

Meehan Pomeroy Studts
 Meek Poshard Stupak
 Mfume Rahall Tejada
 Miller (CA) Rangel Thompson
 Mineta Richardson Thornton
 Minge Rivers Thurman
 Mink Roemer Torres
 Moran Ros-Lehtinen Towns
 Murtha Rose Velazquez
 Neal Roybal-Allard Vento
 Oberstar Rush Visclosky
 Obey Sabo Volkmer
 Olver Sanders Ward
 Ortiz Sawyer Waters
 Orton Schroeder Watt (NC)
 Owens Schumer Waxman
 Pallone Scott Wilson
 Pastor Serrano Wise
 Payne (NJ) Skaggs Wyden
 Payne (VA) Slaughter
 Pelosi Spratt
 Peters (FL) Stark
 Peterson (MN) Stokes Yates

NOT VOTING—16

Ackerman Moakley Torricelli
 Durbin Mollohan Tucker
 Fattah Nadler Waldholtz
 Jefferson Parker Williams
 Lantos Reynolds
 Menendez Sisisky

□ 1925

Mr. DOOLEY changed his vote from "aye" to "no."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SMALL BUSINESS CREDIT
EFFICIENCY ACT OF 1995

The SPEAKER pro tempore (Mr. DICKEY). The pending business is the question of suspending the rules and passing the bill, H.R. 2150, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Kansas [Mrs. MEYERS] that the House suspend the rules and pass the bill, H.R. 2150, as amended.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POSHARD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 405, nays 0, not voting 29, as follows:

[Roll No. 653]

YEAS—405

Abercrombie Berman Bunn
 Allard Bevell Bunning
 Andrews Bilbray Burr
 Archer Bilirakis Burton
 Arney Bishop Buyer
 Bachus Bliley Callahan
 Baker (CA) Blute Calvert
 Baker (LA) Boehlert Camp
 Baldacci Boehner Canady
 Ballenger Bonilla Cardin
 Barcia Bonior Castle
 Barr Bono Chabot
 Barrett (NE) Borski Chambliss
 Barrett (WI) Boucher Chapman
 Bartlett Brewster Chenoweth
 Barton Browder Christensen
 Bass Brown (CA) Chrysler
 Bateman Brown (FL) Clay
 Becerra Brown (OH) Clayton
 Beilenson Brownback Clement
 Bentsen Bryant (TN) Clinger
 Bereuter Bryant (TX) Clyburn

Coble Hastings (FL)
 Coburn Hastings (WA)
 Coleman Hayes
 Collins (IL) Hayworth
 Collins (MI) Hefley
 Combust Hefner
 Condit Heineman
 Conyers Herger
 Cooley Hilleary
 Costello Hilliard
 Cox Hinchey
 Coyne Hobson
 Cramer Hoekstra
 Crane Hoke
 Crapo Holden
 Cremeans Horn
 Cubin Hostettler
 Cunningham Houghton
 Danner Hoyer
 Davis Hunter
 de la Garza Hutchinson
 Deal Hyde
 Inglis
 Istook
 Jackson-Lee
 Jacobs
 Johnson (CT)
 Johnson (SD)
 Johnson, E. B.
 Johnson, Sam
 Johnston
 Jones
 Kanjorski
 Kaptur
 Kasich
 Kelly
 Kennedy (MA)
 Kennedy (RI)
 Kennelly
 Kildee
 Kim
 King
 Kingston
 Kleczka
 Klink
 Klug
 Knollenberg
 Kolbe
 LaFalce
 LaHood
 Largent
 Latham
 LaTourette
 Laughlin
 Lazio
 Leach
 Levin
 Lewis (CA)
 Lewis (GA)
 Lewis (KY)
 Lightfoot
 Lincoln
 Linder
 Lipinski
 LoBiondo
 Lofgren
 Longley
 Lowey
 Lucas
 Luther
 Maloney
 Manton
 Manzullo
 Markey
 Martinez
 Martini
 Mascara
 Matsui
 McCarthy
 McCollum
 McCrery
 McDermott
 McHale
 McHugh
 McNinis
 McIntosh
 McKeon
 McKinney
 McNulty
 Meehan
 Meek
 Metcalf
 Meyers
 Mfume
 Mica
 Miller (FL)
 Mineta
 Minge
 Mink

Taylor (MS)
 Taylor (NC)
 Tejada
 Thomas
 Thompson
 Thornberry
 Myrick
 Neal
 Nethercutt
 Neumann
 Ney
 Norwood
 Nussle
 Oberstar
 Obey
 Olver
 Ortiz
 Orton
 Owens
 Oxley
 Packard
 Pallone
 Pastor
 Paxon
 Payne (NJ)
 Payne (VA)
 Pelosi
 Peterson (FL)
 Peterson (MN)
 Petri
 Pickett
 Pombo
 Pomeroy
 Porter
 Portman
 Poshard
 Pryce
 Quillen
 Quinn
 Rahall
 Ramstad
 Rangel
 Reed
 Regula
 Richardson
 Riggs
 Rivers
 Roberts
 Roemer
 Rogers
 Rohrabacher
 Rose
 Roth
 Roybal-Allard
 Royce
 Rush
 Sabo
 Salmon
 Sanders
 Sanford
 Sawyer
 Saxton
 Scarborough
 Schaefer
 Schiff
 Schroeder
 Schumer
 Scott
 Seastrand
 Sensenbrenner
 Serrano
 Shadegg
 Shaw
 Shays
 Shuster
 Skaggs
 Skeen
 Skelton
 Slaughter
 Smith (MI)
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Solomon
 Souder
 Spence
 Spratt
 Stark
 Stearns
 Stenholm
 Stockman
 Stokes
 Studts
 Stump
 Stupak
 Talent
 Tanner
 Tate
 Tauzin

NOT VOTING—29

Ackerman McDade Ros-Lehtinen
 Baesler Menendez Roukema
 Collins (GA) Miller (CA) Sisisky
 Durbin Moakley Torricelli
 Edwards Mollohan Tucker
 Fattah Murtha Volkmer
 Furse Nadler Waldholtz
 Jefferson Parker Williams
 Lantos Radanovich Yates
 Livingston Reynolds

□ 1945

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mrs. MEYERS of Kansas. Mr. Speaker, on behalf of the gentleman from Illinois [Mr. FAWELL], I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1594, to place restrictions on the promotion by the Department of Labor and other Federal agencies and instrumentalities of economically targeted investments in connection with employee benefit plans.

The SPEAKER pro tempore (Mr. DICKEY). Is there objection to the request of the gentlewoman from Kansas?

There was no objection.

SMALL BUSINESS LENDING
ENHANCEMENT ACT OF 1995

Mrs. MEYERS of Kansas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate 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, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Kansas?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 895

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 "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 agreement 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) 2.5 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 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, 3.5 percent of the difference between—

“(I) \$750,000 or the total deferred participation share of the loan, whichever is less; 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.

“(C) DISCRETIONARY INCREASE.—Notwithstanding subparagraphs (A) and (B), during the 90-day period beginning on the first day of any fiscal year, the Administration may increase the guarantee fee collected under this paragraph by an amount not to exceed 0.375 percent of the total deferred participation share of the loan, if the Administration—

“(i) determines that such action is necessary to meet projected borrower demand for loans under this subsection during that fiscal year, based on the subsidy cost of the loan program under this subsection and amounts provided in advance for such program in appropriations Acts; and

“(ii) not less than 15 days prior to imposing any such increase, notifies the Committees on Small Business of the Senate and the House of Representatives of the determination made under clause (i).”

(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.

(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:

“(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) assess and collects a fee, which shall be payable by the borrower, in an amount equal to 0.0625 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”.

MOTION OFFERED BY MRS. MEYERS OF KANSAS

Mrs. MEYERS of Kansas. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. MEYERS of Kansas moves to strike out all after the enacting clause of the Senate bill, S. 895, and insert the text of H.R. 2150 as passed the House.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title of the Senate bill was amended so as to read: “A bill to amend the Small Business Act and the Small Business Investment Act of 1958 to reduce the cost to the Federal Government of guaranteeing certain loans and debentures, and for other purposes.”

A motion to reconsider was laid on the table.

A similar House bill (H.R. 2150) was laid on the table.

APPOINTMENT OF CONFEREES

Mrs. MEYERS of Kansas. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. MEYERS of Kansas moves that the House insist on its amendment to the Senate bill, S. 895, and request a conference with the Senate thereon.

The motion was agreed to.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

Mrs. MEYERS of Kansas; and Messrs. TORKILDSEN, LONGLEY, LAFALCE, and POSHARD.

PERMISSION FOR SUNDRY COMMITTEES AND THEIR SUBCOMMITTEES TO SIT TOMORROW, WEDNESDAY, SEPTEMBER 13, 1995, DURING THE 5-MINUTE RULE

Mr. GOSS. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit tomorrow while the House is meeting in the Committee of the Whole House under the 5-minute rule: The Committee on Commerce, the Committee on International Relations, the Committee on the Judiciary, the Committee on Resources, and the Committee on Small Business.