

Amendment to H.R. 333, As Reported

**Offered by Mr. Conyers of Michigan, Mr. Nadler of
New York, Mr. Scott of Virginia, Mr. Watt of
North Carolina, Ms. Jackson-Lee of Texas, Ms.
Waters of California, Ms. Baldwin of Wisconsin,
Mr. LaFalce of New York, and Mr. Tierney of
Massachusetts**

Page 8, after line 11, insert the following (and make such technical and conforming changes as may be appropriate):

1 (III) by striking “whose debts
2 are primarily consumer debts”;

Page 10, line 7, strike “the continuation of”.

Page 10, after line 22, insert the following (and make such technical and conforming changes as may be appropriate):

3 “(II) In addition, if the debtor does have health in-
4 surance benefits the debtor’s monthly expenses shall in-
5 clude an allowance to pay for reasonable medical expenses,
6 as circumstances require, not covered by the insurance for

1 the debtor, the dependents of the debtor, and the spouse
2 of the debtor.

Page 10, beginning on line 24, strike “actual administrative expenses” and insert “reasonable expense”.

Page 11, line 1, insert “or public” after “private”.

Page 11, after line 4, insert the following:

3 “(V) In addition, the debtor’s monthly expenses shall
4 include expenses necessary for the care of foster children
5 in the custody of the debtor.

Page 11, beginning on line 1, strike “if” and all that follows through “why” on line 3.

Page 12, strike lines 2 through 6, and insert the following:

6 “(B)(i) In any proceeding brought under this sub-
7 section, the presumption of abuse may be overcome if the
8 court finds special circumstances indicating by a preponderance
9 of the evidence that the debtors income should
10 be adjusted to less than the current monthly income, that

1 the debtors reasonably necessary expenses are greater
2 than those allowed by the Internal Revenue Service guide-
3 lines, or that the debtors financial difficulties were caused
4 by circumstances beyond the debtors control including
5 medical problems.

Page 13, after line 3, insert the following:

6 “(v) A debtor whose current monthly income is equal
7 to or less than the Federal Income Poverty Guidelines and
8 has been for the 1-year period preceding the date of the
9 filing of the petition may, in lieu of the requirements of
10 clauses (iv) and (v) of section 521(a)(1)(B) and sub-
11 sections (e), (f), and (g) of section 521, file with the court
12 written evidence showing the debtors income for the 1-year
13 period before the date of the filing of the petition and a
14 declaration under penalty of perjury that the debtors in-
15 come meets the test of this clause for that period.

Page 24, line 2, strike “current monthly income”
and insert “projected disposable income”.

Page 17, lines 6, 11, and 16, insert “(adjusted to reflect the percentage change in the Consumer Price Index for All Urban Consumers, published by the Department of Labor, for each subsequent year during which such median family income is not reported by the Bureau of the Census)” after “Census”.

Page 18, lines 2, 7, and 12, insert “(adjusted to reflect the percentage change in the Consumer Price Index for All Urban Consumers, published by the Department of Labor, for each subsequent year during which such median family income is not reported by the Bureau of the Census)” after “Census”.

Page 20, lines 18 and 23, insert “(adjusted to reflect the percentage change in the Consumer Price Index for All Urban Consumers, published by the Department of Labor, for each subsequent year during which such median family income is not reported by the Bureau of the Census)” after “Census”.

Page 21, lines 9 and 14, insert “(adjusted to reflect the percentage change in the Consumer Price Index for All Urban Consumers, published by the Department of Labor, for each subsequent year during which such me-

dian family income is not reported by the Bureau of the Census)” after “Census”.

Page 25, lines 9, 14, and 19, insert “(adjusted to reflect the percentage change in the Consumer Price Index for All Urban Consumers, published by the Department of Labor, for each subsequent year during which such median family income is not reported by the Bureau of the Census)” after “Census”.

Page 160, lines 14, 19, and 24, insert “(adjusted to reflect the percentage change in the Consumer Price Index for All Urban Consumers, published by the Department of Labor, for each subsequent year during which such median family income is not reported by the Bureau of the Census)” after “Census”.

Page 161, lines 9, 14, and 19, insert “(adjusted to reflect the percentage change in the Consumer Price Index for All Urban Consumers, published by the Department of Labor, for each subsequent year during which such median family income is not reported by the Bureau of the Census)” after “Census”.

Page 162, lines 17 and 23, insert “(adjusted to reflect the percentage change in the Consumer Price Index for All Urban Consumers, published by the Department of Labor, for each subsequent year during which such median family income is not reported by the Bureau of the Census)” after “Census”.

Page 163, line 4, insert “(adjusted to reflect the percentage change in the Consumer Price Index for All Urban Consumers, published by the Department of Labor, for each subsequent year during which such median family income is not reported by the Bureau of the Census)” after “Census”.

Beginning on page 45, strike line 24 and all that follows through line 9 on page 61, and insert the following:

- 1 (1) in subsection (c)(2)—
- 2 (A) in subparagraph (A) by striking “and”
- 3 at the end;
- 4 (B) in subparagraph (B) by adding “and”
- 5 at the end; and
- 6 (C) by adding at the end the following:
- 7 “(C) such agreement contains a clear and con-
- 8 spicuous statement which advises the debtor what

1 portion of the debt to be reaffirmed is attributable
2 to principal, interest, late fees, creditors attorney
3 fees, expenses or other costs relating to the collec-
4 tion of the debt;”;

5 (2) in subsection (c)(6)(B), by inserting “or is
6 a debt described in subsection (c)(7)” after “real
7 property”; and

8 (3) in subsection (c)—

9 (A) in paragraph (5) by striking “and” at
10 the end;

11 (B) in paragraph (6) by striking the period
12 and inserting “; and” at the end; and

13 (C) by adding at the end the following:

14 “(7) in a case concerning an individual, if the
15 consideration for such agreement is based in whole
16 or in part on an unsecured consumer debt, or is
17 based in whole or in part upon a debt for an item
18 of personalty the value of which at point of purchase
19 was \$1,000 or less, and in which the creditor asserts
20 a purchase money interest, the court, approves such
21 agreement as—

22 “(A) in the best interest of the debtor in
23 light of the debtors income and expenses;

24 “(B) not imposing an undue hardship on
25 the debtors future ability to pay for the needs

1 of children and other dependents (including
2 court ordered support);

3 “(C) not requiring the debtor to pay the
4 creditors attorneys fees, expenses or other costs
5 relating to the collection of debt;

6 “(D) not entered into to protect property
7 that is necessary for the care and maintenance
8 of children or other dependents that would have
9 nominal value on repossession;

10 “(E) not entered into after coercive threats
11 or actions by the creditor in the creditors
12 course of dealings with the debtor; and

13 “(F) not unfair because excessive in
14 amount based upon the value of the collateral.”;

15 (4) in subsection (d)(2)—

16 (A) by striking “subsection (c)(6)” and in-
17 serting “paragraphs (6) and (7) of subsection
18 (c)”, and

19 (B) by striking “, if the consideration for
20 such agreement is based in whole or in part on
21 a consumer debt that is not secured by real
22 property of the debtor after of this section and
23 adding at the end as applicable”.

Page 86, strike lines 1 through 5 (and make such technical and conforming changes as may be appropriate).

Page 121, after line 16, insert (and make such technical and conforming changes as may be appropriate):

1 **SEC. 231. PRIVACY POLICY ENFORCEMENT.**

2 (a) FTC AND STATE ATTORNEYS GENERAL AU-
3 THORITY TO PROTECT PERSONAL PRIVACY.—

4 (1) IN GENERAL.—Chapter 3 of title 11, United
5 States Code, is amended by inserting after section
6 307 the following new section:

7 **“§ 308. Personally identifiable information; authority**
8 **of Federal Trade Commission and State**
9 **attorneys general**

10 “(a) FTC AUTHORITY.—The Federal Trade Com-
11 mission may appear and be heard in any case or pro-
12 ceeding under this title in which personally identifiable in-
13 formation is, or is proposed to be, used, sold, leased, or
14 otherwise disclosed in violation of section 363(b)(3).

15 “(b) AUTHORITY OF STATE ATTORNEYS GEN-
16 ERAL.—A State, as *parens patriae*, may appear and be
17 heard in any case or proceeding under this title in which—

1 “(1) the attorney general of a State has reason
2 to believe that the personally identifiable information
3 of the residents of that State has been or is threat-
4 ened or adversely affected; and

5 “(2) personally identifiable information is, or is
6 proposed to be, used, sold, leased, or otherwise dis-
7 closed in violation of section 363(b)(3).

8 “(c) NO AFFECT ON OTHER AUTHORITY.—Nothing
9 in this section shall be construed to limit the authority
10 of the Federal Trade Commission or a State to appear
11 and be heard in any case or proceeding—

12 “(1) as a creditor where the Federal Trade
13 Commission or a State asserts a claim against a
14 debtor based on alleged violations of statutes within
15 the enforcement jurisdiction of the Federal Trade
16 Commission or the State; or

17 “(2) as a party in interest concerning other
18 matters or issues within the jurisdiction of the Fed-
19 eral Trade Commission or the State.”.

20 (2) CLERICAL AMENDMENT.—The table of sec-
21 tions for chapter 3 of title 11, United States Code,
22 is amended by inserting after the item relating to
23 section 307 the following:

“308. Personally identifiable information; authority of Federal Trade Commis-
sion and State attorneys general.”.

1 (b) LIMITATION ON SALE, USE, OR LEASE OF CER-
2 TAIN PERSONALLY IDENTIFIABLE INFORMATION.—Sec-
3 tion 363(b) of title 11, United States Code, is amended
4 by adding at the end the following:

5 “(3)(A) If the debtor is not an individual, per-
6 sonally identifiable information in the possession of
7 the debtor that relates to any other person may
8 only—

9 “(i) be used by the debtor—

10 “(I) in accordance with the terms of
11 the debtor’s privacy policy in effect at the
12 time of the bankruptcy filing; or

13 “(II) if no such privacy policy relating
14 to the personally identifiable information
15 was in effect at the time of the bankruptcy
16 filing, in accordance with subparagraph
17 (B); and

18 “(ii) be sold, leased, or otherwise disclosed
19 by the debtor—

20 “(I) to a nondebtor party; and

21 “(II) in accordance with subpara-
22 graph (B).

23 “(B) In the case of the use, sale, lease, or other
24 disclosure of personally identifiable information, as
25 described in clause (i)(II) or (ii) of subparagraph

1 (A), the debtor shall provide prior clear and con-
2 spicuous notice to the person to whom the personally
3 identifiable information relates of—

4 “(i) the proposed use, sale, lease, or other
5 disclosure of the information;

6 “(ii) the identity of the purchaser, lessee,
7 or other recipient of the information, if applica-
8 ble;

9 “(iii) the privacy policy of the purchaser,
10 lessee, or other recipient of the information, if
11 applicable; and

12 “(iv) the right of that person to choose not
13 to have the information used or transferred,
14 and an opportunity to choose not to have the
15 information used or transferred.

16 “(C) The bankruptcy court, after notice to all
17 parties in interest and the Federal Trade Commis-
18 sion and hearing—

19 “(i) shall establish mechanisms for pro-
20 viding clear and conspicuous notice and choice
21 referred to in subparagraph (B); and

22 “(ii) may tailor such mechanisms to the
23 specific circumstances of a case, as determined
24 by the bankruptcy court.”.

1 (c) DEFINITION OF PERSONALLY IDENTIFIABLE IN-
2 FORMATION.—Section 101 of title 11, United States Code,
3 is amended by inserting after paragraph (41) the fol-
4 lowing:

5 “(41A) ‘personally identifiable information’
6 means, with respect to the person to whom the infor-
7 mation relates—

8 “(A) a first name, initials, and last name
9 of that person, whether given at birth or adop-
10 tion, assumed, or legally changed;

11 “(B) a home or other physical address for
12 that person, including street name and name of
13 city or town;

14 “(C) an e-mail address for that person;

15 “(D) a telephone number for that person;

16 “(E) a social security account number for
17 that person;

18 “(F) a credit card account number for that
19 person;

20 “(G) a birth date, birth certificate number,
21 or place of birth for that person;

22 “(H) information concerning that person
23 that the debtor collects and combines with any
24 other identifier described in this paragraph; and

1 “(I) any other identifying information re-
2 relating to that person that permits the physical
3 or electronic contacting or identification of that
4 person, as determined by the bankruptcy
5 court.”.

Page 198, strike lines 3 and 4 and insert the following:

6 308, as added by this Act, the following:

7 **“§ 309. Debtor reporting requirements**

Page 199, strike line 15 and all that follows through the end of the material between lines 15 and 16 and insert the following:

8 section 308, as added by this Act, the following:

“309. Debtor reporting requirements.”.

Page 254, after line 4, insert the following (and make such technical and conforming changes as may be appropriate):

1 **SEC. 605. PROTECTION OF PERSONAL PRIVACY IN BANK-**
2 **RUPTCY CASES.**

3 (a) **PERSONAL PRIVACY PROTECTION.**—Section 107
4 of title 11, United States Code, is amended by adding at
5 the end the following:

6 “(c) **ELECTRONIC ACCESS.**—

7 “(1) **IN GENERAL.**—The clerk of the bank-
8 ruptcy court, the United States trustee, and the
9 trustee in a case under this title may provide elec-
10 tronic access to a paper filed in a case under this
11 title, to any of the information contained in a paper
12 filed in such a case, and to the dockets of a bank-
13 ruptcy court only as permitted in this subsection.

14 “(2) **LIMITATIONS ON ACCESS.**—Except as pro-
15 vided in paragraph (3), the clerk of the bankruptcy
16 court, the United States trustee, and the trustee in
17 the case may not provide electronic access—

18 “(A) to the debtor’s social security num-
19 ber, date of birth, mother’s maiden name, tele-
20 phone number, or account numbers (including
21 bank account and credit card account num-
22 bers);

23 “(B) to any of the single line items in the
24 debtor’s schedule of assets or statement of in-
25 come and expenditures; or

1 “(C) to any personal, medical, or financial
2 information regarding the debtor or a relative
3 of the debtor.

4 “(3) PERMISSIBLE ACCESS.—The clerk of the
5 bankruptcy court, the United States trustee, and the
6 trustee in the case may provide electronic access to
7 the information specified in paragraph (2) to—

8 “(A) a party in interest in the case;

9 “(B) an entity that requires any such in-
10 formation to determine whether it is a party in
11 interest in the case;

12 “(C) the trustee in the case;

13 “(D) the United States trustee; or

14 “(E) a governmental unit that requires any
15 such information for a bona fide law enforce-
16 ment purpose.

17 “(4) CERTIFICATION REQUIRED.—A party or
18 entity whose only basis for obtaining electronic ac-
19 cess to information in a case under this title is
20 under subparagraph (A) or (B) of paragraph (3)
21 shall, as a condition to obtaining electronic access to
22 any of the information listed in paragraph (2), cer-
23 tify, in writing or in electronic form, to the clerk of
24 the bankruptcy court, the United States trustee, or

1 the trustee in the case, as the case may be, that the
2 party or entity—

3 “(A) properly qualifies for electronic access
4 to information under paragraph (3);

5 “(B) will use the information obtained
6 through electronic access only for the purpose
7 of—

8 “(i) participating or determining
9 whether to participate in the case;

10 “(ii) the entity’s own internal credit
11 evaluation of the debtor; or

12 “(iii) providing the information to a
13 governmental unit for a bona fide law en-
14 forcement purpose;

15 “(C) will use reasonable means to secure
16 the information obtained from unauthorized ac-
17 cess and disclosure; and

18 “(D) will comply with the requirements of
19 paragraph (6).

20 “(5) MAINTENANCE OF RECORDS.—The clerk
21 of the bankruptcy court, the United States trustee,
22 or the trustee in the case, as the case may be, shall
23 maintain a record of, and shall make available to the
24 debtor, the identity of and contact information for

1 any entity that has obtained electronic access to in-
2 formation in a case under this title.

3 “(6) DUTIES OF RECIPIENT.—Upon written re-
4 quest by the debtor, an entity that has obtained elec-
5 tronic information under this subsection shall
6 promptly inform the debtor of the content of the in-
7 formation stored by the entity and shall correct any
8 such information to the extent that it differs from
9 the information contained in the records of the
10 bankruptcy court.

11 “(7) LIABILITY.—A party or entity that is re-
12 quired to make the certification required under para-
13 graph (4), that obtains electronic access to informa-
14 tion in a case, and that does not provide or does not
15 comply with the certification is liable to the debtor
16 for—

17 “(A) any actual damages;

18 “(B) the debtor’s attorney’s fees and costs
19 in enforcing compliance with this subsection;

20 “(C) \$500 per violation; and

21 “(D) punitive damages, if the violation is
22 willful or part of a pattern or practice of viola-
23 tions of this subsection.

1 “(8) USE BY OFFICIAL RECIPIENTS.—An entity
2 that obtains electronic access to information under
3 subparagraph (C), (D), or (E) of paragraph (3)—

4 “(A) may use the information concerning
5 an individual debtor only in connection with
6 carrying out the official duties of that entity in
7 connection with the administration of the case
8 or the administration of the bankruptcy system
9 in general; and

10 “(B) may not provide electronic access to
11 any such information concerning an individual
12 debtor, except in accordance with the provisions
13 of this subsection.

14 “(9) ACCESS TO STATISTICAL INFORMATION.—
15 The clerk of the bankruptcy court may provide elec-
16 tronic access to statistical information concerning
17 cases and information concerning particular cases
18 without regard to the restrictions of this subsection,
19 but only if the information does not include any
20 means of identifying a particular debtor’s name, so-
21 cial security number, date of birth, mother’s maiden
22 name, telephone number, address, or account num-
23 bers (including bank account and credit card ac-
24 count numbers).

1 “(10) DEFINITION.—For purposes of this sub-
2 section, ‘electronic access’ means access through
3 electronic means, such as through a computer or
4 telephone, to a database or to court or other elec-
5 tronic records, without human intervention.

6 “(11) APPLICABILITY TO INDIVIDUALS.—This
7 subsection applies only in a case in which the debtor
8 is an individual.”.

9 (b) CONFORMING AMENDMENT.—Section 107(a) of
10 title 11, United States Code, is amended by striking “sub-
11 section (b)” and inserting “subsections (b) and (c)”.

12 (c) CLERICAL AMENDMENTS.—Section 107 of title
13 11, United States Code, is amended—

14 (1) by inserting “GENERAL ACCESS.—” after
15 “(a)”; and

16 (2) by inserting “PROTECTED MATTER.—”
17 after “(b)”.

18 (d) EFFECTIVE DATE.—The amendments made by
19 this section shall become effective 180 days after the date
20 of enactment of this Act.

Page 145, strike lines 19 through 23 (and make such technical and conforming changes as may be appropriate).

Beginning on page 147, strike line 6 and all that follows through line 16 on page 148, and insert the following:

1 “(4)(A) For purposes of paragraph (1)(B), the term
2 ‘household goods’ includes tangible personal property nor-
3 mally found in or around a residence, but does not include
4 motorized vehicles used for transportation purposes.”.

Page 159, line 12, insert “, or on a showing of good cause such longer period as the court considers to be reasonable,” after “45 days”.

Page 167, strike lines 21 through 24 (and make such technical and conforming changes as may be appropriate).

Page 236, line 8, strike “described in section 523(a)(2) or”.

Page 182, line 3, strike the close quotation marks and the period at the end.

Page 182, after line 3, insert the following (and make such technical and conforming changes as may be appropriate):

1 “(iii) The court may extend the time periods specified
2 in this paragraph if the debtor establishes by clear and
3 convincing evidence that an extension is justified by cir-
4 cumstances beyond the debtor’s control that were not fore-
5 seeable on the date of the order for relief.”.

Page 186, line 18, strike “The” and insert “Unless the debtor establishes by clear and convincing evidence that there are circumstances beyond the debtor’s control that were not foreseeable on the date of the order of relief, the”.

Page 186, line 21, strike “The” and insert “Unless the debtor establishes by clear and convincing evidence that there are circumstances beyond the debtor’s control that were not foreseeable on the date of the order of relief, the”.

Page 191, after line 24, insert the following (and make such technical and conforming changes as may be appropriate):

1 “(4) The court may extend the time period specified
2 in paragraph (2) if the debtor establishes by clear and con-
3 vincing evidence that an extension is justified by cir-
4 cumstances beyond the debtor’s control that were not fore-
5 seeable on the date the assurance of payment was due.

Page 201, line 7, insert “(a)” before “In”.

Page 202, line 25, strike the close quotation marks and the period at the end.

Page 202, after line 25, insert the following:

6 “(b) The court may extend the time periods specified
7 in paragraphs (1) and (3) of subsection (a) if the debtor
8 establishes by clear and convincing evidence that an exten-
9 sion is justified by circumstances that there are beyond
10 the debtor’s control that were not foreseeable on the date
11 of the order of relief.”.

Page 204, line 5, strike “and” at the end.

Page 204, line 7, strike the close quotation marks and the period at the end.

Page 204, after line 7, insert the following (and make such technical and conforming changes as may be appropriate):

1 “(D) the debtor establishes by clear and
2 convincing evidence that an extension is justi-
3 fied by circumstances beyond the debtor’s con-
4 trol that were not foreseeable on the date of the
5 order of relief.”.

Page 204, line 14, insert “or the debtor establishes by clear and convincing evidence that an extension is justified by circumstances beyond the debtor’s control that were not foreseeable on the date of the order for relief” after “1121(e)(3)”.

Page 353, line 19, insert “of this title or the transfer of the asset-backed securitization would not be a true transfer, conveyance or sale under nonbankruptcy law” after “548(a)”.

Page 194, after line 8, insert the following (and make such technical and conforming changes as may be appropriate):

1 **SEC. 420. CLARIFICATION OF POSTPETITION WAGES AND**
2 **BENEFITS.**

3 Section 503(b)(1)(A) of title 11, United States Code,
4 is amended to read as follows:

5 “(A) The actual, necessary costs and ex-
6 penses of preserving the estate, including
7 wages, salaries, or commissions for services ren-
8 dered after the commencement of the case, and
9 wages awarded as backpay and benefits attrib-
10 utable to any period of time after commence-
11 ment of the case as a result of the debtor’s vio-
12 lation of Federal or State law, without regard
13 to when the original unlawful act occurred or to
14 whether any services were rendered.”.

Page 194, before line 9, insert the following (and make such technical and conforming changes as may be appropriate):

1 **SEC. 421. CLARIFICATION OF DEBTOR'S DUTIES.**

2 (a) DUTIES.—Section 521 of title 11, United States
3 Code, as amended by this Act, is amended by inserting
4 after paragraph (6) the following:—

5 “(7) unless a trustee is serving in the case, the
6 debtor who, at the time of the commencement of the
7 case, served as the administrator or plan sponsor of
8 an employee benefit plan, pursuant to section
9 1002(16) of title 29, United States Code, shall con-
10 tinue to perform the obligations required of the plan
11 administrator or plan sponsor; and

12 “(8) unless a trustee is serving in the case,
13 where a proof of claim is filed on behalf of employ-
14 ees or retirees of the debtor by a labor organization
15 serving as the collective bargaining representative of
16 such employees or retirees, the debtor shall, for the
17 purpose of facilitating the location of, and distribu-
18 tion to the employees and retirees of the allowed
19 amount of the claim, provide to such collective bar-
20 gaining representative a complete list of such em-
21 ployees or retirees and their current addresses as
22 listed on the books and records of the debtor, and
23 such other information as may reasonably be re-
24 quested for the purpose of aiding in the claims dis-
25 tribution.”.

1 (b) CHAPTER 7.—Section 704 of title 11, United
2 States Code, as amended by this Act, is amended by add-
3 ing at the end the following:

4 “(12) where, at the time of the commencement
5 of the case, the debtor served as the administrator
6 or plan sponsor of an employee benefit plan, pursu-
7 ant to section 1002(16) of title 29, United States
8 Code, continue to perform the obligations required of
9 the plan administrator or plan sponsor;

10 “(13) where a proof of claim is filed on behalf
11 of employees or retirees of the debtor by a labor or-
12 ganization serving as the collective bargaining rep-
13 resentative of such employees or retirees, provide to
14 such collective bargaining representative a complete
15 list of such employees or retirees and their current
16 addresses as listed on the books and records of the
17 debtor, and such other information as may reason-
18 ably be requested for the purpose of aiding in the
19 distribution of allowed claims to such employees or
20 retirees; and

21 “(14) assume the obligations of the debtor to
22 withhold, report, and pay withholding taxes to the
23 appropriate taxing authority with respect to the dis-
24 tribution of allowed claims for employee compensa-

1 tion and prepare and submit the reports and returns
2 required by such authorities.”.

3 (c) CHAPTER 11.—Section 1106(a)(1) of title 11,
4 United States Code, is amended to read as follows:

5 “(1) perform the duties of the trustee as speci-
6 fied in section 704(2), (5), (7), (8), (9), (10), (11),
7 and (12);”.

8 (d) OFFICIAL FORM.—The Advisory Committee on
9 Bankruptcy Rules of the Judicial Conference of the
10 United States shall propose for adoption an Official Bank-
11 ruptcy Form to be used to file a proof of multiple claim
12 for wages owed to employees of the debtor.

Page 358, after line 18, insert the following (and
make such technical and conforming changes as may be
appropriate):

13 **SEC. 1004. EXPANDED DEFINITION OF FAMILY FARMER.**

14 Section 101(18) of title 11, United States Code, is
15 amended—

16 (1) in subparagraph (A)—

17 (A) by striking “\$1,500,000” and inserting
18 “\$3,000,000”;

1 (B) by striking “80” and inserting “65”;
2 and
3 (C) by striking “the taxable year preceding
4 the taxable year” and inserting “at least 1 of
5 the 3 taxable years preceding the taxable year”;
6 and
7 (2) in subparagraph (B)—
8 (A) in clause (ii), by striking “80” and in-
9 serting “65”; and
10 (B) in clause (ii), by striking “\$1,500,000”
11 and inserting “\$3,000,000”.

Page 393, after line 13, insert the following (and make such technical and conforming changes as may be appropriate):

12 **SEC. 1236. TECHNICAL CORRECTIONS TO THE COLLEGE**
13 **SCHOLARSHIP FRAUD PREVENTION ACT OF**
14 **2000.**

15 (a) SENTENCING ENHANCEMENT GUIDELINES.—
16 Section 3 of the College Scholarship Fraud Prevention Act
17 of 2000 (Public Law 106–420) is amended—

1 (1) by striking “obtaining or providing of” and
2 inserting “the obtaining of, the offering of assistance
3 in obtaining”; and

4 (2) by striking “base offense level for misrepre-
5 sentation” and inserting “enhanced penalties pro-
6 vided for in the Federal sentencing guidelines for an
7 offense involving fraud or misrepresentation”.

8 (b) LIMITATION ON EXEMPT PROPERTY.—Section
9 522(c)(4) of title 11, United States Code, as added by sec-
10 tion 4 of the College Scholarship Fraud Prevention Act
11 of 2000 (Public Law 106–420), is amended—

12 (1) by striking “in the obtaining or providing
13 of” and inserting “or misrepresentation in the pro-
14 viding of, the offering of assistance in obtaining, or
15 the furnishing of information to a consumer on,”;
16 and

17 (2) by striking “(20 U.S.C. 1001)”.

18 (c) EFFECTIVE DATE; APPLICATION OF AMEND-
19 MENTS.—

20 (1) EFFECTIVE DATE.—Except as provided in
21 paragraph (2), this section and the amendments
22 made by this section shall take effect on November
23 1, 2000.

24 (2) APPLICATION OF SECTION 552(C)(4) OF
25 TITLE 11, UNITED STATES CODE.—Section 522(c)(4)

1 of title 11, United States Code, as added by section
2 4 of the College Scholarship Fraud Prevention Act
3 of 2000 (Public Law 106–420) and as amended by
4 subsection (b) of this section, shall apply only with
5 respect to cases commenced under title 11, United
6 States Code, on or after November 1, 2000.

Beginning on page 419, strike lines 5 through 23
(and make such technical and conforming changes as
may be appropriate).