

McCarthy (NY) Petri
 McCollum Pickering
 McCotter Platts
 McCrery Pombo
 McDermott Pomeroy
 McGovern Porter
 McHugh Portman
 McInnis Price (NC)
 McIntyre Pryce (OH)
 McKeon Putnam
 McNulty Quinn
 Meehan Radanovich
 Meek (FL) Rahall
 Meeks (NY) Ramstad
 Menendez Rangel
 Mica Regula
 Michaud Rehberg
 Millender Renzi
 McDonald Reyes
 Miller (FL) Reynolds
 Miller (MI) Rodriguez
 Miller (NC) Rogers (AL)
 Miller, Gary Rogers (KY)
 Miller, George Rogers (MI)
 Mollohan Rohrabacher
 Moore Ross
 Moran (KS) Rothman
 Moran (VA) Roybal-Allard
 Murphy Royce
 Murtha Ruppertsberger
 Musgrave Rush
 Myrick Ryan (OH)
 Nadler Ryan (WI)
 Napolitano Ryan (KS)
 Neal (MA) Sabo
 Nethercutt Sanchez, Linda
 Ney T.
 Northup Sanchez, Loretta
 Norwood Sanders
 Nunes Sandlin
 Nussle Saxton
 Oberstar Schakowsky
 Obey Schiff
 Olver Schrock
 Ortiz Scott (GA)
 Osborne Scott (VA)
 Ose Sensenbrenner
 Otter Serrano
 Owens Sessions
 Oxley Shadegg
 Pallone Shaw
 Pascrell Shays
 Pastor Sherman
 Paul Sherwood
 Payne Shimkus
 Pearce Shuster
 Pelosi Simmons
 Pence Simpson
 Peterson (MN) Skelton
 Peterson (PA) Smith (MI)

NOT VOTING—10

Buyer Istook Towns
 Carson (IN) Pitts Udall (CO)
 Gephardt Ros-Lehtinen
 Hyde Slaughter

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD) (during the vote). The Chair would remind all Members there are 2 minutes remaining in this vote.

□ 1346

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RATHDRUM PRAIRIE/SPOKANE VALLEY AQUIFER STUDY

The SPEAKER pro tempore (Mr. QUINN). The pending business is the question of suspending the rules and passing the bill, H.R. 699.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr.

POMBO) that the House suspend the rules and pass the bill, H.R. 699, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 6, not voting 14, as follows:

[Roll No. 70]

YEAS—414

Abercrombie Davis (IL)
 Ackerman Davis (TN)
 Aderholt Davis, Jo Ann
 Akin Davis, Tom
 Alexander Deal (GA)
 Allen DeFazio
 Andrews DeGette
 Baca Delahunt
 Bachus DeLauro
 Baird DeLay
 Baker DeMint
 Baldwin Deutsch
 Ballance Diaz-Balart, L.
 Ballenger Diaz-Balart, M.
 Barrett (SC) Dicks
 Bartlett (MD) Dingell
 Barton (TX) Doggett
 Bass Turner (OH)
 Beauprez Turner (TX)
 Becerra Udall (NM)
 Bell Upton
 Bereuter Van Hollen
 Berkeley Velazquez
 Berman Vislosky
 Berry Vitter
 Biggert Walden (OR)
 Bilirakis Walsh
 Bishop (GA) Wamp
 Bishop (NY) Waters
 Bishop (UT) Watson
 Blackburn Watt
 Blumenauer Waxman
 Blunt Weiner
 Boehlert Weldon (FL)
 Boehner Weldon (PA)
 Bonilla Weller
 Bonner Wexler
 Bono Whitfield
 Boozman Wicker
 Boswell Wilson (NM)
 Boucher Wilson (SC)
 Boyd Wolf
 Bradley (NH) Woolsey
 Brady (PA) Wu
 Brady (TX) Wynn
 Brown (OH) Young (AK)
 Brown (SC) Young (FL)
 Brown, Corrine
 Brown-Waite, Ginny
 Burns
 Burr
 Burton (IN)
 Calvert
 Camp
 Cannon
 Cantor
 Capito
 Capps
 Capuano
 Cardin
 Cardoza
 Carson (OK)
 Carter
 Case
 Castle
 Chabot
 Chocola
 Clay
 Clyburn
 Cole
 Collins
 Combust
 Conyers
 Cooper
 Costello
 Cox
 Cramer
 Crane
 Crenshaw
 Crowley
 Cubin
 Culberson
 Cunningham
 Davis (AL)
 Davis (CA)
 Davis (FL)

Millender-
 McDonald
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Miller, George
 Mollohan
 Moore
 Moran (KS)
 Moran (VA)
 Murphy
 Murtha
 Musgrave
 Myrick
 Nadler
 Napolitano
 Neal (MA)
 Nethercutt
 Ney
 Norwood
 Nunes
 Nussle
 Oberstar
 Obey
 Olver
 Ortiz
 Osborne
 Ose
 Otter
 Owens
 Oxley
 Pallone
 Pascrell
 Pastor
 Payne
 Pearce
 Pelosi
 Pence
 Peterson (MN)
 Peterson (PA)
 Petri
 Pickering
 Platts
 Pombo
 Pomeroy
 Porter
 Portman
 Price (NC)
 Pryce (OH)
 Putnam
 Quinn
 Radanovich
 Rahall
 Ramstad
 Rangel
 Regula
 Rehberg
 Renzi
 Reyes
 Reynolds
 Rodriguez
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Ross
 Rothman
 Roybal-Allard
 Ruppertsberger
 Rush
 Ryan (OH)
 Ryan (WI)
 Ryun (KS)
 Sabo
 Sanchez, Linda
 T.
 Sanchez, Loretta
 Sanders
 Sandlin
 Saxton
 Schakowsky
 Schiff
 Schrock
 Scott (GA)
 Scott (VA)
 Sensenbrenner
 Serrano
 Sessions
 Shadegg
 Shaw
 Shays
 Sherman
 Sherwood
 Shimkus
 Shuster
 Simmons
 Simpson
 Skelton
 Smith (MI)
 Stark
 Stearns
 Stenholm
 Strickland
 Stupak
 Sullivan
 Sweeney
 Tancred
 Tanner
 Tauscher
 Tauzin
 Taylor (MS)
 Taylor (NC)
 Terry
 Thomas
 Thompson (CA)
 Thompson (MS)
 Thornberry
 Tiahrt
 Tiberi
 Tierney
 Toomey
 Turner (OH)
 Turner (TX)
 Udall (NM)
 Upton
 Van Hollen
 Velazquez
 Vislosky
 Vitter
 Walden (OR)
 Walsh
 Wamp
 Waters
 Watson
 Watt
 Waxman
 Weiner
 Weldon (FL)
 Weldon (PA)
 Weller
 Wexler
 Whitfield
 Wicker
 Wilson (NM)
 Wilson (SC)
 Wolf
 Woolsey
 Wu
 Wynn
 Young (AK)
 Young (FL)

NAYS—6

Burgess Cummings Miller (FL)
 Coble Flake Paul

NOT VOTING—14

Buyer Kilpatrick Royce
 Carson (IN) Manzullo Slaughter
 Gephardt Northup Towns
 Hyde Pitts Udall (CO)
 Jones (NC) Ros-Lehtinen

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). The Chair would remind the Members that there are 2 minutes remaining in this vote.

□ 1353

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. NORTHUP. Mr. Speaker, on rollcall No. 70 I was unavoidably absent. Had I been present, I would have voted "yea."

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their

remarks and to include extraneous material on the bill, H.R. 975, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2003.

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

There was no objection.

**BANKRUPTCY ABUSE PREVENTION
AND CONSUMER PROTECTION
ACT OF 2003**

The SPEAKER pro tempore. Pursuant to House Resolution 147 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 975.

□ 1355

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 975) to amend title 11 of the United States Code, and for other purposes, with Mr. LAHOOD in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Massachusetts (Mr. DELAHUNT) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, today is a victory for those Americans who work hard, pay their bills, but are forced to shoulder the debts of those who abuse our bankruptcy system. H.R. 975 restores personal responsibility and integrity to our bankruptcy system by offering a fresh start to those who deserve one, while cracking down on those who do not.

All Americans suffer when people who have the ability to pay their bills do not do so. Just yesterday the Spiegel Group, an entity that owns the famous Spiegel Catalogue and the Eddie Bauer stores, filed for bankruptcy. Why? This company, founded in 1871, began offering credit to its customers under the slogan "We trust the people."

According to one news report, however, the company trusted too many people, and some did not pay their credit card bills. Analysts estimate that the default rate with respect to Spiegel's credit card receivables ranged from 17 to 20 percent.

When businesses hurt, their employees and investors hurt, and our economy suffers. America's bankruptcy system was established to help provide a fresh start for individuals with demonstrated financial need. H.R. 975 maintains this goal by providing relief to those who truly require financial

protection as a result of unexpected medical bills, unemployment, or other legitimate needs.

Our bankruptcy system was also established to encourage the reliable collection of debt owed to creditors. The measure we consider today advances both of these objectives and provides a comprehensive framework to promote the integrity of our bankruptcy system.

Take, for example, homestead exemptions. We have all heard about the former corporate executives acquiring or building multibillion-dollar mansions in the very face of those shareholders who are defrauded by such individuals.

I am particularly pleased that this legislation places reasonable monetary limitations on unlimited homestead exemptions which have often been misused by debtors to unfairly evade their financial obligations. This legislation will keep crooked corporate executives from using bankruptcy to shield their mansions and penthouses from the claims of creditors, defrauded shareholders, and employees.

In addition, H.R. 975 includes numerous proconsumer provisions. The bill includes special protection for individuals with spousal and child support claims. In addition to giving these claims the highest priority in regard to payment, it expands the definition of these claims to include obligations that are accruable before or after a bankruptcy case is filed, and requires deadbeat parents to pay those debts even after filing bankruptcy relief.

H.R. 975 exempts from the claims of creditors certain retirement pension funds and educational IRAs for the debtor's children. It mandates that credit lenders give consumer borrowers more disclosure about the adverse consequences of just paying the minimum monthly payment.

The bill requires debtors to receive credit counseling before they can be eligible for bankruptcy relief, so that they will make an informed choice about bankruptcy, its alternatives, and its consequences.

□ 1400

In several significant respects, H.R. 975 helps our Nation's family farmers in financial distress. It makes Chapter 12, a specialized form of bankruptcy relief, a permanent component of the bankruptcy codes. It ensures that more family farmers will be eligible for Chapter 12 by easing some of the income and debt limitations that currently restrict access to this type of bankruptcy relief; and for the first time family fishermen will be eligible to file for relief under Chapter 12.

H.R. 975 authorizes the increases of 28 additional bankruptcy judgeships. According to the Administrative Office of the United States Courts, the workload of bankruptcy judges has increased 52 percent since 1992, which was the last time additional bankruptcy judges were authorized.

Another major reform of H.R. 975 deals with the economic stability of our Nation's financial marketplace. The bill includes provisions intended to reduce systemic risk with respect to the setoff or netting of various financial transactions. Federal Reserve Board Chairman Alan Greenspan has described the enactment of these provisions as being extremely important. Finally, H.R. 975 addresses problems presented by the inconsistent and unpredictable current state of bankruptcy laws concerning the treatment of bankrupt multinational corporations. It largely codifies the Model Law on Cross-Border Insolvency to ensure greater legal certainties for trade and investment, as well as provide for the fair and efficient administration of these cases.

The time for these reforms is long overdue. This body has on six previous occasions passed similar bankruptcy reform bills. It is my hope that today we will again do the right thing and pass this needed bipartisan bankruptcy reform legislation. Perhaps the seventh attempt will prove to be a charm and finally lead to the enactment of these critically important reforms.

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

Mr. DELAHUNT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the American people should not be deceived as to who really benefits from this so-called reform because it is not the American consumer. It is not the American taxpayer or the worker who loses his job or someone facing catastrophic medical expenses or the small business entrepreneur who is also hurt by provisions in this bill. No, the big winner here is the credit card industry because passage is going to mean billions of dollars to their bottom line.

The American consumers should understand that the interest rate on their credit card will not decline because of this bill. Over a 12-year period when the Federal fund rate fell from 13.5 percent to 3.5 percent, a line of some 10 percentage points, the average credit card rate actually rose to nearly 18 percent. Furthermore, it is going to cost the American taxpayer \$500 million over 5 years to transform the Federal bankruptcy system into a collection agency for the benefit of the credit card industry.

We are going to hear a lot and we have heard during the course of our hearings about personal responsibility. Well, no one disagrees with that particular principle, but it ought to be a two-way street. Whatever happened to creditor responsibility? The former Chair of the Committee on the Judiciary, Henry Hyde, identified some 75 creditor enhancements in this bill. Passage of this legislation will undoubtedly exacerbate the imbalance between creditor and debtor.

A respected consultant for the credit card industry stated that the principle