

Mr. YOUNG of Alaska: Committee on Resources. H.R. 2512. A bill to provide for certain benefits of the Missouri River basin Pick-Sloan project to the Crow Creek Sioux Tribe, and for other purposes; with amendments (Rept. 104-765). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 2438. A bill to provide for the conveyance of lands to certain individuals in Gunnison County, CO, and for other purposes; with an amendment (Rept. 104-766). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3642. A bill to provide for the transfer of public lands to certain California Indian Tribes (Rept. 104-767). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3903. A bill to require the Secretary of the Interior to sell the Sly Park Dam and Reservoir, and for other purposes; with an amendment (Rept. 104-768).

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1467. A act to authorize the construction of the Fort Peck Rural County Water Supply System, to authorize assistance to the Fort Peck Rural County Water District, Inc., a nonprofit corporation, for the planning, design, and construction of the water supply system, and for other purposes; with an amendment (Rept. 104-769). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3910. A bill to provide emergency drought relief to the city of Corpus Christi, TX, and the Canadian River Municipal Water Authority, Texas, and for other purposes; with an amendment (Rept. 104-770). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3537. A bill to improve coordination of Federal Oceanographic programs; with an amendment (Rept. 104-771, Pt. 1). Ordered to be printed.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 2122. A bill to designate the Lake Tahoe Basin National Forest in the States of California and Nevada to be administered by the Secretary of Agriculture, and for other purposes; with an amendment (Rept. 104-772, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. LINDER: Committee on Rules. House Resolution 516. Resolution providing for consideration of the bill (H.R. 3719) to amend the Small Business Act and the Small Business Investment Act of 1958 (Rept. 104-773). Referred to the House Calendar.

Mr. SOLOMON: Committee on Rules. House Resolution 517. Resolution providing for consideration of the bill (H.R. 3308) to amend title 10, United States Code, to limit the placement of United States forces under United Nations operational or tactical control, and for other purposes (Rept. 104-774). Referred to the House Calendar.

#### DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X the Committee on Agriculture discharged from further consideration. H.R. 2122 referred to the Committee of the Whole House on the State of the Union.

#### BILLS PLACED ON THE CORRECTIONS CALENDAR

Under clause 4 of rule XIII, the Speaker filed with the Clerk a notice requesting that the following bills be placed upon the Corrections Calendar:

H.R. 3056. A bill to permit a county-operated health insuring organization to qualify as an organization exempt from certain requirements otherwise applicable to health insuring organizations under the Medicaid program notwithstanding that the organization enrolls Medicaid beneficiaries residing in another county.

#### TIME LIMITATION OF REFERRED BILL

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

H.R. 2122. Referral to the Committee on Agriculture extended for a period ending not later than September 4, 1996.

H.R. 3537. Referral to the Committees on National Security and Science extended for a period ending not later than October 4, 1996.

#### 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. YOUNG of Alaska:

H.R. 4018. A bill to make technical corrections in the Federal Oil and Gas Royalty Management Act of 1982; to the Committee on Resources.

By Mr. BILBRAY:

H.R. 4019. A bill to amend the Fair Housing Act, and for other purposes; to the Committee on the Judiciary.

By Mrs. CUBIN:

H.R. 4020. A bill to provide for the retention of the name of the mountain at the Devils Tower National Monument in Wyoming known as Devils Tower; to the Committee on Resources.

By Mr. NEY (for himself and Mr. TRAFICANT):

H.R. 4021. A bill to authorize the Secretary of the Army to convey certain real properties of the Corps of Engineers in the State of Ohio to local governments of the State of Ohio; to the Committee on Transportation and Infrastructure.

By Mr. STARK:

H.R. 4022. A bill to amend title XVIII of the Social Security Act to reduce the Medicare payment for general overhead costs of transplant centers in acquiring organs for transplant from organ procurement organizations; to the Committee on Ways and Means.

By Mr. STUPAK (for himself, Mr. KNOLLENBERG, Mr. UPTON, Mr. BARCIA of Michigan, Ms. RIVERS, Mr. CHRYSLER, Mr. LEVIN, Mr. EHLERS, Mr. HOEKSTRA, and Mr. DINGELL):

H.R. 4023. A bill to amend act of October 21, 1970, establishing the Sleeping Bear Dunes National Lakeshore to permit certain persons to continue to use and occupy certain areas within the lakeshore, and for other purposes; to the Committee on Resources.

By Mr. MOORHEAD:

H.J. Res. 189. Joint resolution granting the consent of Congress to the Interstate Insurance Receivership Compact; to the Committee on the Judiciary.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DICKEY:

H.R. 4024. A bill to require approval of an application for compensation for the death

of Wallace B. Sawyer, Jr.; to the Committee on the Judiciary.

By Mr. FORBES:

H.R. 4025. A bill for the relief of the estate of Gail E. Dobert; to the Committee on the Judiciary.

#### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 43: Mr. BROWN of California and Ms. MCKINNEY.

H.R. 488: Mr. MARKEY and Mr. GILCHREST.

H.R. 540: Mr. MANZULLO.

H.R. 573: Mr. EVANS.

H.R. 863: Mr. COYNE.

H.R. 941: Mr. GILMAN and Ms. DELAURO.

H.R. 972: Mr. BARRETT of Nebraska and Mr. COMBEST.

H.R. 1073: Mr. MCHUGH, Mr. MASCARA, Mr. KOLBE, Mr. FORBES, and Mr. GILMAN.

H.R. 1074: Mr. MCHUGH, Mr. LEWIS of Georgia, Mr. MASCARA, Mr. KOLBE, Mr. FORBES, Mr. GILMAN, and Mr. COBURN.

H.R. 1078: Mr. LEWIS of Georgia.

H.R. 1100: Ms. NORTON, Mr. BLUMENAUER, Ms. DELAURO, Mr. ORTON, and Mr. GREEN of Texas.

H.R. 1363: Mr. LIPINSKI.

H.R. 1406: Ms. MILLENDER-MCDONALD, Mr. CONYERS, Mr. BURTON of Indiana, and Mr. PASTOR.

H.R. 1884: Mr. BROWN of California.

H.R. 2011: Mr. BARCIA of Michigan, Mr. DOYLE, Mr. NORWOOD, and Mr. HOBSON.

H.R. 2200: Mr. SMITH of Texas and Mr. SCARBOROUGH.

H.R. 2209: Mr. BAKER of Louisiana, Mr. SAWYER, Mr. GUNDERSON, Ms. KAPTUR, and Mr. NEAL of Massachusetts.

H.R. 2247: Mr. LEACH.

H.R. 2579: Mr. CUMMINGS.

H.R. 2654: Mr. MARTINEZ.

H.R. 2748: Mr. GILMAN, Mr. HINCHEY, Mr. BROWN of California, and Mr. LANTOS.

H.R. 2751: Ms. BROWN of Florida.

H.R. 2827: Ms. FURSE.

H.R. 2864: Mr. BEREUTER.

H.R. 2900: Mr. DEAL of Georgia, Mr. GUTKNECHT, Mr. MORAN, Mr. CRAMER, Mr. SANDERS, Mr. TRAFICANT, Mr. BARR, and Mr. BROWNBACK.

H.R. 2943: Mr. PETRI.

H.R. 3012: Mr. HINCHEY, Mr. STOKES, Ms. RIVERS, Ms. ROYBAL-ALLARD, Mrs. MORELLA, Ms. ESHOO, Mr. DIXON, Mr. HUTCHINSON, and Mr. CREMEANS.

H.R. 3067: Mr. BILBRAY.

H.R. 3077: Mr. MCCOLLUM, Mr. WELLER, and Mr. LEACH.

H.R. 3119: Mr. HINCHEY.

H.R. 3123: Mr. STEARNS.

H.R. 3178: Ms. MILLENDER-MCDONALD and Mr. MATSUI.

H.R. 3226: Mr. PAYNE of New Jersey, Mr. HASTINGS of Florida, Mr. ENGEL, Mr. BRYANT of Texas, Mr. PALLONE, Mr. METCALF, Mr. QUINN, Mr. FRANK of Massachusetts, and Mr. CLEMENT.

H.R. 3307: Mr. STENHOLM.

H.R. 3385: Mr. COBLE.

H.R. 3393: Mr. NADLER.

H.R. 3401: Mr. LANTOS, Mr. BAKER of Louisiana, and Mr. DEUTSCH.

H.R. 3427: Mr. BLUTE.

H.R. 3447: Mr. MCCOLLUM and Mr. BILIRAKIS.

H.R. 3460: Mr. PICKETT.

H.R. 3565: Mr. BAKER of Louisiana, Mr. KLUG, and Mr. OXLEY.

H.R. 3580: Mr. BEREUTER and Mr. SMITH of Texas.

H.R. 3591: Mr. WAXMAN, Mr. BROWN of California, Mr. FILNER, Mr. MARTINEZ, and Mr. FAZIO of California.

H.R. 3631: Mr. TOWNS, Mr. BENTSEN, Mr. THOMPSON, Mr. COLEMAN, Mr. DEUTSCH, Mr. PORTER, Mr. DICKS, Mr. CLAY, Mr. HERGER, and Mr. QUILLLEN.

H.R. 3652: Mr. SHAYS, Mr. DELLUMS, and Mr. STARK.

H.R. 3688: Mr. FAZIO of California.

H.R. 3714: Mr. MENENDEZ, Mr. MINGE, Mr. McDERMOTT, Mr. LEWIS of Georgia, Mr. STUPAK, Mr. FAZIO of California, Mr. STUMP, Mr. OLVER, Mr. FILNER, Mr. GEJDENSON, Mr. LAFALCE, Mr. HOBSON, and Mr. WILLIAMS.

H.R. 3724: Mr. BAKER of Louisiana.

H.R. 3747: Mr. CLYBURN, Ms. NORTON, and Mr. FRAZER.

H.R. 3748: Ms. FURSE, Mr. FATTAH, Mr. BALDACCI, and Mr. ROMERO-BARCELO.

H.R. 3784: Mr. ZIMMER.

H.R. 3793: Mr. ACKERMAN.

H.R. 3839: Mr. LANTOS and Mr. DOYLE.

H.R. 3852: Mr. FAZIO of California, Mr. COBLE, Mr. CANADY, Mr. NETHERCUTT, and Mr. SOLOMON.

H.R. 3896: Mr. ACKERMAN.

H.R. 3908: Mr. HEINEMAN.

H.R. 3917: Mr. STARK, Mr. BEILENSEN, Ms. LOFGREN, Mr. LEWIS of Georgia, Mrs. LOWEY, and Mr. SCHUMER.

H.R. 3920: Ms. FURSE, Mr. SANDERS, and Mr. DEFazio.

H.R. 3928: Mr. FARR.

H.R. 3942: Mr. ROEMER, Mr. RAHALL, Mr. NORWOOD, Mr. STUPAK, Mr. HAMILTON, and Mr. WISE.

H.R. 3963: Mr. BAKER of Louisiana, Mr. BE-REUTER, and Mr. BENTSEN.

H.R. 4011: Mr. COLLINS of Georgia, Mr. MARTINI, Mr. BASS, Mr. BARRETT of Nebraska, Mr. GANSKE, Mr. KOLBE, and Ms. DUNN of Washington.

H.J. Res. 174: Mr. TATE.

H. Con. Res. 120: Mr. LANTOS and Mr. MAN-  
TON.

H. Con. Res. 199: Mr. BROWN of California, Ms. NORTON, Mrs. MINK of Hawaii, Mr. FILNER, Mr. ACKERMAN, Mr. HILLIARD and Mr. DAVIS.

H. Res. 413: Mr. HUTCHINSON.

H. Res. 515: Mr. HALL of Ohio, Mr. FRANKS of NEW JERSEY, Mr. FROST, Mr. CUNNINGHAM, Mr. DAVIS, Mr. MANZULLO, and Mr. STEARNS.

## AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 3719

OFFERED BY: MR. LAFALCE

AMENDMENT No. 1: Page 7, line 24, strike "3" and insert "7".

Page 9, line 8, strike "after August 1, 1996".

Page 9, line 11, after "lenders" insert "unless the Administrator determines that the lender, on a case by case basis, has undertaken other agreements which retain an acceptable exposure to loss by the lender in the event of default of a loan being securitized".

H.R. 3719

OFFERED BY: MR. LAFALCE

AMENDMENT No. 2: Page 17, line 9, after "percent" insert "but not to exceed 6 per centum per annum".

H.R. 3719

OFFERED BY: MR. LAFALCE

AMENDMENT No. 3: Page 33, line 18, strike "0.8125" and insert "0.9375".

H.R. 3719

OFFERED BY: MR. LAFALCE

AMENDMENT No. 4: Page 37, strike lines 17 and 18 and insert the following:

"(3) have a minimum of 2 years experience, in liquidating".

Page 38, line 5, after "funds" insert " , subject to such company obtaining prior written

approval from the Administrator before committing the agency to purchase any other indebtedness secured by the property".

Page 38, line 8, after "practices" insert "pursuant to a liquidation plan approved by the Administrator in advance of its implementation".

H.R. 3719

OFFERED BY: MR. LAFALCE

AMENDMENT No. 5: Page 42, after line 8 insert the following:

### SEC. 207. DEFINITIONS.

(a) SMALL BUSINESS CONCERN.—Section 103(5) (15 U.S.C. 662(5)) is amended by inserting before the semicolon the following: " , except that, for the purposes of this Act, an investment by a venture capital firm, investment company (including a small business investment company) employee welfare benefit plan or pension plan, or trust, foundation, or endowment that is exempt from Federal income taxation—

"(A) shall not cause a business concern to be deemed not independently owned and operated;

"(B) shall be disregarded in determining whether a business concern satisfies size standards established pursuant to section 3(a)(2) of the Small Business Act; and

"(C) shall be disregarded in determining whether a small business concern is a smaller enterprise".

(b) PRIVATE CAPITAL.—Section 103(9) (15 U.S.C. 662(9)) is amended to read as follows:

"(9) the term 'private capital'—

"(A) means the sum of—

"(i) the paid-in capital and paid-in surplus of a corporate licensee, the contributed capital of the partners of a partnership licensee, or the equity investment of the members of a limited liability company licensee; and

"(ii) unfunded binding commitments, from investors that meet criteria established by the Administrator, to contribute capital to the licensee; provided that such unfunded commitments may be counted as private capital for purposes of approval by the Administrator of any request for leverage, but leverage shall not be funded based on such commitments; and

"(B) does not include any—

"(i) funds borrowed by a licensee from any source;

"(ii) funds obtained through the issuance of leverage; or

"(iii) funds obtained directly or indirectly from any Federal, State, or local government, or any government agency or instrumentality, except for—

"(I) funds invested by an employee welfare benefit plan or pension plan; and

"(II) any qualified nonprivate funds (if the investors of the qualified nonprivate funds do not control, directly or indirectly, the management, board of directors, general partners, or members of the licensee);".

(c) NEW DEFINITIONS.—Section 103 (15 U.S.C. 662) is amended by striking paragraph (10) and inserting the following:

"(10) the term 'leverage' includes—

"(A) debentures purchased or guaranteed by the Administration;

"(B) participating securities purchased or guaranteed by the Administration; and

"(C) preferred securities outstanding as of October 1, 1996;

"(11) the term 'third party debt' means any indebtedness for borrowed money, other than indebtedness owed to the Administration;

"(12) the term 'smaller enterprise' means any small business concern that, together with its affiliates—

"(A) has—

"(i) a net financial worth of not more than \$6,000,000, as of the date on which assistance is provided under this Act to that business concern; and

"(ii) an average net income for the 2-year period preceding the date on which assistance is provided under this Act to that business concern, of not more than \$2,000,000, after Federal income taxes (excluding any carryover losses); or

"(B) satisfies the standard industrial classification size standards established by the Administration for the industry in which the small business concern is primarily engaged;

"(13) the term 'qualified nonprivate funds' means any—

"(A) funds directly or indirectly invested in any applicant or licensee on or before August 16, 1982, by any Federal agency, other than the Administration, under a provision of law explicitly mandating the inclusion of those funds in the definition of the term 'private capital';

"(B) funds directly or indirectly invested in any applicant or licensee by any Federal agency under a provision of law enacted after September 4, 1992, explicitly mandating the inclusion of those funds in the definition of the term 'private capital'; and

"(C) funds invested in any applicant or licensee by one or more State or local government entities (including any guarantee extended by those entities) in an aggregate amount that does not exceed 33 percent of the private capital of the applicant or licensee;

"(14) the terms 'employee welfare benefit plan' and 'pension plan' have the same meanings as in section 3 of the Employee Retirement Income Security Act of 1974, and are intended to include—

"(A) public and private pension or retirement plans subject to such Act; and

"(B) similar plans not covered by such Act that have been established and that are maintained by the Federal Government or any State or political subdivision, or any agency or instrumentality thereof, for the benefit of employees;

"(15) the term 'member' means, with respect to a licensee that is a limited liability company, a holder of an ownership interest or a person otherwise admitted to membership in the limited liability company; and

"(16) the term 'limited liability company' means a business entity that is organized and operating in accordance with a State limited liability company statute approved by the Administration.".

### SEC. 208. ORGANIZATION OF SMALL BUSINESS INVESTMENT COMPANIES.

(a) LIMITED LIABILITY COMPANIES.—Section 301(a) (15 U.S.C. 681(a)) is amended in the first sentence, by striking "body or" and inserting "body, a limited liability company, or".

(b) ISSUANCE OF LICENSE.—Section 301(c) (15 U.S.C. 681(c)) is amended to read as follows:

"(c) ISSUANCE OF LICENSE.—

"(I) SUBMISSION OF APPLICATION.—Each new applicant for a license to operate as a small business investment company under this Act shall submit to the Administrator an application, in a form and including such documentation as may be prescribed by the Administrator.

"(2) PROCEDURES.—

"(A) STATUS.—Not later than 90 days after the initial receipt by the Administrator of an application under this subsection, the Administrator shall provide the applicant with a written report detailing the status of the application and any requirements remaining for completion of the application.

"(B) APPROVAL OR DISAPPROVAL.—Within a reasonable time after receiving a completed application submitted in accordance with this subsection and in accordance with such requirements as the Administrator may prescribe by regulation, the Administrator shall—

"(i) approve the application and issue a license for such operation to the applicant if