

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S3485–S3546

Measures Introduced: Eight bills and one resolution were introduced, as follows: S. 498–505, and S. Con. Res. 9. **Pages S3520–21**

Paperwork Reduction Act: Senate began consideration of 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, agreeing to committee amendments, and taking action on amendments proposed thereto, as follows:

Pages S3498–S3513, S3516–20

Adopted:

(1) Roth/Nunn Amendment No. 317, to clarify certain definitions and intelligence related provisions. **Pages S3511–13**

(2) McCain modified Amendment No. 318, to provide for the termination of reporting requirements of certain executive reports submitted to the Congress. **Pages S3516–20**

A unanimous-consent agreement was reached providing for further consideration of the bill and certain amendments to be proposed thereto, on Tuesday, March 7. **Pages S3545–46**

Senate will continue consideration of the bill on Tuesday, March 7.

Emergency Supplemental Appropriations/Defense—Agreement: A unanimous-consent agreement was reached providing for the consideration of H.R. 889, making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995. **Page S3546**

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting the annual report of the National Endowment for Democracy; referred to the Committee on Foreign Relations. (PM–26). **Page S3520**

Transmitting a unified program for floodplain management; referred to the Committee on Environment and Public Works. (PM–27). **Page S3520**

Nominations Received: Senate received the following nominations:

John Goglia, of Massachusetts, to be a Member of the National Transportation Safety Board for the term expiring December 31, 1998.

Clifford Gregory Stewart, of New Jersey, to be General Counsel of the Equal Employment Opportunity Commission for a term of 4 years.

2 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army. **Page S3546**

Messages From the President: **Page S3520**

Statements on Introduced Bills: **Pages S3521–38**

Additional Cosponsors: **Pages S3538–40**

Amendments Submitted: **Pages S3540–41**

Notices of Hearings: **Page S3541**

Authority for Committees: **Page S3541**

Additional Statements: **Pages S3541–45**

Recess: Senate convened at 1 p.m., and recessed at 7:12 p.m., until 10:30 a.m., on Tuesday, March 7, 1995. (For Senate's program, see the remarks of the Acting Majority Leader in today's RECORD on page S3546.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—OFFICE OF NATIONAL DRUG CONTROL POLICY

Committee on Appropriations: Subcommittee on the Treasury, Postal Service and General Government held hearings on proposed budget estimates for fiscal year 1996 for the Office of National Drug Control Policy, receiving testimony from Lee P. Brown, Director, Office of National Drug Control Policy.

Subcommittee will meet again on Thursday, March 9.

DOE RISK MANAGEMENT ACT

Committee on Energy and Natural Resources: Committee concluded hearings on S. 333, to direct the Secretary of Energy to institute certain procedures in the performance of risk assessments in connection with environmental restoration activities, after receiving testimony from Sally Katzen, Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget; Thomas P. Grumbly, Assistant

Secretary of Energy for Environmental Management; Bernice Steinhardt, Associate Director, Energy and Science Issues, Resources, Community, and Economic Development Division, General Accounting Office; Gary J. Powers, Carnegie Mellon University, Pittsburgh, Pennsylvania; Steven J. Milloy, Regulatory Impact Analysis Project, and Earnie Deavenport, Eastman Chemical Company, both of Washington, DC; and John S. Applegate, University of Cincinnati, Cincinnati, OH.

House of Representatives

Chamber Action

Bills Introduced: 8 public bills, H.R. 1134–1141; and 4 resolutions, H.J. Res. 75, H. Con. Res. 33, and H. Res. 106 and 107 were introduced.

Page H2716

Reports Filed: Reports were filed as follows:

H.J. Res. 2, proposing an amendment to the Constitution of the United States with respect to the number of terms of office of Members of the Senate and the House of Representatives, amended (H. Rept. 104–67); and

H. Res. 105, providing for consideration of H.R. 1058, to reform Federal securities litigation (H. Rept. 104–68).

Page H2716

Speaker Pro Tempore: Read a letter from the Speaker wherein he designates Representative Goss as Speaker pro tempore for today.

Page H2655

Recess: Recessed at 1 p.m. and reconvened at 2 p.m.

Page H2658

Presidential Messages: Read the following messages from the President:

Floodplain management: Message wherein he transmits a report on a unified program for national floodplain management—referred to the Committee on Banking and Financial Services; and

Page H2663

National Endowment for Democracy: Message wherein he transmits the 11th Annual Report of the National Endowment for Democracy for fiscal year 1994.

Page H2663

Attorney Accountability Act: House completed all general debate and began consideration of amendments to H.R. 988, to reform the Federal civil justice system. Consideration of amendments will resume on Tuesday, March 7.

Pages H2661–H2703

Agreed to the Goodlatte amendment that clarifies provisions regarding petition for the award of costs

and attorneys' fees in civil diversity litigation after an offer of settlement (agreed to by a recorded vote of 317 ayes to 89 noes, Roll No. 200).

Pages H2677–81

Rejected:

The McHale amendment that sought to add language providing guidelines for the legal determination of a frivolous complaint and providing that, if a defendant makes a motion to dismiss a suit within 90 days of the filing of the complaint, and the court finds it to be frivolous, the court must dismiss the claim and award counsel fees and legal costs to the defendant (rejected by a recorded vote of 115 ayes to 306 noes, Roll No. 202);

Pages H2684–96

The Berman amendment to the McHale amendment that sought to strike provisions regarding the award of costs and attorneys' fees in Federal civil diversity litigation after an order of settlement (rejected by a recorded vote of 186 ayes to 235 noes, Roll No. 201);

Pages H2687–96

The Hoke amendment that sought to limit the contingency fees attorneys can receive (when a qualifying settlement offer is made and accepted) to the lesser of the previously agreed-to hourly rate for work performed plus expenses or 10 percent of the amount of the settlement offer; and limit the contingency fees (when a qualifying settlement offer is made but rejected) to the total of no more than 33 percent of the difference between the final recovery and the settlement offer, the previously agreed-to hourly rate for work performed, and the attorney's actual expenses (rejected by a recorded vote of 71 ayes to 347 noes, Roll No. 203); and

Pages H2697–H2703

The Conyers amendment to the Hoke amendment that sought to place the same fee limitations on attorneys of both the plaintiff and the defendant.

Pages H2698–99

H. Res. 104, the rule under which the bill is being considered, was agreed to earlier by a voice vote.

Pages H2661-62

Committees to Sit: The following committees and their subcommittees received permission to sit on Tuesday, March 7, during proceedings of the House under the 5-minute rule: Committees on Agriculture, Banking and Financial Services, Economic and Educational Opportunities, Government Reform and Oversight, National Security, Resources, Transportation and Infrastructure, Veterans' Affairs, and Intelligence.

Page H2703

Amendments Ordered Printed: Amendments ordered printed pursuant to the rule appear on pages H2717-20.

Quorum Calls—Votes: Four recorded votes developed during the proceedings of the House today and appear on pages H2681, H2695-96, H2702-03. There were no quorum calls.

Adjournment: Met at 12:30 p.m. and adjourned at 10:59 p.m.

Committee Meetings

TRANSPORTATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, and Related Agencies held a hearing on the Federal Railroad Administration. Testimony was heard from Jolene M. Molitoris, Administrator, Federal Railroad Administration, Department of Transportation.

SECURITIES LITIGATION REFORM

Committee on Rules: By a recorded vote of 9 to 4, granted a modified open rule providing for 1 hour of general debate on H.R. 1058, Securities Litigation Reform Act. The rule provide for an 8-hour time limit on the amendment process. Priority in recognition may be accorded to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. The rule makes in order the amendments printed in the report accompanying the rule if offered by Representative Wyden or a designee and by Representative Cox or a designee and waives points of order against the amendments for failure to comply with clause 7 of rule XVI. Finally, the rule provides one motion to recommit.

MINORITY SMALL BUSINESS AND CAPITAL OWNERSHIP DEVELOPMENT ACT

Committee on Small Business: Held a hearing to review the 8(a) Minority Small Business and Capital Ownership Development Act. Testimony was heard from Robert Neal, Associate Deputy Administrator, Government Contracting and Minority Enterprise Development,

SBA; Judith England Joseph, Director, Housing and Community Development Issues, Resources, Division of Community, Economic Development Division, GAO; Ralph C. Thomas III, Associate Administrator, Small and Disadvantaged Business Utilization, NASA; and public witnesses.

GSA CAPITAL INVESTMENT PROGRAM REFORM AND RELATED MATTERS

Committee on Transportation and Infrastructures: Subcommittee on Public Buildings and Economic Development continued hearings on GSA Capital Investment Program Reform legislation and related matters. Testimony was heard from Ken Kimbrough, Commissioner, GSA; David Kessler, Commissioner, FDA, Department of Health and Human Services; the following officials of the Department of the Treasury: Pat Duffy, Division Director, Office of Field Operations, U.S. Customs Services; and David Mader, Chief, Management and Administration, IRS; and Gerald Thacker, Assistant Director, Administrative Office of the United States Courts.

Hearings continue March 9.

Joint Meetings

ORGANIZATIONAL MEETING

Joint Committee on Printing: Committee met and approved Representative Thomas as Chairman and Senator Stevens as Vice Chairman of the committee and adopted its rules of procedure for the 104th Congress.

COMMITTEE MEETINGS FOR TUESDAY, MARCH 7, 1995

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations, Subcommittee on Commerce, Justice, State, and Judiciary, to hold hearings on proposed budget estimates for fiscal year 1996 for the Department of Commerce, 10 a.m., S-146, Capitol.

Subcommittee on Labor, Health and Human Services, and Education, to hold hearings on proposed budget estimates for fiscal year 1996 for the Department of Labor, 2 p.m., SD-192.

Committee on Armed Services, to resume hearings on proposed legislation authorizing funds for fiscal year 1996 for the Department of Defense and the future years defense program, 9:30 a.m., SR-222.

Committee on the Budget, to hold hearings to examine various privatization initiatives, 9 a.m., SD-608.

Committee on Commerce, Science, and Transportation, Subcommittee on Oceans and Fisheries, to hold hearings on proposed legislation authorizing funds for fiscal year 1996 for the United States Coast Guard, Department of Transportation, 2:30 p.m., SR-253.

Committee on Energy and Natural Resources, Subcommittee on Parks, Historic Preservation and Recreation, to hold joint hearings with the House Committee on Resources' Subcommittee on National Parks, Forests, and Lands to review the health of the National Park System, 9:30 a.m., SD-366.

Committee on Environment and Public Works, *Drinking Water, Fisheries, and Wildlife*, to hold hearings on S. 191, to revise the Endangered Species Act of 1973 to ensure that constitutionally protected private property rights are not infringed until adequate protection is afforded by reauthorization of the act, and to protect against economic losses from critical habitat designation, and other proposed legislation to institute a moratorium on certain activities under authority of the Endangered Species Act, 9:30 a.m., SD-406.

Committee on Finance, to hold hearings to examine the Federal Communication Commission's tax certificate program, 9 a.m., SD-215.

Committee on Foreign Relations, to hold hearings on the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to be Excessively Injurious or To Have Indiscriminate Effects (The Convention on Conventional Weapons) (Treaty Doc. 103-25), 10 a.m., SD-419.

Subcommittee on Near Eastern and South Asian Affairs, to hold hearings to examine United States policy toward South Asia, 2 p.m., SD-419.

Committee on Governmental Affairs, business meeting, to mark up S. 219, to ensure economy and efficiency of Federal Government operations by establishing a moratorium on regulatory rulemaking actions, 10 a.m., SD-342.

Committee on the Judiciary, to hold hearings to examine the jury process, focusing on the search for truth in trials, 10 a.m., SD-226.

Committee on Veterans' Affairs, to hold joint hearings with the House Committee on Veterans Affairs to review the legislative recommendations of the Veterans of Foreign Wars, 9:30 a.m., 345 Cannon Building.

Committee on Indian Affairs, to hold oversight hearings to review Federal programs which address the challenges facing Indian youth, 10 a.m., SR-485.

NOTICE

For a listing of Senate committee meetings scheduled ahead, see pages E529-E531 in today's RECORD.

House

Committee on Agriculture, to mark up Title V, of H.R. 4, Personal Responsibility Act of 1995, 9:30 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on Animal and Plant Health Inspection Service, 1 p.m., 2362A Rayburn.

Subcommittee on Energy and Water Development, on Secretary of Energy, 10 a.m., 2362B Rayburn.

Subcommittee on Foreign Operations, Export Financing, and Related Agencies, on Agency for International

Development and the Peace Corps, 10 a.m., 2360 Rayburn.

Subcommittee on Interior and Related Agencies, on Office of Surface Mining, 10 a.m., and 1:30 p.m., B-308 Rayburn.

Subcommittee on Labor, Health and Human Services, Education and Related Agencies, on Howard University, and Special Institutions, 10 a.m., and on Inspector General, Department of Education, 2 p.m., 2358 Rayburn.

Subcommittee on Military Construction, on Air Force Military Construction, 9:30 a.m., B-300 Rayburn.

Subcommittee on National Security, on Personnel/Quality of Life Issues, 10 a.m., and executive, on U.S. Atlantic Command, 1:30 p.m., H-140 Capitol.

Subcommittee on Transportation, and Related Agencies, on Research and Special Programs Administration, 10 a.m., 2358 Rayburn.

Subcommittee on Veterans' Affairs and Housing and Urban Development, and Independent Agencies, on Department of Veterans Affairs, 10 a.m., and 1:30 p.m., H-143 Capitol.

Committee on Banking and Financial Services, to continue hearings on the following: H.R. 1062, Financial Services Competitiveness Act of 1995; Glass-Steagall Reform; and related issues, 10 a.m., and 2 p.m., 2128 Rayburn.

Committee on the Budget, hearing on Economic Forecasts and the Roles of Deficit Reduction and Productivity, 10 a.m., 210 Cannon.

Committee on Economic and Educational Opportunities, Subcommittee on Employer-Employee Relations, to mark up H.R. 743, Teamwork for Employees and Managers Act of 1995, 9:30 a.m., 2175 Rayburn.

Subcommittee on Postsecondary Education and Training, to continue hearings on training issues, 9 a.m., 2261 Rayburn.

Committee on Government Reform and Oversight, Subcommittee on Civil Service, hearing on the Federal Retirement System (H.R. 804, H.R. 165, H. Con. Res. 2 and H.R. 575), 9:30 a.m., 2247 Rayburn.

Subcommittee on Government Management, Information and Technology, hearing on the Integrity of Government Documents, 2 p.m., 2154 Rayburn.

Committee on International Relations, hearing on Mexico Economic Support Program, 10 a.m., 2172 Rayburn.

Committee on National Security, Subcommittee on Military Personnel and the Subcommittee on Readiness, joint hearing on fiscal year 1996 national defense authorization request, 2:30 p.m., 2118 Rayburn.

Subcommittee on Military Procurement and the Subcommittee on Military Research and Development, joint hearing on the fiscal year 1996 national defense authorization request, 9 a.m., 2118 Rayburn.

Committee on Resources, Subcommittee on Native American and Insular Affairs, oversight hearing on the Bureau of Indian Affairs and the Indian Health Service fiscal year 1996 budget requests, 1 p.m., 1334 Longworth.

Subcommittee on Water and Power Resources, oversight hearing on the Department of Energy and Bureau of Reclamation fiscal year 1996 budget requests, 1 p.m., 1324 Rayburn.

Committee on Rules, to consider H.R. 956, Common Sense Legal Standards Reform Act of 1995, 10:30 a.m., H-313 Capitol.

Committee on Standards of Official Conduct, executive, to consider pending business, 4 p.m., HT-2M Capitol.

Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment, to continue hearings on the reauthorization of the Federal Water Pollution Control Act, 10 a.m., 2167 Rayburn.

Permanent Select Committee on Intelligence, executive, hearing on Imagery Intelligence, 10 a.m., H-405 Capitol.

Joint Meetings

Joint Hearing: Senate Committee on Energy and Natural Resources, Subcommittee on Parks, Historic Preservation and Recreation, to hold joint hearings with the House Committee on Resources' Subcommittee on National Parks, Forests, and Lands to review the health of the National Park System, 9:30 a.m., SD-366.

Joint Hearing: Senate Committee on Veterans Affairs, to hold joint hearings with the House Committee on Veterans Affairs to review the legislative recommendations of the Veterans of Foreign Wars, 9:30 a.m., 345 Cannon Building.

Next Meeting of the SENATE

10:30 a.m., Tuesday, March 7, 1995

Senate Chamber

Program for Tuesday: Senate will continue consideration of S. 244, Paperwork Reduction Act.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

9:30 a.m., Tuesday, March 7, 1995

House Chamber

Program for Tuesday: Complete consideration of H.R. 988, Attorney Accountability Act; and

Consideration of H.R. 1058, Securities Litigation Reform Act (modified open rule, 1 hour of general debate).

Extensions of Remarks, as inserted in this issue

HOUSE

Andrews, Robert E., N.J., E520
Bereuter, Doug, Nebr., E520
Crane, Philip M., Ill., E522
Durbin, Richard J., Ill., E519
Gilman, Benjamin A., N.Y., E524, E526

Harman, Jane, Calif., E523
Hayes, James A., La., E525
Luther, William P., Minn., E527
McDermott, Jim, Wash., E519
Packard, Ron, Calif., E521
Pallone, Frank, Jr., N.J., E520
Rangel, Charles B., N.Y., E523

Stark, Fortney Pete, Calif., E519, E521
Stokes, Louis, Ohio, E522
Stupak, Bart, Mich., E525, E526
Towns, Edolphus, N.Y., E524, E526, E527
Woolsey, Lynn C., Calif., E527



Congressional Record

The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed at one time. ¶The Congressional Record is available as an online database through *GPO Access*, a service of the U.S. Government Printing Office. The online database is updated each day the Congressional Record is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d Session (January 1994) forward. It is available on a Wide Area Information Server (WAIS) through the Internet and via asynchronous dial-in. The annual subscription fee for a single workstation is \$375. Six month subscriptions are available for \$200 and one month of access can be purchased for \$35. Discounts are available for multiple-workstation subscriptions. To subscribe, Internet users should telnet swais.access.gpo.gov and login as newuser (all lower case); no password is required. Dial in users should use communications software and modem to call (202) 512-1661 and login as swais (all lower case); no password is required; at the second login prompt, login as newuser (all lower case); no password is required. Follow the instructions on the screen to register for a subscription for the Congressional Record Online via *GPO Access*. For assistance, contact the *GPO Access* User Support Team by sending Internet e-mail to help@eids05.eids.gpo.gov, or a fax to (202) 512-1262, or by calling (202) 512-1530 between 7 a.m. and 5 p.m. Eastern time, Monday through Friday, except Federal holidays. ¶The Congressional Record paper and 24x microfiche will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, \$112.50 for six months, \$225 per year, or purchased for \$1.50 per issue, payable in advance; microfiche edition, \$118 per year, or purchased for \$1.50 per issue payable in advance. The semimonthly Congressional Record Index may be purchased for the same per issue prices. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D.C. 20402. ¶Following each session of Congress, the daily Congressional Record is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the Congressional Record.