

4167, which retroactively extends Chapter 12 bankruptcy for family farms and ranches to June 1, 2002. Chapter 12 bankruptcy expired on October 1, 2001. This legislation is very important to the nation's agriculture sector.

This Member would express his appreciation to the distinguished gentleman from Wisconsin (Mr. SENSENBRENNER), the Chairman of the House Judiciary Committee, for introducing H.R. 4167. In addition, this Member would like to express his appreciation to the distinguished gentleman from Michigan (Mr. SMITH) for his efforts in getting this measure to the House Floor for consideration.

This extension of Chapter 12 bankruptcy is supported by this Member as it allows family farmers to reorganize their debts as compared to liquidating their assets. The use of the Chapter 12 bankruptcy provision has been an important and necessary option for family farmers throughout the nation. It has allowed family farmers to reorganize their assets in a manner which balances the interests of creditors and the future success of the involved farmer.

If Chapter 12 bankruptcy provisions are not extended for family farmers, it will be another very painful blow to an agricultural sector already reeling from low commodity prices. Not only will many family farmers have no viable option other than to end their operations, but it will also cause land values to likely plunge. Such a decrease in value of farmland will negatively affect the ability of family farmers to earn a living. In addition, the resulting decrease in farmland value will impact the manner in which banks conduct their agricultural lending activities. Furthermore, this Member has received many contacts from his constituents supporting extension of Chapter 12 bankruptcy because of the situation now being faced by our nation's farm families—it is clear that the agricultural sector is hurting.

I closing, this Member urges his colleagues to support H.R. 4167.

Mr. GEKAS. Mr. Speaker, I rise today to lend my strong support for H.R. 4167 and for farmers in financial distress. Extension of Chapter 12 is necessary to insure that these financially distressed farmers are granted the protection they need.

I would doubt that there is any one of us who does not want to aid a farmer in distress. Mr. Speaker, I am sure that H.R. 4167 will be approved today because the vast majority of this body recognizes the difficulty and risk inherent in farming and want to give farmers a fail-safe net of bankruptcy in case they become distressed. I have consistently supported efforts to extend Chapter 12. Since the bankruptcy reform movement started five years ago, there was not one moment in which we did not consider making Chapter 12 permanent.

Chapter 12 of the Bankruptcy code is a specialized form of bankruptcy relief available to family farmers. The special attributes of Chapter 12 makes it better suited to meet the particularized needs of family farmers in financial distress than other forms of bankruptcy relief, such as Chapter 11 (business reorganization) or Chapter 13 (individual reorganization). Chapter 12 allows family farmers to keep essential farm assets and reorganize their debts.

Chapter 12 was enacted on a temporary seven-year basis as part of the Bankruptcy Judges, United States Trustees, and Family Farmer Bankruptcy Act of 1986 in response to

the farm financial crisis of the 1980's. It has subsequently been extended on several occasions. H.R. 333, the Bankruptcy Abuse Prevention and Consumer Protection Act, would make Chapter 12 permanent.

But isn't there more we can do? Of course farmers want a fail-safe net of bankruptcy in case they go into distress, but more than that, they want expanded markets, and an end to the federal death tax. We stand here today debating the merits of a bill that will aid failing farms, but we can't stop here—we must keep fighting to help American farms succeed. The best farmers in the world, American farmers, want a fair chance to compete with other farmers around the world and they want a legitimate chance to make a profit. I will continue to support Trade Promotion Authority and death tax repeal to help insure that American farmers have less need for the bankruptcy protections we vote to advance here today.

Mr. Speaker, I support H.R. 4167 for distressed farmers, but I urge my colleagues to grant the president Trade Promotion Authority so that markets for our agricultural goods will be opened from which our farmers will profit. I also ask that my colleagues permanently abolish the federal death tax, which is a specter that hangs over every family farmer who looks forward to passing his farm on to the next generation. Action on these pieces of legislation sends a message that the United States Congress recognizes the importance of the hard work, pride and competitive nature of the American agriculturalist.

Mr. SENSENBRENNER. 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 Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 4167.

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. SENSENBRENNER. 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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 3 o'clock and 45 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ISAKSON) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on motions to suspend the rules on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

- H.R. 1374, by the yeas and nays;
- H.R. 4156, by the yeas and nays; and
- H.R. 4167, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

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The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1374.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and pass the bill, H.R. 1374, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 408, nays 0, not voting 26, as follows:

[Roll No. 93]
YEAS—408

Abercrombie	Capito	Ehlers
Ackerman	Capps	Ehrlich
Aderholt	Capuano	Emerson
Akin	Cardin	Engel
Allen	Carson (IN)	English
Andrews	Carson (OK)	Eshoo
Armey	Castle	Etheridge
Baca	Chabot	Evans
Bachus	Chambliss	Everett
Baird	Clay	Farr
Baker	Clayton	Fattah
Baldacci	Clyburn	Ferguson
Baldwin	Coble	Flake
Ballenger	Collins	Fletcher
Barcia	Combest	Foley
Barr	Conyers	Forbes
Barrett	Cooksey	Ford
Bartlett	Costello	Fossella
Barton	Cox	Frank
Bass	Coyne	Frelinghuysen
Becerra	Cramer	Frost
Bentsen	Crane	Gallegly
Bereuter	Crenshaw	Ganske
Berkley	Crowley	Gekas
Berry	Cubin	Gephardt
Biggert	Culberson	Gibbons
Bilirakis	Cummings	Gillmor
Bishop	Cunningham	Gilman
Blumenauer	Davis (CA)	Gonzalez
Blunt	Davis (FL)	Goode
Boehlert	Davis (IL)	Goodlatte
Boehner	Davis, Jo Ann	Gordon
Bonilla	Davis, Tom	Goss
Bonior	Deal	Graham
Bono	DeFazio	Granger
Boozman	DeGette	Graves
Borski	Delahunt	Green (TX)
Boswell	DeLauro	Green (WI)
Boucher	DeLay	Greenwood
Boyd	DeMint	Grucci
Brady (PA)	Deutsch	Gutknecht
Brady (TX)	Diaz-Balart	Hall (OH)
Brown (FL)	Dicks	Hall (TX)
Brown (OH)	Dingell	Harman
Brown (SC)	Doggett	Hart
Bryant	Dooley	Hastings (WA)
Burr	Doolittle	Hayes
Buyer	Doyle	Hayworth
Callahan	Dreier	Hefley
Calvert	Duncan	Heger
Camp	Dunn	Hill
Cantor	Edwards	Hinche