

Chair, on behalf of the President pro tempore, appointed Mary Cathcart of Maine, Kathryn Monaghan Ainsworth of Maine, Marna S. Tucker of Maryland, and Nancy Duff Campbell of the District of Columbia, to the Commission on Child and Family Welfare.

¶94.5 PERMISSION TO FILE CONFERENCE REPORT

On motion of Mr. DURBIN, by unanimous consent, the managers on the part of the House were granted permission until midnight tonight to file a conference report (Rept. No. 103-212) on the bill (H.R. 2493) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1994, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶94.6 PRIVATE CALENDAR

The SPEAKER pro tempore, Mr. MONTGOMERY, directed the Private Calendar to be called.

When,

¶94.7 BILL PASSED

The bill of the following title was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed: H.R. 572. A bill for the relief of Melissa Johnson.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

The bill of the following title was considered, read twice; the amendment following was agreed to, and the bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed:

H.R. 2625. A bill for the relief of Olga D. Zhondetskaya.

Amendment in the nature of a substitute offered by Mr. SENSENBRENNER:

Strike all after the enacting clause and insert the following:

SECTION 1. WAIVER OF CERTAIN NATURALIZATION REQUIREMENTS FOR OLGA D. ZHONDETSKAYA.

(a) IN GENERAL.—Notwithstanding the inability of Olga D. Zhondetskaya to meet the requirements of section 312 of the Immigration and Nationality Act or the requirements of section 316 of such Act that relate to residence and physical presence in the United States, if otherwise qualified, she shall be considered eligible for naturalization and, upon filing an application for naturalization and being administered the oath of renunciation and allegiance pursuant to section 337 of such Act, shall be naturalized as a citizen of the United States.

(b) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsection (a) shall apply only if the application for naturalization is filed with appropriate fees within 1 year after the date of the enactment of this Act.

On motion of Mr. BOUCHER, by unanimous consent, the bill of the Senate (S. 1311) for the relief of Olga D. Zhondetskaya; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

By unanimous consent, H.R. 2625, a similar House bill, was laid on the table.

Motions severally made to reconsider the votes whereby each bill on the Private Calendar was disposed of today were, by unanimous consent, laid on the table.

¶94.8 DISASTER AREAS CREDIT AVAILABILITY

On motion of Mr. GONZALEZ, by unanimous consent, the bill of the Senate (S. 1273) to enhance the availability of credit in disaster areas by reducing the regulatory burden imposed upon insured depository institutions to the extent such action is consistent with the safety and soundness of the the institutions; was taken from the Speaker's table.

When said bill was considered and read twice.

Mr. GONZALEZ submitted the following amendment in the nature of a substitute which was agreed to:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Depository Institutions Disaster Relief Act of 1993".

SEC. 2. TRUTH IN LENDING ACT; EXPEDITED FUNDS AVAILABILITY ACT.

(a) TRUTH IN LENDING ACT.—During the 240-day period beginning on the date of enactment of this Act, the Board of Governors of the Federal Reserve System may make exceptions to the Truth in Lending Act for transactions within an area in which the President, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, has determined, on or after April 1, 1993, that a major disaster relief under other Federal law by reason of damage related to the 1993 flooding of the Mississippi River and its tributaries, if the Board determines that the exception can reasonably be expected to alleviate hardships to the public resulting from such disaster that outweigh possible adverse effects.

(b) EXPEDITED FUNDS AVAILABILITY ACT.—During the 240-day period beginning on the date of enactment of this Act, the Board of Governors of the Federal Reserve System may make exceptions to the Expedited Funds Availability Act for depository institution offices located within any area referred to in subsection (a) of this section if the Board determines that the exception can reasonably be expected to alleviate hardships to the public resulting from such disaster that outweigh possible adverse effects.

(c) TIME LIMIT ON EXCEPTIONS.—Any exception made under this section shall expire not later than October 1, 1994.

(d) PUBLICATION REQUIRED.—The Board of Governors of the Federal Reserve System shall publish in the Federal Register a statement that—

(1) describes any exception made under this section; and

(2) explains how the exception can reasonably be expected to produce benefits to the public that outweigh possible adverse effects.

SEC. 3. DEPOSIT OF INSURANCE PROCEEDS.

(a) IN GENERAL.—The appropriate Federal banking agency may, by order, permit an insured depository institution to subtract from the institution's total assets, in calculating compliance with the leverage limit prescribed under section 38 of the Federal Deposit Insurance Act, an amount not exceeding the qualifying amount attributable to insurance proceeds, if the agency determines that—

(1) the institution—

(A) had its principal place of business within an area in which the President, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, has determined, on or after April 1, 1993, that a major disaster exists, or with an area determined to be eligible for disaster relief under other Federal law by reason of damage related to the 1993 flooding of the Mississippi River and its tributaries, on the day before the date of any such determination;

(B) derives more than 60 percent of its total deposits from persons who normally reside within, or whose principal place of business is normally within, areas of intense devastation caused by the major disaster;

(C) was adequately capitalized (as defined in section 38 of the Federal Deposit Insurance Act) before the major disaster; and

(D) has an acceptable plan for managing the increase in its total assets and total deposits; and

(2) the subtraction is consistent with the purpose of section 38 of the Federal Deposit Insurance Act.

(b) TIME LIMIT ON EXCEPTIONS.—Any exception made under this section shall expire not later than April 1, 1995.

(c) Definitions.—For purposes of this section:

(1) APPROPRIATE FEDERAL BANKING AGENCY.—The term "appropriate Federal banking agency" has the same meaning as in section 3 of the Federal Deposit Insurance Act.

(2) INSURED DEPOSITORY INSTITUTION.—The term "insured depository institution" has the same meaning as in section 3 of the Federal Deposit Insurance Act.

(3) LEVERAGE LIMIT.—The term "leverage limit" has the same meaning as in section 38 of the Federal Deposit Insurance Act.

(4) QUALIFYING AMOUNT ATTRIBUTABLE TO INSURANCE PROCEEDS.—The term "qualifying amount attributable to insurance proceeds" means the amount (if any) by which the institution's total assets exceed the institution's average total assets during the calendar quarter ending before the date of any determination referred to in subsection (a)(1)(A), because of the deposit of insurance payments or governmental assistance made with respect to damage caused by, or other costs resulting from, the major disaster

SEC. 4. BANKING AGENCY PUBLICATION REQUIREMENTS.

(a) IN GENERAL.—A qualifying regulatory agency may take any of the following actions with respect to depository institutions or other regulated entities whose principal place of business is within, or with respect to transactions or activities within, an area in which the President, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, has determined, on or after April 1, 1993, that a major disaster exists, or within an area determined to be eligible for disaster relief under other Federal law by reason of damage related to the 1993 flooding of the Mississippi River and its tributaries, if the agency determines that the action would facilitate recovery from the major disaster:

(1) PROCEDURE.—Exercising the agency's authority under provisions of law other than this section without complying with—

(A) any requirement of section 553 of title 5, United States Code; or

(B) any provision of law that requires notice or opportunity for hearing or sets maximum or minimum time limits with respect to agency action.

(2) PUBLICATION REQUIREMENTS.—Making exceptions, with respect to institutions or other entities for which the agency is the primary Federal regulator, to—

(A) any publication requirement with respect to establishing branches or other deposit-taking facilities; or

(B) any similar publication requirement.

(b) PUBLICATION REQUIRED.—A qualifying regulatory agency shall publish in the Federal Register a statement that—

(1) describes any action taken under this section; and

(2) explains the need for the action.

(c) QUALIFYING REGULATORY AGENCY DEFINED.—For purposes of this section, the term “qualifying regulatory agency” means—

(1) the Board of Governors of the Federal Reserve System;

(2) the Comptroller of the Currency;

(3) the Director of the Office of Thrift Supervision;

(4) the Federal Deposit Insurance Corporation;

(5) the Financial Institutions Examination Council;

(6) the National Credit Union Administration; and

(7) with respect to chapter 53 of title 31, United States Code, the Secretary of the Treasury.

(d) EXPIRATION.—Any exception made under this section shall expire not later than April 1, 1994.

SEC. 5. STUDY; REPORT TO THE CONGRESS.

(a) STUDY.—The Secretary of the Treasury, after consultation with the appropriate Federal banking agencies (as defined in section 3 of the Federal Deposit Insurance Act), shall conduct a study that—

(1) examines how the agencies and entities granted authority by the Depository Institutions Disaster Relief Act of 1992 and by this Act have exercised such authority;

(2) evaluates the utility of such Acts in facilitating recovery from disasters consistent with the safety and soundness of depository institutions; and

(3) contains recommendations with respect to whether the authority granted by this Act should be made permanent.

(b) REPORT TO THE CONGRESS.—Not later than 18 months after the date of the enactment of this Act, the Secretary of the Treasury shall submit to the Congress a report on the results of the study required by subsection (a).

SEC. 6. SENSE OF THE CONGRESS.

It is the sense of the Congress that the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Director of the Office of Thrift Supervision, the Federal Deposit Insurance Corporation, and the National Credit Union Administration should encourage depository institutions to meet the financial services needs of their communities and customers located in areas affected by the 1993 flooding of the Mississippi River and its tributaries.

SEC. 7. OTHER AUTHORITY NOT AFFECTED.

Nothing in this Act limits the authority of any department or agency under any other provision of law.

The bill, as amended, was ordered to be read a third time, was read a third time by title, and passed.

By unanimous consent, the title was amended so as to read: “An Act to facilitate recovery from the recent flooding of the Mississippi River and its tributaries by providing greater flexibility for depository institutions and

their regulators, and for other purposes.”

A motion to reconsider the votes whereby said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendments.

By unanimous consent, H.R. 2808, a similar House bill, was laid on the table.

194.9 PROVIDING FOR THE CONSIDERATION OF H.R. 2330

Mr. BEILENSEN, by direction of the Committee on Rules, called up the following resolution (H. Res. 229):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2330) to authorize appropriations for fiscal year 1994 for intelligence and intelligence-related activities of the United States Government and the Central Intelligence Agency Retirement and Disability System, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with section 302(f) or 303(a) of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill. The committee amendment in the nature of a substitute shall be considered by title rather than by section. Each title shall be considered as read. Points of order against the committee amendment in the nature of a substitute for failure to comply with clause 7 of rule XVI or section 302(f) or 303(a) of the Congressional Budget Act of 1974 are waived. No amendment to the committee amendment in the nature of a substitute shall be in order unless printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII prior to its consideration. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

On motion of Mr. BEILENSEN, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

194.10 INTELLIGENCE AUTHORIZATION

The SPEAKER pro tempore, Mr. TUCKER, pursuant to House Resolution 229 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2330) to authorize appropriations for fiscal year 1994 for intelligence and intelligence-related activities of the United States Government and the Central Intelligence Agency.

The SPEAKER pro tempore, Mr. TUCKER, by unanimous consent, designated Ms. SLAUGHTER as Chairman of the Committee of the Whole.

The Acting Chairman, Mrs. SCHROEDER, assumed the Chair; and after some time spent therein,

194.11 CALL IN COMMITTEE

Ms. SLAUGHTER, Chairman, announced that the Committee, having had under consideration said bill, finding itself without a quorum, directed the Members to record their presence by electronic device, and the following-named Members responded—

194.12 [Roll No. 390] ANSWERED “PRESENT”—420

Abercrombie	Chapman	Filner
Ackerman	Clay	Fingerhut
Allard	Clayton	Foglietta
Andrews (ME)	Clement	Ford (MI)
Andrews (NJ)	Clinger	Ford (TN)
Andrews (TX)	Clyburn	Fowler
Applegate	Coble	Franks (CT)
Archer	Coleman	Franks (NJ)
Armey	Collins (GA)	Frost
Bacchus (FL)	Collins (IL)	Furse
Bachus (AL)	Collins (MI)	Gallegly
Baessler	Combest	Gallo
Baker (CA)	Condit	Gejdenson
Baker (LA)	Conyers	Gekas
Ballenger	Cooper	Geren
Barca	Coppersmith	Gibbons
Barcia	Costello	Gilchrest
Barlow	Cox	Gillmor
Barrett (NE)	Coyne	Gilman
Barrett (WI)	Cramer	Gingrich
Bartlett	Crane	Glickman
Barton	Crapo	Gonzalez
Bateman	Cunningham	Goodlatte
Becerra	Danner	Goodling
Beilenson	Darden	Gordon
Bentley	Deal	Goss
Bereuter	DeFazio	Grams
Berman	DeLauro	Grandy
Bevill	DeLay	Greenwood
Bilbray	Dellums	Gunderson
Bilirakis	Derrick	Gutierrez
Bishop	Deutsch	Hall (OH)
Blackwell	Diaz-Balart	Hall (TX)
Bliley	Dickey	Hamburg
Blute	Dicks	Hamilton
Boehlert	Dingell	Hancock
Boehner	Dixon	Hansen
Bonilla	Dooley	Harman
Bonior	Doolittle	Hastert
Borski	Dornan	Hastings
Boucher	Dreier	Hayes
Brewster	Duncan	Hefley
Brooks	Dunn	Hefner
Browder	Durbin	Herger
Brown (CA)	Edwards (CA)	Hilliard
Brown (FL)	Edwards (TX)	Hinchey
Brown (OH)	Emerson	Hoagland
Bryant	English (AZ)	Hobson
Bunning	English (OK)	Hochbrueckner
Burton	Eshoo	Hoekstra
Buyer	Evans	Hoke
Byrne	Everett	Holden
Callahan	Ewing	Horn
Calvert	Faleomavaega	Hoyer
Camp	(AS)	Huffington
Canady	Farr	Hughes
Cantwell	Fawell	Hunter
Cardin	Fazio	Hutchinson
Carr	Fields (LA)	Hutto
Castle	Fields (TX)	Hyde