

An Amendment to the Amendment in the Nature of a Substitute to H.R. 397 was offered by Rep. Schweikert of Arizona.

An amendment by Rep. Schweikert, which would require the Department of Treasury to conduct independent analysis of a plan's loan application, was defeated by a roll call vote of 17 yeas to 25 nays. The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
MR. NEAL		X		MR. BRADY	X		
MR. LEWIS		X		MR. NUNES	X		
MR. DOGGETT		X		MR. BUCHANAN	X		
MR. THOMPSON		X		MR. SMITH	X		
MR. LARSON		X		MR. MARCHANT	X		
MR. BLUMENAUER		X		MR. REED	X		
MR. KIND		X		MR. KELLY	X		
MR. PASCRELL		X		MR. HOLDING	X		
MR. DAVIS		X		MR. SMITH	X		
MS. SANCHEZ		X		MR. RICE	X		
MR. HIGGINS		X		MR. SCHWEIKERT	X		
MS. SEWELL		X		MS. WALORSKI	X		
MS. DELBENE		X		MR. LAHOOD (IL)	X		
MS. CHU (CA)		X		MR. WENSTRUP	X		
MS. MOORE		X		MR. ARRINGTON	X		
MR. KILDEE		X		MR. FERGUSON	X		
MR. BOYLE		X		MR. ESTES	X		
MR. BEYER		X					
MR. EVANS		X					
MR. SCHNEIDER		X					
MR. SUOZZI		X					
MR. PANETTA		X					
MS. MURPHY		X					
MR. GOMEZ		X					
MR. HORSFORD		X					

AMENDMENT

OFFERED BY Mr. Schweikert

In section 4(a), add at the end the following:

1 (4) ANALYSIS OF CREDIT RISK AND REPAY-
2 MENT RISK.—

3 (A) IN GENERAL.—A loan may not be
4 made under this section, and financial assist-
5 ance may not be made under section 4261(d) of
6 the Employee Retirement Income Security Act
7 of 1974 in connection with such a loan, to a
8 plan unless the Secretary of the Treasury (or
9 the Secretary's designee) conducts an inde-
10 pendent analysis of the credit risk and repay-
11 ment risk associated with the loan and with
12 such assistance (including whether the plan will
13 be able to provide all benefits promised by the
14 plan during the period ending on the date the
15 loan is due) and determines that there is a high
16 likelihood that the loan and assistance will be
17 repaid and the plan will be able to provide all
18 such benefits.

19 (B) PUBLICATION OF METHODOLOGY.—
20 The Secretary of the Treasury shall publish the

1 underlying methodology and data used in each
2 analysis under subparagraph (A), but shall not
3 publish and shall keep confidential any data
4 that the Secretary determines is not publicly
5 available.

