

"The treatment gave him hope," James Lander said. "He completely brightened up. You could just see it. I'm sure he thought it would cure him or he wouldn't have gone to Virginia" from his home in Waco, Tex.

In a search warrant affidavit filed Friday in Circuit Court, investigators said they were seeking "patient files and other records related to appointments and [the] treatment of other patients who have received this treatment and have both lived and died."

An affidavit was filed yesterday in Fairfax County Circuit Court to obtain a search warrant for an office in Annandale that police said MacNay opened in July.

Sheetz was released from jail on personal recognizance. If convicted of the felony charge, he could be sentenced to up to five years in prison.

THE RESPONSIBLE BORROWER PROTECTION BANKRUPTCY ACT

HON. RICK BOUCHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 23, 1997

Mr. BOUCHER. Mr. Speaker, I am pleased to join with my friend, BILL MCCOLLUM, in introducing the Responsible Borrower Protection Bankruptcy Act. This legislation is intended to ensure that our personal bankruptcy laws operate fairly, efficiently, and free of abuse.

Today's consumer bankruptcy system is fundamentally flawed. The Bankruptcy Code makes virtually no attempt to calibrate the level of bankruptcy protection to the level of each debtor's need. Rather, it allows a debtor to discharge debts even if the debtor can repay those debts. Currently, about 70 percent of bankruptcy filers use chapter 7, which has no provision for debt repayment even if the filer can repay. Only 30 percent use chapter 13, which sets up repayment plans. At present, individuals with significant income and the ability to repay some of their debts can obtain the same full discharge of debts as individuals with little or no income and assets.

Our legislation addresses this problem by requiring that a debtor demonstrate that he or she actually needs bankruptcy relief and, if so, provides only the amount of relief that is needed. This needs-based system would create a simple formula, based on a debtor's income and obligations, to determine exactly how much relief the debtor needs. Individuals with no means to repay their debts could file for bankruptcy under chapter 7, thereby obtaining complete debt relief and a fresh start. Individuals who can repay a portion of their debts would file under chapter 13 and begin a repayment plan based on what they can afford. Recognizing that an individual's circumstances can change, the legislation also requires a periodic review of a debtor's financial situation so the repayment can be adjusted if necessary.

The legislation also imposes a number of procedural reforms to improve the bankruptcy process. It streamlines bankruptcy proceedings so that they are more efficient for all parties involved. It requires that debtors receive information about alternatives to bankruptcy, including credit counseling. Educating consumers about their options should help to spare many consumers from the bankruptcy process, since many creditors are willing to create alternative repayment programs with people in financial distress.

With this change in the Bankruptcy Code, the bankruptcy system would protect consumers in financial difficulty without unfairly imposing inappropriate additional costs and burdens on consumers who continue to pay their debts. The Responsible Borrower Protection Bankruptcy Act recognizes that individuals who file for bankruptcy should receive the amount of debt relief they truly need—no more and no less.

All consumers should benefit from this legislation—every consumer pays higher prices for goods and services and higher interest rates as a result of bankruptcy losses. Enactment of the Responsible Borrower Protection Bankruptcy Act will reduce the level of those bankruptcy losses, thereby reducing the cost of credit for all consumers.

Also benefiting from this reform will be borrowers who pose some risk for lenders. The ease of filing for chapter 7 relief today discourages the making of loans to these creditworthy but somewhat marginal borrowers. Honest, well-intentioned low-income consumers will find greater opportunities to obtain credit when our legislation is enacted.

I am pleased to be an original cosponsor of this legislation and will work closely with my colleague, Mr. MCCOLLUM, to ensure its passage.

INTRODUCTION OF THE FOREST RECOVERY AND PROTECTION ACT OF 1997

HON. ROBERT SMITH

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 23, 1997

Mr. SMITH of Oregon. Mr. Speaker, today, I am introducing the Forest Recovery and Protection Act of 1997 to address the grave forest health problems that exist, not only in my home State of Oregon, but across the United States.

I am delighted to be joined by Representative CHARLIE STENHOLM, ranking Democrat on the Agriculture Committee, Representative LARRY COMBEST, who chairs the Subcommittee on Forests, Resource Conservation and Research, as well as Representatives BISHOP, CALLAHAN, EMERSON, and PETERSON (PA), who are original cosponsors of the bill. A companion to this bill will also be introduced in the Senate by Senator GORDON SMITH of Oregon.

That this bill enjoys bipartisan support in the House, and equally substantial support in the Senate, indicates both the significance of our growing forest health crisis and the commitment of Members in both Chambers of Congress and on both sides of the aisle to address the issue in a productive and cooperative way.

This bill is the result of six Agriculture Committee hearings on the health of America's forest, in which the committee listened to and learned from the administration, scientists, academics, lawmakers, State foresters, land managers, environmentalists, and the forest products industry.

It establishes a nationwide, scientific, organized, efficient, and timely strategy for addressing forest health concerns in all regions of the country. This legislation is desperately needed, because, as our hearing record attests:

The long-term health of America's forest is threatened by wildfire, disease, insect infestations, and the loss of habitat.

Each region of the country has significant and unique forest health problems requiring individualized and carefully tailored remedies.

A tremendous body of scientific knowledge exists that both documents declining forest conditions, and promotes strategies for land managers to restore and recover vulnerable forest resources.

Delayed or passive management of our forests will certainly result in long-term resource damage. The most effective way to reverse this grave trend is through active, scientific, timely management.

The Chief of the Forest Service has testified that 40 million acres of national forest are at imminent risk of being lost to catastrophic wildfire. Yet, we are investing just \$50 million per year in on-the-ground wildfire prevention, while spending as much as \$1 billion per year fighting wildfire.

This is backward. Unless we invest more in prevention, wildfires will continue to increase in frequency and intensity, destroying human life and property and degrading habitat, watershed values, and the quality of our air and water.

The Forest Recovery and Protection Act sets forth a strategy that will assist the Forest Service in rolling up its shirt sleeves and tackling chronic forest conditions in an organized and timely way and within the parameters of all existing environmental laws and forest plans.

This legislation creates a national, 5-year program to restore forest health by directing the Forest Service to systematically identify and prioritize forest recovery areas at greatest risk of loss to wildfire, insect infestations and disease, and conduct recovery projects in these areas.

To assist the agency in identifying and ranking the areas at greatest risk, a new scientific panel is established in an advisory capacity. Because adequate monitoring of management activities is so important, this panel is also charged with providing recommendations on a monitoring plan for the national program.

Prior to implementation of the 5-year program, the bill directs the agency to implement advance forest recovery projects. These projects will proceed in areas where the risk of destruction to human life and property or of serious resource degradation is obvious and imminent and where extensive scientific assessments have already been completed, and treatments can be designed and implemented quickly.

The bill also provides a new source of funding to assist the Forest Service in implementing advance recovery projects and administering the national program. In order to maximize agency accountability for the use of this new funding, the bill requires that the fund's availability be tied to timely decisionmaking and reporting by the agency. This will create an incentive for the agency to act in a time-sensitive and responsible manner.

The bill sets a standard of accountability for the agency consistent with the requirements of the Government Performance and Results Act. The Forest Service is required to report both to Congress and the American public on the results achieved by the projects conducted under this act. In addition, the USDA Inspector General and the General Accounting Office