

Daily Digest

HIGHLIGHTS

House Committee ordered reported the Concurrent Resolution on the Budget for Fiscal Year 2006.

Senate

Chamber Action

Routine Proceedings, pages S2297–S2404

Measures Introduced: Seventeen bills and four resolutions were introduced, as follows: S. 570–586, S. Res. 76–78, and S. Con. Res. 16. **Pages S2383–84**

Measures Reported:

S. 134, to adjust the boundary of Redwood National Park in the State of California. (S. Rept. No. 109–23)

S. 205, to authorize the American Battle Monuments Commission to establish in the State of Louisiana a memorial to honor the Buffalo Soldiers, with an amendment. (S. Rept. No. 109–24)

S. 207, to adjust the boundary of the Barataria Preserve Unit of the Jean Lafitte National Historical Park and Preserve in the State of Louisiana. (S. Rept. No. 109–25)

S. 243, to establish a program and criteria for National Heritage Areas in the United States. (S. Rept. No. 109–26)

S. 250, to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to improve the Act, with an amendment in the nature of a substitute. **Page S2383**

Measures Passed:

Terrorist Attacks Anniversary: Senate agreed to S. Res. 76, expressing the sense of the Senate on the anniversary of the deadly terrorist attacks launched against the people of Spain on March 11, 2004. **Page S2304**

Condemning Terrorism: Senate agreed to S. Res. 77, condemning all acts of terrorism in Lebanon and calling for the removal of Syrian troops from Lebanon and supporting the people of Lebanon in their quest for a truly democratic form of government. **Pages S2304–05**

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 S2306–42**

Adopted:

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 S2342**

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 S2342**

Rejected:

By 42 yeas to 58 nays (Vote No. 31), Durbin Amendment No. 110, to clarify that the means test does not apply to debtors below median income. **Page S2311**

By 48 yeas to 52 nays (Vote No. 32), Harkin Amendment No. 66, to increase the accrual period for the employee wage priority in bankruptcy. **Pages S2307–09, S2311–12**

By 40 yeas to 60 nays (Vote No. 33), Boxer Amendment No. 62, to provide for the potential disallowance of certain claims. **Pages S2309–11, S2312**

By 42 yeas to 58 nays (Vote No. 34), Dodd Amendment No. 67, to modify the bill to protect families. **Pages S2310, S2311, S2325**

By 47 yeas to 53 nays (Vote No. 35), Dodd (for Kennedy) Amendment No. 68, to provide a maximum amount for a homestead exemption under State law. **Pages S2321–22, S2325–26**

Withdrawn:

Bingaman Amendment No. 51, to amend certain provisions regarding attorney actions on behalf of debtors. **Pages S2318–19**

Feingold Amendment No. 101, to amend the definition of small business debtor. **Page S2342**

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 S2342**

Feingold Amendment No. 99, to provide no bankruptcy protection for insolvent political committees. **Page S2342**

Feingold Amendment No. 98, to modify the disclosure requirements for debt relief agencies providing bankruptcy assistance. **Page S2342**

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 S2342**

Feingold Amendment No. 94, to clarify the application of the term disposable income. **Page S2342**

Feingold Amendment No. 88, to amend the plan filing and confirmation deadlines. **Page S2342**

Dodd (for Kennedy) Amendment No. 119, to amend section 502(b) of title 11, United States Code, to limit usurious claims in bankruptcy. **Page S2342**

Dodd (for Kennedy) Amendment No. 71, to strike the provision relating to the presumption of luxury goods. **Page S2342**

Dodd (for Kennedy) Amendment No. 72, to ensure that families below median income are not subjected to means test requirements. **Page S2342**

Dodd Amendment No. 53, to require prior notice of rate increases. **Page S2342**

Dodd Amendment No. 52, to prohibit extensions of credit to underage consumers. **Page S2342**

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 S2342**

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 S2342**

Pending:

Kennedy (for Leahy/Sarbanes) Amendment No. 83, to modify the definition of disinterested person in the Bankruptcy Code. **Pages S2306, S2328-42**

Dodd (for Kennedy) Amendment No. 69, to amend the definition of current monthly income. **Pages S2306, S2323-25**

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. **Pages S2306, S2322-23**

Akaka Amendment No. 105, to limit claims in bankruptcy by certain unsecured creditors. **Pages S2307, S2312-18**

Feingold Amendment No. 90, to amend the provision relating to fair notice given to creditors. **Pages S2307, S2342**

Feingold Amendment No. 92, to amend the credit counseling provision. **Pages S2307, S2342**

Feingold Amendment No. 93, to modify the disclosure requirements for debt relief agencies providing bankruptcy assistance. **Pages S2307, S2342**

Feingold Amendment No. 95, to amend the provisions relating to the discharge of taxes under chapter 13. **Pages S2307, S2342**

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. **Pages S2307, S2342**

Talent Amendment No. 121, to deter corporate fraud and prevent the abuse of State self-settled trust law. **Pages S2307, S2342**

Schumer Amendment No. 129 (to Amendment No. 121), to limit the exemption for asset protection trusts. **Pages S2307, S2342**

Durbin Amendment No. 112, to protect disabled veterans from means testing in bankruptcy under certain circumstances. **Pages S2307, S2342**

A unanimous-consent agreement was reached providing for further consideration of the bill at 11 a.m., on Thursday, March 10, 2005; that all time be considered expired under the provisions of Rule XXII; that votes occur on, or in relation to, certain amendments; that no further amendments be in order, other than the possibility of a further second-degree amendment offered by Senator Talent, which has been filed, and a Managers' amendment which has been cleared by both Leaders; and that following the disposition of the above-listed amendments, the bill be read a third time, with a vote to occur on final passage of the bill. **Page S2342**

Nominations Discharged: The following nominations were discharged from further committee consideration and placed on the Executive Calendar:

Edward L. Flippen, of Virginia, to be Inspector General, Corporation for National and Community Service, which was sent to the Senate on January 24, 2005, from the Senate Committee on Homeland Security and Governmental Affairs.

Measures Read First Time: **Pages S2382, S2404**

Executive Communications: **Pages S2382-83**

Executive Reports of Committees: **Page S2383**

Additional Cosponsors: **Pages S2384-85**

Statements on Introduced Bills/Resolutions: **Pages S2385-S2403**

Additional Statements: **Pages S2381-82**

Amendments Submitted: Page S2403

Authority for Committees to Meet: Pages S2403–04

Privilege of the Floor: Page S2404

Record Votes: Five record votes were taken today. (Total—35) Pages S2311, S2312, S2325, S2326

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:32 p.m., until 9:30 a.m., on Thursday, March 10, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S2404.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: ARMY

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Army, after receiving testimony from Francis J. Harvey, Secretary, and General Peter J. Schoomaker, Chief of Staff, both of the Army.

DEFENSE: AIR FORCE SCIENCE AND TECHNOLOGY

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities concluded a hearing to examine the Department of Defense science and technology budget and strategy, after receiving testimony from Ronald M. Sega, Director, Defense Research and Engineering; Thomas H. Killion, Deputy Assistant Secretary of the Army for Research and Technology, Chief Scientist; Rear Admiral Jay M. Cohen, USN, Chief of Naval Research; James B. Engle, Deputy Assistant Secretary of the Air Force for Science, Technology, and Engineering; and Anthony J. Tether, Director, Defense Advanced Research Projects Agency.

SECURITIES INDUSTRY

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the state of the securities industry, focusing on recent initiatives regarding market structure, credit rating agencies, mutual funds and the implementation of the Sarbanes-Oxley requirements, after receiving testimony from William H. Donaldson, Chairman, Securities and Exchange Commission.

NOMINATION

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the nomination of Ronald Rosenfeld, of Oklahoma, to be a Director of the Federal Housing Finance Board.

2006 BUDGET

Committee on the Budget: Committee met to mark up a proposed concurrent resolution setting forth the fiscal year 2006 budget for the Federal Government, but did not complete consideration thereon, and will meet again tomorrow.

NOMINATIONS

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the nominations of Patricia Lynn Scarlett, of California, to be Deputy Secretary of the Interior, and Jeffrey Clay Sell, of Texas, to be Deputy Secretary of Energy, who was introduced by Senator Hutchison, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Environment and Public Works: Committee completed its markup of S. 131, to amend the Clean Air Act to reduce air pollution through expansion of cap and trade programs, to provide an alternative regulatory classification for units subject to the cap and trade program, following which a tie vote occurred, therefore the committee was unable to report the bill.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the following business items:

An original bill entitled the "Personal Responsibility and Individual Development for Everyone (PRIDE) Act"; and

The nominations of Harold Damelin, of Virginia, to be Inspector General, Department of the Treasury, and Raymond Thomas Wagner, Jr., of Missouri, to be a Member of the Internal Revenue Service Oversight Board.

DEPARTMENT OF HOMELAND SECURITY BUDGET

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2006 for the Department of Homeland Security, after receiving testimony from Michael Chertoff, Secretary of Homeland Security.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the nomination of Michael Jackson, of Virginia, to be Deputy Secretary of Homeland Security.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following bills: