

### DOING NOTHING IS UNACCEPTABLE

(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, the economic recovery bill we have before us does not include every free market idea I believe would improve it. But when the retirement savings of hardworking Americans are threatened, when businesses start to fail, jobs begin to dry up, or jobs of American taxpayers are in danger, it is clear that the price of doing nothing far exceeds the price of what we are considering.

Small businesses and families are the heart of this bill. They did not cook the books or make bad financial decisions. They had faith in the free market and worked hard for their success.

This bill is an imperfect option in a tragic situation, but it protects jobs and taxpayers. It provides transparency and oversight to the actions of the Treasury. It provides free market alternatives to spending tax dollars, like insurance, loans, and an increase in the FDIC cap. And it helps keep taxpayers from paying an even higher price for the misdeeds of Wall Street.

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

### BAD BETS MADE BY WALL STREET

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

Mr. DEFAZIO. The legislation the House will take up tomorrow that was jammed through the Senate last night will do nothing for the weakening fundamentals in the United States. It isn't going to help with declining housing prices, foreclosures, job loss, income disparity, or lack of health care. None of those things will be addressed. It doesn't address the crumbling infrastructure. It is not aimed at the real economy. It is aimed at the fraud, the speculative activity and the bad bets made by Wall Street executives.

Now they purport this is necessary to free up credit, and some are going to say I am voting for the bill because it lifts the FDIC limit. The administration can do that without spending \$700 billion. They are going to say I'm doing it because it changed the mark-to-market rules. Those two things are critical to my banks at home in Oregon, but you can do that without spending \$700 billion with a stroke of the pen.

It leaves out one other critical measure, the certificate's net worth that it would use for the savings and loan. That would take legislation, and that is not in here.

We are going to spend \$700 billion to solve a problem that could perhaps be resolved for no cost to the American taxpayer. If we are going to borrow

money, borrow it to invest in America's Main Street, not Wall Street.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members should heed the gavel.

### DON'T BREAK THE AMERICAN TAXPAYER

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

Mr. POE. Mr. Speaker, the bill to bail out the elite financial industry in New York that caused this mess failed this House, but our Senate colleagues are sending us a new bill, four times longer than the 100-page bill rejected by us.

The bill to stabilize the financial industry is now packed with squeaky pork. One would ask, what does pork have to do with the financial industry? Well, nothing of course. But the Senate bill with the piglets will help these entities: new tax earmarks for film and TV production; litigants in the Exxon Valdez incident; wooden arrows used by school children.

There are more tax earmarks: auto racing tracks; Indian tribes; wool research; and get this one, Virgin Islands and Puerto Rican rum. I am not making this up. There are more breaks for the railroads and the mining industry. None of these solve our banking and financial crisis. Why are they in this bill?

The House needs to deal with this financial situation to make sure that those responsible are held accountable and that the American taxpayers aren't forced to go broke paying for this financial rescue.

And that's just the way it is.

### RIGHT DEAL, NOT FAST DEAL

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

Ms. KAPTUR. Mr. Speaker, as the House approaches a vote on the Senate's Wall Street bailout bill, I urge caution to my colleagues. We need regular order, not panic. We want the right deal, not a fast deal. There is a better way to address the credit crunch facing our banks than taxpayers printing money for Wall Street's bad actions. We must use the FDIC as we did in the 1980s to resolve thousands of problem institutions. In those days, we had over \$100 billion worth of resolutions that cost but \$1.8 billion to the insurance fund, not the taxpayer.

We need to have the Securities and Exchange Commission work with our banks on how they account for the real estate on their books not with arbitrary indexes and measures, but rather to true value. That would unlock billions of dollars, \$500 billion in the system today, and would ease interbank lending.

Let's use the right medicine, not a Band-aid through which a hemorrhage will soon break as our deficit explodes even more and the value of the dollar declines further. Let's have the wisdom and courage to do what's right.

### AMERICAN JOBS AND ECONOMY AT RISK

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

Mr. CAMPBELL of California. Mr. Speaker, on Monday afternoon after this House rejected and defeated the economic recovery bill, Americans lost over \$1 trillion in the stock market. They lost over \$1 trillion in their savings and in their investment and in their retirement accounts. If we do not act, that will be just the beginning. Why, they would have been better off if we had taken the \$700 billion in that bill and thrown it in the Potomac. But that is not what this bill will do.

This bill takes that \$700 billion and buys assets which have three different backstops to make sure that the taxpayers not only get all of their money back, but could perhaps actually make a profit.

Mr. Speaker, American jobs are at risk, the economy is at risk, their retirements are at risk. We must act. I hope we follow the Senate's lead tomorrow and pass this bill.

### ECONOMY STRUGGLING

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

Mr. PERLMUTTER. Mr. Speaker, third-quarter data released yesterday highlighted the decrease in home values in 24 out of 25 metropolitan areas, and jobless claims rose to a 7-year high. Our economy is struggling, and people across America are having trouble selling their homes and buying inventory for their businesses.

While no one likes the situation we are in, we must do what we can to help America and its families. So I support the financial legislation which has been proposed and is coming to us from the Senate.

I encourage the Treasury to work through the Small Business Administration, the Farm Credit Administration, and the Federal Home Loan Bank Board so credit flows to people living in Colorado and across the country. This is one of the most important pieces of economic legislation we have had in decades. And, clearly, the fluctuations in the markets over the past few days and the credit crisis we face must demonstrate we cannot give up on a solution. I believe this is a plan that will help stabilize the market and protects taxpayers, and I support it.

### FREE MARKET, NOT SPREE MARKET

(Mr. KUCINICH asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. KUCINICH. If someone sticks up a bank, they get a jail sentence. Wall Street sticks up the Nation, they get a \$700 billion bailout. The free market doesn't mean Wall Street should be free to steal from the American taxpayer. It's a free market, not a spree market.

The American values of fairness, frugality, and faith are being sacrificed to greed. The Senate took a dreadful bill that failed on the House floor and made no substantive changes to help homeowners and to enact substantive regulatory protections for investors, and instead attached tax provisions that have absolutely nothing to do with the underlying financial crisis.

Among the tax credits are tax credits for banks; we're borrowing money from banks to give money to banks, and we take toxic assets in return. The problem is people can't pay for their mortgages and their homes are endangered. You have to remember this: if this bill passes, it doesn't address the underlying crisis. People can't pay for their mortgages. The market may go up temporarily, but people will still be losing their homes, and what will we have accomplished? Wake up, America.

#### WHY SHOULD TAXPAYERS GET THE LEFTOVERS?

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

Mr. DOGGETT. Mr. Speaker, I commend Warren Buffet on his confidence in American business, but his recent combined investment in Goldman Sachs and General Electric was not a charitable donation. He is not purchasing toxic securities; he is buying preferred stock. Why should American taxpayers get anything less? Why does he buy the preferred, and we buy the leftovers?

I share my neighbors' concerns about the impact of some in Washington hitting the panic button on their retirement, their home, or their business. But when markets are poisoned, you demand the best antidote—Not yield to another of President Bush's take-it-or-leave-it demands.

#### AUTHORIZING THE SPEAKER TO ENTERTAIN MOTIONS TO SUSPEND THE RULES ON TODAY

Ms. ZOE LOFGREN of California. Mr. Speaker, I ask unanimous consent that the Speaker be authorized to entertain motions to suspend the rules on the legislative day of Thursday, October 2, 2008, relating to the following measures: S. 3197; S. 3641; and H.R. 7221.

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

There was no objection.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

#### NATIONAL GUARD AND RESERVISTS DEBT RELIEF ACT OF 2008

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 3197) to amend title 11, United States Code, to exempt for a limited period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

##### S. 3197

*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 "National Guard and Reservists Debt Relief Act of 2008".

#### SEC. 2. AMENDMENTS.

Section 707(b)(2)(D) of title 11, United States Code, is amended—

(1) in clauses (i) and (ii)—

(A) by indenting the left margin of such clauses 2 ems to the right, and

(B) by redesignating such clauses as subclauses (I) and (II), respectively,

(2) by striking "testing, if the debtor is a disabled veteran" and inserting the following:

"testing—

"(i) if the debtor is a disabled veteran",

(3) by striking the period at the end and inserting "; or", and

(4) by adding at the end the following:

"(ii) with respect to the debtor, while the debtor is—

"(I) on, and during the 540-day period beginning immediately after the debtor is released from, a period of active duty (as defined in section 101(d)(1) of title 10) of not less than 90 days; or

"(II) performing, and during the 540-day period beginning immediately after the debtor is no longer performing, a homeland defense activity (as defined in section 901(1) of title 32) performed for a period of not less than 90 days;

if after September 11, 2001, the debtor while a member of a reserve component of the Armed Forces or a member of the National Guard, was called to such active duty or performed such homeland defense activity."

#### SEC. 3. GAO STUDY.

(a) COMPTROLLER GENERAL STUDY.—Not later than 2 years after the effective date of this Act, the Comptroller General shall complete and transmit to the Speaker of the House of Representatives and the President

pro tempore of the Senate, a study of the use and the effects of the provisions of law amended (and as amended) by this Act. Such study shall address, at a minimum—

(1) whether and to what degree members of reserve components of the Armed Forces and members of the National Guard avail themselves of the benefits of such provisions,

(2) whether and to what degree such members are debtors in cases under title 11 of the United States Code that are substantially related to service that qualifies such members for the benefits of such provisions,

(3) whether and to what degree such members are debtors in cases under such title that are materially related to such service, and

(4) the effects that the use by such members of section 707(b)(2)(D) of such title, as amended by this Act, has on the bankruptcy system, creditors, and the debt-incurrence practices of such members.

(b) FACTORS.—For purposes of subsection (a)—

(1) a case shall be considered to be substantially related to the service of a member of a reserve component of the Armed Forces or a member of the National Guard that qualifies such member for the benefits of the provisions of law amended (and as amended) by this Act if more than 33 percent of the aggregate amount of the debts in such case is incurred as a direct or indirect result of such service,

(2) a case shall be considered to be materially related to the service of a member of a reserve component of the Armed Forces or a member of the National Guard that qualifies such member for the benefits of such provisions if more than 10 percent of the aggregate amount of the debts in such case is incurred as a direct or indirect result of such service, and

(3) the term "effects" means—

(A) with respect to the bankruptcy system and creditors—

(i) the number of cases under title 11 of the United States Code in which members of reserve components of the Armed Forces and members of the National Guard avail themselves of the benefits of such provisions,

(ii) the aggregate amount of debt in such cases,

(iii) the aggregate amount of debt of such members discharged in cases under chapter 7 of such title,

(iv) the aggregate amount of debt of such members in cases under chapter 7 of such title as of the time such cases are converted to cases under chapter 13 of such title,

(v) the amount of resources expended by the bankruptcy courts and by the bankruptcy trustees, stated separately, in cases under title 11 of the United States Code in which such members avail themselves of the benefits of such provisions, and

(vi) whether and to what extent there is any indicia of abuse or potential abuse of such provisions, and

(B) with respect to debt-incurrence practices—

(i) any increase in the average levels of debt incurred by such members before, during, or after such service,

(ii) any indicia of changes in debt-incurrence practices adopted by such members in anticipation of benefitting from such provisions in any potential case under such title; and

(iii) any indicia of abuse or potential abuse of such provisions reflected in the debt-incurrence of such members.

#### SEC. 4. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.

(a) EFFECTIVE DATE.—Except as provided in subsection (b), this Act and the amendments made by this Act shall take effect 60 days after the date of enactment of this Act.