

Holden	Miller (CA)	Shumer
Hostettler	Minge	Seastrand
Hutchinson	Mink	Sensenbrenner
Hyde	Moorhead	Serrano
Inglis	Morella	Shadegg
Jackson-Lee	Myers	Shays
Johnson (SD)	Myrick	Skaggs
Johnston	Nadler	Slaughter
Jones	Neumann	Smith (NJ)
Kanjorski	Ney	Smith (WA)
Kaptur	Norwood	Souder
Kennedy (MA)	Nussle	Spratt
Kildee	Oberstar	Stark
King	Obey	Stearns
Kingston	Olver	Stockman
Klecicka	Ortiz	Stokes
Klug	Orton	Studds
LaHood	Owens	Stupak
Lantos	Pallone	Talent
Largent	Parker	Tate
Latham	Pastor	Tauzin
LaTourette	Payne (NJ)	Taylor (MS)
Laughlin	Payne (VA)	Taylor (NC)
Levin	Pelosi	Thornton
Lewis (GA)	Peterson (MN)	Tiahrt
Lewis (KY)	Petri	Torres
Lightfoot	Pombo	Torricelli
Lincoln	Pomeroy	Towns
Linder	Portman	Upton
Lipinski	Poshard	Velazquez
LoBiondo	Rahall	Vento
Lofgren	Ramstad	Volkmer
Lowe	Rangel	Vucanovich
Luther	Richardson	Wamp
Maloney	Riggs	Waters
Manton	Rivers	Watt (NC)
Manzullo	Roberts	Waxman
Markey	Roemer	Weldon (FL)
Martinez	Rogers	Weller
Martini	Ros-Lehtinen	Whitfield
Mascara	Roth	Wicker
McCarthy	Roukema	Williams
McDermott	Roybal-Allard	Wise
McInnis	Royce	Wolf
McIntosh	Rush	Woolsey
McKinney	Sabo	Wyden
Meehan	Sanders	Wynn
Menendez	Sanford	Yates
Metcalf	Sawyer	Young (AK)
Mfume	Schaefer	Zeliff
Mica	Schroeder	Zimmer

ANSWERED "PRESENT"—1

Mineta

NOT VOTING—15

Brown (CA)	LaFalce	Reynolds
Collins (IL)	McHugh	Tejeda
Deutsch	Meek	Thompson
Fields (LA)	Porter	Tucker
Frost	Quillen	Walker

So the conference report was not agreed to.

A motion to reconsider the vote whereby the conference report was not agreed to was, by unanimous consent, laid on the table.

¶123.19 WELFARE REFORM

On motion of Mr. ARCHER, by direction of the Committee on Ways and Means and pursuant to clause 1 of rule XX, the bill (H.R. 4) to restore the American family, reduce illegitimacy, control welfare spending and reduce welfare dependence; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. ARCHER, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Thereupon, the SPEAKER pro tempore, Mr. LINDER, by unanimous consent, announced the appointment of Messrs. ARCHER, GOODLING, ROBERTS, SHAW, TALENT, NUSSLE, HUTCHINSON, MCCRERY, SMITH of Texas, Mrs. JOHN-SON, Messrs. CAMP, FRANKS of Con-

necticut, GIBBONS, CLAY, DE LA GARZA, CONYERS, FORD, WAXMAN, MILLER of California, Mrs. KENNELLY, Mr. LEVIN, and Mrs. LINCOLN, as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate thereof.

¶123.20 PERMISSION TO FILE REPORT

On motion of Mr. COBLE, by unanimous consent, the Committee on Transportation and Infrastructure was granted permission until 5 p.m., Friday, October 6, 1995, to file a report on the bill (H.R. 2149) to reduce regulation, promote efficiencies, and encourage competition in the international ocean transportation system of the United States, to eliminate the Federal Maritime Commission, and for other purposes.

¶123.21 CORRECT ENROLLMENT—H.R. 402

On motion of Mr. LONGLEY, by unanimous consent, the following concurrent resolution of the Senate was taken from the Speaker's table (S. Con. Res. 27):

Resolved by the Senate (the House of Representatives concurring), That the Clerk of the House of Representatives is directed to correct the enrollment of H.R. 402 as follows:

Amend section 109 to read:

"SEC. 109. CONFIRMATION OF WOODY ISLAND AS ELIGIBLE NATIVE VILLAGE.

"The Native Village of Woody, Island located on Woody Island, Alaska, in the Koniag Region, is hereby confirmed as an eligible Alaska Native Village, pursuant to section 11(b)(3) of the Alaska Native Claims Settlement Act ("ANCSA"). It is further confirmed that Leisnoi, Inc., is the Village Corporation, as that term is defined in section 3(j) of the ANCSA, for the village of Woody Island. This section shall become effective on October 1, 1998, unless the United States judicial system determines this village was fraudulently established under ANCSA prior to October 1, 1998."

When said concurrent resolution was considered.

Mr. LONGLEY submitted the following amendment which was agreed to:

On page 1, line 2, strike all that follows after "That" to the end of the resolution and insert the following:

"the action of the Speaker of the House of Representatives and the President pro tempore of the Senate in signing the bill (H.R. 402) is rescinded, and the Clerk of the House of Representatives shall, in the reenrollment of the bill, make the following correction: Strike section 109".

The concurrent resolution, as amended, was agreed to.

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

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

¶123.22 ORDER OF BUSINESS—
CONSIDERATION OF CONFERENCE
REPORT—S. 895

On motion of Mrs. MEYERS, by unanimous consent,

Ordered, That it may be in order to immediately consider the conference

report to accompany the bill of the Senate (S. 895) to amend the Small Business Act to reduce the level of participation by the Small Business Administration in certain loans guaranteed by the Administration, and for other purposes, that the conference report be considered as read, and that debate thereon be limited to ten minutes equally divided and controlled by Mrs. Meyers and Mr. Skelton.

¶123.23 SMALL BUSINESS LOANS

Mrs. MEYERS, pursuant to the foregoing order of the House, called up the following conference report (Rept. No. 104-269):

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 895), to amend the Small Business Act to reduce the level of participation by the Small Business Administration in certain loans guaranteed by the Administration, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Small Business Lending Enhancement Act of 1995".

SEC. 2. REDUCED LEVEL OF PARTICIPATION IN GUARANTEED LOANS.

Section 7(a)(2) of the Small Business Act (15 U.S.C. 636(a)(2)) is amended to read as follows:

"(2) LEVEL OF PARTICIPATION IN GUARANTEED LOANS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), in an agreement to participate in a loan on a deferred basis under this subsection (including a loan made under the Preferred Lenders Program), such participation by the Administration shall be equal to—

"(i) 75 percent of the balance of the financing outstanding at the time of disbursement of the loan, if such balance exceeds \$100,000; or

"(ii) 80 percent of the balance of the financing outstanding at the time of disbursement of the loan, if such balance is less than or equal to \$100,000.

"(B) REDUCED PARTICIPATION UPON REQUEST.—

"(i) IN GENERAL.—The guarantee percentage specified by subparagraph (A) for any loan under this subsection may be reduced upon the request of the participating lender.

"(ii) PROHIBITION.—The Administration shall not use the guarantee percentage requested by a participating lender under clause (i) as a criterion for establishing priorities in approving loan guarantee requests under this subsection.

"(C) INTEREST RATE UNDER PREFERRED LENDERS PROGRAM.—

"(i) IN GENERAL.—The maximum interest rate for a loan guaranteed under the Preferred Lenders Program shall not exceed the maximum interest rate, as determined by the Administration, applicable to other loans guaranteed under this subsection.

"(ii) PREFERRED LENDERS PROGRAM DEFINED.—For purposes of this subparagraph, the term 'Preferred Lenders Program' means any program established by the Administrator, as authorized under the proviso in section 5(b)(7), under which a written agree-

ment between the lender and the Administration delegates to the lender—

“(I) complete authority to make and close loans with a guarantee from the Administration without obtaining the prior specific approval of the Administration; and

“(II) authority to service and liquidate such loans.”.

SEC. 3. GUARANTEE FEES.

(a) AMOUNT OF FEES.—Section 7(a)(18) of the Small Business Act (15 U.S.C. 636(a)(18)) is amended to read as follows:

“(18) GUARANTEE FEES.—

“(A) IN GENERAL.—With respect to each loan guaranteed under this subsection (other than a loan that is repayable in 1 year or less), the Administration shall collect a guarantee fee, which shall be payable by the participating lender and may be charged to the borrower, in an amount equal to the sum of—

“(i) 3 percent of the amount of the deferred participation share of the loan that is less than or equal to \$250,000;

“(ii) if the deferred participation share of the loan exceeds \$250,000, 3.5 percent of the difference between—

“(I) \$500,000 or the total deferred participation share of the loan, whichever is less; and

“(II) \$250,000; and

“(iii) if the deferred participation share of the loan exceeds \$500,000, 3.875 percent of the difference between—

“(I) the total deferred participation share of the loan; and

“(II) \$500,000.

“(B) EXCEPTION FOR CERTAIN LOANS.—Notwithstanding subparagraph (A), if the total deferred participation share of a loan guaranteed under this subsection is less than or equal to \$80,000, the guarantee fee collected under subparagraph (A) shall be in an amount equal to 2 percent of the total deferred participation share of the loan.”.

(b) REPEAL OF PROVISIONS ALLOWING RETENTION OF FEES BY LENDERS.—Section 7(a)(19) of the Small Business Act (15 U.S.C. 636(a)(19)) is amended—

(1) in subparagraph (B)—

(A) by striking “shall (i) develop” and inserting “shall develop”; and

(B) by striking “, and (ii)” and all that follows through the end of the subparagraph and inserting a period; and

(2) by striking subparagraph (C).

SEC. 4. ESTABLISHMENT OF ANNUAL FEE.

(a) IN GENERAL.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended by adding at the end the following new paragraph:

“(23) ANNUAL FEE.—

“(A) IN GENERAL.—With respect to each loan guaranteed under this subsection, the Administration shall, in accordance with such terms and procedures as the Administration shall establish by regulation, assess and collect an annual fee in an amount equal to 0.5 percent of the outstanding balance of the deferred participation share of the loan.

“(B) PAYER.—The annual fee assessed under subparagraph (A) shall be payable by the participating lender and shall not be charged to the borrower.”.

(b) CONFORMING AMENDMENT.—Section 5(g)(4)(A) of the Small Business Act (15 U.S.C. 634(g)(4)(A)) is amended—

(1) by striking the first sentence and inserting the following: “The Administration may collect a fee for any loan guarantee sold into the secondary market under subsection (f) in an amount equal to not more than 50 percent of the portion of the sale price that exceeds 110 percent of the outstanding principal amount of the portion of the loan guaranteed by the Administration.”; and

(2) by striking “fees” each place such term appears and inserting “fee”.

SEC. 5. NOTIFICATION REQUIREMENT.

Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended by adding at the end the following new paragraph:

“(24) NOTIFICATION REQUIREMENT.—The Administration shall notify the Committees on Small Business of the Senate and the House of Representatives not later than 15 days before making any significant policy or administrative change affecting the operation of the loan program under this subsection.”.

SEC. 6. DEVELOPMENT COMPANY DEBENTURES.

Section 503(b) of the Small Business Investment Act of 1958 (15 U.S.C. 697(b)) is amended—

(1) in paragraph (5), by striking “and” at the end;

(2) in paragraph (6), by striking the period at the end and inserting “; and”; and

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

“(7) with respect to each loan made from the proceeds of such debenture, the Administration—

“(A) assesses and collects a fee, which shall be payable by the borrower, in an amount equal to 0.125 percent per year of the outstanding balance of the loan; and

“(B) uses the proceeds of such fee to offset the cost (as such term is defined in section 502 of the Federal Credit Reform Act of 1990) to the Administration of making guarantees under subsection (a).”.

SEC. 7. PILOT PREFERRED SURETY BOND GUARANTEE PROGRAM EXTENSION.

Section 207 of the Small Business Administration Reauthorization and Amendment Act of 1988 (15 U.S.C. 694b note) is amended by striking “September 30, 1995” and inserting “September 30, 1997”.

SEC. 8. APPLICABILITY.

(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this Act do not apply with respect to any loan made or guaranteed under the Small Business Act or the Small Business Investment Act of 1958 before the date of enactment of this Act.

(b) EXCEPTIONS.—The amendments made by this Act apply to a loan made or guaranteed under the Small Business Act or the Small Business Investment Act of 1958 before the date of enactment of this Act, if the loan is refinanced, extended, restructured, or renewed on or after the date of enactment of this Act.

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill, and agree to the same.

JAN MEYERS,
PETER G. TORKILDSEN,
JIM LONGLEY,
JOHN J. LAFALCE,
GLENN POSHARD,

Managers on the Part of the House.

CHRISTOPHER S. BOND,
CONRAD BURNS,
PAUL COVERDELLE,
DALE BUMPERS,
SAM NUNN,

Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection and, under the operation thereof, the conference report was agreed to.

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

¶123.24 RAOUL WALLENBERG MEMORIAL

On motion of Mr. EHLERS, by unanimous consent, the Committee on House Oversight was discharged from further consideration of the following concurrent resolution (H. Con. Res. 94):

Resolved by the House of Representatives (the Senate concurring).

SECTION 1. DEDICATION CEREMONY AND PLACEMENT OF A BUST OF RAOUL WALLENBERG IN THE CAPITOL.

The rotunda of the Capitol may be used on November 2, 1995, for a ceremony incident to the placement of a bust of Raoul Wallenberg in the Capitol as previously authorized by Congress.

SEC. 2. SECURITY AND PHYSICAL PREPARATIONS.

The Capitol Police Board shall take such action with respect to security as may be necessary to carry out section 1. The Architect of the Capitol shall make appropriate physical preparations for the ceremony referred to in section 1.

When said concurrent resolution was considered and agreed to.

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

¶123.25 ADJOURNMENT OF THE TWO HOUSES

Mr. SHAYS, submitted the following privileged concurrent resolution (H. Con. Res. 104):

Resolved by the House of Representatives (the Senate concurring). That when the House adjourns on the legislative day of Friday, September 29, 1995, it stand adjourned until 10 a.m. on Friday, October 6, 1995, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day beginning with Friday, September 29, 1995, through Friday, October 6, 1995, pursuant to a motion made by the Majority Leader or his designee in accordance with this resolution, it stand recessed or adjourned until noon on Tuesday, October 10, 1995, or until such time on that day as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

When said concurrent resolution was considered and agreed to.

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

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

¶123.26 EXTENSION OF REMARKS

On motion of Mr. SHAYS, by unanimous consent,

Ordered, That for the legislative day of Friday, September 29, 1995, all Members be permitted to extend their remarks and to include extraneous mate-