longer in the State but who earned that pension in that State. We felt that that was an unfair proposition.

I remember very well my congressional classmate Barbara Vucanovich spearheaded the effort because, as it turned out, in her State there were many former California residents who were under double taxation. They were retired in her State, yet they had to pay California taxes on their pensions which were coming from California. But we decided to end that process. We did happily for all Americans.

But in doing so, a glitch occurred with the Commonwealth of Puerto Rico. It appears that the definitions of ''State'' and of ''possessions,'' et cetera, which the bill intended to cover back then in and the law now on the books intended to cover, did not include the status of Puerto Rico as a commonwealth. So all we are doing with this piece of legislation, Mr. Speaker, is bringing Puerto Rico into the plan that was originally set forth for all Americans. And that is why this bill is necessary.

It is a technical amendment because it just catches up with the legislation that we passed last term. But it is not just a technical amendment to those former residents of Puerto Rico who earned a pension there and who live elsewhere now when they have to be compelled to pay taxes to Puerto Rico. So it is more than technical to them, but for our purposes, it is a catchup technical amendment.

Mr. Speaker, I reserve the balance of my time.

Mr. TRAFICANT. Mr. Speaker, I yield myself such time as I may consume.

I want to concur with the assessment of this legislation by the gentleman from Pennsylvania (Mr. GEKAS). We want to thank the gentleman from Pennsylvania (Mr. GEKAS) for the fine job he has done not only on this but many other pieces of legislation relative to these matters.

This bill, as stated, clarifies the tax treatment of certain pensions. More specifically, as was stated by the gentleman from Pennsylvania (Mr. GEKAS), technical to others but to the people impacted very substantive, because the bottom line, this deals with an issue passed in the last Congress which protects the pension income of retirees who retire from a State which has an income tax to a State with no income tax, as cited by the gentleman from Pennsylvania (Mr. GEKAS).

Having said that, I believe it is the right thing to do. It makes the correction which is necessary under law. We support the legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. GEKAS. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from Ohio for cooperating and seconding the proposition before us. I urge support of this bill. I state for the RECORD that the manager's amendment contains one minor clerical change. Mr. Speaker, this does not require a filibuster of any type.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. GEKAS) that the House suspend the rules and pass the bill, H.R. 4572, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

TEMPORARY REENACTMENT OF CHAPTER 12, TITLE 11, UNITED STATES CODE

Mr. GEKAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4831) to temporarily reenact chapter 12 of title 11 of the United States Code, as amended.

The Clerk read as follows:

H.R. 4831

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TEMPORARY REENACTMENT OF BANKRUPTCY PROVISIONS RELATING TO FAMILY FARMERS.

(a) REENACTMENT.—Chapter 12 of title 11 of the United States Code, as in effect on September 30, 1998, is hereby reenacted for the period beginning on October 1, 1998, and ending on April 1, 1999.

(b) CONTINUATION OF CASES.—All cases commenced or pending under chapter 12 of title 11, United States Code, as reenacted under subsection (a), and all matters and proceedings in or relating to such cases, shall be conducted and determined under such chapter as if such chapter were continued in effect after April 1, 1999. The substantive rights of parties in connection with such cases, matters, and proceedings shall continue to be governed under the laws applicable to such cases, matters, and proceedings as if such chapter were continued in effect after April 1, 1999.

SEC. 2. EFFECTIVE DATE.

This Act shall take effect on October 1, 1998.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from the gentleman from Pennsylvania (Mr. GEKAS) and the gentleman from Ohio (Mr. TRAFICANT), each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. GEKAS).

GENERAL LEAVE

Mr. GEKAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GEKAS. Mr. Speaker, I yield myself such time as I may consume.

Throughout a full year now, as the Speaker knows, we have been considering bankruptcy reform. And as it turned out, the House, in a bipartisan vote, overwhelmingly approved bankruptcy reform twice, both in the original bill and in the conference report.

The Senate, on its side, approved on a great bipartisan vote with only one dissenting vote, I think 97 or 98 to 1, a similar bankruptcy reform bill. The conference was never able to have the bill passed in both chambers. It succeeded only in the House. So it sort of fell by its own weight over in the Senate.

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But an important feature of the bankruptcy reform legislation, right from the start, was an extension of chapter 12. What does that mean? Chapter 12 is devoted specifically and uniquely to the farmers of our Nation who experience unique types of financial crises almost on a monthly basis.

We, through chapter 12 in the current code, accord our farmers a special set of rights and abilities to cope with their financial situation. So we had hoped that, with the total bankruptcy reform bill it seemed on a way to a successful conclusion, to also extend the benefits of chapter 12 which we did have in the bill.

But if the bill fell, then chapter 12 had to fall with it. That meant that, on October 1 of this year, the authorization previously in effect for chapter 12 ended.

So what we are about here is an extension of that chapter 12 set of benefits. A leader in this movement, I must tell my colleagues, from the first day that we began contemplating bankruptcy reform was the gentleman from Michigan (Mr. SMITH), who doggedly pursued for his purpose, for his great cause, the farmers' financial situation, the extension of chapter 12.

I had assured him on many occasions that we are going to make sure that it is going to be part of the bankruptcy reform bill, but I really did not expect that it would crash down as it did in the last minutes of this session.

But that sets the stage, then, for the passage of this legislation, which everyone should agree has to occur, else the October 1 end of chapter 12 authority for special treatment of farmers will also crash down. So we are eager to extend the benefits of chapter 12, the sole purpose of this piece of legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. TRAFICANT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to join in support of this legislation. Mr. CONYERS is not here today. He is very busy. He supports extending these protections in bankruptcy, chapter 12 protections for the farmers.

There is a concern that we have, but it is not enough of a concern for us to oppose this legislation. Our concern is that this is but a 6-month extension, and we would have liked to have seen a little more of an extension and perhaps maybe even a permanent correction.

But not being of the committee, and representing the committee on this suspension, I would like to say this: Many Members on this side of the aisle respect the efforts of the gentleman from Pennsylvania (Mr. GEKAS), and we know that the gentleman from Pennsylvania (Mr. GEKAS) has taken what he could in the process with the other body.

What he has brought to the floor is good enough for us. We would like to see it better. We are hoping and appealing to the chairman that, in the next opportunity, that that broader extension and perhaps a permanent delineation could be effected.

Having said that, I would also like to say that I have passed laws on home mortgages and now veterans' VA loans to provide for, upon one-month, 4-day delinquency, a notice of counseling programs available with a 1–800 number where the delinquent owner and mortgage holder can call for assistance. They have had great success in working this out.

I want to also let the Congress know that I am going to attempt to have that type of language inserted for specific small farm and farm activities to make sure and ensure that, when they get in trouble, they will know what the service is.

What the gentleman from Pennsylvania (Mr. GEKAS) is doing today, we support. We would appreciate his consideration in the future.

Mr. Speaker, I yield back the balance of my time.

Mr. GEKAS. I yield myself such time as I might consume.

Mr. Speaker, I want to launch a filibuster now to give ample opportunity to our colleague the gentleman from Michigan (Mr. SMITH) to appear if he is on his way so that he may give his personal witness to this legislation.

So I will recite the Gettysburg Address and a few other staples from American history, but I am being urged by staff to bring us to a quick close.

Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Speaker, I thank the chairman for yielding to me.

Mr. Speaker, there is no question that farmers and agriculture are currently in a very serious plight, and there is no question that much-needed work has been done on bankruptcy reform in the 105th Congress. Our bankruptcy laws are too lenient and have become a source of debt evasion rather than a means of equitably resolving differences between debtors and creditors.

While we have been hammering out an agreement, one important issue got lost in the shuffle. Bankruptcy relief for farmers has been allowed to expire during the period of severe hardship for American farmers.

American farmers are going to be losing this year between 10 and 20 percent of their income, over $8 billion, as a drop in farm income. Some farmers have been and are going to be forced into bankruptcy.

There has been a problem of weather, of disease, of low commodity prices, of a loss of Asian markets. What we need to do is we need immediate action to ensure that the chapter 12 reorganization is restored to American producers as soon as possible. Both the chairman and the ranking member also have felt that this is important.

Chapter 12 expired on September 30 of this year. Enacted during the 1986 farm crisis, chapter 12 made significant bankruptcy relief available to a group of Americans that has difficulty in getting credit and managing their assets since the country's founding, and of course that is the American farmers.

Specifically, it opened many of the advantages of chapter 13 filings to farmers who were, for the most part, too indebted to take advantage of chapter 13 and had to use other less advantageous provisions of the bankruptcy code.

For example, chapter 7 was accessible to farmers to give them some of the, if you will, fresh start promise to debtors under the bankruptcy code. But under chapter 7, the farm which might have been in the family for generations was usually lost. Congress needed to find a way to ensure that creditors are protected while at the same time being able to maintain that family farm.

I understand that chapter 12 may need some changes. Both the gentleman from Pennsylvania (Chairman GEKAS) and Senator GRASSLEY, the father of chapter 12, have proposed changing chapter 12 in various ways. It may well be that chapter 12 should be changed, but this needed provision to extend it from the current sunset of last October 1 needs not to lapse.

Currently, we are in the midst of another crisis in the saga of the American farmer. The weather, the disease, the devastated crops, export markets shrinking, commodity prices at historic lows, changes to chapter 12 can and must be maintained.

It is unacceptable to allow the desire for reform to prevent the renewal of this program in this time of need for the American agriculture.

My bill, H.R. 4831, would extend the chapter 12 provisions so that we can debate needed changes in a period of less urgence for farmers. This legislation that makes the farmer provisions of chapter 12 retroactive to last October 1st is supported by the Senate and the administration. I hope all my colleagues will join me today in passing this legislation.

Mr. GEKAS. Mr. Speaker, we thank the gentleman for his heroic efforts in bringing this to a successful conclusion.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BALLENGER). The question is on the motion offered by the gentleman from Pennsylvania (Mr. GEKAS) that the House suspend the rules and pass the bill, H.R. 4831, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ENERGY CONSERVATION REAUTHORIZATION ACT OF 1998

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the House amendments to the Senate bill (S. 417) to extend energy conservation programs under the Energy Policy and Conservation Act through September 30, 2002.

The Clerk read as follows:

Senate Amendments to House Amendments:

Page 13, after the matter following line 19, of the House engrossed amendments, insert:

SEC. 9. PURCHASES FROM STRATEGIC PETROLEUM RESERVE BY ENTITIES IN INSULAR AREAS OF UNITED STATES AND FREELY ASSOCIATED STATES.

(a) Section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241) is amended by adding at the end the following:

''(j) PURCHASES FROM STRATEGIC PETROLEUM RESERVE BY ENTITIES IN INSULAR AREAS OF UNITED STATES AND FREELY ASSOCIATED STATES.—

''(1) DEFINITIONS.—In this subsection:

''(A) BINDING OFFER.—The term 'binding offer' means a bid submitted by the State of Hawaii for an assured award of a specific quantity of petroleum product, with a price to be calculated pursuant to paragraph (2) of this subsection, that obligates the offeror to take title to the petroleum product without further negotiation or recourse to withdraw the offer.

''(B) CATEGORY OF PETROLEUM PRODUCT.—The term 'category of petroleum product' means a master line item within a notice of sale.

''(C) ELIGIBLE ENTITY.—The term 'eligible entity' means an entity that owns or controls a refinery that is located within the State of Hawaii.

''(D) FULL TANKER LOAD.—The term 'full tanker load' means a tanker of approximately 700,000 barrels of capacity, or such lesser tanker capacity as may be designated by the State of Hawaii.

''(E) INSULAR AREA.—The term 'insular area' means the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, Guam, American Samoa, the Freely Associated States of the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

''(F) OFFERING.—The term 'offering' means a solicitation for bids for a quantity or quantities of petroleum product from the Strategic Petroleum Reserve as specified in the notice of sale.

''(G) NOTICE OF SALE.—The term 'notice of sale' means the document that announces—

''(i) the sale of Strategic Petroleum Reserve products;

''(ii) the quantity, characteristics, and location of the petroleum product being sold;

''(iii) the delivery period for the sale; and

''(iv) the procedures for submitting offers.

''(2) IN GENERAL.—In the case of an offering of a quantity of petroleum product during a drawdown of the Strategic Petroleum Reserve—

''(A) the State of Hawaii, in addition to having the opportunity to submit a competitive bid, may—

''(i) submit a binding offer, and shall on submission of the offer, be entitled to purchase a