George W. Bush Presidential Library

Collection: Executive Clerk, Office of The

Series: Saunders, G. Timothy (Tim) – Bill Files

Folder Title: 05/11/2001 [H.R. 256]

THE PRESIDENT HAS SEEN
5-11-01

THE WHITE HOUSE

WASHINGTON

May 10, 2001

MR. PRESIDENT:

Attached please find H.R. 256 -- Family Farmer Bankruptcy Act Extension.

OMB, USDA, Justice, the Chief of Staff, NEC, and all relevant White House offices recommend approval.

Respectfully,

Harriet E. Miers

LAST DAY FOR ACTION: Monday, May 14

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

'01 MAY 7 PM 10:37

THE DIRECTOR

May 7, 2001

THE PRESIDENT HAS SEEN
5-11-01

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 256 - Family Farmer Bankruptcy Act Extension
Sponsors - Rep. Smith (R) Michigan and 18 cosponsors

Last Day for Action

May 14, 2001 - Monday

Purpose

Retroactively reenacts the provisions of the Family Farmer Bankruptcy Act as of July 1, 2000, and extends the Act for 11 months, until June 1, 2001.

Agency Recommendations

Office of Management and Budget	Approval
Department of Agriculture	Approval
Department of Justice	Approval
Department of the Treasury	No objection (Informally)
Farm Credit Administration	No comment (Informally)

Discussion

Chapter 12 of the Federal Bankruptcy Code (11 U.S.C.) was enacted in 1986 in response to the financial problems farmers were experiencing in the early- to mid-1980s. The primary purpose of this chapter is to give family farmers facing bankruptcy an opportunity to reorganize their financial affairs and retain ownership of their property. Chapter 12 was to sunset in 1993, but it was extended that year until September 30, 1998. Subsequent extensions kept Chapter 12 in place until its expiration on July 1, 2000. Since then, family farmers have been ineligible to receive Chapter 12 bankruptcy relief. H.R. 256 would retroactively extend Chapter 12 for 11 months, until June 1, 2001.

Chapter 12 provides special bankruptcy relief to certain family farmers. Under Chapter 12, eligible family farmers are permitted to reorganize their debts pursuant to a repayment plan under the supervision of a bankruptcy trustee. According to a 1997 report by the National Bankruptcy Review Commission, "the special attributes of chapter 12 make it better suited to meet the particularized needs of family farmers in financial distress than other forms of bankruptcy relief, such as chapter 11 and chapter 13." The report describes Chapter 12 as typically less complex and expensive than Chapter 11 (a form of bankruptcy generally used to reorganize debts of large corporations) and more flexible than Chapter 13 (bankruptcy relief for individuals seeking to reorganize their debts). Chapter 13 is limited to debtors with less debt than permitted under Chapter 12.

Eligible debtors. Eligibility for Chapter 12 relief is available to individuals or married couples who meet four requirements: (1) their aggregate debt cannot exceed $1,500,000; (2) not less than 80 percent of their aggregate noncontingent, liquidated debt (excluding a debt for their principal residence) can be attributable to the farming operation; (3) more than 50 percent of their gross income for the taxable year in which they file for bankruptcy must come from the farming operation; and (4) their annual income must be sufficiently stable and regular to enable them to make payments under a Chapter 12 repayment plan. A corporation or partnership is also eligible for Chapter 12 relief if it meets aggregate debt restrictions that are essentially the same as those imposed on individuals and married couples and: (1) more than 50 percent of the outstanding stock or equity is held by one family; (2) more than 80 percent of the value of its assets are related to the farming operation; and (3) any stock that is issued is not traded publicly.

Conclusion and Recommendations

The Department of Agriculture advises that "[g]iven the emergency conditions facing many farmers and ranchers, USDA believes that the protections of chapter 12 must remain available while Congress considers permanent extension." (The pending bankruptcy bills passed by the House and Senate earlier this year both would make Chapter 12 permanent.)

We join Agriculture and Justice in recommending approval of H.R. 256, which passed the House by a vote of 408-2 and the Senate by unanimous consent.

M E Daniels Jr

Mitchell E. Daniels, Jr.
Director

Enclosures

Memo to the Record

Date: 05/20/2016

Collection: Executive Clerk, Office of The

Series: Saunders, G. Timothy (Tim) – Bill Files

Folder Title: 05112001hr256

RE: House Report 107-2 – Extension of Chapter 12 of the Bankruptcy Code

A copy of the report entitled "House Report 107-2 – Extension of Chapter 12 of the Bankruptcy Code" is included at this location in this folder. It was not scanned. It can be viewed at https://www.congress.gov/congressional-report/107th-congress/house-report/2/1 If this link is broken, please contact the George W. Bush Presidential Library archives.

USDA

United States Department of Agriculture

Office of the Secretary
Washington, D.C. 20250

MAY 2 2001

The Honorable Mitchell E. Daniels, Jr.
Director
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Daniels:

The Department of Agriculture (USDA) recommends that the President sign the enrolled bill, H.R. 256, "To extend for 11 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted."

This enrolled bill would extend, retroactively, the bankruptcy protections afforded to family farmers and ranchers under chapter 12 of title 18, United States Code for an 11 month period beginning on July 1, 2000 and ending on June 1, 2001. Given the emergency conditions facing many farmers and ranchers, USDA believes that the protections of chapter 12 must remain available while Congress considers permanent extension.

Sincerely,

Ann M. Veneman
Secretary

U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

May 4, 2001

The Honorable Mitchell Daniels, Jr.
Director
Office of Management and Budget
Washington, DC 20503

Dear Mr. Daniels:

This responds to your request for the views and recommendation of the Department of Justice on enrolled bill H.R. 256, "[t]o extend for 11 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted." The Department has no objection to enactment of this enrolled bill and therefore recommends that the President approve it.

Chapter 12 of the Federal Bankruptcy Code (title 11 of the United States Code), which expired on July 1, 2000, provided a specialized form of bankruptcy relief to certain qualifying "family farmers." H.R. 256 would reenact chapter 12 retroactively for the period July 1, 2000, to June 1, 2001.

Thank you for the opportunity to provide our views on this matter. If we may be of additional assistance, we trust that you will not hesitate to call upon us.

Sincerely,

Sheryl L. Walter

Sheryl L. Walter
Acting Assistant Attorney General

445468

THE ENROLLED BILL IS HERE

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

'01 MAY 7 PM10:37

THE DIRECTOR

May 7, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 256 - Family Farmer Bankruptcy Act Extension
Sponsors - Rep. Smith (R) Michigan and 18 cosponsors

Last Day for Action

May 14, 2001 - Monday

Purpose

Retroactively reenacts the provisions of the Family Farmer Bankruptcy Act as of July 1, 2000, and extends the Act for 11 months, until June 1, 2001.

Agency Recommendations

Office of Management and Budget	Approval
Department of Agriculture	Approval
Department of Justice	Approval
Department of the Treasury	No objection (Informally)
Farm Credit Administration	No comment (Informally)

Discussion

Chapter 12 of the Federal Bankruptcy Code (11 U.S.C.) was enacted in 1986 in response to the financial problems farmers were experiencing in the early- to mid-1980s. The primary purpose of this chapter is to give family farmers facing bankruptcy an opportunity to reorganize their financial affairs and retain ownership of their property. Chapter 12 was to sunset in 1993, but it was extended that year until September 30, 1998. Subsequent extensions kept Chapter 12 in place until its expiration on July 1, 2000. Since then, family farmers have been ineligible to receive Chapter 12 bankruptcy relief. H.R. 256 would retroactively extend Chapter 12 for 11 months, until June 1, 2001.

Chapter 12 provides special bankruptcy relief to certain family farmers. Under Chapter 12, eligible family farmers are permitted to reorganize their debts pursuant to a repayment plan under the supervision of a bankruptcy trustee. According to a 1997 report by the National Bankruptcy Review Commission, "the special attributes of chapter 12 make it better suited to meet the particularized needs of family farmers in financial distress than other forms of bankruptcy relief, such as chapter 11 and chapter 13." The report describes Chapter 12 as typically less complex and expensive than Chapter 11 (a form of bankruptcy generally used to reorganize debts of large corporations) and more flexible than Chapter 13 (bankruptcy relief for individuals seeking to reorganize their debts). Chapter 13 is limited to debtors with less debt than permitted under Chapter 12.

Eligible debtors. Eligibility for Chapter 12 relief is available to individuals or married couples who meet four requirements: (1) their aggregate debt cannot exceed $1,500,000; (2) not less than 80 percent of their aggregate noncontingent, liquidated debt (excluding a debt for their principal residence) can be attributable to the farming operation; (3) more than 50 percent of their gross income for the taxable year in which they file for bankruptcy must come from the farming operation; and (4) their annual income must be sufficiently stable and regular to enable them to make payments under a Chapter 12 repayment plan. A corporation or partnership is also eligible for Chapter 12 relief if it meets aggregate debt restrictions that are essentially the same as those imposed on individuals and married couples and: (1) more than 50 percent of the outstanding stock or equity is held by one family; (2) more than 80 percent of the value of its assets are related to the farming operation; and (3) any stock that is issued is not traded publicly.

Conclusion and Recommendations

The Department of Agriculture advises that "[g]iven the emergency conditions facing many farmers and ranchers, USDA believes that the protections of chapter 12 must remain available while Congress considers permanent extension." (The pending bankruptcy bills passed by the House and Senate earlier this year both would make Chapter 12 permanent.)

We join Agriculture and Justice in recommending approval of H.R. 256, which passed the House by a vote of 408-2 and the Senate by unanimous consent.

MEDaniels

Mitchell E. Daniels, Jr.
Director

Enclosures

Bills Received at the White House

'01 MAY 2 AM10:32

OMB ENROLLED
BILL MEMO
IS HERE

Date received and notification to OMB: **5/2/2001**

Last day for action: **5/14/2001**

	Official Title	
H.R.256	An Act to extend for 11 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted.	445468 '01 MAY 2 AM10:28

Document No. ____________

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/8/01 ACTION / CONCURRENCE / COMMENT DUE BY: 5/9/01 COB

Subject: ENROLLED BILL H.R. 256 - FAMILY FARMER BANKRUPTCY ACT EXTENSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	IRASTORZA	☐	☐
CARD	☑	☐	JOHNSON	☑	☐
HUGHES	☑	☐	LA MONTAGNE (ok)	☑	☐
ROVE	☑	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MIERS	☐	☐
HAGIN	☑	☐	RICE	☐	☐
DANIELS	☑	☐	______	☐	☐
BLAKEMAN	☐	☐	______	☐	☐
CALIO	☑	☐	______	☐	☐
FLEISCHER	☑	☐	______	☐	☐
GONZALES	☑	☐	______	☐	☐
HAWKINS	☑	☐	______	☐	☐

'01 MAY 8 PM6:44

REMARKS:
PLEASE FORWARD YOUR COMMENTS TO THE STAFF SECRETARY BY COB ON WEDNESDAY, MAY 9, 2001. THANK YOU.

NC

RESPONSE:

2001 MAY -8 AM 11:58
WH STRATEGIC INITIATIVES
EXEC. OFC. PRESIDENT

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

'01 MAY 7 PM10:37

THE DIRECTOR

May 7, 2001

THE ENROLLED BILL IS HERE

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 256 - Family Farmer Bankruptcy Act Extension
Sponsors - Rep. Smith (R) Michigan and 18 cosponsors

Last Day for Action

May 14, 2001 - Monday

Purpose

Retroactively reenacts the provisions of the Family Farmer Bankruptcy Act as of July 1, 2000, and extends the Act for 11 months, until June 1, 2001.

Agency Recommendations

Office of Management and Budget	Approval
Department of Agriculture	Approval
Department of Justice	Approval
Department of the Treasury	No objection (Informally)
Farm Credit Administration	No comment (Informally)

Discussion

Chapter 12 of the Federal Bankruptcy Code (11 U.S.C.) was enacted in 1986 in response to the financial problems farmers were experiencing in the early- to mid-1980s. The primary purpose of this chapter is to give family farmers facing bankruptcy an opportunity to reorganize their financial affairs and retain ownership of their property. Chapter 12 was to sunset in 1993, but it was extended that year until September 30, 1998. Subsequent extensions kept Chapter 12 in place until its expiration on July 1, 2000. Since then, family farmers have been ineligible to receive Chapter 12 bankruptcy relief. H.R. 256 would retroactively extend Chapter 12 for 11 months, until June 1, 2001.

Chapter 12 provides special bankruptcy relief to certain family farmers. Under Chapter 12, eligible family farmers are permitted to reorganize their debts pursuant to a repayment plan under the supervision of a bankruptcy trustee. According to a 1997 report by the National Bankruptcy Review Commission, "the special attributes of chapter 12 make it better suited to meet the particularized needs of family farmers in financial distress than other forms of bankruptcy relief, such as chapter 11 and chapter 13." The report describes Chapter 12 as typically less complex and expensive than Chapter 11 (a form of bankruptcy generally used to reorganize debts of large corporations) and more flexible than Chapter 13 (bankruptcy relief for individuals seeking to reorganize their debts). Chapter 13 is limited to debtors with less debt than permitted under Chapter 12.

Eligible debtors. Eligibility for Chapter 12 relief is available to individuals or married couples who meet four requirements: (1) their aggregate debt cannot exceed $1,500,000; (2) not less than 80 percent of their aggregate noncontingent, liquidated debt (excluding a debt for their principal residence) can be attributable to the farming operation; (3) more than 50 percent of their gross income for the taxable year in which they file for bankruptcy must come from the farming operation; and (4) their annual income must be sufficiently stable and regular to enable them to make payments under a Chapter 12 repayment plan. A corporation or partnership is also eligible for Chapter 12 relief if it meets aggregate debt restrictions that are essentially the same as those imposed on individuals and married couples and: (1) more than 50 percent of the outstanding stock or equity is held by one family; (2) more than 80 percent of the value of its assets are related to the farming operation; and (3) any stock that is issued is not traded publicly.

Conclusion and Recommendations

The Department of Agriculture advises that "[g]iven the emergency conditions facing many farmers and ranchers, USDA believes that the protections of chapter 12 must remain available while Congress considers permanent extension." (The pending bankruptcy bills passed by the House and Senate earlier this year both would make Chapter 12 permanent.)

We join Agriculture and Justice in recommending approval of H.R. 256, which passed the House by a vote of 408-2 and the Senate by unanimous consent.

MEDaniels

Mitchell E. Daniels, Jr.
Director

Enclosures

Document No. ____________

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/8/01 ACTION / CONCURRENCE / COMMENT DUE BY: 5/9/01 COB

Subject: ENROLLED BILL H.R. 256 - FAMILY FARMER BANKRUPTCY ACT EXTENSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	IRASTORZA	☐	☐
CARD	☑	☐	JOHNSON	☑	☐
HUGHES	☑	☐	LA MONTAGNE	☑	☐
ROVE	☑	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MIERS	☐	☐
HAGIN	☑	☐	RICE	☐	☐
DANIELS	☑	☐	____________	☐	☐
BLAKEMAN	☐	☐	____________	☐	☐
CALIO	☑	☐	____________	☐	☐
FLEISCHER	☑	☐	____________	☐	☐
GONZALES	☑	☐	____________	☐	☐
HAWKINS	☑	☐	____________	☐	☐

'01 MAY 9 PM6:44

REMARKS:
PLEASE FORWARD YOUR COMMENTS TO THE STAFF SECRETARY BY COB ON WEDNESDAY, MAY 9, 2001. THANK YOU.

OK

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

'01 MAY 7 PM10:37

THE DIRECTOR

May 7, 2001

THE ENROLLED BILL IS HERE

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 256 - Family Farmer Bankruptcy Act Extension
Sponsors - Rep. Smith (R) Michigan and 18 cosponsors

Last Day for Action

May 14, 2001 - Monday

Purpose

Retroactively reenacts the provisions of the Family Farmer Bankruptcy Act as of July 1, 2000, and extends the Act for 11 months, until June 1, 2001.

Agency Recommendations

Office of Management and Budget	Approval
Department of Agriculture	Approval
Department of Justice	Approval
Department of the Treasury	No objection (Informally)
Farm Credit Administration	No comment (Informally)

Discussion

Chapter 12 of the Federal Bankruptcy Code (11 U.S.C.) was enacted in 1986 in response to the financial problems farmers were experiencing in the early- to mid-1980s. The primary purpose of this chapter is to give family farmers facing bankruptcy an opportunity to reorganize their financial affairs and retain ownership of their property. Chapter 12 was to sunset in 1993, but it was extended that year until September 30, 1998. Subsequent extensions kept Chapter 12 in place until its expiration on July 1, 2000. Since then, family farmers have been ineligible to receive Chapter 12 bankruptcy relief. H.R. 256 would retroactively extend Chapter 12 for 11 months, until June 1, 2001.

Chapter 12 provides special bankruptcy relief to certain family farmers. Under Chapter 12, eligible family farmers are permitted to reorganize their debts pursuant to a repayment plan under the supervision of a bankruptcy trustee. According to a 1997 report by the National Bankruptcy Review Commission, "the special attributes of chapter 12 make it better suited to meet the particularized needs of family farmers in financial distress than other forms of bankruptcy relief, such as chapter 11 and chapter 13." The report describes Chapter 12 as typically less complex and expensive than Chapter 11 (a form of bankruptcy generally used to reorganize debts of large corporations) and more flexible than Chapter 13 (bankruptcy relief for individuals seeking to reorganize their debts). Chapter 13 is limited to debtors with less debt than permitted under Chapter 12.

Eligible debtors. Eligibility for Chapter 12 relief is available to individuals or married couples who meet four requirements: (1) their aggregate debt cannot exceed $1,500,000; (2) not less than 80 percent of their aggregate noncontingent, liquidated debt (excluding a debt for their principal residence) can be attributable to the farming operation; (3) more than 50 percent of their gross income for the taxable year in which they file for bankruptcy must come from the farming operation; and (4) their annual income must be sufficiently stable and regular to enable them to make payments under a Chapter 12 repayment plan. A corporation or partnership is also eligible for Chapter 12 relief if it meets aggregate debt restrictions that are essentially the same as those imposed on individuals and married couples and: (1) more than 50 percent of the outstanding stock or equity is held by one family; (2) more than 80 percent of the value of its assets are related to the farming operation; and (3) any stock that is issued is not traded publicly.

Conclusion and Recommendations

The Department of Agriculture advises that "[g]iven the emergency conditions facing many farmers and ranchers, USDA believes that the protections of chapter 12 must remain available while Congress considers permanent extension." (The pending bankruptcy bills passed by the House and Senate earlier this year both would make Chapter 12 permanent.)

We join Agriculture and Justice in recommending approval of H.R. 256, which passed the House by a vote of 408-2 and the Senate by unanimous consent.

McDaniels

Mitchell E. Daniels, Jr.
Director

Enclosures

Document No. ____________

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/8/01 ACTION / CONCURRENCE / COMMENT DUE BY: 5/9/01 COB

Subject: ENROLLED BILL H.R. 256 - FAMILY FARMER BANKRUPTCY ACT EXTENSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	IRASTORZA	☐	☐
CARD	☑	☐	JOHNSON	☑	☐
HUGHES	☑	☐	LA MONTAGNE	☑	☐
ROVE	☑	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MIERS	☐	☐
HAGIN	☑	☐	RICE	☐	☐
DANIELS	☑	☐	____________	☐	☐
BLAKEMAN	☐	☐	____________	☐	☐
CALIO	☑	☐	____________	☐	☐
FLEISCHER	☑	☐	____________	☐	☐
GONZALES	☑	☐	____________	☐	☐
HAWKINS	☑	☐	____________	☐	☐

'01 MAY 10 AM8:46

REMARKS:

PLEASE FORWARD YOUR COMMENTS TO THE STAFF SECRETARY BY COB ON WEDNESDAY, MAY 9, 2001. THANK YOU.

OK

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

'01 MAY 7 PM 10:37

THE DIRECTOR

May 7, 2001

THE ENROLLED BILL IS HERE

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 256 - Family Farmer Bankruptcy Act Extension
Sponsors - Rep. Smith (R) Michigan and 18 cosponsors

Last Day for Action

May 14, 2001 - Monday

Purpose

Retroactively reenacts the provisions of the Family Farmer Bankruptcy Act as of July 1, 2000, and extends the Act for 11 months, until June 1, 2001.

Agency Recommendations

Office of Management and Budget	Approval
Department of Agriculture	Approval
Department of Justice	Approval
Department of the Treasury	No objection (Informally)
Farm Credit Administration	No comment (Informally)

Discussion

Chapter 12 of the Federal Bankruptcy Code (11 U.S.C.) was enacted in 1986 in response to the financial problems farmers were experiencing in the early- to mid-1980s. The primary purpose of this chapter is to give family farmers facing bankruptcy an opportunity to reorganize their financial affairs and retain ownership of their property. Chapter 12 was to sunset in 1993, but it was extended that year until September 30, 1998. Subsequent extensions kept Chapter 12 in place until its expiration on July 1, 2000. Since then, family farmers have been ineligible to receive Chapter 12 bankruptcy relief. H.R. 256 would retroactively extend Chapter 12 for 11 months, until June 1, 2001.

Chapter 12 provides special bankruptcy relief to certain family farmers. Under Chapter 12, eligible family farmers are permitted to reorganize their debts pursuant to a repayment plan under the supervision of a bankruptcy trustee. According to a 1997 report by the National Bankruptcy Review Commission, "the special attributes of chapter 12 make it better suited to meet the particularized needs of family farmers in financial distress than other forms of bankruptcy relief, such as chapter 11 and chapter 13." The report describes Chapter 12 as typically less complex and expensive than Chapter 11 (a form of bankruptcy generally used to reorganize debts of large corporations) and more flexible than Chapter 13 (bankruptcy relief for individuals seeking to reorganize their debts). Chapter 13 is limited to debtors with less debt than permitted under Chapter 12.

Eligible debtors. Eligibility for Chapter 12 relief is available to individuals or married couples who meet four requirements: (1) their aggregate debt cannot exceed $1,500,000; (2) not less than 80 percent of their aggregate noncontingent, liquidated debt (excluding a debt for their principal residence) can be attributable to the farming operation; (3) more than 50 percent of their gross income for the taxable year in which they file for bankruptcy must come from the farming operation; and (4) their annual income must be sufficiently stable and regular to enable them to make payments under a Chapter 12 repayment plan. A corporation or partnership is also eligible for Chapter 12 relief if it meets aggregate debt restrictions that are essentially the same as those imposed on individuals and married couples and: (1) more than 50 percent of the outstanding stock or equity is held by one family; (2) more than 80 percent of the value of its assets are related to the farming operation; and (3) any stock that is issued is not traded publicly.

Conclusion and Recommendations

The Department of Agriculture advises that "[g]iven the emergency conditions facing many farmers and ranchers, USDA believes that the protections of chapter 12 must remain available while Congress considers permanent extension." (The pending bankruptcy bills passed by the House and Senate earlier this year both would make Chapter 12 permanent.)

We join Agriculture and Justice in recommending approval of H.R. 256, which passed the House by a vote of 408-2 and the Senate by unanimous consent.

M E Daniels

Mitchell E. Daniels, Jr.
Director

Enclosures

4454468

5.11.01

THE WHITE HOUSE
WASHINGTON

May 10, 2001

MR. PRESIDENT:

Attached please find H.R. 256 -- Family Farmer Bankruptcy Act Extension.

OMB, USDA, Justice, the Chief of Staff, NEC, and all relevant White House offices recommend approval.

Respectfully,

Harriet E. Miers

LAST DAY FOR ACTION: Monday, May 14

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

'01 MAY 7 PM10:37

THE DIRECTOR

May 7, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 256 - Family Farmer Bankruptcy Act Extension
Sponsors - Rep. Smith (R) Michigan and 18 cosponsors

Last Day for Action

May 14, 2001 - Monday

Purpose

Retroactively reenacts the provisions of the Family Farmer Bankruptcy Act as of July 1, 2000, and extends the Act for 11 months, until June 1, 2001.

Agency Recommendations

Office of Management and Budget	Approval
Department of Agriculture	Approval
Department of Justice	Approval
Department of the Treasury	No objection (Informally)
Farm Credit Administration	No comment (Informally)

Discussion

Chapter 12 of the Federal Bankruptcy Code (11 U.S.C.) was enacted in 1986 in response to the financial problems farmers were experiencing in the early- to mid-1980s. The primary purpose of this chapter is to give family farmers facing bankruptcy an opportunity to reorganize their financial affairs and retain ownership of their property. Chapter 12 was to sunset in 1993, but it was extended that year until September 30, 1998. Subsequent extensions kept Chapter 12 in place until its expiration on July 1, 2000. Since then, family farmers have been ineligible to receive Chapter 12 bankruptcy relief. H.R. 256 would retroactively extend Chapter 12 for 11 months, until June 1, 2001.

Chapter 12 provides special bankruptcy relief to certain family farmers. Under Chapter 12, eligible family farmers are permitted to reorganize their debts pursuant to a repayment plan under the supervision of a bankruptcy trustee. According to a 1997 report by the National Bankruptcy Review Commission, "the special attributes of chapter 12 make it better suited to meet the particularized needs of family farmers in financial distress than other forms of bankruptcy relief, such as chapter 11 and chapter 13." The report describes Chapter 12 as typically less complex and expensive than Chapter 11 (a form of bankruptcy generally used to reorganize debts of large corporations) and more flexible than Chapter 13 (bankruptcy relief for individuals seeking to reorganize their debts). Chapter 13 is limited to debtors with less debt than permitted under Chapter 12.

Eligible debtors. Eligibility for Chapter 12 relief is available to individuals or married couples who meet four requirements: (1) their aggregate debt cannot exceed $1,500,000; (2) not less than 80 percent of their aggregate noncontingent, liquidated debt (excluding a debt for their principal residence) can be attributable to the farming operation; (3) more than 50 percent of their gross income for the taxable year in which they file for bankruptcy must come from the farming operation; and (4) their annual income must be sufficiently stable and regular to enable them to make payments under a Chapter 12 repayment plan. A corporation or partnership is also eligible for Chapter 12 relief if it meets aggregate debt restrictions that are essentially the same as those imposed on individuals and married couples and: (1) more than 50 percent of the outstanding stock or equity is held by one family; (2) more than 80 percent of the value of its assets are related to the farming operation; and (3) any stock that is issued is not traded publicly.

Conclusion and Recommendations

The Department of Agriculture advises that "[g]iven the emergency conditions facing many farmers and ranchers, USDA believes that the protections of chapter 12 must remain available while Congress considers permanent extension." (The pending bankruptcy bills passed by the House and Senate earlier this year both would make Chapter 12 permanent.)

We join Agriculture and Justice in recommending approval of H.R. 256, which passed the House by a vote of 408-2 and the Senate by unanimous consent.

ME Daniels

Mitchell E. Daniels, Jr.
Director

Enclosures

USDA

United States Department of Agriculture

Office of the Secretary
Washington, D.C. 20250

MAY 2 2001

The Honorable Mitchell E. Daniels, Jr.
Director
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Daniels:

The Department of Agriculture (USDA) recommends that the President sign the enrolled bill, H.R. 256, "To extend for 11 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted."

This enrolled bill would extend, retroactively, the bankruptcy protections afforded to family farmers and ranchers under chapter 12 of title 18, United States Code for an 11 month period beginning on July 1, 2000 and ending on June 1, 2001. Given the emergency conditions facing many farmers and ranchers, USDA believes that the protections of chapter 12 must remain available while Congress considers permanent extension.

Sincerely,

Ann M. Veneman
Secretary

U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

May 4, 2001

The Honorable Mitchell Daniels, Jr.
Director
Office of Management and Budget
Washington, DC 20503

Dear Mr. Daniels:

This responds to your request for the views and recommendation of the Department of Justice on enrolled bill H.R. 256, "[t]o extend for 11 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted." The Department has no objection to enactment of this enrolled bill and therefore recommends that the President approve it.

Chapter 12 of the Federal Bankruptcy Code (title 11 of the United States Code), which expired on July 1, 2000, provided a specialized form of bankruptcy relief to certain qualifying "family farmers." H.R. 256 would reenact chapter 12 retroactively for the period July 1, 2000, to June 1, 2001.

Thank you for the opportunity to provide our views on this matter. If we may be of additional assistance, we trust that you will not hesitate to call upon us.

Sincerely,

Sheryl L. Walter
Acting Assistant Attorney General

One Hundred Seventh Congress of the United States of America

AT THE FIRST SESSION

Begun and held at the City of Washington on Wednesday, the third day of January, two thousand and one

An Act

To extend for 11 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted.

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 Law 106–5 and Public Law 106–70, is amended—

(1) by striking "July 1, 2000" each place it appears and inserting "June 1, 2001"; and

(2) in subsection (a)—

(A) by striking "September 30, 1999" and inserting "June 30, 2000"; and

(B) by striking "October 1, 1999" and inserting "July 1, 2000".

SEC. 2. EFFECTIVE DATE.

The amendments made by section 1 shall take effect on July 1, 2000.

Dennis Hastert

Speaker of the House of Representatives.

Strom Thurmond

~~Vice President of the United States and~~
President of the Senate. pro Tempore

One Hundred Seventh Congress of the United States of America

AT THE FIRST SESSION

Begun and held at the City of Washington on Wednesday, the third day of January, two thousand and one

An Act

To extend for 11 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted.

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 Law 106–5 and Public Law 106–70, is amended—

(1) by striking "July 1, 2000" each place it appears and inserting "June 1, 2001"; and

(2) in subsection (a)—

(A) by striking "September 30, 1999" and inserting "June 30, 2000"; and

(B) by striking "October 1, 1999" and inserting "July 1, 2000".

SEC. 2. EFFECTIVE DATE.

The amendments made by section 1 shall take effect on July 1, 2000.

Speaker of the House of Representatives.

Vice President of the United States and President of the Senate.

Document No. ______________

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/8/01 ACTION / CONCURRENCE / COMMENT DUE BY: 5/9/01 COB

Subject: ENROLLED BILL H.R. 256 - FAMILY FARMER BANKRUPTCY ACT EXTENSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT N/C	✓	☐	IRASTORZA	☐	☐
CARD ok	✓	☐	JOHNSON N/C	✓	☐
HUGHES ok	✓	☐	LA MONTAGNE	✓	☐
ROVE	✓	☐	LINDSEY see comments	✓	☐
BOLTEN	✓	☐	MIERS	☐	☐
HAGIN	✓	☐	RICE	☐	☐
DANIELS	✓	☐	______	☐	☐
BLAKEMAN	☐	☐	______	☐	☐
CALIO ok	✓	☐	______	☐	☐
FLEISCHER	✓	☐	______	☐	☐
GONZALES N/C	✓	☐	______	☐	☐
HAWKINS	✓	☐	______	☐	☐

REMARKS:
PLEASE FORWARD YOUR COMMENTS TO THE STAFF SECRETARY BY COB ON WEDNESDAY, MAY 9, 2001. THANK YOU.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

'01 MAY 7 PM10:37

THE DIRECTOR

May 7, 2001

THE ENROLLED BILL IS HERE

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 256 - Family Farmer Bankruptcy Act Extension
Sponsors - Rep. Smith (R) Michigan and 18 cosponsors

Last Day for Action

May 14, 2001 - Monday

Purpose

Retroactively reenacts the provisions of the Family Farmer Bankruptcy Act as of July 1, 2000, and extends the Act for 11 months, until June 1, 2001.

Agency Recommendations

Office of Management and Budget	Approval
Department of Agriculture	Approval
Department of Justice	
Department of the Treasu	
Farm Credit Administrati	

Please staff for COB tomorrow.

[signature]

Discussion

Chapter 12 of the Federa
to the financial problems farmer
purpose of this chapter is to give
their financial affairs and retain
but it was extended that year unt
in place until its expiration on Ju
receive Chapter 12 bankruptcy r
months, until June 1, 2001.

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

'01 MAY 7 PM10:37

THE DIRECTOR

May 7, 2001

THE ENROLLED BILL IS HERE

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 256 - Family Farmer Bankruptcy Act Extension
Sponsors - Rep. Smith (R) Michigan and 18 cosponsors

Last Day for Action

May 14, 2001 - Monday

Purpose

Retroactively reenacts the provisions of the Family Farmer Bankruptcy Act as of July 1, 2000, and extends the Act for 11 months, until June 1, 2001.

Agency Recommendations

Office of Management and Budget	Approval
Department of Agriculture	Approval
Department of Justice	Approval
Department of the Treasury	No objection (Informally)
Farm Credit Administration	No comment (Informally)

Discussion

Chapter 12 of the Federal Bankruptcy Code (11 U.S.C.) was enacted in 1986 in response to the financial problems farmers were experiencing in the early- to mid-1980s. The primary purpose of this chapter is to give family farmers facing bankruptcy an opportunity to reorganize their financial affairs and retain ownership of their property. Chapter 12 was to sunset in 1993, but it was extended that year until September 30, 1998. Subsequent extensions kept Chapter 12 in place until its expiration on July 1, 2000. Since then, family farmers have been ineligible to receive Chapter 12 bankruptcy relief. H.R. 256 would retroactively extend Chapter 12 for 11 months, until June 1, 2001.

Chapter 12 provides special bankruptcy relief to certain family farmers. Under Chapter 12, eligible family farmers are permitted to reorganize their debts pursuant to a repayment plan under the supervision of a bankruptcy trustee. According to a 1997 report by the National Bankruptcy Review Commission, "the special attributes of chapter 12 make it better suited to meet the particularized needs of family farmers in financial distress than other forms of bankruptcy relief, such as chapter 11 and chapter 13." The report describes Chapter 12 as typically less complex and expensive than Chapter 11 (a form of bankruptcy generally used to reorganize debts of large corporations) and more flexible than Chapter 13 (bankruptcy relief for individuals seeking to reorganize their debts). Chapter 13 is limited to debtors with less debt than permitted under Chapter 12.

Eligible debtors. Eligibility for Chapter 12 relief is available to individuals or married couples who meet four requirements: (1) their aggregate debt cannot exceed $1,500,000; (2) not less than 80 percent of their aggregate noncontingent, liquidated debt (excluding a debt for their principal residence) can be attributable to the farming operation; (3) more than 50 percent of their gross income for the taxable year in which they file for bankruptcy must come from the farming operation; and (4) their annual income must be sufficiently stable and regular to enable them to make payments under a Chapter 12 repayment plan. A corporation or partnership is also eligible for Chapter 12 relief if it meets aggregate debt restrictions that are essentially the same as those imposed on individuals and married couples and: (1) more than 50 percent of the outstanding stock or equity is held by one family; (2) more than 80 percent of the value of its assets are related to the farming operation; and (3) any stock that is issued is not traded publicly.

Conclusion and Recommendations

The Department of Agriculture advises that "[g]iven the emergency conditions facing many farmers and ranchers, USDA believes that the protections of chapter 12 must remain available while Congress considers permanent extension." (The pending bankruptcy bills passed by the House and Senate earlier this year both would make Chapter 12 permanent.)

We join Agriculture and Justice in recommending approval of H.R. 256, which passed the House by a vote of 408-2 and the Senate by unanimous consent.

ME Daniels

Mitchell E. Daniels, Jr.
Director

Enclosures

Document No. ______________

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/8/01 ACTION / CONCURRENCE / COMMENT DUE BY: 5/9/01 COB

Subject: ENROLLED BILL H.R. 256 - FAMILY FARMER BANKRUPTCY ACT EXTENSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	IRASTORZA	☐	☐
CARD	☑	☐	JOHNSON	☑	☐
HUGHES	☑	☐	LA MONTAGNE	☑	☐
ROVE	☑	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MIERS	☐	☐
HAGIN	☑	☐	RICE	☐	☐
DANIELS	☑	☐	______	☐	☐
BLAKEMAN	☐	☐	______	☐	☐
CALIO	☑	☐	______	☐	☐
FLEISCHER	☑	☐	______	☐	☐
GONZALES	☑	☐	______	☐	☐
HAWKINS	☑	☐	______	☐	☐

REMARKS:
PLEASE FORWARD YOUR COMMENTS TO THE STAFF SECRETARY BY COB ON WEDNESDAY, MAY 9, 2001. THANK YOU.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

'01 MAY 7 PM10:37

THE DIRECTOR

May 7, 2001

THE ENROLLED BILL IS HERE

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 256 - Family Farmer Bankruptcy Act Extension
Sponsors - Rep. Smith (R) Michigan and 18 cosponsors

Last Day for Action

May 14, 2001 - Monday

Purpose

Retroactively reenacts the provisions of the Family Farmer Bankruptcy Act as of July 1, 2000, and extends the Act for 11 months, until June 1, 2001.

Agency Recommendations

Office of Management and Budget	Approval
Department of Agriculture	Approval
Department of Justice	Approval
Department of the Treasury	No objection (Informally)
Farm Credit Administration	No comment (Informally)

Discussion

Chapter 12 of the Federal Bankruptcy Code (11 U.S.C.) was enacted in 1986 in response to the financial problems farmers were experiencing in the early- to mid-1980s. The primary purpose of this chapter is to give family farmers facing bankruptcy an opportunity to reorganize their financial affairs and retain ownership of their property. Chapter 12 was to sunset in 1993, but it was extended that year until September 30, 1998. Subsequent extensions kept Chapter 12 in place until its expiration on July 1, 2000. Since then, family farmers have been ineligible to receive Chapter 12 bankruptcy relief. H.R. 256 would retroactively extend Chapter 12 for 11 months, until June 1, 2001.

Chapter 12 provides special bankruptcy relief to certain family farmers. Under Chapter 12, eligible family farmers are permitted to reorganize their debts pursuant to a repayment plan under the supervision of a bankruptcy trustee. According to a 1997 report by the National Bankruptcy Review Commission, "the special attributes of chapter 12 make it better suited to meet the particularized needs of family farmers in financial distress than other forms of bankruptcy relief, such as chapter 11 and chapter 13." The report describes Chapter 12 as typically less complex and expensive than Chapter 11 (a form of bankruptcy generally used to reorganize debts of large corporations) and more flexible than Chapter 13 (bankruptcy relief for individuals seeking to reorganize their debts). Chapter 13 is limited to debtors with less debt than permitted under Chapter 12.

Eligible debtors. Eligibility for Chapter 12 relief is available to individuals or married couples who meet four requirements: (1) their aggregate debt cannot exceed $1,500,000; (2) not less than 80 percent of their aggregate noncontingent, liquidated debt (excluding a debt for their principal residence) can be attributable to the farming operation; (3) more than 50 percent of their gross income for the taxable year in which they file for bankruptcy must come from the farming operation; and (4) their annual income must be sufficiently stable and regular to enable them to make payments under a Chapter 12 repayment plan. A corporation or partnership is also eligible for Chapter 12 relief if it meets aggregate debt restrictions that are essentially the same as those imposed on individuals and married couples and: (1) more than 50 percent of the outstanding stock or equity is held by one family; (2) more than 80 percent of the value of its assets are related to the farming operation; and (3) any stock that is issued is not traded publicly.

Conclusion and Recommendations

The Department of Agriculture advises that "[g]iven the emergency conditions facing many farmers and ranchers, USDA believes that the protections of chapter 12 must remain available while Congress considers permanent extension." (The pending bankruptcy bills passed by the House and Senate earlier this year both would make Chapter 12 permanent.)

We join Agriculture and Justice in recommending approval of H.R. 256, which passed the House by a vote of 408-2 and the Senate by unanimous consent.

McDaniels

Mitchell E. Daniels, Jr.
Director

Enclosures

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

'01 MAY 7 PM10:37

THE DIRECTOR

May 7, 2001

THE ENROLLED BILL IS HERE

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 256 - Family Farmer Bankruptcy Act Extension
Sponsors - Rep. Smith (R) Michigan and 18 cosponsors

Last Day for Action

May 14, 2001 - Monday

Purpose

Retroactively reenacts the provisions of the Family Farmer Bankruptcy Act as of July 1, 2000, and extends the Act for 11 months, until June 1, 2001.

Agency Recommendations

Office of Management and Budget	Approval
Department of Agriculture	Approval
Department of Justice	Approval
Department of the Treasury	No objection (Informally)
Farm Credit Administration	No comment (Informally)

Discussion

Chapter 12 of the Federal Bankruptcy Code (11 U.S.C.) was enacted in 1986 in response to the financial problems farmers were experiencing in the early- to mid-1980s. The primary purpose of this chapter is to give family farmers facing bankruptcy an opportunity to reorganize their financial affairs and retain ownership of their property. Chapter 12 was to sunset in 1993, but it was extended that year until September 30, 1998. Subsequent extensions kept Chapter 12 in place until its expiration on July 1, 2000. Since then, family farmers have been ineligible to receive Chapter 12 bankruptcy relief. H.R. 256 would retroactively extend Chapter 12 for 11 months, until June 1, 2001.

Chapter 12 provides special bankruptcy relief to certain family farmers. Under Chapter 12, eligible family farmers are permitted to reorganize their debts pursuant to a repayment plan under the supervision of a bankruptcy trustee. According to a 1997 report by the National Bankruptcy Review Commission, "the special attributes of chapter 12 make it better suited to meet the particularized needs of family farmers in financial distress than other forms of bankruptcy relief, such as chapter 11 and chapter 13." The report describes Chapter 12 as typically less complex and expensive than Chapter 11 (a form of bankruptcy generally used to reorganize debts of large corporations) and more flexible than Chapter 13 (bankruptcy relief for individuals seeking to reorganize their debts). Chapter 13 is limited to debtors with less debt than permitted under Chapter 12.

Eligible debtors. Eligibility for Chapter 12 relief is available to individuals or married couples who meet four requirements: (1) their aggregate debt cannot exceed $1,500,000; (2) not less than 80 percent of their aggregate noncontingent, liquidated debt (excluding a debt for their principal residence) can be attributable to the farming operation; (3) more than 50 percent of their gross income for the taxable year in which they file for bankruptcy must come from the farming operation; and (4) their annual income must be sufficiently stable and regular to enable them to make payments under a Chapter 12 repayment plan. A corporation or partnership is also eligible for Chapter 12 relief if it meets aggregate debt restrictions that are essentially the same as those imposed on individuals and married couples and: (1) more than 50 percent of the outstanding stock or equity is held by one family; (2) more than 80 percent of the value of its assets are related to the farming operation; and (3) any stock that is issued is not traded publicly.

Conclusion and Recommendations

The Department of Agriculture advises that "[g]iven the emergency conditions facing many farmers and ranchers, USDA believes that the protections of chapter 12 must remain available while Congress considers permanent extension." (The pending bankruptcy bills passed by the House and Senate earlier this year both would make Chapter 12 permanent.)

We join Agriculture and Justice in recommending approval of H.R. 256, which passed the House by a vote of 408-2 and the Senate by unanimous consent.

M E Daniels

Mitchell E. Daniels, Jr.
Director

Enclosures

445468

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

'01 MAY 7 PM10:37

THE DIRECTOR

May 7, 2001

THE ENROLLED BILL IS HERE

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 256 - Family Farmer Bankruptcy Act Extension
Sponsors - Rep. Smith (R) Michigan and 18 cosponsors

Last Day for Action

May 14, 2001 - Monday

Purpose

Retroactively reenacts the provisions of the Family Farmer Bankruptcy Act as of July 1, 2000, and extends the Act for 11 months, until June 1, 2001.

Agency Recommendations

Office of Management and Budget	Approval
Department of Agriculture	Approval
Department of Justice	Approval
Department of the Treasury	No objection (Informally)
Farm Credit Administration	No comment (Informally)

Discussion

Chapter 12 of the Federal Bankruptcy Code (11 U.S.C.) was enacted in 1986 in response to the financial problems farmers were experiencing in the early- to mid-1980s. The primary purpose of this chapter is to give family farmers facing bankruptcy an opportunity to reorganize their financial affairs and retain ownership of their property. Chapter 12 was to sunset in 1993, but it was extended that year until September 30, 1998. Subsequent extensions kept Chapter 12 in place until its expiration on July 1, 2000. Since then, family farmers have been ineligible to receive Chapter 12 bankruptcy relief. H.R. 256 would retroactively extend Chapter 12 for 11 months, until June 1, 2001.

Chapter 12 provides special bankruptcy relief to certain family farmers. Under Chapter 12, eligible family farmers are permitted to reorganize their debts pursuant to a repayment plan under the supervision of a bankruptcy trustee. According to a 1997 report by the National Bankruptcy Review Commission, "the special attributes of chapter 12 make it better suited to meet the particularized needs of family farmers in financial distress than other forms of bankruptcy relief, such as chapter 11 and chapter 13." The report describes Chapter 12 as typically less complex and expensive than Chapter 11 (a form of bankruptcy generally used to reorganize debts of large corporations) and more flexible than Chapter 13 (bankruptcy relief for individuals seeking to reorganize their debts). Chapter 13 is limited to debtors with less debt than permitted under Chapter 12.

Eligible debtors. Eligibility for Chapter 12 relief is available to individuals or married couples who meet four requirements: (1) their aggregate debt cannot exceed $1,500,000; (2) not less than 80 percent of their aggregate noncontingent, liquidated debt (excluding a debt for their principal residence) can be attributable to the farming operation; (3) more than 50 percent of their gross income for the taxable year in which they file for bankruptcy must come from the farming operation; and (4) their annual income must be sufficiently stable and regular to enable them to make payments under a Chapter 12 repayment plan. A corporation or partnership is also eligible for Chapter 12 relief if it meets aggregate debt restrictions that are essentially the same as those imposed on individuals and married couples and: (1) more than 50 percent of the outstanding stock or equity is held by one family; (2) more than 80 percent of the value of its assets are related to the farming operation; and (3) any stock that is issued is not traded publicly.

Conclusion and Recommendations

The Department of Agriculture advises that "[g]iven the emergency conditions facing many farmers and ranchers, USDA believes that the protections of chapter 12 must remain available while Congress considers permanent extension." (The pending bankruptcy bills passed by the House and Senate earlier this year both would make Chapter 12 permanent.)

We join Agriculture and Justice in recommending approval of H.R. 256, which passed the House by a vote of 408-2 and the Senate by unanimous consent.

M E Daniels

Mitchell E. Daniels, Jr.
Director

Enclosures

Document No. ____________

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/8/01 ACTION / CONCURRENCE / COMMENT DUE BY: 5/9/01 COB

Subject: ENROLLED BILL H.R. 256 - FAMILY FARMER BANKRUPTCY ACT EXTENSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	IRASTORZA	☐	☐
CARD	☑	☐	JOHNSON	☑	☐
HUGHES	☑	☐	LA MONTAGNE	☑	☐
ROVE	☑	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MIERS	☐	☐
HAGIN	☑	☐	RICE	☐	☐
DANIELS	☑	☐	____________	☐	☐
BLAKEMAN	☐	☐	____________	☐	☐
CALIO	☑	☐	____________	☐	☐
FLEISCHER	☑	☐	____________	☐	☐
GONZALES	☑	☐	____________	☐	☐
HAWKINS	☑	☐	____________	☐	☐

REMARKS:
PLEASE FORWARD YOUR COMMENTS TO THE STAFF SECRETARY BY COB ON WEDNESDAY, MAY 9, 2001. THANK YOU.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

'01 MAY 7 PM10:37

THE DIRECTOR

May 7, 2001

THE ENROLLED BILL IS HERE

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 256 - Family Farmer Bankruptcy Act Extension
Sponsors - Rep. Smith (R) Michigan and 18 cosponsors

Last Day for Action

May 14, 2001 - Monday

Purpose

Retroactively reenacts the provisions of the Family Farmer Bankruptcy Act as of July 1, 2000, and extends the Act for 11 months, until June 1, 2001.

Agency Recommendations

Office of Management and Budget	Approval
Department of Agriculture	Approval
Department of Justice	Approval
Department of the Treasury	No objection (Informally)
Farm Credit Administration	No comment (Informally)

Discussion

Chapter 12 of the Federal Bankruptcy Code (11 U.S.C.) was enacted in 1986 in response to the financial problems farmers were experiencing in the early- to mid-1980s. The primary purpose of this chapter is to give family farmers facing bankruptcy an opportunity to reorganize their financial affairs and retain ownership of their property. Chapter 12 was to sunset in 1993, but it was extended that year until September 30, 1998. Subsequent extensions kept Chapter 12 in place until its expiration on July 1, 2000. Since then, family farmers have been ineligible to receive Chapter 12 bankruptcy relief. H.R. 256 would retroactively extend Chapter 12 for 11 months, until June 1, 2001.

Chapter 12 provides special bankruptcy relief to certain family farmers. Under Chapter 12, eligible family farmers are permitted to reorganize their debts pursuant to a repayment plan under the supervision of a bankruptcy trustee. According to a 1997 report by the National Bankruptcy Review Commission, "the special attributes of chapter 12 make it better suited to meet the particularized needs of family farmers in financial distress than other forms of bankruptcy relief, such as chapter 11 and chapter 13." The report describes Chapter 12 as typically less complex and expensive than Chapter 11 (a form of bankruptcy generally used to reorganize debts of large corporations) and more flexible than Chapter 13 (bankruptcy relief for individuals seeking to reorganize their debts). Chapter 13 is limited to debtors with less debt than permitted under Chapter 12.

Eligible debtors. Eligibility for Chapter 12 relief is available to individuals or married couples who meet four requirements: (1) their aggregate debt cannot exceed $1,500,000; (2) not less than 80 percent of their aggregate noncontingent, liquidated debt (excluding a debt for their principal residence) can be attributable to the farming operation; (3) more than 50 percent of their gross income for the taxable year in which they file for bankruptcy must come from the farming operation; and (4) their annual income must be sufficiently stable and regular to enable them to make payments under a Chapter 12 repayment plan. A corporation or partnership is also eligible for Chapter 12 relief if it meets aggregate debt restrictions that are essentially the same as those imposed on individuals and married couples and: (1) more than 50 percent of the outstanding stock or equity is held by one family; (2) more than 80 percent of the value of its assets are related to the farming operation; and (3) any stock that is issued is not traded publicly.

Conclusion and Recommendations

The Department of Agriculture advises that "[g]iven the emergency conditions facing many farmers and ranchers, USDA believes that the protections of chapter 12 must remain available while Congress considers permanent extension." (The pending bankruptcy bills passed by the House and Senate earlier this year both would make Chapter 12 permanent.)

We join Agriculture and Justice in recommending approval of H.R. 256, which passed the House by a vote of 408-2 and the Senate by unanimous consent.

M E Daniels

Mitchell E. Daniels, Jr.
Director

Enclosures

****
*** TX REPORT ***
****

TRANSMISSION OK

TX/RX NO	3524
CONNECTION TEL	51005
CONNECTION ID	
ST. TIME	05/08 11:41
USAGE T	02'09
PGS. SENT	3
RESULT	OK

Document No. ________________

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/8/01 ACTION / CONCURRENCE / COMMENT DUE BY: 5/9/01 COB

Subject: ENROLLED BILL H.R. 256 - FAMILY FARMER BANKRUPTCY ACT EXTENSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	✓	☐	IRASTORZA	☐	☐
CARD	✓	☐	JOHNSON	✓	☐
HUGHES	✓	☐	LA MONTAGNE	✓	☐
ROVE	✓	☐	LINDSEY	✓	☐
BOLTEN	✓	☐	MIERS	☐	☐
HAGIN	✓	☐	RICE	☐	☐
DANIELS	✓	☐	________	☐	☐
BLAKEMAN	☐	☐	________	☐	☐
CALIO	✓	☐	________	☐	☐
FLEISCHER	✓	☐	________	☐	☐
GONZALES	✓	☐	________	☐	☐
HAWKINS	✓	☐	________	☐	☐

REMARKS:

PLEASE FORWARD YOUR COMMENTS TO THE STAFF SECRETARY BY COB ON WEDNESDAY, MAY 9, 2001. THANK YOU.

Document No. ____________

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/8/01 ACTION / CONCERNCE / COMMENT DUE BY: 5/9/01 COB

Subject: ENROLLED BILL H.R. 256 - FAMILY FARMER BANKRUPTCY ACT EXTENSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	[x]	[ ]	IRASTORZA	[ ]	[ ]
CARD	[x]	[ ]	JOHNSON	[x]	[ ]
HUGHES	[x]	[ ]	LA MONTAGNE	[x]	[ ]
ROVE	[x]	[ ]	LINDSEY	[x]	[ ]
BOLTEN	[x]	[ ]	MIERS	[ ]	[ ]
HAGIN	[x]	[ ]	RICE	[ ]	[ ]
DANIELS	[x]	[ ]	____________	[ ]	[ ]
BLAKEMAN	[ ]	[ ]	____________	[ ]	[ ]
CALIO	[x]	[ ]	____________	[ ]	[ ]
FLEISCHER	[x]	[ ]	____________	[ ]	[ ]
GONZALES	[x]	[ ]	____________	[ ]	[ ]
HAWKINS	[x]	[ ]	____________	[ ]	[ ]

REMARKS:

PLEASE FORWARD YOUR COMMENTS TO THE STAFF SECRETARY BY COB ON WEDNESDAY, MAY 9, 2001. THANK YOU.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

'01 MAY 7 PM10:37

THE DIRECTOR

May 7, 2001

THE ENROLLED BILL IS HERE

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 256 - Family Farmer Bankruptcy Act Extension
Sponsors - Rep. Smith (R) Michigan and 18 cosponsors

Last Day for Action

May 14, 2001 - Monday

Purpose

Retroactively reenacts the provisions of the Family Farmer Bankruptcy Act as of July 1, 2000, and extends the Act for 11 months, until June 1, 2001.

Agency Recommendations

Office of Management and Budget	Approval
Department of Agriculture	Approval
Department of Justice	Approval
Department of the Treasury	No objection (Informally)
Farm Credit Administration	No comment (Informally)

Discussion

Chapter 12 of the Federal Bankruptcy Code (11 U.S.C.) was enacted in 1986 in response to the financial problems farmers were experiencing in the early- to mid-1980s. The primary purpose of this chapter is to give family farmers facing bankruptcy an opportunity to reorganize their financial affairs and retain ownership of their property. Chapter 12 was to sunset in 1993, but it was extended that year until September 30, 1998. Subsequent extensions kept Chapter 12 in place until its expiration on July 1, 2000. Since then, family farmers have been ineligible to receive Chapter 12 bankruptcy relief. H.R. 256 would retroactively extend Chapter 12 for 11 months, until June 1, 2001.

Chapter 12 provides special bankruptcy relief to certain family farmers. Under Chapter 12, eligible family farmers are permitted to reorganize their debts pursuant to a repayment plan under the supervision of a bankruptcy trustee. According to a 1997 report by the National Bankruptcy Review Commission, "the special attributes of chapter 12 make it better suited to meet the particularized needs of family farmers in financial distress than other forms of bankruptcy relief, such as chapter 11 and chapter 13." The report describes Chapter 12 as typically less complex and expensive than Chapter 11 (a form of bankruptcy generally used to reorganize debts of large corporations) and more flexible than Chapter 13 (bankruptcy relief for individuals seeking to reorganize their debts). Chapter 13 is limited to debtors with less debt than permitted under Chapter 12.

Eligible debtors. Eligibility for Chapter 12 relief is available to individuals or married couples who meet four requirements: (1) their aggregate debt cannot exceed $1,500,000; (2) not less than 80 percent of their aggregate noncontingent, liquidated debt (excluding a debt for their principal residence) can be attributable to the farming operation; (3) more than 50 percent of their gross income for the taxable year in which they file for bankruptcy must come from the farming operation; and (4) their annual income must be sufficiently stable and regular to enable them to make payments under a Chapter 12 repayment plan. A corporation or partnership is also eligible for Chapter 12 relief if it meets aggregate debt restrictions that are essentially the same as those imposed on individuals and married couples and: (1) more than 50 percent of the outstanding stock or equity is held by one family; (2) more than 80 percent of the value of its assets are related to the farming operation; and (3) any stock that is issued is not traded publicly.

Conclusion and Recommendations

The Department of Agriculture advises that "[g]iven the emergency conditions facing many farmers and ranchers, USDA believes that the protections of chapter 12 must remain available while Congress considers permanent extension." (The pending bankruptcy bills passed by the House and Senate earlier this year both would make Chapter 12 permanent.)

We join Agriculture and Justice in recommending approval of H.R. 256, which passed the House by a vote of 408-2 and the Senate by unanimous consent.

MEDaniels

Mitchell E. Daniels, Jr.
Director

Enclosures

****
*** TX REPORT ***
****

TRANSMISSION OK

TX/RX NO	3523
CONNECTION TEL	66212
CONNECTION ID	
ST. TIME	05/08 11:40
USAGE T	01'20
PGS. SENT	3
RESULT	OK

Document No. ____________

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/8/01 ACTION / CONCURRENCE / COMMENT DUE BY: 5/9/01 COB

Subject: ENROLLED BILL H.R. 256 - FAMILY FARMER BANKRUPTCY ACT EXTENSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	IRASTORZA	☐	☐
CARD	☑	☐	JOHNSON	☑	☐
HUGHES	☑	☐	LA MONTAGNE	☑	☐
ROVE	☑	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MIERS	☐	☐
HAGIN	☑	☐	RICE	☐	☐
DANIELS	☑	☐	______	☐	☐
BLAKEMAN	☐	☐	______	☐	☐
CALIO	☑	☐	______	☐	☐
FLEISCHER	☑	☐	______	☐	☐
GONZALES	☑	☐	______	☐	☐
HAWKINS	☑	☐	______	☐	☐

REMARKS:

PLEASE FORWARD YOUR COMMENTS TO THE STAFF SECRETARY BY COB ON WEDNESDAY, MAY 9, 2001. THANK YOU.

Document No. ____________

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/8/01 ACTION / CONCURRENCE / COMMENT DUE BY: 5/9/01 COB

Subject: ENROLLED BILL H.R. 256 - FAMILY FARMER BANKRUPTCY ACT EXTENSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	IRASTORZA	☐	☐
CARD	☑	☐	JOHNSON	☑	☐
HUGHES	☑	☐	LA MONTAGNE	☑	☐
ROVE	☑	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MIERS	☐	☐
HAGIN	☑	☐	RICE	☐	☐
DANIELS	☑	☐	____________	☐	☐
BLAKEMAN	☐	☐	____________	☐	☐
CALIO	☑	☐	____________	☐	☐
FLEISCHER	☑	☐	____________	☐	☐
GONZALES	☑	☐	____________	☐	☐
HAWKINS	☑	☐	____________	☐	☐

REMARKS:
PLEASE FORWARD YOUR COMMENTS TO THE STAFF SECRETARY BY COB ON WEDNESDAY, MAY 9, 2001. THANK YOU.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

'01 MAY 7 PM10:37

THE DIRECTOR

May 7, 2001

THE ENROLLED BILL IS HERE

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 256 - Family Farmer Bankruptcy Act Extension
Sponsors - Rep. Smith (R) Michigan and 18 cosponsors

Last Day for Action

May 14, 2001 - Monday

Purpose

Retroactively reenacts the provisions of the Family Farmer Bankruptcy Act as of July 1, 2000, and extends the Act for 11 months, until June 1, 2001.

Agency Recommendations

Office of Management and Budget	Approval
Department of Agriculture	Approval
Department of Justice	Approval
Department of the Treasury	No objection (Informally)
Farm Credit Administration	No comment (Informally)

Discussion

Chapter 12 of the Federal Bankruptcy Code (11 U.S.C.) was enacted in 1986 in response to the financial problems farmers were experiencing in the early- to mid-1980s. The primary purpose of this chapter is to give family farmers facing bankruptcy an opportunity to reorganize their financial affairs and retain ownership of their property. Chapter 12 was to sunset in 1993, but it was extended that year until September 30, 1998. Subsequent extensions kept Chapter 12 in place until its expiration on July 1, 2000. Since then, family farmers have been ineligible to receive Chapter 12 bankruptcy relief. H.R. 256 would retroactively extend Chapter 12 for 11 months, until June 1, 2001.

Chapter 12 provides special bankruptcy relief to certain family farmers. Under Chapter 12, eligible family farmers are permitted to reorganize their debts pursuant to a repayment plan under the supervision of a bankruptcy trustee. According to a 1997 report by the National Bankruptcy Review Commission, "the special attributes of chapter 12 make it better suited to meet the particularized needs of family farmers in financial distress than other forms of bankruptcy relief, such as chapter 11 and chapter 13." The report describes Chapter 12 as typically less complex and expensive than Chapter 11 (a form of bankruptcy generally used to reorganize debts of large corporations) and more flexible than Chapter 13 (bankruptcy relief for individuals seeking to reorganize their debts). Chapter 13 is limited to debtors with less debt than permitted under Chapter 12.

Eligible debtors. Eligibility for Chapter 12 relief is available to individuals or married couples who meet four requirements: (1) their aggregate debt cannot exceed $1,500,000; (2) not less than 80 percent of their aggregate noncontingent, liquidated debt (excluding a debt for their principal residence) can be attributable to the farming operation; (3) more than 50 percent of their gross income for the taxable year in which they file for bankruptcy must come from the farming operation; and (4) their annual income must be sufficiently stable and regular to enable them to make payments under a Chapter 12 repayment plan. A corporation or partnership is also eligible for Chapter 12 relief if it meets aggregate debt restrictions that are essentially the same as those imposed on individuals and married couples and: (1) more than 50 percent of the outstanding stock or equity is held by one family; (2) more than 80 percent of the value of its assets are related to the farming operation; and (3) any stock that is issued is not traded publicly.

Conclusion and Recommendations

The Department of Agriculture advises that "[g]iven the emergency conditions facing many farmers and ranchers, USDA believes that the protections of chapter 12 must remain available while Congress considers permanent extension." (The pending bankruptcy bills passed by the House and Senate earlier this year both would make Chapter 12 permanent.)

We join Agriculture and Justice in recommending approval of H.R. 256, which passed the House by a vote of 408-2 and the Senate by unanimous consent.

M E Daniels

Mitchell E. Daniels, Jr.
Director

Enclosures

Document No. ____________

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/8/01 ACTION / CONCURRENCE / COMMENT DUE BY: 5/9/01 COB 1 MAY 8 PM1:18

Subject: ENROLLED BILL H.R. 256 - FAMILY FARMER BANKRUPTCY ACT EXTENSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	IRASTORZA	☐	☐
CARD	☑	☐	JOHNSON	☑	☐
HUGHES	☑	☐	LA MONTAGNE	☑	☐
ROVE	☑	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MIERS	☐	☐
HAGIN	☑	☐	RICE	☐	☐
DANIELS	☑	☐	______	☐	☐
BLAKEMAN	☐	☐	______	☐	☐
CALIO	☑	☐	______	☐	☐
FLEISCHER	☑	☐	______	☐	☐
GONZALES	☑	☐	______	☐	☐
HAWKINS	☑	☐	______	☐	☐

REMARKS:
PLEASE FORWARD YOUR COMMENTS TO THE STAFF SECRETARY BY COB ON WEDNESDAY, MAY 9, 2001. THANK YOU.

RESPONSE:

Ok AHC 5/8

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

'01 MAY 7 PM10:37

THE DIRECTOR

May 7, 2001

THE ENROLLED BILL IS HERE

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 256 - Family Farmer Bankruptcy Act Extension
Sponsors - Rep. Smith (R) Michigan and 18 cosponsors

Last Day for Action

May 14, 2001 - Monday

Purpose

Retroactively reenacts the provisions of the Family Farmer Bankruptcy Act as of July 1, 2000, and extends the Act for 11 months, until June 1, 2001.

Agency Recommendations

Office of Management and Budget	Approval
Department of Agriculture	Approval
Department of Justice	Approval
Department of the Treasury	No objection (Informally)
Farm Credit Administration	No comment (Informally)

Discussion

Chapter 12 of the Federal Bankruptcy Code (11 U.S.C.) was enacted in 1986 in response to the financial problems farmers were experiencing in the early- to mid-1980s. The primary purpose of this chapter is to give family farmers facing bankruptcy an opportunity to reorganize their financial affairs and retain ownership of their property. Chapter 12 was to sunset in 1993, but it was extended that year until September 30, 1998. Subsequent extensions kept Chapter 12 in place until its expiration on July 1, 2000. Since then, family farmers have been ineligible to receive Chapter 12 bankruptcy relief. H.R. 256 would retroactively extend Chapter 12 for 11 months, until June 1, 2001.

Chapter 12 provides special bankruptcy relief to certain family farmers. Under Chapter 12, eligible family farmers are permitted to reorganize their debts pursuant to a repayment plan under the supervision of a bankruptcy trustee. According to a 1997 report by the National Bankruptcy Review Commission, "the special attributes of chapter 12 make it better suited to meet the particularized needs of family farmers in financial distress than other forms of bankruptcy relief, such as chapter 11 and chapter 13." The report describes Chapter 12 as typically less complex and expensive than Chapter 11 (a form of bankruptcy generally used to reorganize debts of large corporations) and more flexible than Chapter 13 (bankruptcy relief for individuals seeking to reorganize their debts). Chapter 13 is limited to debtors with less debt than permitted under Chapter 12.

Eligible debtors. Eligibility for Chapter 12 relief is available to individuals or married couples who meet four requirements: (1) their aggregate debt cannot exceed $1,500,000; (2) not less than 80 percent of their aggregate noncontingent, liquidated debt (excluding a debt for their principal residence) can be attributable to the farming operation; (3) more than 50 percent of their gross income for the taxable year in which they file for bankruptcy must come from the farming operation; and (4) their annual income must be sufficiently stable and regular to enable them to make payments under a Chapter 12 repayment plan. A corporation or partnership is also eligible for Chapter 12 relief if it meets aggregate debt restrictions that are essentially the same as those imposed on individuals and married couples and: (1) more than 50 percent of the outstanding stock or equity is held by one family; (2) more than 80 percent of the value of its assets are related to the farming operation; and (3) any stock that is issued is not traded publicly.

Conclusion and Recommendations

The Department of Agriculture advises that "[g]iven the emergency conditions facing many farmers and ranchers, USDA believes that the protections of chapter 12 must remain available while Congress considers permanent extension." (The pending bankruptcy bills passed by the House and Senate earlier this year both would make Chapter 12 permanent.)

We join Agriculture and Justice in recommending approval of H.R. 256, which passed the House by a vote of 408-2 and the Senate by unanimous consent.

McDaniels

Mitchell E. Daniels, Jr.
Director

Enclosures

'01 MAY 8 PM5:53

OFFICE OF THE VICE PRESIDENT

WASHINGTON

May 8, 2001

MEMORANDUM FOR HARRIET MIERS
STAFF SECRETARY

FROM: **NEIL PATEL** NP
STAFF SECRETARY TO THE VICE PRESIDENT

SUBJECT: **Enrolled Bill H.R. 256 – Family Bankruptcy Act Extension**

The Office of the Vice President has reviewed the above-referenced draft and has no comments.

Document No. ______________

'01 MAY 8

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/8/01 ACTION / CONCURRENCE / COMMENT DUE BY: 5/9/01 COB

Subject: ENROLLED BILL H.R. 256 - FAMILY FARMER BANKRUPTCY ACT EXTENSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	IRASTORZA	☐	☐
CARD	☑	☐	JOHNSON	☑	☐
HUGHES	☑	☐	LA MONTAGNE	☑	☐
ROVE	☑	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MIERS	☐	☐
HAGIN	☑	☐	RICE	☐	☐
DANIELS	☑	☐	______	☐	☐
BLAKEMAN	☐	☐	______	☐	☐
CALIO	☑	☐	______	☐	☐
FLEISCHER	☑	☐	______	☐	☐
GONZALES	☑	☐	______	☐	☐
HAWKINS	☑	☐	______	☐	☐

REMARKS:
PLEASE FORWARD YOUR COMMENTS TO THE STAFF SECRETARY BY COB ON WEDNESDAY, MAY 9, 2001. THANK YOU.

NC

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

'01 MAY 7 PM10:37

May 7, 2001

THE ENROLLED BILL IS HERE

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 256 - Family Farmer Bankruptcy Act Extension
Sponsors - Rep. Smith (R) Michigan and 18 cosponsors

Last Day for Action

May 14, 2001 - Monday

Purpose

Retroactively reenacts the provisions of the Family Farmer Bankruptcy Act as of July 1, 2000, and extends the Act for 11 months, until June 1, 2001.

Agency Recommendations

Office of Management and Budget	Approval
Department of Agriculture	Approval
Department of Justice	Approval
Department of the Treasury	No objection (Informally)
Farm Credit Administration	No comment (Informally)

Discussion

Chapter 12 of the Federal Bankruptcy Code (11 U.S.C.) was enacted in 1986 in response to the financial problems farmers were experiencing in the early- to mid-1980s. The primary purpose of this chapter is to give family farmers facing bankruptcy an opportunity to reorganize their financial affairs and retain ownership of their property. Chapter 12 was to sunset in 1993, but it was extended that year until September 30, 1998. Subsequent extensions kept Chapter 12 in place until its expiration on July 1, 2000. Since then, family farmers have been ineligible to receive Chapter 12 bankruptcy relief. H.R. 256 would retroactively extend Chapter 12 for 11 months, until June 1, 2001.

Chapter 12 provides special bankruptcy relief to certain family farmers. Under Chapter 12, eligible family farmers are permitted to reorganize their debts pursuant to a repayment plan under the supervision of a bankruptcy trustee. According to a 1997 report by the National Bankruptcy Review Commission, "the special attributes of chapter 12 make it better suited to meet the particularized needs of family farmers in financial distress than other forms of bankruptcy relief, such as chapter 11 and chapter 13." The report describes Chapter 12 as typically less complex and expensive than Chapter 11 (a form of bankruptcy generally used to reorganize debts of large corporations) and more flexible than Chapter 13 (bankruptcy relief for individuals seeking to reorganize their debts). Chapter 13 is limited to debtors with less debt than permitted under Chapter 12.

Eligible debtors. Eligibility for Chapter 12 relief is available to individuals or married couples who meet four requirements: (1) their aggregate debt cannot exceed $1,500,000; (2) not less than 80 percent of their aggregate noncontingent, liquidated debt (excluding a debt for their principal residence) can be attributable to the farming operation; (3) more than 50 percent of their gross income for the taxable year in which they file for bankruptcy must come from the farming operation; and (4) their annual income must be sufficiently stable and regular to enable them to make payments under a Chapter 12 repayment plan. A corporation or partnership is also eligible for Chapter 12 relief if it meets aggregate debt restrictions that are essentially the same as those imposed on individuals and married couples and: (1) more than 50 percent of the outstanding stock or equity is held by one family; (2) more than 80 percent of the value of its assets are related to the farming operation; and (3) any stock that is issued is not traded publicly.

Conclusion and Recommendations

The Department of Agriculture advises that "[g]iven the emergency conditions facing many farmers and ranchers, USDA believes that the protections of chapter 12 must remain available while Congress considers permanent extension." (The pending bankruptcy bills passed by the House and Senate earlier this year both would make Chapter 12 permanent.)

We join Agriculture and Justice in recommending approval of H.R. 256, which passed the House by a vote of 408-2 and the Senate by unanimous consent.

McDaniels

Mitchell E. Daniels, Jr.
Director

Enclosures

Document No. ____________

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/8/01 ACTION / CONCURRENCE / COMMENT DUE BY: 5/9/01 COB

Subject: ENROLLED BILL H.R. 256 - FAMILY FARMER BANKRUPTCY ACT EXTENSION

'01 MAY 8 PM 7:47

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	✓	☐	IRASTORZA	☐	☐
CARD	✓	☐	JOHNSON	✓	☐
HUGHES	✓	☐	LA MONTAGNE	✓	☐
ROVE	✓	☐	LINDSEY	✓	☐
BOLTEN	✓	☐	MIERS	☐	☐
HAGIN	✓	☐	RICE	☐	☐
DANIELS	✓	☐	______	☐	☐
BLAKEMAN	☐	☐	______	☐	☐
CALIO	✓	☐	______	☐	☐
FLEISCHER	✓	☐	______	☐	☐
GONZALES	✓	☐	______	☐	☐
HAWKINS	✓	☐	______	☐	☐

REMARKS:
PLEASE FORWARD YOUR COMMENTS TO THE STAFF SECRETARY BY COB ON WEDNESDAY, MAY 9, 2001. THANK YOU.

RESPONSE:

Legislative Affairs - agree

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

'01 MAY 7 PM10:37

THE DIRECTOR

May 7, 2001

THE ENROLLED BILL IS HERE

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 256 - Family Farmer Bankruptcy Act Extension
Sponsors - Rep. Smith (R) Michigan and 18 cosponsors

Last Day for Action

May 14, 2001 - Monday

Purpose

Retroactively reenacts the provisions of the Family Farmer Bankruptcy Act as of July 1, 2000, and extends the Act for 11 months, until June 1, 2001.

Agency Recommendations

Office of Management and Budget	Approval
Department of Agriculture	Approval
Department of Justice	Approval
Department of the Treasury	No objection (Informally)
Farm Credit Administration	No comment (Informally)

Discussion

Chapter 12 of the Federal Bankruptcy Code (11 U.S.C.) was enacted in 1986 in response to the financial problems farmers were experiencing in the early- to mid-1980s. The primary purpose of this chapter is to give family farmers facing bankruptcy an opportunity to reorganize their financial affairs and retain ownership of their property. Chapter 12 was to sunset in 1993, but it was extended that year until September 30, 1998. Subsequent extensions kept Chapter 12 in place until its expiration on July 1, 2000. Since then, family farmers have been ineligible to receive Chapter 12 bankruptcy relief. H.R. 256 would retroactively extend Chapter 12 for 11 months, until June 1, 2001.

Chapter 12 provides special bankruptcy relief to certain family farmers. Under Chapter 12, eligible family farmers are permitted to reorganize their debts pursuant to a repayment plan under the supervision of a bankruptcy trustee. According to a 1997 report by the National Bankruptcy Review Commission, "the special attributes of chapter 12 make it better suited to meet the particularized needs of family farmers in financial distress than other forms of bankruptcy relief, such as chapter 11 and chapter 13." The report describes Chapter 12 as typically less complex and expensive than Chapter 11 (a form of bankruptcy generally used to reorganize debts of large corporations) and more flexible than Chapter 13 (bankruptcy relief for individuals seeking to reorganize their debts). Chapter 13 is limited to debtors with less debt than permitted under Chapter 12.

Eligible debtors. Eligibility for Chapter 12 relief is available to individuals or married couples who meet four requirements: (1) their aggregate debt cannot exceed $1,500,000; (2) not less than 80 percent of their aggregate noncontingent, liquidated debt (excluding a debt for their principal residence) can be attributable to the farming operation; (3) more than 50 percent of their gross income for the taxable year in which they file for bankruptcy must come from the farming operation; and (4) their annual income must be sufficiently stable and regular to enable them to make payments under a Chapter 12 repayment plan. A corporation or partnership is also eligible for Chapter 12 relief if it meets aggregate debt restrictions that are essentially the same as those imposed on individuals and married couples and: (1) more than 50 percent of the outstanding stock or equity is held by one family; (2) more than 80 percent of the value of its assets are related to the farming operation; and (3) any stock that is issued is not traded publicly.

Conclusion and Recommendations

The Department of Agriculture advises that "[g]iven the emergency conditions facing many farmers and ranchers, USDA believes that the protections of chapter 12 must remain available while Congress considers permanent extension." (The pending bankruptcy bills passed by the House and Senate earlier this year both would make Chapter 12 permanent.)

We join Agriculture and Justice in recommending approval of H.R. 256, which passed the House by a vote of 408-2 and the Senate by unanimous consent.

Mitchell E. Daniels, Jr.
Director

Enclosures

Document No. ____________

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/8/01 ACTION / CONCURRENCE / COMMENT DUE BY: 5/9/01 COB

'01 MAY 9 AM11:17

Subject: ENROLLED BILL H.R. 256 - FAMILY FARMER BANKRUPTCY ACT EXTENSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	IRASTORZA	☐	☐
CARD	☑	☐	JOHNSON	☑	☐
HUGHES	☑	☐	LA MONTAGNE	☑	☐
ROVE	☑	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MIERS	☐	☐
HAGIN	☑	☐	RICE	☐	☐
DANIELS	☑	☐	____________	☐	☐
BLAKEMAN	☐	☐	____________	☐	☐
CALIO	☑	☐	____________	☐	☐
FLEISCHER	☑	☐	____________	☐	☐
GONZALES	☑	☐	____________	☐	☐
HAWKINS	☑	☐	____________	☐	☐

REMARKS:

PLEASE FORWARD YOUR COMMENTS TO THE STAFF SECRETARY BY COB ON WEDNESDAY, MAY 9, 2001. THANK YOU.

No comments. Stuart W. Bowen, Jr.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

'01 MAY 7 PM10:37

May 7, 2001

THE ENROLLED BILL IS HERE

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 256 - Family Farmer Bankruptcy Act Extension
Sponsors - Rep. Smith (R) Michigan and 18 cosponsors

Last Day for Action

May 14, 2001 - Monday

Purpose

Retroactively reenacts the provisions of the Family Farmer Bankruptcy Act as of July 1, 2000, and extends the Act for 11 months, until June 1, 2001.

Agency Recommendations

Office of Management and Budget	Approval
Department of Agriculture	Approval
Department of Justice	Approval
Department of the Treasury	No objection (Informally)
Farm Credit Administration	No comment (Informally)

Discussion

Chapter 12 of the Federal Bankruptcy Code (11 U.S.C.) was enacted in 1986 in response to the financial problems farmers were experiencing in the early- to mid-1980s. The primary purpose of this chapter is to give family farmers facing bankruptcy an opportunity to reorganize their financial affairs and retain ownership of their property. Chapter 12 was to sunset in 1993, but it was extended that year until September 30, 1998. Subsequent extensions kept Chapter 12 in place until its expiration on July 1, 2000. Since then, family farmers have been ineligible to receive Chapter 12 bankruptcy relief. H.R. 256 would retroactively extend Chapter 12 for 11 months, until June 1, 2001.

Chapter 12 provides special bankruptcy relief to certain family farmers. Under Chapter 12, eligible family farmers are permitted to reorganize their debts pursuant to a repayment plan under the supervision of a bankruptcy trustee. According to a 1997 report by the National Bankruptcy Review Commission, "the special attributes of chapter 12 make it better suited to meet the particularized needs of family farmers in financial distress than other forms of bankruptcy relief, such as chapter 11 and chapter 13." The report describes Chapter 12 as typically less complex and expensive than Chapter 11 (a form of bankruptcy generally used to reorganize debts of large corporations) and more flexible than Chapter 13 (bankruptcy relief for individuals seeking to reorganize their debts). Chapter 13 is limited to debtors with less debt than permitted under Chapter 12.

Eligible debtors. Eligibility for Chapter 12 relief is available to individuals or married couples who meet four requirements: (1) their aggregate debt cannot exceed $1,500,000; (2) not less than 80 percent of their aggregate noncontingent, liquidated debt (excluding a debt for their principal residence) can be attributable to the farming operation; (3) more than 50 percent of their gross income for the taxable year in which they file for bankruptcy must come from the farming operation; and (4) their annual income must be sufficiently stable and regular to enable them to make payments under a Chapter 12 repayment plan. A corporation or partnership is also eligible for Chapter 12 relief if it meets aggregate debt restrictions that are essentially the same as those imposed on individuals and married couples and: (1) more than 50 percent of the outstanding stock or equity is held by one family; (2) more than 80 percent of the value of its assets are related to the farming operation; and (3) any stock that is issued is not traded publicly.

Conclusion and Recommendations

The Department of Agriculture advises that "[g]iven the emergency conditions facing many farmers and ranchers, USDA believes that the protections of chapter 12 must remain available while Congress considers permanent extension." (The pending bankruptcy bills passed by the House and Senate earlier this year both would make Chapter 12 permanent.)

We join Agriculture and Justice in recommending approval of H.R. 256, which passed the House by a vote of 408-2 and the Senate by unanimous consent.

ME Daniels Jr

Mitchell E. Daniels, Jr.
Director

Enclosures

'01 MAY 9 PM1:36

THE WHITE HOUSE

WASHINGTON

May 9, 2001

MEMORANDUM FOR HARRIET MIERS
Assistant to the President & Staff Secretary

FROM: DYLAN GLENN D.G.

SUBJECT: Enrolled Bill H.R. 256

The National Economic Council has reviewed the Enrolled Bill H.R.256 – the Family Farmer Bankruptcy Act Extension and would support the recommendation of approval.

Document No. ____________

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/8/01 ACTION / CONCURRENCE / COMMENT DUE BY: 5/9/01 COB

Subject: ENROLLED BILL H.R. 256 - FAMILY FARMER BANKRUPTCY ACT EXTENSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	IRASTORZA	☐	☐
CARD	☑	☐	JOHNSON	☑	☐
HUGHES	☑	☐	LA MONTAGNE	☑	☐
ROVE	☑	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	MIERS		☐
HAGIN					☐
DANIE					☐
BLAKE					☐
CALIO					☐
FLEISC					☐
GONZA					☐
HAWKI					☐

To Dylan

REMARKS:
PLEASE FORWARD YOUR COMMENTS TO THE STAFF SECRETARY BY COB ON WEDNESDAY, MAY 9, 2001. THANK YOU.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

'01 MAY 7 PM10:37

THE DIRECTOR

May 7, 2001

THE ENROLLED BILL IS HERE

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 256 - Family Farmer Bankruptcy Act Extension
Sponsors - Rep. Smith (R) Michigan and 18 cosponsors

Last Day for Action

May 14, 2001 - Monday

Purpose

Retroactively reenacts the provisions of the Family Farmer Bankruptcy Act as of July 1, 2000, and extends the Act for 11 months, until June 1, 2001.

Agency Recommendations

Office of Management and Budget	Approval
Department of Agriculture	Approval
Department of Justice	Approval
Department of the Treasury	No objection (Informally)
Farm Credit Administration	No comment (Informally)

Discussion

Chapter 12 of the Federal Bankruptcy Code (11 U.S.C.) was enacted in 1986 in response to the financial problems farmers were experiencing in the early- to mid-1980s. The primary purpose of this chapter is to give family farmers facing bankruptcy an opportunity to reorganize their financial affairs and retain ownership of their property. Chapter 12 was to sunset in 1993, but it was extended that year until September 30, 1998. Subsequent extensions kept Chapter 12 in place until its expiration on July 1, 2000. Since then, family farmers have been ineligible to receive Chapter 12 bankruptcy relief. H.R. 256 would retroactively extend Chapter 12 for 11 months, until June 1, 2001.

Chapter 12 provides special bankruptcy relief to certain family farmers. Under Chapter 12, eligible family farmers are permitted to reorganize their debts pursuant to a repayment plan under the supervision of a bankruptcy trustee. According to a 1997 report by the National Bankruptcy Review Commission, "the special attributes of chapter 12 make it better suited to meet the particularized needs of family farmers in financial distress than other forms of bankruptcy relief, such as chapter 11 and chapter 13." The report describes Chapter 12 as typically less complex and expensive than Chapter 11 (a form of bankruptcy generally used to reorganize debts of large corporations) and more flexible than Chapter 13 (bankruptcy relief for individuals seeking to reorganize their debts). Chapter 13 is limited to debtors with less debt than permitted under Chapter 12.

Eligible debtors. Eligibility for Chapter 12 relief is available to individuals or married couples who meet four requirements: (1) their aggregate debt cannot exceed $1,500,000; (2) not less than 80 percent of their aggregate noncontingent, liquidated debt (excluding a debt for their principal residence) can be attributable to the farming operation; (3) more than 50 percent of their gross income for the taxable year in which they file for bankruptcy must come from the farming operation; and (4) their annual income must be sufficiently stable and regular to enable them to make payments under a Chapter 12 repayment plan. A corporation or partnership is also eligible for Chapter 12 relief if it meets aggregate debt restrictions that are essentially the same as those imposed on individuals and married couples and: (1) more than 50 percent of the outstanding stock or equity is held by one family; (2) more than 80 percent of the value of its assets are related to the farming operation; and (3) any stock that is issued is not traded publicly.

Conclusion and Recommendations

The Department of Agriculture advises that "[g]iven the emergency conditions facing many farmers and ranchers, USDA believes that the protections of chapter 12 must remain available while Congress considers permanent extension." (The pending bankruptcy bills passed by the House and Senate earlier this year both would make Chapter 12 permanent.)

We join Agriculture and Justice in recommending approval of H.R. 256, which passed the House by a vote of 408-2 and the Senate by unanimous consent.

McDaniels

Mitchell E. Daniels, Jr.
Director

Enclosures

Document No. ____________

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/8/01 ACTION / CONCURRENCE / COMMENT DUE BY: 5/9/01 COB

Subject: ENROLLED BILL H.R. 256 - FAMILY FARMER BANKRUPTCY ACT EXTENSION

'01 MAY 8 PM5:27

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	✓	☐	IRASTORZA	☐	☐
CARD	✓	☐	JOHNSON	✓	☐
HUGHES	✓	☐	LA MONTAGNE	✓	☐
ROVE	✓	☐	LINDSEY	✓	☐
BOLTEN	✓	☐	MIERS	☐	☐
HAGIN	✓	☐	RICE	☐	☐
DANIELS	✓	☐		☐	☐
BLAKEMAN	☐	☐		☐	☐
CALIO	✓	☐		☐	☐
FLEISCHER	✓	☐		☐	☐
GONZALES	✓	☐		☐	☐
HAWKINS	✓	☐		☐	☐

REMARKS:
PLEASE FORWARD YOUR COMMENTS TO THE STAFF SECRETARY BY COB ON WEDNESDAY, MAY 9, 2001. THANK YOU.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

'01 MAY 7 PM10:37

THE DIRECTOR

May 7, 2001

THE ENROLLED BILL IS HERE

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 256 - Family Farmer Bankruptcy Act Extension
Sponsors - Rep. Smith (R) Michigan and 18 cosponsors

Last Day for Action

May 14, 2001 - Monday

Purpose

Retroactively reenacts the provisions of the Family Farmer Bankruptcy Act as of July 1, 2000, and extends the Act for 11 months, until June 1, 2001.

Agency Recommendations

Office of Management and Budget	Approval
Department of Agriculture	Approval
Department of Justice	Approval
Department of the Treasury	No objection (Informally)
Farm Credit Administration	No comment (Informally)

Discussion

Chapter 12 of the Federal Bankruptcy Code (11 U.S.C.) was enacted in 1986 in response to the financial problems farmers were experiencing in the early- to mid-1980s. The primary purpose of this chapter is to give family farmers facing bankruptcy an opportunity to reorganize their financial affairs and retain ownership of their property. Chapter 12 was to sunset in 1993, but it was extended that year until September 30, 1998. Subsequent extensions kept Chapter 12 in place until its expiration on July 1, 2000. Since then, family farmers have been ineligible to receive Chapter 12 bankruptcy relief. H.R. 256 would retroactively extend Chapter 12 for 11 months, until June 1, 2001.

Chapter 12 provides special bankruptcy relief to certain family farmers. Under Chapter 12, eligible family farmers are permitted to reorganize their debts pursuant to a repayment plan under the supervision of a bankruptcy trustee. According to a 1997 report by the National Bankruptcy Review Commission, "the special attributes of chapter 12 make it better suited to meet the particularized needs of family farmers in financial distress than other forms of bankruptcy relief, such as chapter 11 and chapter 13." The report describes Chapter 12 as typically less complex and expensive than Chapter 11 (a form of bankruptcy generally used to reorganize debts of large corporations) and more flexible than Chapter 13 (bankruptcy relief for individuals seeking to reorganize their debts). Chapter 13 is limited to debtors with less debt than permitted under Chapter 12.

Eligible debtors. Eligibility for Chapter 12 relief is available to individuals or married couples who meet four requirements: (1) their aggregate debt cannot exceed $1,500,000; (2) not less than 80 percent of their aggregate noncontingent, liquidated debt (excluding a debt for their principal residence) can be attributable to the farming operation; (3) more than 50 percent of their gross income for the taxable year in which they file for bankruptcy must come from the farming operation; and (4) their annual income must be sufficiently stable and regular to enable them to make payments under a Chapter 12 repayment plan. A corporation or partnership is also eligible for Chapter 12 relief if it meets aggregate debt restrictions that are essentially the same as those imposed on individuals and married couples and: (1) more than 50 percent of the outstanding stock or equity is held by one family; (2) more than 80 percent of the value of its assets are related to the farming operation; and (3) any stock that is issued is not traded publicly.

Conclusion and Recommendations

The Department of Agriculture advises that "[g]iven the emergency conditions facing many farmers and ranchers, USDA believes that the protections of chapter 12 must remain available while Congress considers permanent extension." (The pending bankruptcy bills passed by the House and Senate earlier this year both would make Chapter 12 permanent.)

We join Agriculture and Justice in recommending approval of H.R. 256, which passed the House by a vote of 408-2 and the Senate by unanimous consent.

MEDaniels

Mitchell E. Daniels, Jr.
Director

Enclosures

H. R. 256

One Hundred Seventh Congress of the United States of America

AT THE FIRST SESSION

Begun and held at the City of Washington on Wednesday, the third day of January, two thousand and one

THE WHITE HOUS

An Act

To extend for 11 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted.

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 Law 106–5 and Public Law 106–70, is amended—

(1) by striking "July 1, 2000" each place it appears and inserting "June 1, 2001"; and

(2) in subsection (a)—

(A) by striking "September 30, 1999" and inserting "June 30, 2000"; and

(B) by striking "October 1, 1999" and inserting "July 1, 2000".

SEC. 2. EFFECTIVE DATE.

The amendments made by section 1 shall take effect on July 1, 2000.

Speaker of the House of Representatives.

Strom Thurmond

~~*Vice President of the United States and*~~
President of the Senate. pro Tempore

APPROVED
MAY 1 1 2001

THE WHITE HOUSE

Office of the Press Secretary

FOR IMMEDIATE RELEASE May 11, 2001

STATEMENT BY THE PRESS SECRETARY

Today, the President signed into law H.R. 256, the Family Farmer Bankruptcy Act retroactive extension from July 1, 2000, until June 1, 2001.

###