Mr. FAZIO of California. Mr. Speaker, will the gentleman yield?

Mr. ARMEY. I yield to the gentleman from California.

Mr. FAZIO of California. Mr. Speaker, is it the gentleman's intention that the House be in recess at that time while we await the other body's deliberations?

Mr. ARMEY. Mr. Speaker, reclaiming my time, we have a few items of business that we can conclude. If, in fact, we conclude these items before we hear from the other body, then we would probably have to go into a recess.

Mr. FAZIO of California. Mr. Speaker, if the gentleman will continue to yield, does the gentleman want to tell the Members what might come up, what other issues might be coming before us as we kill time?

Mr. ARMEY. Mr. Speaker, I appreciate the gentleman asking. We will be naming some conferees and we will have a few unanimous-consent requests, but there, quite frankly, should be very little, and possibly no floor votes, until we hear back from the other body.

Mr. FAZIO of California. The gentleman would not expect to have any votes, but Members need to keep in touch with the floor in case there does need to be additional action based on the Senate's failure to agree with the CR as is.

Mr. ARMEY. The gentleman is correct. We will share information through the two leadership teams and the whip notice and get as much information to the Members as soon as we get it.

Mr. FAZIO of California. I am sure we all appreciate that.

□ 1500

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 359

Mr. NADLER. Mr. Speaker, I ask unanimous consent to remove my name as a sponsor of H.R. 359.

The SPEAKER pro tempore (Mr. LINDER). Is there objection to the request of the gentleman from New York?

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 4, PERSONAL RESPONSIBILITY ACT OF 1995

Mr. ARCHER. Mr. Speaker, pursuant to clause 1 of rule XX, and by the direction of the Committee on Ways and Means, I move to take from the Speaker's table the bill (H.R. 4) to restore the American family, reduce illegitimacy, control welfare spending and reduce welfare dependents, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. ARCHER].

The motion was agreed to.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. ARCHER, GOODLING, ROBERTS, SHAW, TALENT, NUSSLE, HUTCHINSON, MCCRERY, SMITH of Texas, and Mrs. JOHNSON of Connecticut, and Messrs. CAMP, FRANKS of Connecticut, GIBBONS, CLAY, DE LA GARZA, CONYERS, FORD, WAXMAN, MILLER of California, and Mrs. KENNELLY, Mr. LEVIN and Mrs. LINCOLN.

There was no objection.

PERMISSION FOR COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE TO HAVE UNTIL 5 P.M. FRIDAY, OCTOBER 6, 1995, TO FILE A REPORT ON H.R. 2149, OCEAN SHIPPING REFORM ACT OF 1995

Mr. COBLE. Mr. Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure may have until 5 p.m. on Friday, October 6, 1995, to file a report on H.R. 2149.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

CORRECTING THE ENROLLMENT OF H.R. 402, ALASKA NATIVE CLAIMS SETTLEMENT ACT AMENDMENTS

Mr. LONGLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate concurrent resolution (S. Con. Res. 27) correcting the enrollment of H.R. 402, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

The Clerk read the Senate concurrent resolution, as follows:

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.".

AMENDMENT OFFERED BY MR. LONGLEY

Mr. LONGLEY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LONGLEY:

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".

Mr. LONGLEY (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

(Mr. LONGLEY asked and was given permission to revise and extend his remarks, and to include extraneous material.)

Mr. LONGLEY. Mr. Speaker, I include for the RECORD a letter from Michael J. Schneider regarding this matter.

LAW OFFICES OF
MICHAEL J. SCHNEIDER, P.C.,
Anchorage, AK, September 28, 1995.

Re Leisnoi, Inc., eligibility legislation (S537/HR402 Sec. 109).

Mr. DAN KISH,
Staff Director, Office of Congressman Don Young, U.S. Congress, Rayburn House Office Building, Washington, DC.

DEAR MR. KISH: If S537/HR402, in its present form, is signed by the President, it will spell the death of our litigation against Leisnoi. Even if the bill becomes law, it will take a couple of years for the case to be wrapped up. The Lis Pendens regarding Termination Point will stay in place to that point in time. This will preclude any possibility of selling Termination Point to the EVOS trustees. The trustees will have spent their money elsewhere by then.

We want the public to acquire Termination Point. Therefore, if Section 109 of this legislation can be completely eliminated and Leisnoi's eligibility thus left to the courts, already poised to decide it in the near future, we will abandon our current demand that Termination Point proceeds be escrowed pending the outcome of Leisnoi's eligibility fight.

I have Mr. Statman's specific authority to bind him to the proposal above, and do so by my signature below.

Sincerely yours,

MICHAEL J. SCHNEIDER.

Mr. MILLER of California. Mr. Speaker, I support the amendment offered by the gentleman from Alaska to delete section 109 of H.R. 402. That language was added by the other body without public hearings and was intended to intervene in pending litigation. But the Senate did not do their homework. This provision generated significant controversy, especially amongst the affected citizens of Kodiak, AK. Moreover, this technical amendments bill was an inappropriate vehicle for controversy. The gentleman from Alaska and I had worked over two Congresses to develop a consensus on this legislation only to be undercut, in my view, by the other body.

I am especially pleased that, if this amendment passes, the plaintiff in this litigation has agreed to lift a claim to lands on Kodiak which are sought for acquisition by the Exxon Valdez Trustee Council.

The SPEAKER pro tempore. The question is on the amendment offered

by the gentleman from Maine [Mr. LONGLEY].

The amendment was agreed to.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 390

Mr. BARRETT of Wisconsin. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 390.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

CONFERENCE REPORT ON S. 895, SMALL BUSINESS LENDING ENHANCEMENT ACT OF 1995

Mrs. MEYERS of Kansas. Mr. Speaker, I ask unanimous consent that it be in order to immediately consider the conference report to accompany 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, that the conference report be considered as read, and that debate thereon be limited to 10 minutes, equally divided and controlled by the gentleman from Missouri [Mr. SKELTON] and myself.

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

There was no objection.

Mrs. MEYERS of Kansas. Mr. Speaker, pursuant to the unanimous consent request just agreed to, I call up the conference report on 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.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Pursuant to the unanimous-consent request, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Thursday, September 28, 1995, at page H9638.)

The SPEAKER pro tempore. Pursuant to the unanimous consent request, the gentlewoman from Kansas [Mrs. MEYERS] will be recognized for 5 minutes, and the gentleman from Missouri [Mr. SKELTON] will be recognized for 5 minutes.

The Chair recognizes the gentlewoman from Kansas [Mrs. MEYERS].

Mrs. MEYERS of Kansas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the conference report on S. 895, the Small Business Lending Enhancement Act of 1995. This report reflects a strong bipartisan effort to strengthen and reduce the cost of two of the Small Business Administration's most important lending programs, the 7(a) Guaranteed Loan Program and the 504 Certified Development Company Program. All of the conferees, and indeed, all of the Small Business Committee members in both Chambers recognized that we were faced with a difficult balancing act. The task we faced was to meet the mandate of reducing the cost of these vital programs without unduly penalizing the small business borrower. Not only have we accomplished this task, through a modest increase in fees, but we will be able to assist more small businesses with their capital needs with significantly fewer appropriated dollars.

In the case of the 7(a) program, we have reduced its subsidy cost from $2.74 per hundred dollars of loan guaranteed down to $1.06, a reduction of approximately 60 percent. We have spilt the increase costs between the lender and the borrower. In addition, we have reduced the Government's risk by limiting the guarantee percentage to a maximum of 75 percent for loans over $100,000, and a maximum of 80 percent for loans under $100,000. Private lending institutions will share a greater portion of the risk, insuring sound underwriting standards.

Turning to the 504 Certified Development Company Program, which provides funding for real estate and capital asset acquisition—our bricks-and-mortar lending program, we have made it entirely self-funding through the imposition of a one-eighth of a point interest rate increase. With a zero subsidy rate, no appropriated dollars will be required to operate this program.

In addition, the conferees agreed to accept a provision from the Senate bill to extend the Preferred Surety Bond Guarantee Program. This program, which would expire at the end of this fiscal year without an extension, provides expedited service for small business contractors who need bonding to get contracts, and I am pleased that we are able to continue this much-needed program.

While I don't intend to make lengthy remarks about legislation that is a model of bipartisan cooperation and so devoid of controversy, I would like to address an issue that was discussed at some length in our committee markup, but which was absent from both House and Senate bills. This issue is whether or not we should carve out an exception to the 75- and 80-percent guarantee levels for small business loans, and retain a 90-percent guarantee for the Export Working Capital Loan. I feel strongly, as I believe others in the House and in the other body feel, that a 90-percent guarantee is imprudent.

The Small Business Administration and our committee's distinguished ranking member, Mr. LAFALCE, argued that the SBA's Export Working Capital Loan Program had been harmonized with Ex-Im bank's program both carrying 90-percent Government guarantees, and that changing SBA's guarantee would cause great harm to these harmonization efforts. A majority of both the House and Senate Small Business Committee members did not agree, and no provision keeping the 90-percent guarantee was included either S. 895 or H.R. 2150, making it a nonconference item. However, in recognition of the fact that the guarantee rate for the SBA's export working capital loans will now be lower than Ex-Im's, the conferees have called for a study of the impact of the lower guarantee rate on small businesses in the export market. This study should help us assess whether or not the 90-percent guarantee is vital to these loans, or whether Ex-Im should consider bringing their guarantee rates in line with the SBA's, again creating a harmonized program.

Mr. Speaker, this conference report is good for small business, good for the taxpayer, and, as I previously mentioned, a model of the bipartisan cooperation that traditionally graces the work of the Small Business Committee. I would like to thank our ranking member, Mr. LAFALCE, in particular, for his efforts on this legislation, and I strongly urge the adoption of this important measure.

Mr. Speaker, I reserve the balance of my time.

Mr. SKELTON. Mr. Speaker, I yield myself such time as I may consume.

(Mr. SKELTON asked and was given permission to revise and extend his remarks.)

Mr. SKELTON. Mr. Speaker, I rise in support of the conference report on S. 895, the Small Business Lending Enhancement Act of 1995.

The main purpose of this legislation is to adjust the fees and guaranty levels of two Small Business Administration loan programs—steps I reluctantly agree to in order to make the insufficient appropriation level accorded these programs go as far as possible in meeting the credit needs of the small business community. Under current fee and percentage guarantee schedules, the SBA would only be able to approve a small percentage of the loan applications it anticipates receiving in the next fiscal year, given appropriation projections.

Yes, reducing the percentage of an SBA loan which the Federal Government guarantees and raising the fees charged to the borrower and lender will lower the cost of the program to the Federal Government, but another price will be paid in the process. Smaller loans will be more expensive for the borrower and may mean that some small businesses will not be able to turn to this lender of last resort, the SBA Guaranty Program. These changes will also make the loans less profitable for lenders, which may mean that fewer of them will be willing to participate in this program and the options available to the small business person will lessen in this way also.