, they've never wanted to work with us. Second of all, they've never asked us for our plans. And third, the Republicans have very good plans, some plans that myself and Paul Ryan from Wisconsin have worked on and we're going to continue to work on over the break.

The good thing, the best thing about the plan that we've put together, that the Republicans have put together, is that we deal with the Medicaid problems in this country. And one thing we have to look at over the long run is that debt continues to pile up. And we have three major problems in this country that no one wants to talk about, and that's the unfunded liabilities that this country has. We have

the unfunded liabilities of Medicaid, unfunded liabilities of Medicare, unfunded liabilities of Social Security.

The sad part about the Democrat plan is that they want to put more and more people on Medicaid. And now in my district, only 22 percent of the doctors will see Medicaid patients. And so the Republican plan that we've put forward actually deals with the Medicaid problem that we have in this country and actually gives people better health care. And that is, I think, something that needs to be done.

Mr. LATOURETTE. I thank the gentleman.

And the gentleman is hiding his light under a bushel basket because the other thing that his piece of legislation does that this piece of legislation that's being debated now does not do is that you bend the cost curve.

Two of the reasons that we're having a health care debate in this Congress are, one, to get better quality health care and take better care of people in this country, but two is to rein in the cost.

Now, one of the reasons that we don't have a bill this week and that they couldn't get 'er done was that the Congressional Budget Office came back and scored it, at one point, that this didn't save money. It was actually going to add $1.6 trillion to the debt. And to be completely bipartisan, because my friend brought up the Wall Street bailout, that was George W. Bush. That was Hank Paulson, his Treasury Secretary, that came to Capitol Hill with a three-page bill—can you imagine, a three-page bill—and said, you've got to give us $700 billion to go to Wall Street or the world is going to come to an end. So you take that $700 billion, you take the $700 billion—

Mr. NUNES. But I will add, if the gentleman will yield for a second, I will add that this was a bipartisan bailout that was passed.

Mr. LATOURETTE. Right.

Mr. NUNES. So it was the White House working in conjunction with the Democrat-controlled House that passed the first bailout. And I think one of the things we're going to talk about later, as we transition into, I think, some of the things we want to talk about is AIG.

Mr. LATOURETTE. I do.

Mr. NUNES. I think you really have to look at where that money that went first to AIG and then somehow got to, guess where? Goldman Sachs.

Mr. LATOURETTE. Right. The gentleman is absolutely right. But if you take the $700 billion from the Bush administration, $789 billion from the stimulus package, you take the auto bailout—which is tipping $60 billion, $70 billion—you take the budget that the President sent up here that the majority passed of $3.5 trillion, you really are talking real money.

And a lot of folks come to the floor and talk about, well, this is a debt that's going to be passed on to our children and our grandchildren. That's true. But even those of us in our middle age are going to have a problem with this because we have to borrow it, and you have to borrow it from places like China, and you borrow it at higher and higher interest rates. And so it's not only a debt that needs to be repaid some day, the interest on the debt is eventually going to strangle this budget.

Mr. NUNES. And if the gentleman would yield again, I want to make one important point back to the point that you're making, and that is that the Congress, for many years, has spent too much money. There is no question about that, Republicans and Democrats have spent too much money. But if you look at the budgets that have been put forward with the stimulus bill and the bailouts and the government takeover of companies, you look at the unfunded liabilities, the Obama administration potentially could triple or quadruple the debt by the time President Obama is out of the Presidency. That doesn't include that the Obama administration could pile up more debt than all previous Presidents combined.

Mr. HOEKSTRA. Would the gentleman yield?

Mr. LATOURETTE. I would be happy to yield to my friend from Michigan.

Mr. HOEKSTRA. We're from Michigan. We think in smaller numbers. And I know that my colleague has been very interested in what's been happening with dealers, automobile dealers. But as we talk about a $787 billion stimulus plan, as we talk about the bailout, as we talk about the cap-and-trade bill—I'm not sure exactly how big that is going to get in new taxes—and then you talk about there are folks here who want this government to take over health care, $1.6 trillion.

Can I just share with you two examples of what happens when we try to do a $1 billion program? Will the gentleman continue to yield?

Mr. LATOURETTE. I'm happy to yield to the gentleman.

Mr. HOEKSTRA. This Cash for Clunkers program, I've talked with four of my dealers in the last couple of hours, they've sold a total of about 150 cars over the last 5 days. And all we're doing is processing a rebate, right? It's either a $3,500 check or a $4,500 check. Out of those 150 sales, zero, exactly zero rebates have been approved, although the paperwork has been filed. Some of the paperwork has been filed three times.

The paperwork is 21 pages—this is from one of my dealers. They sent in 21 pages, and here's what the sales guys wrote: Each of these pages have to be scanned in and must be saved with the attached file names, and each page must be uploaded separately. You cannot save anything until the end. So if the Web site crashes, you get to start over.

□ 1515

If the Web site works, it takes approximately 1 hour per deal?

Mr. LATOURETTE. Wow.

Mr. HOEKSTRA. That's the paperwork.

Mr. LATOURETTE. Reclaiming my time, it's my understanding that the Web site has crashed at least twice.

Mr. HOEKSTRA. Yes. And it crashed again this morning.

Then they get the rejection notice. And to one of my dealers, I said, Well, you know, you file it the first time, you get a rejection, and it comes back, and you fill it out appropriately the second time like it's filling out taxes, these 21 pages.

And he said, Pete, I've had a number of these things come back for a third time. He said, I've just had one come back.

This is what happens from the people who want to run our health care system, The voucher you have submitted with invoice number da da da has been rejected for the following reason: No reason provided.

The next line says, The voucher can be resubmitted if the reason for rejection can be corrected.

Now, what is this dealer supposed to do? Go back and submit exactly the same 21 pages that he did before? Because the reply came back and said, The reason you've been rejected is ''no reason provided.'' Under this program before you file, you've already destroyed the car. You've had to ruin the engine, and the guys are now riding around in their new car. The dealer can't get their rebate check. So we can't even handle a billion-dollar program.

The consumers love this program.

Mr. LATOURETTE. It's a great program.

Mr. HOEKSTRA. Consumers love it. It's a program that has been well intentioned. It's driving car volume. But it's driving our dealers absolutely nuts, and they are already under a tremendous amount of stress and strain. And, remember, these folks can't implement a $1 billion program that all it does is provide a rebate. That's all it does, is it provide a rebate. And they want to run our health care system.

And I asked him how hard is it to do a rebate through Ford or GM or Chrysler? He said, That's not a problem at all. They handle it just like that. They send it in, and we get it done just like that.

These guys can't process a voucher, and then we're asking them to plan wages, plan salaries, and all these other kinds of things.

Mr. LATOURETTE. I thank the gentleman. Reclaiming my time, the gentleman has just indicated why they can't ''get 'er done.'' They want to get all these things done, but the fact of the matter is they're not getting them done. And the figures that I saw, there are 16,000 dealers across the country that have entered into this program; so you're not talking about millions of applications that need to be processed. You're talking about 16,000 dealers, and even if the entire billion was exhausted, that's 200,000 cars, and they can't get it done.

So if this health care thing gets out of here where the government runs health care, I really don't want to have any heart problems, because you might wind up with a '57 Chevy engine in your chest.

Mr. HOEKSTRA. The reason for your denial of care is ''no reason provided,'' but you're not getting it.

Mr. LATOURETTE. That will be comforting.

I want to get back to AIG for just a second because that was the first ''get 'er done,'' the stimulus package. Folks were embarrassed that they actually found out that they had authorized, by voting for the stimulus bill, these exorbitant bonuses going to AIG executives. And just a week ago Saturday, it's been like 3 weeks now, this was the headline in the Washington Post: ''AIG Plans Millions More in Bonuses. Troubled Insurer is in Talks With U.S. Over Another $250 Million in Bonuses to Their Executives.''

And why it's important that we follow things like regular order, and people say nobody pays attention to process here, but why you can't have an 1,100-page bill filed at midnight and expect people to know what's going on and why goofy things happen is because that's not the way we are supposed to govern. ''Get 'er done'' is not a way to govern.

So in the stimulus bill, this chart shows the paragraph that was included in the stimulus bill that specifically, these 40 or so words, specifically said that any bonus that was agreed to before February 11 of this year, which was the day the stimulus bill passed, was protected. And then the $173 million in bonuses were paid to AIG, and I saw the President on television. He said, I'm shocked. We had people on the floor on this side of the aisle, I'm shocked.

Well, you shouldn't be shocked. If you had done the bill in the way that the Founding Fathers intended it to be done and if you gave people more than 90 minutes to read 1,100 pages, they wouldn't have been shocked. They would have known and they would have had a choice: Do you want to authorize $173 million for bonuses? If you do, vote ''yes.'' If you don't, why don't you fix the thing?

Mr. NUNES. Will the gentleman yield for just a point of clarification?

Mr. LATOURETTE. Sure.

Mr. NUNES. For the folks who don't quite understand this, this clause that you have in front of you was in the stimulus bill, and this basically approved the bonuses to AIG.

Mr. LATOURETTE. Yes.

Mr. NUNES. I just have a question for the gentleman. Do you know how many Republicans voted for the stimulus bill?

Mr. LATOURETTE. No Republicans voted for the stimulus bill, and 11 Democrats also did not vote for the stimulus package.

But it's worse than that because when the bill left the House, it didn't have this paragraph in it. When it left the Senate, it didn't have this paragraph in it. As a matter of fact, the Senate bill on the stimulus package had an amendment that was adopted the old-fashioned way, in a bipartisan fashion, with a Democratic Senator from Oregon, Mr. WYDEN, and a Republican Senator from Maine, Ms. SNOWE. And they drafted legislation because nobody liked this, handing out billions of dollars to AIG and Wall Street and seeing these executives who have failed. I never understood a bonus. A bonus is supposed to be because you did a good job. I have yet to meet anybody in any of the jobs that I had that said, Steve, you did a really crappy job; here's a bonus.

I yield to the gentleman.

Mr. NUNES. Another clarification. During the bailout and before the bailout, how much money had AIG already received from the Federal Government?

Mr. LATOURETTE. I stopped counting it at about $125 billion. It may be more.

Mr. NUNES. A hundred and——

Mr. LATOURETTE. A hundred and twenty-five billion dollars.

Mr. NUNES. So then we went on to award bonuses.

Mr. LATOURETTE. We went on to award bonuses, and here's how it happened: The Snowe-Wyden language was in the Senate bill that said no bonuses. You know this and the Speaker knows this, that we pass the bill, they pass the bill; when it doesn't match up, we have to have a conference to try to work things out. So they appointed conferees. The Senate sent some guys and gals over; we sent some people over. No Republicans were included, by the way. And they said, Let's resolve these two bills. Well, by resolving the two bills, the Snowe-Wyden language was taken out, I mean physically taken out, and this new paragraph protecting the bonuses was put in by somebody.

We are talking a little bit about Larry the Cable Guy and ''get 'er done.'' This was one of my favorite games when I was growing up, the game of Clue, and with apologies to Hasbro, the problem is we have asked, since that news came out, who put that paragraph in? It shouldn't be that hard. Who put that paragraph in? Nobody will own up to it. But it didn't, you know, come from the heavens. Obviously somebody took a pencil or an eraser and took out the Senate language and put in that offending paragraph, but nobody will tell us who did it. And we've asked and asked and asked.

So here's Clue, and basically we think that we have it narrowed down to these folks. If you played Clue, you know you have to figure out what room it takes place in, what the weapon is, and who's the perpetrator. We know that the weapon was a pen. It might have been a computer, but I'm going to say it was a pen. And these are the rooms here in the United States Capitol, the Banking Committee, the Speaker's office, the Senate Leader's office, the conference room where these folks met, the lobby—I don't think it happened in the lobby—the Ways and Means Committee, the lounge, library, and the Appropriations Committee.

Now, we've been asking this since March of this year, and since March of this year, we have excluded the gentleman down here in the lower corner. That's CHARLES RANGEL, Democrat of New York, who's the distinguished chairman of the Ways and Means Committee. He actually emerged from this conference and sort of threw up his hands, according to press reports, and said, The government's being run by three people, and I'm frustrated. And he left. So we don't think Charlie Rangel did it.

Mr. NUNES. But that could be an important clue. I'm on the Ways and Means Committee, and we did not put that language in there. So Mr. RANGEL claimed that there were three people that were writing the bill.

Mr. LATOURETTE. Basically. That was his quoted statement in the press.

So the other folks, and we know this individual was in the room. This is Rahm Emanuel, our former colleague from Illinois who now serves as the President's Chief of Staff. This is Mr. Orszag, who is the OMB Director. Mr. DODD, Senator from Connecticut who is the chairman of the Banking Committee. At the top the honorable Speaker of the House, Ms. PELOSI of California; and Senator HARRY REID of Nevada, who is the leader over on the other side.

And I put the question mark down there, and this really angers me, because somebody had to authorize it, but some of the statements have been that staff did it. Listen, there's something seriously wrong if a nonelected official or appointed official in the case of the OMB Director can change legislation. So they clearly had to have authorization. A lot of eyes were on Senator DODD and the Department of the Treasury.

But here's what's frustrating. We're asking that question, and it's a pretty simple question: Who did it? And maybe you had a great reason for it. Just tell us why you did it. But they won't. So we have had to go to not only come talk about it on the floor, but we have had to take other action here since March to try to figure it out. So I filed something known as a resolution of inquiry, which asked the Department of the Treasury, Hey, who said take out the one and put in the other? Just tell us who it is. That's a pretty simple question.

And I'm going to say something about the chairman of Financial Services, BARNEY FRANK of Massachusetts. He took the resolution of inquiry. They got more votes than we do. He could have killed it. He did not. He voted it out of his committee 63 or 64–0, and it's been sitting at the Speaker's desk since the end of April, the beginning of May.

Now, again, the Speaker knows this, but the way the legislation gets to the floor is that the majority has to schedule it. And for whatever reason, the distinguished majority leader, Mr. HOYER of Maryland, has chosen not to schedule this piece of legislation for floor activity. So even all of the Democrats on Financial Services that want to know the answer to the question will not get the answer to the question because we can't get the bill to the floor. So we've gone a step further.

There is a provision in the House rules that if they won't act, you can file something called a discharge petition. We filed the discharge petition. It's right over there by the attractive lady in the tan suit. And we have asked Members to sign it so we can bring it to the floor and talk about it. To date, every Republican has signed it, and we don't have yet a Democratic Member who has signed it, but that's the only way we're going to get to it.

But Chairman FRANK did something else commendable. He called up the Treasury and he said, Quit horsing around. Just tell us who did it. And he set up a number of meetings with the Treasury Department. My staff went to the meetings. I went to the meetings. The last contact that we have had from the Department of Treasury, and I just want to get it because it really is remarkable, we got a call, the banking staff got a call from a fellow who's in Government Relations at the Treasury Department and said that, Well, you know, we really didn't like that meeting because it was too political and we think our lawyer has said we can't answer your question.

Now, what the heck? It's not like we are dealing with somebody from the mob and the lawyer says take the fifth. We are talking about the United States Department of the Treasury, which is responsible for administering these billions and billions of dollars, and they're telling the United States Congress that a lawyer has said they can't tell us who authorized $173 million in bonuses for people who work at AIG?

And then they tried to compound the crime because, as I said, a lot of people were embarrassed. They went home to their districts. Even Senator DODD, there was a news article about people screaming at him at a town meeting, How could you do that? How could you do that?

Mr. NUNES. If you would yield just for clarification, because I know that there are folks just now coming in. They are here on their vacations and they may have missed the beginning of this. But what we are talking about here is that well over $100 billion has been given to AIG. We had the House bill that every Member of Congress admitted that they didn't read. As a matter of fact, Mr. BOEHNER sat right there where you are, Mr. LATOURETTE, and asked if anyone had read it, and no one said they had read it. He dropped the bill right there on the floor. And the language that you talked about that awarded the bonuses was not in the bill at that time.

Mr. LATOURETTE. Right.

Mr. NUNES. So the Senate bill and the House bill come together, and suddenly that's put in its place, and now we are sitting here with legislation. After giving well over $100 billion to AIG, now we are going to give these folks bonuses, millions of dollars in bonuses, and no one knows who's done it.

Mr. LATOURETTE. Right. That's a fair summation of where we are. And that's troubling to me.

Mr. NUNES. Just for clarification again, Larry the Cable Guy didn't do it, right?

Mr. LATOURETTE. Larry the Cable Guy didn't do it. He's not on the chart.

But, again, this goes back to Larry the Cable Guy, however. That's why ''get 'er done'' cannot be the way to run the United States of America, because people get embarrassed. People will not have the opportunity to read things. You and I each represent about 700,000 people, you in California and I in Ohio. I had no input in this bill, not because I didn't want to. I'll bet you had no input in this bill. It's just not the way to run the thing.

□ 1530

And when you run it this way, you get embarrassed, and when you get embarrassed, you should own up to it.

That is where I was going next. Rather than owning up to it and saying take the language out, let's not permit this to happen, it was a mistake, the majority, rather than bringing the resolution of inquiry to the floor, brought a bill to the floor to tax these bonuses which they authorized at 90 percent.

I have to tell you, I don't think these people should have gotten these bonuses. But when you begin to use the Tax Code to punish people that you don't like and say, you know, today it is the AIG guys, we are going to tax you at 90 percent; tomorrow it could be truck drivers, we are going to tax you at 90 percent; we don't like the guys that do talk radio, we are going to tax you at 90 percent, it is a very dangerous precedent; and it is not only dangerous, it is stupid. And it is stupid because the head guy, the biggest bonus-getter, the biggest bonus-getter at AIG got $6.4 million.

Now, if you don't think you should get a bonus, why do you let him keep 10 percent? And 10 percent is $640,000. It takes 16 years for somebody in Ohio making $40,000 a year to make $640,000. So, again, it is not only a misuse of the Tax Code; it is stupid. It was a fig leaf, because people were embarrassed, and, sadly, sometimes when people get embarrassed around here, rather than doing the right thing, they do the politically expedient thing.

So they all went home. And, thank god, the Senate didn't pass that bill, and thank goodness President Obama said—he didn't say it was stupid, but he pretty much said it was stupid.

Mr. NUNES. If the gentleman will yield, he has done that recently.

Mr. LATOURETTE. Yes, well, he has done that.

Mr. NUNES. If the gentleman will yield again, you have a long history before you came to Congress. You worked for the people of Ohio. You were involved as a district attorney, and I know that you had prosecuted many people and upheld the law. And so as we are beginning to go through this and beginning to look at who is out there, who possibly did it, we still, here we are, what, almost 6 months after we passed the stimulus bill, and no one knows where this language has come from.

Mr. LATOURETTE. We can't get an answer, which is really shocking, that the United States Congress can't get an answer to a pretty simple question, Who did it?

I want to move on, with my friend's permission, to the get 'er done and the car companies. We were told we had to have an expedited bankruptcy proceeding, first with Chrysler and then with General Motors because that was going to save the car industry in this country and we have to move forward.

As a matter of fact, on April 30, the President gave a press conference when Chrysler went into bankruptcy, and this is his exact quote, that nobody should be confused about what a bankruptcy process means. It will not disrupt the lives of the people who work at Chrysler or live in the communities that depend on it.

Now, I was pretty heartened by that, and I was heartened because in Twinsburg, Ohio, we have for the moment, won't have soon, a stamping plant for Chrysler. About 1,200 people work there.

In the days leading up to the bankruptcy announcement, the company went to the Chrysler employees, the UAW employees, and said, In order to make this work, you have to enter into a new contract and you have to give up some stuff. You have to give up wages, benefits, some health care, some vacation.

The day before the bankruptcy announcement, the auto workers in Twinsburg, Ohio, went to their union hall and cast their ballots on giving up stuff, and 80 percent of them, over 80 percent of them, said, We are going to do it so we can keep our jobs, and we are going to do it so we can make sure that the company we work for continues to survive.

That took place all across the country. And the contract, not surprisingly, was approved.

Well, then a funny thing happened, and the funny thing that happened was that afternoon, when all the documents were filed in the bankruptcy case, there is an affidavit from a guy, his name escapes me, Robert, I will think of it in a minute, but that basically indicates that no, no, no, there are going to be disruptions. We are closing plants. We are throwing people out of work.

Specifically, eight plants, eight plants in cities all across America were

told, Hey, auto worker, even though you voted to give up some stuff to stay employed, we are shutting you down. Nationwide, it was close to 10,000 people were told they weren't going to have jobs anymore.

The interesting thing is before the President went to the microphones, he went to talk and give this press conference at noon on April 30. At 11 o'clock that morning the White House was very helpful in setting up a conference call with Members of Congress, Governors, other people that were interested in this issue, and with his task force, his unelected auto task force.

The task force members got on and said, This is a great day. This is a great day. We have saved Chrysler, or will through this bankruptcy. Jobs won't be lost. As a matter of fact, because Chrysler is going to enter into a deal with Fiat, the Italian car manufacturer, we have great news: we think Fiat is going to bring 5,000 more jobs to the United States.

So, silly me, I got off the call and watched the President of the United States. And then there is another call. When the President was done, we had another conference call with the guy that was the head of Chrysler then, Robert Nardelli.

Mr. Nardelli was basically reiterating the things that occurred during the course of the President's announcement, and then he took questions, which was nice. And the very first telephone call that he took was from Governor Granholm of Michigan, the Democratic Governor of Michigan. Obviously in Michigan they have got a lot of concern about auto manufacturing.

And she said, you know, Great job. Way to go. But I just have to ask you a question. The President in his announcement said this deal will save 30,000 jobs. I just want to make sure that that wasn't code for something else, because there are 39,000 people in the country that work for Chrysler.

Mr. Nardelli said no, no, no, no, he was just rounding down and there aren't going to be any difficulties, which, of course, wasn't true.

Later in the call, one of our colleagues from Wisconsin, GWEN MOORE, Democrat from Milwaukee, she had, used to have, an engine plant in a town called Kenosha, Wisconsin. And she specifically asked, she said, 800 people work there. Where in your restructuring do you envision the Kenosha plant being?

She was told, We love Kenosha. Kenosha is safe. Kenosha is going to be fine. Those 800 people don't have to worry.

So, silly me and silly Representative MOORE and silly Governor Granholm, we all sent out press releases praising the President, praising the task force and the work that they were doing, only to find out that my plant was closed and Ms. MOORE's plant in Kenosha, Wisconsin, was closed.

Now, obviously that caused some concern with the folks in Wisconsin and the folks in Ohio, so the Governor of Wisconsin, Ms. MOORE also and the mayor of Kenosha, sent a letter to Mr. Nardelli and said, Why did you do that?

Madam Speaker, I include the letter for the RECORD.

CHRYSLER LLC,
Auburn Hills, MI, May 7, 2009.

Hon. Governor JIM DOYLE,
East State Capitol,
Madison, WI.

DEAR GOVERNOR DOYLE: I want to start by expressing my sincere apologies about the confusion surrounding comments I made on a conference call with you and other elected officials about the Kenosha Engine Plant on April 30, 2009.

In response to a question from Congresswoman Moore regarding the future of the Kenosha Plant, I mistakenly conveyed the status of the Phoenix investment in Trenton, MI. The facts I described were accurate for Trenton and not Kenosha, WI. I recognize this has added further confusion to an already difficult situation.

I would like to take this opportunity to clarify the Phoenix Engine Program production status.

In 2006, DaimlerChrysler started a program for a new V6 engine family. Based on industry volumes and forecasted demand, the initial planning volumes were 1.76 million units. In order to achieve this level of production, a site selection process was initiated that included four new locations in Michigan, Ohio, Wisconsin and Mexico.

Before site selection was finalized, the engine volume planned for the combined company was reduced when the common engine program with Daimler was redefined as a Chrysler only engine. This reduced the number of production sites to three.

These three sites would have the capability of producing 1.3 million V6 engines. Early in 2007, for a variety of reasons, the Corporation was required to reduce its capital investments in all programs which required a new production strategy for the Phoenix engine. Therefore, Chrysler decided to reduce the number of greenfield plant locations to two. In May and June of 2007 the Company chose those two sites and announced the greenfield investments of $730 million in Trenton and $570 million in Saltillo and broke ground on the construction of the facilities. The greenfield decisions were based on the adjacency of the proposed plants to the point-of-use assembly locations.

In February of 2007, Chrysler notified the State of Wisconsin and Kenosha officials that a greenfield site was no longer viable, but rather that a retool of the existing Kenosha Engine Plant was under consideration. The Kenosha retooling plan resulted in necessary capital savings; however, it required the Kenosha site to continue to produce its current engines through 2013.

In late 2007 and 2008, deterioration in industry volume resulted in a drop of the 1.3 million unit demand to 880,000. This reduction in volume and the need for Kenosha to produce its current engines resulted in the company deciding to defer the retooling strategy.

Chrysler kept Kenosha Area Business Alliance updated on the status of the retool through 2008. As the market began to collapse through late 2008 and 2009, a decision was made to idle the Kenosha Engine Plant in December of 2010. This and other restructuring actions were included in the Chrysler LLC February 17, 2009 Viability Plan submission to the United States Treasury and the President's Auto Task Force. The specific plant actions, including Kenosha Engine Plant, were not made public because it would have been presumptuous to assume that the plan was going to be approved and inappropriate to communicate prior to thorough discussion with the United Auto Workers union.

On April 3, 2009, Chrysler officials met with the Kenosha Task Force and reiterated the need to defer the Phoenix Program. Upon emergence from Chapter 11, plans are to continue to produce the current engine families through December of 2010 at the Kenosha Engine Plant in order to support our current products. The Trenton Engine site has been completely facilitized and will launch when we exit from Chapter 11. The Saltillo Engine site has also been facilitized and is scheduled to launch mid-to-late 2010.

We would have hoped to have been able to convey this information to you and the community in a more timely fashion, but circumstances simply did not afford us an opportunity to do so. It is expected that virtually all employees associated with Kenosha and the other closures announced in our Chapter 11 filings will be offered employment with the new company.

While the company continues to address difficult market conditions, we expect that the Chrysler Fiat alliance will ultimately provide customers and dealers a broader competitive line of fuel-efficient vehicles and technology, and will result in the preservation of more than 30,000 jobs in the United States along with thousands of employees at dealers and suppliers.

Again, please accept my sincere apologies for the confusion. We will continue to work with the people of Kenosha to ensure an orderly transition.

Sincerely,

BOB NARDELLI,
Chairman and CEO.

The response they got back, Madam Speaker, on May 7 he wrote to Governor Jim Doyle and he said, I know I said Kenosha was safe, but I just need to tell you I was confused. I thought Kenosha, Wisconsin, was Trenton, Michigan.

Now, if I had a nickel for every time I got in the car and tried to go to Kenosha, Wisconsin, and ended up in Trenton, Michigan, that would be something.

Mr. NUNES. If I remember my geography correctly, there is a lake that separates Wisconsin and Michigan, correct?

Mr. LATOURETTE. Now the gentleman is nitpicking.

Mr. NUNES. Maybe they were going to take a boat.

Mr. LATOURETTE. Even the day before, and now I remember the guy's name, His name is Robert Manzo, Robert Manzo is the consultant that Chrysler hired to help sort of take them through this thing. The day before the filing, he sent this email exchange, which has been in all the newspapers, to the President's task force saying, Maybe we don't have to go this way. Maybe there is another way. Basically he said, I hope you think it is worth giving this one more shot, that is, to not have all these horrible things happen through the bankruptcy.

And here is the response from Mr. Feldman, the attorney on the unelected task force, who basically said, We are done, and indicated that he wasn't going to be treated to another terrorist like Lauria.

Now, I should explain. Lauria is the lawyer who represented the bondholders. These are people that invested

in Chrysler, and they were told that they had secure creditor status, and it was $27 billion.

Mr. Lauria represented some of them, and the some of them that he represented was the Teachers Retirement System of Indiana. So people who had taught the children of Indiana for years and had retired, in order to maximize their retirement fund they had invested in Chrysler, which was once a pretty safe investment, and they were told that they were secure, which means they get paid before anybody else gets paid.

Mr. Lauria was advocating on behalf of the teachers of Indiana and saying, You cannot just get rid of us. You have to compensate these people who have invested $27 billion in Chrysler. But the response from the task force is that these people were acting like terrorists.

Mr. NUNES. If the gentleman will yield for another point of clarification, you referred several times to this unelected task force, auto dealer or auto company task force. And we have seen these czars that have been appointed by the President. We have 30-some or 40-some czars, I don't know. Every day we add a new czar.

Is there a difference between the czars and the automotive task force? Was there a czar of the auto task force?

Mr. LATOURETTE. There was a czar. The President of the United States appointed the auto czar, the head of the task force. He has recently gone back into private business. It is now headed by a fellow by the name of Ron Bloom, whom we will get to in just a second.

But, you know, a funny thing happened on the way to the task force too, because when they began making these decisions, people began to say, Well, who are these folks and what is their background? Were they in the manufacturing business? Did they make cars? Did they sell cars? Did they manufacture parts for cars? And The Wall Street Journal actually did a study of the members of the task force and found that most of them don't even own cars, and those that do own cars own foreign cars, the majority of them.

Mr. NUNES. How many people were on the task force?

Mr. LATOURETTE. I think it was 12 or 16. And then we also had one of our colleagues from Ohio, Mr. JORDAN, who serves on the Judiciary Committee, and the Judiciary Committee had a hearing with a panel that asked that question, How many people on the task force have any experience at all in the car industry? And the answer was none. Nobody. But despite that fact, they have made decisions.

Now, the second decision I want to talk about is the decision that they made that somehow we needed to close car dealerships all across America, and in Chrysler's case it was 789 and General Motors it is about 2,600.

According to the National Association of Automobile Dealers, about 60 people work at each dealership. So if you multiply that by the number of dealerships that were instructed to close, you are north of 200,000 people; 200,000 people. And let's get this straight about car dealers. Most of them own their own buildings, they do their own finance plan, floor plan, they do their own advertising.

The cost to the automobile company is pretty minimal. But, again, this nonelected task force that doesn't know anything about the car industry said, You know what? Toyota sells an awful lot of cars in this country and they don't have as many car dealers as Chrysler or General Motors, so therefore the car dealers must be the problem. They are the ones that are creating this problem.

So they basically gave—we had a car dealer from Michigan, I think it was, just at Chrysler's direction, was told to put $7 million into his building to make it attractive and all this other stuff. He didn't get paid for that. He got a letter saying, You are no longer a Chrysler dealer.

The car dealers basically came to town, and there were pretty amazing stories about some of these car dealers and the way they were treated.

□ 1545

But, you know, it's not just the 3,000 men and women that own these auto dealerships, it's the 200,000 people, the mechanics, the salespeople, the clerks, they're out of a job. So I don't know how you recover the economy by having less stores.

Mr. NUNES. If the gentleman would yield, one of the important points here that you've made is that this task force, this unelected task force that has no experience in running anything to do with cars—in fact, some of them don't even own cars—have now made this unilateral decision to close these dealerships, and the way that they were able to do that is because the government has now taken over ownership of the car companies.

Mr. LATOURETTE. The gentleman is absolutely right.

I will tell you that initially the auto task force ran from this dealer issue like a scalded cat, and they were really quick to put out a press release saying, We're not micromanaging the car companies. We don't know enough to run Chrysler and General Motors. This was the car companies. This was General Motors, and this was Chrysler. They made the decision. They are the bad ones who decided they were going to throw all of these people out of work.

A couple of things run counter to that. The first was, just like I think it's an interesting business model that you are going to sell more cars with less dealers, the auto task force in the Chrysler bankruptcy, according to an article in the Automotive News, didn't want Chrysler to advertise their cars during the pendency of the bankruptcy. When somebody, apparently, told them how stupid that was, they said, Okay, you can spend half of it. It was $134 million. So, again, this unelected task force apparently thinks that you can sell more cars if you don't advertise and if you have 3,000 less stores across the country.

The other thing that sort of gets in their way is Fritz Henderson, who is the president and the CEO of General Motors, old and new, gave an affidavit to the bankruptcy court in New York.

I would like to insert that into the RECORD as well.

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK, IN RE GENERAL MOTORS CORP., ET AL., DEBTORS

AFFIDAVIT OF FREDERICK A. HENDERSON, PURSUANT TO LOCAL BANKRUPTCY RULE 1007–2

State of New York, County of New York

Frederick A. Henderson, being duly sworn, hereby deposes and says:

1. I am the President, Chief Executive Officer, and a Director of General Motors Corporation, a Delaware corporation (''*GM*''), which together with its wholly-owned direct subsidiaries, Chevrolet-Saturn of Harlem, Inc. (''*Chevrolet-Saturn*'') and Saturn, LLC (''*Saturn*''), and GM's wholly-owned indirect subsidiary Saturn Distribution Corporation (''*Saturn Distribution*''), are the debtors in the above-captioned chapter 11 cases (collectively, the ''*Debtors*''). I submit this affidavit (the ''*Affidavit*'') pursuant to Rule 1007–2 of the Local Bankruptcy Rules for the Southern District of New York (the ''*Local Rules*'') to assist the Court and other parties in interest in understanding the circumstances that compelled the commencement of these chapter 11 cases and in support of (i) the Debtors' petitions for relief under chapter 11 of title 11, United States Code (the ''*Bankruptcy Code*''); filed on the date hereof (the ''*Commencement Date*''), (ii) the relief requested in the motions and applications that the Debtors have filed with the Court, including, but not limited to, the ''first day motions,'' and

* * * * *

93. The Company, however, is not assuming and assigning to New GM all of its existing dealer franchise agreements. The Company's vast dealer network, consisting of approximately 6,000 dealerships, developed over an extended time period in which the Company's market share was growing and was far greater than it is now, and when there was far less, or even no meaningful foreign competition. Consequently, and precisely because there are now far more dealerships than the Company's market share can support, including, in some cases, multiple dealers in a single contracting community and dealerships that have become poorly situated as a result of changing demographics, the Purchaser is not willing to continue all dealerships. Among the dealerships the Purchaser is not willing to continue, for example, are those approximately 400 dealers who sell fewer than fifty cars per year, and those approximately 250 dealers who sell fewer than 100 cars per year. Approximately 630 other dealerships are not being continued because they are dealers who, in whole or substantial part, sell brands that are being discontinued.

94. Notwithstanding the foregoing, the 363 Transaction does not contemplate an abrupt cutoff of nonretained dealerships. In pursuit of the maximization of New GM's ability to, among other things, maintain consumer confidence and goodwill, provide ongoing warranty and other services, and preserve resale and trade-in values, the Company not only is giving approximately 17 months notice, but also will offer to enter into, and New GM will assume ''deferred termination agreements''

with most of the dealers whose franchise agreements are not being assumed, which should have the additional benefit of easing the hardships attendant to the dealership closings.

Mr. LATOURETTE. Madam Speaker, could you tell us how much time we have left?

The SPEAKER pro tempore (Ms. EDWARDS of Maryland). The gentleman from Ohio has 11 minutes remaining.

Mr. LATOURETTE. I thank the Chair very much.

In this affidavit, Mr. Henderson indicates that the idea of shutting all these dealerships—in their case, 2,600—wasn't his idea. The purchaser rejected their plan. Does the gentleman know who the purchaser of General Motors is? It's the United States Government.

Mr. NUNES. It's us. It's the people.

Mr. LATOURETTE. It's the task force. So they rejected Chrysler's plan. They rejected General Motors' plan. They said, Go back to the drawing board. Mr. Rattner, who was the head of the task force, said, You have got to come up with a new plan; and Mr. Bloom testified in front of the Senate that they rejected the plans because they didn't find the car companies' plans to be aggressive enough when it came to shutting down plants, throwing people out of work, and closing car dealerships. So again, just like when people were shocked about the AIG bonuses, people running around town here saying, I'm shocked. Well, you shouldn't be shocked. You told them what to do. You didn't say that you have to close 10. You didn't say that you have to close one in Cleveland and one in California; but you did say you have to close a bunch; and you can't walk away from that responsibility.

And now there's legislation. I thought that the gentleman from New York was still in the Chair. The gentleman from New York (Mr. MAFFEI) is the lead Democratic sponsor of a piece of legislation that says, You've got to deal with these people fairly, these 200,000 people that you've tossed out of work. So he has proposed legislation. I have proposed legislation. But Mr. Rattner, before he left, in response to the legislation, the administration opposes the legislation to force the reopening of Chrysler dealers and prevent General Motors from closing dealers. So I don't know how much more they could be involved.

That brings us to Clue, the Travel Edition. The task force has said that they're not responsible for 20 auto plants closing and about 50,000 auto workers being thrown out of work. They're not responsible for the 50,000 Delphi workers who don't have health insurance today. They're not responsible for the 200,000 people that work at the dealerships across the country that are now going to be out of business. So who is? Around this chart we have Mr. Bloom. This is the Secretary of the Treasury, Mr. Geithner; former President George W. Bush; the President of the United States; Larry Summers, the President's economic adviser; and down there is Robert Nardelli, the former head of Chrysler I was talking about.

Again, the same scenario. This is a pretty simple question: who decided to take the ax to those 20 plants, those almost 300,000 people and shut 'er down? I mean it's no longer get 'er done. It's shut 'er down. I think we should find out, but nobody will fess up. Nobody will say who did it.

Mr. NUNES. So nobody knows who did the AIG bonuses; no one knows who put that legislation in; and now no one knows who shut down the automotive plants, the auto dealers. We're sitting here with 300,000 people out of work in the largest democracy in the world, which is supposed to be a deliberative body where the Congress is supposed to make the decisions, and we have no answers.

Mr. LATOURETTE. The gentleman is correct. I just want to conclude, unless the gentleman has another thought.

Mr. NUNES. I just want to thank the gentleman for bringing this to the people's attention. This is really the only avenue that you now have is to come before the people, to come before the whole world, and you have laid out a very compelling case that, quite frankly, we're not getting anything done. In fact, we don't know who's doing what around here. I am troubled by this, what you've brought to the floor of the House; and I hope that you will continue your effort to figure out and get to the bottom of who did this.

Mr. LATOURETTE. Well, I will. And I thank the gentleman for participating in this. I want to thank Larry the Cable Guy for making a cameo appearance during the course of this. We want to be bipartisan. We want to get things here. But get 'er done by a date certain, no matter what the details are, when you drop 300 pages at 3 o'clock in the morning, when you drop 1,100 pages at midnight, when you work in private and in secret to draft legislation to do things like cap-and-trade and health care legislation, it really is not the way that the government is supposed to work.

We know, on our side of the aisle, as Republicans, that we did such a lousy job that the voters replaced us in 2006. We understand that. But by the same token, there are a lot of bright people on our side, a lot of bright people on that side; and I would believe that we could come together on all of these important issues and give the American people some legislation that they can have confidence in because Members of both parties participated. People are very suspicious of Washington. They say, It's so partisan. They're always fighting with each other. A giant step toward solving that would be to work these things out in a bipartisan way.

I thank the gentleman, I thank the Chair, and I yield back the balance of my time.

ISSUES FACING AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 60 minutes as the designee of the majority leader.

Mr. BLUMENAUER. Thank you, Madam Speaker.

I always enjoy listening to my good friend, the gentleman from Ohio, with whom I have worked on a number of projects. I have the greatest respect for him. But I don't always agree with his analysis. It's interesting to listen to people who are claiming that they're concerned that they've been shut out of the process or that they are irrelevant. I do think there is some real question about the relevance of some of my friends on the other side of the aisle, but that is a decision that they and their leadership have made consciously.

Now I don't think that my good friend from Ohio falls into the description of what his fellow Ohioan has declared that Republican legislators should be. Minority Leader BOEHNER has said, They shouldn't be legislators, they should just be communicators, because their job is more of a political one, not being involved with the process. That is why their budget plan was not a budget plan, but it was a press release. In fact, I was kind of embarrassed for them when they announced it with great fanfare and the press asked, Well, where are the details? You're giving us a press release. Sadly, sitting on the Budget Committee, we found that our Republican friends were not involved with a serious alternative that would deal with our Nation's problems.

We have enacted, for the first time in history, a significant, comprehensive piece of legislation that's passed the House to deal with carbon pollution, climate change, global warming, and the fact that the United States simply can no longer continue to waste more energy than any other country in the world. The Republican response, the tone has sort of in part been set by the Senator from Oklahoma who has declared that global warming is a hoax. We have not seen a Republican response that puts forth a comprehensive effort. In fact, the previous 8 years of the Bush administration, Republican control, were characterized by global warming denial, interference with States that were trying to do something. Remember the State of California and nine other States who wanted to put in place more effective energy protections for automobiles, higher standards? California has this right under the law. It requires a waiver for the Federal Government, waivers that Republican and Democratic administrations alike have always granted, except for the Bush administration and the Republicans in the latest round over the last 8 years. They denied that right for the people in California to move forward and deal with it. Denied

the opportunity to save energy, to create new jobs. It's I think, frankly, embarrassing.

Most recently we've had a chance to watch up close and personal the debates that are taking place dealing with health care. Frankly, I have got some personal experience with this because I tried to do exactly what my previous two friends were talking about, and that was to have serious efforts for bipartisan legislation to improve America's health care. You know, you wouldn't know it, listening to some of the rhetoric that comes from leadership; but there are actually areas of broad bipartisan agreement. One deals with the notion that our senior citizens and people and their families who are facing extraordinarily difficult circumstances, dealing with end-of-life situations, that these citizens and their families ought to be able to have their doctor help them understand what they're facing, what their choices are; and most importantly, have them be able to tell their family and their doctor what they want done. Sadly today, Medicare, although it will pay for all sorts of tests and procedures, 7,000 different categories, I think is the count, it won't pay for a senior's doctor or nurse or some other trusted health professional to sit down and have that conversation with them. Madam Speaker, when we worked on the Ways and Means Committee, we found that Republicans and Democrats alike agreed that that was wrong, agreed that this was an area, when we were talking about health care reform, that we should change. We should have Medicare and any reform effort that we brought forward help seniors and their families prepare for the most difficult decision any of us will face.

We had bipartisan legislation. I am proud to say that we discussed it extensively in committee. In fact, some of the most heartrending stories for the need for this legislation did not come from our witnesses. They came from members of the committee, including Republican members, who talked about why this legislation was important. Well, that is why I was proud that this legislation we've been working on, that I cosponsored, that I have had Republicans join me in cosponsoring, was incorporated into the House reform legislation, House bill 3200.

□ 1600

But, you know, people who've watched C–SPAN and the news over the course of the last week, people who've read news accounts, would see that this bipartisan, humane, important legislation giving more choice to seniors and their families for being able to make sure that their needs are met the way they wanted, that was hijacked.

We saw, sadly, on the Web page of the Republican minority leader that they're claiming that this is somehow leading us down the path of euthanasia. We heard a Republican on the floor this week claim that their approach is better because it would protect senior citizens from the government taking their life. Absolutely outrageous and shameful, inaccurate statements designed to inflame, confuse and, frankly, gum up the works.

I find no small amount of irony, because what my Republican friends were claiming they wanted to be involved, they were involved. They agreed with it. And yet we're finding people, for political purposes, trying to mislead and scare families across America.

It's ironic, because the only provision that I know that would have been mandatory was actually offered up by a Republican Senator, who's a friend of mine, from Georgia, who had offered the proposal. It wasn't accepted. It was later withdrawn, but the proposal was that before somebody enroll in Medicare, that they have to fill out a form telling people what they want rather than having people guess about it. Not a bad idea to consider.

But in this climate where people are trying to poison the discussion, stifle the debate, and prevent us moving towards health care reform, it would have, sadly, been toxic. It's ironic that I had one of my Republican doctor colleagues tell me that he has conversations like this often, but he said that he wishes that it wasn't in the last hours before a major operation or before it was too late; that people ought to think about it, and we ought to do it in reasonable fashion, like we proposed under our bipartisan legislation.

Madam Speaker, this is an example of where I think our Republican friends really need to take a deep breath and decide whether they are going to be communicators or they're going to legislate, whether they're going to join us in trying to solve these problems. There are amazing opportunities.

One of the things that has been interesting, even the most hardened C–SPAN junkies of late have probably been a little embarrassed when they hear Republicans coming to the floor braying like donkeys asking, ''where are the jobs?'' interrupting otherwise semicoherent speeches with a refrain over and over again, ''where are the jobs?'' like somehow the Democrats and President Obama have taken them and hidden them. But I give them credit for finally asking an important question; although, without any context and without any answer, looking as though they had no clue.

Next, to national security and the health of our communities, the record of job creation, how many, what kind, and for whom is one of the most fundamental issues that government will face in tough times of high unemployment and job insecurity. It can, in fact, sometimes feel like it crowds everything else out, and no wonder. Americans want economic security for themselves, their family, and ultimately for the country. If we're not economically secure, we can't deal with cleaning up the environment, with education and health care.

Unfortunately, my Republican colleagues are losing an opportunity, not just to ask themselves a question, but to deal with these critical, long-term economic questions because, in a dynamic, free market economy like the United States, the job creation process is a continuous one.

Every day in America jobs are being created and jobs are being lost. The real question is what is the balance between job growth and job loss. What's the nature of the jobs, and how do we improve it for the future. I understand my Republican friends starting to pay more attention to this because, candidly, the Republican record, since 1940, is not exactly stellar in this regard.

Since 1940, Republicans have been in charge of the United States more years than Democrats, 36–33. But, despite that fact, in terms of actual job creation, you can go back and look at the Department of Labor's statistics, for those 33 years, Democrats created 64.2 percent of the jobs in this country. Republicans were responsible for 35.8 percent of the jobs.

Now, I'm not saying this was all President Kennedy or President Johnson or President Truman, and I'm not saying that there weren't things that President Eisenhower and President Reagan did that were important and useful. It isn't always the partisan makeup that is determinative. But there is a very interesting pattern that should count for something.

When my Republican friends come to the floor braying, ''where are the jobs?'' they ought to look at the record, and the record is that Democrats have a better history of job creation. And you don't have to go back to Truman and Eisenhower to look at that. It has, in fact, been a rather dramatic difference just in the period of time that I've been in Congress. We've had 16 years, 8 years of the Clinton administration, 8 years of Bush, where there's a pretty stark difference.

The Clinton administration produced 22 million jobs in the period of time. They averaged 237,000 jobs per month, despite the predictions of some of my Republican friends, many of whom actually are still in Congress, that the policies, the economic policies, the tax policies of the Clinton administration were going to destroy the economy. 237,000 jobs per month created. And that's more than the 150,000 jobs that a dynamic American economy needs to sort of keep in balance.

What was the record under the Bush administration where the Republicans were actually in control, almost absolute control of Congress, and they were in control of the White House? The Bush, the second Bush administration, created only 58,000 jobs per month. It's the lowest average monthly job creation rate since the Eisenhower administration when the country was almost half as small. It was the lowest average yearly job creation since Herbert Hoover. And it got worse as it went along.

The economy lost half a million net jobs in 2008. Now, remember, this is an administration, 5 million jobs in the Bush administration, 22 million jobs in the Clinton administration, and those are just private sector jobs.

In the Bush administration, 2½ million people were added to unemployment, and there were a smaller proportion of Americans who were working when Bush left office than when Clinton left office. But that trend was actually quite disturbing because, for 10 consecutive months as the Bush administration was wrapping up, we were seeing job loss. And they continued early in the new year.

Now, I think even my most partisan Republican friends would agree that you don't take a massive economy like the United States and turn it on a dime. The fact that Barack Obama became President January 20 didn't turn around. The jobs that were being shed and lost were a result of the previous 8 years of activity. And so, much of the last 10 months of job loss, plus what has happened earlier in this year is certainly not the fault of the Obama administration.

The Obama administration has inherited the worst financial collapse in American history since the Great Depression, with the effects that are still being felt on the State and local level and will continue to ripple throughout the economy even after it's turned around. It would be premature, at best, to render a verdict on the Obama administration, although I am actually pleased that my Republican friends who remained silent in the midst of the anemic job performance of the Republican administration under George Bush and actually went into negative areas, I'm glad that they've found their voice and are starting to speak out. Now it's time to engage their brains in these important long-term questions.

The fundamental nature of the job market is, in fact, changing in this country. Employers are slower to replace jobs. Assumptions about guaranteed employment and benefits are being challenged as economic models have been turned upside down. We ought to be working on two different levels.

One is to stop an economy in free fall, to strengthen opportunities to avoid future job reductions and strengthen underlying economic activity. The second is to deal with the nature of future jobs. It's even more important than the short-term strategy, because in a large and growing country, we need to be able to provide for the needs of workers, young and old, with a variety of interests and skills all across the country. This suggests that it is time for my friends on the other side of the aisle to reconsider their opposition to infrastructure investment and unyielding support for more and more tax cuts, especially for those who need them the least. That's the same formula that the Republicans were offering which, essentially, helped create the problem.

For 8 years, they had unprecedented control, not just of the executive but the legislative branch. They resisted robust infrastructure investment. Even when it appeared a year ago that the economy was teetering, when we were starting to see actual job loss, President Bush and his Republican allies would only agree to a tax cut-only solution.

We implored, we begged, put unemployment insurance into the equation, put food stamps into the equation. This is money that all the economists agree will have more stimulative effect. This is something that will help people most in need, and they'll spend it right away. These are people who are living on the edge. And for heaven's sake, work with us to spend a little money rebuilding and renewing America, because these not only create construction jobs, engineering jobs across America, but it also improves our long-term productivity by protecting the environment, by stopping congestion and pollution. They refused. The only thing they would agree to was a package of tax cuts, including tax cuts for many people who, frankly, didn't need them.

Well, that changed with the election of President Obama and strengthened Democratic leadership in Congress. We produced an economic recovery package, and it was passed in a few days in the new Congress, that met broad needs across the country. As a gesture to Republicans, as an effort to get Republican support, the largest single portion of that recovery package was tax cuts. Now, we're not hearing, as the Republicans come to the floor asking in a confused way, ''where are the jobs?'' they ignore the fact that an important part of this recovery package is their favorite solution, tax cuts, $288 billion.

□ 1615

Now, we limited the tax cuts to the bottom 95 percent. We're not giving it to the wealthiest Americans but to the Americans who need it the most. By the way, it fulfills a campaign pledge of President Obama's. Every working family in America who is in the bottom 95 percent has enjoyed a reduction in their tax rates and a reduction in their withholdings, which is having some effect on the economy. It was a gesture to the Republicans. Ironically, as for the Republicans who come to the floor who say they want to be involved, we put this in to address their concerns and to engage them.

How many Republicans in the House voted for the package? Zero. Even though almost half of the package was their favorite prescription and it was going to 95 percent of the American public, there was not a single Republican vote, and there were only three in the United States Senate.

We went beyond that. We added $144 billion to State and local fiscal relief. I don't know what it's like in your community, but I'll tell you that, if our State legislature hadn't received several billion dollars for Health and Human Services, a half billion dollars for education, over a third of a billion dollars for transportation infrastructure, the unemployment rate in my State would be even higher, and our legislature would tie itself in knots trying to figure out what to do.

You know, it's interesting. Some of the Republican Governors made a big show that they weren't going to accept this money for unemployment insurance. Hello. They had to be forced in States like Texas and in South Carolina by Republican legislators to stop grandstanding and accept money to help the poor and unemployed in their States.

Mr. Speaker, it's interesting all of those people who voted against the economic recovery and who voted against the infrastructure. It's interesting looking at a list of them who are showing up to be on the platform when the ribbon is cut when the projects are announced. I find it ironic that the Republican leaders who voted against it are claiming credit in their press releases for important projects that are being funded in their States. They're communicating, but it's a curious communication—claiming credit, blaming Democrats because it doesn't happen instantaneously, not being part of formulating the solution.

It is, I think, frankly, embarrassing watching the spectacle. The most embarrassing thing about what's going on in South Carolina is not whether some politician was hiking the Appalachian Trail or not but the fact that it took their legislature to take a State that has one of the highest unemployment rates in the Nation and accept money to help impoverished people. That's what's embarrassing.

Well, I am pleased that we actually did enact this. I'm sorry that Republicans decided not to support it. I'm sorry that they are attacking and distorting. I'm sorry that they, in the past, haven't been concerned about job creation. It has not been an issue until recently when they've thought they could make political mileage out of it.

Mr. Speaker, this is serious business, and the American public deserves a Congress that will treat it seriously, not one that comes to the floor, braying ''Where are the jobs?'' or one that ignores legislation that they have before them that talks about what investments have been made in health care, in education and in infrastructure.

In fact, just this week, we had over 60 Republican legislators vote against filling a hole in the Highway Trust Fund. If they'd had their way, it would have meant that we would have stopped issuing important transportation projects this summer, which make a difference all over America.

Mr. Speaker, I will conclude by just making some reference to job intensity. We've had a program that speaks to job creation and to trying to keep

the jobs that we've got. It speaks to trying to help State and local governments and the private sector move forward. Our energy legislation that passed the House, if it were to pass in the Senate and be enacted into law, would make a huge difference for jobs in the future within the energy business—everything from wind and solar to more energy-efficient construction. It is time for us to use the tools to develop more and better jobs and to think about how we spend dollars that will create the most jobs: job intensity.

Many of the smaller-scale projects in transportation, in community livability and in rehabilitation carry multiple benefits. Last Sunday's New York Times was filled with stories of decayed roads in the metropolitan New York area, in Connecticut, in New York, and in New Jersey. Yet these articles could have been written about places all across the country—from Detroit, to Decatur, to Davenport, to Denver—where investment, if it happens at all, really hasn't been invested in the ways that will create the most jobs.

Going out to some suburban area and building a new road in a newly developed area rather than fixing decayed existing infrastructure does not create as many jobs as fixing it first. Fixing it first is a winner because it will help to restore damaged communities. It will not add an inventory of more and more roads that will have to be maintained when we can't even maintain our roads, bridges and transit systems right now. Fixing it first is much more labor-intensive. There are more jobs to be created in fixing existing infrastructure that is falling apart than in making new infrastructure that will have to be maintained in the future.

It also strengthens mature cities. Many in America are concerned about the vitality of their inner cities. It's not just older industrial cities that one thinks of, like Detroit or Buffalo, but cities around the country, from Cincinnati to my hometown of Portland, Oregon. People are concerned about what's happening in the inner cities. You know, it's not just the inner city. It's that first and second tier of suburbs around them. We need to be thinking about these metropolitan areas, about making strategic investments that are going to strengthen local economies and are going to create more jobs, which will enable us to revitalize the neighborhoods that Americans live in.

There is also a question about what we're going to do with jobs for the future. Even if we're able to get the auto industry back on its feet—and some of my friends have heard our colleagues recently talking about their concerns about whether or not the auto bailout was effectively targeted. Well, I think we don't want a collapse of the American automobile industry in the United States. It would not just affect the upper Midwest. It would send a ripple effect across the country, affecting all of those dealerships and the many auto suppliers. Even if it works, it's very unlikely that we're going to have the high level of automotive activity that we've had in the past. We've got a lot of inventory. Things are being scaled down.

What will be the source of new job growth in the future if we're able to hold onto the auto industry that we have?

Another area that we've had has been the homebuilding and development industry that, since World War II, has been a source of dramatic growth and activity, especially in the last 20 years. Its construction, finance and home sales have employed all sorts of people all along the food chain, which has propped up the economies in southern California, Florida, Las Vegas, and Phoenix. Now these same boom areas are in a collective swoon, and look to have significant development over supply for years to come.

We're going to see a rebalance in the future in the type of housing. Smaller families are going to be the norm. By 2040, there will be more single-person households than families with children. With another 100 million Americans, who will be here by the mid-century, we are going to be changing dramatically—where we live, how we live, how we move. We're going to move forward in restructuring communities.

We also need to think differently about job creation. We need, as I say, to be looking at the job density for the rehabilitation and for the location of infrastructure. There's going to be an explosion of needs to upgrade our infrastructure for sewer, for water, for the smart grid.

Future jobs will focus on enhanced efficiency, on new energy supplies, on being able to clean up after ourselves. Tens of millions of acres that the United States owns have been polluted by unexploded ordnance and by military toxins because of years—actually, centuries—of military training and activity in the United States. Maybe we should start cleaning that up and putting people to work repairing the environmental damage and then recycling that land for park and open space, for housing and industrial development.

We've got lots of opportunities, Mr. Speaker, to be able to redirect the economy—to deal from health to energy. That is what the administration and the leadership in Congress are attempting to do.

The bottom line is that we are going through a major restructuring. It's hard. The administration has inherited the most damaged economy since the Depression. It's not going to turn on a dime. It's going to be a struggle for the next year or two, but it's going to be redirected faster. We're going to recover faster, and it's going to be sustainable if we are able to move in the right direction for the future.

I've talked about energy, about renewable resources, about using Federal resources more wisely, about being able to invest in critical infrastructure. I'm hoping that this is one area in which our Republican friends will join us to reverse the policies of the Bush administration, which have, frankly, prevented us from passing the transportation reauthorization for 2 years. We had 12 short-term extensions, and we were forced to accept a funding level that even the Bush Transportation Department said was almost $100 billion lower than what we needed.

We have got an opportunity to rebuild and to renew America. We have got an opportunity to work together. I am hopeful that the American public will weigh in on these issues. Nothing is more critical, and nothing will bring about, I think, a little more grown-up behavior here on the floor of the House than if the American public indicates that they're watching and if they ask the hard questions.

As Members of Congress return to their districts this next month for meetings and for townhalls with business, with media, with students, with churches, and with civic organizations, having Americans asking these pointed and direct questions will help us get on track.

I am convinced that, ultimately, with the help of the American public, a new administration and a Congress that is focusing on what is most important, we will be able to deliver on this promise: That we will have a better Federal partnership, that we will strengthen the livability of our neighborhoods and that we will make our families safer, healthier and more economically secure.

Thank you, Mr. Speaker. I yield back the balance of my time.

□ 1640

THE PEOPLE'S WORK

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentlewoman from Texas (Ms. JACKSON-LEE of Texas) is recognized for 22 minutes as the designee of the majority leader.

Ms. JACKSON-LEE of Texas. Thank you very much, Mr. Speaker, and I thank my good friend from Oregon for giving such a detailed presentation of the enormity of the work that we have generated in collaboration with this administration and what ''change'' actually means.

Sometimes the television news bites and other activities that, by the very nature of our Nation, which is so diverse, may draw upon our thinking, we don't get to the bottom line of the kinds of opportunities that we've seen over the past 8 months, 7 months, of hard work from the time that President Barack Obama was sworn in as President of the United States and Congress was sworn in for the 111th Congress. Our work is not yet finished. And we want to continue that work in dialogue with our constituents.

So I wanted to speak today some with a little lightheartedness and some

with enormous sincerity and seriousness.

I want to acknowledge the passing of the mother of the mayor of Acres Home, Willie Baker in my congressional district. I offer them my deepest sympathy. I rose to the floor yesterday to acknowledge the passing of Vermel Cook. A pioneering surgical nurse who worked with Dr. Michael E. Debakey and Dr. Michael Cooley. These are issues that members address as Federal Representatives in the people's House.

So to those families, the Cook and Baker families, I offer my deepest sympathy.

It seems then relevant to suggest that in addition to the many issues that we confront, I had the privilege of joining the Senate in having passed today by unanimous consent H.J. Res. 12, which, for many of my colleagues, 61 of them who cosponsored, many of them recognized the cultural richness of America, particularly in music which I happen to be a fan of and I believe it's so much a part of the American character whether it's country western or whether it's jazz, whether it's pop or whether it is gospel.

So H.J. Res. 12 acknowledged today along with the United States Senate that we would designate September 2009 as Gospel Music Heritage Month and it would honor the gospel music for its valuable and longstanding contributions to the culture of the United States. I hope that those who are members of various faiths throughout this Nation will take the time during their religious services to celebrate gospel musicians, gospel singers, gospel producers, gospel writers, and their own church choir or their place of faith's church choir, wherever they are practicing their faith. If there is a choir and it draws the kind of celebratory respect for their faith, I hope they will celebrate it.

So I am very pleased to have done this for a second time and to recognize the importance of the many artists and the many different influences, including country western music on gospel music. To recognize Thomas Dorsey, and Mahalia Jackson, the Stamps Quartet, the Statesmen, The Soul Stirrers, James Cleveland, Ray Hearn, Rex Humbard, the Mighty Clouds of Joy, Kirk Franklin, the late Brenda Waters and Carl Preacher and Shirley Joiner, The Winans, and Kathy Taylor, and so many others.

And then those who went on from gospel like Al Green and Elvis Presley and Aretha Franklin, Alan Jackson, Dolly Parton that had a gospel influence.

So in this place that is the people's House, we likewise attempt to be sensitive to items of joy, and I'm very proud that we will have an event in September, on September 12, at the Kennedy Center honoring gospel music heritage, and I hope my friends will do so.

But as we do that, we recognize that there are painful experiences so many of our constituents are having. So I rise today to thank my colleagues for joining me in sponsoring H.R. 3450. That is the Automobile Dealers Fair Competition Act of 2009.

We expect that because of the bankruptcies of GM and Chrysler that we are in direct line of losing some 200,000 jobs—I believe some 40,000, some 10,000 in the State of Texas—from the closing of automobile dealerships. Not only that, we realize that automobile dealerships, many of them, were the anchors of our community, the supporters of little leagues. Some of them, of course, gave us the best deals of our life. Maybe some of them didn't give you the best deal or the deal you wanted, but they are your neighbors.

Dealerships in the 18th Congressional District hire people. They're like family. They provide cars for our law enforcement, our city government. They make a difference. And by the closing, we know that they're closing small businesses. According to estimates, all termination actions combined could lead, as I said, to the loss of 200,000 direct jobs and many, many productive small businesses will be destroyed.

We also know that this termination has been in contrast to the contractual relationship called a franchise that the different dealerships had with GM and Chrysler.

So what does H.R. 3450 do? The bill deals with automobile dealers by giving them, if you will, the ability to have antitrust protection. They can now have the right to protect themselves by asking the question, Is the closing of automobile dealerships anticompetitive?

So in this bill, the bill will provide enforcement teeth to this right by giving dealers in an expedited court process to enforce the restraint of trade rights.

The bill is, in essence, giving them the right to protect themselves by going to court. This would deem decisions by auto manufacturers, specifically the Automobile Dealers Fair Competition Act of 2009, would deem decisions by auto manufacturers not to grant franchise extensions to old GM and Chrysler dealers provided they can demonstrate that they are still operating as a viable operation, that they can provide or they can show that that is an illegal restraint of trade.

In addition, the bill will provide enforcement teeth to this ride by giving dealers an expedited court process to enforce the restraint of trade rights. If new GM or Chrysler doesn't grant a replacement franchise to a growing concern within 90 days, the dealer can petition to Federal court, district court and ask the court to refer the case to a special master who will be required to hear the case and make a ruling within 90 days.

We don't want these dealerships to be closed, particularly those that are viable and are working in our community, as many have been, who have provided an economic engine to the community. It is our belief that there is empirical evidence and quantitative analysis that can be done to determine the impact of GM's mass dealer terminations to GM's market share.

If you close dealerships and you leave open Honda and Toyota and Lexus and other foreign-made car dealerships, are you impacting the competitive nature of our manufacturers and car dealers by giving them a noncompetitive edge because you have shut down competitive dealerships trying to sell American cars and you're leaving the other guys—which we welcome here in the United States; we're open to opportunity—but you let the foreign-made cars have the higher number of dealerships and therefore you deny jobs, you deny the manufacturers a forum for selling their cars. It's just not right.

So I ask my colleagues to join me in supporting H.R. 3450 to provide for the Automobile Dealers Fair Competition Act of 2009. It is H.R. 3450. We're delighted to already have a number of sponsors. It is bipartisan. We believe it can be another legislative initiative, and I am on many, to protect and provide for automobile dealers and say to the car manufacturers, our good friends in GM and Chrysler, we care about the suppliers, the car dealerships, and all of the workers that may now look to unemployment because those dealerships are closing. Those are good, good-paying jobs, and we want them back.

So, Mr. Speaker, I'm hoping that my colleagues, as they return from the August break working in their districts, will look at H.R. 3450 so we can likewise move that forward as quickly as possible.

Now, Mr. Speaker, I would like to emphasize the importance of good health care: health care for all America, health care with a public option. And for some reason, we think that this is something strange, but every single policy that has asked the question, Would you favor or oppose creating a public health insurance option to compete with private health insurance, not closing down private health insurance, you can see the increasing strong numbers: 65 percent, 83 percent, 76 percent and 72 percent.

One of the highest, I believe, indicated that this would not close anyone's private health insurance. In fact, it said: public plan option creating a new public health insurance plan that anyone can purchase. Some of the other polls say: ensuring that you can continue in your own choice.

And so I'm very proud that I support the public health insurance option that allows people to have insurance to stay where they are, but it allows all the small businesses to be able to provide themselves with insurance so they can do their business right.

What about leaving a job, getting fired and wanting to be a sole proprietor? You won't have to worry about being covered with good quality health insurance. Preexisting disease, you

won't have to be worried about being covered by good health insurance. The idea that you're not old enough for Medicare, you won't have to worry about good public insurance.

Let me give you an example—and this is happening in districts around America. In the 18th Congressional District, for example, up to 14,600 small businesses could receive tax credits to provide coverage to their employees; 5,300 seniors would avoid the doughnut hole in Medicare part D, 480 families would escape bankruptcy each year due to unaffordable health care costs; health care providers would receive payment for $49 million in uncompensated care each year. Ask your hospitals. They do not get reimbursed when they are the Good Samaritans and take people into their emergency rooms or take people who are sick. Once they're in the emergency room, they admit them.

Uncompensated care in my district alone will get $49 million and 184,000 uninsured individuals would gain access to high-quality health care.

How can we beat this? Help the small business, individuals who have ideas, want to get out and show their entrepreneurship, want to be a sole proprietor. Maybe they have two employees or 10 employees. You will get a public option. Don't let those scare tactics of you lose your insurance or it will accelerate beyond belief, because we have cost control in this bill.

In addition, don't let anyone misdirect their anguish at physician-owned hospitals. They are valuable. Do you realize that doctors come together and save hospitals from closing? They do that in Texas with Saint Joseph's Hospital. They want to do that in my district with ATH Heights Hospital. Some of my colleagues have told me about rural hospitals that are closing but doctors who care about the Hippocratic oath believe that they're there to be caregivers, and they run and they provide the saving grace by putting money into investing in those hospitals and saving them and keeping them from closing.

□ 1645

They, too, should be allowed to take in patients under this health care reform. And I'm fighting to make sure that that happens because they're not double-dipping. We want the quality to be high. We want to regulate it. But anyone that knows a doctor that has interest in a hospital by way of ownership, small amount kept regulated, you know that that hospital, if it's a general acute hospital, can give good care, if it's a specialty hospital, can give good care. And so I am looking forward to the opportunity to again begin this debate because I believe it is important.

Mr. Speaker, I also want to acknowledge the critics that say that the stimulus package has not worked. Well, I will tell you that Houston Metro in Houston, Texas, as a new start transportation system, is going to be eligible for stimulus dollars as we move forward. I only use the 18th Congressional District because it is right at my fingertips.

But there are jobs being created. Just alone in my district, housing and urban development, we've had $13.6 million in stimulus dollars; education, $42.5 million in stimulus dollars. And we want to continue to raise a question for our Governor to take out the $3.2 billion that is in the Rainy Day Fund in the State of Texas and utilize those stimulus dollars to put teachers back to work.

We were able to ensure that every teacher in Texas will get an $800 salary increase the day they start work when the new school year starts. Those are stimulus dollars that came through the working of the Democratic Congressional delegation of the State of Texas, $800 increase in their salary. $22 million in Social Security, and Small Business Administration, $8.5 million. That means in loans to our small businesses that are receiving monies from this important generating of jobs.

And so we have been able to fix our courthouse with $807,000. We have been able to fix our Federal building with $109 billion. We have been able to work, if you will, with the Catholic Charities emergency food and shelter, $24,000. We have been able to reach the Community of the Streets Outreach with $25,000. We have been working with new Kid Care emergency food and shelter. They have received dollars. Northwest Assistance Ministries has received dollars.

This is one district, but multiply it for the needs across your community. We have been able to keep nonprofit workers to help those people who have been unemployed. I think that is a far cry. Cleme Manor Apartments, new construction, substantial rehabilitation. Garden City Apartments, new construction, substantial rehabilitation.

Mr. Speaker, we are putting people to work. They are working on the construction and rehab of those apartments where individuals live. They are giving individuals a cleaner, safer, better quality of life by improving their apartments.

What I would ask my colleagues to do and those who may be listening, go to your local city halls. It's public knowledge. Ask them to print out for you a list of the stimulus dollars that have already come. More are going to come. Those will be grant dollars. It means that any of the nonprofits in your States or cities or counties can apply for dollars that will put people to work.

Right now, we have the ability to utilize some $700 million in what we call ''green'' jobs. Of course, you can't see it overnight. You couldn't see it in March. You couldn't see it possibly in February. Maybe you didn't see it in April or May because, yes, processing is important, documenting your dollars, where are your tax dollars going, making sure we have the right report is correct.

In Houston, I am very proud to have worked on the stimulus dollar legislation providing language to ensure that minority- and women-owned and small businesses would be recipients of those dollars in the appropriate manner so that we don't leave out small businesses who would have the ability to legitimately be receiving stimulus dollars through a government process and work that they would be doing.

And construction dollars for all of the construction workers out there. Rehabilitation is a right way to work. I'm glad that the Houston Heights Tower received some $95,000—those are where a lot of my senior citizens live—for new construction and rehabilitation. I remember going to the Heights Tower during Hurricane Ike.

And so it is important to refute some of the negative commentary that the stimulus dollars don't work. They do. Settegast Heights, again, $877,000 have gone to my city of Houston in the 18th Congressional District alone; new construction, substantial rehabilitation. People will have a better quality of life.

Wesley Square Apartments, $508,000, new construction, substantial rehabilitation. Some of the homeless persons who have come upon hard times, many of them homeless veterans, will be able to have a better quality of life because stimulus dollars were utilized.

So, Mr. Speaker, I believe that we have come to the end of a portion of the 111th Congress, and I am very proud that we passed an SCHIP bill that enrolled more children in health care, that we increased the minimum wage, that we provided for parity for women in working, that their income or their salary is competitive with men, that, as well, we have begun to stand down in Iraq. And our Defense Appropriation bill speaks to helping move the defense of Iraq to the Iraqi National Forces.

I offer my deepest sadness and reflection on those lives that have been lost, our soldiers on the front line, those that are now being lost in Afghanistan, and we will work hard to stand down there to ensure that the country of Afghanistan can stand up. But we've been working hard to ensure that that happens.

I've been working hard to help the people of Pakistan. We passed a Pakistan relief bill, in essence, out of Foreign Affairs so that they can stand up, so they can help with social programs, they can help economically, that we can help those who are in the camps because of the violence that was perpetrated, that we can show the respect for the soldiers in Afghanistan, their own soldiers in Afghanistan, Afghanis and the Pakistanis, who have lost soldiers themselves fighting terrorism.

We passed H.R. 2200, the bill I authored, helping to secure transportation—airports, trains, busses—to emphasize more training for flight attendants, to provide more resources for the Transportation Security Administration, to ensure that America is safe.

And so this House has been busy. And as we go home to our districts, we will not run away from the idea of good health plans. Because, my friends, I don't know what my friends on the other side of the aisle have, a bunch of question marks about the health plan that my friends on the other side of the aisle have offered.

I want them to join us. I can articulate what we have done. I realize that we've made great strides. I know that the people want, if you will, good health care.

And so as I close, I want to thank the Speaker. And I just want to leave you with this forceful message: We're going to get the job done. We're going to get health care for all Americans, and the stimulus is going to work for you. And celebrate Gospel Music Heritage Month in September as we help our automobile dealers return to their jobs and to retain their jobs. You know we've been working.

HEALTH CARE IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege to be recognized here on the floor of the United States House of Representatives. And having had an opportunity to listen to some of the dialogue that went on previously, I'm glad that I have a chance to raise these issues.

On the front of everybody's mind in this country is the situation of our health care and our health insurance for 306 million people in the United States. And I would point out that if we look at the size of this economy and the size of this population, it is a huge endeavor to think that we would take 17.5 percent of the American economy, 17.5 percent of our gross domestic product and switch it over to a government-run plan, and do so in almost the blink of a legislative eye, and do so without the full deliberation of the floor of the House of Representatives or without the American people having an opportunity to weigh in.

I am glad that this process has been slowed down—however great the price has been—so that there is an opportunity now for some of the legislation that has been more closely refined, shall we say, in its 1,100 or so-page form to be available to the public, a public that has more access to this information that is going on in the House than ever before because of being able to access this information now by the Internet. And all of us in this Congress have Web sites, and I would think there is at least one link on every Member of Congress' Web site that will help you access this information on where we are with bills that are being deliberated here in this Congress.

And as I look at where we are today and what's out there, I'm very interested in the entire month of August and I'm very interested in the first week of September. Those are the times when the American people will have had a chance to read the bill, talk to the people within their profession or whatever their interest group is that have read the bill, weigh their ideas, do this across the backyard fence and do this at the coffee table at work, and be able to give us the benefit of the wisdom of the American people to weigh in on all the components that have been created here that are promised to come at us and perhaps have a vote on a final passage; not here, not any longer this week or next week or in the month of August, but perhaps in the first or second week in September, and something that—this will decide the fate, if it's passed, of the health care system of the United States, I believe, at least as far as we can look into the future. And it is a national health care plan. It is a government-run health care plan. It is a model that transforms the entire health care system in the United States.

Today we have more than 1,300 private health insurance companies competing for premium dollars, And they do so by providing the best value for the dollar and marketing that best value for the dollar and trying to adjust those policies to meet the demands of the American people. Over 1,300 private health insurance companies, and among them they offer, in the aggregate, perhaps as many as 100,000 different health insurance options. And the President of the United States has said he just wants to offer one more option, 100,001 policies now for everybody in America to choose from if this bill should pass.

And this extra government option that he would offer, as if there wasn't enough competition out there among the 1,300 health insurance companies and the roughly 100,000 policies that are there, how can anyone presume that one more policy that would just compete with the other policies out there would result in anything other than one one-hundredth more options for the people of the United States?

I would submit that there is a lot more afoot here, Mr. Speaker, there is a lot more afoot here. The people that are advocating for this public option, the people that are advocating that the Federal Government should run their own health insurance policy in order to compete against the private sector are the people who sometimes they will leak it into the media, sometimes they will shout it out in a private meeting, but in their soul they want a single-payer, government-run, socialized medicine, one-option government plan for everybody. And they want to run every private health insurance company out of business and take the 100,000 options that the American people have with them. That is their agenda.

And I can put together a string of quotes from the very liberal Members of this Congress that find themselves in powerful positions in this Congress, gavels in hand, that are determined to take away the private health insurance options and turn it into one government plan.

Even the President of the United States believes in that, however much lip service he has paid to the idea of telling the American people, well, if you like your health insurance that you have today, then you get to keep it. That's one thing that I cannot accept that the President believes when he says it. He is a very smart man. He's got to understand that if it says in the bill—and it does, section 102 of the bill—that every private health insurance policy has to be rewritten in the first 5 years of the passage of the legislation that's proposed, that means the American people's individual policies will all change within 5 years and they will have to accommodate themselves to the new qualifications that will be written by a health insurance czar to be appointed by the President later, and regulations that are not in the bill, but regulations that would grant that health insurance czar the power and the authority to set the standard.

So he might rule that every health insurance policy in America has to pay for abortion. He might rule that everyone has to pay for mental health. He might rule that everyone has to pay for all pharmaceuticals, or maybe only generic pharmaceuticals.

□ 1700

Whatever he may decide, he'll be looking at the costs of the premium, the percentages of copayments, and the regulations will be written so that the public option, which is so carefully defined and that language that's determined to be defended by the Democrats in this Congress—so that the public option can compete with all of these 1,300 private health insurance companies that have competed in the marketplace for years and found their niche in the market and done it the American way.

Now, if somebody thinks that there's too much money in the health insurance business, why don't they get in that business and provide that health insurance and lower the premiums and cut down on the administrative overhead and take some money and take some profit out of it?

That's how this works in the free market system. If there's something out there in the marketplace that has too much profit in it, you don't need government to come in and do it for you. You need to take a look and determine is it a monopoly? If it's a monopoly, then Teddy Roosevelt rides again. Let's bring him in and let's bust the trust. But if you have 1,3000 health insurance companies and 100,000 health

insurance policies, you don't have anything that looks at all like a monopoly. You see something that looks like the maximum amount, or nearly the maximum amount, anyway, of competition in the marketplace.

So that argument is specious, the idea that we need to create one more company, unless it is the intent of the proponents to create socialized medicine—one size fits all, take away the American people's individual policies and give them a government policy or a facsimile of a government policy that would be their former private health insurance company that has had to adapt to the new rules written by government and offer a qualified plan.

Now, why am I suspicious of this? I am more than suspicious. I'm convinced that this is the initiative: to wipe out all private health insurance and force everybody into a public policy and a public plan. One of the reasons is because there has been such an indignation about those of us who have said that this is a government-run health care plan that they're proposing.

They have tried to censor us here in the United States. They have actually effectively to a degree censored Members of Congress who wanted to simply mail out the flow chart, the schematic, if you will, of what this proposed health insurance plan or this health care policy looks like.

And I would take the people in this country back, Mr. Speaker, to this little chart right here. This is a chart that hung on my office for probably a decade starting in 1993, when Hillary Clinton came to town and became the secret master of the reform of the health care and the government takeover of health care in the United States. A lot of people remember, as I do, those were intense times. I was watching my freedom being marketed away day by day in secret meetings. I don't know if they actually kept minutes, but I know they weren't available to the public. I know the press wasn't allowed in the room. The public wasn't allowed in the room. There weren't Members of Congress representing their constituents. There were people like Ira Magaziner and others who were handpicked by Bill and Hillary Clinton to devise a plan.

And the idea of this was, put these smart people in a room, have them devise a plan, don't let anybody weigh in on that, no kibitzers on this plan, because if that happens, then the American people would start to grumble, and if they start to grumble, they might start to talk out loud, and if they talk out loud, they might start to yell, and if they start to yell, they might come to town and tell us that they don't want to have a government-run health plan in the United States, that they don't want to have their private plans taken over.

Well, that's what they finally did. They finally said they are not going to tolerate it, and the American people scared enough Members of Congress and enough United States Senators that they were going to lose their seat if they supported this monstrosity that this monstrosity finally was pulled down. This was a time when United States Senator Phil Gramm said that this health care policy will be over his cold, dead political body if they pass something like this. He stood there. He meant it. They held their ground. People in this House held their ground. And people like Dick Armey held their ground. In fact, Dick Armey was instrumental in helping to form this chart, this black and white chart that is the schematic that shows all the government agencies that are created by the old plan back in 1993, which I will at least give Bill Clinton credit for. He wrote a bill. He presented a bill to Congress, and he asked Congress to pass the Hillary plan. And, of course, Congress liked their job. They didn't pass the Hillary plan.

And when I call it a ''schematic,'' I don't know that one might think today that that's pejorative, but in here they actually do call their own plan a ''scheme.'' Someplace in this chart it addresses at least some of the components in it as a ''scheme.'' Well, I call it a ''schematic'' or maybe more appropriately a ''scheme-attic,'' Mr. Speaker.

But it has here an ombudsman who is supposed to broker the deals between government because people can't get through government bureaucracy; so you create an ombudsman. Well, we have to change the name of that because now people know what an ombudsman is. We have the HMO provider plan that doesn't show up in the other chart that I can see. HMOs have slid down in their popularity.

Here we have the global budget. In 1993 a global budget for a health care plan. All of these squares and boxes are created as new affiliations with the exception of the executive office of the President. A few others, but generally speaking, this scheme, and they call it a ''scheme,'' does scare the American people.

Now, Mr. Speaker, I would point out that as scary as this chart looks, we have another chart here that is far more scary. This is the color-coded, modern-day, software-driven, packaged-up plan that is a very accurate facsimile of what actually is taking place in the Democrat bill here in the House of Representatives. This is 31 new agencies, and there are subagencies and other responsibilities that are behind it.

But just to look at the chart, Mr. Speaker, one can look at all these white boxes here. If they're not colored, if they're white and they have black letters in them, they're existing government agencies. These are already hoops that people have to jump through. And then when you look at the colored boxes, the orange and yellow and the green and the blue and the purple, those are all new agencies. These are all new hoops for the American people to jump through. These are untried. They are untested.

When you create new government agencies, you run a little beta test because you don't know how it's going to act, how it's going to function, and you don't know how people are going to react. All you can do is guess how people will react. And you don't know if you can actually manage this.

But I will suggest this: We don't do that good a job of managing the health care that we pay for out of this Federal Government today. Right now the Federal Government is paying 80 percent of what the cost is to deliver Medicare services. And if I look at my State, where we have a high percentage of Medicare patients because we have a very high percentage of senior citizens, then the percentage of that Medicare that they're providing is less than 80 percent, and one of the reasons is because we have some of the highest-quality care. In the State of Iowa, if people go there, Mr. Speaker, they can expect that they will receive quality care in the top five of all of the States in the country year after year after year. And with that high-quality care, Iowa sits at the lowest Medicare reimbursement rate.

So we're looking at this and wondering if it is the majority's, and that means the Democrats' and that means the President's idea, that we are going to fund the cost of this $1 trillion to $2 trillion health care ''scheme-attic'' that we have here, and we're going to fund it, in part, by reducing the funding that is going to Medicare by roughly $500 billion when Medicare funding that is already inadequate at best pays 80 percent of the costs, and they're going to cut these costs and fees going into the States to come up with enough money to pay for this?

So what it means is, Mr. Speaker, is this: If you take $500 billion out of Medicare in order to fund a national health care plan, that means you're taking it right out of the health care for the senior citizens in the United States of America across the board. The health care access for senior citizens will be diminished. The services will be diminished. Presumably the quality will be diminished because the doctors and nurses and providers will have to spend less time per patient, accelerate their time with them, and that means less quality care. And it means fewer services to our seniors.

So this $500 billion, a half-trillion dollars, taken out of Medicare, right out of the Medicare services, the health care services for our senior citizens, in order to find a way to do a pay-for for a $1 trillion to $2 trillion National Health Care Act. And President Obama has said we're going to pay for all of this. We're going to find a way to pay for it. Well, that's the problem that CHARLIE RANGEL has run into in the Ways and Means Committee. But it looks like some of it comes out of not the pockets of our senior citizens that

are accessing their health care; it comes out of services to them.

And the arguments I've heard were behind closed doors, the derogatory comments that have been made about doctors and nurses and providers and the allegations made, for example, by the President of the United States that we have doctors that are removing tonsils because it pays rather than because they need to be removed. I think that needs to be documented and it needs to be quantified. And, yes, there are people in every industry that don't meet the highest standards. But to paint the whole industry with anecdotes like that without any data to back it up just further clouds this debate and makes it harder for us to make progress.

This chart, by the way, this chart that we have called government-run health care, we have called this—well, it is. It's the organizational chart of the House Democrats' health plan, and this ''scheme-attic'' that has 31 new agencies, I would just direct, Mr. Speaker, your attention and the public's attention down to these boxes right here on the bottom:

This white box here that says ''traditional health insurance plans,'' that's where the 1,300 companies are. That's where the 100,000 policies are, in this square box right here; 1,300 companies, 100,000 policies in traditional health insurance plans. According to the bill, section 105, all of these plans, every single health insurance plan in America, would have to run through—they would be here in this white box. They couldn't function after 5 years unless they met the qualified health benefits plans here in this purple circle right here. In order to be qualified, they would have to meet the new government standards that are not yet written. These new government standards would be written by the Health Choices Administration right here.

Health Choices Administration would be run by the HCA, Health Choices Administration, Commissioner. Now, he's a commissioner, or she, because America is up to here with czars. We have 32 czars. We do have more czars than the Romanovs, and they're less accountable than the Romanovs. They're not held up to any kind of confirmation. They're not answerable to Congress. I don't know that we have subpoena power to even bring them before Congress to ask them what they did when they were managing the car industry, for example. We know we had a Car Czar that had never made a car nor sold one. I presume he'd driven one, probably never fixed one.

But he was running the car business in America and on the phone sometimes multiple times a day with President Obama's appointed CEO of General Motors. The Car Czar wasn't doing too well. He got replaced. Now we have a new Car Czar, and that new Car Czar says, well, the Federal Government would like divest themselves eventually of General Motors and perhaps the Chrysler stock, but there's no definitive plan, just kind of a general goal. Well, it looks to me like the general goal has been to nationalize huge industries in America rather than divest the Federal Government from those and let the free market prevail.

So if this bill passes, we will end up with a health insurance czar. He will be running the Health Choices Administration, and he will be called the Commissioner of the Health Choices Administration, but he'll be the czar. Commissioner. I don't call him commissar. Maybe I'll call him ''commi-czar-issioner,'' but he will be calling the shots for all of these 1,300 health insurance companies that exist today and writing the regulations so that they could become qualified health benefits plans coming out of there. So 100,000 qualified health benefits plans from 1,300 companies would have to qualify under new standards written by the new ''commi-czar-issioner'' of the Health Choices Administration.

Now, if you had a few million dollars invested in a health insurance company, Mr. Speaker, would you really be interested in investing more money in that company on the odds that that new ''commi-czar-issioner'' would write some regulation that lets you stay in business, when the people that are writing this regulation want to take you out of business and they say so, people like the chairman of the Financial Services Committee, BARNEY FRANK, who on tape says that he believes there has to be a public option? The public option is this purple circle right here, the public health plan. Chairman FRANK believes there has to be a public option.

□ 1715

This is because that public option is the path to a single-payer plan. A single-payer plan is code word for socialized medicine, one-size-fits-all, the government runs it all, and every one of these plans here that were in the private sector will all be swallowed up, they will all be squeezed out, and eventually this purple circle becomes the whole and everything else is swallowed up and diminished.

I think this happens if this bill happens, because it is the goal of the liberals in this Congress to end private health insurance and eventually end private health care and eventually have every doctor working for the government or else for a government prefixed price, and the nurses and the clinics doing the same thing. They might be billing fee-for-service or fee-for-patient, but they won't be running their own clinic; they won't be working competitively anymore.

When I look around the world, I will give you examples of why I believe this. The oldest example is Germany. Now, Germany has had its ups and downs over the last century, but the last century and a decade, about that far back, they passed their first national health care plan. That was back before we had modern medicine and certainly didn't have anything that looks like modern medicine today.

But the German plan was passed under Otto von Bismarck. And as I read history, he did so in order to consolidate a political base in order to expand his political power. But it got established then.

Of course, there will be Germans that will defend their policy. And it probably has helped and it has no doubt helped millions of them, and other millions have stood in line and they probably at this point don't have a concept of what it is like to have the freedom we have to go out and purchase a policy or be an employer to negotiate and select from the policies we want and do the best we can working with our employees and being an agent for our employees to put the best packages together, or for individuals to purchase individual policies.

In Germany it works this way: you can buy a private plan there. They are pretty proud of being able to have private plans in Germany, even after more than a century of socialized medicine. But today it is this, Mr. Speaker: ninety percent of the plans in Germany are the public option. Ninety percent. And the 10 percent are the private options.

Now, the private options, they only exist as the company is functioning and selling health insurance in Germany in order to cater to those people who are reasonably well off, those that believe they can get a little bit better quality of care, even though they have to pay a premium for that better quality care, because they don't want to be in the government line. They want to try to find a way to take care of their care and health means too much to them to let the government run it.

That is the bottom line in Germany. Ninety percent on the pubic option, 10 percent on the private option, mostly self-employed and independently wealthy people. Not regular common people, very rare, not people that are generally working for someone else for a wage, not punching the time clock, not paid a salary so much. It is self-employed people and often independently wealthy people that carry their private health insurance in Germany. That is about 10 percent. Ninety percent the public plan, 90 percent socialized medicine. That is Germany.

The United Kingdom passed their National Health Care Act in 1948. There they were recovering from the Second World War. They were a nation that was nearly broke. Nobody had any money, their industrial base had been destroyed by the bombing from Germany, and they had used all of their resources to save their country.

God bless them, they were a great ally and it is a great thing for the world that the Allied Powers were successful in World War II and we turned back the level of tyranny that was threatening to swamp the world.

But Great Britain was broke post-World War II, and they were looking

for anything that provided them security, and they believed that they could manage health care in Great Britain if they just took it over and they could do better in government.

If we remember, this nation was in peril in World War II, and we grew government in a great big way. There was a threat to take over the steel industry in that era as well. We managed to provide private sector industry that turned out bombers and battleships and the things that we needed to be successful in that war.

But if our industry had been destroyed, if the spirit of the people had been hammered as hard as it was on a percentage of its population as it was in Great Britain, we might have been looking for security. We might have decided that we needed to do something with government to supplant what was being so efficiently provided in the private sector.

For whatever the reason, Great Britain passed their National Health Care Act in 1948. And I read, Mr. Speaker, through a whole stack of Collier's magazines from that era, and each of them featured the socialized medicine that was being implemented in the United Kingdom at that time. And they showed pictures of long lines at the doctors' offices, lines that went outside the clinic, and they interviewed doctors and showed doctors that were haggard and frazzled and tired, and they lamented that they could not do that doctor-patient relationship in the fashion that they had before, that they had to limit the time per patient and they had to move from room to room and they had set up more rooms so they could get the patients in the room and get them ready for exams so they could walk in, do the exam, order what was to happen and go on to the next one.

And doctors that are hurried like that make mistakes. So does any human being. But a human being should not be treated like they are on an assembly line. That was already what was taking place in the United Kingdom in 1948.

The stories that are in those Collier's magazines from that era are the same stories that we hear in the modern version of socialized medicine that exists in the United Kingdom today. They are not a lot different than the stories you read and hear about in other countries in the European Union, including Germany.

For example, I ran into an immigrant from Germany, actually it was in a Menards Store some months ago, and he told me that he had a hip replacement done. It had gotten very bad and he could hardly walk, and he had to wait, and he waited a long, long time in line. Finally he decided that he would try to get himself in more than one line so that he had the best chance of getting it over with so he could get on with his life. And so he got in a line, and the shortest line that he could get into was the line in Italy.

So he queued himself into the line for a hip replacement in Italy, and some months later he was able to go to Italy to have the surgery to replace the hip. And now, good surgery, good job, he is healthy, moving around and enjoying life.

But to have to go to another country to have the surgery done, it begs the question. It must be a lot of what it is like to be a Canadian, to go to another country to get your surgery done. And thinking of the Canadians and those kinds of surgery, I could give an example on that.

We had a presentation done that was a little over a week ago by a doctor from Michigan, and this was at the Policy Committee on a Thursday night, a week ago last Thursday, if I recall.

He has practiced medicine in Canada and in the United States. In one of his earlier forays into providing medicine and services in Canada, he was working in the emergency room and a patient came in, a younger man, who had torn up his knee playing sports. He had a torn meniscus, a torn ACL, an anterior cruciate ligament, and his knee was a mess. This doctor in this emergency room in Canada examined the knee and said, You need surgery and you need it right away. I will schedule you for surgery in the morning.

Apparently the doctor wasn't familiar with the standards of qualifying for reconstructive surgery care, and he found out after he made that promise to the patient that he had to first get him scheduled for the specialist who approved the surgery. So he did his best to get that patient covered, because the patient was in a lot of pain. They had to put him in a knee brace. He was on crutches. And they scheduled him finally to be examined by the specialist who approves for the surgery, and he was examined 6 months later.

He was not operated on the next day, not operated on 6 months later, but on crutches and with a knee brace on, unable to work, 6 months later examined by the surgeon, the specialist, who approved the surgery. The surgery was approved. Well, that was an obvious thing to the doctor who looked at him the first night, and 6 months later they did the surgery.

Now, Mr. Speaker, I have to go back and reiterate, because it sounds implausible. A young man with the knee torn up, a torn meniscus, a torn ACL. He needed surgery the next day. In the United States of America he would have had surgery the next day. Instead, the exam to approve his surgery, which is required in Canada, took place 6 months after the injury, and the surgery itself took place 6 months after the exam.

Almost a year to the day the surgery took place to reconstruct the knee. And we know what happens. He lost more than a year's work because the rehab was another couple of months, and that leg will atrophy because you are not using it, and all of that loss of quality of life, the things he could have been doing, his entire lost productivity gone, because bureaucracy is calling the shots, not the doctors, in Canada.

Now, that sounds like anecdote. Well, it is a real live human being case, and I am confident that I could trace that back and name the individual, and I am confident I am likely to get that individual to come here and try to talk to the thicker skulls that exist on this side of the aisle.

But suffice it to say that here is the data that supports this individual that some might allege is an anecdote. And it is this: the average waiting time for hip surgery to replace a hip in Canada, the average waiting time is 196 days. Once you are approved for surgery, you wait in the line, in the queue, 196 days. A lot of people with bad hips are on crutches—196 days.

If you are waiting for a knee replacement, Mr. Speaker, you wait for 340 days on average in Canada. Outrageous delays, loss of human productivity. And there isn't anybody's chart that calculates the loss to the GDP, the gross domestic product of Canada, lost work time, the loss to their economy, because people who would otherwise be productive are hobbling around on crutches or sitting in a wheelchair because they can't get the services until that delay is over.

Mr. Speaker, that is what goes on in Canada.

Furthermore, there are companies in Canada that when they offer their employment, they set it up as part of the employment package that the worker has an opportunity to come to the United States if he needs reconstructive surgery.

If, let's say, for example, it is heart surgery that would be necessary, it is written into the policies. In some of the policies in Canada, if you have a good job and you have a good benefits package, they will have it set up so they will package it up. Say you need bypass surgery, they can put you on a plane, fly you to Houston for heart surgery, and give you the heart surgery, get you back on the wellness side of this thing, get a little rehab, and then send you back home again and set that all up, and it is turnkey. It is turnkey provided there because they know that people can't wait in line in Canada. Everybody is not going to be alive at the end of their waiting period.

But in the United States, it is a different story. We get people in immediately. We bring them in immediately because it is lifesaving. In Canada they make provisions to get out of the country and come to the United States.

There are companies that are set up in Canada for the very purpose of packaging up health care access into the United States. And so let's presume this, and this is not a documented story, but let's just presume it this way.

Let's say you live in Toronto and you need hip surgery and you don't want to wait the 196 days. You want it done. You want to get on with your life. So

let's just say travel agency companies are a natural to tie up together with health care providing companies, people that know things about health care.

You might be able to go into a company in Canada and contract to come down to, let's say, the Mayo Clinic at Rochester, Minnesota, and they will turnkey that. They will say, we have got you an airplane ticket. Here is the hotel you go to. Here is the shuttle bus, the transportation from the airport to the hotel. You will up show up at the clinic tomorrow morning or on the morning following your flight. You will be examined that morning. If it is what I think it is, you will go right into surgery the same day or the next day.

They will give you the rehab that you need, take care of you to get you back out to the airport, fly you back home to Toronto. All of that for, write one check, hand over your debit card or your credit card, and have access to the best health, reconstructive surgery in the world, right down here in the United States of America.

Why is that? Do the people on the other side that propose this scary schematic, this color-coded, it will be quotas. There will be 31 new agencies, do they think that the best health care in the world that brings people from not just Canada, but all over the world to access this best health care, do they think that it just kind of randomly spawned itself out of American society? Or do they think that there is real reasons that we have the best health care system in the world? I think there are reasons for that.

One is health care is important to us and the American people are willing to pay for high-quality health care because our health is the most important thing that we can protect with the capital that we have in this country.

□ 1730

We're a country that's comparatively very, very wealthy. We've demonstrated our commitment to health care by committing a lot of our wealth to health care. We should not begrudge the people that are making our lives longer and more enjoyable for making a profit at it. We should not begrudge them for that. If we think they're making too much money, we should get in the business, compete against them, gather in some of that profit, and then lower our prices. Competition lowers prices. That, we know. Adam Smith wrote about that in 1776 in Wealth of Nations; and it's been true well before he recognized it; and it's been true every day since; and it always will be true.

This schematic, by the way, that is here is not something that the Democrats in this Congress want to see out in the public eye. It's something that they want to censor, in fact. Here's the model of what they have done. This chart shows 31 agencies. It shows how every American who has a health insurance policy will have to watch as that policy submits to the new regulations that are written by the health insurance czar and qualify under new rules that will be written by that Health Choices Administration commissioner. They will watch every policy change in America or else watch the qualifications be adapted to a few policies in America that the Federal Government wants to allow to compete. People understand this chart.

But here's what's going on over the head of the Franking Commission, I believe. It's been prohibited for Members of Congress to send this chart out in our mail to the American people, Mr. Speaker. I don't think there's ever any comparable job of censoring Members of Congress than what's going on here. They have decided this chart can't go out in the mail, paid for under the franking privilege that any other chart can go out. We saw mail go out under President Obama's stimulus plan that advocated in a partisan way for how the stimulus plan was going to solve our economic problem. Democrats in this Congress used the franking privilege to try to convince the American people that the stimulus plan was the only way to go, and it's clear to everybody in America today that the stimulus plan has failed, with the exception of the gentlelady from Texas who I heard a little bit ago say that it had succeeded, and it had created jobs. She hasn't shown me where they are yet. So I will reserve my judgment on the accuracy of that statement until I actually see some jobs created by the stimulus plan.

Mr. Speaker, my point is, in a partisan fashion, Democrats in this Congress used the franking privilege to put the virtual stamps on their mail to tell the American people that the stimulus plan was necessary or the economy was going to collapse. That went on. This chart is not pie-in-the-sky threats that scare people. This chart is just stomp-down accurate, and it has withstood the test of the criticism of even the Democratic staff in the Ways and Means Committee, the Energy and Commerce Committee and the Joint Committee on Taxation. They've tried to blow holes in it, and yes, there's a little tweak there, but it's not substantive. It's simply specious to make that single little point, and it doesn't change the score of this bill.

Bottom line—31 new agencies, other obligations that are behind these squares, added to all of these white boxes that are existing programs or agencies, it creates all these hoops that the American people would have to jump through, and Democrats don't want this chart shown to the American people. So I thought, Okay, if they don't want us to show this chart, there must be a lot of truth here that they surely don't want to have to face, and they surely don't want to see the American people come to their town hall meetings and fill up that room and ask them how they're going to defend swallowing up 17.5 percent of America's gross domestic product, our health care, and turning it into government run.

Have we done that good a job with Fannie Mae and Freddie Mac? Have we done that good a job running General Motors and Chrysler? Have we done that good a job with anything the government is doing other than, let's just say, our military, for example, who's done a great and fantastic and noble job and has achieved victory in Iraq? Does anybody have confidence that the Federal Government can run health care better than the American people, working with their private health insurance companies, negotiating for their own policies? I say not, Mr. Speaker. I think the American people understand what this is. I think they understand that when something is censored, it's not profane. Democrats want to fund the National Endowment for the Arts, which is funding millions of dollars to produce profanity in America. They're not offended by all of the profanity that goes out from the National Endowment for the Arts. They're offended by the truth about their bill about health care; and so they censor it because they have the majority here in this Congress, and they decide which staff people get a paycheck and which ones don't, in some cases. They also have the benefit of the President, I believe; and there are people in this Capitol building and in this complex of offices around who are more interested in pleasing the President, I think, than they are in preserving the fundamental integrity of the franking privilege or objective debate. This is objective debate.

Here are some of the subject matters that the Democrats don't want us to use when we describe this national health care plan. Mr. Speaker, these are all objectionable phrases, the seven dirty words or phrases you're not supposed to use to describe the leading Democratic health care proposal. It says, ''you can't use,'' but I'm going to use them. These are the words that, in part, brought about the censorship of this color flow chart of the 31 new agencies that swallow up people's private health care in America. We can't call it a government-run plan. They want to amend that. They have another word for that. I think it is the public option, rather than the government-run plan. It is a government-run plan. I will submit, Mr. Speaker, that you could walk down the streets of America, and you could ask those good, well-educated, commonsense people that I have the privilege to represent in western Iowa and in many places across this country, and go to them a month ago and say, Explain to me with regard to health insurance what is a public option. I can only imagine what kind of answers we would get if we asked people what that meant. But I will suggest that most of those answers would not have been accurate. They would not have said, Oh, a public option. Let me see. That's what President

Obama wants to make sure everybody has. That would be government-run health care. If they were going to describe what a public option is, a regular man or a woman on the street with common sense couldn't describe what a public option was, if they understood what it was, without describing it as, Oh, government-run health insurance. They would have to describe it as government-run or they couldn't even describe it at all. This phrase is far more descriptive and honest than public option. Public option is Orwellian gobbledygook for the eventual Federal Government monopoly on health insurance. We just say government-run. The President wants us to say public option. They want to censor government-run. I say, I'm going to say it over and over again. It's government-run. Don't say single payer. A single-payer system means socialized medicine. So we can't say single payer. How do you describe that? Ask a commonsense person on the street, What is a single payer for a health insurance public option? Well, let's see. They would have to say, A single payer is when only one entity pays for all of the health care that an individual might receive. So let me describe how that works. Mr. Speaker, let's use that hip replacement because that's an easy thing to describe. Somebody went into the clinic and said, I'm in terrible pain here. I don't think I can hobble along any longer. What can you do, Doc? A doctor would do that examination. He would likely do an x-ray. He would evaluate the x-ray. If he was satisfied that he knew what was there, he might prescribe that there be reconstructive surgery done that would put a new hip joint in that individual, put him through some rehabilitation and hand him a cane that could be handed away later on and get him back out to the square dance. All of those things are going to take place. There would be billing that would come from the clinic, billing that would come for the service of the surgery, billing for the anesthesiologist, the operating room, the hospital bed, the gauze, the Tylenol, and whatever else there might be. Who would pay for all of that? Well, it might be the patient today, and it might be Medicare, and it might be a private health insurance company. But when they say single payer, that's code for—the only entity that ever pays for it all—I shouldn't actually say that because there are private individuals that will pay for it all out of their pocket. So the entity they're talking about is the Federal Government paying for all of the health care services. That is socialized medicine. That's taxpayer-funded government doing it all single payer. But if you're not versed in the vernacular of the Orwellian gobbledygook, when they use the term single payer, you might think something entirely different. I don't think a normal person on the street can describe what a single payer means. We say single payer. Democrats think it's pejorative, that it is biased against the single-payer plan, for example. So using the terms that describe what they want to do is pejorative, and they are, presumably, forbidden, and it shouldn't show up on a color chart. We shouldn't send it out and can't send it out on our frank mail, otherwise they will bill us back for the costs out of our own pockets. We can't say socialized medicine. I already slipped into that in describing single payer. Socialized medicine does describe what they're talking about, maybe not in the first phase because they won't do like Canada eventually did and outlaw the health insurance policies of everyone in America. If you apply the Canadian plan today, the Canadians outlawed private health insurance. They did so incrementally in the provinces over the years, and then they did so in a Federal fashion. I would have to guess, but I think the year was 1964 when that happened. It may have been after that. So Canadians have socialized medicine. They have single payer. They have government-run.

We know what's going on up there, don't we? There is a 196-day wait for a hip, 340-day wait for a knee. They have government-run, single-payer socialized medicine. They just don't have ObamaCare. You can't say ObamaCare because that aligns the President with a policy that is becoming ever more unpopular. We use shorthand around here to describe things, and this is why the American version of the English language has been such an effective language to communicate because it's fluid, and it picks up new meanings, and it conveys those meanings. I think that we can paint the picture of this society and this culture very effectively because our language adapts, it flows, and it moves. This is one of those words in our language that—back in 1993, everybody knew what HillaryCare was. HillaryCare was the black-and-white schematic that we had then. No one wondered. It wasn't pejorative then. This chart got mailed out by franking mail, by Members of Congress in '93. It was devastating to those that wanted socialized medicine. We just simply called it HillaryCare, and this chart was in the minds of millions of Americans as they went in and filled the offices of their Members of Congress and said, I don't want that. And I don't want this thing to be run over the top of Senator Phil Gramm's cold, dead, political body either. I don't know who has put a stake out there in the United States Senate that's taken that kind of stand, that's gotten that much press out of it. But I hope they're there, and I hope they're strong, and I encourage them to speak up.

This was HillaryCare in 1993. We are not supposed to declare this to be ObamaCare in 2009 because this has been censored by the Democrats in this Congress who think that these terms that are on this chart are pejorative. Pejorative terms, government-run. What about a government-run United States Marine Corps? That makes me feel good. I like government-run Air Force. I like government-run Navy. I like government-run Army. We cover those four branches. Government does some things good. Government-run is not pejorative. But it tells you what is going on if they are going to run health care. Single payer—hmm. Single payer does tell you that government will be calling all the shots because of the golden rule. Whoever has the gold makes the rules. The government will have all the gold, and they will write all the rules for everybody's health insurance policy in the United States of America. That's in the flow chart that's behind here that's been censored. And if it's single payer, it is socialized medicine. To declare it to be ObamaCare, it is pretty accurate. I haven't heard whether the President disagrees with the liberals in this Congress or the liberals in the United States Senate. I have heard the President talk about all kinds of socialized medicine programs. All he has said that defends the private market is if you like your policy, you get to keep it. That is simply not true, Mr. Speaker. When you look at the chart, when you look at the language, and you understand that every single policy would have to qualify under rules yet to be written by President Obama's appointee, the health insurance, czar-issioner.

□ 1745

Would we get rationed care? Indeed. We're only paying 80 percent of the Medicare today of what it costs to deliver it.

They propose to take $500 billion out of the Medicare funds that are streaming there now. How are they going to do that? They're going to have to cut down on services, cut down on surgeries for seniors, cut down on access to health care in order to come up with the $500 billion. All of that spells rationed care.

Care has been rationed in every Nation that has a single-payer, socialized medicine, government-run plan. We can't believe it's anything else. It will be rationed care. ObamaCare will be rationed care. We're on a path, if we pass this, to single-payer, socialized medicine, because there will be government-mandated care for everybody, whether you can hang on to your private plan or whether you can't.

Government-mandated care is another term that we're not supposed to use because they think it's pejorative, but this chart, the color-coded chart of the 31 new agencies schematic is full of all kinds of government mandates. That's what they are. They're mandates, Mr. Speaker, almost all of them. You're not even supposed to say keep your change care. Well, I don't know that you get to keep your change. I don't use that phrase very much, but it's one of the things that they've raised as objectionable.

So in the end, in real summation of this issue of the national health care

plan that is almost completely crafted here in the House of Representatives and probably poised to go before this House on a vote sometime after Labor Day, presuming that there are enough Members of Congress still standing after the public shows up at their town hall meetings, at their offices, at their house, wherever they might be able to encounter their Member of Congress or their staff, presuming that there are enough Members of Congress still willing to walk this path, we're likely to see a vote here on the floor, and the result will be all of these things that we're not supposed to say now.

If it passes, it will be a government-run, single-payer, socialized medicine, ObamaCare, rationed care, government-mandate care. If not the first day, it will be over time when everybody's health insurance has to requalify and be run through the qualifications that will be drafted by the new health insurance czar, the commissioner, the comiczarissioner of health insurance in America. That's where we are, Mr. Speaker.

And so I will quote Congressman JOHN SHADEGG who articulated this as well as anyone in this Congress when he said, if you like your health insurance that you have today, get ready to lose it. That's what will happen. The American people understand that it is their freedom, that their discretion is at risk, and there are people who want to create a complete nanny state, who have privatized—excuse me—who have nationalized eight huge entities here and moved us on a leftward lurch off the abyss into socialism in the private sector; three huge investment banks, AIG, Fannie Mae, Freddie Mac, General Motors, Chrysler, all now under the control of the White House. And this White House now wants to take over all the health care in America, eventually. And we understand that was President Obama's original policy. He has just moved to try to set up health insurance in such a way that he can promise you you get to keep it.

And I promise you that it will not look like anything you have today if the government's going to write new regulations that it has to qualify for. And I will submit that Republicans have good solutions to this. I'll submit also that what we're trying to fix here is this. Here's where I agree, Mr. Speaker.

I believe that we have a very, very difficult economic situation to work our way out of. I believe that it may be as serious as anything that we have seen since the Great Depression, but I'm not certain of that because I lived through the eighties during the farm crisis and the other, the housing crisis that we had and the banking crisis that we had during that period of time. We lost 3,000 banks in the eighties. Those were tough times. I want to measure this after it's over and look back before I would commit that this is the worst time since the Great Depression. But it's not a very good time. It's a bad time.

And we have our challenges ahead of us, and we have to fix this economy. With that, I agree with the President. But the President says that health care in America is broken. I don't agree. I don't believe it is broken. I believe that we can improve it, and we should. But the President declares that we can't fix the economy without first fixing health care.

Now, if health care—and that encompasses health insurance and the health care that's provided through our clinics and our hospitals and the whole breadth of the health care that we have. If health care is broken, there must be a service out there that's not adequate compared to some other country in the world.

I'll submit health care is not broken. We have the best health care in the world. It costs too much money. I'll agree with the President on that. About 14½ percent of our GDP, and some of the costs that you see in the rest of the industrialized world are around 9½ percent of GDP. They ration health care. They have socialized medicine. They don't have the research and development that we have. We have the best in the world.

We lead the world in development of pharmaceutical and surgery techniques, and we lead the world in survival after cancer diagnosis. And we also lead the world, I believe, in the diagnosis of cancer itself. All of those things are at risk today. But if we have to, according to the President, change 100 percent of the health care system that we have in order to declare we have fixed it so we can declare we're fixing the economy, I will submit that that statement cannot be valid. It cannot be defended or sustained in open public debate or any kind of analysis because they want to spend $1 trillion to $2 trillion.

Now, if we're spending too much money on health care in America, and we are, why do we need to dump another $1 trillion to $2 trillion into it to fix it? If we're going to fix it, we should be able to fix it and save money, not fix it and dump trillions of dollars into it and raise taxes and cut funding that goes into Medicare and deny health care services to our seniors, all of that wrapped up in the name of fixing something that's not broken, just changing and transforming America.

We socialized three large investment banks, AIG, Fannie Mae, Freddie Mac, General Motors and Chrysler. They're nationalized today. This is about the nationalization of the best health care system in the world, and 17½ percent of it, and taking away the freedom of the American people to go out and purchase a health insurance policy that they choose.

I want to expand the health savings accounts and I want to provide 100 percent deductibility for everybody's health insurance premium. And I want to reduce the medical malpractice liability that's out there by capping the liability claims so people get whole again but trial lawyers don't get rich. We can do all of those things and more, besides.

And by the way, there's only 4 percent of America that are chronically uninsured, 4 percent, 10 to 12 million people, depending on whose study you look at. That's 4 percent. And we would upset 100 percent of the health care system in order to fix an expensive health insurance program only if you compare to other countries that don't have the quality that we have. I think that would be a colossal mistake, and we could never get back from that colossal mistake because it creates 306 million people that would be dependent upon the government-run, single-payer, socialized medicine, ObamaCare, rationed care, government-mandate care. And I reject it. I hope the American people do.

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 Ms. KAPTUR) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Ms. LINDA T. SÁNCHEZ of California, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. POE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. WOLF, for 5 minutes, today.

Ms. FOXX, for 5 minutes, today.

Mr. PRICE of Georgia, for 5 minutes, today.

(The following Member (at his request) to revise and extend his remarks and include extraneous material:)

Mr. KUCINICH, for 5 minutes, today.

HOUSE BILLS AND JOINT RESOLUTIONS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the following titles:

April 21, 2009:

H.R. 1388. An Act entitled The Edward M. Kennedy Serve America Act, an Act to reauthorize and reform the national service laws.

May 7, 2009:

H.R. 1626. An Act to make technical amendments to laws containing time periods affecting judicial proceedings.

May 12, 2009:

H.R. 586. An Act to direct the Librarian of Congress and the Secretary of the Smithsonian Institution to carry out a joint project at the Library of Congress and the National Museum of African American History and Culture to collect video and audio recordings of personal histories and testimonials of individuals who participated in the Civil Rights movement, and for other purposes.

May 22, 2009:

H.R. 627. An Act to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of

credit under an open end consumer credit plan, and for other purposes.

June 2, 2009:

H.R. 131. An Act to establish the Ronald Reagan Centennial Commission.

June 19, 2009:

H.R. 663. An Act to designate the facility of the United States Postal Service located at 12877 Broad Street in Sparta, Georgia, as the ''Yvonne Ingram-Ephraim Post Office Building''.

H.R. 918. An Act to designate the facility of the United States Postal Service located at 300 East 3rd Street in Jamestown, New York, as the ''Stan Lundine Post Office Building''.

H.R. 1284. An Act to designate the facility of the United States Postal Service located at 103 West Main Street in McLain, Mississippi, as the ''Major Ed W. Freeman Post Office''.

H.R. 1595. An Act to designate the facility of the United States Postal Service located at 3245 Latta Road in Rochester, New York, as the ''Brian K. Schramm Post Office Building''.

H.R. 2675. An Act to amend title II of the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to extend the operation of such title for a 1-year period ending June 22, 2010.

June 22, 2009:

H.R. 1256. An Act to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, to amend title 5, United States Code, to make certain modifications in the Thrift Savings Plan, the Civil Service Retirement System, and the Federal Employees' Retirement System, and for other purposes.

June 24, 2009:

H.R. 2346. An Act making supplemental appropriations for the fiscal year ending September 30, 2009, and for other purposes.

June 26, 2009:

H.J. Res. 40. A joint resolution to honor the achievements and contributions of Native Americans to the United States, and for other purposes.

June 30, 2009:

H.R. 813. An Act to designate the Federal building and United States courthouse located at 306 East Main Street in Elizabeth City, North Carolina, as the ''J. Herbert W. Small Federal Building and United States Courthouse''.

H.R. 837. An Act to designate the Federal building located at 799 United Nations Plaza in New York, New York, as the ''Ronald H. Brown United States Mission to the United Nations Building''.

H.R. 2344. An Act to amend section 114 of title 17, United States Code, to provide for agreements for the reproduction and performance of sound recordings by webcasters.

July 1, 2009:

H.R. 1777. An Act to make technical corrections to the Higher Education Act of 1965, and for other purposes.

July 27, 2009:

H.R. 2632. An Act to amend title 4, United States Code, to encourage the display of the flag of the United States on National Korean War Veterans Armistice Day.

July 28, 2009:

H.J. Res. 56. A joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

SENATE BILLS AND JOINT RESOLUTIONS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and a joint resolution of the following titles:

April 23, 2009:

S. 520. An Act to designate the United States courthouse under construction at 327 South Church Street, Rockford, Illinois, as the ''Stanley J. Roszkowski United States Courthouse''.

April 24, 2009:

S. 383. 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.

May 7, 2009:

S.J. Res. 8. A joint resolution providing for the appointment of David M. Rubenstein as a citizen regent of the Board of Regents of the Smithsonian Institution.

May 8, 2009:

S. 39. An Act to repeal section 10(f) of Public Law 93–531, commonly known as the ''Bennett Freeze''.

May 15, 2009:

S. 735. An Act to ensure States receive adoption incentive payments for fiscal year 2008 in accordance with the Fostering Connections to Success and Increasing Adoptions Act of 2008.

May 20, 2009:

S. 386. An Act to improve enforcement of mortgage fraud, securities and commodities fraud, financial institution fraud, and other frauds related to Federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes.

S. 896. An Act to prevent mortgage foreclosures and enhance mortgage credit availability.

May 22, 2009:

S. 454. An Act to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes.

June 30, 2009:

S. 407. An Act to amend title 38, United States Code, to provide for an increase, effective December 1, 2009, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, to codify increases in the rates of such compensation that were effective as of December 1, 2008, and for other purposes.

S. 615. An Act to provide additional personnel authorities for the Special Inspector General for Afghanistan Reconstruction.

July 1, 2009:

S. 615. An Act to award a Congressional Gold Medal to the Women Airforce Service Pilots (''WASP'').

ENROLLED BILL SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly an enrolled bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3357. An act to restore sums to the Highway Trust Fund and for other purposes.

SENATE ENROLLED BILL SIGNED

The Speaker announced her signature to an enrolled bill of the Senate of the following title:

S. 1107. To amend title 28, United States Code, to provide for a limited 6-month period for Federal judges to opt into the Judicial Survivors' Annuities System and begin contributing toward an annuity for their spouse and dependent children upon their death, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on July 31, 2009 she presented to the President of the United States, for his approval, the following bill.

H.R. 838. To provide for the conveyance of a parcel of land held by the Bureau of Prisons of the Department of Justice in Miami Dade County, Florida, to facilitate the construction of a new educational facility that includes a secure parking area for the Bureau of Prisons, and for other purposes.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, pursuant to House Concurrent Resolution 172, 111th Congress, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 54 minutes p.m.), the House adjourned until Tuesday, September 8, 2009, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2978. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's ''Major'' final rule — Conservation Reserve Program (RIN 0560-AH80) received July 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2979. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID FEMA-2008-0020; Internal Agency Docket No. FEMA-B-1059] received July 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2980. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Prevention of Salmonella Enteritidis in Shell Eggs During Production, Storage, and Transportation [Docket No.: FDA-2000-N-0190 (Formerly Docket No. 2000N-0504)] (RIN: 0910-AC14) received July 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2981. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Department's final rule — Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations. (Amarillo, Texas) received July 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2982. A letter from the Acting Assistant Secretary for Export Admnistration, Department of Commerce, transmitting the Department's final rule — Addition and Removal of Certain Persons on the Entity List: Addition of Persons Acting Contrary to the National Security or Foreign Policy Interests of the United States; Removal of Persons based on ERC Annual Review and Removal Requests; and Entry Modified for Purposes of Clarification [Docket No.: 090414651-91046-01] (RIN:0694-AE59) received July 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

2983. A letter from the Secretary, Department of Defense, transmitting the report on

Measuring Stability and Security in Iraq, pursuant to Section 9204 of the Supplemental Appropriations Act for 2008, Pub. L. 110-252 and Section 1508(c) of the Department of Defense Authorization Act for 2009, Pub. L. 110-417; to the Committee on Foreign Affairs.

2984. A letter from the Acting Senior Procurement Executive, GSA, Department of Defense, transmitting the Department's final rule — Federal Acquisition Regulation; FAR Case 2008-009, Prohibition on Contraction with Inverted Domestic Corporations [FAC 2005-34; FAR Case 2008-009; Item II; Docket 2009-0020, Sequence 1] (RIN: 900-AL28) received July 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2985. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Modification of the Yellowtail Flounder Landing Limit for the U.S./Canada Management Area [Docket No.: 080521698-9067-02] (RIN: 0648-XP50) received July 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2986. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca S.A. Models Arriel 1E2, 1S, and 1S1 Turboshaft Engines [Docket No.: FAA-2008-0681; Directorate Identifier 2008-NE-13-AD; Amendment 39-15805; AD 2009-03-04] (RIN: 2120-AA4) received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2987. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation, Maggie Fisher Memorial Great South Bay Cross Bay Swim, Great South Bay, NY [Docket No. USCG-2009-0302] (RIN: 1625-AA08) received July 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2988. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Harborfest 2009, Parade of Sail, Elizabeth River, Norfolk, VA [Docket No.: USCG-2009-0405] (RIN: 1625-AA00) received July 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2989. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Naval Training, San Clemente Island, CA [Docket No.: USCG-2009-0455] (RIN: 1625-AA00) received July 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2990. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Raritan River, Arthur Kill and their tributaries, Staten Island, NY and Elizabeth, NJ [Docket No. USCG-2009-0202] (RIN: 1625-AA09) received July 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2991. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Establishment of Suspension and Revocation National Center of Expertise [Docket No.: USCG-2009-0314] (RIN:1625-ZA22) received July 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2992. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation for Marine Event; Temporary Change of Dates for Recurring Marine Event in the Fifth Coast Guard District [Docket No.: USCG-2009-0252] (RIN: 1625-AA08) received July 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2993. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Consumer Price Index Adjustments of Oil Pollution Act Of 1990 Limits of Liability — Vessels and Deepwater Ports [Docket No.: USCG-2008-0007] (RIN:1625-AB25) received July 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2994. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Summer Marine Events, Coastal Massachusetts. [Docket No. USCG-2009-0448] (RIN: 1625-AA08) received July 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2995. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Access Destinations Fireworks Display, San Diego Bay, CA [Docket No.: USCG-2009-0513] (RIN: 1625-AA00) received July 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2996. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company CF6-80A, CF6-80C2, and CF6-80E1 Series Turbofan Engines [Docket No. FAA-2008-0925; Directorate Identifier 98-ANE-49-AD; Admendment 39-15816; AD 2009-04-10] (RIN: 2120-AA64) Received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2997. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Canada PW206A, PW206B, PW206B2, PW206C PW206D, PW206E, PW207C, PW207D, and PW207E Turboshaft Engines [Docket No.: FAA-2007-0219; Directorate Identifier 2007-NE-46-AD; Amendment 39-15806; AD 2009-03-05] (RIN: 2120-AA64) received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2998. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — IRF Altitudes; Miscellaneous Amendments [Docket No.: 30653; Amdt. No. 479] received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2999. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Construcciones Aeronauticas, S.A. (CASA), Model C-212 DF Airplanes [Docket No.: FAA-2008-1360; Directorate Identifier 2008-NM-075-AD; Amendment 39-15791; AD 2009-02-01] (RIN: 2120-AA64) received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3000. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company Models 182Q and 182R Airplanes [Docket No.: FAA -2008-1205; Directorate Identifier 2008-CE-062-AD; Amendment 39-15811; AD 2009-04-05] (RIN:2120-AA64) received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3001. A letter from the Program Analyst, Department of Transportation, transmitting the Department's ''Major'' final rule — Part 121 Pilot Age Limit [Docket No.: FAA-2006-26139; Amendment Nos. 61-123 and 121-344] (RIN: 2120-AJ01) received July 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3002. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Revision of class D and E Airspace; King Salmon, AK [Docket No.: FAA-2008-1162; Airspace Docket No. 08-AAL-33] received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3003. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-145, -145ER, -145MR, -145LR, -145XR, -145MP, AND -145EP Airplanes [Docket No.: FAA-2008-0271; Directorate Identifier 2007-NM-267-AD; Amendment 39-15784; AD 2009-01-05] (RIN: 2120-AA64) received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3004. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited (Jetstream) Model 4101 Airplanes [Docket No.: FAA-2008-0644; Directorate Identifier 2007-NM-321-AD; Amendment 39-15659; AD 2008-18-02] (RIN: 2120-AA64) received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3005. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No.: FAA-2009-0130; Directorate Identifier 2008-NM-225-AD; Amendment 39-15817; AD 2009-04-11] (RIN: 2120-AA64) received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3006. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-9-14, DC-9-14, DC-9-15, and DC-9-15F Airplanes; and Model DC-9-20, DC-9-30, and DC-9-50 Series Airplanes [Docket No.: FAA-2008-0736; Directorate Identifier 2008-NM-102-AD; Amendment 39-15804; AD 2009-03-03] (RIN 2120-AA64) received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3007. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; BURKHART GROB LUFT — UND RAUMFAHRT GmbH & CO KG G103 Series Gliders [Docket No.: FAA-2008-1078 Directorate Identifier 2008-CE-051-AD; Amendment 31-15814; AD 2009-04-08] (RIN: 2120-AA64) received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3008. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-600, -700, -700C, -800, and -900 series airplanes [Docket No.: FAA-2008-1199; Directorate Identifier 2008-NM-207-AD; Amendment 39-15781; AD 2008-24-51] (RIN: 2120-AA64) received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3009. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company CF6-80C2 and CF6-80E1 Series Turbofan

Engines [Docket No.: FAA-2007-28413; Directorate Identifier 2007-NE-25-AD; Amendment 39-15826; AD 2009-05-02] (RIN: 2120-AA64) received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3010. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300, A310, and A300-600 Series Airplanes [Docket No.: FAA-2008-0657; Directorate Identifier 2007-NM-296-AD; Amendment 39-15787; AD 2009-01-08] (RIN: 2120-A64) received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3011. A letter from the Assistant Secretary for Communications and Information, Department of Commerce, transmitting the Department's ''Major'' final rule — Broadband Technology Opportunities Program (RIN: 0660-ZA28) received July 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Agriculture.

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. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 2913. A bill to designate the United States courthouse located at 301 Simonton Street in Key West, Florida, as the ''Sidney M. Aronovitz United States Courthouse'' (Rept. 111–240). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 2053. A bill to designate the United States courthouse located at 525 Magoffin Avenue in El Paso, Texas, as the ''Albert Armendariz, Sr., United States Courthouse'' (Rept. 111–241). Referred to the House Calendar.

Mr. CONYERS: Committee on Judiciary. House Resolution 636. Resolution directing the Attorney General to transmit to the House of Representatives all information in the Attorney General's possession relating to the transfer or release of detainees held at Naval Station, Guantanamo Bay, Cuba, into the United States, adversely (Rept. 111–242). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 2651. A bill to amend title 46, United States Code, to direct the Secretary of Transportation to establish a maritime career training loan program, and for other purposes (Rept. 111–243). Referred to the Committee of the Whole House on the State of the Union.

Mr. GEORGE MILLER of California: Committee on Education and Labor. H.R. 2989. A bill to amend the Employee Retirement Income Security Act of 1974 to provide special reporting and disclosure rules for individual account plans and to provide a minimum investment option requirement for such plans, to amend such Act to provide for independent investment advice for participants and beneficiaries under individual account plans, and to amend such Act and the Internal Revenue Code of 1986 to provide transitional relief under certain pension funding rules added by the Pension Protection Act of 2006; with an amendment (Rept. 111–244, Pt. 1). Ordered to be printed.

TIME LIMITATION OF REFERRED BILLS

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 2868. Referral to the Committees on Energy and Commerce and the Judiciary extended for a period ending not later than September 30, 2009.

H.R. 2989. Referral to the Committee on Ways and Means extended for a period ending not later than October 16, 2009.

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. OBEY (for himself, Mr. ISRAEL, Mr. CHANDLER, Mr. KILDEE, Ms. SUTTON, and Mr. BRALEY of Iowa):

H.R. 3435. A bill making supplemental appropriations for fiscal year 2009 for the Consumer Assistance to Recycle and Save Program; considered and passed.

By Mr. CUMMINGS:

H.R. 3436. A bill to require chief executive officers of certain financial institutions that receive assistance under title I of the Emergency Economic Stabilization Act of 2008, under the 3rd undesignated paragraph of section 13 of the Federal Reserve Act, or from the Secretary of the Treasury or the Federal Deposit Insurance Corporation under any other provision of law to submit financial disclosures under the Ethics in Government Act of 1978 to the Secretary of the Treasury, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Oversight and Government Reform, and the Judiciary, 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. THOMPSON of Mississippi:

H.R. 3437. A bill to amend the Post-Katrina Emergency Management Reform Act of 2006 to direct the Administrator of the Federal Emergency Management Agency to develop lifecycle plans and tracking procedures for housing units provided to individuals and households to respond to disaster-related housing needs, 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. ISSA:

H.R. 3438. A bill to amend title 5, United States Code, to establish a national health program administered by the Office of Personnel Management to offer Federal employee health benefits plans to individuals who are not Federal employees, and for other purposes; 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. LEWIS of Georgia (for himself, Mr. DAVIS of Illinois, Mr. PASCRELL, and Mr. MORAN of Virginia):

H.R. 3439. A bill to amend the Internal Revenue Code of 1986 to impose an excise tax on certain proceeds received on SILO and LILO transactions; to the Committee on Ways and Means.

By Mr. PASCRELL (for himself, Mr. ROSKAM, Mr. ADLER of New Jersey, Mr. LANCE, and Mr. CANTOR):

H.R. 3440. A bill to amend the Internal Revenue Code of 1986 to allow dealers in real estate to use the installment sales method; to the Committee on Ways and Means.

By Mr. ARCURI (for himself, Mr. MAFFEI, Mr. SIRES, Mr. MASSA, Mr. BOCCIERI, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. KAGEN, Mr. MINNICK, and Mr. FILNER):

H.R. 3441. A bill to provide for automatic enrollment of veterans returning from combat zones into the VA medical system, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HODES:

H.R. 3442. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to establish discretionary spending caps for each of fiscal years 2011 through 2013; to the Committee on the Budget.

By Mr. CLEAVER:

H.R. 3443. A bill to amend the Internal Revenue Code of 1986 to modify the private activity bond rules to except certain uses of intellectual property from the definition of private business use; to the Committee on Ways and Means.

By Mr. FARR:

H.R. 3444. A bill to establish Pinnacles National Park in the State of California as a unit of the National Park System, and for other purposes; to the Committee on Natural Resources.

By Ms. WASSERMAN SCHULTZ (for herself and Mr. MEEK of Florida):

H.R. 3445. A bill to amend the Internal Revenue Code of 1986 to allow baby formula to be reimbursed under a health flexible spending arrangement if the mother has had a mastectomy and is medically unable to breastfeed; to the Committee on Ways and Means.

By Ms. RICHARDSON:

H.R. 3446. A bill to provide for a competitive program making grants to seaport governing bodies for the acquisition of fuel efficient and low emission equipment and systems at port facilities; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Science and Technology, 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 Ms. RICHARDSON:

H.R. 3447. A bill to amend the Internal Revenue Code of 1986 to implement on-going appropriations for withdrawals from the Harbor Maintenance Trust Fund, and for other purposes; to the Committee on Transportation and Infrastructure, 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. PITTS (for himself, Mr. REHBERG, Mr. BACHUS, Mr. OLSON, Mr. CRENSHAW, Mrs. MYRICK, Mr. BARRETT of South Carolina, Mr. FLEMING, and Mr. PAULSEN):

H.R. 3448. A bill to establish an expedited schedule for the issuance of a Combined Construction and Operating License for nuclear reactors that meet certain conditions, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, 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 Ms. SHEA-PORTER (for herself, Mr. BRADY of Pennsylvania, Mr. WALZ, Mr. HOLT, Mr. COURTNEY, Mr. HALL of New York, Ms. SCHAKOWSKY, Mr. HONDA, Mr. MCGOVERN, Ms. WOOLSEY, Mr. SMITH of Washington, Mr. BLUMENAUER, Ms. BORDALLO, Mr. CARNAHAN, Ms. GIFFORDS, Ms. HARMAN, Mr. LOEBSACK, Ms. LORETTA SANCHEZ of California, Mr. ABERCROMBIE, Mr. MICHAUD, Mr. JONES,

Mr. HARE, Ms. TSONGAS, Ms. PINGREE of Maine, Mr. JOHNSON of Georgia, and Ms. WASSERMAN SCHULTZ):

H.R. 3449. A bill to mandate minimum periods of rest and recuperation for units and members of the regular and reserve components of the Armed Forces between deployments for Operation Iraqi Freedom or Operation Enduring Freedom; to the Committee on Armed Services.

By Ms. JACKSON-LEE of Texas (for herself, Mr. JOHNSON of Georgia, Ms. FUDGE, Ms. KILPATRICK of Michigan, Ms. CLARKE, Mr. HARE, Mr. POE of Texas, Mr. MASSA, Mr. COHEN, Mr. BERRY, Mr. FALEOMAVAEGA, Mr. TONKO, Mr. KUCINICH, Mr. REYES, Ms. CORRINE BROWN of Florida, and Mr. ROTHMAN of New Jersey):

H.R. 3450. A bill to prohibit certain restraints of trade adversely affecting automobile dealers; to the Committee on Energy and Commerce.

By Ms. WATERS:

H.R. 3451. A bill to amend the Real Estate Settlement Procedures Act of 1974 to require mortgagees for mortgages in default to engage in reasonable loss mitigation activities, and for other purposes; to the Committee on Financial Services.

By Ms. KAPTUR:

H.R. 3452. A bill to impose an additional tax on bonuses received from certain TARP recipients and deposit the tax revenue into the account funding Section 4 programs in the Department of Housing and Urban Development; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, 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. SCALISE (for himself and Mr. CAO):

H.R. 3453. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to make improvements in the provision of Federal disaster assistance, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SULLIVAN (for himself, Mr. BOREN, Mr. COLE, Mr. LUCAS, and Ms. FALLIN):

H.R. 3454. A bill to amend title XVIII of the Social Security Act to reform payments and coverage for hospice care under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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. RYAN of Ohio (for himself, Mr. MCCOTTER, Ms. SUTTON, Mr. BOCCIERI, Mr. KUCINICH, Ms. KILROY, Mr. WILSON of Ohio, and Ms. KAPTUR):

H.R. 3455. A bill to make available funds from the Emergency Economic Stabilization Act of 2008 for funding a voluntary employees' beneficiary association with respect to former employees of Delphi Corporation; to the Committee on Financial Services, 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.

By Ms. JACKSON-LEE of Texas:

H.R. 3456. A bill to designate the facility of the United States Postal Service located at 1900 West Gray Street in Houston, Texas, as the ''Hazel Hainsworth Young Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. ABERCROMBIE (for himself, Mrs. LOWEY, Mr. MICHAUD, and Mr. PERRIELLO):

H.R. 3457. A bill to amend the Truth in Lending Act to provide coverage under such Act for credit cards issued to small businesses, and for other purposes; to the Committee on Financial Services.

By Mr. MARKEY of Massachusetts (for himself and Ms. ESHOO):

H.R. 3458. A bill to amend the Communications Act of 1934 to establish a national broadband policy, safeguard consumer rights, spur investment and innovation, and for related purposes; to the Committee on Energy and Commerce.

By Mr. BAIRD:

H.R. 3459. A bill to provide comprehensive reform regarding medical malpractice; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, 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. BILBRAY (for himself, Mr. INSLEE, Mr. DREIER, Mr. HUNTER, Mrs. DAVIS of California, Mr. CALVERT, Mrs. BONO MACK, Mr. ISSA, and Mr. TEAGUE):

H.R. 3460. A bill to amend the Clean Air Act to include algae-based biofuel in the renewable fuel program and amend the Internal Revenue Code of 1986 to include algae-based biofuel in the cellulosic biofuel producer credit; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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. BLUMENAUER (for himself, Mr. MORAN of Kansas, Mr. ISRAEL, and Mr. HEINRICH):

H.R. 3461. A bill to amend title 23, United States Code, to provide grants and technical assistance to restore orphan highways; to the Committee on Transportation and Infrastructure.

By Mr. BRADY of Texas (for himself, Mr. CONAWAY, Ms. SUTTON, and Mr. CULBERSON):

H.R. 3462. A bill to amend the Internal Revenue Code of 1986 to encourage the use of corrosion prevention and mitigation measures in the construction and maintenance of business energy-related property; to the Committee on Ways and Means.

By Mr. BRADY of Texas (for himself, Mr. HERGER, Mr. SAM JOHNSON of Texas, Mr. RYAN of Wisconsin, Mr. CANTOR, Mr. LINDER, Mr. NUNES, Mr. TIBERI, Ms. GINNY BROWN-WAITE of Florida, Mr. DAVIS of Kentucky, Mr. REICHERT, Mr. BOUSTANY, Mr. HELLER, Mr. ROSKAM, Mr. BOEHNER, Mr. PENCE, Mr. THORNBERRY, Mr. PITTS, and Mr. LUCAS):

H.R. 3463. A bill to make the repeal of the estate tax permanent; to the Committee on Ways and Means.

By Mr. BRALEY of Iowa (for himself, Mr. MANZULLO, Mr. LATHAM, Mr. BOSWELL, Mr. LOEBSACK, Mr. KING of Iowa, Mr. REHBERG, and Mr. KAGEN):

H.R. 3464. A bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization; to the Committee on Financial Services.

By Mr. BUTTERFIELD (for himself, Mr. MEEKS of New York, Mr. DAVIS of Illinois, Mr. THOMPSON of Mississippi, Ms. BORDALLO, Mr. RUSH, and Mrs. LOWEY):

H.R. 3465. A bill to direct Federal agencies to transfer excess Federal electronic equipment, including computers, computer components, printers, and fax machines, to educational recipients; to the Committee on Oversight and Government Reform.

By Mr. CAO:

H.R. 3466. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act; to the Committee on Transportation and Infrastructure.

By Mr. CARNEY:

H.R. 3467. A bill to amend title 38, United States Code, to provide for a monthly housing stipend under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs for individuals pursuing programs of education offered through distance learning, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CASTLE (for himself, Mr. GERLACH, and Mr. LOBIONDO):

H.R. 3468. A bill to amend the Internal Revenue Code of 1986, the Public Health Service Act, and the Employee Retirement Income Security Act of 1974 to promote the use of prevention and wellness programs; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and 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.

By Ms. CASTOR of Florida (for herself, Mr. BERMAN, Mr. BISHOP of New York, Mr. BOCCIERI, Ms. BORDALLO, Mr. BOREN, Mr. BOUCHER, Mr. BRADY of Pennsylvania, Ms. CORRINE BROWN of Florida, Mr. BUCHANAN, Mr. BURGESS, Mr. BUTTERFIELD, Mr. CARDOZA, Mr. CARNAHAN, Mr. CARNEY, Mr. CHILDERS, Mr. CLEAVER, Mr. CONNOLLY of Virginia, Mr. COSTELLO, Mrs. DAVIS of California, Mr. DELAHUNT, Ms. DELAURO, Mr. DONNELLY of Indiana, Ms. EDWARDS of Maryland, Mr. ELLISON, Mr. ETHERIDGE, Mr. FALEOMAVAEGA, Mr. FARR, Ms. FUDGE, Ms. GIFFORDS, Mr. GONZALEZ, Mr. GORDON of Tennessee, Mr. GRAYSON, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HARE, Mr. HILL, Mr. HINCHEY, Mr. HINOJOSA, Mr. HOLT, Mr. ISRAEL, Mr. JACKSON of Illinois, Mr. JOHNSON of Georgia, Mr. KAGEN, Ms. KAPTUR, Mr. KENNEDY, Ms. KILPATRICK of Michigan, Mr. KISSELL, Mr. KLEIN of Florida, Mr. LANGEVIN, Ms. LEE of California, Mrs. LOWEY, Mr. LYNCH, Mrs. MALONEY, Mr. MARKEY of Massachusetts, Mr. MASSA, Ms. MATSUI, Mr. MCGOVERN, Mr. MCHUGH, Mr. MCINTYRE, Mr. MEEK of Florida, Mr. MEEKS of New York, Mr. MICHAUD, Ms. MOORE of Wisconsin, Mrs. NAPOLITANO, Mr. NYE, Mr. OLVER, Mr. ORTIZ, Mr. PAYNE, Mr. RAHALL, Mr. RODRIGUEZ, Mr. ROSS, Mr. ROTHMAN of New Jersey, Ms. ROYBAL-ALLARD, Mr. RUPPERSBERGER, Mr. RUSH, Mr. SARBANES, Mr. SCHIFF, Mr. SCOTT of Virginia, Mr. SIRES, Mr. SNYDER, Mr. SPACE, Ms. SUTTON, Mr. TAYLOR, Mr. THOMPSON of California, Mr. THOMPSON of Mississippi, Mr. WALZ, Ms. WASSERMAN SCHULTZ, Ms. WATSON, Mr. WEXLER, Mr. WILSON of Ohio, Mr. WU, and Mr. YOUNG of Florida):

H.R. 3469. A bill to amend title II of the Social Security Act to provide that disability determinations under such title on the basis of hearings by the Commissioner of Social Security are made on a timely basis and to require the Commissioner to establish a program for monitoring each year the number of disability determinations which are in reconsideration; to the Committee on Ways and Means.

By Mr. COHEN:

H.R. 3470. A bill to authorize funding for the creation and implementation of infant mortality pilot programs in standard metropolitan statistical areas with high rates of infant mortality, and for other purposes; to the Committee on Energy and Commerce.

By Mr. COHEN (for himself, Mr. HODES, Mr. STARK, Mr. FILNER, Mr. KUCINICH, and Mr. GONZALEZ):

H.R. 3471. A bill to repeal title II of the REAL ID Act of 2005, to reinstitute section 7212 of the Intelligence Reform and Terrorism Prevention Act of 2004, which provides States additional regulatory flexibility and funding authorization to more rapidly produce tamper- and counterfeit-resistant driver's licenses, and to protect privacy and civil liberties by providing interested stakeholders on a negotiated rulemaking with guidance to achieve improved 21st century licenses to improve national security; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, 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 Mrs. DAHLKEMPER:

H.R. 3472. A bill to provide for health insurance coverage premium discounts for healthy behavior and improvements toward healthy behavior; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and 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.

By Mr. DAVIS of Alabama:

H.R. 3473. A bill to direct the Presidential designee under the Uniformed and Overseas Citizens Absentee Voting Act to carry out pilot programs to permit States to test the feasibility of using alternative methods, including the use of advanced electronic technologies and the Internet, to enable absent uniformed services voters to register to vote and vote in elections for Federal office, and for other purposes; to the Committee on House Administration.

By Ms. DELAURO (for herself, Ms. ROS-LEHTINEN, Mr. GRIJALVA, and Mr. SCOTT of Virginia):

H.R. 3474. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to prevent later delinquency and improve the health and well-being of maltreated infants and toddlers through the development of local Court Teams for Maltreated Infants and Toddlers and the creation of a National Court Teams Resource Center to assist such Court Teams, and for other purposes; to the Committee on Education and Labor.

By Mr. FORBES:

H.R. 3475. A bill to amend the Public Health Service Act to double the amount of funds authorized to be appropriated to the National Institutes of Health for medical research with the greatest potential for near-term clinical benefit; to the Committee on Energy and Commerce.

By Mr. GARRETT of New Jersey (for himself and Mr. CARNEY):

H.R. 3476. A bill to reauthorize the Delaware Water Gap National Recreation Area Citizen Advisory Commission; to the Committee on Natural Resources.

By Mr. GOHMERT:

H.R. 3477. A bill to direct the Architect of the Capitol to acquire and place a historical plaque to be permanently displayed in National Statuary Hall recognizing the seven decades of Christian church services being held in the Capitol from 1800 to 1868, which included attendees James Madison and Thomas Jefferson; to the Committee on House Administration.

By Mr. GOHMERT:

H.R. 3478. A bill to amend the Internal Revenue Code of 1986 to modify rules relating to health savings accounts, to provide payments for a health savings account and for a high deductible health plan instead of entitlement to benefits under Medicare, Medicaid, and SCHIP, to give more control and coverage to patients, to lower health care costs through increased price transparency, and to require immigrants to have a health savings account and high deductible health coverage at time of admission; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and the Judiciary, 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. GORDON of Tennessee:

H.R. 3479. A bill to eliminate duplicative Government programs, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. GRIJALVA (for himself, Mr. CAMPBELL, Mr. FORTENBERRY, Ms. DELAURO, Mr. NADLER of New York, Mr. HINCHEY, Mr. VAN HOLLEN, Mr. GEORGE MILLER of California, Mr. DOYLE, Mr. HARE, Mr. PASCRELL, Mr. BLUMENAUER, Mr. GALLEGLY, Mr. BERMAN, Mr. LEWIS of Georgia, Mrs. CAPPS, Mr. FRANK of Massachusetts, Mr. HOLT, Ms. HIRONO, Mr. SERRANO, Mrs. MALONEY, Ms. LEE of California, Mr. COHEN, Mr. KUCINICH, Mrs. CHRISTENSEN, Mr. CONYERS, Ms. LINDA T. SÁNCHEZ of California, Mr. MARKEY of Massachusetts, Mr. SHERMAN, Mr. PRICE of North Carolina, and Mr. FARR):

H.R. 3480. A bill to conserve global bear populations by prohibiting the importation, exportation, and interstate trade of bear viscera and items, products, or substances containing, or labeled or advertised as containing, bear viscera, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Foreign Affairs, and 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. GRIJALVA:

H.R. 3481. A bill to provide for the protection of the quality of water in the Lower Colorado River and the development and implementation of a comprehensive plan for the prevention and elimination of pollution in the Lower Colorado River and the maintenance of a healthy Lower Colorado River ecosystem; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, 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. HELLER:

H.R. 3482. A bill to make renewable energy production a priority on certain public lands for the purpose of responsibly producing clean, affordable power for the American people; to the Committee on Natural Resources.

By Mr. HELLER:

H.R. 3483. A bill to reform the medical liability system, improve access to health care for rural and indigent patients, enhance access to affordable prescription drugs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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 Ms. HERSETH SANDLIN (for herself and Mr. BOOZMAN):

H.R. 3484. A bill to amend title 38, United States Code, to extend the authority for certain qualifying work-study activities for purposes of the educational assistance programs of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. HIGGINS (for himself and Mr. CROWLEY):

H.R. 3485. A bill to amend title 38, United States Code, to provide that monetary benefits paid to veterans by States and municipalities shall be excluded from consideration as income for purposes of pension benefits paid by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. HIGGINS (for himself, Mr. MCHUGH, Ms. MOORE of Wisconsin, Mr. LEVIN, Ms. SLAUGHTER, Mr. PETERS, Mrs. DAHLKEMPER, Mr. LATOURETTE, Mr. MASSA, Mr. COSTA, Mr. KUCINICH, Mr. KAGEN, and Mr. POSEY):

H.R. 3486. A bill to amend the Internal Revenue Code of 1986 to exempt certain shipping from the harbor maintenance tax; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 3487. A bill to require the Secretary of State and the Attorney General to take certain actions against specified foreign nationals involved in actions relating to international child abduction, regardless of whether a country is a party to the Hague Convention on the Civil Aspects of International Child Abduction, and for other purposes; to the Committee on the Judiciary.

By Mr. ISRAEL (for himself, Mr. KIRK, Mr. SULLIVAN, Mrs. BONO MACK, Mr. BOREN, Mr. WEXLER, Mr. DELAHUNT, Mr. KLEIN of Florida, Mr. HIGGINS, Mr. BARTLETT, Ms. SCHWARTZ, Mr. MORAN of Virginia, Ms. MOORE of Wisconsin, Mr. LANGEVIN, Mr. HOLT, Mr. THOMPSON of California, Mr. SIRES, Mr. CARNAHAN, Mr. INSLEE, Mr. WELCH, Mr. TONKO, Ms. SUTTON, Mr. MASSA, Mr. SERRANO, Mr. SCOTT of Virginia, Mr. BISHOP of New York, Mr. WITTMAN, Mr. ENGEL, and Mrs. CAPPS):

H.R. 3488. A bill to direct the Secretary of Energy to carry out the Clean Cities program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. JACKSON of Illinois (for himself, Mr. WATT, Mr. CONYERS, Ms. ZOE LOFGREN of California, Mr. CAPUANO, Mr. GONZALEZ, Mr. DAVIS of Alabama, Ms. LEE of California, Mr. SCOTT of Virginia, Mr. NADLER of New York, and Mrs. DAVIS of California):

H.R. 3489. A bill to amend the Help America Vote Act of 2002 to prohibit State election officials from accepting a challenge to an individual's eligibility to register to vote in an election for Federal office or to vote in an election for Federal office in a jurisdiction on the grounds that the individual resides in a household in the jurisdiction which is subject to foreclosure proceedings or that the jurisdiction was adversely affected by a hurricane or other major disaster, and for other purposes; to the Committee on House Administration.

By Mr. JOHNSON of Illinois (for himself and Mr. ABERCROMBIE):

H.R. 3490. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for employer-provided wellness programs; to the Committee on Ways and Means.

By Mr. KAGEN (for himself and Mr. FRANK of Massachusetts):

H.R. 3491. A bill to amend title 38, United States Code, to establish a presumption of service connection for certain cancers occurring in veterans who served in the Republic of Vietnam and were exposed to certain herbicide agents, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KANJORSKI:

H.R. 3492. A bill to assure quality and best value with respect to Federal construction projects by prohibiting the practice known as bid shopping; to the Committee on Oversight and Government Reform.

By Mr. KANJORSKI:

H.R. 3493. A bill to amend title 5, United States Code, to limit the number of local wage areas allowable within a General Schedule pay locality; to the Committee on Oversight and Government Reform.

By Ms. KAPTUR:

H.R. 3494. A bill to amend title 10, United States Code, to authorize the availability of appropriated funds for international partnership contact activities conducted by the National Guard, and for other purposes; to the Committee on Armed Services.

By Ms. KAPTUR:

H.R. 3495. A bill to amend title XVIII of the Social Security Act to ensure access to quality home health services for all Americans, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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. LATTA:

H.R. 3496. A bill to authorize and request the President to award the congressional Medal of Honor to Arthur Jibilian for actions behind enemy lines during World War II while a member of the United States Navy and the Office of Strategic Services; to the Committee on Armed Services.

By Mr. LEVIN (for himself, Mr. VAN HOLLEN, and Mr. MCDERMOTT):

H.R. 3497. A bill to amend the Internal Revenue Code of 1986 to provide that indebtedness incurred by a partnership in acquiring securities and commodities is not treated as acquisition indebtedness for purposes of determining the unrelated business taxable income of organizations which are partners with limited liability; to the Committee on Ways and Means.

By Mrs. LUMMIS (for herself, Mr. THOMPSON of Mississippi, Ms. SHEA-PORTER, Mr. SIMPSON, Mr. ADERHOLT, and Mr. PRICE of North Carolina):

H.R. 3498. A bill to amend section 119 of title 17, United States Code, and the Communications Act of 1934 to permit satellite carriers to retransmit the signals of certain noncommercial, educational broadcast stations outside their local markets, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, 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. MAFFEI:

H.R. 3499. A bill to amend the Trademark Act of 1946 to allow civil actions against persons who use trademarks that are misleading as to the origin of goods in certain cases; to the Committee on the Judiciary.

By Mr. MAFFEI:

H.R. 3500. A bill to amend the Internal Revenue Code of 1986 to extend and modify the benefits available in empowerment zones and other tax-incentive areas; to the Committee on Ways and Means.

By Mr. MCCOTTER:

H.R. 3501. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for pet care expenses; to the Committee on Ways and Means.

By Mr. MCDERMOTT (for himself, Mr. CONNOLLY of Virginia, Ms. WASSERMAN SCHULTZ, Mr. JOHNSON of Georgia, Mr. TIM MURPHY of Pennsylvania, Mr. ELLSWORTH, Ms. ESHOO, Mr. KIRK, Mr. ADLER of New Jersey, Mr. MCGOVERN, Mr. BOSWELL, Mr. THORNBERRY, Mr. VAN HOLLEN, and Mr. THOMPSON of California):

H.R. 3502. A bill to amend the Public Health Service Act to establish an Office of Mitochondrial Medicine at the National Institutes of Health, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCDERMOTT (for himself, Mr. PETRI, Mr. BLUMENAUER, Mr. GEORGE MILLER of California, Mr. MARKEY of Massachusetts, Mr. MORAN of Virginia, Mr. CONYERS, Mr. GRIJALVA, Mrs. CAPPS, Mr. FARR, Mr. OLVER, Mr. STARK, Mr. SCHIFF, Mr. KENNEDY, Ms. DELAURO, Ms. LEE of California, Mr. NADLER of New York, Mr. HONDA, Mr. BERMAN, Ms. NORTON, Mr. WEXLER, Mr. PAYNE, Mr. KILDEE, Ms. ESHOO, and Mr. GORDON of Tennessee):

H.R. 3503. A bill to ensure that proper information gathering and planning are undertaken to secure the preservation and recovery of the salmon and steelhead of the Columbia River Basin in a manner that protects and enhances local communities, ensures effective expenditure of Federal resources, and maintains reasonably priced, reliable power, to direct the Secretary of Commerce to seek scientific analysis of Federal efforts to restore salmon and steelhead listed under the Endangered Species Act of 1973, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Natural Resources, and Energy and Commerce, 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. MILLER of Florida:

H.R. 3504. A bill to provide for a 2 percent rescission of unobligated funds previously appropriated under the American Recovery and Reinvestment Act of 2009 to be used by the Secretary of Veterans Affairs to hire claims processors; to the Committee on Appropriations, and in addition to the Committee on Veterans' Affairs, 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. GARY G. MILLER of California (for himself and Mr. ROONEY):

H.R. 3505. A bill to increase the supply of American made energy, reduce energy costs to the American taxpayer, provide a long term energy framework to reduce dependence on foreign oil, tap into American sources of energy, and reduce the size of the Federal deficit; to the Committee on Natural Resources, and in addition to the Committees on Ways and Means, Energy and Commerce, the Judiciary, and Science and Technology, 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. PAULSEN (for himself, Mr. ROSKAM, and Mr. MOORE of Kansas):

H.R. 3506. A bill to amend the Gramm-Leach-Bliley Act to provide an exception from the continuing requirement for annual privacy notices for financial institutions which do not share personal information with affiliates, and for other purposes; to the Committee on Financial Services.

By Mr. PAULSEN (for himself and Mr. WALZ):

H.R. 3507. A bill to amend title 38, United States Code, to provide for an increase in the rates of survivors' and dependents' educational assistance payable by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. PAULSEN (for himself, Mr. AKIN, Mr. BOUSTANY, Mr. BROWN of South Carolina, Mrs. MCMORRIS RODGERS, Mr. BRADY of Texas, Mr. CONAWAY, Mr. FRANKS of Arizona, Mr. PRICE of Georgia, Mr. KIRK, Mr. ROSKAM, Mrs. BIGGERT, Mr. MCCARTHY of California, Mr. CASSIDY, Mrs. LUMMIS, Mr. ROONEY, Mr. DAVIS of Kentucky, Mr. LANCE, Mr. PENCE, and Mrs. BACHMANN):

H.R. 3508. A bill to amend the Internal Revenue Code of 1986 to provide for improved treatment of HSA account provisions, and for other purposes; to the Committee on Ways and Means.

By Mr. PETERSON (for himself, Mr. LUCAS, Mr. HOLDEN, Mr. GOODLATTE, Mr. ELLSWORTH, Mr. MORAN of Kansas, Mr. BOSWELL, Mr. SMITH of Nebraska, Mr. KRATOVIL, Ms. MARKEY of Colorado, Mr. CONAWAY, Ms. JENKINS, Mr. MURPHY of New York, Mr. KISSELL, Mr. ROGERS of Alabama, Ms. HERSETH SANDLIN, Mr. CASSIDY, Mr. WELCH, Mr. MASSA, Mr. BRIGHT, Mr. POMEROY, and Mr. CHILDERS):

H.R. 3509. A bill to reauthorize State agricultural mediation programs under title V of the Agricultural Credit Act of 1987; to the Committee on Agriculture.

By Mr. PRICE of North Carolina (for himself, Mr. CASTLE, Mr. VAN HOLLEN, Mr. MORAN of Virginia, Mr. SARBANES, Ms. BORDALLO, Mr. MCDERMOTT, Mr. CONNOLLY of Virginia, Ms. JACKSON-LEE of Texas, Mr. HODES, Ms. NORTON, and Mr. PLATTS):

H.R. 3510. A bill to establish a scholarship program to encourage outstanding graduate students in mission-critical fields to pursue a career in the Federal Government; to the Committee on Education and Labor, and in addition to the Committees on Oversight and Government Reform, and 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. SABLAN:

H.R. 3511. A bill to authorize the Secretary of the Interior to establish and operate a visitor facility to fulfill the purposes of the Marianas Trench Marine National Monument, and for other purposes; to the Committee on Natural Resources.

By Mr. SCALISE:

H.R. 3512. A bill to amend title 18, United States Code, to prevent misrepresentation of their ages by on-line predators as a means for the enticement of children; to the Committee on the Judiciary.

By Mr. SCALISE:

H.R. 3513. A bill to amend title 18, United States Code, to strengthen penalties for child pornography offenses, child sex trafficking offenses, and other sexual offenses committed against children; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, 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. SCHRADER:

H.R. 3514. A bill to amend the Columbia River Gorge National Scenic Area Act; to the Committee on Natural Resources.

By Mr. SHERMAN (for himself, Mr. MANZULLO, and Mr. SMITH of Washington):

H.R. 3515. A bill to make improvements in the electronic filing of export data, to

strengthen enforcement authorities with respect to the Export Administration Regulations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SHERMAN (for himself, Ms. ROS-LEHTINEN, Mr. KIRK, Mr. AL GREEN of Texas, Mr. HOLT, Mr. KLEIN of Florida, Mr. ADLER of New Jersey, Mr. ENGEL, Mr. BURTON of Indiana, Mr. LOBIONDO, Mr. NADLER of New York, Mr. GRAYSON, Ms. BERKLEY, Mr. THOMPSON of California, Mr. HASTINGS of Florida, Mr. WEINER, Mr. COHEN, Ms. KILROY, and Mr. HALL of New York):

H.R. 3516. A bill to amend the Internal Revenue Code of 1986 to provide for rollover of gain from divesting certain qualified securities of business entities engaged in Iran or Sudan discouraged activities; to the Committee on Ways and Means.

By Mr. SIRES (for himself, Mrs. NAPOLITANO, and Mr. CARNAHAN):

H.R. 3517. A bill to amend titles 23 and 49, United States Code, to enhance employer involvement in transportation planning and to create and expand commuter benefit programs, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. SLAUGHTER (for herself, Mr. BLUMENAUER, Mr. CARNAHAN, Mr. CONYERS, Mr. HIGGINS, Mr. HINCHEY, Ms. KAPTUR, Mr. KENNEDY, Mr. KING of New York, Mr. MCHUGH, Mr. PASCRELL, Mr. RYAN of Ohio, Ms. SCHWARTZ, Mr. SERRANO, Mr. SESTAK, Mr. SIRES, Ms. SUTTON, Mr. THOMPSON of California, Mr. WU, Mrs. CHRISTENSEN, Mr. LANGEVIN, Ms. PINGREE of Maine, Mr. TONKO, Mr. CARNEY, Mrs. DAHLKEMPER, Mr. MCGOVERN, Mr. KILDEE, Mr. WELCH, and Mr. ARCURI):

H.R. 3518. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to provide grants for the revitalization of waterfront brownfields, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, and Rules, 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. SMITH of Nebraska (for himself, Mr. BOSWELL, Mr. BACA, Mr. CONAWAY, Mr. HOLDEN, Mr. LATHAM, Mr. LUCAS, Mr. LUETKEMEYER, Mr. MASSA, Mr. MCINTYRE, Mr. ROGERS of Alabama, Mr. SIMPSON, Mr. SCHRADER, Mr. WALZ, Mr. THORNBERRY, Mrs. LUMMIS, Mr. NEUGEBAUER, Mr. SCHOCK, and Mr. LATTA):

H.R. 3519. A bill to amend the National Agricultural Research, Extension and Teaching Policy Act of 1977 to establish a grant program to promote efforts to develop, implement, and sustain veterinary services, and for other purposes; to the Committee on Agriculture.

By Mr. SMITH of Nebraska (for himself, Mr. ROHRABACHER, and Mr. LANCE):

H.R. 3520. A bill to amend the Internal Revenue Code of 1986 to exclude capital gains on sales and exchanges of residences purchased in a foreclosure sale; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey:

H.R. 3521. A bill to encourage States to expand the protections offered to victims of sex offenses who are not in a familiar or dating relationship with the perpetrators of such offenses; to the Committee on the Judiciary.

By Mr. SPACE (for himself and Mr. RYAN of Ohio):

H.R. 3522. A bill to direct the Secretary of Veterans Affairs to provide grants and assistance to States to conduct outreach to veterans regarding hardship and priority under the Department of Veterans Affairs patient enrollment system; to the Committee on Veterans' Affairs.

By Mr. TEAGUE (for himself and Mr. BILBRAY):

H.R. 3523. A bill to direct the Secretary of Energy to provide for the establishment of accreditation standards relating to biofuel engineering, to provide support for undergraduate and graduate degree programs that create the engineering skills necessary to support biofuel production, and for other purposes; to the Committee on Science and Technology.

By Mr. THOMPSON of California (for himself and Mr. SALAZAR):

H.R. 3524. A bill to amend the Internal Revenue Code of 1986 to provide an exclusion from the gross estate for certain farmlands and lands subject to qualified conservation easements, and for other purposes; to the Committee on Ways and Means.

By Mr. THOMPSON of California (for himself and Mr. HELLER):

H.R. 3525. A bill to amend the Internal Revenue Code of 1986 to provide for the treatment of bonds issued to finance renewable energy resource facilities, conservation and efficiency facilities, and other specified greenhouse gas emission technologies; to the Committee on Ways and Means.

By Ms. WATSON:

H.R. 3526. A bill to provide definitions of terms and services related to community-based gang intervention to ensure that funding for such intervention is utilized in a cost-effective manner and that community-based agencies are held accountable for providing holistic, integrated intervention services, and for other purposes; to the Committee on Education and Labor.

By Mr. WEINER (for himself, Mr. FRANK of Massachusetts, and Mr. GARY G. MILLER of California):

H.R. 3527. A bill to increase the maximum mortgage amount limitations under the FHA mortgage insurance programs for multifamily housing projects with elevators and for extremely high-cost areas; to the Committee on Financial Services.

By Mr. WEINER:

H.R. 3528. A bill to establish a grants program to assist States and units of local governments to establish and expand programs that employ global positioning system technologies as alternative sentencing options, and for other purposes; to the Committee on the Judiciary.

By Mr. WELCH (for himself, Mr. SHUSTER, Mr. MASSA, Ms. BORDALLO, and Ms. PINGREE of Maine):

H.R. 3529. A bill to amend the Small Business Act to increase the maximum loan amount under the Express Loan Program, and for other purposes; to the Committee on Small Business.

By Mr. WELCH:

H.R. 3530. A bill to amend the Internal Revenue Code of 1986 to provide a Federal income tax credit for the purchase of certain nonroad equipment; to the Committee on Ways and Means.

By Ms. WOOLSEY (for herself, Ms. CLARKE, Ms. KILPATRICK of Michigan, Mr. HONDA, Ms. ROYBAL-ALLARD, and Mr. POLIS):

H.R. 3531. A bill to provide protection for children affected by the immigration laws of the United States, and for other purposes; to the Committee on the Judiciary, 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. WU (for himself and Mr. HONDA):

H.R. 3532. A bill to amend the Chinese Student Protection Act of 1992 to eliminate the offset in per country numerical level required under that Act; to the Committee on the Judiciary.

By Mr. ISSA (for himself and Mr. SMITH of Texas):

H. Con. Res. 174. Concurrent resolution expressing the sense of the Congress that the President should recognize the importance of auto dealerships to communities across the country by encouraging remedies for those franchises eliminated during recent car manufacturer bankruptcies; to the Committee on Energy and Commerce.

By Mr. DINGELL (for himself, Mr. BUYER, Ms. NORTON, Ms. KILPATRICK of Michigan, Mr. STUPAK, Mr. KILDEE, Mr. EHLERS, Mr. PETERS, Mr. CAMP, Mr. HOEKSTRA, Mrs. MILLER of Michigan, and Mr. ROGERS of Michigan):

H. Con. Res. 175. Concurrent resolution expressing the sense of the Congress that a postage stamp should be issued to commemorate the War of 1812 and that the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that such a stamp be issued; to the Committee on Oversight and Government Reform.

By Ms. ZOE LOFGREN of California (for herself, Mr. HONDA, and Mr. CARDOZA):

H. Con. Res. 176. Concurrent resolution expressing the sense of the Congress that secondary schools should begin the school day no earlier than 9:00 in the morning; to the Committee on Education and Labor.

By Mr. REICHERT (for himself and Mr. STUPAK):

H. Con. Res. 177. Concurrent resolution raising the awareness of the need for crime prevention in communities across the country and expressing support for designation of October 1, 2009, through October 3, 2009, as ''Celebrate Safe Communities'' Week, and October as ''Crime Prevention Month''; to the Committee on the Judiciary.

By Mr. VAN HOLLEN (for himself and Mr. HOEKSTRA):

H. Con. Res. 178. Concurrent resolution expressing the sense of the House of Representatives that we honor, commemorate and celebrate the historic ties of the United States and the Netherlands by recognizing the Quadricentennial celebration of the discovery of the Hudson River and the settlement and enduring values of New Netherland which permeate American society up until today; to the Committee on Foreign Affairs.

By Mr. FOSTER (for himself, Mr. DAVIS of Illinois, Mr. COSTELLO, Mr. SHIMKUS, Mr. LIPINSKI, Mr. JACKSON of Illinois, Ms. BEAN, Mr. JOHNSON of Illinois, Mr. KIRK, Mrs. BIGGERT, Mr. MANZULLO, Mr. ROSKAM, Ms. SCHAKOWSKY, Mr. QUIGLEY, Mr. HARE, Mr. SCHOCK, Mrs. HALVORSON, and Mr. GUTIERREZ):

H. Res. 703. A resolution congratulating Mark Buehrle of the Chicago White Sox on pitching a perfect game on July 23, 2009; to the Committee on Oversight and Government Reform.

By Mr. FILNER:

H. Res. 704. A resolution deploring the ongoing violence by Iraqi security forces against the residents of Camp Ashraf in Iraq; to the Committee on Foreign Affairs.

By Mr. MINNICK (for himself and Mr. WOLF):

H. Res. 705. A resolution condemning hard-labor prison camps in the Democratic People's Republic of Korea as an egregious violation of human rights; to the Committee on Foreign Affairs.

By Mr. ISSA (for himself, Mr. RAHALL, Mr. BOUSTANY, Mr. ACKERMAN, Mr.

CARNAHAN, Ms. KAPTUR, and Mr. DELAHUNT):

H. Res. 706. A resolution congratulating the people of Lebanon on successfully conducting free, fair, and democratic parliamentary elections on June 7, 2009; to the Committee on Foreign Affairs.

By Mr. POLIS (for himself, Mr. GUTHRIE, and Mr. ALEXANDER):

H. Res. 707. A resolution expressing support for designation of the week of September 13, 2009, as Adult Education and Family Literacy Week; to the Committee on Education and Labor.

By Mr. SCHOCK (for himself and Ms. SCHAKOWSKY):

H. Res. 708. A resolution congratulating Nancy Goodman Brinker for receiving the Presidential Medal of Freedom; to the Committee on Oversight and Government Reform.

By Ms. CASTOR of Florida (for herself, Mr. BURGESS, Mr. GENE GREEN of Texas, Mr. MCGOVERN, Ms. BORDALLO, Mr. GONZALEZ, Ms. NORTON, Mr. MASSA, Mr. KIRK, Ms. ROYBAL-ALLARD, Mr. SESTAK, Mr. RUSH, Mrs. CHRISTENSEN, Mr. GRIJALVA, Mr. BOSWELL, Ms. MCCOLLUM, Mr. MOORE of Kansas, Mr. HINOJOSA, Ms. DELAURO, Mr. TOWNS, Ms. SCHAKOWSKY, Ms. CLARKE, Mr. SARBANES, Mr. DAVIS of Illinois, and Ms. EDDIE BERNICE JOHNSON of Texas):

H. Res. 709. A resolution supporting the goals and ideals of National Immunization Awareness Month to raise awareness of the benefits of immunization; to the Committee on Energy and Commerce.

By Ms. CASTOR of Florida (for herself, Mr. ADLER of New Jersey, Mr. BOYD, Mr. BUCHANAN, Mrs. CAPPS, Mr. CASSIDY, Mr. CASTLE, Mrs. DAVIS of California, Mr. DELAHUNT, Ms. DELAURO, Mr. DICKS, Mr. FRANK of Massachusetts, Mr. HALL of New York, Ms. HARMAN, Mr. HOLT, Mr. KENNEDY, Ms. KOSMAS, Mr. LANGEVIN, Mr. LARSEN of Washington, Ms. LEE of California, Mr. LOBIONDO, Mrs. LOWEY, Mr. LYNCH, Mr. INSLEE, Mr. MACK, Mr. MARKEY of Massachusetts, Mr. MCGOVERN, Mr. MCINTYRE, Mr. MELANCON, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Mr. PALLONE, Mr. PAYNE, Mr. PIERLUISI, Mr. POSEY, Mr. PUTNAM, Mr. ROONEY, Mr. ROTHMAN of New Jersey, Mr. SARBANES, Mr. SCHIFF, Mr. SCOTT of Virginia, Ms. SHEA-PORTER, Mr. SIRES, Ms. SPEIER, Mr. STARK, Mr. WITTMAN, Mr. WU, Ms. ROYBAL-ALLARD, Mr. SMITH of New Jersey, Mr. MEEKS of New York, Mr. BILIRAKIS, and Mr. SERRANO):

H. Res. 710. A resolution supporting the goals and ideals of ''National Estuaries Day''; to the Committee on Natural Resources.

By Mr. DAVIS of Illinois (for himself and Ms. JACKSON-LEE of Texas):

H. Res. 711. A resolution calling on the United States Government and the international community to address the human rights and humanitarian needs of Sri Lanka's Tamil internally displaced persons (IDPs) currently living in government-run camps by supporting the release of such IDPs, implementing and facilitating an independent oversight of the process of release and resettlement, and allowing foreign aid groups to provide relief and resources to such IDPs; to the Committee on Foreign Affairs.

By Mr. FILNER (for himself, Mr. GRAVES, Mr. WILSON of South Carolina, and Mr. DAVIS of Tennessee):

H. Res. 712. A resolution commending the people of Iraqi Kurdistan for reaffirming in the July 25, 2009, parliamentary elections the region's dedication to democratic ideals and congratulating all the political slates and candidates that participated in the elections, and for other purposes; to the Committee on Foreign Affairs.

By Mr. AL GREEN of Texas (for himself and Mr. HENSARLING):

H. Res. 713. A resolution recognizing the significant contributions of United States automobile dealerships, and expressing the sense of the House of Representatives that in the interest of equity, automobile dealers whose franchises have been terminated through no fault of their own be given an opportunity of first consideration once the auto market rebounds and stabilizes; to the Committee on Energy and Commerce.

By Mr. INGLIS (for himself, Mr. DEFAZIO, Mrs. BACHMANN, Mr. BILBRAY, Mr. LUETKEMEYER, Mr. CONAWAY, Mr. COBLE, Mr. RADANOVICH, and Mr. LAMBORN):

H. Res. 714. A resolution expressing the sense of the House of Representatives that any interest or dividends repaid to the government through the Troubled Asset Relief Program should be used solely for debt reduction, consistent with the authorizing legislation and Article One, Section Nine of the United States Constitution; to the Committee on Financial Services.

By Ms. KAPTUR:

H. Res. 715. A resolution recognizing the 70th anniversary of the Soviet and Nazi invasion of Poland and the pivotal role Poland has assumed at freedom's edge since gaining independence; to the Committee on Foreign Affairs.

By Mr. KENNEDY (for himself, Mrs. MCMORRIS RODGERS, Mr. WAXMAN, Mr. SCHIFF, Mr. SHERMAN, Ms. MATSUI, Mr. BERMAN, Mr. WEXLER, and Ms. DELAURO):

H. Res. 716. A resolution recognizing Gail Abarbanel and the Rape Treatment Center, and for other purposes; to the Committee on the Judiciary.

By Ms. LEE of California:

H. Res. 717. A resolution supporting the goals and ideals of ''National Passport Month''; to the Committee on Foreign Affairs.

By Ms. MATSUI (for herself and Mr. KING of New York):

H. Res. 718. A resolution recognizing September 11 as a ''National Day of Service and Remembrance''; to the Committee on Oversight and Government Reform.

By Mr. TIAHRT:

H. Res. 719. A resolution commending Russ Meyer on his induction into the National Aviation Hall of Fame; to the Committee on Transportation and Infrastructure.

By Ms. WATSON (for herself, Mr. ROHRABACHER, Ms. HIRONO, Mr. MCDERMOTT, Mr. DINGELL, Mr. FRANK of Massachusetts, Ms. ZOE LOFGREN of California, Ms. SCHWARTZ, Mr. GRAYSON, Mr. SCOTT of Georgia, Mr. BLUMENAUER, Mr. TOWNS, Mr. CONYERS, Mr. BACA, Ms. WOOLSEY, Ms. SHEA-PORTER, Ms. EDWARDS of Maryland, Mr. MOORE of Kansas, Mr. GARY G. MILLER of California, Mr. COSTA, Mr. JACKSON of Illinois, Mr. PALLONE, Ms. SUTTON, Ms. KAPTUR, Ms. ESHOO, Mrs. NAPOLITANO, Mr. SIRES, Ms. VELÁZQUEZ, Mr. DOGGETT, Mr. GEORGE MILLER of California, Mr. LEWIS of Georgia, Ms. SPEIER, Ms. CORRINE BROWN of Florida, Mr. ISSA, Mr. CUMMINGS, Mr. CLYBURN, Mr. DAVIS of Illinois, Mr. PAYNE, Ms. LEE of California, Ms. DEGETTE, Ms. BALDWIN, Ms. FUDGE, Mr. HONDA, Ms. JACKSON-LEE of Texas, Ms. KILPATRICK of Michigan, Ms. CLARKE, Ms. MOORE of Wisconsin, Mr. BISHOP of Georgia, Mr. BUTTERFIELD, Mr. KUCINICH, Mr. HOYER, Mr. HARE, Mr. CONNOLLY of Virginia, Mr. KILDEE, Mr. HASTINGS of Florida, and Ms. HARMAN):

H. Res. 720. A resolution commending Serena Williams for her victory in the 2009 Wimbledon Women's Singles Championship and the 2009 Wimbledon Doubles Championship; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 4 of Rule XXII, memorials were presented and referred as follows:

155. The SPEAKER presented a memorial of the Senate of the State of Tennessee, relative to SENATE JOINT RESOLUTION NO. 352 urging the United States Congress to enact H.R. 1633 of the 111th Congress, the ''Honor the Written Intent of our Soldier Heroes Act''; to the Committee on Armed Services.

156. Also, a memorial of the Senate of the State of Louisiana, relative to SENATE RESOLUTION NO. 145 memorializing the Congress of the United States to protect Louisiana consumers and competition by opposing efforts to interfere with free markets in order to artificially regulate payment system interchange fees; to the Committee on Financial Services.

157. Also, a memorial of the Senate of the State of Louisiana, relative to SENATE CONCURRENT RESOLUTION NO. 106 memorializing the Congress of the United States to consider appropriate legislation that would require the Federal Communications Commission to regulate auditory volume standards for commercial advertisements broadcast on television; to the Committee on Energy and Commerce.

158. Also, a memorial of the House of Representatives of the State of Texas, relative to H.R. No. 1085 urging the United States Congress to enact legislation facilitating the ability of cities to access appropriate financing for critically needed municipal projects; to the Committee on Oversight and Government Reform.

159. Also, a memorial of the General Assembly of the State of Indiana, relative to SENATE RESOLUTION SIXTY-TWO encouraging the Indiana Congressional Delegation and Senators to oppose legislation that would impede states' rights; to the Committee on the Judiciary.

160. Also, a memorial of the Senate of the State of Louisiana, relative to SENATE CONCURRENT RESOLUTION NO. 32 memorializing the Congress of the United States to review the GPO and the WEP Social Security benefit reductions and to consider eliminating or reducing them by enacting the Social Security Fairness Act of 2009 (H.R. 235 or R.S. 484) or similar instrument; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 13: Ms. WATERS.

H.R. 39: Mr. KUCINICH, Mr. STARK, and Mr. PRICE of North Carolina.

H.R. 197: Mr. ROHRABACHER and Mr. DAVIS of Tennessee.

H.R. 204: Mr. JACKSON of Illinois, Mr. DELAHUNT, and Mr. DEFAZIO.

H.R. 211: Mr. TONKO.

H.R. 235: Mr. HEINRICH, Mrs. BACHMANN, and Mr. CASSIDY.

H.R. 270: Mrs. BLACKBURN.
H.R. 272: Mr. JOHNSON of Illinois.
H.R. 294: Mrs. BLACKBURN.
H.R. 303: Mrs. BLACKBURN, Mr. ROTHMAN of New Jersey, Ms. KAPTUR, and Mr. JOHNSON of Georgia.
H.R. 333: Mrs. BLACKBURN and Mr. AKIN.
H.R. 413: Mr. KING of New York, Mr. SULLIVAN, Mr. SHIMKUS, Mr. ROONEY, and Mr. ROGERS of Michigan.
H.R. 442: Mr. MARSHALL, Mr. BERRY, Mr. DAVIS of Tennessee, Mr. MARIO DIAZ-BALART of Florida, Mr. WALDEN, and Mr. TIM MURPHY of Pennsylvania.
H.R. 501: Mr. MCGOVERN.
H.R. 510: Ms. DELAURO and Mr. ENGEL.
H.R. 544: Mr. BILIRAKIS.
H.R. 571: Ms. TITUS, Mr. SIRES, Ms. SCHWARTZ, Mr. BISHOP of Utah, and Mr. LEE of New York.
H.R. 593: Mrs. BLACKBURN.
H.R. 606: Mr. BLUMENAUER.
H.R. 621: Mr. MELANCON, Mr. NADLER of New York, Mr. KING of Iowa, Mr. MCCLINTOCK, Ms. JENKINS, Mr. GARY G. MILLER of California, Mr. REICHERT, Mr. LUETKEMEYER, Mr. BROUN of Georgia, Mr. BILIRAKIS, Mr. BACHUS, Mr. THORNBERRY, Mrs. MYRICK, Mr. HENSARLING, Mr. NEUGEBAUER, Mr. OLSON, Mr. VISCLOSKY, Mr. THOMPSON of California, Mr. MCNERNEY, Mr. TIAHRT, Mr. ROGERS of Michigan, Mr. CONAWAY, Mr. BOCCIERI, and Mr. WITTMAN.
H.R. 644: Mr. HOLT and Mr. POLIS.
H.R. 646: Mr. GARY G. MILLER of California.
H.R. 658: Mr. MCCLINTOCK.
H.R. 666: Mr. BISHOP of New York.
H.R. 667: Mr. WU, Mr. MCCOTTER and Mr. BOSWELL.
H.R. 676: Ms. CHU.
H.R. 690: Mr. QUIGLEY and Mr. WELCH.
H.R. 708: Mr. TURNER and Mr. WITTMAN.
H.R. 718: Mr. BUTTERFIELD.
H.R. 744: Mrs. BLACKBURN.
H.R. 750: Mr. CARSON of Indiana.
H.R. 775: Mr. DAVIS of Illinois, Mr. DANIEL E. LUNGREN of California, Mr. AKIN, Mr. TONKO, and Mr. TIBERI.
H.R. 795: Mr. VAN HOLLEN and Mr. CONNOLLY of Virginia.
H.R. 802: Mr. PATRICK J. MURPHY of Pennsylvania.
H.R. 811: Mrs. BLACKBURN.
H.R. 836: Ms. KOSMAS, Mr. PETERSON, Mr. JACKSON of Illinois, Mr. DAVIS of Illinois, and Ms. JACKSON-LEE of Texas.
H.R. 847: Mr. COURTNEY.
H.R. 868: Mr. MOORE of Kansas and Ms. DEGETTE.
H.R. 953: Mrs. BLACKBURN.
H.R. 1020: Mr. SERRANO.
H.R. 1034: Mr. SHULER and Mr. PLATTS.
H.R. 1053: Mr. CANTOR.
H.R. 1074: Mr. MARIO DIAZ-BALART of Florida, Mr. WALDEN, and Mr. GOODLATTE.
H.R. 1075: Mrs. BLACKBURN.
H.R. 1079: Mrs. BLACKBURN.
H.R. 1103: Ms. BERKLEY.
H.R. 1117: Mr. INGLIS.
H.R. 1132: Mr. TANNER, Mr. HODES, Mr. BUTTERFIELD, Mrs. BACHMANN, Mr. BISHOP of Georgia, Mr. SKELTON, Mr. KILDEE, Mr. ELLSWORTH, Mr. MEEK of Florida, Mr. BUYER, Mr. HARE, Mr. HALL of New York, Mr. PETERS, Mr. BOEHNER, Mr. BARTLETT, Mr. DANIEL E. LUNGREN of California, Mr. TIBERI, Mr. CRENSHAW, Mr. LUETKEMEYER, Mrs. BONO MACK, Mr. BRIGHT, Mr. PENCE, Mr. PAUL, Mr. WALZ, Mr. NEAL of Massachusetts, Mr. ETHERIDGE, Mr. CONNOLLY of Virginia, Mr. KLEIN of Florida, Mr. FORBES, Mr. PERRIELLO, Mr. MCCARTHY of California, and Ms. FOXX.
H.R. 1162: Mr. HEINRICH.
H.R. 1179: Mr. RYAN of Ohio and Mr. WELCH.
H.R. 1194: Mr. LARSEN of Washington, Mr. BAIRD, Mr. BRADY of Pennsylvania, Mr. CARDOZA, Ms. FOXX, and Mr. SAM JOHNSON of Texas.
H.R. 1201: Mrs. HALVORSON.
H.R. 1203: Mr. LARSON of Connecticut and Mrs. BACHMANN.
H.R. 1204: Mr. BRIGHT.
H.R. 1205: Mr. PRICE of North Carolina, Mr. REICHERT, and Mr. CONNOLLY of Virginia.
H.R. 1207: Mr. OBERSTAR.
H.R. 1208: Mr. WOLF.
H.R. 1215: Ms. CHU.
H.R. 1250: Mr. SOUDER, Mrs. BONO MACK, Mr. DUNCAN, Mr. WAMP, and Mr. SAM JOHNSON of Texas.
H.R. 1283: Mr. WATT.
H.R. 1289: Mr. HODES.
H.R. 1302: Mrs. BLACKBURN.
H.R. 1321: Ms. HERSETH SANDLIN.
H.R. 1326: Mr. ARCURI.
H.R. 1346: Mr. MARIO DIAZ-BALART of Florida.
H.R. 1351: Ms. LEE of California, Mr. BOUCHER, Mr. FILNER, and Mr. BARTLETT.
H.R. 1352: Mr. ARCURI and Mr. PLATTS.
H.R. 1362: Mr. LANGEVIN, Mr. LIPINSKI, and Mr. LINCOLN DIAZ-BALART of Florida.
H.R. 1428: Ms. SHEA-PORTER, Mr. EDWARDS of Texas, Mr. MITCHELL, and Mr. GUTIERREZ.
H.R. 1441: Mr. ADLER of New Jersey.
H.R. 1454: Mr. ARCURI.
H.R. 1470: Ms. SPEIER.
H.R. 1478: Mr. SHERMAN, Mr. HOLT, and Mr. JOHNSON of Illinois.
H.R. 1490: Mr. ELLISON, Mr. SHERMAN, and Mr. HARE.
H.R. 1526: Mr. BRALEY of Iowa.
H.R. 1551: Mr. BRALEY of Iowa and Mr. HIGGINS.
H.R. 1608: Ms. PINGREE of Maine.
H.R. 1616: Mr. LANGEVIN.
H.R. 1618: Mr. LATOURETTE.
H.R. 1646: Mr. AKIN, Mr. JOHNSON of Illinois, and Mrs. DAHLKEMPER.
H.R. 1670: Mr. DOGGETT.
H.R. 1681: Mr. DEFAZIO.
H.R. 1684: Mr. MARIO DIAZ-BALART of Florida.
H.R. 1686: Mr. MASSA, Mr. HOLDEN, and Ms. ROYBAL-ALLARD.
H.R. 1700: Ms. FUDGE and Ms. CASTOR of Florida.
H.R. 1740: Mr. COOPER, Mr. GUTHRIE, and Mr. BLUMENAUER.
H.R. 1774: Mr. WEXLER.
H.R. 1791: Mr. QUIGLEY.
H.R. 1800: Ms. ZOE LOFGREN of California.
H.R. 1815: Mr. BROUN of Georgia.
H.R. 1826: Mr. RANGEL and Mr. TONKO.
H.R. 1829: Mr. CONNOLLY of Virginia.
H.R. 1831: Ms. TITUS, Mr. VAN HOLLEN, Mr. GRIFFITH, Mr. DAVIS of Tennessee, Mr. LUJÁN, Mr. LEE of New York, Mr. SAM JOHNSON of Texas, Mr. LUETKEMEYER, and Ms. SPEIER.
H.R. 1835: Mr. BONNER.
H.R. 1844: Mr. ALEXANDER and Mr. COURTNEY.
H.R. 1846: Mr. ORTIZ.
H.R. 1849: Mr. HILL, Mr. ARCURI, Mr. WEXLER, Mr. JOHNSON of Georgia, Ms. RICHARDSON, Mr. BUTTERFIELD, Ms. CASTOR of Florida, Ms. FUDGE, Ms. KILPATRICK of Michigan, Ms. CLARKE, Mr. DAVIS of Illinois, Mrs. CAPPS, Ms. WOOLSEY, Mr. CHANDLER, Ms. WASSERMAN SCHULTZ, Mr. COHEN, Mr. CAPUANO, Mr. SHULER, Mr. TANNER, Mr. MORAN of Kansas, Mr. MILLER of Florida, Mr. DAVIS of Tennessee, Mr. GRAYSON, Mr. MELANCON, Ms. ZOE LOFGREN of California, Ms. VELÁZQUEZ, MS. BALDWIN, Mr. LANGEVIN, Mr. HIGGINS, Mr. CONNOLLY of Virginia, Mr. DRIEHAUS, Mrs. CAPITO, Mr. WAMP, Ms. FALLIN, Mr. BRALEY of Iowa, and Mr. POMEROY.
H.R. 1881: Ms. LEE of California.
H.R. 1894: Mr. DEFAZIO.
H.R. 1908: Mr. KLINE of Minnesota.
H.R. 1925: Mr. HEINRICH.
H.R. 1956: Mr. PETERSON.
H.R. 1977: Mr. HOLT.
H.R. 1987: Mr. MCCOTTER.
H.R. 2000: Ms. KAPTUR, Mr. CARNAHAN, Mr. OBERSTAR, Mr. ETHERIDGE, Ms. PINGREE of Maine, Mr. KENNEDY, Mr. MILLER of North Carolina, Mr. CLYBURN, Mr. MOORE of Kansas, Mr. MATHESON, Mr. LANCE, Mr. SCOTT of Virginia, Ms. LINDA T. SÁNCHEZ of California, Mr. WATT, Mr. ROSS, Mr. BISHOP of Utah, and Mr. GEORGE MILLER of California.
H.R. 2006: Mr. KUCINICH.
H.R. 2024: Mr. FILNER.
H.R. 2054: Mrs. MALONEY and Mr. KENNEDY.
H.R. 2055: Mr. KIND, Mr. HONDA, and Ms. BORDALLO.
H.R. 2057: Ms. FUDGE, Mr. PERRIELLO, and Mr. SIRES.
H.R. 2058: Mr. TERRY, Mr. ISSA, and Mrs. BLACKBURN.
H.R. 2067: Mr. FATTAH and Mr. ENGEL.
H.R. 2089: Mr. TONKO.
H.R. 2095: Mr. MOORE of Kansas.
H.R. 2102: Mr. HEINRICH.
H.R. 2106: Mr. JOHNSON of Illinois.
H.R. 2125: Mr. ADERHOLT.
H.R. 2139: Mr. LEWIS of Georgia.
H.R. 2149: Mr. ROGERS of Kentucky.
H.R. 2190: Mr. DELAHUNT and Mr. HINCHEY.
H.R. 2193: Mr. ALEXANDER.
H.R. 2194: Mr. CRENSHAW, Mr. BRIGHT, Ms. KILROY, and Mr. CHANDLER.
H.R. 2195: Mr. PAULSEN, Ms. NORTON, Mr. AL GREEN of Texas, Mr. DEFAZIO, Ms. RICHARDSON, Mr. BARTLETT, Mr. Austria, Mr. CAO, and Mr. MASSA.
H.R. 2213: Mr. CONNOLLY of Virginia.
H.R. 2222: Mr. TONKO.
H.R. 2243: Mr. SCHRADER, Mr. ROGERS of Michigan, Mrs. BLACKBURN, and Mr. HEINRICH.
H.R. 2246: Mr. TONKO and Mr. PERLMUTTER.
H.R. 2248: Mr. MORAN of Kansas.
H.R. 2254: Mr. MANZULLO, Ms. JACKSON-LEE of Texas, Mr. GUTIERREZ, Ms. SHEA-PORTER, Mr. BURGESS, Mr. JONES, Mr. LINCOLN DIAZ-BALART of Florida, Ms. KAPTUR, Mr. CONAWAY, and Mr. KUCINICH.
H.R. 2256: Mr. CULBERSON and Mr. MITCHELL.
H.R. 2258: Mr. LATHAM.
H.R. 2259: Mr. BRIGHT.
H.R. 2266: Ms. MARKEY of Colorado, Mrs. BIGGERT, and Mr. CARNAHAN.
H.R. 2267: Ms. MARKEY of Colorado, Mr. CARNAHAN, and Mr. PASCRELL.
H.R. 2269: Mr. CARSON of Indiana.
H.R. 2275: Mr. CAPUANO, Ms. SCHAKOWSKY, Mr. YOUNG of Florida, Mr. OLVER, Mr. MEEKS of New York, and Mr. WU.
H.R. 2287: Mr. ALEXANDER and Mr. ROYCE.
H.R. 2288: Mr. PERLMUTTER.
H.R. 2296: Mr. ROYCE, Mr. MARIO DIAZ-BALART of Florida, Mr. JONES, Mr. FORBES, Mr. DAVIS of Tennessee, Mr. GOODLATTE, Mr. TIM MURPHY of Pennsylvania, Mr. WALDEN, Mr. TIAHRT, Mr. MCHENRY, and Mrs. BIGGERT.
H.R. 2305: Mr. DEFAZIO.
H.R. 2329: Mr. SMITH of New Jersey.
H.R. 2345: Mr. LEE of New York, Mr. GEORGE MILLER of California, and Mr. GUTHRIE.
H.R. 2350: Ms. ROYBAL-ALLARD, Ms. SPEIER, and Mr. LARSEN of Washington.
H.R. 2360: Mr. QUIGLEY.
H.R. 2382: Mr. BRADY of Pennsylvania, and Mr. TONKO.
H.R. 2396: Mr. ROHRABACHER.
H.R. 2408: Mr. HALL of New York, Mr. MCMAHON, Mr. ARCURI, Mr. SERRANO, Mr. ACKERMAN, Mr. CROWLEY, Mr. KING of New York, Mr. NADLER of New York, Mr. ENGEL, and Mr. MURPHY of New York.
H.R. 2413: Mr. COURTNEY.
H.R. 2419: Mr. ROTHMAN of New Jersey, Mr. LEVIN, Ms. SCHAKOWSKY, Mr. CARNAHAN, Mr. PAUL, Mr. SCHIFF, Mr. HOLT, and Mr. STUPAK.

H.R. 2420: Mr. ROSKAM.
H.R. 2452: Mr. SALAZAR, Mr. KLEIN of Florida, Mr. CAMPBELL, Mr. BISHOP of Utah, Ms. TITUS, and Mr. HONDA.
H.R. 2456: Mr. BOSWELL.
H.R. 2483: Mr. PATRICK J. MURPHY of Pennsylvania and Mr. CALVERT.
H.R. 2492: Mr. KILDEE, Mr. FRANK of Massachusetts, and Mr. VAN HOLLEN.
H.R. 2493: Mr. GARRETT of New Jersey.
H.R. 2517: Mr. TONKO.
H.R. 2519: Ms. KILROY.
H.R. 2520: Mr. SESSIONS and Mr. SHIMKUS.
H.R. 2542: Mr. FATTAH and Mr. BOUSTANY.
H.R. 2553: Mr. SMITH of New Jersey.
H.R. 2556: Mr. CHAFFETZ, Mr. FRELINGHUYSEN, Mr. MCHENRY, and Mrs. MCMORRIS RODGERS.
H.R. 2561: Mrs. BLACKBURN and Mr. CARSON of Indiana.
H.R. 2563: Mr. DAVIS of Tennessee.
H.R. 2579: Mrs. DAVIS of California.
H.R. 2586: Mrs. BLACKBURN.
H.R. 2593: Mr. COSTELLO, Mr. RODRIGUEZ, Mr. REYES, Mr. GONZALEZ, and Mr. CARTER.
H.R. 2607: Mr. ROGERS of Alabama.
H.R. 2614: Mrs. BLACKBURN.
H.R. 2626: Mr. BLUMENAUER.
H.R. 2669: Mr. LIPINSKI.
H.R. 2676: Mr. SHULER.
H.R. 2690: Mr. MCGOVERN.
H.R. 2698: Mr. PETERSON.
H.R. 2699: Mr. PETERSON.
H.R. 2709: Ms. CHU.
H.R. 2727: Mr. JOHNSON of Illinois.
H.R. 2733: Mr. TERRY.
H.R. 2737: Mr. ABERCROMBIE, Mr. BLUMENAUER, Mr. COBLE, Mr. EHLERS, Mr. FATTAH, Mr. FORTENBERRY, Mr. JOHNSON of Georgia, Mrs. BONO MACK, Mr. MCCOTTER, Mr. WOLF, Mr. WU, Mr. SCHOCK, Mr. RAHALL, Mr. ROTHMAN of New Jersey, and Mr. POE of Texas.
H.R. 2743: Mr. JOHNSON of Illinois and Mr. CHAFFETZ.
H.R. 2746: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ACKERMAN, Mr. COHEN, Mr. BOSWELL, Mr. JACKSON of Illinois, Mr. CARNEY, Mrs. CAPPS, Mr. MCINTYRE, Mr. HOLT, and Mr. CAPUANO.
H.R. 2759: Mr. KUCINICH.
H.R. 2781: Mr. BLUMENAUER, Mr. WU, and Mr. DEFAZIO.
H.R. 2785: Mr. FRELINGHUYSEN.
H.R. 2786: Mr. FRELINGHUYSEN.
H.R. 2802: Ms. TSONGAS.
H.R. 2818: Mr. LARSEN of Washington.
H.R. 2819: Mr. CONNOLLY of Virginia and Mr. KUCINICH.
H.R. 2824: Mr. REICHERT.
H.R. 2842: Mr. REHBERG.
H.R. 2855: Mrs. NAPOLITANO and Mr. AL GREEN of Texas.
H.R. 2857: Mr. MCCARTHY of California.
H.R. 2894: Ms. SCHWARTZ, Mr. BRALEY of Iowa, and Mrs. DAHLKEMPER.
H.R. 2932: Mr. LEWIS of Georgia.
H.R. 2935: Mr. ROSKAM, Mr. JOHNSON of Georgia, and Mrs. BLACKBURN.
H.R. 2941: Mr. MITCHELL and Mr. ALEXANDER.
H.R. 2942: Ms. JENKINS and Mr. MORAN of Kansas.
H.R. 2964: Mr. ALEXANDER.
H.R. 2969: Mr. FARR.
H.R. 2974: Mrs. BLACKBURN and Mr. BILIRAKIS.
H.R. 2992: Mr. PETRI and Mr. WOLF.
H.R. 2999: Mr. JOHNSON of Illinois.
H.R. 3017: Mr. PRICE of North Carolina, Mr. KLEIN of Florida, and Mr. WALZ.
H.R. 3025: Mr. FOSTER.
H.R. 3033: Mr. QUIGLEY.
H.R. 3039: Mr. FILNER.
H.R. 3042: Mrs. CAPPS, Mr. KUCINICH, Ms. PINGREE of Maine, and Mr. ARCURI.
H.R. 3044: Mr. HINOJOSA.
H.R. 3045: Mr. HINOJOSA.
H.R. 3046: Mr. LATTA and Mr. CONAWAY.
H.R. 3053: Mr. MCGOVERN.
H.R. 3068: Mr. TONKO.
H.R. 3074: Mr. LARSEN of Washington.
H.R. 3077: Mr. ELLISON and Mr. FILNER.
H.R. 3085: Mr. SHERMAN.
H.R. 3092: Mr. DOGGETT.
H.R. 3099: Mr. DELAHUNT.
H.R. 3106: Mr. HOLT.
H.R. 3116: Mr. MARIO DIAZ-BALART of Florida.
H.R. 3126: Mr. JACKSON of Illinois.
H.R. 3127: Mr. KUCINICH.
H.R. 3140: Mr. WAMP, Mr. LUETKEMEYER, Mr. NUNES, Mr. RADANOVICH, Mr. SHIMKUS, Mr. COLE, Mr. DAVIS of Kentucky, Mr. ROHRABACHER, Mr. MCCARTHY of California, Mr. FORTENBERRY, Mr. MILLER of Florida, Mr. SENSENBRENNER, Mr. DUNCAN, Mr. HOEKSTRA, Mr. GRAVES, Mr. ROONEY, Mr. MCCLINTOCK, Mr. CULBERSON, and Mr. HUNTER.
H.R. 3144: Mr. CONAWAY.
H.R. 3146: Mr. PERLMUTTER.
H.R. 3147: Mr. HIMES.
H.R. 3149: Mr. HONDA.
H.R. 3150: Mr. ALEXANDER and Mr. NYE.
H.R. 3164: Mr. SCOTT of Georgia, Mr. ALEXANDER, Mr. YOUNG of Alaska, and Mr. PATRICK J. MURPHY of Pennsylvania.
H.R. 3165: Mr. BARTLETT, Mr. COURTNEY, Mr. GRIJALVA, Mr. CHANDLER, Ms. GIFFORDS, and Mr. CONNOLLY of Virginia.
H.R. 3166: Mr. SESTAK.
H.R. 3178: Mr. QUIGLEY and Mr. TONKO.
H.R. 3184: Ms. SCHAKOWSKY.
H.R. 3186: Mr. KUCINICH.
H.R. 3199: Mr. NYE.
H.R. 3202: Mr. GRIJALVA.
H.R. 3217: Mr. BILIRAKIS and Mr. SESSIONS.
H.R. 3218: Mr. SESSIONS, Mr. ROGERS of Alabama, Mr. CULBERSON, and Mr. FORBES.
H.R. 3223: Mrs. BLACKBURN.
H.R. 3232: Mr. LIPINSKI.
H.R. 3238: Mr. SABLAN.
H.R. 3242: Ms. SCHAKOWSKY.
H.R. 3245: Mr. BRALEY of Iowa and Mr. JACKSON of Illinois.
H.R. 3246: Mr. FOSTER.
H.R. 3247: Mr. LIPINSKI.
H.R. 3248: Mr. HUNTER.
H.R. 3257: Mr. PETERSON.
H.R. 3271: Mr. SIRES, Ms. KILPATRICK of Michigan, Mr. HOLT, Mrs. CAPPS, and Mr. CONNOLLY of Virginia.
H.R. 3276: Mr. CARNAHAN.
H.R. 3277: Mr. GUTIERREZ, Mr. CARSON of Indiana, and Mr. MCGOVERN.
H.R. 3286: Mr. COURTNEY and Mr. FRANK of Massachusetts.
H.R. 3287: Mrs. CHRISTENSEN and Ms. KILPATRICK of Michigan.
H.R. 3294: Ms. CASTOR of Florida.
H.R. 3295: Mr. ORTIZ and Mr. SNYDER.
H.R. 3308: Mr. COFFMAN of Colorado and Ms. FALLIN.
H.R. 3310: Mr. BLUNT.
H.R. 3312: Mrs. MALONEY, Ms. LINDA T. SÁNCHEZ of California, Mr. KENNEDY, Ms. LEE of California, Mr. PASCRELL, Mr. LARSON of Connecticut, Ms. MCCOLLUM, Ms. ESHOO, Mr. ISRAEL, Mr. GEORGE MILLER of California, Mr. PRICE of North Carolina, Ms. KAPTUR, Mr. MORAN of Virginia, Mr. COURTNEY, Ms. WASSERMAN SCHULTZ, Mr. DAVIS of Illinois, Ms. MOORE of Wisconsin, Mr. MURTHA, Mr. ROTHMAN of New Jersey, Mr. HARE, Mr. KIND, Mr. INSLEE, Mr. CARSON of Indiana, Mr. CHANDLER, Mrs. LOWEY, Mr. HIGGINS, Mrs. CAPPS, Mr. HIMES, and Ms. SUTTON.
H.R. 3315: Ms. LINDA T. SÁNCHEZ of California.
H.R. 3322: Mr. HIGGINS.
H.R. 3328: Mr. BACHUS.
H.R. 3336: Mr. PETERSON.
H.R. 3338: Mr. KRATOVIL and Mr. CUMMINGS.
H.R. 3356: Mr. NEUGEBAUER, Mr. WITTMAN, and Mr. SOUDER.
H.R. 3361: Mr. ROSKAM.
H.R. 3365: Mr. MICHAUD, Mr. MEEK of Florida, Mr. KLEIN of Florida, and Mr. RODRIGUEZ.
H.R. 3367: Mr. BARTLETT and Mr. CARNAHAN.
H.R. 3371: Mr. MORAN of Kansas.
H.R. 3379: Mr. CARNAHAN.
H.R. 3380: Mr. PAUL, Mr. POE of Texas, and Ms. KAPTUR.
H.R. 3381: Mr. RANGEL, Mr. KILDEE, Mr. KIRK, and Mr. TONKO.
H.R. 3392: Mr. HELLER and Ms. BERKLEY.
H.R. 3400: Mr. CULBERSON, Mr. ADERHOLT, Mr. GALLEGLY, Mr. PITTS, Mr. FRANKS of Arizona, Mr. BARRETT of South Carolina, Mr. LINDER, and Mr. BARTLETT.
H.R. 3404: Mr. LANGEVIN and Mr. DEFAZIO.
H.R. 3408: Mr. HALL of New York, Ms. LINDA T. SÁNCHEZ of California, Mr. DEFAZIO, and Ms. PINGREE of Maine.
H.R. 3416: Mrs. DAVIS of California and Mr. GONZALEZ.
H.R. 3421: Ms. TITUS, Mr. HARE, Mr. JACKSON of Illinois, Ms. MATSUI, and Mr. CARSON of Indiana.
H.J. Res. 47: Mr. KLINE of Minnesota.
H.J. Res. 61: Mr. MCDERMOTT, Mrs. DAVIS of California, Mr. KIRK, and Mr. HOLT.
H. Con. Res. 42: Ms. FUDGE.
H. Con. Res. 43: Ms. FUDGE.
H. Con. Res. 49: Mr. FRELINGHUYSEN.
H. Con. Res. 139: Mr. SCALISE.
H. Con. Res. 144: Mr. ROSKAM, Mr. BERMAN, and Mr. MITCHELL.
H. Con. Res. 157: Mr. ALEXANDER.
H. Con. Res. 160: Mr. ENGEL, Mr. MOLLOHAN, Mrs. BONO MACK, and Ms. WASSERMAN SCHULTZ.
H. Con. Res. 167: Mr. KUCINICH.
H. Con. Res. 168: Mr. YOUNG of Alaska, Mr. MCGOVERN, and Mr. PETERSON.
H. Con. Res. 169: Mr. NEUGEBAUER.
H. Con. Res. 170: Mr. MARCHANT, Mr. BARTLETT, Mr. YOUNG of Florida, Mr. GUTHRIE, Mr. BILIRAKIS, and Mr. KINGSTON.
H. Res. 89: Ms. KAPTUR, Mrs. BLACKBURN, and Mr. WITTMAN.
H. Res. 111: Mr. JONES, Mr. FRANKS of Arizona, Mr. WELCH, Mr. BRALEY of Iowa, and Mr. NYE.
H. Res. 175: Ms. SCHAKOWSKY.
H. Res. 231: Mr. CAMP.
H. Res. 264: Mrs. BLACKBURN.
H. Res. 267: Mr. CONNOLLY of Virginia.
H. Res. 291: Mr. MINNICK and Mrs. BLACKBURN.
H. Res. 363: Mr. BLUMENAUER.
H. Res. 376: Mr. CAMP, Mr. UPTON, Mr. YOUNG of Alaska, Mr. CARTER, and Mr. BILBRAY.
H. Res. 398: Mrs. BLACKBURN.
H. Res. 408: Mr. TURNER, Mr. SMITH of Washington, Mr. MARSHALL, Mr. KRATOVIL, Mr. CONAWAY, and Mr. HARE.
H. Res. 416: Mr. BLUMENAUER.
H. Res. 443: Mrs. BLACKBURN.
H. Res. 447: Mr. MITCHELL, Mr. LIPINSKI, Mr. CHILDERS, Mr. ARCURI, Mr. PASCRELL, and Mr. WALZ.
H. Res. 487: Mr. HARPER.
H. Res. 491: Mrs. BLACKBURN.
H. Res. 494: Mr. DAVIS of Tennessee.
H. Res. 513: Mr. BOSWELL and Mr. WITTMAN.
H. Res. 554: Mr. BOSWELL.
H. Res. 571: Mr. PAULSEN.
H. Res. 577: Mr. COBLE.
H. Res. 592: Mr. CARSON of Indiana.
H. Res. 605: Mr. SIRES, Mr. JOHNSON of Illinois, and Mr. LEWIS of Georgia.
H. Res. 619: Mr. POSEY, Mr. PENCE, Mr. BUCHANAN, and Mr. WILSON of South Carolina.
H. Res. 627: Mr. SMITH of Texas and Mr. DAVIS of Alabama.
H. Res. 630: Mr. BLUMENAUER, Mr. AL GREEN of Texas, and Mr. TIERNEY.
H. Res. 634: Mr. PASCRELL, Ms. BERKLEY, Mr. GRAYSON, Mr. TONKO, and Mr. HIGGINS.
H. Res. 648: Mr. JONES, Mr. WILSON of South Carolina, Mr. ROGERS of Kentucky, Mr. SAM JOHNSON of Texas, and Mr. TERRY.

H. Res. 660: Ms. LEE of California.

H. Res. 679: Mr. DOYLE, Mr. KRATOVIL, Mr. MASSA, Mr. PETERSON, Mr. SALAZAR, Mr. TERRY, Mr. WILSON of Ohio, Mr. WOLF, Mr. MCCLINTOCK, Mrs. BLACKBURN, Mr. MCCLINTOCK, Mrs. BLACKBURN, Mr. GINGREY of Georgia, Mr. WALZ, Mr. BRADY of Texas, Ms. MCCOLLUM, Mrs. KIRKPATRICK of Arizona, Mr. MANZULLO, and Mr. MINNICK.

H. Res. 686: Ms. KAPTUR, Mr. FARR, Mrs. CAPPS, Mr. SARBANES, Mr. HODES, Mr. GRIJALVA, Mr. FILNER, Mr. COOPER, Mr. BLUMENAUER, Mr. ETHERIDGE, Mr. ELLSWORTH, Mr. MEEK of Florida, Mr. BAIRD, Mr. LARSEN of Washington, Ms. FALLIN, Mr. LUCAS, Mr. MICA, Mr. HALL of Texas, Mr. BACA, Mr. SERRANO, Mr. MEEKS of New York, Mr. JOHNSON of Georgia, Mr. ARCURI, and Ms. MARKEY of Colorado.

PETITIONS, ETC.

Under clause 1 of Rule XXII,

64. The SPEAKER presented a petition of The Village Council of the Village of Yellow Springs, Ohio, relative to RESOLUTION 2009-20 affirming its support for President Obama and his efforts to seek reform of our National Health Care System through Congressional action on legislation currently being debated by Congress; which was referred to the Committee on Energy and Commerce.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 3 by Mr. LATOURETTE on House Resolution 359: Don Young, Christopher H. Smith, Frank R. Wolf, Edward R. Royce, Patrick T. McHenry, Randy Neugebauer, Dana Rohrabacher, Anh ''Joseph'' Cao, David G. Reichert, Harold Rogers, Peter Hoekstra, Paul Ryan, Timothy V. Johnson, Robert B. Aderholt, Brian P. Bilbray, Ginny Brown-Waite, and Joe Barton.

Petition 4 by Mr. BURTON on House Resolution 460: John Campbell, Harold Rogers, Leonard Lance, Lynn Jenkins, Howard Coble, Christopher H. Smith, Frank R. Wolf, Zach Wamp, Virginia Foxx, Randy Neugebauer, Dana Rohrabacher, John Boozman, Steve Buyer, Aaron Schock, and Tom Cole.

Petition 5 by Mrs. BLACKBURN on H.R. 391: Cathy McMorris Rodgers, Pete Olson, John Campbell, F. James Sensenbrenner, Jr., Harold Rogers, Paul C. Broun, Howard Coble, Ander Crenshaw, David P. Roe, John Linder, Nathan Deal, Virginia Foxx, Peter J. Roskam, Ralph M. Hall, John Boozman, Rob Bishop, Steve Buyer, John Kline, Robert B. Aderholt, Tom Cole, and John B. Shadegg.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2708

OFFERED BY: MR. COLE

AMENDMENT NO. 1: After section 104, add the following new section (and amend the table of contents accordingly):

SEC. 105. CONTINUATION OF BENEFITS.

No funds or services authorized under this Act, or the amendments made by this Act, or appropriated pursuant to an authorization under this Act or such amendments, shall be withheld from any Indian tribe or member of an Indian tribe based on the fact that the Indian tribe was federally recognized on or after June 18, 1934.

H.R. 2708

OFFERED BY: MR. COLE

AMENDMENT NO. 2: Page 318, line 16, before ''after'' insert the following: ''before, on, or''.

H.R. 2708

OFFERED BY: MR. COLE

AMENDMENT NO. 3: After section 714 of the amendment added by section 101 of the bill, add the following new section (and amend subsequent sections and the table of contents accordingly):

SEC. 715. TESTIMONY BY SERVICE EMPLOYEES IN CASES OF RAPE AND SEXUAL ASSAULT.

(a) APPROVAL BY DIRECTOR.—

(1) IN GENERAL.—The Director shall approve or disapprove, in writing, any request or subpoena for a sexual assault nurse examiner employed by the Service to provide testimony in a deposition, trial, or other similar proceeding regarding information obtained in carrying out the official duties of the nurse examiner.

(2) REQUIREMENT.—The Director shall approve a request or subpoena under paragraph (1) if the request or subpoena does not violate the policy of the Department to maintain strict impartiality with respect to private causes of action.

(3) TREATMENT.—If the Director fails to approve or disapprove a request or subpoena by the date that is 30 days after the date of receipt of the request or subpoena, the request or subpoena shall be considered to be approved for purposes of this subsection.

(b) POLICIES AND PROTOCOL.—The Director, in coordination with the Director of the Office on Violence Against Women of the Department of Justice, in consultation with Indian Tribes and Tribal Organizations, and in conference with Urban Indian Organizations, shall develop standardized sexual assault policies and protocol for the facilities of the Service.

H.R. 2708

OFFERED BY: MR. COLE

AMENDMENT NO. 4: After section 817, add the following new section (and amend subsequent sections and the table of contents accordingly):

SEC. 818. LIMITATION ON USE OF FUNDS.

No funds authorized under this Act, or the amendments made by this Act, or appropriated pursuant to an authorization under this Act or such amendments, shall be withheld from release to or expenditure for the benefit of any federally recognized Indian tribe based on the pendency of litigation; provided, that this limitation shall not be effective if a temporary order or temporary injunction is in effect during the pendency of litigation or there is a settlement agreement which effects the end of litigation among the adverse parties.

H.R. 2708

OFFERED BY: MR. COLE

AMENDMENT NO. 5: Add at the end of the bill, add the following new title (and amend the table of contents accordingly):

TITLE IX—LAW ENFORCEMENT AND METHAMPHETAMINE ISSUES IN INDIAN COUNTRY

SEC. 901. SENSE OF CONGRESS REGARDING LAW ENFORCEMENT AND METHAMPHETAMINE ISSUES IN INDIAN COUNTRY.

It is the sense of Congress that Congress encourages State, local, and Indian tribal law enforcement agencies to enter into memoranda of agreement between and among those agencies for purposes of streamlining law enforcement activities and maximizing the use of limited resources—

(1) to improve law enforcement services provided to Indian tribal communities; and

(2) to increase the effectiveness of measures to address problems relating to methamphetamine use in Indian Country (as defined in section 1151 of title 18, United States Code).

H.R. 2708

OFFERED BY: MR. COLE

AMENDMENT NO. 6: Add at the end of the bill, insert the following new title (and amend the table of contents accordingly):

TITLE IX—APOLOGY TO NATIVE PEOPLES OF THE UNITED STATES

SEC. 901. APOLOGY TO NATIVE PEOPLES OF THE UNITED STATES.

(a) FINDINGS.—Congress finds that—

(1) the ancestors of today's Native Peoples inhabited the land of the present-day United States since time immemorial and for thousands of years before the arrival of people of European descent;

(2) for millennia, Native Peoples have honored, protected, and stewarded this land we cherish;

(3) Native Peoples are spiritual people with a deep and abiding belief in the Creator, and for millennia Native Peoples have maintained a powerful spiritual connection to this land, as evidenced by their customs and legends;

(4) the arrival of Europeans in North America opened a new chapter in the history of Native Peoples;

(5) while establishment of permanent European settlements in North America did stir conflict with nearby Indian tribes, peaceful and mutually beneficial interactions also took place;

(6) the foundational English settlements in Jamestown, Virginia, and Plymouth, Massachusetts, owed their survival in large measure to the compassion and aid of Native Peoples in the vicinities of the settlements;

(7) in the infancy of the United States, the founders of the Republic expressed their desire for a just relationship with the Indian tribes, as evidenced by the Northwest Ordinance enacted by Congress in 1787, which begins with the phrase, ''The utmost good faith shall always be observed toward the Indians'';

(8) Indian tribes provided great assistance to the fledgling Republic as it strengthened and grew, including invaluable help to Meriwether Lewis and William Clark on their epic journey from St. Louis, Missouri, to the Pacific Coast;

(9) Native Peoples and non-Native settlers engaged in numerous armed conflicts in which unfortunately, both took innocent lives, including those of women and children;

(10) the Federal Government violated many of the treaties ratified by Congress and other diplomatic agreements with Indian tribes;

(11) the United States forced Indian tribes and their citizens to move away from their traditional homelands and onto federally established and controlled reservations, in accordance with such Acts as the Act of May 28, 1830 (4 Stat. 411, chapter 148) (commonly known as the ''Indian Removal Act'');

(12) many Native Peoples suffered and perished—

(A) during the execution of the official Federal Government policy of forced removal, including the infamous Trail of Tears and Long Walk;

(B) during bloody armed confrontations and massacres, such as the Sand Creek Massacre in 1864 and the Wounded Knee Massacre in 1890; and

(C) on numerous Indian reservations;

(13) the Federal Government condemned the traditions, beliefs, and customs of Native Peoples and endeavored to assimilate them

by such policies as the redistribution of land under the Act of February 8, 1887 (25 U.S.C. 331; 24 Stat. 388, chapter 119) (commonly known as the ''General Allotment Act''), and the forcible removal of Native children from their families to faraway boarding schools where their Native practices and languages were degraded and forbidden;

(14) officials of the Federal Government and private United States citizens harmed Native Peoples by the unlawful acquisition of recognized tribal land and the theft of tribal resources and assets from recognized tribal land;

(15) the policies of the Federal Government toward Indian tribes and the breaking of covenants with Indian tribes have contributed to the severe social ills and economic troubles in many Native communities today;

(16) despite the wrongs committed against Native Peoples by the United States, Native Peoples have remained committed to the protection of this great land, as evidenced by the fact that, on a per capita basis, more Native Peoples have served in the United States Armed Forces and placed themselves in harm's way in defense of the United States in every major military conflict than any other ethnic group;

(17) Indian tribes have actively influenced the public life of the United States by continued cooperation with Congress and the Department of the Interior, through the involvement of Native individuals in official Federal Government positions, and by leadership of their own sovereign Indian tribes;

(18) Indian tribes are resilient and determined to preserve, develop, and transmit to future generations their unique cultural identities;

(19) the National Museum of the American Indian was established within the Smithsonian Institution as a living memorial to Native Peoples and their traditions; and

(20) Native Peoples are endowed by their Creator with certain unalienable rights, and among those are life, liberty, and the pursuit of happiness.

(b) ACKNOWLEDGMENT AND APOLOGY.—The United States, acting through Congress—

(1) recognizes the special legal and political relationship Indian tribes have with the United States and the solemn covenant with the land we share;

(2) commends and honors Native Peoples for the thousands of years that they have stewarded and protected this land;

(3) recognizes that there have been years of official depredations, ill-conceived policies, and the breaking of covenants by the Federal Government regarding Indian tribes;

(4) apologizes on behalf of the people of the United States to all Native Peoples for the many instances of violence, maltreatment, and neglect inflicted on Native Peoples by citizens of the United States;

(5) expresses its regret for the ramifications of former wrongs and its commitment to build on the positive relationships of the past and present to move toward a brighter future where all the people of this land live reconciled as brothers and sisters, and harmoniously steward and protect this land together;

(6) urges the President to acknowledge the wrongs of the United States against Indian tribes in the history of the United States in order to bring healing to this land; and

(7) commends the State governments that have begun reconciliation efforts with recognized Indian tribes located in their boundaries and encourages all State governments similarly to work toward reconciling relationships with Indian tribes within their boundaries.

(c) DISCLAIMER.—Nothing in this section—

(1) authorizes or supports any claim against the United States; or

(2) serves as a settlement of any claim against the United States.