

Mr. Speaker, I yield whatever time that may be necessary to the gentleman from Illinois (Mr. DAVIS) for him to express the importance of this legislation prior to the House's final action on it.

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, I would like to take this moment to express my appreciation to the gentleman from New York (Mr. MCHUGH), the subcommittee chairman, and to the gentleman from Pennsylvania (Mr. FATTAH), the ranking member, not only for the outstanding work that they do with this committee but also for yielding time to me.

Mr. Speaker, I rise today to pay tribute to a heroine, a great "shero" in my district, Ms. Nancy B. Jefferson, who meant a great deal to the City of Chicago and to the State of Illinois.

Prior to her death on October 18, 1992, Nancy B. Jefferson was recognized as one of the premier grassroots community organizers in the Nation. She served as president and chief executive officer of the Midwest Community Council, a nonprofit grassroots community organization for more than 25 years.

She spent a lifetime helping others. She became a friend to the friendless and provided hope for the hopeless, which led to her being affectionately called the Mother Theresa of the West Side.

While serving as CEO of the Midwest Community Council, Ms. Jefferson led efforts to ensure equal rights and equal protection and equal justice for all people.

Her extensive exposure to social concerns as a nurse in a West Side clinic compelled her to do something about the ills of a community. She served as a champion for welfare recipients, the disabled, the poor, single parents, and those who were disenfranchised.

She dreamed of a day where the least and the left out of society would have a voice and adequate representation. To that end, she put together a network of more than 100 block clubs where there was not only an exchange of ideas but support for spiritual and physical development of the community.

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She sought to rebuild and transform decaying and dying communities. She developed several social service programs which are currently in place, including the Chicago Parent Union, and Crime and Parent Intervention.

Her commitment, dedication, and zeal for excellence netted her an appointment to the Chicago Police Board by former Mayor Jane Byrne. Governor Jim Edgar saw her talents and appointed her to the Illinois Human Rights Commission in 1990. She was also a confidante of the late Mayor Harold Washington.

She was, indeed, an individual who walked with kings and queens but

never lost the common touch. She left a legacy that raised standards and ensured that the poor had equal rights and equal opportunity. Hers was a light that shines bright with the words that there was hope, even in the midst of hopelessness.

She was the essence of what democracy is all about. I am delighted to have introduced this bill to name a United States post office in her honor.

Mr. Speaker, I again thank the gentleman from New York (Mr. MCHUGH) and the ranking member, the gentleman from Pennsylvania (Mr. FATTAH).

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

Mr. Speaker, it should be clear that, along with the rules and precedents set by our subcommittee, that this has been a piece of legislation that has been jointly cosponsored by all of the members of the Illinois delegation.

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

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

Mr. Speaker, I would, first of all, note the addition to my comment about Mother Teresa. I think that is even more appropriate, although certainly the accolade of being a mother to a community is high praise, indeed. But that even, it seems to me, reflects more clearly the high regard, the respect and admiration that this community held this great woman in. I urge my colleagues to support this bill.

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

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from New York (Mr. MCHUGH) that the House suspend the rules and pass the bill, H.R. 2798.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MCHUGH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2798.

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

There was no objection.

RETURN TO HOUSE AFTER MEDICAL LEAVE

(Mr. BATEMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BATEMAN. Mr. Speaker, I come to the well of the House to make what is, at least for me, a very happy an-

nouncement. The announcement is that I have ended the medical leave of absence that has prevented me from participating in the normal activities of the House.

To my colleagues and so many others who since my surgery on April 17 have remembered me in their prayers and expressed their concern for my recovery, I wish to say, thank you. Your prayers have been answered. The medical prognosis is that when I have fully recovered from the lung surgery, my pulmonary and cardiovascular systems should be stronger than before I entered the hospital and that no further medical treatment is needed. For this, I am truly blessed and deeply grateful.

I would like to express my appreciation to our attending physician, Dr. John Eisold; to a remarkable thoracic surgeon, Dr. Edward Zech, and his staff at the National Naval Medical Center in Bethesda, Maryland; to Dr. David Ferguson, a cardiologist on the staff of the National Naval Medical Center; and to Dr. William Harris and his staff, who treated me at Riverside Hospital in my hometown of Newport News, Virginia.

Mr. Speaker, I am pleased to rejoin my colleagues of the House and to more fully share in the work of the people's House.

PERSONAL EXPLANATION

Mr. BATEMAN. Mr. Speaker, while on medical leave of absence, I missed the following votes. Had I been present, I would have voted as follows:

Rollcall votes: 100—Yea; 101—Yea; 102—Nay; 103—Nay; 104—Nay; 105—Nay; 106—Nay; 107—Yea; 108—Yea; 109—Nay; 110—Yea; 111—Yea; 112—Yea; 113—Nay; 114—Yea; 115—Nay; 116—Yea; 117—Yea; 118—Nay; and 119—Yea.

120—Yea; 121—Yea; 122—Nay; 123—Nay; 124—Nay; 125—Yea; 126—Yea; 127—Yea; 128—Yea; 129—Yea; 130—Yea; 131—Yea; 132—Nay; 133—Yea; 134—Yea; 135—Yea; 136—Nay; 137—Nay; 138—Yea; 139—Yea; 140—Yea; 141—Yea; 142—Yea; 143—Yea; 144—Yea; 145—Yea; 146—Nay; and 147—Nay.

148—Yea; 149—Yea; 150—Yea; 151—Yea; 152—Nay; 153—Yea; 154—Yea; 155—Nay; 156—Nay; 157—Nay; 158—Nay; 159—Nay; 160—Yea; 161—Yea; 162—Yea; 163—Yea; 164—Yea; 165—Yea; 166—Yea; 167—Yea; 168—Yea; 169—Yea; 170—Yea; 171—Nay; 172—Yea; 173—Yea; 174—Yea; and 175—Yea.

176—Yea; 177—Yea; 178—Yea; 179—Yea; 180—Nay; 181—Yea; 182—Nay; 183—Yea; 184—Nay; 185—Nay; 186—Yea; 187—Nay; 188—Nay; 189—Yea; 190—Yea; 191—Yea; and 192—Yea.

REVEREND MILTON R. BRUNSON POST OFFICE BUILDING

Mr. MCHUGH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2799) to redesignate the building of the United States Postal Service located at 324 South Laramie Street, in Chicago, Illinois, as the "Reverend Milton R. Brunson Post Office Building."

The Clerk read as follows:

H.R. 2799

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

SECTION 1. REDESIGNATION.

The building of the United States Postal Service located at 324 South Laramie Street, in Chicago, Illinois, and known as the Austin Post Office Building, shall be known and designated as the "Reverend Milton R. Brunson Post Office Building".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in section 1 shall be deemed to be a reference to the "Reverend Milton R. Brunson Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. MCHUGH) and the gentleman from Pennsylvania (Mr. FATTAH) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. MCHUGH).

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

Mr. Speaker, H.R. 2799, a bill that redesignates the building of the United States Postal Service located at 324 South Laramie Street in Chicago, Illinois, as the Reverend Milton R. Brunson Post Office Building, was also introduced by our distinguished colleague, the gentleman from Illinois (Mr. DAVIS) on November 4, 1997, and cosponsored by each member of the Illinois delegation, which is pursuant to the policy of the full committee.

Once again, as with H.R. 2798, Mr. Speaker, the gentleman from Illinois (Mr. DAVIS) reminds us all that it is not just appropriate but in many ways the duty of this House to recognize people who make a difference in the lives of people and make a difference in the quality of life and fortunes of their community.

Indeed, H.R. 2799 honors such a man. Mr. Milton R. Brunson was the founder of the Thompson Community Singers and guided them for 48 years. These singers indeed became well known around the world for gospel music. In fact, in 1995, Mr. Brunson and the Choir won a Grammy Award for the song entitled "Through God's Eyes."

He used the voice of his gospel not just to bring the word of God, although that is certainly the most important outcome of that type of activity, but, as well, to provide positive role models for others to help them to become productive citizens.

In fact, many of the members of the Thompson Community Singers have become lawyers and judges and teachers and doctors. So through this gentleman's work he made a difference not only in the lives of those who he touched but the lives that those good people went on to touch after him.

Here again, as with the previous bill, I want to extend my appreciation particularly to the gentleman from Illinois (Mr. DAVIS) for reminding us that this House can indeed, through these kinds of honors, recognize truly extraordinary people.

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

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

Mr. Speaker, I also join in support of H.R. 2799. The naming of this postal facility in Chicago is also quite important.

One might wonder why the United States Congress would take time to go through the process of naming postal facilities after Americans. But I think, as the chairman has mentioned, there are people among us who have risen above the ordinary and achieved extraordinary accomplishments and achievements in their lives and, even beyond that, have made a contribution to the broader community and to the country as a whole.

In this case, I refer to Reverend Milton Brunson for his work and the inspiration that he has brought through the gospel singing, and not only his recognition with a Grammy Award but his comforting of really millions of American families through their opportunity to listen to his work and his words in song.

I would like to thank my colleague again, the gentleman from Illinois (Mr. DAVIS), who has been quite persistent in making sure that this subcommittee appropriately recognizes people who have made these types of contributions in his community and has been eager to find the time within the House's schedule in which both the subcommittee and full committee and now the House could act on these bills. This is quite important to the people that he represents, and he has done a very good job in making sure that our committee understands its role in helping him achieve his purpose here in the House.

Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. DAVIS), to give the House a full understanding of the importance of this legislation.

Mr. DAVIS of Illinois. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. FATTAH) for yielding time to me, and I also thank the gentleman from New York (Mr. MCHUGH).

Mr. Speaker, I am pleased to have introduced this bill in honor of the late Milton R. Brunson. Reverend Brunson was born and raised in Chicago and served as pastor and music director of the 2,500-member Christ Tabernacle Baptist Church until his death last year. He was dynamic, energetic, and a leader in the African American and world community for nearly half a century.

Reverend Brunson was a giant in the music world. He and his choir, the Thompson Community Singers, became known from the West Side of Chicago all the way to Europe and around the world. As a matter of fact, they just recently returned from a concert tour in Italy.

It is often said that the measure of one's life is in the number of lives he or she touches in a positive way. Reverend Brunson touched thousands of

lives through his ministry and music. His was a ministry of resurrection and restoration. He refused to quit, for even in his congregation and the community at large he saw great hope and untapped potential.

In 1948, he founded the Thompson Community Singers, which he used as a tool to get people to dream beyond their circumstances. He guided the Thompson Community Singers for 48 years; and throughout that time, as we have heard, he and the group were nominated for several Grammys and had several albums reach number one on the gospel charts. In 1995, Reverend Brunson and his choir won a Grammy award for "Through God's Eyes."

In order to be a member of the choir, he set strict standards. One could not be a gang member, a drug user, or high school dropout. He set high standards, and thus his choir turned out members who would go on to become lawyers, doctors, teachers, judges, and gospel singers, as well as other productive citizens in society.

The Choir's famous gospel alumni include Jesse Dixon, Ethel Holloway, Delores Stamps, his wife, Jo Ann Brunson, and the great Rickey Dilliard, among others.

His positive message through his gospel music continues to reach and uplift millions of people even from the grave. Although Reverend Brunson is not with us today, his legacy continues to live, and his commitment to positive values lives on. The words that he preached and sang echo in the hearts of men and women even today.

Therefore, I am honored to have introduced this bill, and I am even honored that members of the community from which he came, students from the South Loop school, are present in the audience. I am pleased to have them here with us this afternoon.

I want to again thank the gentleman from New York (Mr. MCHUGH), the chairman, and the ranking member, the gentleman from Pennsylvania (Mr. FATTAH).

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

Mr. Speaker, I want to thank Denise Wilson from my staff and Neil Snyder for their work on these and other matters related to the Subcommittee on Postal Service, and also, again, to the majority staff. It is not yet perfect, but nonetheless, I think all would agree that we have the best Postal Service anywhere in the world, and we are working through the good efforts of our chairman and others to improve it even beyond its present status.

I want to thank all of the staff for their efforts on these bills and others.

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

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

Mr. Speaker, I echo the words of the ranking member when he praises the staff, Heea Vazirani-Fales, Robert Taub, and others who have worked so hard, as the gentleman from Pennsylvania (Mr. FATTAH) suggested, to really

bring these very worthy initiatives to the floor. I appreciate their support and their effort.

Mr. Speaker, I urge our colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. McHUGH) that the House suspend the rules and pass the bill, H.R. 2799.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. McHUGH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill, H.R. 2799.

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

There was no objection.

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RELIGIOUS LIBERTY AND CHARITABLE DONATION PROTECTION ACT OF 1998

Mr. GEKAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2604) to amend title 11, United States Code, to protect certain charitable contributions, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2604

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Religious Liberty and Charitable Donation Protection Act of 1998".

SEC. 2. DEFINITIONS.

Section 548(d) of title 11, United States Code, is amended by adding at the end the following:

"(3) In this section, the term 'charitable contribution' means a charitable contribution, as that term is defined in section 170(c) of the Internal Revenue Code of 1986, if that contribution—

"(A) is made by a natural person; and

"(B) consists of—

"(i) a financial instrument (as that term is defined in section 731(c)(2)(C) of the Internal Revenue Code of 1986); or

"(ii) cash.

"(4) In this section, the term 'qualified religious or charitable entity or organization' means—

"(A) an entity described in section 170(c)(1) of the Internal Revenue Code of 1986; or

"(B) an entity or organization described in section 170(c)(2) of the Internal Revenue Code of 1986."

SEC. 3. TREATMENT OF PRE-PETITION QUALIFIED CHARITABLE CONTRIBUTIONS.

(a) IN GENERAL.—Section 548(a) of title 11, United States Code, is amended—

(1) by inserting "(1)" after "(a)";

(2) by striking "(1) made" and inserting "(A) made";

(3) by striking "(2)(A)" and inserting "(B)(i);

(4) by striking "(B)(i)" and inserting "(ii)(I)";

(5) by striking "(ii) was" and inserting "(II) was";

(6) by striking "(iii)" and inserting "(III)";

and

(7) by adding at the end the following:

"(2) A transfer of a charitable contribution to a qualified religious or charitable entity or organization shall not be considered to be a transfer covered under paragraph (1)(B) in any case in which—

"(A) the amount of that contribution does not exceed 15 percent of the gross annual income of the debtor for the year in which the transfer of the contribution is made; or

"(B) the contribution made by a debtor exceeded the percentage amount of gross annual income specified in subparagraph (A), if the transfer was consistent with the practices of the debtor in making charitable contributions."

(b) TRUSTEE AS LIEN CREDITOR AND AS SUCCESSOR TO CERTAIN CREDITORS AND PURCHASERS.—Section 544(b) of title 11, United States Code, is amended—

(1) by striking "(b) The trustee" and inserting "(b)(1) Except as provided in paragraph (2), the trustee"; and

(2) by adding at the end the following:

"(2) Paragraph (1) shall not apply to a transfer of a charitable contribution (as that term is defined in section 548(d)(3)) that is not covered under section 548(a)(1)(B), by reason of section 548(a)(2). Any claim by any person to recover a transferred contribution described in the preceding sentence under Federal or State law in a Federal or State court shall be preempted by the commencement of the case."

(c) CONFORMING AMENDMENTS.—Section 546 of title 11, United States Code, is amended—

(1) in subsection (e)—

(A) by striking "548(a)(2)" and inserting "548(a)(1)(B)"; and

(B) by striking "548(a)(1)" and inserting "548(a)(1)(A)";

(2) in subsection (f)—

(A) by striking "548(a)(2)" and inserting "548(a)(1)(B)"; and

(B) by striking "548(a)(1)" and inserting "548(a)(1)(A)"; and

(3) in subsection (g)—

(A) by striking "section 548(a)(1)" each place it appears and inserting "section 548(a)(1)(A)"; and

(B) by striking "548(a)(2)" and inserting "548(a)(1)(B)".

SEC. 4. TREATMENT OF POST-PETITION CHARITABLE CONTRIBUTIONS.

(a) CONFIRMATION OF PLAN.—Section 1325(b)(2)(A) of title 11, United States Code, is amended by inserting before the semicolon the following: "including charitable contributions (that meet the definition of 'charitable contribution' under section 548(d)(3)) to a qualified religious or charitable entity or organization (as that term is defined in section 548(d)(4)) in an amount not to exceed 15 percent of the gross income of the debtor for the year in which the contributions are made".

(b) DISMISSAL.—Section 707(b) of title 11, United States Code, is amended by adding at the end the following: "In making a determination whether to dismiss a case under this section, the court may not take into consideration whether a debtor has made, or continues to make, charitable contributions (that meet the definition of 'charitable contribution' under section 548(d)(3)) to any qualified religious or charitable entity or organization (as that term is defined in section 548(d)(4))."

SEC. 5. APPLICABILITY.

This Act and the amendments made by this Act shall apply to any case brought under an applicable provision of title 11, United States Code, that is pending or commenced on or after the date of enactment of this Act.

SEC. 6. RULE OF CONSTRUCTION.

Nothing in the amendments made by this Act is intended to limit the applicability of the Reli-

gious Freedom Restoration Act of 1993 (42 U.S.C. 2002bb et seq.).

The SPEAKER pro tempore (Mr. PEASE). Pursuant to the rule, the gentleman from Pennsylvania (Mr. GEKAS) and the gentleman from New York (Mr. NADLER) each will control 20 minutes.

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

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I urge adoption of this legislation and wish to set the stage for some of the comments that we will hear during the debate on this measure.

This issue was brought to our attention by the gentlewoman from Idaho (Mrs. CHENOWETH) and the gentleman from California (Mr. PACKARD) on two separate pieces of legislation that dealt with the same issue. Their legislative efforts came from different angles and from different perspectives, but the ultimate purpose was the same: to try to rectify a situation in which a contributor to a charitable organization, for the purpose of our hypothetical say to a church organization, makes a contribution, he subsequently files for bankruptcy, and a decision is made by the bankruptcy court and direction is given to the bankruptcy trustee to recover that amount paid by contribution to the church because it came within a certain period of time and, therefore, was not subject to be clear of the bankruptcy laws. So now we have the strange situation of a bankruptcy trustee having to assert a claim against a church.

Mr. Speaker, that seemed unseemly to a great number of people. The gentlewoman from Idaho and the gentleman from California took to the legislative process to try to bring about a change. Hence their legislation, hence the action of the Committee on the Judiciary, and we have arrived at this stage.

What we have done ultimately is to mirror, or try to mirror as much as we can, the Senate version of this same issue in legislation that they have passed so that we can be better prepared when the time comes for ultimate decision to be made by a conference in the two bodies. That is why we have come to the floor at this moment with the vehicle being H.R. 2604.

Mr. Speaker, after the gentleman from New York (Mr. NADLER) presents his opening statement, I will yield to these two Members so that they can fully explain the contents of the legislation, the purpose, et cetera.

Mr. Speaker, I urge adoption of H.R. 2604, the "Religious Liberty and Charitable Donation