

EC-1994. A communication from the Chairman of the Federal Maritime Commission, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1995; to the Committee on the Judiciary.

EC-1995. A communication from the Chairman of the Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1995; to the Committee on the Judiciary.

EC-1996. A communication from the Copyright Office of the Library of Congress, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1995; to the Committee on the Judiciary.

EC-1997. A communication from the Director of the U.S. Information Agency, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1995; to the Committee on the Judiciary.

EC-1998. A communication from the General Counsel and Corporation Secretary of the Legal Services Corporation, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1995; to the Committee on the Judiciary.

EC-1999. A communication from the Director (Operations and Finance), American Battle Monuments Commission, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1995; to the Committee on the Judiciary.

EC-2000. A communication from the Chair of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1995; to the Committee on the Judiciary.

EC-2001. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1995; to the Committee on the Judiciary.

EC-2002. A communication from the Assistant Attorney General, transmitting, a draft of proposed legislation entitled "Act to Improve the Treatment of and Security For Certain Persons Found Not Guilty By Reason of Insanity In the District of Columbia"; to the Committee on the Judiciary.

EC-2003. A communication from the Attorney General, transmitting, pursuant to law, a report relative to the Telecommunications Act of 1996; to the Committee on the Judiciary.

EC-2004. A communication from the U.S. Trade Representative, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1995; to the Committee on the Judiciary.

EC-2005. A communication from the Director (Government Relations) of the Girl Scouts, transmitting, pursuant to law, the report of work and activities for fiscal year 1995; to the Committee on the Judiciary.

EC-2006. A communication from the Chief Justice of the Supreme Court, transmitting, pursuant to law, the report of the proceedings of the Judicial Conference; to the Committee on the Judiciary.

EC-2007. A communication from the Register of Copyrights, transmitting, pursuant to law, the report entitled "Waiver of Moral Rights In Visual Artworks"; to the Committee on the Judiciary.

EC-2008. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report entitled "International Narcotics Control Strategy: 1996"; to the Committee on the Judiciary.

EC-2009. A communication from the Director of the Office of Personnel Management,

transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1995; to the Committee on the Judiciary.

EC-2010. A communication from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1995; to the Committee on the Judiciary.

EC-2011. A communication from the Marshall of the Supreme Court, transmitting, pursuant to law, the annual report for the period February 15, 1995 to February 15, 1996; to the Committee on the Judiciary.

REPORTS OF COMMITTEE

The following reports of committee were submitted:

By Mr. HATFIELD, from the Committee on Appropriations:

Special Report entitled "Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 1996" (Rept. No. 104-238).

By Mr. HATCH, from the Committee on the Judiciary:

Report to accompany the bill (S. 605) to establish a uniform and more efficient Federal process for protecting property owners' rights guaranteed by the fifth amendment (Rept. 104-239).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Ms. SNOWE (for herself and Mr. COHEN):

S. 1602. A bill to amend the Plant Variety Protection Act to provide plant variety protection to a tuber propagated plant variety if the variety has not been sold or otherwise disposed of in any area outside the United States for more than a period determined by the Secretary of Agriculture and the variety receives plant variety protection in any area outside the United States, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KERRY (for himself and Mr. LAUTENBERG):

S. 1603. A bill to amend the Small Business Act concerning the level of participation by the Small Business Administration in loans guaranteed under the Export Working Capital Program; to the Committee on Small Business.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KERRY (for himself and Mr. LAUTENBERG):

S. 1603. A bill to amend the Small Business Act concerning the level of participation by the Small Business Administration in loans guaranteed under the Export Working Capital Program; to the Committee on Small Business.

SMALL BUSINESS ADMINISTRATION CORRECTIONS LEGISLATION

• Mr. KERRY. Mr. President, today I am introducing legislation intended to

correct a problem created last October when Congress passed S. 895, to strengthen and reduce the cost of the Small Business Administration's (SBA) 7(a) Guaranteed Loan Program and the 504 Certified Development Company Program. My bill will restore a level playing field in Federal export financing between small and large exporters and help assure small businesses do not lose export opportunities just because they cannot get the financing they need from banks.

S. 895, developed in response to a growing demand for SBA's 7(a) loan guarantees, expanded the amount of loan guarantee funding available to small businesses by decreasing the share of the guarantee for which the Federal Government is responsible from the then-current 90 percent to a maximum of 80 percent for loans of \$100,000 or less, and to a maximum of 75 percent for loans from \$100,000 to \$750,000. As a subset of the 7(a) program, SBA's Export Working Capital Guarantee Program [EWCP] also had its Government loan guarantee portion adjusted downward. While equalizing the difference between the terms for regular 7(a) loan guarantees and export guarantees, this change penalized small business exporters vis-a-vis their larger counterparts: smaller exporters now receive less favorable financing terms through SBA than big exporters receive through the Export-Import Bank [Ex-Im Bank].

This change comes just 1 year after the SBA and Ex-Im Bank, in response to a directive from the Trade Policy Coordinating Committee [TPCC], had harmonized their export terms to provide a consistent 90 percent loan guarantee rate regardless of the size of the loan. The TPCC endorsed the harmonization to streamline the comparative strengths of Ex-Im Bank and SBA into a single U.S. Government program for the small and medium sized exporter. Through its many local offices, SBA is well positioned to provide assistance to small businesses at the local level. Ex-Im Bank, on the other hand, has only five regional offices and few personnel versed in the needs of small business.

Lenders obviously choose how to allocate their resources based upon the likely return of one transaction versus another. So, while small business working capital requirements tend to be relatively small in dollar amount terms—for example, \$25,000 to \$500,000—the amount of expenses/overhead devoted to a small transaction is the same as it would be for larger transactions—for example, more than \$2 million. In addition, banks will avoid taking foreign lending risk if coverage is reduced. Banking practices are different for domestic lending and foreign lending. Banks will include almost any current domestic receivable in the borrowing base of the customer eligible for financing, but they will not include foreign receivables because they are perceived to be higher risks. SBA's EWCP converts foreign receivables into