

[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
Boehlert	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
Gallegly	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	Sánchez, Linda
Farr	Matheson	T.
Fattah	Matsui	Sanchez, Loretta
Filner	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
Hereth	Melancon	Smith (WA)
Higgins	Menendez	Snyder
Hinchee	Michaud	Spratt
Hinojosa	Millender-	Stark
Holden	McDonald	Strickland
Holt	Miller (NC)	Stupak
Honda	Miller, George	Tanner
Hooley	Mollohan	Tauscher
Hoyer	Moore (KS)	Taylor (MS)
Inslee	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
Lee	Reyes	Wynn
Levin	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

Boehlert  
Boehner  
Bonilla  
Bonner  
Bono  
Boozman  
Boustany  
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  
Feeney  
Ferguson  
Fitzpatrick (PA)  
Flake  
Foley  
Forbes  
Fortenberry  
Fossella  
Foxx  
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  
Barrow  
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  
Issa  
Regula  
Rehberg  
Reichert  
Renzi  
Reynolds  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Royce  
Ryan (WI)  
Ryun (KS)  
Saxton  
Schwarz (MI)  
Sensenbrenner  
Kolbe  
Shadegg  
Shaw  
Shays  
Sherwood  
Shinkus  
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)  
Larson (CT)  
Leach  
Lee  
Levin  
Lewis (GA)  
Lipinski  
Lowey  
Lynch  
Maloney  
Marky  
Marshall  
Matheson  
Matsui  
McCarthy  
McCollum (MN)  
McDermott  
McGovern  
McIntyre  
McKinney  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Melancon  
Menendez

Allen  
Berkley  
Brown, Corrine  
Evans  
Gillmor  
Gordon  
Hayes

## NOT VOTING—21

Hyde  
Johnson, E. B.  
LaHood  
Lofgren, Zoe  
Myrick  
Norwood  
Oliver

□ 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.