

children, the elderly and the immune compromised.

The Secretary, in conjunction with the Centers of Disease Control and Prevention and the Food and Drug Administration, would administer an active surveillance system for foodborne illnesses and a sampling system to analyze the nature and frequency of human pathogens and other harmful substances in meat and poultry products. The Secretary shall review all regulations every two years and consult with relevant federal and state public health agencies as appropriate.

#### HAZARD CONTROLS

The Secretary shall require slaughter and processing plants to adopt processing controls adequate to protect public health and to limit the presence and growth of human pathogens and other harmful substances in meat and poultry. The regulations will include standards for sanitation; interim limits for biological, chemical and physical hazards; process controls to assure the limits are met; record keeping requirements; sampling requirements; and agency access to records. Public access to records is assured through the Freedom of Information Act. The Secretary may require other processing controls as deemed necessary to assure the protection of public health.

Once processing controls are required, an advisory board shall be appointed, consisting of consumer and victim representatives, processors, producers, retail outlets, inspectors, plant workers, and public health officials, to recommend other changes to the existing inspection programs, including improvements in and alternatives to the current programs.

The Secretary is directed to discontinue use of the existing inspection seals if, at any time, the Secretary discontinues the carcass-by-carcass inspection of meat. The seal for meat and meat food products says "Inspected and passed." The seal for poultry and poultry products says "Inspected for wholesomeness by U.S. Department of Agriculture."

#### VOLUNTARY GUIDELINES FOR RETAIL ESTABLISHMENTS

The Secretary is directed to develop minimum standards for the handling, processing and storage of meat and poultry products by retail stores, restaurants, and similar establishments to assure that food sold by such establishments is safe for human consumption. Following notice and comment, guidelines are established within 18 months after enactment of the Act. So long as there is substantial compliance by retailers, the guidelines remain voluntary. If substantial compliance is not achieved, the guidelines may become regulations. States may bring actions against retailers to restrain violation of any final regulations under the Act.

#### LIVESTOCK TRACEBACK

Traceback of animal and animal carcasses is allowed for the purpose of understanding the nature of foodborne illness and minimizing the risks of such illness. The Secretary shall prescribe methods that permit animal identification sufficient to accomplish traceback to the farm or other places where livestock or poultry are held.

If animals are presented for slaughter that contain human pathogens or other harmful substances sufficient to pose a threat to health, the Secretary may take action to determine the source of the human pathogen or other harmful substance. The Secretary may prohibit or restrict the movement of animals, carcasses, meat or meat food products containing the human pathogen or other harmful substance.

#### NOTIFICATION AND RECALL OF NONCONFORMING ARTICLES

Under this section, any person, firm or corporation preparing meat or poultry products for distribution with a reasonable basis for believing that the products are unsafe for human consumption, adulterated or misbranded shall immediately notify the Secretary of the identity and location of such products.

If the Secretary finds the products are unsafe for human consumption, adulterated or misbranded, the Secretary shall order the recall of such products and all further distribution shall be halted, unless the products are subject to a voluntary recall that the Secretary deems adequate. The person, firm or corporation subject to the order has the opportunity for a hearing within 5 days after the date of the order.

Any district court may order any person, firm or corporation to recall any meat or poultry product if the court finds that there is a reasonable probability that the product is unsafe for human consumption, adulterated or misbranded.

#### REFUSAL OR WITHDRAWAL OF INSPECTION

The Secretary may refuse to provide or withdraw inspection services if the Secretary determines, after providing the opportunity for a hearing, that the recipient of the service has repeatedly failed to comply with the requirements of the Federal Meat Inspection Act, the Poultry Products Inspection Act or corresponding regulations.

Inspection can be withdrawn prior to a hearing if such action is necessary in order to protect the health and welfare of consumers or to assure the safe and effective performance of official duties.

Judicial review of these orders shall be in the United States Court of Appeals.

#### CIVIL PENALTIES

Civil penalties may be assessed against persons, firms or corporations that violate provisions of the Federal Meat Inspection Act, the Poultry Products Inspection Act or relevant orders. Civil penalties are limited to \$100,000 per day of violation. The amount of the penalty shall be assessed by written order following consideration of the gravity of the violation, degree of culpability, and the history of prior offenses.

Judicial review of these orders shall be in the United States Court of Appeals. Penalties collected under this section shall be paid into the United States Treasury.

#### CORPORATE WHISTLEBLOWER PROTECTION

Employees are protected against harassment, discrimination, prosecution and liability by employers because the employee is assisting in achieving compliance with federal or state laws, rules or regulations; refusing to violate federal or state laws, rules or regulations; or otherwise attempting to carry out the functions of or responsibilities of the USDA. This section is governed by the Surface Transportation Act and the Whistleblower Protection Act.

By Mr. HEFLIN (for himself and Mr. SHELBY):

S. 516. A bill to transfer responsibility for the aquaculture research program under Public Law 85-342 from the Secretary of the Interior to the Secretary of Agriculture, and for other purposes; to the Committee on Environment and Public Works.

#### NATIONAL AQUACULTURE RESEARCH CENTER ACT

Mr. HEFLIN. Mr. President, I am pleased to introduce the National Aquaculture Research Center Act of 1995.

The first major provision within my legislation transfers responsibility for the aquaculture research program from the Secretary of the Interior to the Secretary of Agriculture. This transfer simply recognizes the reality that the vast majority of aquaculture research and funding comes through the U.S. Department of Agriculture. This is a long-overdue streamlining measure that will greatly improve the overall efficiency and timeliness of aquaculture research.

The second provision stipulates that the Southeastern Fish Culture Laboratory in Marion, AL be named and designated as the "Claude Harris National Aquaculture Research Center." Many of my colleagues remember former Congressman Claude Harris, who passed away last fall after a battle with lung cancer. He spent 6 years in the House of Representatives from the Seventh District of Alabama, and was an outstanding Member of Congress. At the time of his death, he was serving as the U.S. attorney for the northern district of Alabama. He was honest and amiable and never took his political accomplishments for granted.

During his time in Congress, Claude Harris was a strong supporter of aquaculture research, and was instrumental in promoting it through his hard work on the House Energy and Commerce Committee. The fish culture laboratory in Marion is located in Claude's former district.

This designation will serve as a proper and fitting tribute to the memory of Congressman Claude Harris, whose drive, determination, and energy did so much to advance the important science of aquaculture in this country.

#### ADDITIONAL COSPONSORS

S. 50

At the request of Mr. LOTT, the name of the Senator from Minnesota [Mr. GRAMS] was added as a cosponsor of S. 50, a bill to repeal the increase in tax on Social Security benefits.

S. 104

At the request of Mr. D'AMATO, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 104, a bill to establish the position of Coordinator for Counter-Terrorism within the office of the Secretary of State.

S. 212

At the request of Mr. KERRY, the name of the Senator from Rhode Island [Mr. CHAFEE] was added as a cosponsor of S. 212, a bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Shamrock V*.

S. 213

At the request of Mr. KERRY, the name of the Senator from Rhode Island [Mr. CHAFEE] was added as a cosponsor

of S. 213, a bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Endeavour*.

S. 244

At the request of Mr. LUGAR, his name was added as a cosponsor of S. 244, a bill to further the goals of the Paperwork Reduction Act to have Federal agencies become more responsible and publicly accountable for reducing the burden of Federal paperwork on the public, and for other purposes.

S. 275

At the request of Mr. GRASSLEY, the name of the Senator from Texas [Mrs. HUTCHISON] was added as a cosponsor of S. 275, a bill to establish a temporary moratorium on the Interagency Memorandum of Agreement Concerning Wetlands Determinations until enactment of a law that is the successor to the Food, Agriculture, Conservation, and Trade Act of 1990, and for other purposes.

S. 303

At the request of Mr. LIEBERMAN, the name of the Senator from Minnesota [Mr. GRAMS] was added as a cosponsor of S. 303, a bill to establish rules governing product liability actions against raw materials and bulk component suppliers to medical device manufacturers, and for other purposes.

S. 328

At the request of Mr. SANTORUM, the name of the Senator from Florida [Mr. MACK] was added as a cosponsor of S. 328, a bill to amend the Clean Air Act to provide for an optional provision for the reduction of work-related vehicle trips and miles traveled in ozone non-attainment areas designated as severe, and for other purposes.

S. 351

At the request of Mr. HATCH, the name of the Senator from Alaska [Mr. MURKOWSKI] was added as a cosponsor of S. 351, a bill to amend the Internal Revenue Code of 1986 to make permanent the credit for increasing research activities.

S. 469

At the request of Mr. GREGG, the name of the Senator from Arizona [Mr. KYL] was added as a cosponsor of S. 469, a bill to eliminate the National Education Standards and Improvement Council and opportunity-to-learn standards.

S. 476

At the request of Mr. NICKLES, the name of the Senator from Michigan [Mr. ABRAHAM] was added as a cosponsor of S. 476, a bill to amend title 23, United States Code, to eliminate the national maximum speed limit, and for other purposes.

S. 500

At the request of Mr. JOHNSTON, the name of the Senator from Louisiana [Mr. BREAUX] was added as a cosponsor of S. 500, a bill to amend the Internal Revenue Code of 1986 to provide that certain deductions of school bus drivers

shall be allowable in computing adjusted gross income.

## AMENDMENTS SUBMITTED

### PAPERWORK REDUCTION ACT

#### LEVIN (AND OTHERS) AMENDMENT NO. 319

Mr. LEVIN (for himself, Mr. COHEN, Mr. ROTH, and Mr. GLENN) proposed an amendment to the bill (S. 244) to further the goals of the Paperwork Reduction Act to have Federal agencies become more responsible and publicly accountable for reducing the burden of Federal paperwork on the public, and for other purposes; as follows:

On page 2, insert between lines 2 and 3 the following:

#### TITLE I—PAPERWORK REDUCTION

On page 2, line 3, strike out "**SECTION 1.**" and insert in lieu thereof "**SEC. 101.**".

On page 2, line 4, strike out "Act" and insert in lieu thereof "title".

On page 2, line 6, strike out "**SEC. 2.**" and insert in lieu thereof "**SEC. 102.**".

On page 58, strike out lines 3 through 5 and insert in lieu thereof the following:

#### SEC. 103. EFFECTIVE DATE.

The provisions of this title and the amendments made by this title shall take effect on June 30, 1995.

On page 58, add after line 5 the following new title:

#### TITLE II—FEDERAL REPORT ELIMINATION AND MODIFICATION

##### SEC. 201. SHORT TITLE.

This title may be cited as the "Federal Report Elimination and Modification Act of 1995".

##### SEC. 202. TABLE OF CONTENTS.

The table of contents for this title is as follows:

Sec. 201. Short title.

Sec. 202. Table of contents.

##### SUBTITLE I—DEPARTMENTS

###### CHAPTER 1—DEPARTMENT OF AGRICULTURE

Sec. 1011. Reports eliminated.

Sec. 1012. Reports modified.

###### CHAPTER 2—DEPARTMENT OF COMMERCE

Sec. 1021. Reports eliminated.

Sec. 1022. Reports modified.

###### CHAPTER 3—DEPARTMENT OF DEFENSE

Sec. 1031. Reports eliminated.

###### CHAPTER 4—DEPARTMENT OF EDUCATION

Sec. 1041. Reports eliminated.

Sec. 1042. Reports modified.

###### CHAPTER 5—DEPARTMENT OF ENERGY

Sec. 1051. Reports eliminated.

Sec. 1052. Reports modified.

###### CHAPTER 6—DEPARTMENT OF HEALTH AND HUMAN SERVICES

Sec. 1061. Reports eliminated.

Sec. 1062. Reports modified.

###### CHAPTER 7—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Sec. 1071. Reports eliminated.

Sec. 1072. Reports modified.

###### CHAPTER 8—DEPARTMENT OF THE INTERIOR

Sec. 1081. Reports eliminated.

Sec. 1082. Reports modified.

###### CHAPTER 9—DEPARTMENT OF JUSTICE

Sec. 1091. Reports eliminated.

###### CHAPTER 10—DEPARTMENT OF LABOR

Sec. 1101. Reports eliminated.

Sec. 1102. Reports modified.

###### CHAPTER 11—DEPARTMENT OF STATE

Sec. 1111. Reports eliminated.

###### CHAPTER 12—DEPARTMENT OF TRANSPORTATION

Sec. 1121. Reports eliminated.

Sec. 1122. Reports modified.

###### CHAPTER 13—DEPARTMENT OF THE TREASURY

Sec. 1131. Reports eliminated.

Sec. 1132. Reports modified.

###### CHAPTER 14—DEPARTMENT OF VETERANS AFFAIRS

Sec. 1141. Reports eliminated.

###### SUBTITLE II—INDEPENDENT AGENCIES

###### CHAPTER 1—ACTION

Sec. 2011. Reports eliminated.

###### CHAPTER 2—ENVIRONMENTAL PROTECTION AGENCY

Sec. 2021. Reports eliminated.

###### CHAPTER 3—EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Sec. 2031. Reports modified.

###### CHAPTER 4—FEDERAL AVIATION ADMINISTRATION

Sec. 2041. Reports eliminated.

###### CHAPTER 5—FEDERAL COMMUNICATIONS COMMISSION

Sec. 2051. Reports eliminated.

###### CHAPTER 6—FEDERAL DEPOSIT INSURANCE CORPORATION

Sec. 2061. Reports eliminated.

###### CHAPTER 7—FEDERAL EMERGENCY MANAGEMENT AGENCY

Sec. 2071. Reports eliminated.

###### CHAPTER 8—FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

Sec. 2081. Reports eliminated.

###### CHAPTER 9—GENERAL SERVICES ADMINISTRATION

Sec. 2091. Reports eliminated.

###### CHAPTER 10—INTERSTATE COMMERCE COMMISSION

Sec. 2101. Reports eliminated.

###### CHAPTER 11—LEGAL SERVICES CORPORATION

Sec. 2111. Reports modified.

###### CHAPTER 12—NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Sec. 2121. Reports eliminated.

###### CHAPTER 13—NATIONAL COUNCIL ON DISABILITY

Sec. 2131. Reports eliminated.

###### CHAPTER 14—NATIONAL SCIENCE FOUNDATION

Sec. 2141. Reports eliminated.

###### CHAPTER 15—NATIONAL TRANSPORTATION SAFETY BOARD

Sec. 2151. Reports modified.

###### CHAPTER 16—NEIGHBORHOOD REINVESTMENT CORPORATION

Sec. 2161. Reports eliminated.

###### CHAPTER 17—NUCLEAR REGULATORY COMMISSION

Sec. 2171. Reports modified.

###### CHAPTER 18—OFFICE OF PERSONNEL MANAGEMENT

Sec. 2181. Reports eliminated.

Sec. 2182. Reports modified.

###### CHAPTER 19—OFFICE OF THRIFT SUPERVISION

Sec. 2191. Reports modified.

###### CHAPTER 20—PANAMA CANAL COMMISSION

Sec. 2201. Reports eliminated.

###### CHAPTER 21—POSTAL SERVICE

Sec. 2211. Reports modified.

###### CHAPTER 22—RAILROAD RETIREMENT BOARD

Sec. 2221. Reports modified.