

## 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

“fishing expedition” lawsuits that require the claimant to specify in his initial complaint each statement or omission alleged to be misleading and establish a summary procedure for dismissing flawed pleadings and granting stays of discovery in the interim (rejected by a recorded vote of 168 ayes to 255 noes with 1 voting “present”, Roll No. 213); and

Pages H2848–52

The Manton amendment that sought to replace the “loser pays” requirements with provisions that would require the attorney for the losing party to pay the legal costs and other expenses of the prevailing party if the court determines that the losing party’s case was brought for an improper purpose, is unwarranted, or lacks evidentiary support, unless the court determines the losing party was principally responsible (rejected by a recorded vote of 167 ayes to 254 noes with 1 voting “present”, Roll No. 214).

Pages H2852–58

The Clerk was authorized to make technical corrections and conforming changes in the engrossment of the bill.

Page H2864

**Committees To Sit:** The following committees and their subcommittees received permission to sit during proceedings of the House under the 5-minute rule on Thursday, March 9: Committee on Banking and Financial Services, Commerce, Economic and Educational Opportunities, Government Reform and Oversight, International Relations, National Security, Resources, Science, Small Business, Transportation and Infrastructure, Veterans’ Affairs, and Select Intelligence.

Pages H2872–73

**Product Liability Litigation Reform:** House completed all general debate on H.R. 956, to establish legal standards and procedures for product liability litigation; but came to no resolution thereon. Consideration of amendments will begin on Thursday, March 9.

Pages H2873–88

H. Res. 108, the rule which provided for general debate on the bill, was agreed to earlier by a voice vote.

Pages H2864–72

**Senate Messages:** Message received from the Senate today appears on page H2813.

**Amendments Ordered Printed:** Amendments ordered printed pursuant to the rule appears on pages H2893–95.

**Quorum Calls—Votes:** Seven recorded votes developed during the proceedings of the House today and appear on pages H2826, H2830–31, H2839–40, H2851–52, H2858, H2863, and H2863–64. There were no quorum calls.

**Adjournment:** Met at 11 a.m. and adjourned at 11:05 p.m.

## Committee Meetings

### COMMODITY DISTRIBUTION PROGRAMS AND FOOD STAMP PROGRAM IMPROVEMENTS

*Committee on Agriculture:* Ordered reported amended H.R. 1135, to improve the Commodity Distribution Programs of the Department of Agriculture, to reform and simplify the Food Stamp Program.

### AGRICULTURE, RURAL DEVELOPMENT, FDA AND RELATED AGENCIES APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on the Natural Resources Conservation Service. Testimony was heard from the following officials of the USDA: James Lyons, Under Secretary, Natural Resources and Environment; and Paul W., Johnson, Chief, Natural Resources Conservation Service.

The Subcommittee also continued appropriation hearings. Testimony was heard from Members of Congress and public witnesses.

### COMMERCE, JUSTICE, STATE, AND JUDICIARY APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Commerce, Justice, and State and the Judiciary, and Related Agencies held a hearing on the Supreme Court and on the Arms Control and Disarmament Agency. Testimony was heard from the following Associate Justices of the Supreme Court: Anthony M. Kennedy; and David H. Souter; John D. Holum, Director, U.S. Arms Control and Disarmament Agency; William A. Reinsch, Under Secretary, Export Administration, Department of Commerce; and Thomas E. McNamara, Assistant Secretary, Political/Military Affairs, Department of State.

### ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Energy and Water Development held a hearing on DOE: Environment, Safety and Health; and Environmental Restoration and Waste Management. Testimony was heard from the following officials of the Department of Energy: Tara J. O’Toole, Assistant Secretary, Environment, Safety and Health; and Thomas P. Grumbly, Assistant Secretary, Environmental Management.

### INTERIOR APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Interior and Related Agencies held a hearing on Bureau of Indian Affairs. Testimony was heard from Ada E. Deer, Assistant Secretary, Indian Affairs, Department