

# Daily Digest

## Highlights

House Committee ordered reported the Emergency Supplemental Appropriations for the Fiscal Year ending September 30, 2005.

## Senate

### Chamber Action

*Routine Proceedings, pages S2199–S2296*

**Measures Introduced:** Twenty-six bills and four resolutions were introduced, as follows: S. 544–569, S. Res. 73–75, and S. Con. Res. 15. **Pages S2244–45**

#### Measures Reported:

S. 55, to adjust the boundary of Rocky Mountain National Park in the State of Colorado. (S. Rept. No. 109–19)

S. 57, to further the purposes of the Sand Creek Massacre National Historic Site Establishment Act of 2000. (S. Rept. No. 109–20)

S. 276, to revise the boundary of the Wind Cave National Park in the State of South Dakota. (S. Rept. No. 109–21)

S. 301, to authorize the Secretary of the Interior to provide assistance in implementing cultural heritage, conservation, and recreational activities in the Connecticut River watershed of the States of New Hampshire and Vermont, with an amendment. (S. Rept. No. 109–22) **Page S2244**

#### Measures Passed:

**International Women's Day:** Senate agreed to S. Res. 74, designating March 8, 2005, as "International Women's Day". **Pages S2289–95**

**Greek Independence Day:** Senate agreed to S. Res. 75, designating March 25, 2005, as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy". **Pages S2295–96**

**Bankruptcy Reform Act:** Senate continued consideration of S. 256, a bill to amend title 11 of the United States Code, taking action on the following amendments proposed thereto: **Pages S2200–30**

#### Rejected:

By 46 yeas to 53 nays (Vote No. 28), Schumer Amendment No. 47, to prohibit the discharge, in bankruptcy, of a debt resulting from the debtor's unlawful interference with the provision of lawful

goods or services or damage to property used to provide lawful goods or services. **Pages S2203–15**

By 41 yeas to 59 nays (Vote No. 30), Feingold Amendment No. 89, to strike certain small business related bankruptcy provisions in the bill. **Pages S2200, S2221–23, S2228**

#### Withdrawn:

Pryor Amendment No. 40, to amend the Fair Credit Reporting Act to prohibit the use of any information in any consumer report by any credit card issuer that is unrelated to the transactions and experience of the card issuer with the consumer to increase the annual percentage rate applicable to credit extended to the consumer. **Pages S2200, S2216**

Durbin Amendment No. 111, to protect veterans and members of the armed forces on active duty or performing homeland security activities from means testing in bankruptcy. **Pages S2200, S2228**

#### Pending:

Dorgan/Durbin Amendment No. 45, to establish a special committee of the Senate to investigate the awarding and carrying out of contracts to conduct activities in Afghanistan and Iraq and to fight the war on terrorism. **Page S2200**

Reid (for Baucus) Amendment No. 50, to amend section 524(g)(1) of title 11, United States Code, to predicate the discharge of debts in bankruptcy by an vermiculite mining company meeting certain criteria on the establishment of a health care trust fund for certain individuals suffering from an asbestos related disease. **Page S2200**

Dodd Amendment No. 52, to prohibit extensions of credit to underage consumers. **Page S2200**

Dodd Amendment No. 53, to require prior notice of rate increases. **Page S2200**

Kennedy (for Leahy/Sarbanes) Amendment No. 83, to modify the definition of disinterested person in the Bankruptcy Code. **Page S2200**

Harkin Amendment No. 66, to increase the accrual period for the employee wage priority in bankruptcy. **Page S2200**

Dodd Amendment No. 67, to modify the bill to protect families. **Pages S2200, S2223–28**

Dodd (for Kennedy) Amendment No. 68, to provide a maximum amount for a homestead exemption under State law. **Page S2200**

Dodd (for Kennedy) Amendment No. 69, to amend the definition of current monthly income. **Page S2200**

Dodd (for Kennedy) Amendment No. 70, to exempt debtors whose financial problems were caused by failure to receive alimony or child support, or both, from means testing. **Page S2200**

Dodd (for Kennedy) Amendment No. 72, to ensure that families below median income are not subjected to means test requirements. **Page S2200**

Dodd (for Kennedy) Amendment No. 71, to strike the provision relating to the presumption of luxury goods. **Page S2200**

Dodd (for Kennedy) Amendment No. 119, to amend section 502(b) of title 11, United States Code, to limit usurious claims in bankruptcy. **Page S2200**

Akaka Amendment No. 105, to limit claims in bankruptcy by certain unsecured creditors. **Page S2200**

Feingold Amendment No. 87, to amend section 104 of title 11, United States Code, to include certain provisions in the triennial inflation adjustment of dollar amounts. **Page S2200**

Feingold Amendment No. 88, to amend the plan filing and confirmation deadlines. **Page S2200**

Feingold Amendment No. 90, to amend the provision relating to fair notice given to creditors. **Page S2200**

Feingold Amendment No. 91, to amend section 303 of title 11, United States Code, with respect to the sealing and expungement of court records relating to fraudulent involuntary bankruptcy petitions. **Page S2200**

Feingold Amendment No. 92, to amend the credit counseling provision. **Page S2200**

Feingold Amendment No. 93, to modify the disclosure requirements for debt relief agencies providing bankruptcy assistance. **Page S2200**

Feingold Amendment No. 94, to clarify the application of the term disposable income. **Page S2200**

Feingold Amendment No. 95, to amend the provisions relating to the discharge of taxes under chapter 13. **Page S2200**

Feingold Amendment No. 96, to amend the provisions relating to chapter 13 plans to have a 5-year duration in certain cases and to amend the definition of disposable income for purposes of chapter 13. **Page S2200**

Feingold Amendment No. 97, to amend the provisions relating to chapter 13 plans to have a 5-year

duration in certain cases and to amend the definition of disposable income for purposes of chapter 13. **Page S2200**

Feingold Amendment No. 98, to modify the disclosure requirements for debt relief agencies providing bankruptcy assistance. **Page S2200**

Feingold Amendment No. 99, to provide no bankruptcy protection for insolvent political committees. **Page S2200**

Feingold Amendment No. 100, to provide authority for a court to order disgorgement or other remedies relating to an agreement that is not enforceable. **Page S2200**

Feingold Amendment No. 101, to amend the definition of small business debtor. **Page S2200**

Talent Amendment No. 121, to deter corporate fraud and prevent the abuse of State self-settled trust law. **Page S2200**

Schumer Amendment No. 129 (to Amendment No. 121), to limit the exemption for asset protection trusts. **Page S2200**

Durbin Amendment No. 110, to clarify that the means test does not apply to debtors below median income. **Page S2200**

Durbin Amendment No. 112, to protect disabled veterans from means testing in bankruptcy under certain circumstances. **Page S2200**

Boxer Amendment No. 62, to provide for the potential disallowance of certain claims. **Pages S2228–29**

During consideration of this measure today, Senate also took the following action:

By 69 yeas to 31 nays (Vote No. 29), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill. **Page S2216**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Wednesday, March 9, 2005, and that the Senate vote on, or in relation to, certain amendments. **Page S2296**

## Appointments

*Congressional-Executive Commission on the People's Republic of China:* The Chair, on behalf of the President of the Senate, and after consultation with the Majority Leader, pursuant to Public Law 106–286, appointed the following Members to serve on the Congressional-Executive Commission on the People's Republic of China:

Senators Hagel, Brownback, Smith, DeMint, and Martinez. **Page S2289**

**Nominations Received:** Senate received the following nominations:

Daniel Fried, of the District of Columbia, to be an Assistant Secretary of State (European Affairs).

2 Air Force nominations in the rank of general.

2 Navy nominations in the rank of admiral.	Page S2296
Messages From the House:	Page S2242
Measures Placed on Calendar:	Page S2242
Executive Communications:	Pages S2242–44
Additional Cosponsors:	Pages S2245–46
Statements on Introduced Bills/Resolutions:	Pages S2246–76
Additional Statements:	Pages S2240–42
Amendments Submitted:	Pages S2276–88
Notices of Hearings/Meetings:	Page S2288
Authority for Committees to Meet:	Pages S2288–89
Privilege of the Floor:	Page S2289
Record Votes: Three record votes were taken today. (Total—30)	Pages S2215, S2216, S2228
<b>Adjournment:</b> Senate convened at 9:45 a.m., and adjourned at 7:18 p.m., until 9:30 a.m., on Wednesday, March 9, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2296.)	

## Committee Meetings

(Committees not listed did not meet)

### COMMODITY FUTURES TRADING COMMISSION

*Committee on Agriculture, Nutrition, and Forestry:* Committee concluded a hearing to examine the reauthorization of the Commodity Futures Trading Commission, after receiving testimony from Sharon Brown-Hruska, Acting Chairman, Commodity Futures Trading Commission; Charles P. Carey, Chicago Board of Trade, Terrence A. Duffy, Chicago Mercantile Exchange, and Satish Nandapurkar, Eurex US, all of Chicago, Illinois; James Newsome, New York Mercantile Exchange, Inc., and Frederick W. Schoenhut, New York Board of Trade, both of New York, New York; and John M. Damgard, Futures Industry Association, Washington, D.C.

### BUSINESS MEETING

*Committee on Appropriations:* On February 17, 2005, Committee adopted its rules of procedure for the 109th Congress.

### APPROPRIATIONS: NAVY

*Committee on Appropriations:* Subcommittee on Military Construction concluded a hearing to examine proposed budget estimates for fiscal year 2006 for defense wide and navy budget overview, after receiving testimony from Tina W. Jonas, Under Secretary (Comptroller), and Philip W. Grone, Deputy Under

Secretary (Installations and Environment), both of the Department of Defense; B.J. Penn, Assistant Secretary (Installations and Environment), and Rear Admiral Wayne G. Shears, Jr., Deputy Director, Ashore Readiness Division, both of the United States Navy; and Brigadier General Willie J. Williams, Assistant Deputy Commandant, Installations and Logistics (Facilities), United States Marine Corps.

### DEFENSE AUTHORIZATION REQUEST

*Committee on Armed Services:* Committee concluded an open and closed hearing to examine military strategy and operational requirements in review of the Defense Authorization Request for fiscal year 2006, after receiving testimony from Admiral William J. Fallon, USN, Commander, United States Pacific Command; and General Leon J. LaPorte, USA, Commander, United Nations Command and Republic of Korea/United States Combined Forces Command Commander, United States Forces Korea.

### OPERATIONS IN IRAQ

*Committee on Armed Services:* Committee met in closed session to receive a briefing to discuss current operations in Iraq from General George W. Casey, Jr., USA, Commanding General, Multi-National Force—Iraq; and Peter W. Rodman, Assistant of Defense for International Security Affairs.

### LAND BILLS

*Committee on Energy and Natural Resources:* Subcommittee on Public Lands and Forests concluded a hearing to examine S. 179, to provide for the exchange of land within the Sierra National Forest, California, S. 213, to direct the Secretary of the Interior to convey certain Federal land to Rio Arriba County, New Mexico, S. 267, to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000, S. 305, to authorize the Secretary of the Interior to recruit volunteers to assist with or facilitate the activities of various agencies and offices of the Department of the Interior, S. 476, to authorize the Boy Scouts of America to exchange certain land in the State of Utah acquired under the Recreation and Public Purposes Act, and S. 485, to reauthorize and amend the National Geologic Mapping Act of 1992, after receiving testimony from Senator Hatch; Mark Rey, Under Secretary of Agriculture for Natural Resources and the Environment; Christopher Kearney, Deputy Assistant Secretary of the Interior for Policy Management and Budget; Robert Douglas, Tehama County Schools, Red Bluff, California, on behalf of the National Forest Counties and Schools Coalition; and Michael A. Francis, Wilderness Society, Washington, D.C.