as a soloist. The big band format was probably better suited to the display of his flamboyant personality and flair for showmanship, but after a few early successes, especially the riff tunes Flying Home, Down Home Jump, and Hey Bab-Ba-Rebop, the group was too often content to repeat former trimuphs for its many admirers. Hampton has at times also appeared as singer, played drums with enormous vitality, and performed with curious success asa pianist, using only two fingers in the manner of vibraphrone mallets.

Lionel Hampton, former Presidential appointed Ambassador of Goodwill, the holder of over 15 Honorary Doctor of Music Degrees, awarded the highest honors from the Kennedy Center of the Performing Arts and, the National Commission On The Endowment for the Arts, was recently honored at the White House in August 1998 in celebration of his 90th birthday. This musical legend has been the Co-Honorary Chairman of the International Agency for Minority Artist Affairs (IAMAA) since 1978. Not only a musician, Lionel Hampton is a businessman and, has developed housing projects across this nation and, is a leading philanthropist for community-based initiatives.

Mr. Hampton, reigning King of the Vibraphone for over a half a century, begain his musical career as a drummer. Born in Birmingham, Alabama in 1908, he spent most of his childhood in Kenosha, Wisconsin, where he first studied music under very strict Dominican nuns. His tools then were Louis Armstrong and a drummer named Jimmy Bertrand, who tossed his sticks in the air as lights blinked from inside his bass drum (a style Hamp still uses today in some of his shows).

In 1930, Lionel finally got to meet Louis Armstrong. Playing in a backup band for ''Satchmo'' at a nightclub in L.A. Hamp so impressed Louis that he invited him to a recording session. Armstrong spotted a set of vibes in the studio and asked Hamp if he knew how to play them. Never one to refuse a challenge, Lionel (who knew keyboards well) picked up the mallets. The first tune they cut was ''Memories of You,'' a new number just written by Eubie Blake, and it became a hit for Louis. John Hammond, great jazz impresario, heard the record and began touting Lionel's vibes work to Benny Goodman.

In August, 1936, Hammon flew out to L.A. and brough Goodman in to the Paradise Club to hear Lionel play. At that time, Benny had a trio within his big band featuring Teddy Wilson on piano and Gene Krupa on drums. ''Next thing you know,'' recalls Hamp, ''I was out there on stage jamming with these great musicians. That's one session I'll never forget''

To make a long story short, the Benny Goodman Trio became a quartet and made history-not only with the brilliant music they produced, but because they were the first racially-integrated group in the nation. The foursome recorded ''Memories of You,'' ''Moonglow,'' and ''Dinah.'' Hamp spent the next four years with Goodman as the quartet developed into the hottest jazz group in the world.

In the early 1940's, Lionel left Benny Goodman to form his own big band after the release of a couple of wildly successfully RCA singles under his own name: ''Sunny Side of the Street'' (on which he sang as well as playing vibes) and ''Central Avenue Breakdown'' (on which he played piano with two fingers, using them like vibes mallets.)

His first big band included such sidemen as Dexter Gordon and Illinois Jacquet, and he busted the charts with his recording of ''Flying Home'' in 1942 and ''Hamp's Boogie Woogie'' in 1943. Among the sidemen who got their start with Lionel Hampton are Quincy Jones, Wes Montgomery, Clark Terry, Cat Anderson, Ernie Royal, Joe Newman, Fats Navarro, Charlie Mingus, Al Grey, Art Farmer, and, of course, the singers: Dinah Washington (who was discovered-and named-by Hamp while working in the powder room of Chicago's Regal Theater), Joe Williams, Betty (Be Bop) Carter the great Aretha Franklin, among others.

Mr. DAVIS of Illinois. Mr. Speaker, I yield back the balance of my time, and I urge passage of this resolution.

Mr. OTTER. Mr. Speaker, far be it for me to add to the eloquence of the gentleman from Michigan, but I would just say that Lionel Hampton has been a groundbreaker throughout his career, throughout his life. He has been an internationally acclaimed giant of music, and because he is an internationally acclaimed giant of music, he has an been internationally acclaimed giant of communication, because we find many times in music one voice and we find one spirit, and that is what Lionel Hampton has brought to the world. We are to celebrate his 94th birthday.

Mr. Speaker, I would ask in closing that all Members support this resolution.

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

The SPEAKER pro tempore (Mr. PENCE). The question is on the motion offered by the gentleman from Idaho (Mr. OTTER) that the House suspend the rules and concur in the Senate concurrent resolution, S. Con. Res. 101.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

CLERGY HOUSING ALLOWANCE CLARIFICATION ACT OF 2002

Mr. RAMSTAD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4156) to amend the Internal Revenue Code of 1986 to clarify that the parsonage allowance exclusion is limited to the fair rental value of the property, as amended.

The Clerk read as follows:

H.R. 4156

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Clergy Housing Allowance Clarification Act of 2002''.

SEC. 2. CLARIFICATION OF PARSONAGE ALLOWANCE EXCLUSION.

(a) IN GENERAL.—Section 107 of the Internal Revenue Code of 1986 is amended by inserting before the period at the end of paragraph (2) ''and to the extent such allowance does not exceed the fair rental value of the home, including furnishings and appurtenances such as a garage, plus the cost of utilities''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by this section shall apply to taxable years beginning after December 31, 2001.

(2) RETURNS POSITIONS.—The amendment made by this section also shall apply to any taxable year beginning before January 1, 2002, for which the taxpayer—

(A) on a return filed before April 17, 2002, limited the exclusion under section 107 of the Internal Revenue Code of 1986 as provided in such amendment, or

(B) filed a return after April 16, 2002.

(3) OTHER YEARS BEFORE 2002.—Except as provided in paragraph (2), notwithstanding any prior regulation, revenue ruling, or other guidance issued by the Internal Revenue Service, no person shall be subject to the limitations added to section 107 of such Code by this Act for any taxable year beginning before January 1, 2002.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. RAMSTAD) and the gentleman from North Dakota (Mr. POMEROY) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. RAMSTAD).

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

Mr. Speaker, in one of the most obvious cases of judicial overreach in recent memory, the Ninth Circuit Court of Appeals in San Francisco is poised to inflict a devastating tax increase on America's clergy. Unless Congress acts quickly, the 81-year-old housing tax exclusion for members of the clergy will be struck down by judicial overreach on the part of America's most reversed and most activist circuit court.

The focus of this court's attack is a long-standing clergy housing allowance. Dating back to 1921 and recodified in 1954 in section 107 of the Tax Code, this allowance prevents clergy from being taxed on the portion of their church income that is used to provide their housing. This allowance is similar to other housing provisions in the Tax Code offered to workers who locate in a particular area for the convenience of their employers, and military personnel who receive a tax exclusion for their housing.

Clergy members of every faith and denomination rely on the housing allowance. Without it, America's clergy face a devastating tax increase of $2.3 billion over the next 5 years. At a time when our places of worship are financially strapped and struggling to serve people in need, we cannot allow this important tax provision to fall.

The case, now in the Ninth Circuit, Mr. Speaker, arose because of a dispute over a 1971 IRS ruling that limited the clergy allowance to the fair rental value of the parsonage. A taxpayer in turn challenged this limit and won in tax court and the IRS appealed. But rather than simply considering the issue presented in the case, which was whether the Internal Revenue Service had authority to limit the allowance, the Ninth Circuit hijacked the case and turned it into a challenge of the very constitutionality of the housing allowance. Neither party in the case even raised the constitutionality issue or requested the court to consider that issue, so the Ninth Circuit, in turn, asked for a ''friend of the court'' brief from a law professor who happened to believe that it was unconstitutional.

□ 1500

Mr. Speaker, this is judicial activism at its worst. The legislation on the floor today will stop the attack on the housing allowance by resolving the underlying issue in the tax court case. H.R. 4156, the bill before us today, clarifies that the housing allowance is limited to the fair rental value of the home, which has been common practice for decades, for 81 years.

H.R. 4156, as introduced, included a section of congressional findings and statement of purpose, I might add. But the amendment before us, Mr. Speaker, deletes that section in order to accommodate the tradition that the Committee on Ways and Means normally has; that is, not to include such language in tax legislation.

However, the fact that it has been deleted does not, let me repeat that, does not, reflect the lack of support within the House or among the bill's sponsors.

The gentleman from North Dakota (Mr. POMEROY) has been tremendous in working with us on this legislation in a bipartisan way, bringing his considerable expertise to this important legislation, and I thank the gentleman for that. Certainly there is strong support among the bill's sponsors on both sides of the aisle for that language.

We believe Congress clearly has the constitutional authority to enact section 107 of the Tax Code and the amendments contained in H.R. 4156 that are before us today. In addition, we believe the Internal Revenue Service should provide guidance on the issue of fair rental valuation to avoid unnecessary disputes with taxpayers. I intend to work with my colleagues to make sure the guidance is issued.

Finally, the amendment clarifies that the new fair rental value limitation to section 107 applies prospectively to the year 2002 and beyond. Both H.R. 4156 and this amendment explicitly provide that for tax years before the effective date, the fair rental value limitation does not apply. This language is intended to end the current litigation and fully resolve the matter.

Mr. Speaker, again, I appreciate the strong bipartisan support this legislation has received from our colleagues, with 37 cosponsors. My fellow Committee on Ways and Means member and friend, the distinguished gentleman from North Dakota (Mr. POMEROY), the chief sponsor on the other side of the aisle, has been tremendous on working on this legislation.

Mr. Speaker, I urge my colleagues to vote for this bipartisan legislation to protect America's clergy from an unwarranted judicial attack and to preserve the important housing allowance.

Mr. Speaker, I also want to thank the gentleman from California (Chairman THOMAS) and the majority leader, the gentleman from Texas (Mr. ARMEY), for helping expedite this legislation.

I thank Jim Clark, chief counsel on our Committee on Ways and Means, for his work, as well as counsel on the Committee on Ways and Means, Lisa Rydland and Bob Winters, for their exemplary work. I thank Siobhan Abell, who helped arrange this bill to be expedited from the office of the majority leader, the gentleman from Texas (Mr. ARMEY), who as well deserves our gratitude.

Finally, I thank my own tax counsel, Karen Hope, who has worked night and day since this issue arose, and has really done a yeo-person's work on this important legislation.

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

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

Mr. Speaker, I want to begin by making it very clear that I strongly support this legislation, the Clergy Housing Allowance Clarification Act. I want to commend my friend and colleague on the Committee on Ways and Means, the gentleman from Minnesota (Mr. RAMSTAD), for his leadership in identifying this very troubling issue and for bringing it into legislative response, and for securing the cooperation of the majority leadership so we could consider this quickly as a stand-alone issue, and send the kind of response that I know both parties in Congress will want to send.

It really has been a wonderful piece of work by the gentleman from Minnesota (Mr. RAMSTAD), and I am really very pleased to have been a part of it.

From the earliest days of the Federal income tax, in the 1920s, the Tax Code has allowed the clergy of all religious faiths to exclude their housing allowance from taxable income. This provision has always been recognized not as an endorsement of any one religion, but as a reasonable accommodation of all religions.

The housing exclusion benefits clergy of all faiths, recognizing that a clergy person's home is not just shelter, but an essential meeting place for members of the congregation, and also, in light of the unique relationship between a pastor or a clergy member and the congregation, the distinct housing component of it is a unique feature of that relationship.

Under a longstanding IRS revenue ruling, the housing exclusion is limited to the fair market rental value of the home. As the gentleman from Minnesota (Mr. RAMSTAD) outlined, in a recent court case a taxpayer successfully challenged the IRS' authority to set such a limit.

This is a case of bad facts making bad law. When the IRS appealed that decision, the Ninth Circuit decided not to limit its review to the narrow question of whether the IRS exceeded its authority, but instead chose to consider whether the exclusion violates the constitutional doctrine of separation of church and State, an issue raised by neither party nor presented in the litigation before the court.

If the housing exclusion is struck down, as we can only assume the Ninth Circuit appears to be poised to do, the effect would be to increase taxes on clergy by $2.3 billion over the next 5 years. Churches, which already operate on the thinnest of margins, would be unable to offset this tax increase, and as a result, many could actually lose the services of their clergy. Rural churches are especially vulnerable.

Although many of us believe in the constitutionality of this provision, we cannot tell the court how to rule. But by passing this legislation, we can resolve the underlying issue in the case, and thereby protect the housing exclusion. H.R. 4156 codifies the prior revenue ruling by expressly limiting the housing exclusion to the fair market rental value of the home.

The leaders of our churches face many challenges in ministering to their congregations. They must cultivate faith in a world that too often seems not to have the time or inclination to accommodate spiritual development. They must help us grow healthy families, avoiding the harms of alcohol, drug abuse, domestic violence, and other perils that can tear apart our families and communities. They must help us serve those who lack adequate food, shelter, and other basic necessities.

At a time when their role in all of this I think is appreciated more than ever, to have them have to divert precious program dollars to pay a new tax bill is just completely unacceptable.

I had a very interesting roundtable meeting in North Dakota yesterday with a number of clergy terribly concerned about the underlying threat to the housing allowance. North Dakota has more churches per capita than any other State in the country, more than 2,000 churches, 78 percent of which are located in communities of under 2,500 people. These are congregations just struggling to get by. We have already lost 400 churches over the last several years, and projections are we could lose another fifty in this decade.

I had one of the roundtable participants talk about how, when their daughter was born, the trustee who happened to be the city accountant said they should go down and apply for food stamps, because they were now eligible, but that was all that could be paid. One other minister talked about when the pledges did not come in on schedule, they were simply not given their full dimension of meager salary. And to think about laying upon these congregations and these faithful servants of those congregations, the pastors, this new tax bill is really completely unacceptable.

One of the pastors participating gave me the tax return that he was about to put in the mail yesterday. It reflects the combined income of him and his wife, both pastors serving a church in Fargo, North Dakota. Although making a very modest income, the tax hit, if they lost the housing exclusion, would be an additional $3,958.

When he explained that to the chairman of the board of trustees as he

came out of the church to go to the meeting, the response by the chairman was, well, there goes the playground equipment. In other words, this was a congregation prepared to hold harmless the tax burden to the clergy, but they would literally be forced to divert dollars from constructing a Sunday school playground to send it to the IRS.

This is not a result anybody wants. Therefore, I believe that this legislation is so completely important. I again commend the gentleman from Minnesota (Mr. RAMSTAD) for his leadership.

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

Mr. RAMSTAD. Mr. Speaker, I yield 3 minutes to my good friend, the gentleman from Texas (Mr. SAM JOHNSON), a distinguished member of the Committee on Ways and Means and an important cosponsor of the bill.

(Mr. SAM JOHNSON of Texas asked and was given permission to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, I am glad to be an original cosponsor of the Clergy Housing Allowance Clarification Act, and I totally agree with what the gentleman from North Dakota (Mr. POMEROY) just elaborated on. I am sorry that the Ninth Circuit Court of Appeals has made our actions today necessary. Their motives are unreasonable, unconscionable, and unnerving, at best.

We must act quickly on this bill to preserve the parsonage allowance that members of the clergy receive as part of their compensation. For thousands of years, churches, temples, mosques, and synagogues have provided housing to members of their clergy. It makes complete sense that these benefits are not taxed.

Since 1921, the parsonage allowance has been considered exempt from the United States income tax system. The problem is that the Ninth Circuit Court of Appeals has taken it upon itself to challenge the very constitutionality of the clergy housing being tax-exempt.

Rather than simply decide the facts in a case that only had to do with how much of a minister's salary could be considered exempt, the court has gone way out of its way to raise this question. The best I can say about this issue is that at least it was not the IRS this time that decided to take this strange action.

If Congress does not act, clergy in this country would be faced with a tax increase, as the gentleman from North Dakota (Mr. POMEROY) said, of roughly $2.3 billion in the next few years.

Reverend Dr. Frederick Schmidt of SMU's Perkins School of Theology, who lives in my district, said it best when he wrote me a letter stating that not protecting the tax exemption ''will drastically alter the financial well-being of many clergy, and present a fiscal hurdle to religious communities that are ill-prepared to address that change.'' He calls it unconscionable and unnerving, as well.

I say that our courts must be restrained from undermining American values by making law. Americans are the most generous of people. However, I doubt they will want to increase their charitable donations simply because of a bad decision of a court in California.

In passing this bill, we are merely providing a legislative capstone to an issue that everyone else in America, except for the judges in the Ninth Circuit, presume to be current law.

I look forward to this bill being signed into law very quickly to take the case away from these nutty judges and settle the issue for our hard-working clergy.

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

Mr. POMEROY. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, first of all, I want to thank the gentleman from North Dakota (Mr. POMEROY) for yielding me time. I also want to commend the Committee on Ways and Means for bringing this legislation to us. I commend the gentleman from Minnesota (Mr. RAMSTAD) for the leadership that he has provided.

Mr. Speaker, I rise in support of H.R. 4156, the Clergy Housing Allowance Clarification Act of 2002. Regarding the U.S. Tax Court ruling that occurred in May of 2000 in the Warren versus Commissioner case about a well-established Internal Revenue Service decision to limit the amount of income that a member of the clergy could exclude from taxable income for a housing allowance, the IRS appealed this decision to the Ninth U.S. Circuit Court concerning their authority to limit the tax allowance for fair market rental value of a home, and to allow the court to review the constitutionality of the housing allowance tax-exemption for members of the clergy.

I believe that members of the clergy should continue this long-standing practice since 1921 to exclude from taxes a portion of their church income that is attributable to housing. Many clergy from every denomination rely on this tax benefit. If this housing allowance is not permitted, our clergy men and women could face a harsh tax increase of $2.3 billion over the next 5 years.

I encourage all of my colleagues to support H.R. 4156. This legislation would codify the original IRS ruling. This legislation would help thousands of clergy men and women throughout the Nation.

As one who spends a great deal of my individual time near, close by, and in interaction with members of the clergy, I can tell the Members that there is no legislation that they are more concerned about than this issue. I would encourage all of my colleagues to support it.

Once again, I commend the Committee on Ways and Means for bringing this to us.

□ 1515

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

In conclusion, I would just observe that while this body considers many very complex issues, the issue before us is an easy one. It is an extraordinarily important issue but an easy one. Bipartisan, no-brainer. We want to continue existing tax treatment of the housing allowance allowed the clergy of this country, and in that regard, I urge all of my colleagues to vote for the legislation that the gentleman from Minnesota (Mr. RAMSTAD) has so capably brought before us.

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

Mr. RAMSTAD. Mr. Speaker, may I inquire as to how much time remains?

The SPEAKER pro tempore (Mr. PENCE). The gentleman from Minnesota (Mr. RAMSTAD) has 11 minutes remaining.

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

I first want to thank again my distinguished colleague and friend the gentleman from North Dakota (Mr. POMEROY) for his excellent work on this legislation and strong bipartisan support. I want to thank the gentleman from Texas (Mr. SAM JOHNSON) and the gentleman from Illinois (Mr. DAVIS) for their supportive statements here today and their cosponsorship, as well as the 35 other cosponsors.

I certainly want to again thank the gentleman from California (Mr. THOMAS) and the gentleman from Texas (Mr. ARMEY), the majority leader, for helping us expedite this legislation to get it to the floor in such rapid fashion. I also want to thank the staff of the gentleman from California (Mr. THOMAS) of our Committee on Ways and Means, as well as the gentleman from Texas (Mr. ARMEY's) staff for working with my chief tax counsel, Karin Hope, on this important legislation.

Mr. Speaker, this legislative effort on behalf of our Nation's clergy is a great example of Congress working in a bipartisan, common sense way for a noble purpose. That purpose is to preserve the clergy housing allowance, to stop a $2.3 billion tax increase on our Nation's clergy. Hundreds of thousands of clergy from every faith and every denomination urge my colleagues support for this bipartisan legislation.

This legislation, Mr. Speaker, is important to virtually every religious congregation in America, to every church, every temple, every synagogue, and every mosque, and I urge a strong bipartisan vote for this important legislation to preserve the clergy housing allowance.

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 Minnesota (Mr. RAMSTAD) that the House suspend the rules and pass the bill, H.R. 4156, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. RAMSTAD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. RAMSTAD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 4156.

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

There was no objection.

FAMILY FARMER BANKRUPTCY EXTENSION ACT

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4167) to extend for 8 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted.

The Clerk read as follows:

H.R. 4167

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

SECTION 1. AMENDMENTS.

Section 149 of title I of division C of Public Law 105–277, as amended by Public Laws 106–5, 106–70, 107–8, and 107–17, is amended—

(1) by striking ''October 1, 2001'' each place it appears and inserting ''June 1, 2002''; and

(2) in subsection (a)—

(A) by striking ''May 31, 2001'' and inserting ''September 30, 2001''; and

(B) by striking ''June 1, 2001'' and inserting ''October 1, 2001''.

SEC. 2. EFFECTIVE DATE.

The amendments made by section 1 shall take effect on October 1, 2001.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Arkansas (Mr. ROSS) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4167, the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 4167. This bill reenacts and extends Chapter 12, a specialized form of bankruptcy relief for small family farmers for a period of eight months retroactive to October 1, 2001.

Chapter 12 was enacted on a temporary basis in 1986 and has been subsequently extended on several occasions over the years. Without question, the family farmer plays a critical role in our Nation's health and economic well-being. Unfortunately, bad weather, rising energy costs, volatile marketplace conditions, competition from large agri-businesses and economic forces experienced by any small business affect the financial stability of some family farmers.

Although Chapter 12 addresses the special needs of family farmers, it is utilized infrequently. While total bankruptcy filings in each of the past 6 years surpassed more than a million cases, the number of Chapter 12 cases has exceeded 1,000 on only one occasion, and that was back in 1996. In the absence of Chapter 12, family farmers may apply for relief under the bankruptcy code's other alternative, although these generally do not work quite as well for farmers as Chapter 12.

As my colleagues know, I have consistently supported prior efforts to extend Chapter 12 in this Congress. In addition, I have supported a provision included in both the House and Senate versions of H.R. 333, the Bankruptcy Abuse Prevention and Consumer Protection Act, that would make Chapter 12 a permanent component of the bankruptcy code.

H.R. 333 is currently in conference. As the chairman of the bankruptcy conference, I am pleased to report that the anticipated bankruptcy conference report will likely include a series of other provisions that will give family farmers even more enhanced protections under Chapter 12. These farmer-friendly provisions were included in the bankruptcy conference as part of complex and an extensively negotiable effort.

Specifically, the other provisions would, first, increase the debt eligibility limit and require it to be automatically adjusted for inflation so that more family farmers would qualify for relief under Chapter 12.

Second, lower the percentage of income that must be derived from farming operations which would also ensure that more farmers would be eligible for Chapter 12 than would be under current law.

Third, give farmers more protection with respect to how they may treat the claims of creditors.

Fourth, for the first time in the history of Chapter 12, allow certain family fishermen to be eligible for this form of bankruptcy relief.

Since August of last year, the House and Senate staff have been actively working to resolve the differences between the respective bills. In February of this year, House conferees sent the Senate a proposed offer resolving all outstanding issues. Although the Senate did not accept the proffer, only a mere handful of issues remain to be resolved.

In fact, I have scheduled a meeting of the bankruptcy conferees one week from today for the purpose of resolving these remaining issues. Accordingly, I expect to complete the bankruptcy conference well before the extension of Chapter 12, effectuated by this bill, expires.

H.R. 4167 is good for family farmers because it immediately restores Chapter 12 and maintains the status quo for an appropriate period of time. This bill serves to support our efforts in resolving the pending bankruptcy conference which when completed and enacted will provide even more protection for family farmers.

Accordingly, I urge my colleagues to support H.R. 4167.

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

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

This bill today is important to my congressional district back home in rural Arkansas, and quite frankly, it is important to farm families all across America. Family farmers injured by low commodity prices are being held hostage by the lack of certainty of whether or not Chapter 12 is going to be there for them.

Just last week, the House and Senate both voted to make Chapter 12 permanent through bankruptcy reform legislation. Yet that legislation remains in conference committee, and it is an issue that has been going on since 1997, and I do not know that it is going to be resolved anytime soon.

I support bankruptcy reform. As a member of the House Committee on Financial Services, I have fought hard to see that bill to the floor. I fought hard to see it passed on the floor of the United States House of Representatives, and I am as frustrated as anyone else that we have been trying to get bankruptcy reform since 1997, and yet it remains in the conference committee with an awful lot of amendments attached to it that have nothing in the world to do with bankruptcy reform, and I am perhaps a little less optimistic than the Chairman that we may see bankruptcy reform come our way soon.

I believe the gentleman from Wisconsin raises some very good points about what we need to do for our farm families as it relates to Chapter 12 bankruptcy reform, and I would, in fact, offer to sign on as a Democratic sponsor with him to write a bill that addresses the aspects that are in the overall bankruptcy reform legislation that is stuck in the conference committee. Let us take that, let us extract those ideas that will help our farm families out of that bill that has been around since 1997 in one form, fashion or the other, and let us really try to file a bill tomorrow that will really help, that will really help our farm families in an important way.