

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-

rial in that section of the Record entitled "Extension of Remarks".

¶123.27 SPEAKER AND MINORITY LEADER TO ACCEPT RESIGNATIONS, APPOINT COMMISSIONS

On motion of Mr. SHAYS, by unanimous consent,

Ordered. That, notwithstanding any adjournment of the House until Tuesday, October 10, 1995, the Speaker and the Minority Leader be authorized to accept resignations and to make appointments to commissions, boards and committees duly authorized by law or by the House.

¶123.28 ADJOURNMENT OVER

On motion of Mr. SHAYS, by unanimous consent,

Ordered. That when the House adjourns on Friday, October 6, 1995, it adjourn to meet at 12:30 p.m. on Tuesday, October 10, 1995, for "morning hour" debates.

¶123.29 HOUR OF MEETING

On motion of Mr. SHAYS, by unanimous consent,

Ordered. That when the House adjourns on Tuesday, October 10, 1995, it adjourn to meet at 8 o'clock a.m. on Wednesday, October 11, 1995.

¶123.30 RECESSES

On motion of Mr. SHAYS, by unanimous consent,

Ordered. That the Speaker may declare recesses at any time on Wednesday, October 11, 1995, for the purpose of a joint meeting to commemorate the 50th anniversary of World War II.

¶123.31 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. SHAYS, by unanimous consent,

Ordered. That business in order for consideration on Wednesday, October 11, 1995, under clause 7, rule XXIV, the Calendar Wednesday rule, be dispensed with.

¶123.32 DESIGNATION OF SPEAKER PRO TEMPORE TO SIGN ENROLLMENTS

The SPEAKER pro tempore, Mr. EVERETT, laid before the House a communication, which was read as follows:

WASHINGTON, DC,
September 29, 1995.

I hereby designate the Honorable CONSTANCE A. MORELLA to act as Speaker pro tempore to sign enrolled bills and joint resolutions through October 10, 1995.

NEWT GINGRICH,
Speaker of the House of Representatives.

By unanimous consent, the designation was accepted.

¶123.33 APPOINTMENT OF ADDITIONAL CONFEREES—H.R. 4

The SPEAKER pro tempore, Mr. EVERETT, by unanimous consent, announced the appointment of Mr. EMERSON as an additional conferee on the part of the House to the conference with the Senate on the disagreeing votes of the two Houses on the amend-

ments of the Senate to the bill (H.R. 4) to restore the American family, reduce illegitimacy, control welfare spending and reduce welfare dependence.

Ordered. That the Clerk notify the Senate of the foregoing appointment.

¶123.34 RECESS—6:21 P.M.

The SPEAKER pro tempore, Mr. EVERETT, pursuant to clause 12 of rule I, declared the House in recess at 6 o'clock and 21 minutes p.m., subject to the call of the Chair.

¶123.35 AFTER RECESS—7:25 P.M.

The SPEAKER pro tempore, Mr. EVERETT, called the House to order.

¶123.36 FURTHER MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed a bill, a joint resolution, and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

H.R. 2404. An Act to extend authorities under the Middle East Peace Facilitation Act of 1994 until November 1, 1995, and for other purposes;

H.J. Res. 108. Joint resolution making continuing appropriations for the fiscal year 1996, and for other purposes; and

H. Con. Res. 104. Concurrent resolution providing for an adjournment of the two Houses.

¶123.37 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 144. An Act to amend section 526 of title 28, United States Code, to authorize awards of attorney's fees; to the Committee on the Judiciary.

S. 531. An Act to authorize a circuit judge who has taken part in an en banc hearing of a case to continue to participate in that case after taking senior status, and for other purposes; to the Committee on the Judiciary.

S. 977. An Act to correct certain references in the Bankruptcy Code; to the Committee on the Judiciary.

S. 1147. An Act to extend and reauthorize the Defense Production Act of 1950, and for other purposes; to the Committee on Banking and Finance.

¶123.38 ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2399. An Act to amend the Truth in Lending Act to clarify the intent of such Act and to reduce burdensome regulatory requirements on creditors; and

H.J. Res. 108. Joint resolution making continuing appropriations for the fiscal year 1996, and for other purposes.

¶123.39 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. FROST, for today;

To Mr. WALKER, for today;

To Mr. MCHUGH, for today;

To Mr. TEJEDA, after 3 p.m. September 28 and balance of the week; and To Mrs. COLLINS of Illinois, for today.

And then,

¶123.40 ADJOURNMENT

On motion of Mr. SHAYS, pursuant to the provisions of House Concurrent Resolution 104, at 7 o'clock and 26 minutes p.m., the House adjourned until 10 o'clock a.m. on Friday, October 6, 1995.

¶123.41 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1815. A bill to authorize appropriations for the National Oceanic and Atmospheric Administration for fiscal year 1996, and for other purposes; with an amendment (Rept. No. 104-237 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. QUILLEN: Committee on Rules. House Resolution 234. Resolution providing for consideration of the bill (H.R. 2405) to authorize appropriations for fiscal years 1996 and 1997 for civilian science activities of the Federal Government, and for other purposes (Rept. No. 104-270). Referred to the House Calendar.

Mr. LINDER: Committee on Rules. House Resolution 235. Resolution waiving points of order against the conference report to accompany the bill (H.R. 1976) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related agencies programs for the fiscal year ending September 30, 1996, and for other purposes (Rept. No. 104-271). Referred to the House Calendar.

Mr. MCCOLLUM: Committee on the Judiciary. H.R. 2259. A bill to disapprove certain sentencing guideline amendments (Rept. No. 104-272). Referred to the Committee of the Whole House on the State of the Union.

¶123.42 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker.

H.R. 1816. Referral to the Committee on Commerce extended for a period ending not later than November 1, 1995.

¶123.43 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ARCHER (for himself, Mr. BLILEY, Mr. BILIRAKIS, Mr. THOMAS, Mr. HYDE, Mr. GREENWOOD, Mr. HASTERT, Mrs. JOHNSON of Connecticut, and Mr. MCCREERY):

H.R. 2425. A bill to amend title XVIII of the Social Security Act to preserve and reform the Medicare Program; to the Committee on Ways and Means, and in addition to the Committees on Commerce, the Judiciary, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEPHARDT (for himself and Mr. TALENT):

H.R. 2426. A bill to amend the Tariff Act of 1930 with respect to the marking of door hinges; to the Committee on Ways and Means.