2001 NATIONAL SPORTSMANSHIP DAY

HON. JIM LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 2001

Mr. LANGEVIN. Mr. Speaker, I rise today in recognition of the 2001 National Sportsmanship Day. This program is designed to encourage students' sportsmanship and foster their leadership and academic skills. It teaches them the importance of honesty and fair play in both athletics and society as a whole.

More than 12,000 schools from elementary through high school, along with colleges and universities in all 50 states and from over 101 countries, are taking part. The eleventh annual National Sportsmanship Day includes student-athlete outreach programs, coaching forums, and writing and art contests, all geared to further the principles of sportsmanship and ethics.

I am proud to represent the Institute for International Sport in Kingston, Rhode Island, the sponsor of this worldwide event. The group has been working since 1986 to spread the values learned through good sportsmanship around the world. They also hold the World Scholar-Athlete Games, which gives high school students from around the world the opportunity to come together every four years to showcase their athletic or artistic abilities. The third World Scholar-Athlete Games will take place this summer in Rhode Island.

Mr. Speaker, I hope you and our colleagues will join me in recognizing this program as an excellent way for us to teach our young citizens the value of teamwork and fair play through athletics.

BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION ACT OF 2001

SPEECH OF

HON. TIM ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 2001

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 333) to amend title 11, United States Code, and for other purposes:

Mr. ROEMER. Mr. Chairman, I rise in support of H.R. 333, the Bankruptcy Prevention Abuse and Consumer Protection Act of 2001. I am proud to rise as a cosponsor of this important legislation and am pleased to join with a bipartisan majority in the House of Representatives that voted to require debtors to repay some or all of their debts when they are financially able to do so.

This bankruptcy reform measure promotes personal responsibility. I firmly believe that families declaring bankruptcy deserve a safety net to give them a fresh start following an unanticipated or devastating financial loss. However, bankruptcy should not be used as a loophole to allow reckless individuals to accumulate large debts and then simply walk away from them.

Ultimately, consumers pay the price for bankruptcy filings in the form of higher taxes and higher interest on mortgages, student loans and car payments. As the U.S. economy continues to struggle, American families are paying more for home heating and gas prices. It is simply not fair that each household is effectively being charged $400 per year as a result of bankruptcy filings. That is why changing the bankruptcy laws has been on the congressional agenda for several years and why I have consistently cosponsored and voted for this legislation.

At the same time, I am concerned that H.R. 333 does little, if anything, to encourage credit car companies from curbing abusive and aggressive marketing practices. An increasing number of young consumers and the elderly are being inundated with daily mass-mailing which offer misleading promises of ''pre-approved'' credit, low initial rates, low annual percentage rates and free benefits such as frequent flier mileage. Many households with minimal knowledge of finance often fail to read the fine print while taking on debt burdens that they cannot repay, or which push them closer to the brink, so that any setback to their financial situation sends them directly to bankruptcy court.

For these reasons, I supported the motion to recommit the bill, which would have prohibited credit card companies from issuing credit cards to anyone under 21 years of age unless a parent acts as a co-signer or the individual demonstrates an independent means of income. This is a common sense measure that would have strengthened the bill to protect younger consumers from destroying their credit ratings. I am hopeful this proposal is approved by the U.S. Senate when it moves to consider the bill.

BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION ACT OF 2001

SPEECH OF

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 2001

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 333) to amend title 11, United States Code, and for other purposes:

Mr. POMEROY. Mr. Chairman, I rise in reluctant support of H.R. 333, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2001. I share my colleagues' belief that personal bankruptcy filings impose a cost on all of us, and that debtors should not be allowed to use bankruptcy as a financial planning device. I also believe, however, that this legislation does not adequately address an important factor in bankruptcy reform—the sometimes predatory practices of creditors selling unsecured debt.

Mr. Chairman, there is little dispute that the increase in bankruptcy filings represents a disturbing trend that must be addressed. When debtors are able to ''game the system'' and walk away from the consequences, the cost is transferred to creditors, and ultimately, to all American taxpayers. Congress can and should restore integrity to the bankruptcy system while ensuring that the system is fair to debtors and creditors. H.R. 333 would make several appropriate adjustments toward that end.

While H.R. 333 does make important adjustments to the bankruptcy system, I believe that it fails to address several important issues. First and foremost, H.R. 333 provides inadequate relief for consumers from the misleading and often intentionally deceptive practices of some credit card companies. While there are many responsible creditors in this country, those that engage in predatory lending cause considerable harm, often to unsophisticated and moderate-income debtors. Such companies have become more aggressive in selling unsecured credit, using tactics like hidden fees and inadequate disclosure statements. Not surprisingly, according to the Office of the Comptroller of Currency, the amount of revolving credit outstanding (including credit card debt) increased seven-fold during 1980 and 1995. Between 1993 and 1997, during the sharpest increases in the bankruptcy filings, the amount of credit card debt doubled. It is simply illogical to me to address bankruptcy reform without also examining the marketing practices that lead to high rates of consumer debt.

I am also concerned that this legislation includes an extraneous provision that would prevent U.S. courts from enforcing certain civil judgments rendered in foreign courts. This provision, Section 1310, is inconsistent with U.S. trade policy, interferes with state insurance regulation, and unnecessarily intrudes into private business dealings.

Mr. Chairman, this provision was offered to protect a number of American investors from liability for monetary judgment imposed by British courts. The New York State Supreme Court for New York County and the U.S. District Court in Northern Illinois both found these judgments to be valid. The American investors are currently appealing these findings to, respectively, the Appellate Division of the New York State Supreme Court and the Seventh Circuit Court of Appeals. As the cases are currently pending before U.S. courts, I believe that Congressional interference is unwarranted. Eight U.S. circuit courts, including the Seventh Circuit, have previously held that the original dispute between these investors and Lloyd's should be heard in English courts.

In addition, this provision, if enacted, would have serious repercussions for international trade policy and could invite retaliation by our trading partners. When U.S. businesses enter into international contracts, they often negotiate for U.S. courts to have jurisdiction over disputes that may arise. We cannot reasonably expect other countries to respect the judgments of U.S. courts if we override the decisions of foreign courts by legislative fiat. In fact, the U.S. State Department has said that this provision would interfere with its efforts to negotiate a new international convention on the enforcement of civil judgments.

The National Association of Insurance Commissioners (NAIC) opposes this provision as an unwarranted intrusion on the traditional authority of states to regulate insurance. The NAIC is specifically concerned about the effect this provision could have on the large number of American insurance companies that depend on foreign insurers for insurance and reinsurance coverage.

Mr. Chairman, as I stated earlier, I do support reform of the bankruptcy system, and will cast my vote in favor of this legislation. I am disappointed, however, that this legislation does not do a better job of addressing the