

S 3197

National Guard and Reservists Debt Relief Act of 2008

Congress: 110 (2007–2009, Ended)

Chamber: Senate

Policy Area: Finance and Financial Sector

Introduced: Jun 25, 2008

Current Status: Became Public Law No: 110-438.

Latest Action: Became Public Law No: 110-438. (Oct 20, 2008)

Law: 110-438 (Enacted Oct 20, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/senate-bill/3197>

Sponsor

Name: Sen. Durbin, Richard J. [D-IL]

Party: Democratic • State: IL • Chamber: Senate

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Leahy, Patrick J. [D-VT]	D · VT		Jul 15, 2008
Sen. Hatch, Orrin G. [R-UT]	R · UT		Sep 12, 2008

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Reported By	Sep 15, 2008

Subjects & Policy Tags

Policy Area:

Finance and Financial Sector

Related Bills

Bill	Relationship	Last Action
110 HR 4044	Related bill	Jun 24, 2008: Received in the Senate and Read twice and referred to the Committee on the Judiciary.
110 HR 3972	Related bill	Nov 2, 2007: Referred to the Subcommittee on Commercial and Administrative Law.

(This measure has not been amended since it was reported to the Senate on September 15, 2008. The summary of that version is repeated here.)

National Guard and Reservists Debt Relief Act of 2008 - (Sec. 2) Amends federal bankruptcy law to prohibit the bankruptcy court from dismissing or converting a chapter 7 liquidation case based upon means testing if the debtor, after September 11, 2001, was called to active duty or homeland defense activity while a member of a reserve component of the Armed Forces or a member of the National Guard, and such debtor is: (1) on active duty for a specified period; or (2) performing a homeland defense activity for a specified period.

(Sec. 3) Directs the Comptroller General to study and report to Congress on whether and to what degree members of reserve components of the Armed Forces and the National Guard: (1) avail themselves of the benefits of this Act; (2) are debtors in federal bankruptcy cases substantially related to service that qualifies them for such benefits ; and (3) are debtors in federal bankruptcy cases materially related to such service.

Requires such study to include the effects that the use of this Act by such members has upon: (1) the bankruptcy system; (2) creditors; and (3) the debt-incurrence practices of such members.

Prescribes mandatory factors for consideration in such report.

Actions Timeline

- **Oct 20, 2008:** Signed by President.
- **Oct 20, 2008:** Became Public Law No: 110-438.
- **Oct 9, 2008:** Presented to President.
- **Oct 3, 2008:** Considered as unfinished business. (consideration: CR H10806-10807)
- **Oct 3, 2008:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 411 - 0 (Roll no. 682).(text: CR 10/2/2008 H10648-10649)
- **Oct 3, 2008:** On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 411 - 0 (Roll no. 682). (text: CR 10/2/2008 H10648-10649)
- **Oct 3, 2008:** Motion to reconsider laid on the table Agreed to without objection.
- **Oct 3, 2008:** Cleared for White House.
- **Oct 2, 2008:** Received in the House.
- **Oct 2, 2008:** Held at the desk.
- **Oct 2, 2008:** Mr. Conyers moved to suspend the rules and pass the bill.
- **Oct 2, 2008:** Considered under suspension of the rules. (consideration: CR H10648-10653; text of measure as introduced: CR H10648-10649)
- **Oct 2, 2008:** DEBATE - The House proceeded with forty minutes of debate on S. 3197.
- **Oct 2, 2008:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Oct 1, 2008:** Message on Senate action sent to the House.
- **Sep 30, 2008:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.(consideration: CR S10186-10187; text as passed in Senate: CR S10186-10187)
- **Sep 30, 2008:** Passed Senate with an amendment by Unanimous Consent. (consideration: CR S10186-10187; text as passed in Senate: CR S10186-10187)
- **Sep 15, 2008:** Committee on the Judiciary. Reported by Senator Leahy with an amendment. Without written report.
- **Sep 15, 2008:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 963.
- **Sep 11, 2008:** Committee on the Judiciary. Ordered to be reported with an amendment favorably.
- **Jun 25, 2008:** Introduced in Senate
- **Jun 25, 2008:** Sponsor introductory remarks on measure. (CR S6166)
- **Jun 25, 2008:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S6166-6167)