

Daily Digest

HIGHLIGHTS

Senate passed Bankruptcy Reform.

The House passed H.R. 327, Small Business Paperwork Relief Act.

Senate

Chamber Action

Routine Proceedings, pages S2323–S2420

Measures Introduced: Twenty-two bills and one resolution were introduced, as follows: S. 538–559, and S. Con. Res. 25. **Page S2388**

Measures Reported:

S. Res. 20, designating March 25, 2001, as “Greek Independence Day: A National Day of Celebration of Greek and American Democracy”. **Page S2387**

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 S2324–39, S2343–79**

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 S2328–36**

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 S2324, S2336–37**

Clinton/Hatch Amendment No. 104, to provide for notice to an ex-spouse of domestic support claims. **Page S2338**

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 S2324, S2346–47**

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 S2337–39, S2343, S2348**

Leahy Amendment No. 105, to change the period for no cramdown of debt secured by an automobile from 5 years to 3 years. **Page S2348**

Hatch (for Sessions) Modified Amendment No. 59, to provide certain certification filing guidelines for lessors seeking possession of residential property through eviction. **Page S2351**

Subsequently, the amendment was further modified. **Page S2362**

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 S2351–57**

Hatch/Leahy Amendment No. 106, to make certain improvements. **Pages S2357–61**

Leahy (for Baucus) Modified Amendment No. 15, to clarify provisions relating to involuntary cases. **Pages S2357–61**

Leahy (for Feingold) Amendment No. 49, to provide that Federal election law fines and penalties are nondischargeable debts. **Pages S2357–61**

Leahy (for Feingold) Amendment No. 50, to provide that political committees may not file for bankruptcy. **Pages S2357–61**

Leahy (for Feinstein) Amendment No. 24, to amend the definition of a bankruptcy petition preparer. **Pages S2357–61**

Leahy Modified Amendment No. 20, to resolve an ambiguity relating to the definition of current monthly income. **Pages S2324, S2357–61**

Leahy (for Schumer) Amendment No. 43, to address exceptions to discharge. **Pages S2357–61**

Wellstone Amendment No. 35, to clarify the duties of a debtor who is the plan administrator of an employee benefit plan. **Pages S2324, S2357-61**

Leahy Modified Amendment No. 54, to encourage debtors to file in chapter 13 to repay their debts.

Pages S2357-61

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 S2357-62

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 S2357-61

Leahy (for Kohl/Kennedy) Modified Amendment No. 30, to provide for a clarification of postpetition wages and benefits.

Pages S2357-61

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 S2357-61

Hatch (for Collins/Kerry) Amendment No. 16, to provide for family fishermen.

Pages S2324, S2357-61

Hatch (for Gramm) Modified Amendment No. 60, to make technical corrections to Title IX-Financial Contract Provisions.

Pages S2357-61

Leahy (for Reed) Modified Amendment No. 81, to require the General Accounting Office to conduct a study of the reaffirmation process.

Pages S2357-61

Leahy (for Kennedy) Modified Amendment No. 38, to allow a debtor to purchase health insurance.

Pages S2324, S2357-61

Hatch (for Bond) Modified Amendment No.45, with respect to filings by small business concerns.

Pages S2357-61

Leahy (for Boxer) Amendment No. 108, to correct the treatment of certain spousal income for purposed of means testing.

Pages S2357-61

Hatch (for Grassley) Amendment No. 109, to provide that the Federal Crop Insurance Corporation shall promulgate final regulations to carry out certain sections of the Federal Crop Insurance Act by no later than August 1, 2001.

Pages S2357-61

Rejected:

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 S2324-28, S2347

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 S2324-28, S2347-48

Withdrawn:

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

Pages S2324-28, S2348

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

Pages S2324, S2357

Honoring Georgia Army National Guard: Senate agreed to S. Con. Res. 25, honoring the service of the 1,200 soldiers of the 48th Infantry Brigade of the Georgia Army National Guard as they deploy to Bosnia for nine months, recognizing their sacrifice while away from their jobs and families during that deployment, and recognizing the important role of all National Guard and Reserve personnel at home and abroad to the national security of the United States.

Page S2416

Greek Independence Day: Senate agreed to S. Res. 20, designating March 25, 2001, as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy".

Page S2416

Campaign Finance Reform—Agreement: A unanimous-consent agreement was reached providing for consideration of S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform, on Monday, March 19, 2001.

Page S2416

Nominations Received: Senate received the following nomination:

Kenneth I. Juster, of the District of Columbia, to be Under Secretary of Commerce for Export Administration.

Page S2420

Executive Communications: **Page S2387**

Executive Reports of Committees: **Pages S2387-88**

Messages From the House: **Pages S2386-87**

Measures Referred: **Page S2387**

Statements on Introduced Bills: **Pages S2390-S2414**

Additional Cosponsors: **Pages S2388-90**

Amendments Submitted: **Pages S2414-15**

Additional Statements: **Pages S2385-86**

Notices of Hearings: **Page S2415**

Authority for Committees: **Pages S2415-16**

Privileges of the Floor: **Page S2416**

Record Votes: Seven record votes were taken today. (Total—36) **Pages S2336–37, S2346–48, S2357, S2379**

Adjournment: Senate met at 9:30 a.m., and adjourned at 7:26 p.m., until 12 noon, on Monday, March 19, 2001. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2416.)

Committee Meetings

(Committees not listed did not meet)

DC CHILD AND FAMILY SERVICES AGENCY

Committee on Appropriations: Subcommittee on District of Columbia held oversight hearings on the termination of the District of Columbia's Child and Family Services Agency receivership and the return of Agency control to the District government, receiving testimony from Representative DeLay; Carolyn N. Graham, Deputy Mayor for Children, Youth and Families, Sondra Jackson, District of Columbia Child and Family Services Agency, and Judith Meltzer, Center for the Study of Social Policy, all of Washington, D.C.; and Eric Thompson, Children's Rights, Inc., New York, New York.

Hearings recessed subject to call.

FREIGHT RAIL INDUSTRY

Committee on Appropriations: Subcommittee on Transportation concluded oversight hearings on competition and mobility issues in the freight rail industry, including re-regulation, differential pricing, relationships with ports and maritime shipping industry, infrastructure investment, and rail access, after receiving testimony from Perry L. Dozier, Waitsburg, Washington, on behalf of the Washington Association of Wheat Growers; Lamar Self, Mississippi Chemical Corporation, Yazoo City; Michael W. Snovitch, Pennsylvania Power and Light, Allentown; Robert E. Martinez, Norfolk Southern Corporation, Norfolk, Virginia, former Association Deputy Secretary of Transportation; Richard K. Davidson, Union Pacific Corporation, Omaha, Nebraska; Peter J. Rickershauser, Burlington Northern and Santa Fe Railway Company, Fort Worth, Texas; Mic Dinsmore, Port of Seattle, Seattle, Washington; and Karen Schmidt, Freight Mobility Strategic Investment Board, Olympia, Washington.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:

S. 319, to amend title 49, United States Code, to ensure that air carriers meet their obligations under the Airline Customer Service Agreement, and provide improved passenger service in order to meet public convenience and necessity, with an amendment in the nature of a substitute;

S. 361, to establish age limitations for airmen, with an amendment;

S. 415, to amend title 49, United States Code, to require that air carriers meet public convenience and necessity requirements by ensuring competitive access by commercial air carriers to major cities, with an amendment in the nature of a substitute; and

The nomination of Rear Adm. Thad W. Allen, United States Coast Guard, to be Commander, Atlantic Area, U.S. Coast Guard, with the grade of Vice Admiral, and other nominations for promotion in the United States Coast Guard.

Also, committee approved the designation of Senator Allen to serve as Chairman of the Subcommittee on Science, Technology, and Space.

ELECTRIC ENERGY COSTS

Committee on Energy and Natural Resources: Committee concluded hearings on S. 26, to amend the Department of Energy Authorization Act to authorize the Secretary of Energy to impose interim limitations on the cost of electric energy to protect consumers from unjust and unreasonable prices in the electric energy market, S. 80, to require the Federal Energy Regulatory Commission to order refunds of unjust, unreasonable, unduly discriminatory or preferential rates or charges for electricity, to establish cost-based rates for electricity sold at wholesale in the Western Systems Coordinating Council, S. 287, to direct the Federal Energy Regulatory Commission to impose cost-of-service based rates on sales by public utilities of electric energy at wholesale in the western energy market, and a proposed committee amendment to S. 287, to clarify the circumstances under which the Commission may impose interim limitations on the cost of electric energy, and to provide a sunset provision, after receiving testimony from Spencer Abraham, Secretary, and Curt L. Hebert, Jr., Chairman, Federal Energy Regulatory Commission, both of the Department of Energy; Washington Governor Gary Locke, Olympia; Montana Governor Judy Martz, Helena; Bruce Worthington, Pacific Gas and Electric