

been estimated to be as high as \$217 billion.

The granting of wholesale rescissions, and the liability that such rescissions would create, could be devastating to both mortgage lenders, and to the secondary markets that provide the mortgage-market with liquidity. And we must remember that the liquidity of the mortgage markets has helped millions of Americans obtain their dream of home ownership at lower costs.

This bill will permit time for careful consideration of this problem. This legislation provides a short-term moratorium that only applies to class action certifications in connection with certain first-lien refinancings and consolidations. This moratorium is narrowly focused on a specific, technical disclosure problems, and will last only until October 1, 1995. This provision is not intended to impede the settlement of class actions. If, for purposes of settlement, the parties stipulate to the certification of a class, a court can approve the stipulation and solely for the purposes of settlement, can certify the class. A class action cannot be settled without certification of the class. This moratorium will provide time to remedy this problem and ensure the continued safety-and-soundness of the mortgage-finance markets.

Mr. BOND. Mr. President, I state my support for H.R. 1380, the Truth in Lending Class Action Relief Act of 1995. This important legislation is designed to impose a class action moratorium on certain lawsuits under the Truth in Lending Act. This legislation is narrow but necessary to give the Congress an opportunity to review the requirements of the Truth in Lending Act and the possible unintended consequences of the Rodash case and the possible impact of Rodash on the mortgage finance industry.

Rodash is a Florida case that allowed for the rescission of a mortgage where the lender disclosed certain delivery fees and an intangible tax in an improper place on the settlement sheet. This case has now been used as precedent for nationwide lawsuits that could potentially disrupt and damage our mortgage finance industry. I emphasize that the violation in Rodash was a technical violation of the Truth in Lending Act, and that the fees in question were small and that any improper disclosure was unintended. Nevertheless, a complete rescission of the mortgage was permitted.

In addition, since 1991, some 11.8 million loans totaling \$1.3 trillion have been refinanced. The cost of rescinding these mortgages is about \$217 billion. To apply Rodash to the mortgage industry is like killing a mosquito with an atomic bomb. I believe we need to consider these consequences.

Thank you, Mr. President.

The bill (H.R. 1380) was deemed read three times and passed.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 104-3 AND TREATY DOCUMENT NO. 104-4

Mr. KYL. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following two treaties transmitted to the Senate on April 24, 1995, by the President of the United States: Extradition Treaty with Jordan (Treaty Document No. 104-3); and Protocol Amending the 1980 Tax Convention with Canada (Treaty Document No. 104-4).

I further ask that the treaties be considered as having been read the first time; that they be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's messages be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The messages of the President are as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Extradition Treaty between the Government of the United States of America and the Government of the Hashemite Kingdom of Jordan, signed at Washington on March 28, 1995. Also transmitted for the information of the Senate is the report of the Department of State with respect to this Treaty.

The Treaty establishes the conditions and procedures for extradition between the United States and Jordan. It also provides a legal basis for temporarily surrendering prisoners to stand trial for crimes against the laws of the Requesting State.

The Treaty further represents an important step in combatting terrorism by excluding from the scope of the political offense exception serious offenses typically committed by terrorists, e.g., crimes against a Head of State or first family member of either Party, aircraft hijacking, aircraft sabotage, crimes against internationally protected persons, including diplomats, hostage-taking, narcotics trafficking, and other offenses for which the United States and Jordan have an obligation to extradite or submit to prosecution by reason of a multilateral international agreement or treaty.

The provisions in this Treaty follow generally the form and content of extradition treaties recently concluded by the United States.

This Treaty will make a significant contribution to international cooperation in law enforcement. I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, April 24, 1995.

To the Senate of the United States:

I transmit herewith for Senate advice and consent to ratification, a revised

Protocol Amending the Convention Between the United States of America and Canada with Respect to Taxes on Income and on Capital Signed at Washington on September 26, 1980, as Amended by the Protocols Signed on June 14, 1983, and March 28, 1984. This revised Protocol was signed at Washington on March 17, 1995. Also transmitted for the information of the Senate is the report of the Department of State with respect to the revised Protocol. The principal provisions of the Protocol, as well as the reasons for the technical amendments made in the revised Protocol, are explained in that document.

It is my desire that the revised Protocol transmitted herewith be considered in place of the Protocol to the Income Tax Convention with Canada signed at Washington on August 31, 1994, which was transmitted to the Senate with my message dated September 14, 1994, and which is now pending in the Committee on Foreign Relations. I desire, therefore, to withdraw from the Senate the Protocol signed in August 1994.

I recommend that the Senate give early and favorable consideration to the revised Protocol and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, April 24, 1995.

ORDERS FOR TUESDAY, APRIL 25, 1995

Mr. KYL. Finally, Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until the hour of 9:30 a.m., on Tuesday, April 25, 1995; that following the prayer the Journal of proceedings be deemed approved to date, the time for the two leaders be reserved for their use later in the day, there then be a period for the transaction of routine morning business not to extend beyond the hour of 12 noon with Senators permitted to speak for up to 5 minutes each with the exception of the following: Senator DOMENICI, 60 minutes; Senator THOMAS, 30 minutes; Senator BAUCUS, 15 minutes.

I further ask that at 12 noon, Tuesday, the Senate proceed to a vote on the adoption of Senate Resolution 110, regarding the bombing in Oklahoma City; further that the Senate recess between the hours of 12:30 and 2:15 tomorrow for the weekly policy luncheons to meet.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. KYL. Mr. President, for the information of my colleagues, the leader has advised that there will be a rollcall vote on the Oklahoma City resolution at 12 noon tomorrow. Following the conclusion of the policy luncheons at

2:15 the Senate will return to the consideration of the product liability bill, H.R. 956.

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. KYL. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 6:40 p.m., recessed until Tuesday, April 25, 1995, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate April 24, 1995:

DEPARTMENT OF STATE

A. PETER BURLEIGH, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALDIVES.

DAVID C. LITT, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE UNITED ARAB EMIRATES.

LARRY C. NAPPER, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO LATVIA.

R. GRANT SMITH, OF NEW JERSEY, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TAJIKISTAN.

DONALD K. STEINBERG, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ANGOLA.

LAWRENCE PALMER TAYLOR, OF PENNSYLVANIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ESTONIA.

PATRICK NICKOLAS THEROS, OF DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE STATE OF QATAR.

PETER TOMSEN, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ARMENIA.

JENONNE R. WALKER, OF DISTRICT OF COLUMBIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE CZECH REPUBLIC.

JAMES ALAN WILLIAMS, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS THE SPECIAL COORDINATOR FOR CYPRUS.

FEDERAL INSURANCE TRUST FUNDS

STEPHEN G. KELLISON, OF TEXAS, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND AND THE FEDERAL DISABILITY INSURANCE TRUST FUND FOR A TERM OF 4 YEARS, VICE DAVID M. WALKER, TERM EXPIRED.

MARILYN MOON, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND AND THE FEDERAL DISABILITY INSURANCE TRUST FUND FOR A TERM OF 4 YEARS, VICE STANFORD G. ROSS.

EXECUTIVE OFFICE OF THE PRESIDENT

IRA S. SHAPIRO, OF MARYLAND, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS SENIOR COUNSEL AND NEGOTIATOR IN THE OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE.

IN THE ARMY

THE FOLLOWING-NAMED OFFICER TO BE PLACED ON THE RETIRED LIST IN THE GRADE INDICATED UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be general

GEN. GORDON R. SULLIVAN, 000-00-0000

THE FOLLOWING-NAMED OFFICER TO BE PLACED ON THE RETIRED LIST IN THE GRADE INDICATED UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be lieutenant general

LT. GEN. MARVIN L. COVAULT, 000-00-0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601(A):

To be lieutenant general

MAJ. GEN. ROBERT E. GRAY, 000-00-0000

THE FOLLOWING-NAMED OFFICER FOR REAPPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601(A):

To be lieutenant general

LT. GEN. JOHN E. MILLER, 000-00-0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601(A):

To be lieutenant general

MAJ. GEN. WILLIAM G. CARTER III, 000-00-0000

THE FOLLOWING UNITED STATES ARMY NATIONAL GUARD OFFICER FOR PROMOTION TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY OF THE UNITED STATES, UNDER THE PROVISIONS OF SECTIONS 3385, 3392, AND 12203(A), TITLE 10, UNITED STATES CODE:

To be major general

BRIG. GEN. SAM C. TURK, 000-00-0000

THE FOLLOWING UNITED STATES ARMY NATIONAL GUARD OFFICERS FOR PROMOTION TO THE GRADES INDICATED IN THE RESERVE OF THE ARMY, UNDER THE PROVISIONS OF SECTIONS 3385, 3392, AND 12203(A), TITLE 10, UNITED STATES CODE:

To be major general

BRIG. GEN. JAMES J. HUGHES, JR., 000-00-0000

BRIG. GEN. WILLIAM D. JONES, 000-00-0000

BRIG. GEN. MELVIN C. THRASH, 000-00-0000

To be brigadier general

COL. JOHN W. HUBBARD, 000-00-0000

COL. JOHN D. HAVENS, 000-00-0000

COL. RONALD D. TINCHER, 000-00-0000

COL. PETER B. INJASOULIAN, 000-00-0000

COL. ALFRED E. TOBIN, 000-00-0000

COL. JAMES W. O'TOOLE, 000-00-0000

COL. FRANCIS D. VAVALA, 000-00-0000

COL. MICHAEL H. HARRIS, 000-00-0000

COL. ALBERT A. MANGONE, 000-00-0000

COL. DAVID P. RATACZAK, 000-00-0000

COL. THOMAS D. KINLEY, 000-00-0000

COL. JOSEPH J. TALUTO, 000-00-0000

COL. NORMAN A. HOFFMAN, 000-00-0000

COL. EWALD E. BETH, 000-00-0000

COL. GENE SISNEROS, 000-00-0000

COL. GUS L. HARGETT, JR., 000-00-0000

COL. HAROLD J. STEARNS, 000-00-0000

IN THE AIR FORCE

THE FOLLOWING INDIVIDUAL FOR RESERVE OF THE AIR FORCE APPOINTMENT, IN THE GRADE INDICATED, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 12203 WITH A VIEW TO DESIGNATION UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 8067 TO PERFORM THE DUTIES INDICATED.

MEDICAL CORPS

To be colonel

JAMES C. INGRAM, JR., 000-00-0000

THE FOLLOWING-NAMED OFFICERS FOR PROMOTION IN THE UNITED STATES AIR FORCE, UNDER THE APPROPRIATE PROVISIONS OF SECTION 624, TITLE 10, UNITED STATES CODE, AS AMENDED, WITH DATES OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE.

CHAPLAIN CORPS

To be colonel

DANNY N. ARMSTRONG, 000-00-0000

JOHN R. BLAIR, 000-00-0000

EDWARD T. BROGAN, 000-00-0000

JOHN M. COLLINS, 000-00-0000

WALTER M. COURTER II, 000-00-0000

SHARON M. FREETO, 000-00-0000

HENRY B. HIGHFILL, 000-00-0000

RICHARD A. JOHNSON, 000-00-0000

RONALD H. KELLING, 000-00-0000

JOSEPH F. MCCAHOON, JR., 000-00-0000

JAMES P. REVELLO, 000-00-0000

EVERETT C. SCHRUM, 000-00-0000

JAMES R. WILSON, 000-00-0000

IN THE ARMY

THE FOLLOWING-NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR PROMOTION IN THE RESERVE OF THE ARMY OF THE UNITED STATES, UNDER THE PROVISIONS OF TITLE 10, U.S.C. SECTIONS 12203 AND 3385:

ARMY PROMOTION LIST

To be colonel

JAMES W. CLEVINGER, JR., 000-00-0000

WILLIAM R. FURR, 000-00-0000

STEPHEN C. HOFFMAN, 000-00-0000

VERN P. HOUGH, 000-00-0000

WILLIAM G. LAFLEUR, 000-00-0000

JAY W. LYTLE, 000-00-0000

RICHARD R. MICHAELS, 000-00-0000

DIRCK G. TERWILLIGER, 000-00-0000

ROBERT J. WEITZEL, JR., 000-00-0000

ARMY PROMOTION LIST

To be lieutenant colonel

WALTER R. CYRUS, 000-00-0000

PAUL F. HULSLANDER, 000-00-0000

KEVIN R. MCBRIDE, 000-00-0000

JOHN W. PAULSEN, 000-00-0000

AMBERT P. PETRONI III, 000-00-0000

JOHNNY L. RUSSELL, 000-00-0000

ANTHONY M. STANICH, JR., 000-00-0000

MICHAEL C. STERLING, 000-00-0000

MICHAEL K. SWEENEY, 000-00-0000

LINDELL M. WEEKS II, 000-00-0000

DENTAL CORPS

To be lieutenant colonel

CHARLES M. KING, 000-00-0000

IN THE NAVY

THE FOLLOWING-NAMED OFFICERS IN THE LINE OF THE NAVY FOR PERMANENT PROMOTION, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 624, SUBJECT TO QUALIFICATIONS THEREFORE AS PROVIDED BY LAW:

UNRESTRICTED LINE OFFICER

To be captain

CHRISTOPHER J. REMSHAK, 000-00-0000

THOMAS G. SOBIECK, 000-00-0000

UNRESTRICTED LINE OFFICER

To be lieutenant commander

MIKE A. BRYAN, 000-00-0000

MICHAEL S. CUSHANICK, 000-00-0000

ROBERT W. ERNST, 000-00-0000

BRYAN J. LOWER, 000-00-0000

IN THE MARINE CORPS

THE FOLLOWING-NAMED MAJORS OF THE U.S. MARINE CORPS FOR PROMOTION TO THE GRADE OF LIEUTENANT COLONEL, UNDER THE PROVISIONS OF SECTION 624 OF TITLE 10, UNITED STATES CODE:

To be lieutenant colonel

ACKER, WILLIAM E., 000-00-0000

ALBO, MICHAEL C., 000-00-0000

ALDRICH, JAMES V., 000-00-0000

ALLEN, BERNAL B., 000-00-0000

ALLEN, GEORGE J., 000-00-0000

ARBOGAST, STEVEN M., 000-00-0000

BAILEY, THOMAS B., III, 000-00-0000

BAKER, ROBERT G., 000-00-0000

BALENTINE, RICHARD J., JR., 000-00-0000

BARBER, DAVID R., 000-00-0000

BARILE, DAVID J., 000-00-0000

BARN, DANIEL J., 000-00-0000

BARTON, LORNA M., 000-00-0000

BATT, ROGER L., 000-00-0000

BECK, PHILIP W., 000-00-0000

BEDWORTH, DAVID, 000-00-0000

BELL, RUSSELL H., 000-00-0000

BENNETT, DREW A., 000-00-0000

BENSON, TIMOTHY P., 000-00-0000

BERGMAN, INGRID E., 000-00-0000

BICK, DAVID W., 000-00-0000

BIXLER, DAVID B., 000-00-0000

BIZZELL, BARRY B., 000-00-0000

BLANCO, RICARDO J., 000-00-0000

BLUM, JOHN A., 000-00-0000

BOCH, RICHARD K., 000-00-0000

BOLIN, MARK G., 000-00-0000

BOLITHO, KIM D., 000-00-0000

BOYD, DENNIS G., 000-00-0000

BRADY, ROBERT M., 000-00-0000

BREAULT, CHRISTIAN G., 000-00-0000

BRITTON, RICHARD W., 000-00-0000

BROWN, WILLIAM N., JR., 000-00-0000

BRUSH, DANNY L., 000-00-0000

BUCHER, STEPHEN A., 000-00-0000

BUMGARDNER, SHEAROD L., JR., 000-00-0000

CALLAHAN, WILLIAM H., JR., 000-00-0000

CALLEROS, SALVADOR J., 000-00-0000

CALLIHAN, WILLIAM M., 000-00-0000

CARTER, TANDY P., 000-00-0000

CATLIN, BRIAN D., 000-00-0000

CHANDLER, JOHN W., 000-00-0000

CHRISTBURG, CHARLES A., JR., 000-00-0000

CHRISTIE, RICHARD A., 000-00-0000

CLUBINE, DOUGLAS L., 000-00-0000

COBURN, ROBERT A., 000-00-0000

COMBS, MICHAEL L., 000-00-0000

COMER, DOSIE G., 000-00-0000

CORBETT, ARTHUR J., 000-00-0000

CORBETT, THOMAS M., 000-00-0000

CORBIN, PAUL T., 000-00-0000

CORCORAN, MICHAEL A., 000-00-0000

CROISETIERE, PAUL, 000-00-0000

CRONIN, ROBERT B., 000-00-0000

CRONIN, ROBERT F., 000-00-0000

CRONIN, WILLIAM R., 000-00-0000