

represents the exact opposite of bipartisanship. The minority was locked out of the deliberations completely.

In addition, I'm concerned that important provisions that I supported and which passed overwhelmingly in the Senate were dropped in conference, specifically the amendment involving violence against abortion clinics and the amendment involving the homestead exemption. I continue to support those provisions, but they were not in the bill I originally cosponsored. And while I had hoped that those provisions would be included in the final package, the absence of those provisions doesn't diminish the basic proposition contained in the underlying bill which caused me to lend my support to the measure in the first place.

Let me conclude by acknowledging the help and friendship of many of those who have called me or my office over the last few days urging me to change my position on this legislation. Many of the groups and individuals who oppose this bill are among those with whom I most often find common cause and have supported me strongly over the years. It is particularly painful for me not to be able to oblige them in this instance. But I made a decision in May of last year to cosponsor this legislation, and there have been no major substantive changes between then and now that would compel me to change my position. So while I regret having to say "no" to so many of my friends, I cannot in good conscience turn my back on a principle which is so fundamental to me—the principle of personal responsibility. As a result, I will maintain the position I have held since this bill was introduced and will vote for final passage.

Mr. HATCH. Mr. President, let me begin by saying that H.R. 2415 is one of the most important legislative efforts to reform the bankruptcy laws in decades.

I would like to express my thanks to the people who have worked on this legislation. First, I want to acknowledge the Majority Leader, who has worked diligently to keep this legislation on its course. Thanks to his commitment to moving this legislation, we are in a position to eliminate the abuses in the current bankruptcy system, while at the same time, enhance consumer protections.

I also want to acknowledge the Ranking Member of the Senate Judiciary Committee, Senator LEAHY, who has worked with me to reach agreement on many of the bill's provisions. In addition, I want to commend my colleagues, Senators GRASSLEY and TORRICELLI, the Chairman and ranking minority member of the Subcommittee on Administrative Oversight and the Courts, respectively, for their hard work in crafting this much needed legislation, and for their unrelenting commitment to making the development and passage of this bill a bipartisan process. My thanks also goes to Senator SESSIONS and Senator BIDEN, who

have shown unwavering dedication to accomplishing the important reforms in this bill; and the many other members of the Senate for their hard work and cooperation.

The compelling need for this reform is highlighted by the large number of bankruptcy filings we have seen over the past several years, which are particularly troubling because they have occurred during a time of relative prosperity for our Nation. Mr. President, the bankruptcy system was intended to provide a "fresh start" for those who truly need it. During the process of developing this legislation, I have remained committed to preserving a bankruptcy system that will allow those individuals to emerge from severe financial hardship. At the same time, I believe that individuals should take personal responsibility for their debts and repay them if they are able to do so. I believe the complete elimination of debt should be reserved for those who truly cannot repay their debts, not for those who simply choose not to repay.

This bipartisan legislation, authored by Senators GRASSLEY and TORRICELLI, is carefully structured to achieve an appropriate balance between the rights and responsibilities of both debtors and creditors. If enacted, it will enable those truly in need of a fresh start to get one, and at the same time, reform current law to prevent the system from being abused at the expense of honest, hard-working Americans. Mr. President, again I would like to applaud the bipartisan efforts of my colleagues who have made this a broadly-supported bill that removes some of the abuses of the current bankruptcy system while enhancing consumer protections.

I am particularly proud of the great strides this legislation makes in improving current law. The legislation includes my provision to prevent deadbeat parents from using bankruptcy to avoid paying child support. It includes my provision to protect educational savings accounts that parents and grandparents set up for their children and grandchildren. And, it includes my provision that ensures that the retirement savings of teachers and church workers are given the same protection in bankruptcy as everyone else. It includes my provision that prevents violent criminals and drug traffickers from taking advantage of bankruptcy at the expense of their victims. Specifically, when these criminals voluntarily file for bankruptcy, my provision protects victims by allowing them to move for dismissal of the bankruptcy case. The legislation also includes my provision that is designed to curb fraud in bankruptcy filings by putting in place new procedures and providing new resources to enhance enforcement of bankruptcy fraud laws. My provision requires (1) that bankruptcy courts develop procedures for referring suspected fraud in bankruptcy schedules to the FBI and the U.S. Attorney's Office for investigation and prosecution

and (2) that the Attorney General designate one Assistant U.S. Attorney and one FBI agent in each judicial district as having primary responsibility for investigating and prosecuting fraud in bankruptcy.

I would like to take a moment to acknowledge a few people who have worked very hard on this legislation. On my staff, I particularly would like to thank the Committee's Chief Counsel and Staff Director, Manus Cooney, the counsels who worked diligently on this measure, Makan Delrahim, Rene Augustine and Kyle Sampson, and staff assistant Katie Stahl. On Senator LEAHY's Committee staff, I want to recognize Minority Chief Counsel Bruce Cohen, along with counsel Ed Pagano. On the Administrative Oversight and the Courts Subcommittee, I would like to thank John McMickle and Kolan Davis, counsels to Senator GRASSLEY, and Jennifer Leach, counsel to Senator TORRICELLI, for their tireless efforts and input. My thanks also goes to Ed Haden and Sean Costello, counsels to Senator SESSIONS. I also would like to express my gratitude to Senate Legislative Counsel, and in particular I want to recognize Laura Ayoud of that office, whose hard work made this bill a better product. Without the dedication and efforts of these loyal public servants, the important reforms in this legislation would not have been possible. Thank you.

#### UNANIMOUS CONSENT AGREEMENT—H.J. RES. 127

Mr. GRASSLEY. Mr. President, I have been asked to propound this unanimous consent request which, I have been told, has been approved on both sides.

I ask unanimous consent that immediately following the vote on the passage of the bankruptcy legislation, the Senate proceed to the consideration of H.J. Res. 127, the continuing resolution. I further ask unanimous consent that the resolution be read a third time and that the Senate then proceed to a vote on passage of the resolution, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### BANKRUPTCY REFORM ACT OF 2000—CONFERENCE REPORT—Continued

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Minnesota has 2 minutes remaining.

Mr. WELLSTONE. Mr. President, responding to my friend from Iowa, the President has called Senators and for good reason: This is a piece of legislation that has very little balance.

I gave the example again of LTV workers in the iron range of Minnesota which is going to shut down in February. One month later, there could be

an illness in a family, a medical bill, the worker no longer has a job and cannot pay the mortgage.

Under this piece of legislation, what would be the income that is calculated? Would it be the income of this family with the head of the household unemployed? No. Under this bill, in order to see whether this family could file under chapter 7, you would look over the past 6 months and average out the income all the months he or she was working. But they do not have a job.

Most of the people file for chapter 7 because of a major medical bill. It is 50 percent. Only about 3 percent game this system.

Now we have a piece of legislation that does not ask the credit card companies to be accountable, does not do anything about their egregious practices, targets the most vulnerable people, and has very little balance. This piece of legislation should be defeated. That is why the President is opposed to it. That is why labor, civil rights, women, children, consumer organizations, all oppose this piece of legislation. I say to my colleagues, it is too harsh. It is without balance. I know there is a powerful economic constituency behind it, but I hope you will vote against it.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I rise to congratulate all the Senators who have been working on this issue and, in particular, the chairman who is standing here, Senator GRASSLEY, and has been here many times.

Today, in an extended session, we will finally reform the bankruptcy laws of America. They are very important because credit in America, be it from banks, from individual lenders, wherever, is really the heartbeat of what makes us tick and permits us to give our citizens material means. Without credit, things do not work in America.

Every now and then, we have to fix the bankruptcy laws so they work in behalf of not only the debtors but the creditors of America. That is what we are doing here. I think it will pass overwhelmingly.

My thanks to those who have worked so hard on it. I cannot claim to be one of them.

Again, Senator CHUCK GRASSLEY has great persistence, and this is a tribute to him and a good start to his chairmanship of the Finance Committee.

I yield the floor.

Mr. GRASSLEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The hour of 3:45 p.m. having arrived, the question is on agreeing to the conference report to accompany H.R. 2415. The clerk will call the roll.

The legislative clerk called the roll.

Mr. FITZGERALD (when his name was called). Present.

Mr. REID. I announce that the Senator from Louisiana (Ms. LANDRIEU) is necessarily absent.

The PRESIDING OFFICER (Mr. CRAPO). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 70, nays 28, as follows:

[Rollcall Vote No. 297 Leg.]

YEAS—70

Abraham	Dorgan	McCain
Allard	Enzi	McConnell
Ashcroft	Frist	Miller
Bayh	Gorton	Murkowski
Bennett	Graham	Nickles
Biden	Gramm	Robb
Bingaman	Grass	Roberts
Bond	Grassley	Roth
Breaux	Gregg	Santorum
Brownback	Hagel	Sessions
Bryan	Hatch	Shelby
Bunning	Helms	Smith (NH)
Burns	Hollings	Smith (OR)
Byrd	Hutchinson	Snowe
Campbell	Hutchison	Specter
Chafee, L.	Inhofe	Stevens
Cleland	Jeffords	Thomas
Cochran	Johnson	Thompson
Collins	Kerry	Thurmond
Conrad	Kyl	Torricelli
Craig	Lincoln	Voinovich
Crapo	Lott	Warner
DeWine	Lugar	
Domenici	Mack	

NAYS—28

Akaka	Inouye	Murray
Baucus	Kennedy	Reed
Boxer	Kerry	Reid
Daschle	Kohl	Rockefeller
Dodd	Lautenberg	Sarbanes
Durbin	Leahy	Schumer
Edwards	Levin	Wellstone
Feingold	Lieberman	Wyden
Feinstein	Mikulski	
Harkin	Moynihan	

ANSWERED "PRESENT"—1

Fitzgerald

NOT VOTING—1

Landrieu

The conference report was agreed to. Mr. GRASSLEY. Mr. President, I move to reconsider the vote.

Mr. LOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GRASSLEY. Mr. President, I want to thank all of the people who helped get this bill passed.

Senator HATCH, Senator SESSIONS, Senator TORRICELLI, and Senator BIDEN have all been very helpful. I thank them publicly for their hard work. I even want to thank Senator LEAHY. I also want to thank the staff who have been helpful: Makan Delrahim and Renee Augustine of Senator HATCH's staff; Ed Haden and Brad Harris of Senator SESSIONS's staff; Jennifer Leach of Senator TORRICELLI's staff; Jim Greene of Senator BIDEN's staff; Kolan Davis and John McMickle of my staff. I also want to thank Ed Pagan and Bruce Cohen of Senator LEAHY's staff.

I want to emphasize the great amount of work and expertise toward this successful effort of my Counsel, John McMickle. Without his hard work the bill would not have been the good product and compromise it is.

Mr. LEAHY. I congratulate Senator GRASSLEY, the Chairman of the Administrative Oversight Subcommittee and

my good friend Senator HATCH, the Chairman of the Judiciary Committee for their work on this measure. They doggedly pursued this passage here today. They showed leadership and we made some progress.

I only wish we could have completed our work on this bill and resolved the remaining important issues in a way that I could have supported and the President could sign.

## ORDER OF BUSINESS

Mr. LOTT. Mr. President, I know that Senators are interested in the schedule.

First, just very briefly, I want to recognize the achievement that has just taken place. A lot of hard work went into this bill over a long period of time by, of course, Senator GRASSLEY, Senator HATCH, Senator LEAHY, and Senator TORRICELLI. But it also took cooperation from Senator WELLSTONE. Whether he is for it or against it, I think again it showed that when we try we can get a final result which gets some 70 votes.

I commend all of them.

This upcoming vote on the continuing resolution should be the last vote of the week. It will be necessary to pass an additional continuing resolution on Friday. However, we are not aware of any request on the other side of the aisle for a rollcall vote.

Tomorrow's continuing resolution should carry us over until Monday or Tuesday, and we will make further announcements to update Members as to the schedule for next week.

During this time, we will be putting the finishing touches on the appropriations bills and a final determination on the Medicare adjustments.

We are working in a bipartisan way and in a bicameral way with the administration.

We hope to be able to finish the business for the year and for this Congress before the end of next week. It will take a lot more work, but we are making some progress in that direction.

## MAKING FURTHER CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 2001

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.J. Res. 127, which the clerk will report.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 127) making further continuing appropriations for the fiscal year 2001, and for other purposes.

Mr. LOTT. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on passage of the joint resolution.

The clerk will call the roll.

The assistant legislative clerk called the roll.