

CONGRESSIONAL RECORD SUMMARY

Thursday, March 15, 2001

SENATE

Measures Introduced:

S. 543. A bill to provide for equal coverage of mental health benefits with respect to health insurance coverage unless comparable limitations are imposed on medical and surgical benefits; to the Committee on Health, Education, Labor, and Pensions.

Domenici

Pages S 2388, S 2393-6

S. 547. A bill to redesignate the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund as the Federal Old-Age and Survivors Insurance Accounting Fund and the Federal Disability Insurance Accounting Fund, respectively; to the Committee on Finance.

McCain

Pages S 2388, S 2397-8

Measures Passed:

Bankruptcy Reform: By 83 yeas to 15 nays, 1 responding present (Vote No. 36), Senate passed S. 420, to amend title 11, United States Code, after taking action on the following amendments proposed thereto:

Pages S 2324-39, S 2343-79, D 218

Adopted:

Kohl/Feinstein Amendment No. 68, to limit the value of certain real and personal property that a debtor may elect to exempt under State or local law. (By 39 yeas to 60 nays, 1 responding present (Vote No. 30), Senate earlier failed to table the amendment.)

Pages S 2328-36, D218

By 99 yeas, 0 nays, 1 responding present (Vote No. 31), Leahy Modified Amendment No. 41, to protect the identity of minor children in bankruptcy proceedings.

Pages S 2324, S 2336-7, D 218

Clinton/Hatch Amendment No. 104, to provide for notice to an ex-spouse of domestic support claims.

Pages S 2338, D 218

By 56 yeas By 56 yeas to 43 nays, 1 responding present (Vote No. 32), **Reid (for Leahy) Amendment No. 19,** to correct the treatment of certain spousal income for purposes of means testing.

Pages S 2324, S 2346-7, D 218

Boxer/Clinton Modified Amendment No. 42, to provide for the method of proof of the presumption under title 11, United States Code, section 523(a)(2)(C).

Pages S 2337-9, S 2343, S 2348, D 218

Leahy Amendment No. 105, to change the period for no cramdown of debt secured by an automobile from 5 years to 3 years.

Pages S 2348, D 218

Hatch (for Sessions) Modified Amendment No. 59, to provide certain certification filing guidelines for lessors seeking possession of residential property through eviction.

Pages S 2351, D 218

Subsequently, the amendment was further modified.

Pages S 2362, D 218

By 79 yeas to 18 nays, 2 responding present (Vote No. 35), Feingold Modified Amendment No. 51, to strike section 1310, relating to barring certain foreign judgments.

Pages S 2351-7, D 218

Hatch/Leahy Amendment No. 106, to make certain improvements.

Pages S 2357- 61, D 218

Measures Passed (Cont'd.):

Leahy (for Baucus) Modified Amendment No. 15, to clarify provisions relating to involuntary cases.
Pages S 2357-61, D 218

Leahy (for Feingold) Amendment No. 49, to provide that Federal election law fines and penalties are nondischargeable debts.
Pages S 2357-61, D 218

Leahy (for Feingold) Amendment No. 50, to provide that political committees may not file for bankruptcy.
Pages S 2357-61, D 218

Leahy (for Feinstein) Amendment No. 24, to amend the definition of a bankruptcy petition preparer.
Pages S 2357-61, D 218

Leahy Modified Amendment No. 20, to resolve an ambiguity relating to the definition of current monthly income.
Pages S 2324, S 2357-61, D 218

Leahy (for Schumer) Amendment No. 43, to address exceptions to discharge.
Pages S 2357- 61, D 218

Wellstone Amendment No. 35, to clarify the duties of a debtor who is the plan administrator of an employee benefit plan.
Pages S 2324, S 2357-61, D 219

Leahy Modified Amendment No. 54, to encourage debtors to file in chapter 13 to repay their debts.
Pages S 2357-61, D 219

Hatch (for Ensign/Reid) Amendment No. 107, to provide for an additional bankruptcy judgeship for the district of Nevada and for the district of Delaware.
Pages S 2357-62, D 219

Leahy Modified Amendment No. 66, to save taxpayers \$4,000,000 over 5 years, the costs associated with the storage of the tax returns of debtors in certain bankruptcy cases, according to the Congressional Budget Office.
Pages S 2357- 61, D 219

Leahy (for Kohl/Kennedy) Modified Amendment No. 30, to provide for a clarification of post-petition wages and benefits.
Pages S 2357-61, D 219

Hatch (for Sessions) Amendment No. 58, to preserve the existing bankruptcy appellate structure while providing a mechanism for obtaining early review by the court of appeals in appropriate circumstances.
Pages S 2357-61, D 219

Hatch (for Collins/Kerry) Amendment No. 16, to provide for family fishermen.
Pages S 2324, S 2357-61, D 219

Hatch (for Gramm) Modified Amendment No. 60, to make technical corrections to Title IX-Financial Contract Provisions.
Pages S 2357-61, D 219

Leahy (for Reed) Modified Amendment No. 81, to require the General Accounting Office to conduct a study of the reaffirmation process.
Pages S 2357- 61, D 219

Leahy (for Kennedy) Modified Amendment No. 38, to allow a debtor to purchase health insurance.
Pages S 2324, S 2357-61, D 219

Hatch (for Bond) Modified Amendment No.45, with respect to filings by small business concerns.
Pages S 2357-61, D 219

Leahy (for Boxer) Amendment No. 108, to correct the treatment of certain spousal income for purposed of means testing.
Pages S 2357-61, D 219

Measures Passed (Cont'd.):

Rejected:

By 22 yeas By 22 yeas to 77 nays, 1 responding present (Vote No. 33), **Wellstone Amendment No. 70**, to change the relevant time period in determining current monthly income.

Pages S 2324-8, S 2347, D 219

By 36 yeas By 36 yeas to 63 nays, 1 responding present (Vote No. 34), **Wellstone Amendment No. 71**, to address the acceptable period of time between the filing of petitions for relief under chapter 13 of title 11, United States Code.

Pages S 2324-8, S 2347-8, D 219

Withdrawn:

Wellstone Amendment No. 73, to create an exemption for certain unemployed debtors.

Pages S 2324-8, S 2348, D 219

Reid (for Breaux) Amendment No. 94, to provide for the reissuance of a rule relating to ergonomics.

Pages S 2324, S 2357, D 219

Measure Referred:

H.R. 860. An act to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial, and to provide for Federal jurisdiction of certain multiparty, multiforum civil actions; to the Committee on the Judiciary.

Page S 2387

Committee Meeting:

Committee on the Judiciary: Committee announced the following subcommittee assignments:

Subcommittee on Administrative Oversight and the Courts: Senators Sessions (Chairman), Grassley, Thurmond, Specter, Schumer (Ranking Member), Kennedy, Feingold, and Durbin; **Subcommittee on Antitrust, Business Rights, and Competition:** Senators DeWine (Chairman), Hatch, Specter, Thurmond, Brownback, Kohl (Ranking Member), Leahy, Feingold, Schumer, and Cantwell; **Subcommittee on Constitution, Federalism, and Property Rights:** Senators Thurmond (Chairman), Hatch, Kyl, McConnell, Feingold (Ranking Member), Leahy, Kennedy, and Durbin; **Subcommittee on Immigration:** Senators Brownback (Chairman), Specter, Grassley, Kyl, DeWine, Kennedy (Ranking Member), Feinstein, Schumer, Durbin, and Cantwell; **Subcommittee on Technology, Terrorism, and Government Information:** Senators Kyl (Chairman), DeWine, Sessions, McConnell, Feinstein (Ranking Member), Biden, Kohl, and Cantwell; **Subcommittee on Youth Violence:** Senators Grassley (Chairman), Hatch, Sessions, Brownback, McConnell, Biden (Ranking Member), Kohl, Feinstein, Durbin, and Cantwell.

Page D 222

Congressional Program Ahead. Week Of March 19 Through March 24, 2001:

United States Senate Caucus on International Narcotics Control: 3/21/01 @ 9:30 a.m. To hold hearings to examine the use and effects of the drug ecstasy. SH-216.

Page D 226

Remarks:

Radiation Exposure Compensation Trust Fund.

Domenici

Pages S 2381-2

The Bankruptcy Bill Will Not Disadvantage Women And Children.

"...When a deadbeat dad files for bankruptcy under the current system, what happens to mom and the kids? If the dad is actually making payments, those payments stop. They stop now. That is right, the payments stop cold. Mom then has to find a lawyer or a government advocate, take time off from work, go to the bankruptcy court, and try to get those payments started again. When she goes to court, her claim may not be heard that day, so she will have to return again. If she is late, she will miss her day in court. In the meantime, the kids are getting no support payments. This bill changes all that. She will be paid, and her children will get their child support payments while every other creditor has to wait for the bankruptcy court proceedings to unfold. This is a major improvement over current law..."

Biden

Pages S 2416-20

HOUSEBills Introduced:

H.R. 6. A bill to amend the Internal Revenue Code of 1986 to reduce the marriage penalty by providing for adjustments to the standard deduction, 15-percent rate bracket, and earned income credit and to allow the nonrefundable personal credits against regular and minimum tax liability; to the Committee on Ways and Means.

Weller

Page H 952

H.R. 1038. *A bill to place a moratorium on executions by the Federal Government and urge the States to do the same, while a National Commission on the Death Penalty reviews the fairness of the imposition of the death penalty; to the Committee on the Judiciary.*

Jackson

Page H 952

H.R. 1040. A bill to promote freedom, fairness, and economic opportunity for families by *reducing the power and reach of the Federal establishment*; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Armey

Page H 952

H.R. 1042. A bill to prevent the elimination of certain reports; to the Committee on Science.

Grucci

Page H 953

H.R. 1044. A bill to prevent children from using tobacco products, to reduce the health costs attributable to tobacco products, and for other purposes; to the Committee on Energy and Commerce.

Waxman

Page H 953

H.R. 1049. A bill to *amend chapter 89 of title 5, United States Code*, to make available to Federal employees the option of obtaining health benefits coverage for dependent parents; to the Committee on Government Reform.

Andrews

Page H 953

Bills Introduced (Cont'd.):

H.R. 1051. A bill to amend the Home Ownership and Equity Protection Act of 1994 and other sections of the Truth in Lending Act to protect consumers against predatory practices in connection with high cost mortgage transactions, *to strengthen the civil remedies available to consumers under existing law*, and for other purposes; to the Committee on Financial Services.

LaFalce

Page H 953

H.R. 1052. A bill to amend the Truth in Lending Act to enhance consumer disclosures regarding credit card terms and charges, to restrict issuance of credit cards to students, to expand protections in connection with unsolicited credit cards and third-party checks and to protect consumers from unreasonable practices that result in unnecessary credit costs or loss of credit, and for other purposes; to the Committee on Financial Services.

LaFalce

Page H 953

H.R. 1057. A bill to amend the Truth in Savings Act *to enhance civil liability and other enforcement*, and for other purposes; to the Committee on Financial Services.

LaFalce

Page H 953

H.R. 1063. A bill to enhance competition for prescription drugs by *increasing the ability of the Department of Justice and Federal Trade Commission to enforce existing antitrust laws* regarding brand name drugs and generic drugs; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Andrews

Page H 953

H.R. 1065. A bill to protect the Social Security system and to amend the Congressional Budget Act of 1974 to require a two-thirds vote for legislation that changes the discretionary spending limits or the pay-as-you-go provisions of the Balanced Budget and Emergency Deficit Control Act of 1985 if the budget for the current year (or immediately preceding year) was not in surplus; to the Committee on Ways and Means, and in addition to the Committees on Rules, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Andrews

Page H 954

H.R. 1068. *A bill to redesignate the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund as the Federal Old-Age and Survivors Insurance Accounting Fund and the Federal Disability Insurance Accounting Fund, respectively; to the Committee on Ways and Means.*

DeMint

Page H 954

H.R. 1069. A bill to establish a Bipartisan Social Security Reform and Results Commission; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

DeMint

Page H 954

Bills Introduced (Cont'd.):

H.R. 1078. A bill to amend title XVIII of the Social Security Act, the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to provide for an election for retirees 55-to-65 years of age who lose employer-based coverage to acquire health care coverage under the Medicare Program or under COBRA continuation benefits, and to amend the Employee Retirement Income Security Act of 1974 to provide for advance notice of material reductions in covered

services under group health plans; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Kleczka

Page H 954

H.R. 1085. A bill to address certain anachronistic provisions of the general mining laws, and for other purposes; to the Committee on Resources.

Rahall

Page H 955

H.J. Res. 38. *A joint resolution disapproving the rule submitted by the Department of Health and Human Services on December 28, 2000, relating to standards for privacy of individually identifiable health information;* to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Paul

Page H 955

H.R. 327. Small Business Paperwork Relief Act:

The House passed H.R. 327, to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small businesses with certain Federal paperwork requirements and to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses by a ye and nay vote of 418 yeas with none voting “nay,” Roll No. 50.

Pages H 932-42, D 223

Agreed to the amendment in the nature of a substitute made in order by the rule.

Pages H 942, D 223

H. Res. 89, the rule that provided for consideration of the bill was agreed to by voice vote. Pursuant to the rule, the Ose amendment in the nature of a substitute printed in the Congressional Record of March 13 and numbered 1, was considered as an original bill.

Pages H 931-2, D 223

Committee Meetings:

Committee on Energy and Commerce: *Subcommittee on Health held a hearing entitled: “A Smarter Health Care Partnership for American Families: Making Federal and State Roles in Managed Care Regulation and Liability Work for Accountable and Affordable Health Care Coverage.”*

Committee on Government Reform: Subcommittee on National Security, Veterans' Affairs, and International Relations held a hearing on Vulnerabilities to Waste, Fraud, and Abuse: Inspectors General Views on Defense and National Security Programs and on Inspectors General Views on International Relations and Trade Programs.

Page D 224

Committee Meetings (Cont'd.):

Committee on the Judiciary: Subcommittee on the Constitution held a hearing on **H.R. 503**, Unborn Victims of Violence Act of 2001.

Page D 224

Congressional Program Ahead. Week Of March 19 Through March 24, 2001:

Committee on Appropriations, 3/21/01 @ 10:00 a.m. Subcommittee on Commerce, Justice, State, and Judiciary, on Administrative Office of the U.S. Courts; and Judicial Offices. H-309 Capitol.

Committee on the Budget, 3/21/01 @ 10:00 a.m. To mark up Budget Resolution for Fiscal Year 2002.
210 Cannon.

Page D 226

Committee on Science, 3/22/01 @ 1:00 p.m. Subcommittee on Energy, hearing on **H.R. 723**, to amend the Atomic Energy Act of 1954 *to remove an exemption from civil penalties* for nuclear safety violations by nonprofit institutions. 2318 Rayburn.

Page D 227

Remarks:

Reintroduction Of The Broken Promises Retiree Health Coverage Act Of 2001. (**H.R. 1078**)

Kleczka

Pages E 367-8

Introduction Of The Medical Privacy Protection Resolution. (**H.J. Res. 38**)

Paul

Pages E 371-8

Mining Claim Maintenance Act Of 2001. (**H.R. 1085**)

Rahall

Page E 373

Introduction Of Financial Services "Consumer Bill Of Rights" Legislation. (**H.R. 1051**)

LaFalce

Pages E 379-80

Next SENATE MEETING: Monday, 12:00 p.m., March 19, 2001.

Next HOUSE MEETING: Monday, 2:00 p.m., March 19, 2001.

OLA: S. Schwarz (Smith), J. Homanich