Like the Bankruptcy Reform Act, the 1984 amendments, particularly those concerning consumer bankruptcy, evolved through a lengthy process of hearings and reports followed by a last minute frenzy of compromises. As with the 1978 Act, there is no formal conference report and no explanation of many of the final provisions other than in statements on the floor of Congress by their sponsors.

The jurisdictional sections of the 1984 amendments, in particular, were determined almost entirely on the floor and in unreported conferences. Therefore, to the extent that there is legislative history, it is to be found in the floor statements of June 29, 1984[121] and in the earlier statements and debates concerning the amendment offered by Representative Kastenmeier to the original House Bill,[122] as that amendment in large part formed the basis of the final enactment.

The other provisions of the 1984 amendments emerged from a variety of sources. The consumer bankruptcy amendments were the result of successive revisions of a bill originally proposed by the consumer finance industry. A weakened version of that bill passed the Senate in 1983, and the Senate report[123] on that version is helpful in interpreting provisions that were not substantially changed in the final bill. However, many provisions of the Senate bill were further altered in a later compromise in the House, which produced the final language of the consumer amendments. There are only floor statements, particularly those of Representative Rodino,[124] who sponsored the compromise, to explain those changes, though for a few sections other portions of the legislative history are also relevant.[125] Again, for further research, there are several volumes of hearings as well as earlier versions of many provisions of the amendments which may be consulted.[126]

Footnotes


125 [121] For example, the amendments to 11 U.S.C. § 1325(b) and 11 U.S.C. § 1329 were adopted virtually verbatim from a proposal made and explained by the National Bankruptcy Conference in hearings on the amendments. See Oversight Hearings on Personal Bankruptcy Before the Subcomm. on Monopolies and Commercial Law of the House Comm. on the Judiciary, 97th Cong. 181–222 (1981–1982).


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