

**SEC. 712. PRIORITIES.**

Section 507(a) of title 11, United States Code, as amended by section 323 of this Act, is amended—

(1) in paragraph (3)(B), by striking the semicolon at the end and inserting a period; and

(2) in paragraph (7), by inserting “unsecured” after “allowed”.

**SEC. 713. EXEMPTIONS.**

Section 522 of title 11, United States Code, as amended by section 320 of this Act, is amended—

(1) in subsection (f)(1)(A)(ii)(II)—

(A) by striking “includes a liability designated as” and inserting “is for a liability that is designated as, and is actually in the nature of,”; and

(B) by striking “, unless” and all that follows through “support”; and

(2) in subsection (g)(2), by striking “subsection (f)(2)” and inserting “subsection (f)(1)(B)”.

**SEC. 714. EXCEPTIONS TO DISCHARGE.**

Section 523 of title 11, United States Code, is amended—

(1) in subsection (a)(3), by striking “or (6)” each place it appears and inserting “(6), or (15)”;

(2) as amended by section 304(e) of Public Law 103-394 (108 Stat. 4133), in paragraph (15), by transferring such paragraph so as to insert it after paragraph (14) of subsection (a);

(3) in subsection (a)(9), by inserting “, watercraft, or aircraft” after “motor vehicle”;

(4) in subsection (a)(15), as so redesignated by paragraph (2) of this subsection, by inserting “to a spouse, former spouse, or child of the debtor and” after “(15)”;

(5) in subsection (a)(17)—

(A) by striking “by a court” and inserting “on a prisoner by any court”;

(B) by striking “section 1915 (b) or (f)” and inserting “subsection (b) or (f)(2) of section 1915”; and

(C) by inserting “(or a similar non-Federal law)” after “title 28” each place it appears; and

(6) in subsection (e), by striking “a insured” and inserting “an insured”.

**SEC. 715. EFFECT OF DISCHARGE.**

Section 524(a)(3) of title 11, United States Code, is amended by striking “section 523” and all that follows through “or that” and inserting “section 523, 1228(a)(1), or 1328(a)(1) of this title, or that”.

**SEC. 716. PROTECTION AGAINST DISCRIMINATORY TREATMENT.**

Section 525(c) of title 11, United States Code, is amended—

(1) in paragraph (1), by inserting “student” before “grant” the second place it appears; and

(2) in paragraph (2), by striking “the program operated under part B, D, or E of” and inserting “any program operated under”.

**SEC. 717. PROPERTY OF THE ESTATE.**

Section 541(b)(4)(B)(ii) of title 11, United States Code, is amended by inserting “365 or” before “542”.

**SEC. 718. PREFERENCES.**

Section 547 of title 11, United States Code, is amended—

(1) in subsection (b), by striking “subsection (c)” and inserting “subsections (c) and (h)”;

(2) by adding at the end the following:

“(h) If the trustee avoids under subsection (b) a security interest given between 90 days and 1 year before the date of the filing of the petition, by the debtor to an entity that is not an insider for the benefit of a creditor that is an insider, such security interest shall be considered to be avoided under this section only with respect to the creditor that is an insider.”.

**SEC. 719. POSTPETITION TRANSACTIONS.**

Section 549(c) of title 11, United States Code, is amended—

(1) by inserting “an interest in” after “transfer of”;

(2) by striking “such property” and inserting “such real property”; and

(3) by striking “the interest” and inserting “such interest”.

**SEC. 720. TECHNICAL AMENDMENT.**

Section 552(b)(1) of title 11, United States Code, is amended by striking “product” each place it appears and inserting “products”.

**SEC. 721. DISPOSITION OF PROPERTY OF THE ESTATE.**

Section 726(b) of title 11, United States Code, is amended by striking “1009”.

**SEC. 722. GENERAL PROVISIONS.**

Section 901(a) of title 11, United States Code, as amended by section 408, is amended by inserting “1123(d),” after “1123(b),”.

**SEC. 723. APPOINTMENT OF ELECTED TRUSTEE.**

Section 1104(b) of title 11, United States Code, is amended—

(1) by inserting “(1)” after “(b)”;

(2) by adding at the end the following:

“(2)(A) If an eligible, disinterested trustee is elected at a meeting of creditors under paragraph (1), the United States trustee shall file a report certifying that election. Upon the filing of a report under the preceding sentence—

“(i) the trustee elected under paragraph (1) shall be considered to have been selected and appointed for purposes of this section; and

“(ii) the service of any trustee appointed under subsection (d) shall terminate.

“(B) In the case of any dispute arising out of an election under subparagraph (A), the court shall resolve the dispute.”.

**SEC. 724. ABANDONMENT OF RAILROAD LINE.**

Section 1170(e)(1) of title 11, United States Code, is amended by striking “section 11347” and inserting “section 11326(a)”.

**SEC. 725. CONTENTS OF PLAN.**

Section 1172(c)(1) of title 11, United States Code, is amended by striking “section 11347” and inserting “section 11326(a)”.

**SEC. 726. DISCHARGE UNDER CHAPTER 12.**

Subsections (a) and (c) of section 1228 of title 11, United States Code, are amended by striking “1222(b)(10)” each place it appears and inserting “1222(b)(9)”.

**SEC. 727. EXTENSIONS.**

Section 302(d)(3) of the Bankruptcy, Judges, United States Trustees, and Family Farmer Bankruptcy Act of 1986 (28 U.S.C. 581 note) is amended—

(1) in subparagraph (A), in the matter following clause (ii), by striking “or October 1, 2002, whichever occurs first”; and

(2) in subparagraph (F)—

(A) in clause (i)—

(i) in subclause (II), by striking “or October 1, 2002, whichever occurs first”; and

(ii) in the matter following subclause (II), by striking “October 1, 2003, or”; and

(B) in clause (ii), in the matter following subclause (II)—

(i) by striking “before October 1, 2003, or”; and

(ii) by striking “, whichever occurs first”.

**SEC. 728. BANKRUPTCY CASES AND PROCEEDINGS.**

Section 1334(d) of title 28, United States Code, is amended—

(1) by striking “made under this subsection” and inserting “made under subsection (c)”;

(2) by striking “This subsection” and inserting “Subsection (c) and this subsection”.

**SEC. 729. KNOWING DISREGARD OF BANKRUPTCY LAW OR RULE.**

Section 156(a) of title 18, United States Code, is amended—

(1) in the first undesignated paragraph—

(A) by inserting “(1) the term” before “bankruptcy”; and

(B) by striking the period at the end and inserting “; and”; and

(2) in the second undesignated paragraph—

(A) by striking “(2) the term” before “document”; and

(B) by striking “this title” and inserting “title 11”.

**SEC. 730. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.**

(a) EFFECTIVE DATE.—Except as provided in subsection (b), this title and the amendments made by this title shall take effect on the date of enactment of this Act.

(b) APPLICATION OF AMENDMENTS.—The amendments made by this title shall apply only with respect to cases commenced under title 11, United States Code, on or after the date of enactment of this Act.

**NOTICES OF HEARINGS****COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that a full committee hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Thursday, September 17, 1998, at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to consider the nominations of Gregory H. Friedman to be Inspector General of the Department of Energy; Charles G. Groat to be Director of the United States Geological Survey, Department of the Interior; and to consider any other pending nominations which are ready for consideration before the Committee.

For further information, please contact Gary Ellsworth of the committee staff at (202) 224-7141.

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. MURKOWSKI. Mr. President, I would like to announce that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources. The purpose of this hearing is to receive testimony on the recent midwest electricity price spikes.

The hearing will take place on Thursday, September 24, 1998, at 10:00 A.M. in room SD-366 of the Dirksen Senate Office Building in Washington, D.C.

Those who wish to testify or submit a written statement should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. For further information, please call Julie McCaul or Howard Useem at (202) 224-7875.

**AUTHORITY FOR COMMITTEES TO MEET****COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION**

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, September 9, 1998, at 9:30 a.m. on auto choice.