

All points of order against the amendments en bloc are waived. 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, as modified. 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. After passage of H.R. 1340, it shall be in order to take from the Speaker's table the bill S. 714 and to consider the Senate bill in the House. All points of order against the Senate bill and against its consideration are waived. It shall be in order to move to strike all after the enacting clause of the Senate bill and to insert in lieu thereof the provisions of H.R. 1340 as passed by the House. All points of order against motion are waived. If the motion is adopted and the Senate bill, as amended, is passed, then it shall be in order to move that the House insist on its amendments to S. 714 and request a conference with the Senate thereon.

When said resolution was considered. After debate,

On motion of Mr. DERRICK, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. MONTGOMERY, announced that the yeas had it.

Mr. QUILLLEN objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared	Yeas	213
	Nays	191
	Answered present	1

¶101.4 [Roll No. 430] YEAS—213

- | | | |
|--------------|--------------|----------------|
| Abercrombie | Collins (MI) | Glickman |
| Ackerman | Costello | Gonzalez |
| Andrews (ME) | Coyne | Gordon |
| Applegate | Cramer | Gutierrez |
| Bacchus (FL) | Danner | Hamburg |
| Baesler | Darden | Hamilton |
| Barca | DeLauro | Harman |
| Barlow | Dellums | Hastings |
| Barrett (WI) | Derrick | Hayes |
| Becerra | Deutsch | Hefner |
| Beilenson | Hilliard | Hinchey |
| Berman | Dixon | Hoagland |
| Bevill | Durbin | Hoagbrueckner |
| Bilbray | Edwards (CA) | Holden |
| Bishop | Edwards (TX) | Hoyer |
| Bonior | English (AZ) | Hughes |
| Boucher | English (OK) | Jefferson |
| Brewster | Eshoo | Johnson (GA) |
| Brooks | Evans | Johnson (SD) |
| Browder | Farr | Johnson, E. B. |
| Brown (CA) | Fazio | Johnston |
| Brown (FL) | Fields (LA) | Kanjorski |
| Brown (OH) | Filner | Kennedy |
| Bryant | Fingerhut | Kennelly |
| Byrne | Flake | Kildee |
| Cardin | Ford (MI) | Kleczka |
| Carr | Ford (TN) | Klein |
| Chapman | Frank (MA) | Klink |
| Clay | Frost | Kopetski |
| Clayton | Furse | Kreidler |
| Clement | Gejdenson | LaFalce |
| Clyburn | Gephardt | Lambert |
| Coleman | Geran | Lantos |
| Collins (IL) | Gibbons | |

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|---------------------|---------------|------------|
| LaRocco | Pallone | Smith (IA) |
| Laughlin | Parker | Spratt |
| Levin | Pastor | Stenholm |
| Lewis (GA) | Payne (NJ) | Stokes |
| Lloyd | Payne (VA) | Strickland |
| Long | Pelosi | Studds |
| Lowey | Peterson (FL) | Stupak |
| Mann | Peterson (MN) | Sweet |
| Manton | Pickett | Swift |
| Margolies-Mezvinsky | Pickle | Tanner |
| Markey | Pomeroy | Tejeda |
| Martinez | Poshard | Thompson |
| Matsui | Price (NC) | Thornton |
| McCloskey | Rangel | Thurman |
| McCurdy | Reed | Torres |
| McDermott | Reynolds | Torricelli |
| McHale | Richardson | Traficant |
| McKinney | Roemer | Tucker |
| McNulty | Rose | Unsoeld |
| Meehan | Rostenkowski | Valentine |
| Meek | Rowland | Velazquez |
| Menendez | Roybal-Allard | Vento |
| Minge | Rush | Visclosky |
| Mink | Sabo | Volkmmer |
| Moakley | Sangmeister | Washington |
| Mollohan | Sarpalius | Waters |
| Montgomery | Sawyer | Watt |
| Moran | Schenk | Waxman |
| Murphy | Schroeder | Wheat |
| Murtha | Schumer | Whitten |
| Nadler | Scott | Williams |
| Natcher | Serrano | Wilson |
| Neal (MA) | Shepherd | Woolsey |
| Neal (NC) | Sisisky | Wyden |
| Oberstar | Skaggs | Wynn |
| Olver | Skelton | Yates |
| Orton | Slattery | |
| | Slaughter | |

NAYS—191

- | | | |
|--------------|--------------|---------------|
| Allard | Gallo | McMillan |
| Archer | Gekas | Meyers |
| Armey | Gilchrest | Mica |
| Bacchus (AL) | Gillmor | Michel |
| Baker (CA) | Gilman | Miller (FL) |
| Baker (LA) | Gingrich | Molinari |
| Ballenger | Goodlatte | Moorhead |
| Barcia | Goodling | Morella |
| Barrett (NE) | Goss | Myers |
| Bartlett | Grams | Nussle |
| Barton | Grandy | Owens |
| Bateman | Greenwood | Oxley |
| Bentley | Gunderson | Packard |
| Bereuter | Hall (TX) | Paxon |
| Bilirakis | Hancock | Petri |
| Bliley | Hansen | Pombo |
| Blute | Hastert | Porter |
| Boehlert | Hefley | Portman |
| Boehner | Herger | Pryce (OH) |
| Bonilla | Hobson | Quillen |
| Bunning | Hoekstra | Quinn |
| Burton | Hoke | Rahall |
| Buyer | Horn | Ramstad |
| Callahan | Houghton | Ravenel |
| Calvert | Hunter | Regula |
| Camp | Hutchinson | Roberts |
| Canady | Hutto | Rogers |
| Castwell | Inglis | Rohrabacher |
| Castle | Inhofe | Ros-Lehntinen |
| Clinger | Istook | Roth |
| Coble | Jacobs | Roukema |
| Collins (GA) | Johnson (CT) | Royce |
| Combest | Johnson, Sam | Sanders |
| Condit | Kaptur | Santorum |
| Cooper | Kim | Saxton |
| Coppersmith | King | Schaefer |
| Cox | Kingston | Schiff |
| Crane | Klug | Sensenbrenner |
| Crapo | Knollenberg | Sharp |
| Cunningham | Kolbe | Shaw |
| Deal | Kyl | Shays |
| DeFazio | Lancaster | Shuster |
| DeLay | Lazio | Skeen |
| Diaz-Balart | Leach | Smith (MI) |
| Dickey | Levy | Smith (NJ) |
| Doolittle | Lewis (CA) | Smith (OR) |
| Dornan | Lewis (FL) | Smith (TX) |
| Dreier | Lightfoot | Snowe |
| Duncan | Linder | Solomon |
| Dunn | Livingston | Spence |
| Emerson | Machtley | Stearns |
| Everett | Manzullo | Stump |
| Ewing | Mazzoli | Synar |
| Fawell | McCandless | Talent |
| Fields (TX) | McCollum | Tauzin |
| Fish | McCrery | Taylor (MS) |
| Fowler | McDade | Taylor (NC) |
| Franks (CT) | McHugh | Thomas (CA) |
| Franks (NJ) | McInnis | Thomas (WA) |
| Gallegly | McKeon | Torkildsen |

- | | | |
|------------|------------|------------|
| Upton | Weldon | Young (FL) |
| Vucanovich | Wise | Zeliff |
| Walker | Wolf | Zimmer |
| Walsh | Young (AK) | |

ANSWERED "PRESENT"—1

Hyde

NOT VOTING—28

- | | | |
|--------------|-------------|-----------|
| Andrews (NJ) | Green | Mineta |
| Andrews (TX) | Hall (OH) | Obey |
| Blackwell | Huffington | Ortiz |
| Borski | Inslee | Penny |
| Congers | Kasich | Ridge |
| de la Garza | Lehman | Stark |
| Dingell | Lipinski | Sundquist |
| Dooley | Maloney | Towns |
| Engel | Mfume | |
| Foglietta | Miller (CA) | |

So 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.

¶101.5 RESOLUTION TRUST CORPORATION

The SPEAKER pro tempore, Mr. McNULTY, pursuant to House Resolution 250 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. 1340) to provide funding for the resolution of failed savings associations, and for other purposes.

The SPEAKER pro tempore, Mr. McNULTY, by unanimous consent, designated Mr. CARDIN as Chairman of the Committee of the Whole; and after some time spent therein,

¶101.6 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendments en bloc submitted by Mr. GONZALEZ:

Page 17, strike line 19 and all that follows through page 20, line 21, and insert the following:

“(18) MINORITY PREFERENCE IN ACQUISITION OF INSTITUTIONS IN PREDOMINANTLY MINORITY NEIGHBORHOODS.—

“(A) IN GENERAL.—In considering offers to acquire any insured depository institution, or any branch of an insured depository institution, located in a predominantly minority neighborhood (as defined in regulations prescribed under subsection (s)), the Corporation shall prefer an offer from any minority individual, minority-owned business, or a minority depository institution, over any other offer that results in the same cost to the Corporation as determined under section 13(c)(4)(A) of the Federal Deposit Insurance Act.

“(B) CAPITAL ASSISTANCE.—

“(i) ELIGIBILITY.—In order to effectuate the purposes of this paragraph, any minority individual, minority-owned business, or a minority depository institution shall be eligible for capital assistance under the minority interim capital assistance program established under subsection (u)(1) and subject to the provisions of subsection (u)(3), to the extent that such assistance is consistent with the application of section 13(c)(4)(A) of the Federal Deposit Insurance Act under subparagraph (A).

“(ii) TERMS AND CONDITIONS.—Subsection (u)(4) shall not apply to capital assistance provided under this subparagraph.

“(C) PERFORMING ASSETS.—In the case of an acquisition of any depository institution or branch described in subparagraph (A) by any minority individual, minority-owned business, or a minority depository institution, the Corporation may provide, in con-

nection with such acquisition and in addition to performing assets of the depository institution or branch, other performing assets under the control of the Corporation in an amount (as determined on the basis of the Corporation's estimate of the fair market value of the assets) not greater than the amount of net liabilities carried on the books of the institution or branch, including deposits, which are assumed in connection with the acquisition.

"(D) FIRST PRIORITY FOR DISPOSITION OF ASSETS.—In the case of an acquisition of any depository institution or branch described in subparagraph (A) by any minority depository institution, the disposition of the performing assets of the depository institution or branch to such individual, business, or minority depository institution shall have a first priority over the disposition by the Corporation of such assets for any other purpose.

"(E) DEFINITIONS.—For purposes of this paragraph—

"(i) ACQUIRE.—The term 'acquire' has the meaning given to such term in section 13(f)(8)(B) of the Federal Deposit Insurance Act.

"(ii) MINORITY.—The term 'minority' has the meaning given to such term in section 1204(c)(3) of the Financial Institutions Reform, Recovery and Enforcement Act of 1989.

"(iii) MINORITY DEPOSITORY INSTITUTION.—The term 'minority depository institution' has the meaning given to such term in subsection (s)(2).

"(iv) MINORITY-OWNED BUSINESS.—The term 'minority-owned business' has the meaning given to such term in subsection (r)(4).

Page 22, line 19, strike the closing quotation marks and the 2d period.

Page 22, after line 19, insert the following new paragraph:

"(2) CONTRACTING PROCEDURES.—In awarding any contract subject to the competitive bidding process, the Corporation shall apply competitive bidding procedures no less stringent than those in effect on the date of the enactment of the Resolution Trust Corporation Completion Act."

Page 44, line 11, strike "16,000,000,000" and insert "\$8,000,000,000".

Page 50, strike lines 18 and 19 and insert the following:

SEC. 13. CHANGES AFFECTING ONLY FDIC AFFORDABLE HOUSING PROGRAM.

Page 50, line 20, before "Section" insert the following: "(a) INCLUSION OF SUBSIDIARIES' PROPERTIES IN PROGRAM.—"

Page 51, after line 2, insert the following new subsection:

(b) IMPLEMENTATION OF PROGRAM.—Notwithstanding any provisions of section 40 of the Federal Deposit Insurance Act or any other provision of law, in carrying such section 40 during fiscal year 1994 the Federal Deposit Insurance Corporation shall be deemed in compliance with such section if, in its sole discretion, the Corporation at any time modifies, amends, or waives any provisions of such section in order to maximize the efficient use of the available appropriated funds. The Corporation shall not be subject to suit for its failure to comply with the requirements of this provision or section 40 of the Federal Deposit Insurance Act in carrying out such section 40 during fiscal year 1994.

Page 57, strike line 12 and all that follows through page 58, line 22, and insert the following new subsection:

(b) PREFERENCE FOR USE FOR HOMELESS FAMILIES.—

(1) RTC.—Section 21A(c)(5) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(c)(5)) is amended—

(A) by striking "(5) PREFERENCE FOR SALES.—When" and inserting the following:

"(5) PREFERENCES FOR SALES.—

"(A) LOW-INCOME USE.—When"; and

(B) by adding at the end the following new subparagraph:

"(B) USE FOR HOMELESS FAMILIES.—In selling any eligible residential property, the Corporation shall give preference, among offers to purchase the property that will result in the same net present value proceeds, to any offer to purchase the property for use in providing housing or shelter for homeless individuals (as such term is defined in section 103 of the Stewart B. McKinney Homeless Assistance Act) or homeless families."

(2) FDIC.—Section 40(f) of the Federal Deposit Insurance Act (12 U.S.C. 1831q(f)) is amended—

(A) in paragraph (1), by striking "IN GENERAL" and inserting "LOW-INCOME USE"; and

(B) by adding at the end the following new paragraph:

"(4) USE FOR HOMELESS FAMILIES.—In selling any eligible residential property, the Corporation shall give preference, among offers to purchase the property that will result in the same net present value proceeds, to any offer to purchase the property for use in providing housing or shelter for homeless individuals (as such term is defined in section 103 of the Stewart B. McKinney Homeless Assistance Act) or homeless families."

Page 75, line 20, strike "among substantially similar offers" and insert the following: "among offers to purchase the property that will result in the same net present value proceeds".

Page 76, lines 10 and 11, strike "among substantially similar offers" and insert "among offers to purchase the property that will result in the same net present value proceeds".

Page 76, line 16, strike "EXPEDITED MARKETING" and insert "PREFERENCES FOR SALES".

Page 77, strike line 1 and all that follows through page 78, line 9, and insert the following:

"(17) PREFERENCES FOR SALES OF CERTAIN COMMERCIAL REAL PROPERTIES.—

"(A) AUTHORITY.—In selling any eligible commercial real properties of the Corporation, the Corporation shall give preference, among offers to purchase the property that will result in the same net present value proceeds, to any offer—

"(i) that is made by a public agency or nonprofit organization; and

"(ii) under which the purchaser agrees that the property shall be used, during the remaining useful life of the property, for offices and administrative purposes of the purchaser to carry out a program to acquire residential properties to provide (I) homeownership and rental housing opportunities for very-low, low-, and moderate-income families, or (II) housing or shelter for homeless persons (as such term is defined in section 103 of the Stewart B. McKinney Homeless Assistance Act) or homeless families.

Page 78, line 10, strike "(C)" and insert "(B)".

Page 78, line 12, strike "COMMERCIAL" and insert "ELIGIBLE COMMERCIAL".

Page 78, line 13, insert "eligible" before "commercial".

Page 78, line 20, strike "(B)(i)" and insert "(A)(ii)".

Page 79, strike line 5 and all that follows through page 80, line 8, and insert the following:

(w) PREFERENCES FOR SALES OF CERTAIN COMMERCIAL REAL PROPERTIES.—

"(1) AUTHORITY.—In selling any eligible commercial real properties of the Corporation, the Corporation shall give preference, among offers to purchase the property that will result in the same net present value proceeds, to any offer—

"(A) that is made by a public agency or nonprofit organization; and

"(B) under which the purchaser agrees that the property shall be used, during the re-

maining useful life of the property, for offices and administrative purposes of the purchaser to carry out a program to acquire the residential properties to provide (i) homeownership and rental housing opportunities for very-low, low-, and moderate-income families, or (ii) housing or shelter for homeless persons (as such term is defined in section 103 of the Stewart B. McKinney Homeless Assistance Act) or homeless families.

Page 80, line 9, strike "(3)" and insert "(2)".

Page 80, line 11, strike "COMMERCIAL" and insert "ELIGIBLE COMMERCIAL".

Page 80, line 12, insert "eligible" before "commercial".

Page 80, line 18, strike "(2)(A)" and insert "(1)(B)".

Page 101, after line 7, insert the following new section:

SEC. 27. EXTENSION OF RTC POWER TO BE APPOINTED AS CONSERVATOR OR RECEIVER.

Section 21A(b)(3)(A)(ii) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(b)(3)(A)(ii)) is amended by striking "October 1, 1993" and inserting "April 1, 1995".

Yeas 411
Nays 15
Answered present 1

101.7 [Roll No. 431]
AYES—411

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