

The plans and cost estimates for the building renovation project, for which Federal funding is sought, have been carefully reviewed by the Committee on Transportation and Infrastructure. The Committee finds the plans and estimates to be reasonable and in consonance with the Smithsonian mission to increase the diffusion of knowledge. Further, the Smithsonian's plans to partner with a third party, in this particular case, George Mason University, to shoulder the capital and operating costs of the residential and food service facilities, is a sensible and business-savvy way to further the Smithsonian's scientific and educational reach.

I urge my colleagues to join me in supporting H.R. 5717.

Mr. DANIEL E. LUNGREN of California. I yield back the balance of my time.

Mrs. DAVIS of California. Mr. Speaker, I certainly support the Smithsonian in this effort, and I look forward to passage of this important legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. DAVIS) that the House suspend the rules and pass the bill, H.R. 5717, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### BANKRUPTCY TECHNICAL CORRECTIONS ACT OF 2010

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6198) to amend title 11 of the United States Code to make technical corrections; and for related purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6198

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Bankruptcy Technical Corrections Act of 2010".

#### SEC. 2. TECHNICAL CORRECTIONS RELATING TO AMENDMENTS MADE BY PUBLIC LAW 109-8.

(a) TITLE 11 OF THE UNITED STATES CODE.—Title 11 of the United States Code is amended—

(1) in section 101—

(A) in paragraph (13A)—

(i) in subparagraph (A) by inserting "if used as the principal residence by the debtor" after "structure" the 1st place it appears, and

(ii) in subparagraph (B) by inserting "if used as the principal residence by the debtor" before the period at the end,

(B) in paragraph (35) by striking "(23) and (35)" and inserting "(21B) and (33)(A)",

(C) in paragraph (40B) by striking "written document relating to a patient or a" and inserting "record relating to a patient, including a written document or a",

(D) in paragraph (42) by striking "303, and 304" and inserting "303 and 1504",

(E) in paragraph (51B) by inserting "there-to" before the period at the end,

(F) in paragraph (51D) by inserting "of the filing" after "date" the 1st place it appears, and

(G) by redesignating paragraphs (56A) and (53D) as (53D) and (53E), respectively,

(2) in section 103(a) by striking "362(n)" and inserting "362(o)",

(3) in section 105(d)(2) by inserting "may" after "Procedure",

(4) in section 106(a)(1) by striking "728",

(5) in section 107(a) by striking "subsection (b) of this section" and inserting "subsections (b) and (c)",

(6) in section 109—

(A) in subsection (b)(3)(B) by striking "1978" and inserting "1978)", and

(B) in subsection (h)(1)—

(i) by inserting "other than paragraph (4) of this subsection" after "this section", and

(ii) by striking "preceding" and inserting "ending on",

(7) in section 110—

(A) in subsection (b)(2)(A) by inserting "or on behalf of" after "from", and

(B) in subsection (h)—

(i) in the last sentence of paragraph (1)—

(I) by striking "a" and inserting "the", and

(II) by inserting "or on behalf of" after "from",

(ii) in paragraph (3)(A)—

(I) by striking "found to be in excess of the value of any services", and

(II) in clause (i) by inserting "found to be in excess of the value of any services" after "(i)", and

(iii) in paragraph (4) by striking "paragraph (2)" and inserting "paragraph (3)",

(8) in section 111(d)(1)(E)—

(A) by striking the period at the end and insert "; and", and

(B) by indenting the left margin of such subparagraph 2 additional ems to the right,

(9) in section 303 by redesignating subsection (1) as subsection (k),

(10) in section 308(b)—

(A) by striking "small business debtor" and inserting "debtor in a small business case", and

(B) in paragraph (4)—

(i) in subparagraph (A)—

(I) by striking "(A)", and

(II) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively,

(ii) in subparagraph (B)—

(I) by striking "(B)" and inserting "(5)",

(II) by striking "subparagraph (A)(i)" and inserting "paragraph (4)(A)", and

(III) by striking "subparagraph (A)(ii)" and inserting "paragraph (4)(B)",

(iii) by redesignating subparagraph (C) as paragraph (6), and

(11) in section 348—

(A) in subsection (b)—

(i) by striking "728(a), 728(b)", and

(ii) by striking "1146(a), 1146(b)", and

(B) in subsection (f)(1)(C)(i) by inserting "of the filing" after "date",

(12) in section 362—

(A) in subsection (a)(8)—

(i) by striking "corporate debtor's", and

(ii) by inserting "of a debtor that is a corporation" after "liability" the 1st place it appears,

(B) in subsection (c)—

(i) in paragraph (3), in the matter preceding subparagraph (A), by inserting "a" after "against", and

(ii) in paragraph (4)(A)(i) by inserting "under a chapter other than chapter 7 after dismissal" after "refiled",

(C) in subsection (d)(4) by striking "hinder, and" and inserting "hinder, or", and

(D) in subsection (1)(2) by striking "nonbankruptcy" and inserting "nonbankruptcy",

(13) in section 363(d)—

(A) in the matter preceding paragraph (1) by striking "only",

(B) by amending paragraph (1) to read as follows:

"(1) in the case of a debtor that is a corporation or trust that is not a moneyed business, commercial corporation, or trust, only in accordance with nonbankruptcy law applicable to the transfer of property by a debtor that is such a corporation or trust; and", and

(C) in paragraph (2) by inserting "only" after "(2)",

(14) in section 505(a)(2)(C) by striking "any law (other than a bankruptcy law)" and inserting "applicable nonbankruptcy law",

(15) in section 507(a)(8)(A)(ii) by striking the period at the end and inserting "; or",

(16) in section 521(a)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking "the debtor shall", and

(II) by adding "and" at the end,

(ii) in subparagraph (B)—

(I) by striking "the debtor shall", and

(II) by striking "and" at the end, and

(iii) in subparagraph (C) by striking "(C)" and inserting the following:

"except that", and

(B) in paragraphs (3) and (4) by inserting "is" after "auditor",

(17) in section 522—

(A) in subsection (b)(3)(A)—

(i) by striking "at" the 1st place it appears and inserting "to", and

(ii) by striking "at" the 2d place it appears and inserting "in", and

(B) in subsection (c)(1) by striking "section 523(a)(5)" and inserting "such paragraph",

(18) in section 523(a)—

(A) in paragraph (2)(C)(ii)(II) by striking the period at the end and inserting a semicolon, and

(B) in paragraph (3) by striking "521(1)" and inserting "521(a)(1)",

(19) in section 524(k)—

(A) in the last undesignated paragraph of the quoted matter in paragraph (3)(J)(i)—

(i) by striking "security property" the 1st place it appears and inserting "property securing the lien",

(ii) by striking "current value of the security property" and inserting "amount of the allowed secured claim", and

(iii) in the last sentence by inserting "must" after "you", and

(B) in paragraph (5)(B) by striking "that" and inserting "that",

(20) in section 526(a)—

(A) in paragraph (2) by striking "untrue and" and inserting "untrue or", and

(B) in paragraph (4) by inserting "a" after "preparer",

(21) in the 3d sentence of the 4th undesignated paragraph of the quoted matter in section 527(b), by striking "Schedules and Statement of Financial Affairs, as well as in some cases a Statement of Intention" and inserting "Schedules, and Statement of Financial Affairs, and in some cases a Statement of Intention",

(22) in section 541(b)(6)(B) by striking "section 529(b)(7)" and inserting "section 529(b)(6)",

(23) in section 554(c) by striking "521(1)" and inserting "521(a)(1)",

(24) in section 704(a)(3) by striking "521(2)(B)" and inserting "521(a)(2)(B)",

(25) in section 707—

(A) in subsection (a)(3) by striking "521" and inserting "521(a)", and

(B) in subsection (b)—

(i) in paragraph (2)(A)(iii)(I) by inserting "of the filing" after "date", and

(ii) in paragraph (3) by striking "subparagraph (A)(i) of such paragraph" and inserting "paragraph (2)(A)(i)",

(26) in section 723(c) by striking “Notwithstanding section 728(c) of this title, the” and inserting “The”.

(27) in section 724(b)(2)—

(A) by striking “507(a)(1)” and inserting “507(a)(1)(C) or 507(a)(2)”.

(B) by inserting “under each such section” after “expenses” the 1st place it appears.

(C) by striking “chapter 7 of this title” and inserting “this chapter”, and

(D) by striking “507(a)(2),” and inserting “507(a)(1)(A), 507(a)(1)(B),”.

(28) in section 726(b) by striking “or (8)” and inserting “(8), (9), or (10)”.

(29) in section 901(a)—

(A) by inserting “333,” after “301,” and

(B) by inserting “351,” after “350(b)”.

(30) in section 1104—

(A) in subsection (a)

(i) in paragraph (1) by inserting “or” at the end,

(ii) in paragraph (2) by striking “; or” and inserting a period, and

(iii) by striking paragraph (3), and

(B) in subsection (b)(2)(B)(ii) by striking “subsection (d)” and inserting “subsection (a)”.

(31) in section 1106(a)—

(A) in paragraph (1) by striking “704” and inserting “704(a)”, and

(B) in paragraph (2) by striking “521(1)” and inserting “521(a)(1)”.

(32) in section 1111(a) by striking “521(1)” and inserting “521(a)(1)”.

(33) amending section 1112—

(A) in subsection (b)—

(i) by amending paragraph (1) to read as follows:

“(1) Except as provided in paragraph (2) and subsection (c), on request of a party in interest, and after notice and a hearing, the court shall convert a case under this chapter to a case under chapter 7 or dismiss a case under this chapter, whichever is in the best interests of creditors and the estate, for cause unless the court determines that the appointment under section 1104(a) of a trustee or an examiner is in the best interests of creditors and the estate.”.

(ii) in paragraph (2)—

(I) by striking the matter preceding subparagraph (A) and inserting the following:

“(2) The court may not convert a case under this chapter to a case under chapter 7 or dismiss a case under this chapter if the court finds and specifically identifies unusual circumstances establishing that converting or dismissing the case is not in the best interests of creditors and the estate, and the debtor or any other party in interest establishes that—”, and

(II) in subparagraph (B) by striking “granting such relief” and inserting “converting or dismissing the case”, and

(B) in subsection (e) by striking “521” and inserting “521(a)”.

(34) in section 1127(f)(1) by striking “subsection (a)” and inserting “subsection (e)”.

(35) in section 1129(a)(16) by striking “of the plan” and inserting “under the plan”.

(36) in section 1141(d)(5)—

(A) in subparagraph (B)—

(i) in clause (i) by striking “and” at the end; and

(ii) by adding at the end the following:

“(iii) subparagraph (C) permits the court to grant a discharge; and”, and

(B) in subparagraph (C)—

(i) by striking “unless” and inserting “the court may grant a discharge if,”.

(ii) in clause (ii) by striking the period at the end and inserting a semicolon, and

(iii) by adding at the end the following: “and if the requirements of subparagraph (A) or (B) are met.”.

(37) in section 1145(b) by striking “(211)” each place it appears and inserting “2(a)(11)”.

(38) in section 1202(b)—

(A) in paragraph (1) by striking “704(2), 704(3), 704(5), 704(6), 704(7), and 704(9)” and inserting “704(a)(2), 704(a)(3), 704(a)(5), 704(a)(6), 704(a)(7), and 704(a)(9)”.

(B) in paragraph (5) by striking “704(8)” and inserting “704(a)(8)”.

(39) in section 1302(b)(1) by striking “704(2), 704(3), 704(4), 704(5), 704(6), 704(7), and 704(9)” and inserting “704(a)(2), 704(a)(3), 704(a)(4), 704(a)(5), 704(a)(6), 704(a)(7), and 704(a)(9)”.

(40) in section 1304(c) by striking “704(8)” and inserting “704(a)(8)”.

(41) in section 1307—

(A) in subsection (c)—

(i) by striking “subsection (e)” and inserting “subsection (f)”.

(ii) in paragraph (9) by striking “521” and inserting “521(a)”.

(iii) in paragraph (10) by striking “521” and inserting “521(a)”.

(B) in subsection (d) by striking “subsection (e)” and inserting “subsection (f)”.

(42) in section 1308(b)(2)—

(A) in subparagraph (A) by striking “paragraph (1)” and inserting “paragraph (1)(A)”.

(B) in subparagraph (B) by striking “paragraph (2)” and inserting “paragraph (1)(B)”.

and

(C) by striking “this subsection” each place it appears and inserting “paragraph (1)”.

(43) in section 1322(a)—

(A) by striking “shall” the 1st place it appears.

(B) in paragraph (1) by inserting “shall” after “(1)”.

(C) in paragraph (2) by inserting “shall” after “(2)”.

(D) in paragraph (3) by inserting “shall” after “claims,”.

(E) in paragraph (4) by striking “a plan”.

(44) in section 1325—

(A) in the last sentence of subsection (a) by inserting “period” after “910-day”, and

(B) in subsection (b)(2)(A)(ii) by striking “548(d)(3)” and inserting “548(d)(3)”.

(45) in the heading of section 1511 by inserting “302,” after “301”.

(46) in section 1519(f) by striking “362(n)” and inserting “362(o)”.

(47) in section 1521(f) by striking “362(n)” and inserting “362(o)”.

(48) in section 1529(1) by inserting “is” after “States”.

(49) in the table of sections of chapter 3, by striking the item relating to section 333 and inserting the following:

“333. Appointment of patient care ombudsman.”.

(50) in the table of sections of chapter 5, by striking the item relating to section 562 and inserting the following:

“562. Timing of damage measure in connection with swap agreements, securities contracts, forward contracts, commodity contracts, repurchase agreements, and master netting agreements.”.

(b) TITLE 18 OF THE UNITED STATES CODE.—Section 157 of title 18, United States Code is amended—

(1) in paragraph (1) by striking “bankruptcy”, and

(2) in paragraphs (2) and (3) by striking “, including a fraudulent involuntary bankruptcy petition under section 303 of such title”.

(c) TITLE 28 OF THE UNITED STATES CODE.—

(1) AMENDMENT RELATING TO APPEALS.—Section 158(d)(2)(D) of title 28 of the United States Code is amended by striking “appeal in” and inserting “appeal is”.

(2) AMENDMENT RELATING TO BANKRUPTCY STATISTICS.—Section 159(c)(3)(H) of title 28 of the United States Code is amended by inserting “the” after “against”.

(3) TECHNICAL AMENDMENTS.—Section 586(a) of title 28 of the United States Code is amended—

(A) in paragraph (3)(A)(ii) is amended by striking the period at the end and inserting a semicolon.

(B) in paragraph (7)(C) by striking “identify” and inserting “determine”, and

(C) in paragraph (8) by striking “the United States trustee shall”.

### SEC. 3. TECHNICAL CORRECTION TO PUBLIC LAW 109-8.

Section 1406(b)(1) of Public Law 109-8 is amended by striking “cept” and inserting “Except”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

#### GENERAL LEAVE

Mr. SCOTT of Virginia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. SCOTT of Virginia. I yield myself such time as I may consume.

Mr. Speaker, 5 years ago, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 was enacted into law. It exceeded 500 pages in length and made significant changes in our Nation's bankruptcy law.

Since its enactment, a number of technical drafting errors have been identified. These include spelling errors, erroneous statutory cross-references, incorrect grammar and terminology references, and mistakes in punctuation. I am pleased that H.R. 6198, the Bankruptcy Technical Corrections Act of 2010, corrects these purely technical errors.

Mr. Speaker, I urge my colleagues to support H.R. 6198.

#### H.R. 6198, THE “BANKRUPTCY TECHNICAL CORRECTIONS ACT OF 2010” SECTION-BY-SECTION EXPLANATION

*Sec. 1. Short Title.* Section 1 sets forth the short title of the bill as the “Bankruptcy Technical Corrections Act of 2010.”

*Sec. 2. Technical Corrections Relating to Amendments Made by Public Law 109-8.* Section 2 makes a series of technical corrections to the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (2005 Act).

Subsection (a)(1)(A) amends section 101(13A) of title 11 of the United States Code (Bankruptcy Code), which defines “debtor’s principal residence.” The amendment clarifies that the definition pertains to a structure used by the debtor as a principal residence.

Subsection (a)(1)(B) amends Bankruptcy Code section 101(35), which defines “insured depository institution.” The amendment corrects erroneous statutory references in this provision.

Subsection (a)(1)(C) amends Bankruptcy Code section 101(40B), which defines “patient records.” The amendment clarifies that the term means a record relating to a patient, including a written document or an electronic record.

Subsection (a)(1)(D) amends Bankruptcy Code section 101(42), which defines “petition.” The amendment deletes the reference to section 304 of the Bankruptcy Code, which was eliminated as a result of the 2005 Act, and adds a reference to section 1504, which was added by the 2005 Act.

Subsection (a)(1)(E) amends Bankruptcy Code section 101(51D), which defines “small business debtor.” The amendment clarifies that the debt limit specified therein is determined as of the date of the filing of the petition.

Subsection (a)(1)(F) redesignates paragraphs (56A) and (53D) of Bankruptcy Code section 101 as (53D) and (53E), respectively.

Subsection (a)(2) amends Bankruptcy Code section 103(a), which pertains to the applicability of chapters of the Code. The amendment corrects an erroneous statutory reference in this provision.

Subsection (a)(3) amends Bankruptcy Code section 105(d)(2), which pertains to status conferences. The amendment makes a grammatical correction.

Subsection (a)(4) amends Bankruptcy Code section 106(a)(1), which pertains to the waiver of sovereign immunity. The amendment deletes a reference to Bankruptcy Code section 728, which was eliminated by the 2005 Act.

Subsection (a)(5) amends Bankruptcy Code section 107(a), which pertains to public access to bankruptcy cases. The amendment corrects a drafting instruction error.

Subsection (a)(6) makes several amendments to Bankruptcy Code section 109, which sets forth the eligibility criteria for a debtor. Subsection (a)(6)(A) amends Bankruptcy Code section 109(b)(3)(B) to add a missing parenthesis. Subsection (a)(6)(B) makes a conforming amendment to Bankruptcy Code section 109(h)(1) to clarify that Bankruptcy Code section 109(h)(4) is an exception. In addition, subsection (a)(6)(B) clarifies that the 180-day period ends on the date of the filing of the petition.

Subsection (a)(7) amends Bankruptcy Code section 110, which pertains to bankruptcy petition preparers. It makes conforming amendments to Bankruptcy Code section 110(b)(2)(A) and (h)(1) so that they conform to other provisions in section 110 with respect to fees received by a petition preparer on behalf of a debtor. In addition, subsection (a)(7) restructures section 110(h)(3) to clarify the court's authority to disallow fees under this provision.

Subsection (a)(8) amends Bankruptcy Code section 111, which concerns nonprofit budget and credit counseling agencies and financial management instructional courses. The amendment corrects two typographical errors in Bankruptcy Code section 111(d)(1)(E). The first error concerns incorrect punctuation and the second error pertains to incorrect indentation of the subparagraph.

Subsection (a)(9) amends Bankruptcy Code section 303, which pertains to involuntary bankruptcy cases. The amendment corrects the misdesignation of subsection (l) by redesignating it as subsection (k).

Subsection (a)(10) amends Bankruptcy Code section 308, which concerns reporting requirements for small business debtors. The amendment restructures subsection 308(b)(4) to clarify its intent.

Subsection (a)(11) makes two amendments to Bankruptcy Code section 348, which pertains to the effect of conversion of a case. First, it amends Bankruptcy Code section 348(b) to strike references to Bankruptcy Code sections 728(a), 728(b), 1146(a) and 1146(b) as these provisions were eliminated by the 2005 Act. Second, it amends Bankruptcy Code section 348(f)(1)(C)(i) to clarify that the provision applies with respect to the date of the filing of the petition.

Subsection (a)(12) amends Bankruptcy Code section 362, which pertains to the automatic stay, in several respects. First, the amendment makes a stylistic correction to subsection 362(a)(8) with respect to its reference to a debtor that is a corporation. Second, it adds a missing article in subsection 362(c)(3). Third, the amendment conforms the reference in subsection 362(c)(4)(A)(i) to “refiled” with subsection 362(c)(3) so that it applies to a case filed under a chapter other than chapter 7 after dismissal of a prior case pursuant to Bankruptcy Code section 707(b). Fourth, it corrects an erroneous conjunctive in subsection 362(d)(4). Fifth, it corrects a spelling error in subsection 362(1).

Subsection (a)(13) amends Bankruptcy Code section 363, which concerns the use, sale, or lease of property. The amendment restructures subsection 363(d) to clarify its intent.

Subsection (a)(14) amends Bankruptcy Code section 505, which pertains to the determination of tax liability. The amendment corrects the provision's use of terminology.

Subsection (a)(15) amends Bankruptcy Code section 507, which pertains to priorities. The amendment corrects a punctuation error.

Subsection (a)(16) amends Bankruptcy Code section 521, which pertains to the duties of the debtor. The amendment makes several revisions. First, it deletes redundant text in subsection 521(a)(2)(A) and (B). Second, it restructures section 521(a)(2) to clarify its meaning. Third, the amendment corrects grammatical errors in paragraphs (3) and (4) of subsection 521(a).

Subsection (a)(17) amends Bankruptcy Code section 522, which concerns exemptions. The amendment corrects two grammatical errors in subsection 522(b)(3)(A). In addition, it makes a conforming revision to subsection 522(c)(1).

Subsection (a)(18) amends Bankruptcy Code section 523, which pertains to the dischargeability of debts. The amendment corrects a punctuation error in subsection 523(a)(2)(C)(ii)(II) and corrects an erroneous statutory cross reference in subsection 523(a)(3).

Subsection (a)(19) amends Bankruptcy Code section 524, which concerns reaffirmation agreements, among other matters. The amendment makes several revisions. First, it corrects erroneous terminology in subsection 524(k)(3)(J)(i) and inserts a missing verb. Second, it corrects a punctuation error in subsection 524(k)(5)(B).

Subsection (a)(20) amends Bankruptcy Code section 526, which deals with restrictions on debt relief agencies. The amendment makes a conforming revision to subsection 526(a)(2). It also adds a missing article to subsection 526(a)(4).

Subsection (a)(21) amends Bankruptcy Code section 527, which concerns disclosures by debt relief agencies. The amendment makes a grammatical correction.

Subsection (a)(22) amends Bankruptcy Code section 541, which deals with property of the estate. The amendment corrects a statutory reference to the Internal Revenue Code of 1986 in section 541(b)(6)(B).

Subsection (a)(23) amends Bankruptcy Code section 554, which concerns abandonment. The amendment corrects an erroneous statutory reference in subsection 554(c).

Subsection (a)(24) amends Bankruptcy Code section 704, which pertains to duties of the trustee. The amendment corrects an erroneous statutory reference in subsection 704(a)(3).

Subsection (a)(25) amends Bankruptcy Code section 707, which concerns dismissal of a chapter 7 case or conversion to a case under chapter 11 or 13. The amendment makes several revisions. First, it corrects an

erroneous statutory cross reference in subsection 707(a)(3). Second, the amendment clarifies that the provision's reference to date means the date of the filing of the petition in subsection 707(b)(2)(A)(iii)(I). Third, the amendment corrects an erroneous statutory reference in subsection 707(b)(3).

Subsection (a)(26) amends Bankruptcy Code section 723(c), which pertains to the rights of a partnership trustee against general partners. The amendment strikes a reference to Bankruptcy Code section 728, which was eliminated by the 2005 Act.

Subsection (a)(27) amends Bankruptcy Code section 724, which concerns the treatment of liens. The amendment clarifies certain statutory references in section 724(b)(2) and makes other clarifying revisions.

Subsection (a)(28) amends Bankruptcy Code section 726(b), which concerns distribution priorities in a chapter 7 case, to add a statutory reference to section 507(a)(9) and (10).

Subsection (a)(29) amends Bankruptcy Code section 901, which concerns the applicability of the Bankruptcy Code to municipal cases. The amendment adds references to Bankruptcy Code sections 333, dealing with the appointment of a patient care ombudsman, and 351, concerning the disposal of patient records, both of which were added by the 2005 Act.

Subsection (a)(30) amends Bankruptcy Code section 1104, which pertains to the appointment of a trustee and examiner. The amendment restructures subsection 1104(a) to clarify the provision's intent and how it relates to Bankruptcy Code section 1112(b), as amended by the 2005 Act. In addition, it corrects an erroneous statutory reference in subsection 1104(b)(2)(B)(ii).

Subsection (a)(31) amends Bankruptcy Code section 1106, which pertains to the duties of a trustee and examiner. The amendment corrects two erroneous statutory references in section 1106(a).

Subsection (a)(32) amends Bankruptcy Code section 1111, which concerns claims and interests. The amendment corrects an erroneous statutory reference in section 1111(a).

Subsection (a)(33) amends Bankruptcy Code section 1112(b), which sets forth the grounds for converting or dismissing a chapter 11 case. The amendment restructures this provision to eliminate an internal redundancy. In addition, it corrects an erroneous statutory reference in section 1112(e).

Subsection (a)(34) amends Bankruptcy Code section 1127, which pertains to modification of a chapter 11 plan. The amendment corrects an erroneous statutory reference in section 1127(f)(1).

Subsection (a)(35) amends Bankruptcy Code section 1129(a), which sets forth the criteria for confirmation of a chapter 11 plan. The amendment makes a grammatical correction to section (a)(16).

Subsection (a)(36) amends Bankruptcy Code section 1141(d)(5), which concerns the effect of confirmation. The amendment clarifies the intent of this provision.

Subsection (a)(37) amends Bankruptcy Code section 1145(b), which pertains to the applicability of securities laws. The amendment corrects an erroneous statutory reference in this section.

Subsection (a)(38) amends Bankruptcy Code section 1202, which details the responsibilities of a trustee in a chapter 12 case. The amendment corrects several erroneous statutory references in section 1202(b).

Subsection (a)(39) amends Bankruptcy Code section 1302, which details the responsibilities of a trustee in a chapter 13 case. The amendment corrects several erroneous statutory references in section 1302(b)(1).

Subsection (a)(40) amends Bankruptcy Code section 1304, which concerns a chapter

13 debtor engaged in business. The amendment corrects an erroneous statutory reference in section 1304(c).

Subsection (a)(41) amends Bankruptcy Code section 1307, which sets forth the grounds for converting or dismissing a chapter 13 case. The amendment corrects several erroneous statutory references in this section.

Subsection (a)(42) amends Bankruptcy Code section 1308, which concerns the filing of prepetition tax returns. The amendment clarifies several statutory references in section 1308(b)(2).

Subsection (a)(43) amends Bankruptcy Code section 1322(a), which pertains to the contents of a chapter 13 plan. The amendment corrects an internal inconsistency.

Subsection (a)(44) amends Bankruptcy Code section 1325, which pertains to confirmation of a chapter 13 plan. The amendment adds a missing word to subsection 1325(a) and adds a missing parenthesis to subsection 1325(b)(2)(A)(ii).

Subsection (a)(45) amends the heading of Bankruptcy Code section 1511, to include a reference to section 302.

Subsection (a)(46) amends Bankruptcy Code section 1519, which pertains to the relief that may be granted upon the filing of a petition for recognition in a chapter 15 case. The amendment corrects an erroneous statutory reference in section 1519(f).

Subsection (a)(47) amends Bankruptcy Code section 1521(f), which concerns relief that may be granted upon recognition in a chapter 15 case. The amendment corrects an erroneous statutory reference.

Subsection (a)(48) amends Bankruptcy Code section 1529, which concerns the coordination of a case under title 11 and a foreign proceeding. The amendment adds a missing word to section 1529(l).

Subsection (a)(49) amends the table of sections for chapter 3 of the Bankruptcy Code to correct an erroneous description of section 333.

Subsection (a)(50) amends the table of sections for chapter 5 of the Bankruptcy Code to correct an erroneous description of section 562.

Subsection (b) amends section 157 of title 18 of the United States Code, which concerns bankruptcy fraud. The amendment removes superfluous references in this section.

Subsection (c)(1) amends section 158 of title 28 of the United States Code, which pertains to bankruptcy appeals. The amendment corrects a grammatical error in section 158(d)(2)(D).

Subsection (c)(2) amends section 159 of title 28 of the United States Code, which pertains to the collection of bankruptcy statistics. The amendment adds a missing word to section 159(c)(3)(H).

Subsection (c)(3) amends section 586 of title 28 of the United States Code, which concerns the United States Trustee Program. The amendment corrects a punctuation error in section 586(a)(3)(A)(ii), corrects erroneous terminology in section 586(a)(7)(C), and eliminates redundant language in section 586(a)(8).

*Sec. 3. Technical Correction to Public Law 109–8.* Section 3 amends section 1406(b)(1) of the 2005 Act to correct a spelling error.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

The Bankruptcy Technical Corrections Act of 2010 contains a number of useful spelling, grammatical, and other purely technical amendments to the Bankruptcy Code. These amendments will facilitate the work of bankruptcy lawyers and judges.

When any provision of law is unclear or its text inaccurate, judges and lawyers may become confused about how Congress intends for the law to operate. Sometimes legislative inaccuracies even open the door to judicial activism. It is particularly important that the Bankruptcy Code be error free, as the number of bankruptcy filings continues to rise.

Last week, economists at the National Bureau of Economic Research told us that the recession technically ended in June 2009, but the American people have not seen the end of the recession's effects. The number of bankruptcy filings by small businesses and individuals continues to increase at a rate of about 30 percent per year.

The bill under consideration today adopts many amendments suggested by the Administrative Office of the United States Courts. The Administrative Office suggested these changes in consultation with bankruptcy practitioners and judges. As a result, I expect this bill to yield a more user-friendly Bankruptcy Code.

It is important to highlight on the record that this bill does not, and is not intended to, enact any substantive change to the Bankruptcy Code. The changes made to the Code by this bill are purely technical in nature.

No Federal judge should interpret any provision of this bill to confer, modify, or delete any substantive bankruptcy right, nor should anyone infer a congressional intent to alter substantive rights from the bill's attention to one section of the Bankruptcy Code but not another.

With this understanding, I am pleased to cosponsor the Bankruptcy Technical Corrections bill.

I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

There were strong differences of opinion about the changes made in 2005. Many of us questioned whether some of those changes were justified and whether they were fair or constructive, but those discussions are left to another day.

This bill before us today is simply a technical cleanup of the 2005 legislation. I would like to thank the ranking member of the full committee, Mr. SMITH, for making this a bipartisan effort. I urge my colleagues to support the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 6198, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## FEDERAL COURTS JURISDICTION AND VENUE CLARIFICATION ACT OF 2010

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4113) to amend title 28, United States Code, to clarify the jurisdiction of the Federal courts, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4113

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

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

(a) SHORT TITLE.—This Act may be cited as the “Federal Courts Jurisdiction and Venue Clarification Act of 2010”.

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

Sec. 1. Short title; table of contents.

#### TITLE I—JURISDICTIONAL IMPROVEMENTS

Sec. 101. Treatment of resident aliens.

Sec. 102. Citizenship of corporations and insurance companies with foreign contacts.

Sec. 103. Removal and remand procedures.

Sec. 104. Effective date.

#### TITLE II—VENUE AND TRANSFER IMPROVEMENTS

Sec. 201. Scope and definitions.

Sec. 202. Venue generally.

Sec. 203. Repeal of section 1392.

Sec. 204. Change of venue.

Sec. 205. Effective date.

#### TITLE I—JURISDICTIONAL IMPROVEMENTS

##### SEC. 101. TREATMENT OF RESIDENT ALIENS.

Section 1332(a) of title 28, United States Code, is amended—

(1) by striking the last sentence; and

(2) in paragraph (2), by inserting after “foreign state” the following: “, except that the district courts shall not have original jurisdiction under this subsection of an action between citizens of a State and citizens or subjects of a foreign state who are lawfully admitted for permanent residence in the United States and are domiciled in the same State”.

##### SEC. 102. CITIZENSHIP OF CORPORATIONS AND INSURANCE COMPANIES WITH FOREIGN CONTACTS.

Section 1332(c)(1) of title 28, United States Code, is amended—

(1) by striking “any State” and inserting “every State and foreign state”; and

(2) by striking “the State” and inserting “the State or foreign state”; and

(3) by striking all that follows “party-defendant,” and inserting “such insurer shall be deemed a citizen of—

“(A) every State and foreign state of which the insured is a citizen;

“(B) every State and foreign state by which the insurer has been incorporated; and

“(C) the State or foreign state where the insurer has its principal place of business; and”.

##### SEC. 103. REMOVAL AND REMAND PROCEDURES.

(a) ACTIONS REMOVABLE GENERALLY.—Section 1441 of title 28, United States Code, is amended as follows:

(1) The section heading is amended by striking “Actions removable generally” and inserting “Removal of civil actions”.

(2) Subsection (a) is amended—

(A) by striking “(a) Except” and inserting “(a) GENERALLY.—Except”; and

(B) by striking the last sentence;

(3) Subsection (b) is amended to read as follows: