

and that the Democratic manager is someone who does not serve on the Committee on the Judiciary.

Be that as it may, I appreciate the support for my bill.

Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. GEKAS), who has spent much more time in the vineyards of trying to pass bankruptcy reform than our newfound convert over on the other side of the aisle.

Mr. GEKAS. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, it is true that from the very first moment that we began the movement for bankruptcy reform, farmers in Chapter 12 were always one of the priorities, and not a day passed in the formation of the new bankruptcy reform bill that we did not insist that the final version that we were going to pass in this House and hopefully in the Senate and sign into law would contain Chapter 12 permanency for our farmers.

What happened was that even though we made measured progress by passing the bankruptcy reform bill overwhelmingly in the House and overwhelmingly in the Senate at different times, the conference that was then formed never came to fruition. When it finally did, and we did pass it and presented it to the then incumbent President, Bill Clinton, he allowed it to fade into oblivion through a pocket veto.

So we are back at it again. We passed another bankruptcy reform bill. Again, we had the farmers in mind in Chapter 12, because we made it permanent. It is a permanent solution to a vexing problem, and it is in bankruptcy reform.

Now we have again at hand a conference report that treats our farmers in Chapter 12 the way they deserve to be treated, along with many other elements of our society who are protected and whose lives are enhanced by the other provisions in the bankruptcy reform measure. We await now the dissolution of that one little quarter-inch problem that vexes us that keeps us from final passage of bankruptcy reform.

In the meantime, we will continue with our vigilance for the farmers under Chapter 12 by passing this legislation.

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

Mr. Speaker, I say to my friend, the gentleman from Wisconsin, he is right, I do not serve on the Committee on the Judiciary, but I proudly serve on the Committee on Agriculture, and have done so for the past 10 years.

During that time period, I have worked very closely with my farmers in my congressional district, as well as farmers throughout the Commonwealth of Pennsylvania. I can tell the Members that they want to have us permanently extend or to make permanent Chapter 12 of the bankruptcy code. They do not want us to continually just do it as we go along, giving them an extension; they want it to be made permanent.

I am here to lend my support to that. I will support this bill today, but hopefully we will be able to make Chapter 12 permanent in the very near future.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

Mr. Speaker, we would not be here today talking about Chapter 12 or the whole issue of bankruptcy reform had not former President Clinton pocket-vetoed the bankruptcy reform bill introduced by the gentleman from Pennsylvania (Mr. GEKAS) in the last Congress, which passed both Houses, and then President Clinton decided that he would let the 10 days go by after the adjournment of Congress, and the bill did not become law because of a pocket veto. Because of that pocket veto, we have been struggling with bankruptcy reform again during this Congress.

Now, the gentleman from Pennsylvania (Mr. GEKAS) has been a leader since 1998 in bankruptcy reform. He introduced the first bill to make Chapter 12 permanent. He introduced a bill in the last Congress to make Chapter 12 permanent. He has been the principal author of the bill in this Congress to make Chapter 12 permanent.

Now, maybe my other friend, the gentleman from Pennsylvania, maybe his farmers are a little different from Wisconsin farmers. Wisconsin farmers do not want to go bankrupt. Chapter 12 is not a very commonly used provision in the bankruptcy law, but it is a necessary provision in the bankruptcy law.

I appreciate the recent interest of the gentleman from Pennsylvania (Mr. HOLDEN) in this issue. Unlike the other the gentleman from Pennsylvania (Mr. GEKAS), he has not introduced a single bill on Chapter 12. He has cosponsored one, but that was just very recently.

So I hope that we can have a groundswell of support, and I welcome him aboard.

Mr. BEREUTER. Mr. Speaker, this Member rises today to express his support for H.R. 5472, which extends Chapter 12 bankruptcy for family farms and ranches to July 1, 2002. Chapter 12 bankruptcy once again is set to expire on January 1, 2002. 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. 5472. 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 the 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.

Mr. Speaker, in closing, this Member urges his colleagues to support H.R. 5472.

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

The SPEAKER pro tempore (Mr. GILCREST). 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. 5472.

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

A motion to reconsider was laid on the table.

NOTIFICATION OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Mr. HOLDEN. Mr. Speaker, pursuant to rule IX, clause 1, I rise to give notice of my intent to present a question of the privileges of the House. The form of the resolution is as follows:

A resolution in accordance with House Rule IX, expressing a sense of the House that its integrity has been impugned and its Constitutional duty hampered by the inability of the House to bring to the floor, a clean bill permanently extending Chapter 12 of title 11 of the U.S. Code which provides bankruptcy protections to family farmers.

Whereas, Chapter 12 of the Federal bankruptcy code was enacted in 1986 as a temporary measure to allow family farmers to repay their debts according to a plan under court supervision, preventing a situation from occurring where a few bad crop years lead to the loss of the family farm; and

Whereas, in the absence of Chapter 12, farmers are forced to file for bankruptcy relief under the Bankruptcy Code's other alternatives, none of which work quite as well for farmers as chapter 12; and

Whereas, since its creation, the Chapter 12 family farmer bankruptcy protection has been renewed regularly by Congress and has never been controversial; and

Whereas in 1997, the National Bankruptcy Review Commission recommended that Chapter 12 be made permanent; and

Whereas in this Congress, just as in previous Congresses, the larger Bankruptcy Reform Act includes a provision that permanently extends Chapter 12. And, in this Congress, just as in previous Congresses, the larger Bankruptcy Reform Act is a controversial bill whose enactment is an uncertainty; and

Whereas, for 5 years now, family farmers have been held hostage by the contentious debate surrounding the larger bankruptcy issue. For 5 years, the family farmer has been waiting to see if Congress will extend these protections for another few months until we reach the next legislative hurdle on the larger bankruptcy issues; and

Whereas right now, family farmers are making plans to borrow money based on next year's expected harvest in order to be able to buy the seeds needed to plant the crops for that harvest. As these farmers leverage themselves, they need to have the assurance that Chapter 12 family farmer bankruptcy protections are going to be there for them on a permanent basis. Sporadic and temporarily extensions do not do the job.

Now therefore, be it resolved that it is the sense of the House of Representatives that the Speaker should immediately call up for consideration by this body, HR 5348, the Family Farmers and Family Fishermen Protection Act of 2002, which will once and for all give family farmers the permanent bankruptcy protections they have been waiting over five years for.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that resolution, the form of the resolution noticed by the gentleman from Pennsylvania will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

Mr. HOLDEN. Mr. Speaker, I ask to be heard at the appropriate time on the question of whether this resolution constitutes a question of privilege.

The SPEAKER pro tempore. That time will be designated.

FEDERAL COURTS IMPROVEMENT ACT OF 2002

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4125) to make improvements in the operation and administration of the Federal courts, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4125

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Federal Courts Improvement Act of 2002".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Section 1. Short title; table of contents.

TITLE I—JUDICIAL PROCESS IMPROVEMENTS

Sec. 101. Authority of bankruptcy administrators to appoint trustees and to serve as trustees in bankruptcy cases in the States of Alabama and North Carolina.

Sec. 102. Change in composition of divisions of Eastern District of Texas.

Sec. 103. Conditions of probation and supervised release.

Sec. 104. Reporting of wiretap orders.

Sec. 105. Clarifying the scope of diversity of citizenship for resident aliens.

Sec. 106. Authority of district courts regarding jurors.

Sec. 107. Deletion of automatic excuse from jury service for members of the Armed Forces, members of fire and police departments, and public officers.

Sec. 108. Elimination of the public drawing requirements for selection of juror wheels.

Sec. 109. Supplemental attendance fee for petit jurors serving on lengthy trials.

Sec. 110. Change in composition of divisions in Western District of Tennessee.

Sec. 111. Place of holding court in the Southern District of Ohio.

Sec. 112. Place of holding court in the Northern District of New York.

TITLE II—JUDICIAL PERSONNEL ADMINISTRATION, BENEFITS, AND PROTECTIONS

Sec. 201. Disability retirement and cost-of-living adjustments of annuities for territorial judges.

Sec. 202. Federal Judicial Center personnel matters.

Sec. 203. Annual leave limit for judicial branch executives.

Sec. 204. Supplemental benefits program.

Sec. 205. Inclusion of judicial branch personnel in organ donor leave program.

Sec. 206. Maximum amounts of compensation for attorneys.

Sec. 207. Maximum amounts of compensation for services other than counsel.

Sec. 208. Protection against malicious recording of fictitious liens against Federal judges.

Sec. 209. Appointing authority for circuit librarians.

TITLE III—ADDITIONAL PROVISIONS

Sec. 301. Monitoring of communications of officers and employees of judicial branch.

Sec. 302. Clerical amendments.

TITLE I—JUDICIAL PROCESS IMPROVEMENTS

SEC. 101. AUTHORITY OF BANKRUPTCY ADMINISTRATORS TO APPOINT TRUSTEES AND TO SERVE AS TRUSTEES IN BANKRUPTCY CASES IN THE STATES OF ALABAMA AND NORTH CAROLINA.

Until the amendments made by subtitle A of title II of the Bankruptcy Judges, United States Trustees, and Family Farmer Bankruptcy Act of 1986 (28 U.S.C. 581 note; Public Law 99-554; 100 Stat. 3088) become effective in and with respect to a judicial district in the State of Alabama, or in and with respect to a judicial district in the State of North Carolina—

(1) a reference in sections 303(g), 701(a), 703(b), 703(c), 1102(a), 1104(d), 1163, 1202, and 1302 of title 11, United States Code, to the United States trustee shall be deemed to be a reference to the bankruptcy administrator appointed and serving in such district under the authority of section 302(d)(3)(I) of such Act;

(2) a reference in sections 1202(a) and 1302(a) of title 11, United States Code, to section 586(b) of title 28, United States Code, shall be deemed to be a reference to such section as modified in operation by the other provisions of this section;

(3) a reference in sections 701(a)(1) and 703(c) of title 11, United States Code, to a panel of private trustees established under section 586(a)(1) of title 28, United States Code, shall be deemed to be a reference to the panel of private trustees established in such district under the authority of section 302(d)(3)(I)(i) of such Act; and

(4) a reference in subsections (b), (d), and (e) of section 586 of title 28, United States Code—

(A) to the Attorney General shall be deemed to be a reference to the Director of the Administrative Office of the United States Courts;

(B) to the United States trustee for the region shall be deemed to be a reference to the bankruptcy administrator appointed for such district;

(C) to a standing trustee shall be deemed to be a reference to a standing trustee appointed by the bankruptcy administrator;

(D) to the designation of one or more assistant United States trustees shall be disregarded; and

(E) to the deposit in the United States Trustee System Fund shall be deemed to be a reference to the payment to the clerk of the court for deposit in the Treasury;

for purposes of cases pending under title 11, United States Code, in such district.

SEC. 102. CHANGE IN COMPOSITION OF DIVISIONS OF EASTERN DISTRICT OF TEXAS.

(a) IN GENERAL.—Section 124(c) of title 28, United States Code, is amended—

(1) in paragraph (3)—

(A) by striking "Denton, and Grayson" and inserting "Delta, Denton, Fannin, Grayson, Hopkins, and Lamar"; and

(B) by inserting "and Plano" after "held at Sherman";

(2) by striking paragraph (4) and redesignating paragraphs (5) through (7) as paragraphs (4) through (6), respectively; and

(3) in paragraph (5), as so redesignated, by inserting "Red River," after "Franklin,".

(b) TEXARKANA.—Sections 83(b)(1) and 124(c)(5) (as redesignated by subsection (a) of this section) of title 28, United States Code, are each amended by inserting after "held at Texarkana" the following: ", and may be held anywhere within the Federal courthouse in Texarkana that is located astride the State line between Texas and Arkansas".

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—This section and the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) PENDING CASES NOT AFFECTED.—This section and the amendments made by this section shall not affect any action commenced before the effective date of this section and pending in the United States District Court for the Eastern District of Texas on such date.

(3) JURIES NOT AFFECTED.—This section and the amendments made by this section shall not affect the composition, or preclude the service, of any grand or petit jury summoned, impaneled, or actually serving in the Eastern Judicial District of Texas on the effective date of this section.

SEC. 103. CONDITIONS OF PROBATION AND SUPERVISED RELEASE.

(a) CONDITIONS OF PROBATION.—Section 3563(a)(2) of title 18, United States Code, is amended by striking "(b)(2), (b)(3), or (b)(13)" and inserting "(b)(2) or (b)(12)".

(b) SUPERVISED RELEASE AFTER IMPRISONMENT.—Section 3583(d) of title 18, United States Code, is amended by striking "section 3563(b)(1)" and all that follows through "appropriate." and inserting "section 3563(b) and any other condition it considers to be appropriate, except that a condition set