

COMMUNICATION FROM THE
REPUBLICAN LEADER

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

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

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

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

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

Sincerely,

JOHN A. BOEHNER,
Republican Leader.

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

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

The Clerk read the resolution, as follows:

H. RES. 1533

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

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

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

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

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

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

There was no objection.

Ms. SLAUGHTER. Madam Speaker, H. Res. 1533 waives clause 6(a) of rule XIII, which would require a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee. The waiver would apply to any rule reported through the legislative

day of December 13, 2008, that provides for consideration or disposition of a measure to authorize financial assistance to eligible automobile manufacturers.

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

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

Madam Speaker, I reserve the balance of my time.

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

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

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

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

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

Now, when we were upstairs in the Rules Committee, one of the things that has come forward is the fact that the American people are hurting. We all know that. We very much need to take steps to ensure that we can get this economy growing, and there is a bipartisan consensus on the need to grow our economy. We've lost hundreds of thousands of jobs, as we all know,

and in light of that, it is imperative that we take immediate action to try to create jobs for American workers. And that's the reason that my colleague Mr. DIAZ-BALART, the gentleman from Miami, and I joined in the Rules Committee last night to do something that most people thought we were going to do last spring and we should have done last spring. And there was acknowledgment, bipartisan acknowledgment, by Members, including Members of the leadership in the majority, that we would, in fact, quite possibly consider this measure in a lame duck session. And I'm referring, of course, to the very important U.S.-Columbia Free Trade Agreement.

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

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

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

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

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

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

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

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

And the one thing that I haven't mentioned that I know my friend Mr.

DIAZ-BALART will discuss is the very important strategic interest that we have in strengthening our strongest ally on the South American continent.

□ 1445

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

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

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

With that, I reserve the balance of my time.

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

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

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

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

The legislation that the House would be considering, obviously, with regard to the automobile industry, deals with a very important industry. I also be-

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. DREIER. If the gentlewoman would yield?

Ms. SLAUGHTER. Yes.

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

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

Madam Speaker, I reserve the balance of my time.

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

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

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

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

Well, ladies and gentlemen, it does work. And it doesn't put the American people, the taxpayers, behind promises that can't be kept. Because in a bank-

ruptcy court, the judge requires everybody to put their cards on the table, and then a decision is made as to what is the best interest of the entity so that they may continue to operate.

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

□ 1500

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

And that's just the way it is.

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

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

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

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

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

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

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

Mr. DREIER. Thank you very much.

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

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

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

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

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

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

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

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

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

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

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

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

Mr. GINGREY. I thank my former chairman of the Rules Committee, the

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

And they are not the only manufacturers.

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

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

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

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

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

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

Mr. DREIER. Okay, thank you.

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

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

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

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

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

Mr. DREIER. Madam Speaker, we are dealing with what is arguably one of the most difficult and challenging economic times in modern American his-

tory. We have seen the loss of hundreds of thousands of jobs over the past several months. President-elect Obama has predicted that we are going to see more difficult days ahead than we have already faced, and the American people want us to act and they want us to do the right thing.

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

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

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

□ 1515

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

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

auto loans or the sales tax deduction, those kind of incentives, or some kind of credit. We're in the process of fashioning legislation that I will be introducing soon to deal with that. I know that there are other measures that have been proposed.

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

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

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

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

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

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

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

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

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

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

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

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

The yeas and nays were ordered.

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

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

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

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

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

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

The Clerk read the title of the resolution.

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

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

[Roll No. 684]

YEAS—224

| | | |
|-------------|-------------|----------------|
| Abercrombie | Barrow | Boren |
| Ackerman | Bean | Boswell |
| Allen | Becerra | Boyd (FL) |
| Altmire | Berkley | Boyda (KS) |
| Andrews | Berman | Brady (PA) |
| Arcuri | Berry | Braley (IA) |
| Baca | Bishop (GA) | Brown, Corrine |
| Baird | Bishop (NY) | Butterfield |
| Baldwin | Blumenauer | Camp (MI) |

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

NAYS—174

| | | |
|---------------|-----------------|---------------|
| Aderholt | Cantor | Franks (AZ) |
| Akin | Capito | Frelinghuysen |
| Alexander | Carney | Galleghy |
| Bachmann | Carter | Garrett (NJ) |
| Bachus | Castle | Gerlach |
| Barrett (SC) | Chabot | Giffords |
| Bartlett (MD) | Coble | Gingrey |
| Barton (TX) | Cole (OK) | Gohmert |
| Biggart | Conaway | Goode |
| Bilbray | Crenshaw | Granger |
| Bilirakis | Culberson | Goodlatte |
| Bishop (UT) | Davis (KY) | Graves |
| Blackburn | Davis, David | Hall (TX) |
| Blunt | Deal (GA) | Hastings (WA) |
| Boehner | Dent | Hayes |
| Bonner | Diaz-Balart, L. | Heller |
| Bono Mack | Diaz-Balart, M. | Hensarling |
| Boozman | Drake | Herger |
| Boustany | Dreier | Hobson |
| Brady (TX) | Duncan | Hoekstra |
| Broun (GA) | Ehlers | Hulshof |
| Brown (SC) | Emerson | Hunter |
| Brown-Waite, | English (PA) | Inglis (SC) |
| Ginny | Fallin | Issa |
| Buchanan | Feeney | Johnson (IL) |
| Burgess | Ferguson | Johnson, Sam |
| Burton (IN) | Flake | Jordan |
| Buyer | Forbes | King (IA) |
| Calvert | Fortenberry | King (NY) |
| Campbell (CA) | Fox | Kingston |

| | | |
|-----------------|--------------|----------------|
| Kline (MN) | Moran (KS) | Sali |
| Knollenberg | Murphy, Tim | Saxton |
| LaHood | Musgrave | Scalise |
| Lamborn | Myrick | Schmidt |
| Latham | Neugebauer | Sessions |
| LaTourette | Nunes | Shadegg |
| Latta | Paul | Shimkus |
| Lewis (CA) | Pearce | Shuster |
| Lewis (KY) | Pence | Simpson |
| Linder | Petri | Smith (NE) |
| LoBiondo | Pitts | Smith (NJ) |
| Lucas | Platts | Smith (TX) |
| Lungren, Daniel | Poe | Stearns |
| E. | Porter | Sullivan |
| Mack | Price (GA) | Terry |
| Manzullo | Putnam | Thornberry |
| Marchant | Radanovich | Tiahrt |
| McCarthy (CA) | Ramstad | Tiberi |
| McCaul (TX) | Regula | Turner |
| McCrary | Rehberg | Walden (OR) |
| McHenry | Reichert | Walsh (NY) |
| McHugh | Reynolds | Wamp |
| McKeon | Rogers (AL) | Weller |
| McMorris | Rogers (KY) | Westmoreland |
| Rodgers | Rogers (MI) | Whitfield (KY) |
| Melancon | Ros-Lehtinen | Wilson (SC) |
| Mica | Roskam | Wittman (VA) |
| Miller (FL) | Royce | Wolf |
| Mitchell | Ryan (WI) | Young (FL) |

NOT VOTING—35

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

□ 1547

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

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

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

The yeas and nays were ordered.

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

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

[Roll No. 685]

YEAS—226

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