

HR 4044

To amend title 11 of the United States Code to exempt for a limited period, from the application of the means-test presumption of abuse under Chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days.

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: Finance and Financial Sector

Introduced: Nov 1, 2007

Current Status: Received in the Senate and Read twice and referred to the Committee on the Judiciary.

Latest Action: Received in the Senate and Read twice and referred to the Committee on the Judiciary. (Jun 24, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/4044>

Sponsor

Name: Rep. Schakowsky, Janice D. [D-IL-9]

Party: Democratic • **State:** IL • **Chamber:** House

Cosponsors (66 total)

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Rep. Blumenauer, Earl [D-OR-3]	D · OR		Nov 1, 2007
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Rep. Butterfield, G. K. [D-NC-1]	D · NC		Nov 1, 2007
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Rep. Gordon, Bart [D-TN-6]	D · TN		Nov 1, 2007
Rep. Hare, Phil [D-IL-17]	D · IL		Nov 1, 2007
Rep. Harman, Jane [D-CA-36]	D · CA		Nov 1, 2007
Rep. Hastings, Alcee L. [D-FL-23]	D · FL		Nov 1, 2007
Rep. Honda, Michael M. [D-CA-15]	D · CA		Nov 1, 2007
Rep. Hooley, Darlene [D-OR-5]	D · OR		Nov 1, 2007
Rep. Jackson-Lee, Sheila [D-TX-18]	D · TX		Nov 1, 2007
Rep. Jefferson, William J. [D-LA-2]	D · LA		Nov 1, 2007
Rep. Jones, Walter B., Jr. [R-NC-3]	R · NC		Nov 1, 2007
Rep. Kucinich, Dennis J. [D-OH-10]	D · OH		Nov 1, 2007
Rep. McGovern, James P. [D-MA-3]	D · MA		Nov 1, 2007
Rep. Michaud, Michael H. [D-ME-2]	D · ME		Nov 1, 2007
Rep. Rohrabacher, Dana [R-CA-46]	R · CA		Nov 1, 2007
Rep. Rush, Bobby L. [D-IL-1]	D · IL		Nov 1, 2007
Rep. Shea-Porter, Carol [D-NH-1]	D · NH		Nov 1, 2007
Rep. Tierney, John F. [D-MA-6]	D · MA		Nov 1, 2007
Rep. DeGette, Diana [D-CO-1]	D · CO		Nov 6, 2007
Rep. Green, Al [D-TX-9]	D · TX		Nov 6, 2007
Rep. Kirk, Mark Steven [R-IL-10]	R · IL		Nov 6, 2007
Rep. Sutton, Betty [D-OH-13]	D · OH		Nov 6, 2007
Rep. Udall, Mark [D-CO-2]	D · CO		Dec 13, 2007
Rep. Burton, Dan [R-IN-5]	R · IN		Jan 23, 2008
Rep. Cubin, Barbara [R-WY-At Large]	R · WY		Jan 23, 2008
Rep. Fossella, Vito [R-NY-13]	R · NY		Jan 23, 2008
Rep. Souder, Mark E. [R-IN-3]	R · IN		Jan 23, 2008
Rep. Wolf, Frank R. [R-VA-10]	R · VA		Jan 29, 2008
Rep. Miller, Jeff [R-FL-1]	R · FL		Feb 25, 2008
Del. Christensen, Donna M. [D-VI-At Large]	D · VI		Mar 11, 2008
Rep. Maloney, Carolyn B. [D-NY-14]	D · NY		Mar 11, 2008

Cosponsor	Party / State	Role	Date Joined
Rep. Nadler, Jerrold [D-NY-8]	D · NY		Mar 11, 2008
Rep. Doyle, Michael F. [D-PA-14]	D · PA		Mar 12, 2008
Rep. English, Phil [R-PA-3]	R · PA		Mar 12, 2008
Rep. Shays, Christopher [R-CT-4]	R · CT		Mar 12, 2008
Rep. Gillibrand, Kirsten E. [D-NY-20]	D · NY		Mar 13, 2008
Rep. Cohen, Steve [D-TN-9]	D · TN		Apr 1, 2008
Rep. Delahunt, William D. [D-MA-10]	D · MA		Apr 1, 2008
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Rep. McIntyre, Mike [D-NC-7]	D · NC		Apr 2, 2008
Del. Bordallo, Madeleine Z. [D-GU-At Large]	D · GU		Apr 8, 2008
Rep. Grijalva, Raúl M. [D-AZ-7]	D · AZ		Apr 9, 2008
Rep. Walz, Timothy J. [D-MN-1]	D · MN		Apr 9, 2008
Rep. Bishop, Sanford D., Jr. [D-GA-2]	D · GA		Apr 15, 2008
Rep. Gonzalez, Charles A. [D-TX-20]	D · TX		Apr 15, 2008
Rep. Hinojosa, Ruben [D-TX-15]	D · TX		Apr 15, 2008
Rep. Peterson, Collin C. [D-MN-7]	D · MN		Apr 15, 2008
Rep. Hinchey, Maurice D. [D-NY-22]	D · NY		Apr 24, 2008
Rep. Allen, Thomas H. [D-ME-1]	D · ME		Apr 29, 2008
Rep. McCollum, Betty [D-MN-4]	D · MN		May 1, 2008
Rep. Hirono, Mazie K. [D-HI-2]	D · HI		May 6, 2008
Rep. Matsui, Doris O. [D-CA-5]	D · CA		May 6, 2008
Rep. Gutierrez, Luis V. [D-IL-4]	D · IL		May 13, 2008
Rep. Bishop, Timothy H. [D-NY-1]	D · NY		May 21, 2008
Rep. Kagen, Steve [D-WI-8]	D · WI		Jun 18, 2008

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Reported by	Apr 24, 2008
Judiciary Committee	Senate	Referred To	Jun 24, 2008

Subjects & Policy Tags

Policy Area:

Finance and Financial Sector

Related Bills

Bill	Relationship	Last Action
110 S 3197	Related bill	Oct 20, 2008: Became Public Law No: 110-438.
110 HR 3972	Identical 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 House on June 20, 2008. The summary of that version is repeated here.)

National Guard and Reservists Debt Relief Act of 2008 - Amends federal bankruptcy law to prohibit the bankruptcy court from dismissing or converting a case based on means testing while the debtor: (1) is either on active duty in the military service of the United States or performing a homeland defense activity for at least 90 days, and during the 540 days following the end of such period; and (3) was called to such active duty or performed such homeland defense activity after September 11, 2001, as a member of a reserve component of the Armed Forces or the National Guard.

Directs the Comptroller General of the United States 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 such members for such benefits of this Act; and (3) are debtors in federal bankruptcy cases materially related to such service.

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

Actions Timeline

- **Jun 24, 2008:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.
- **Jun 23, 2008:** Mr. Conyers moved to suspend the rules and pass the bill, as amended.
- **Jun 23, 2008:** Considered under suspension of the rules. (consideration: CR H5801-5805)
- **Jun 23, 2008:** DEBATE - The House proceeded with forty minutes of debate on H.R. 4044.
- **Jun 23, 2008:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H5801-5802)
- **Jun 23, 2008:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H5801-5802)
- **Jun 23, 2008:** Motion to reconsider laid on the table Agreed to without objection.
- **Jun 23, 2008:** The title of the measure was amended. Agreed to without objection.
- **Jun 20, 2008:** Reported (Amended) by the Committee on Judiciary. H. Rept. 110-726.
- **Jun 20, 2008:** Placed on the Union Calendar, Calendar No. 461.
- **Jun 11, 2008:** Committee Consideration and Mark-up Session Held.
- **Jun 11, 2008:** Ordered to be Reported (Amended) by Voice Vote.
- **Apr 30, 2008:** Committee Consideration and Mark-up Session Held.
- **Apr 24, 2008:** Subcommittee Consideration and Mark-up Session Held.
- **Apr 24, 2008:** Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote .
- **Apr 1, 2008:** Subcommittee Hearings Held.
- **Dec 3, 2007:** Referred to the Subcommittee on Commercial and Administrative Law.
- **Nov 1, 2007:** Introduced in House
- **Nov 1, 2007:** Referred to the House Committee on the Judiciary.