NATIONAL GUARD AND RESERVIST DEBT RELIEF EXTENSION ACT OF 2011

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2192) to exempt for an additional 4-year period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform homeland defense activity for not less than 90 days.

The Clerk reads the title of the bill.

The text of the bill is as follows:

H.R. 2192
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Guard and Reservist Debt Relief Extension Act of 2011”.

SEC. 2. NATIONAL GUARD AND RESERVISTS DEBT RELIEF AMENDMENT.

Section 4(b) of the National Guard and Reservists Debt Relief Act of 2008 (Public Law 110-433) is amended by striking “3-year” and inserting “7-year”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Tennessee (Mr. COHEN) each will control 20 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

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

Before us today is an important bill that few people have heard of but is needed by many. The National Guard and Reservist Debt Relief Extension Act of 2011 would simply extend the existing means test’s exception until September 2015.

In a chapter 7 bankruptcy, a debtor surrenders virtually all their assets to the bankruptcy trustee and receives a discharge at the end of the short case. In contrast, in a chapter 13 case, the debtor retains their assets but must commit their disposable income over the next 3 to 5 years to the repayment of their creditors before receiving a discharge from their creditors.

In 2008, Congress enacted the Bankruptcy Abuse Prevention and Consumer Protection Act, often referred to as BAPCPA. A significant policy goal of that act was to combat a perceived abuse of chapter 7 bankruptcy. In BAPCPA, Congress inserted into the Bankruptcy Code a way to determine whether a debtor has a disposable income that can be used to pay their debts. This is commonly referred to as the means test. Military reservists and National Guardsmen are eligible for bankruptcy relief without the means test exception, which will expire in September of this year.

In 2008, Congress recognized that military reservists and National Guardsmen sometimes suffer unique financial difficulties resulting from their military service, so we enacted the National Guard and Reservist Debt Relief Act, which President Bush signed into law in October of 2008. That act allows reservists and National Guardsmen to bypass the means test, making it easier for them to file a chapter 7 case. When they return from the front lines of war, they have endured enough. They do not need to also suffer a financial crisis.

In 2008, our nation was called to fight in a new war that was not expected. Since September 11, 2001, more than 815,000 members of the National Guard and Reserves have been deployed to Iraq and Afghanistan, with many having served multiple tours of duty.

As of August of this year, members of the National Guard and the Reserves made up 43 percent of U.S. forces in Iraq and Afghanistan and represent more than 20 percent of those killed in action and 20 percent of those wounded in action.

Many of these citizen warriors have been asked to disrupt their civilian lives with little notice to serve their country in active war zones, and like other veterans returning from war zones, they often have difficulty adjusting to civilian life.

America is still a nation at war, and we continue to call on our guardsmen and reservists to perform heroic tasks. During these trying times, Congress should not make life more difficult for these brave men and women by requiring them to fill out the substantial paperwork required by the means test.

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I want to thank, again, Mr. COHEN and Mr. FORBES for introducing this important and timely legislation. I encourage my colleagues to vote “yes” on the bill.

I reserve the balance of my time.

Mr. COHEN. Mr. Speaker, I yield myself as much time as I may consume.
RISK-BASED SECURITY SCREENING FOR MEMBERS OF THE ARMED FORCES ACT

Mr. CRAVAACK. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The Speaker pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. CRAVAACK) and the gentlewoman from California (Ms. RICHARDSON) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

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

The bill in question today, H.R. 1801, the Risk-Based Security Screening for Members of the Armed Forces Act, is a bipartisan effort which directs TSA to establish an expedited screening process for members of the Armed Forces and their families when they are traveling on orders through our Nation’s airports. Currently, military servicemembers traveling on orders must remove their Class A uniform blouse jackets, metal belt buckles and insignia devices before proceeding through security checkpoints. While it is important every passenger undergo a security screening before boarding a plane, it makes absolutely no sense to require American servicemembers to take off their jackets and medals for TSA screening before boarding their flights home. Unless intelligence identifies a specific threat, we should honor our servicemembers’ willingness to sacrifice themselves for our country by treating pilots, not operating under the assumption that everyone intends to harm our country’s transportation system.

Importantly, this commonsense bill will streamline the screening process for our servicemembers and lead to decreased checkpoint waiting times for other American travelers. Moreover, this legislation will complement TSA Administrator Pistole’s move toward a risk-based checkpoint screening system for passengers and will prioritize members of the Armed Forces for inclusion into that process.

I am pleased to report that since H.R. 1801 was passed unanimously with bipartisan support in committee, TSA has begun testing a military ID reading pilot program for U.S. armed servicemembers at Monterey Peninsula Airport in California. While this bill will not let a member of the Armed Forces bypass security, it will require TSA to develop an expedited screening process designed to reduce our service-member’s checkpoint waiting times and focus more resources on unknown and high-risk passengers.

To be clear, this program does not impact the TSA’s existing layered aviation security approach that includes Federal air marshals—the last line of defense—Federal flight deck officers, secure flight vetting, AIT machines, TSA intelligence analysts, explosive trace detection, canine teams, credentialing and boarding pass scanning systems, and behavior detection. It is merely part of the highly integrated risk-based analysis system that allows further concentration of limited resources on potentially higher risk passengers.

In closing, I’d like to thank Transportation Security Committee Chairman MIKE ROGERS and Homeland Security Committee Chairman PETE KING for moving this legislation, and all of my colleagues in committee, particularly Ranking Member BENNIE THOMPSON and Subcommittee Ranking Member SHEILA JACKSON LEE, for their support.

Mr. Speaker, I reserve the balance of my time.

Ms. RICHARDSON. Mr. Speaker, I rise in support of H.R. 1801, and yield myself such time as I may consume.

First of all, I’d like to acknowledge the work of Chairman King and Ranking Member Thompson as a member of the Committee on Homeland Security, I’m pleased that, for the first time in this 112th Congress, the House is considering important transportation security legislation. H.R. 1801, the Risk-Based Security Screening for Members of the Armed Forces Act, requires the Transportation Security Administration to