

less” and inserting “multiplied by \$15,000; less”.

SEC. 1401A. PAYMENT OF INSURANCE BENEFITS OF RETIREES.

(a) IN GENERAL.—Section 1114(j) of title 11, United States Code, is amended to read as follows:

“(j)(1) No claim for retiree benefits shall be limited by section 502(b)(7).

“(2)(A) Each retiree whose benefits are modified pursuant to subsection (e)(1) or (g) shall have a claim in an amount equal to the value of the benefits lost as a result of such modification. Such claim shall be reduced by the amount paid by the debtor under subparagraph (B).

“(B)(i) In accordance with section 1129(a)(13)(B), the debtor shall pay the retiree with a claim under subparagraph (A) an amount equal to the cost of 18 months of premiums on behalf of the retiree and the dependents of the retiree under section 602(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1162(3)), which amount shall not exceed the amount of the claim under subparagraph (A).

“(ii) If a retiree under clause (i) is not eligible for continuation coverage (as defined in section 602 of the Employee Retirement Income Security Act of 1974), the Secretary of Labor shall determine the amount to be paid by the debtor to the retiree based on the 18-month cost of a comparable health insurance plan.

“(C) Any amount of the claim under subparagraph (A) that is not paid under subparagraph (B) shall be a general unsecured claim.”.

(b) CONFIRMATION OF PLAN.—Section 1129(a)(13) of title 11, United States Code, is amended to read as follows:

“(13) The plan provides—

“(A) for the continuation after its effective date of the payment of all retiree benefits (as defined in section 1114), at the level established pursuant to subsection (e)(1) or (g) of section 1114, at any time before the confirmation of the plan, for the duration of the period the debtor has obligated itself to provide such benefits; and

“(B) that the holder of a claim under section 1114(j)(2)(A) shall receive from the debtor, on the effective date of the plan, cash equal to the amount calculated under section 1114(j)(2)(B).”.

(c) RULEMAKING.—The Secretary of Labor shall promulgate rules and regulations to carry out the amendments made by this section.

SA 25. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 256, to amend title 11 of the United States Code, and for other purposes; which was ordered to lie on the table; as follows:

On page 473, between lines 9 and 10, insert the following:

SEC. 1236. PROTECTION OF COAL INDUSTRY HEALTH BENEFITS.

Section 9711(g) of the Internal Revenue Code of 1986 (relating to rules applicable to this part and part II) is amended by adding at the end the following new paragraph:

“(3) PROHIBITION ON TERMINATION AND MODIFICATION OF BENEFITS.—Except as provided in subsection (d), the benefits required to be provided by a last signatory operator under this chapter may not be terminated or modified by any court in a proceeding under title 11 of the United States Code or by agreement at any time when such operator is participating in such a proceeding.”.

SA 26. Mr. LEAHY (for himself, Ms. SNOWE, and Ms. CANTWELL) proposed an

amendment to the bill S. 256, to amend title 11 of the United States Code, and for other purposes; as follows:

On page 132, between lines 5 and 6, insert the following:

SEC. 234. PROTECTION OF PERSONAL INFORMATION.

(a) RESTRICTION OF PUBLIC ACCESS TO CERTAIN INFORMATION CONTAINED IN BANKRUPTCY CASE FILES.—Section 107 of title 11, United States Code, is amended by striking subsection (b), and inserting the following:

“(b) On request of a party in interest, the bankruptcy court shall, and on the bankruptcy court’s own motion, may, protect a person with respect to a trade secret or confidential research, development, or commercial information.

“(c) The bankruptcy court, for cause, may protect an individual, with respect to—

“(1) any means of identification (as defined in section 1028(d) of title 18) contained in a paper filed, or to be filed, in a case under this title; or

“(2) information contained in a paper described in paragraph (1) that could cause undue annoyance, embarrassment, oppression, or risk of injury to person or property.”.

(b) SECURITY OF SOCIAL SECURITY ACCOUNT NUMBER OF DEBTOR IN NOTICE TO CREDITOR.—Section 342(c) of title 11, United States Code, is amended—

(1) by inserting “last 4 digits of the” before “taxpayer identification number”; and

(2) by adding at the end the following: “If the notice concerns an amendment that adds a creditor to the schedules of assets and liabilities, the debtor shall include the full taxpayer identification number in the notice sent to that creditor, but the debtor shall include only the last 4 digits of the taxpayer identification number in the copy of the notice filed with the court.”.

SA 27. Mr. CHAFEE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 256, to amend title 11 of the United States Code, and for other purposes; which was ordered to lie on the table; as follows:

On page 196, line 14, insert “, other than redemptions under section 722 of this title,” after “claim”.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that the following hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing, entitled Power Generation Resource Incentives & Diversity Standards, will be held on Tuesday, March 8 at 2:30 p.m., in Room SD-366.

The purpose of the hearing is to receive testimony regarding ways to encourage the diversification of power generation resources. Issues to be discussed include: renewable portfolio standards (RPS) efforts among states and the cost and benefits of a federal RPS program. New approaches to promoting a variety of clean power resources, such as wind, solar, clean coal technology and nuclear power, will also be considered.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, U.S. Senate, SD-364 Dirksen Senate Office Building, Washington, DC 20510-6150.

For further information, please contact: Shane Perkins at 202-224-7555.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. CHAMBLISS. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will hold two hearings to consider the reauthorization of the Commodity Futures Trading Commission. The first hearing will be held on Tuesday, March 8, 2005, at 10 a.m., in SD-106, Dirksen Senate Office Building. The second hearing will be held on Thursday, March 10, 2005, at 10 a.m., in SR-328A, Russell Senate Office Building. Senator SAXBY CHAMBLISS will preside at both hearings.

For further information, please contact Robert Sturm at 202-224-2035.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 1, 2005, at 9:30 a.m., in open session to receive testimony from combatant commanders on their military strategy and operational requirements, in review of the defense authorization request for fiscal year 2005.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Tuesday, March 1, 2005, at 2 p.m., to conduct a hearing on the nomination of Mr. Ronald A. Rosenfeld, of Oklahoma, to be a Director of the Federal Housing Finance Board.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, March 1, at 10 a.m., to receive testimony on the President’s proposed budget for FY 2006 for the Department of the Interior.

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

COMMITTEE ON FINANCE

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to

meet during the session on Tuesday, March 1, 2005, at 2:15 p.m., to hear testimony on the financial status of PBGC and Administration's defined benefit plan funding proposal.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to hold a hearing during the session of the Senate on Tuesday, March 1, 2005, at 9:30 a.m., in SD-106.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Tuesday, March 1, 2005, at 10 a.m., in Room 485 of the Russell Senate Office Building to conduct a hearing on S. 147, the Native Hawaiian Government Reorganization Act.

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

COMMITTEE ON THE JUDICIARY

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Tuesday, March 1, 2005, at 9:30 a.m., on "Judicial Nominations." The hearing will take place in the Dirksen Senate Office Building Room 226. The tentative witness list will be provided when it is available.

Witness List

Panel I: Senators.

Panel II: William Myers, to be United States Circuit Judge for the Ninth Circuit Court of Appeals.

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

PRIVILEGE OF THE FLOOR

Mr. FEINGOLD. Mr. President, I ask unanimous consent that Chris Iavarone, a legal intern with my Judiciary Committee staff, be granted the privilege of the floor during consideration of the bankruptcy bill.

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

PERMITTING THE USE OF THE
ROTUNDA OF THE CAPITOL

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 79, which was received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 79) permitting the use of the rotunda of the Capitol for a ceremony to award a Congressional gold medal to Jackie Robinson (posthumously), in recognition of his many contributions to the Nation.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 79) was agreed to.

STAR PRINT—S. 12

Mr. MCCONNELL. Mr. President, I ask unanimous consent that S. 12 be star printed with the changes at the desk.

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

APPOINTMENT

The PRESIDING OFFICER. The chair, on behalf of the President pro tempore, and the recommendation of the majority leader, pursuant to 22 U.S.C 2761, as amended, appoints the Honorable THAD COCHRAN of Mississippi as chairman of the Senate delegation to the British American Inter-parliamentary Group conference during the 109th Congress.

ORDERS FOR WEDNESDAY, MARCH
2, 2005

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:15 a.m. tomorrow, Wednesday, March 2. I further ask consent that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then proceed to a period of morning business for 60 minutes, with the first 30 minutes under the control of the Democratic leader or his designee and the second 30 minutes under the control of the majority leader or his designee, and that the Senate then resume consideration of S. 256, the Bankruptcy Reform Act; provided that there then be 2 minutes of debate equally divided prior to a vote in relation to the Feingold amendment No. 17, to be followed by 2 minutes of debate equally divided prior to a vote in relation to the Akaka amendment No. 15; provided further that no amendment be in order to either amendment prior to those votes.

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

PROGRAM

Mr. MCCONNELL. So tomorrow, Mr. President, the Senate will resume consideration of the bankruptcy bill. We made good progress on the bill today, disposing of two important amendments. There are three amendments

currently pending to the bill. Under the previous order, we will have stacked rollcall votes early tomorrow morning in order to dispose of two of those amendments. Those votes are expected to begin shortly after 10:30 in the morning. We expect to be able to continue with additional amendments and votes throughout Wednesday's session of the Senate.

ADJOURNMENT UNTIL 9:15 A.M.
TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:03 p.m., adjourned until Wednesday, March 2, 2005, at 9:15 a.m.

NOMINATIONS

Executive nominations received by the Senate March 1, 2005:

THE JUDICIARY

BRIAN EDWARD SANDOVAL, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA, VICE HOWARD D. MCKIBBEN, RETIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL ROBERT R. ALLARDICE, 0000
COLONEL C. D. ALSTON, 0000
COLONEL THOMAS K. ANDERSEN, 0000
COLONEL BROOKS L. BASH, 0000
COLONEL MICHAEL J. BASLA, 0000
COLONEL FRANCIS M. BRUNO, 0000
COLONEL HERBERT J. CARLISLE, 0000
COLONEL GARY S. CONNOR, 0000
COLONEL CHARLES R. DAVIS, 0000
COLONEL DANIEL R. DINKINS, JR., 0000
COLONEL GREGORY A. FEEST, 0000
COLONEL FRANK GORNEC, 0000
COLONEL BLAIR E. HANSEN, 0000
COLONEL MARY K. HERTOG, 0000
COLONEL JIMMIE C. JACKSON, JR., 0000
COLONEL FRANK J. KISNER, 0000
COLONEL JAMES M. KOWALSKI, 0000
COLONEL DONALD LUSTIG, 0000
COLONEL CHRISTOPHER D. MILLER, 0000
COLONEL HAROLD W. MOULTON II, 0000
COLONEL JOSEPH F. MUDD, JR., 0000
COLONEL MARK H. OWEN, 0000
COLONEL ELLEN M. PAWLKOWSKI, 0000
COLONEL ROBIN RAND, 0000
COLONEL JOSEPH M. REHEISER, 0000
COLONEL JOSEPH REYNES, JR., 0000
COLONEL ALBERT F. RIGGLE, 0000
COLONEL PAUL G. SCHAFER, 0000
COLONEL STEPHEN D. SCHMIDT, 0000
COLONEL MARK S. SOLO, 0000
COLONEL JANET A. THERIANOS, 0000
COLONEL ROBERT YATES, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIGADIER GENERAL BYRON S. BAGBY, 0000
BRIGADIER GENERAL VINCENT E. BOLES, 0000
BRIGADIER GENERAL THOMAS P. BOSTICK, 0000
BRIGADIER GENERAL HOWARD B. BRONBERG, 0000
BRIGADIER GENERAL SEAN J. BYRNE, 0000
BRIGADIER GENERAL CHARLES A. CARTWRIGHT, 0000
BRIGADIER GENERAL THOMAS R. CSRNKO, 0000
BRIGADIER GENERAL JOHN DEFREITAS III, 0000
BRIGADIER GENERAL ROBERT E. EASTABEND, 0000
BRIGADIER GENERAL DAVID A. FASTABEND, 0000
BRIGADIER GENERAL CHARLES W. FLETCHER, JR., 0000
BRIGADIER GENERAL DANIEL A. HAHN, 0000
BRIGADIER GENERAL RHETT A. HERNANDEZ, 0000
BRIGADIER GENERAL MARK P. HERTLING, 0000
BRIGADIER GENERAL JAY W. HOOD, 0000
BRIGADIER GENERAL CHARLES H. JACOBY, JR., 0000
BRIGADIER GENERAL JEROME JOHNSON, 0000
BRIGADIER GENERAL GARY M. JONES, 0000
BRIGADIER GENERAL WILLIAM M. LENAERS, 0000
BRIGADIER GENERAL DOUGLAS E. LUTE, 0000
BRIGADIER GENERAL BENJAMIN R. MIXON, 0000
BRIGADIER GENERAL JAMES R. MYLES, 0000
BRIGADIER GENERAL ROGER A. NADEAU, 0000