

## ANSWERED "PRESENT"—1

Campbell (CA)

## NOT VOTING—27

Costa	Hastings (FL)	Pryce (OH)
Cubin	Hooley	Renzi
Delahunt	Jefferson	Rohrabacher
Doolittle	Johnson, E. B.	Sensenbrenner
Ellison	Keller	Snyder
Emanuel	Kirk	Tancredo
Everett	Kuhl (NY)	Walberg
Gilchrest	Miller, Gary	Watson
Gutierrez	Peterson (PA)	Weldon (FL)

□ 1753

Messrs. GALLEGLY and WITTMAN of Virginia changed their vote from "yea" to "nay."

Mr. UPTON changed his vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

# MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The SPEAKER. The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now observe a moment of silence in remembrance of our brave men and women in uniform who have given their lives in the service of our Nation in Iraq and in Afghanistan and their families, and all who serve in our Armed Forces and their families.

□ 1800

# THANKS AND WELL WISHES TO ROB NABORS

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

Mr. OBEY. Mr. Speaker, for the last 4 years Rob Nabors has served as, first, the staff director of the then-Minority Democrats on the Appropriations Committee and, in the last 2 years, as the staff director of the entire committee. His work ethic has been legendary. He has worked all hours of the day like so many in this institution whose names are not publicly known. He has worked overtime. He's worked night and day. He's worked weekdays and weekends. He's demonstrated great judgment and skill. And he has also been a bit of history because he is the first African American to have served as the staff director for the Appropriations Committee.

But now, alas, President-elect Obama has asked him to serve as the Deputy Director of OMB, and exercising the "faulty judgment" that we have come to expect from Chicago Bears fans, he has accepted that invitation.

So I simply wanted to take this moment to publicly in this institution thank him for the great service that he has provided this institution and the country and to wish him well on the road ahead.

Mr. HOYER. Will the gentleman yield?

Mr. OBEY. Surely.

Mr. HOYER. I thank the gentleman for yielding.

Mr. Speaker, I had the privilege of chairing a subcommittee on the Appropriations Committee many years ago, and Rob Nabors was my staff director, so I had an opportunity to work with him firsthand. And I want to echo the comments of Mr. OBEY and, I know, the comments that Mr. LEWIS will make.

Mr. Nabors is an individual of great intellect, great integrity, and great insight. And I want to frankly express on behalf of the House our appreciation to the President-elect for having the wisdom to choose somebody who knows the House so well and I think we will be able to work with very closely, although my impression is that his relationship with Mr. OBEY may be modified just slightly.

Rob, congratulations to you.

Mr. LEWIS of California. Will the gentleman yield?

Mr. OBEY. I yield to the gentleman.

Mr. LEWIS of California. I appreciate my chairman's yielding.

Mr. Speaker, it has been my privilege to work with the chairmen both when they were in the minority and now running the place.

I must say that very few staff people combine both the intellect and personality kind of warmth that Rob reflects in the everyday work of this fabulous guy. He's a wonderful member of our staff. OMB is going to be very fortunate to have him, and we will miss him. So thank you very much.

Mr. OBEY. I yield to the Speaker.

Ms. PELOSI. Thank you very much, Mr. Chairman. I want to join my colleagues and sing the praises of Rob Nabors.

We are blessed in the Congress with magnificent staff on both sides of the aisle who serve the American people very well, none more excellent than Rob Nabors.

It is with great congratulations that we send him off to the new administration to work for President-elect and then President Obama but not without some sadness in losing him here in the Congress.

Rob, thank you for your service to our country, for your excellence in your work, and for the friendship that you have provided to many of us and for the courage and fortitude you have exhibited in working under the great leadership of Chairman OBEY. Thank you, Rob Nabors, again.

# ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SERRANO). Without objection, 5-minute voting will continue.

There was no objection.

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

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 225, nays 179, answered "present" 1, not voting 28, as follows:

[Roll No. 688]

YEAS—225

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

NAYS—179

Aderholt	Alexander	Bachus
Akin	Bachmann	Barrett (SC)

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

ANSWERED "PRESENT"—1

Campbell (CA)

NOT VOTING—28

Costa	Hooley	Rohrabacher
Cubin	Jefferson	Saxton
Delahunt	Johnson, E. B.	Sensenbrenner
Doolittle	Keller	
Ellison	Kirk	Tancredo
Emanuel	Kuhl (NY)	Walberg
Everett	Miller, Gary	Watson
Gilchrest	Peterson (PA)	Weldon (FL)
Gutierrez	Pryce (OH)	
Hastings (FL)	Renzi	

□ 1812

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### AUTO INDUSTRY FINANCING AND RESTRUCTURING ACT

Mr. FRANK of Massachusetts. Mr. Speaker, pursuant to House Resolution 1534, I call up the bill (H.R. 7321) to authorize financial assistance to eligible automobile manufacturers, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7321

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

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Auto Industry Financing and Restructuring Act".

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings and purposes.
- Sec. 3. Presidential designation.
- Sec. 4. Bridge financing.
- Sec. 5. Restructuring progress assessment.
- Sec. 6. Submission of plan.
- Sec. 7. Financing for restructuring.
- Sec. 8. Disapproval and call of loan.
- Sec. 9. Allocation.
- Sec. 10. Funding.
- Sec. 11. Terms and conditions.
- Sec. 12. Taxpayer protection.
- Sec. 13. Oversight and audits.
- Sec. 14. Automobile manufacturers' study on potential manufacturing of transit vehicles.
- Sec. 15. Reporting and monitoring.
- Sec. 16. Report to Congress on lack of progress toward achieving an acceptable negotiated plan.
- Sec. 17. Submission of plan to Congress by the President's designee.
- Sec. 18. Guarantee of leases of qualified transportation property.
- Sec. 19. Coordination with other laws.
- Sec. 20. Treatment of restructuring for purposes of applying limitations on net operating loss carryforwards and certain built-in losses.
- Sec. 21. Emergency designation.

#### SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds the following:

(1) A combination of factors, including errors in the business model of domestic automobile manufacturers, and emergency economic circumstances, has prevented the domestic automobile industry from securing credit from other sources, and has led to the possibility of the failure of the domestic automobile industry, which failure would have a systemic adverse effect on the economy.

(2) Therefore, action in the form of financial aid to the domestic automobile industry is necessary to stabilize the economy.

(b) PURPOSES.—The purposes of this Act are—

(1) to immediately provide authority and facilities to restore liquidity and stability to the domestic automobile industry in the United States; and

(2) to ensure that such authority and such facilities are used in a manner that—

(A) results in a viable and competitive domestic automobile industry that minimizes adverse effects on the environment;

(B) enhances the ability and the capacity of the domestic automobile industry to pursue the timely and aggressive production of energy-efficient advanced technology vehicles;

(C) preserves and promotes the jobs of American workers employed directly by the domestic automobile industry and in related industries;

(D) safeguards the ability of the domestic automobile industry to provide retirement and health care benefits for the industry's retirees and their dependents; and

(E) stimulates manufacturing and sales of automobiles produced by automobile manufacturers in the United States.

#### SEC. 3. PRESIDENTIAL DESIGNATION.

(a) DESIGNATION.—The President shall designate 1 or more officers from the Executive

Branch having appropriate expertise in such areas as economic stabilization, financial aid to commerce and industry, financial restructuring, energy efficiency, and environmental protection (who shall hereinafter in this Act be collectively referred to as the "President's designee") to carry out the purposes of this Act, including the facilitation of restructuring necessary to achieve the long-term financial viability of domestic automobile manufacturers, who shall serve at the pleasure of the President.

(b) ADDITIONAL PERSONS.—The President or the President's designee may also employ, appoint, or contract with additional persons having such expertise as the President or the President's designee believes will assist the Government in carrying out the purposes of this Act.

(c) PARTICIPATION BY OTHER AGENCY PERSONNEL.—Other Federal agencies may provide, at the request of the President's designee, staff on detail from such agencies for purposes of carrying out this Act.

#### SEC. 4. BRIDGE FINANCING.

(a) IN GENERAL.—The President's designee shall authorize and direct the disbursement of bridge loans or enter into commitments for lines of credit to each automobile manufacturer that submitted a plan to the Congress on December 2, 2008 (hereafter in this Act referred to as an "eligible automobile manufacturer"), and has submitted a request for such loan or commitment.

(b) AVAILABILITY OF FUNDS.—All funds that are available pursuant to section 10 to provide bridge financing or commitments for lines of credit to eligible automobile manufacturers, after taking into account the reservation of funds under section 10(a)(2), shall be used for the purposes described in section 10(a). No new funds shall be available to any eligible automobile manufacturer for the purposes of this section after the date on which the President's designee has approved restructuring plan under section 6 for such eligible automobile manufacturer.

(c) AMOUNT OF ASSISTANCE.—The President's designee shall authorize bridge loans or commitments for lines of credit to each eligible automobile manufacturer in an amount that is intended to facilitate the continued operations of the eligible automobile manufacturer and to prevent the failure of the eligible automobile manufacturer, consistent with the plan submitted on December 2, 2008, and subject to available funds.

(d) ALLOCATION.—The President's designee shall authorize the disbursements or commitments under this section in accordance with the allocation priorities set forth in subsections (a) and (b) of section 9.

#### SEC. 5. RESTRUCTURING PROGRESS ASSESSMENT.

(a) ESTABLISHMENT OF MEASURES FOR ASSESSING PROGRESS.—Not later than January 1, 2009, the President's designee shall determine appropriate measures for assessing the progress of each eligible automobile manufacturer toward transforming the plan submitted by such manufacturer to the Congress on December 2, 2008, into the restructuring plan to be submitted under section 6(b).

(b) EVALUATION OF PROGRESS ON BASIS OF RESTRUCTURING PROGRESS ASSESSMENT MEASURES.—

(1) IN GENERAL.—The President's designee shall evaluate the progress of each eligible automobile manufacturer toward the development of a restructuring plan, on the basis of the restructuring progress assessment measures established under this section for such manufacturer.

(2) TIMING.—Each evaluation required under paragraph (1) for any eligible automobile manufacturer shall be conducted at