

Transmitting the annual report on the administration of the Federal Railroad Safety Act of 1970; referred to the Committee on Commerce, Science, and Transportation. (PM-30) Page S3679

Nominations Received: Senate received the following nominations:

- 18 Air Force nominations in the rank of general.
- 2 Army nominations in the rank of general.
- Routine lists in the Air Force, Navy.

Pages S3687-89

Messages From the President: Page S3679

Communications: Pages S3679-80

Executive Reports of Committees: Page S3680

Statements on Introduced Bills: Pages S3680-81

Additional Cosponsors: Page S3681

Amendments Submitted: Pages S3682-83

Authority for Committees: Page S3683

Additional Statements: Pages S3683-85

Recess: Senate convened at 10:30 a.m., and recessed at 7:09 p.m., until 9:30 a.m., on Thursday, March 9, 1995. (For Senate's program, see the remarks of the Majority Leader in today's RECORD on page S3687.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—AGRICULTURE

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, and Related Agencies held hearings on proposed budget estimates for fiscal year 1996 for rural economic and community development programs of the Department of Agriculture, receiving testimony from Michael V. Dunn, Acting Under Secretary of Small Community and Rural Development, Wally Beyer, Administrator, Rural Utilities Service, Maureen A. Kennedy, Acting Administrator, Rural Housing and Community Development Service, Dayton J. Watkins, Acting Administrator, Rural Business and Cooperative Development Service, and Stephen B. Dewhurst, Director, Office of Budget and Program Analysis, all of the Department of Agriculture.

Subcommittee will meet again on Wednesday, March 15.

APPROPRIATIONS—FOREIGN ASSISTANCE

Committee on Appropriations: Subcommittee on Foreign Operations held hearings on proposed budget estimates for fiscal year 1996 for certain international organizations and programs, receiving testimony

from Madeleine K. Albright, United States Permanent Representative to the United Nations.

Subcommittee recessed subject to call.

APPROPRIATIONS—GEOLOGICAL SURVEY

Committee on Appropriations: Subcommittee on the Interior and Related Agencies held hearings on proposed budget estimates for fiscal year 1996 for the United States Geological Survey, receiving testimony from Gordon Eaton, Director, U.S. Geological Survey, Department of the Interior.

Subcommittee will meet again on Wednesday, March 15.

CORPORATE CREDIT UNION SYSTEM

Committee on Banking, Housing, and Urban Affairs: Committee concluded oversight hearings on the status of the corporate credit union system, after receiving testimony from Norman E. D'Amours, Chairman, National Credit Union Administration; James L. Bothwell, Director, Financial Institutions and Markets Issues, General Government Division, General Accounting Office; James R. Bell, U.S. Central Credit Union, Overland Park, Kansas; Albert E. DePrince, Middle Tennessee State University, Nashville; and Edward J. Fox, Mid-Atlantic Corporate Federal Credit Union, Harrisburg, Pennsylvania.

DOMESTIC PETROLEUM PRODUCTION

Committee on Energy and Natural Resources: Committee concluded hearings to examine the current situation and outlook for United States oil and gas production and imports and implications for national security, after receiving testimony from William H. White, Deputy Secretary of Energy; Charles J. DiBona, on behalf of the American Petroleum Institute and the Rocky Mountain Oil and Gas Association, and William L. Randol, Salomon Brothers, Inc., both of Washington, D.C.; John Elting Treat, Booz-Allen & Hamilton, Inc., Falls Church, Virginia; and David F. Work, Amoco Corp, Victor G. Beghini, Marathon Oil Company, and George A. Alcorn, Alcorn Exploration, on behalf of the Independent Petroleum Association of America, all of Houston, Texas.

FEDERAL FOREST MANAGEMENT/FOREST SERVICE APPEALS

Committee on Energy and Natural Resources: Subcommittee on Forests and Public Land Management held oversight hearings to review Federal forest management issues, focusing on the implementation of recent changes to the Forest Service administrative appeals process, receiving testimony from David Unger, Associate Chief, Forest Service, Department of Agriculture; Barry Rosenberg, Inland Empire Public Lands Council, Spokane, Washington; Jack R.

Tuholske, Western Ancient Forest Campaign, Missoula, Montana; James Rarick, Black Hills Forest Resource Association, Rapid City, South Dakota; and Anne E. Heissenbuttel, American Forest and Paper Association, Washington, D.C.

Hearings were recessed subject to call.

WELFARE REFORM

Committee on Finance: Committee held hearings on proposals to reform the national welfare system, receiving testimony from Vermont Governor Howard Dean, Montpelier; and Wisconsin Governor Tommy G. Thompson, Madison.

Hearings continue tomorrow.

UNITED STATES-CHINA INTELLECTUAL PROPERTY RIGHTS AGREEMENT

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs concluded hearings to examine certain implications involving the agreement between the United States and China to provide for enforcement of copyrights, trademarks, patents, trade secrets and other intellectual property rights in China, after receiving testimony from Charlene Barshefsky, Deputy United States Trade Representative; Winston Lord, Assistant Secretary of State for East Asian and Pacific Affairs; and Willard A. Workman, United States Chamber of Commerce, Jason S. Berman, Recording Industry Association of America, Eric H. Smith, International Intellectual Property Alliance, and Robert W. Holleyman II, Business Software Alliance, all of Washington, D.C.

REGULATORY REFORM

Committee on Governmental Affairs: Committee resumed hearings on proposed legislation to reform the Federal regulatory process, to make government more efficient and effective, receiving testimony from Carol M. Browner, Administrator, Environmental Protection Agency; Sally Katzen, Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget; Gary J. Edles, General Counsel, Administrative Conference of the United States; Peter L. Strauss, Columbia University Law School, New York, New York; C. Boyden Gray, Wilmer, Cutler & Pickering, on behalf of Citizens for a Sound Economy, Frederick L. Webber, Chemical Manufacturers Association, David C. Vladeck, Public Citizen Litigation Group, Alan J. Krupnick, Resources for the Future, Joseph Goffman, Environmental Defense Fund, all of Washington, D.C.; and Jonathan B. Wiener, Duke University, Durham, North Carolina.

Hearings were recessed subject to call.

AUTHORIZATION—HEALTH PROFESSIONS PROGRAMS

Committee on Labor and Human Resources: Committee concluded hearings on proposed legislation authorizing funds for the health professions programs of the Public Health Service Act, focusing on the current status of the health professions and the Federal role in this area, after receiving testimony from Senator Hatfield; Philip R. Lee, Assistant Secretary of Health and Human Services for Health; Gary L. Filerman, Pew Health Professions Commission, and Jordan J. Cohen, Association of American Medical Colleges, both of Washington, D.C.; David A. Kindig, University of Wisconsin School of Medicine, Madison; Reed V. Tuckson, University of Medicine and Science, Los Angeles, California; Larry R. Anderson, Wellington, Kansas, on behalf of the American Academy of Family Physicians; Allan Rosenfield, Columbia University, New York, New York, on behalf of the Association of Schools of Public Health; and Eleanor J. Sullivan, University of Kansas, Kansas City, on behalf of the American Association of Colleges of Nursing.

REGULATORY FLEXIBILITY ACT

Committee on Small Business: Committee held hearings to examine the implementation and enforcement of the Regulatory Flexibility Act of 1980 and its impact on small business, and provisions of the proposed Regulatory Flexibility Amendments Act to allow judicial review of Federal agency compliance with the Regulatory Flexibility Act, receiving testimony from Jere W. Glover, Chief Counsel for Advocacy, Small Business Administration; Johnny C. Finch, Assistant Comptroller General, General Government Division, General Accounting Office; Michael O. Roush, National Federation of Independent Business, David Voight, United States Chamber of Commerce, and John S. Satagaj, Small Business Legislative Council, all of Washington, D.C.

Hearings were recessed subject to call.

BUREAU OF INDIAN AFFAIRS REORGANIZATION

Committee on Indian Affairs: Committee held hearings on proposals to restructure and streamline the Bureau of Indian Affairs, receiving testimony from Bruce Babbitt, Secretary of the Interior; Ada Deer, Assistant Secretary of the Interior for Indian Affairs; John Washakie, Ft. Washakie, Wyoming, on behalf of the Joint Tribal Advisory Task Force on Reorganization of the Bureau of Indian Affairs; Ivan Makil, Salt River Pima-Maricopa Indian Community, Scottsdale, Arizona; and W. Ron Allen, Jamestown S'Klallam Tribe, Sequim, Washington.

Hearings were recessed subject to call.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee will meet again on Wednesday, March 15.

House of Representatives

Chamber Action

Bills Introduced: 20 public bills, H.R. 1157–1176; 1 private bill, H.R. 1177; and 3 resolutions, H.J. Res. 76–77 and H. Con. Res. 34 were introduced.

Pages H2891–92

Reports Filed: Reports were filed as follows:

H. Res. 108, providing for consideration of H.R. 956, to establish legal standards and procedures for product liability litigation (H. Rept. 104–69, filed on March 7);

H.R. 1158, making emergency supplemental appropriations for additional disaster assistance and making rescissions for the fiscal year ending September 30, 1995 (H. Rept. 104–70);

H.R. 1159, making supplemental appropriations and rescissions for the fiscal year ending September 30, 1995 (H. Rept. 104–71); and

H. Res. 109, providing for further consideration of H.R. 956, to establish legal standards and procedures for product liability litigation (H. Rept. 104–72).

Pages H2813, H2872, H2891

Presidential Messages: Read the following messages from the President:

Railroad safety: Message wherein he transmits the 1993 annual report on the administration of the Federal Railroad Safety Act of 1970—referred to the Committee on Transportation and Infrastructure;

Page H2817

Trade policy: Message wherein he transmits the 1995 Trade Policy Agenda and 1994 Annual Report on the Trade Agreements Program—referred to the Committee on Ways and Means; and

Page H2817

Aging: Message wherein he transmits the Annual Report for 1994 of the Federal Council on the Aging—referred to the Committee on Economic and Educational Opportunities.

Pages H2817–18

Federal Securities Litigation: By a recorded vote of 325 ayes to 99 noes with 1 voting “present”, Roll No. 216, the House passed H.R. 1058, to reform Federal securities litigation.

Pages H2818–64

By a recorded vote of 172 ayes to 251 noes with 1 voting “present”, Roll No. 215, rejected the Mar-

key motion to recommit the bill to the Committee on Commerce with instructions to report it back forthwith containing amendments to replace the loser pay provisions and to permit States and localities to continue to sue under existing law for three years.

Pages H2861–63

Agreed To:

The Eshoo amendment, as amended by the Cox of California substitute (substitute agreed to by a recorded vote of 252 ayes to 173 noes with 1 voting “present”, Roll No. 210), that modifies the definition of “recklessness” by striking the exclusion of genuine forgetfulness and inserting language that provides instead that a situation in which an individual deliberately refrains from taking steps to discover whether one’s statements are false or misleading constitutes recklessness, but if the failure to investigate was not deliberate, such conduct shall not be considered to be reckless (agreed to by a division vote of 120 ayes to 73 noes);

Pages H2818–26

The Tauzin amendment that modifies the liability provisions concerning “forward-looking statements” to provide that an exemption from liability would also apply to estimates and descriptions of future events presented either in documents or made orally, and that persons providing such statements are not obligated to update them;

Pages H2840–46

The Wyden amendment that codifies certain SEC financial fraud and disclosure requirements with respect to the auditing of publicly-traded companies;

Pages H2846–48

Rejected:

The Markey amendment that sought to exempt securities fraud cases involving the purchase or sale of derivative instruments (rejected by a recorded vote of 162 ayes to 261 noes with 1 voting “present”, Roll No. 211);

Pages H2826–31

The Dingell amendment that sought to permit State and local governments to continue filing securities fraud lawsuits under existing laws for three years after enactment (rejected by a recorded vote of 179 ayes to 248 noes with 1 voting “present”, Roll No. 212);

Pages H2831–40

The Bryant of Texas amendment that sought to strike language in the provisions for prevention of