

Motion to Recommit H.R. 384

January 21, 2009

Summary of Motion: The motion would recommit H.R. 384, the TARP Reform and Accountability Act, back to the House Financial Services Committee with instructions that the committee report the bill back to the House floor forthwith (i.e. instantaneously) with an amendment that does two things:

- **Termination of Final \$350 Billion of TARP Funding.** The amendment terminates the remaining \$350 billion of TARP funding, the final tranche available under the Emergency Economic Stabilization Act.
- **Repayment Plan.** The amendment requires the Secretary of the Treasury to develop a plan and a timetable for the repayment of all TARP assistance provided. The Republican MTR requires the Secretary of the Treasury to submit a report to the Congress on the plan developed and the timeline established.

Additional Background: On October 3, 2008, Congress passed H.R. 1424, the [Emergency Economic Stabilization Act of 2008](#), by a vote of [263 to 171](#). The President subsequently signed the bill into law.

This legislation provided a total of \$700 billion of purchasing authority for the Treasury Secretary to purchase trouble assets from financial institutions. But the legislation divided the \$700 billion into three tranches: \$250 billion of the funding was made available immediately; \$100 billion was made available subject to a certification from the President that the money is needed; and the final \$350 billion was made available with a presidential request and absent the enactment of a joint resolution disapproving the action (such a joint resolution would be subject to a presidential veto and a two-thirds vote to override).

This week, President Bush requested the final \$350 billion of TARP funds available under the Emergency Economic Stabilization Act.

Process: This MTR moves to recommit the bill (with instructions) “forthwith.” If passed, the forthwith directive would technically send the bill back to committee along with the MTR instructions, requiring the committee to immediately return the bill to the House along with the amendment. In effect, the chairman of the committee would take the floor and immediately report the bill back to the House with the amendment instructions in the MTR. The House would

then vote on the amendment (in essence, a second vote on the MTR with instructions). If this passes, a vote on final passage – with the amendment included – would be before the House.

NOTE: The House Democrat Rules package for the 111th Congress (H.Res 5) denied the minority the right to offer MTRs “promptly.” If passed, the promptly directive would actually send the bill back to committee along with the MTR instructions. It would NOT instantaneously amend the bill, as would a “forthwith” directive, **nor would this motion kill the bill** (as the majority has falsely asserted). In this instance, the committee would not *required* to act upon the bill. However, the committee could convene a special meeting to consider the bill and potentially send it back to the House, but the Rules Committee would have to meet and report another rule for consideration of the bill. All of this could happen on the very same legislative day, if so desired.

The “promptly” motion would allow for more thoughtful consideration of minority amendments, but the Democrats have decided they do not want such consideration.

RSC Staff Contact: Brad Watson, brad.watson@mail.house.gov, (202) 226-9719