

[Roll No. 105]

AYES—227

Aderholt	Gilchrest	Otter
Akin	Gingrey	Oxley
Alexander	Gohmert	Paul
Bachus	Goode	Pearce
Baker	Goodlatte	Pence
Barrett (SC)	Granger	Peterson (MN)
Bartlett (MD)	Graves	Peterson (PA)
Barton (TX)	Green (WI)	Petri
Bass	Hall	Pickering
Beauprez	Harris	Pitts
Biggart	Hart	Platts
Bilirakis	Hastings (WA)	Poe
Bishop (UT)	Hayes	Pombo
Blackburn	Hayworth	Porter
Blunt	Hefley	Portman
Boehrlert	Hensarling	Price (GA)
Boehner	Herger	Pryce (OH)
Bonilla	Hobson	Putnam
Bonner	Hoekstra	Radanovich
Bono	Hostettler	Ramstad
Boozman	Hulshof	Regula
Boustany	Hunter	Rehberg
Bradley (NH)	Hyde	Reichert
Brady (TX)	Inglis (SC)	Renzi
Brown (SC)	Issa	Reynolds
Brown-Waite,	Istook	Rogers (AL)
Ginny	Jindal	Rogers (KY)
Burgess	Johnson (CT)	Rogers (MI)
Burton (IN)	Johnson (IL)	Rohrabacher
Buyer	Johnson, Sam	Ros-Lehtinen
Calvert	Jones (NC)	Royce
Camp	Keller	Ryan (WI)
Cannon	Kelly	Ryun (KS)
Cantor	Kennedy (MN)	Saxton
Capito	King (IA)	Schwarz (MI)
Carter	King (NY)	Sensenbrenner
Castle	Kingston	Sessions
Chabot	Kirk	Shadegg
Chocola	Kline	Shaw
Coble	Knollenberg	Shays
Cole (OK)	Kolbe	Sherwood
Conaway	Kuhl (NY)	Shimkus
Cox	Latham	Shuster
Cramer	LaTourette	Simmons
Crenshaw	Leach	Simpson
Cubin	Lewis (CA)	Smith (NJ)
Culberson	Lewis (KY)	Smith (TX)
Cunningham	Linder	Sodrel
Davis (KY)	LoBiondo	Souder
Davis, Jo Ann	Lucas	Stearns
Deal (GA)	Lungren, Daniel	Sullivan
DeLay	E.	Sweeney
Dent	Mack	Tancredo
Diaz-Balart, L.	Manzullo	Taylor (NC)
Diaz-Balart, M.	Marchant	Terry
Doolittle	McCaul (TX)	Thomas
Drake	McCotter	Thornberry
Dreier	McCrery	Tiahrt
Duncan	McHenry	Tiberi
Ehlers	McHugh	Turner
Emerson	McKeon	Upton
English (PA)	McMorris	Walden (OR)
Everett	Mica	Walsh
Ferguson	Miller (FL)	Wamp
Fitzpatrick (PA)	Miller (MI)	Weldon (FL)
Flake	Miller, Gary	Weldon (PA)
Foley	Moran (KS)	Weller
Forbes	Murphy	Westmoreland
Fortenberry	Musgrave	Whitfield
Fossella	Myrick	Wicker
Fox	Neugebauer	Wilson (NM)
Franks (AZ)	Ney	Wilson (SC)
Frelinghuysen	Northup	Wolf
Gallely	Norwood	Young (AK)
Garrett (NJ)	Nunes	Young (FL)
Gerlach	Nussle	
Gibbons	Osborne	

NOES—196

Abercrombie	Boucher	Conyers
Ackerman	Boyd	Costa
Allen	Brady (PA)	Costello
Andrews	Brown (OH)	Crowley
Baca	Brown, Corrine	Cuellar
Baird	Butterfield	Cummings
Baldwin	Capps	Davis (AL)
Barrow	Capuano	Davis (CA)
Bean	Cardin	Davis (FL)
Becerra	Cardoza	Davis (IL)
Berman	Carnahan	Davis (TN)
Berry	Carson	DeFazio
Bishop (GA)	Case	DeGette
Bishop (NY)	Chandler	Delahunt
Blumenauer	Clay	DeLauro
Boren	Cleaver	Dicks
Boswell	Clyburn	Dingell

Doggett	Lewis (GA)	Rothman
Doyle	Lipinski	Roybal-Allard
Edwards	Lofgren, Zoe	Ruppersberger
Emanuel	Lowey	Rush
Engel	Lynch	Ryan (OH)
Eshoo	Maloney	Sabo
Etheridge	Markey	Salazar
Evans	Marshall	Sanchez, Linda
Farr	Matheson	T.
Fattah	Matsui	Sanchez, Loretta
Finler	McCarthy	Sanders
Ford	McCollum (MN)	Schakowsky
Frank (MA)	McDermott	Schiff
Gonzalez	McGovern	Schwartz (PA)
Green, Al	McIntyre	Scott (GA)
Green, Gene	McKinney	Scott (VA)
Grijalva	McNulty	Serrano
Gutierrez	Meehan	Sherman
Harman	Meek (FL)	Skelton
Hastings (FL)	Meeks (NY)	Slaughter
Herseht	Melancon	Smith (WA)
Higgins	Menendez	Snyder
Hinchey	Michaud	Spratt
Hinojosa	Millender-	Stark
Holden	McDonald	Strickland
Holt	Miller (NC)	Stupak
Honda	Miller, George	Tanner
Hooley	Mollohan	Tauscher
Hoyer	Moore (KS)	Taylor (MS)
Insee	Moore (WI)	Thompson (CA)
Israel	Moran (VA)	Thompson (MS)
Jackson (IL)	Murtha	Tierney
Jackson-Lee	Nadler	Towns
(TX)	Napolitano	Udall (CO)
Jefferson	Neal (MA)	Udall (NM)
Johnson, E. B.	Oberstar	Van Hollen
Jones (OH)	Obey	Velázquez
Kanjorski	Oliver	Visclosky
Kaptur	Ortiz	Wasserman
Kennedy (RI)	Owens	Schultz
Kildee	Pallone	Waters
Kilpatrick (MI)	Pascrell	Watson
Kind	Pastor	Watt
Kucinich	Payne	Waxman
Langevin	Pelosi	Weiner
Lantos	Pomeroy	Wexler
Larsen (WA)	Price (NC)	Woolsey
Rahall	Rahall	Wu
Reyes	Reyes	Wynn
Ross	Ross	

NOT VOTING—11

Berkley	Gillmor	LaHood
Cooper	Gordon	Rangel
Davis, Tom	Gutknecht	Solis
Feeney	Jenkins	

□ 1302

So the resolution was agreed to.
 The result of the vote was announced as above recorded.
 A motion to reconsider was laid on the table.
 Stated against:
 Ms. SOLIS. Mr. Speaker, during rollcall vote No. 105, on agreeing to the resolution H. Res. 211, I was unavoidably detained. Had I been present, I would have voted, "no."

PRIVILEGES OF THE HOUSE—RESTORING PUBLIC CONFIDENCE IN ETHICS PROCESS

Ms. PELOSI. Mr. Speaker, pursuant to rule IX, I rise in regard to a question of the privileges of the House, and I offer a privileged resolution that would create a bipartisan task force to return to ethical rules of the House.
 The SPEAKER pro tempore (Mr. SIMPSON). The Clerk will report the resolution.
 The Clerk read the resolution, as follows:

H. RES. 213

Whereas, the constitution of the United States authorizes the House of Representatives to "determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the concurrence of two thirds, expel a Member";

Whereas, in 1968, in compliance with this authority and to uphold its integrity and ensure that Members act in a manner that reflects credit on the House of Representatives, the Committee on Standards of Official Conduct was established;

Whereas, the ethics procedures in effect during the 108th congress, and in the three preceding Congresses, were enacted in 1997 in a bipartisan manner by an overwhelming vote of the House of Representatives upon the bipartisan recommendation of the ten-member Ethics Reform Task Force, which conducted a thorough and lengthy review of the entire ethics process;

Whereas, in the 109th Congress, for the first time in the history of the House of Representatives, decisions affecting the ethics process have been made on a partisan basis without consulting the Democratic Members of the Committee or of the House;

Whereas, the Chairman of the Committee, and two of his Republican colleagues, were dismissed from the Committee;

Whereas, in a statement to the press, the departing Chairman of the Committee stated "[t]here is a bad perception out there that there was a purge in the Committee and that people were put in that would protect our side of the aisle better than I did," and a replaced Republican Member, also in a statement to the press, referring to his dismissal from the Committee, noted his belief that "the decision was a direct result of our work in the last session;"

Whereas, the newly appointed chairman of the Committee improperly and unilaterally fired non-partisan Committee staff who assisted in the ethics work in the last session;

Whereas, these actions have subjected the Committee to public ridicule, produced contempt for the ethics process, created the public perception that their purpose was to protect a Member of the House, and weakened the ability of the Committee to adequately obtain information and properly conduct its investigative duties, all of which has brought discredit to the House; now be it

Resolved, that the Speaker shall appoint a bi-partisan task force with equal representation of the majority and minority parties to make recommendations to restore public confidence in the ethics process; and be it further

Resolved, that the task force report its findings and recommendations to the House of Representatives no later than June 1, 2005.

The SPEAKER pro tempore. The resolution does present a question of privilege.

MOTION TO TABLE OFFERED BY MR. SENSENBRENNER

Mr. SENSENBRENNER. Mr. Speaker, I move to table the resolution.

The SPEAKER pro tempore. The question is on the motion to table offered by the gentleman from Wisconsin (Mr. SENSENBRENNER).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. SENSENBRENNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 218, nays 195, not voting 21, as follows:

[Roll No. 106]

YEAS—218

Aderholt	Barrett (SC)	Biggart
Akin	Bartlett (MD)	Bilirakis
Alexander	Barton (TX)	Bishop (UT)
Bachus	Bass	Blackburn
Baker	Beauprez	Blunt

Boehler
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite,
 Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeny
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger

NAYS—195

Abercrombie
Ackerman
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case

Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
DeLahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel

Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Portman
Price (GA)
Pryce (OH)
Putnam
Hunter
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Stearns
Sullivan
Sweeney
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Ney
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

Jackson-Lee
(TX)
Jefferson
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larsen (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
Ryan (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez

NOT VOTING—21

Allen
Berkley
Brown, Corrine
Evans
Gillmor
Gordon
Hayes

Michaud
Millender-
 McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nader
Napolitano
Neal (MA)
Oberstar
Obey
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda
 T.
 Sanchez, Loretta
Sanders

□ 1334

Mr. MORAN of Virginia changed his vote from “yea” to “nay.”

Messrs. PRICE of Georgia, SAXTON, KNOLLENBERG, LEWIS of Kentucky, PETERSON of Pennsylvania, COLE of Oklahoma, RADANOVICH, WOLF, KING of New York, INGLIS of South Carolina, ENGLISH of Pennsylvania and HALL changed their vote from “nay” to “yea.”

So the motion to table was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:
Ms. SOLIS. Mr. Speaker, during rollcall vote No. 106, on motion to table the resolution, H. Res. 215, I was unavoidably detained. Had I been present, I would have voted “nay.”
Ms. ZOE LOFGREN of California. Mr. Speaker, on rollcall No. 106, I had turned off my pager during a committee meeting and neglected to turn it back on. When the vote was called, therefore, I did not learn of it. Had I been present, I would have voted, “nay.”

BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION ACT OF 2005

Mr. SENSENBRENNER. Mr. Speaker, pursuant to House Resolution 211, I call up the Senate bill (S. 256) to amend title 11 of the United States Code, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The text of S. 256 is as follows:
S. 256

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; REFERENCES; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Bankruptcy Abuse Prevention and Consumer Protection Act of 2005”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; references; table of contents.

TITLE I—NEEDS-BASED BANKRUPTCY

- Sec. 101. Conversion.
- Sec. 102. Dismissal or conversion.
- Sec. 103. Sense of Congress and study.
- Sec. 104. Notice of alternatives.
- Sec. 105. Debtor financial management training test program.
- Sec. 106. Credit counseling.
- Sec. 107. Schedules of reasonable and necessary expenses.

TITLE II—ENHANCED CONSUMER PROTECTION

Subtitle A—Penalties for Abusive Creditor Practices

- Sec. 201. Promotion of alternative dispute resolution.
- Sec. 202. Effect of discharge.
- Sec. 203. Discouraging abuse of reaffirmation agreement practices.
- Sec. 204. Preservation of claims and defenses upon sale of predatory loans.
- Sec. 205. GAO study and report on reaffirmation agreement process.

Subtitle B—Priority Child Support

- Sec. 211. Definition of domestic support obligation.
- Sec. 212. Priorities for claims for domestic support obligations.
- Sec. 213. Requirements to obtain confirmation and discharge in cases involving domestic support obligations.
- Sec. 214. Exceptions to automatic stay in domestic support obligation proceedings.
- Sec. 215. Nondischargeability of certain debts for alimony, maintenance, and support.
- Sec. 216. Continued liability of property.
- Sec. 217. Protection of domestic support claims against preferential transfer motions.
- Sec. 218. Disposable income defined.
- Sec. 219. Collection of child support.
- Sec. 220. Nondischargeability of certain educational benefits and loans.

Subtitle C—Other Consumer Protections

- Sec. 221. Amendments to discourage abusive bankruptcy filings.
 - Sec. 222. Sense of Congress.
 - Sec. 223. Additional amendments to title 11, United States Code.
 - Sec. 224. Protection of retirement savings in bankruptcy.
 - Sec. 225. Protection of education savings in bankruptcy.
 - Sec. 226. Definitions.
 - Sec. 227. Restrictions on debt relief agencies.
 - Sec. 228. Disclosures.
 - Sec. 229. Requirements for debt relief agencies.
 - Sec. 230. GAO study.
 - Sec. 231. Protection of personally identifiable information.
 - Sec. 232. Consumer privacy ombudsman.
 - Sec. 233. Prohibition on disclosure of name of minor children.
 - Sec. 234. Protection of personal information.
- TITLE III—DISCOURAGING BANKRUPTCY ABUSE**
- Sec. 301. Technical amendments.