

Thursday, May 4, 1995

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S6131-S6191*

**Measures Introduced:** Four bills and one resolution were introduced, as follows: S. 757-760, and S. Con. Res. 12. **Pages S6168-69**

**Measures Reported:** Reports were made as follows: S. 184, to establish an Office for Rare Disease Research in the National Institutes of Health. (S. Rept. No. 104-79) **Page S6168**

**Product Liability Fairness Act:** Senate continued consideration of H.R. 956, to establish legal standards and procedures for product liability litigation, taking action on amendments proposed thereto, as follows: **Pages S6148-59**

Adopted:

By 60 yeas to 39 nays (Vote No. 149), Kyl Amendment No. 681 (to Amendment No. 596), to make improvements concerning alternative dispute resolution. **Page S6154**

Rejected:

(1) Abraham Amendment No. 600 (to Amendment No. 596), to provide for proportionate liability for noneconomic damages in all civil actions whose subject matter affects commerce. (By 51 yeas to 48 nays (Vote No. 148), Senate tabled the amendment.) **Pages S6153-54**

(2) Hollings Amendment No. 682 (to Amendment No. 596), to provide for product liability insurance reporting. (By 56 yeas to 43 nays (Vote No. 150), Senate tabled the amendment.) **Pages S6154-55**

Pending:

Gorton Amendment No. 596, in the nature of a substitute. **Pages S6148-55**

During consideration of this measure today, Senate also took the following action:

By 46 yeas to 53 nays (Vote No. 151), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate failed to agree to close further debate on Gorton Amendment No. 596, listed above. **Page S6155**

By 47 yeas to 52 nays (Vote No. 152), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate failed to agree to

close further debate on Gorton Amendment No. 596, listed above. **Pages S6158-59**

Senate will resume consideration of the bill on Friday, May 5, 1995.

**Nominations Received:** Senate received the following nominations:

Andre M. Davis, of Maryland, to be United States District Judge for the District of Maryland.

Catherine C. Blake, of Maryland, to be United States District Judge for the District of Maryland.

Herbert F. Collins, of Massachusetts, to be a Member of the Thrift Depositor Protection Oversight Board for a term of three years.

43 Army nominations in the rank of General.

**Page S6191**

**Communications:**

**Page S6168**

**Statements on Introduced Bills:** **Pages S6169-81**

**Additional Cosponsors:** **Page S6181**

**Amendments Submitted:** **Pages S6182-83**

**Notices of Hearings:** **Page S6183**

**Authority for Committees:** **Page S6183**

**Additional Statements:** **Pages S6183-89**

**Record Votes:** Five record votes were taken today. (Total—152) **Pages S6154-55, S6158-59**

**Recess:** Senate convened at 9:30 a.m., and recessed at 6:13 p.m., until 10 a.m., on Friday, May 5, 1995. (For Senate's program, see the remarks of the Majority Leader in today's RECORD on page S6189.)

### Committee Meetings

(Committees not listed did not meet)

#### APPROPRIATIONS—FOREIGN ASSISTANCE

*Committee on Appropriations:* Subcommittee on Foreign Operations held hearings on proposed budget estimates for fiscal year 1996 for foreign assistance programs, focusing on multilateral development banks, receiving testimony from Robert E. Rubin, Secretary of the Treasury.

Subcommittee will meet again on Thursday, May 11.

**APPROPRIATIONS—COAST GUARD**

*Committee on Appropriations:* Subcommittee on Transportation held hearings on proposed budget estimates for fiscal year 1996 for the United States Coast Guard, receiving testimony from Adm. Robert E. Kramek, Commandant, United States Coast Guard, Department of Transportation.

Subcommittee will meet again on Thursday, May 11.

**APPROPRIATIONS—POSTAL SERVICE/OMB**

*Committee on Appropriations:* Subcommittee on Treasury, Postal Service, and General Government held hearings on proposed budget estimates for fiscal year 1996, receiving testimony in behalf of funds for their respective activities from Alice M. Rivlin, Director, Office of Management and Budget; and Marvin T. Runyon, Postmaster General, United States Postal Service.

Subcommittee will meet again on Thursday, May 18.

**AUTHORIZATIONS—DEFENSE**

*Committee on Armed Services:* Committee held open and closed hearings on S. 727, authorizing funds for fiscal year 1996 for military activities of the Department of Defense and the Future Years Defense Program, focusing on the Ballistic Missile Defense Organization, receiving testimony from Lt. Gen. Malcolm R. O'Neill, USA, Director, and Adm. John T. Hood, both of the Ballistic Missile Defense Organization; and Sidney Graybeal, Science Applications International Corporation, and William R. Graham, both of McLean, Virginia.

Hearings were recessed subject to call.

**FEDERAL HOUSING ADMINISTRATION REFORM**

*Committee on Banking, Housing, and Urban Affairs:* Subcommittee on Housing Opportunity and Community Development concluded hearings to examine the mission of the Federal Housing Administration (FHA), focusing on the Department of Housing and Urban Development's proposal to reform the structure, programs, and accountability of the FHA, after receiving testimony from Nicolas P. Retsinas, Assistant Secretary for Housing—Federal Housing Commissioner, Department of Housing and Urban Development; and Stephen Moore, CATO Institute, and G. Richard Dunnells, Holland and Knight, both of Washington, D.C.

**MEDICARE SOLVENCY**

*Committee on the Budget:* Committee concluded hearings to examine solvency in the Medicare Program, focusing on proposals to reform the Medicare system in an effort to ensure future health care benefits for

the elderly, after receiving testimony from Donna E. Shalala, Secretary of Health and Human Services; June E. O'Neill, Director, Congressional Budget Office; and Henry J. Aaron, The Brookings Institution, Washington, D.C.

**COMPUTER AND COMMUNICATIONS TECHNOLOGIES**

*Committee on Commerce, Science, and Transportation:* Subcommittee on Science, Technology, and Space held oversight hearings on the Office of Science and Technology Policy's High-Performance Computing and Communications Program, focusing on the World Wide Web interactive computer technology, receiving testimony from John Toole, Director, National Coordination Office, High Performance Computing and Communications, Office of Science and Technology Policy (Bethesda, Maryland); Richard Gowen, South Dakota School of Mines and Technology, Rapid City; Steven Running, University of Montana, Missoula; and Bill Burrall, Moundsville Junior High, Moundsville, West Virginia.

Hearings were recessed subject to call.

**SUPERFUND REFORM**

*Committee on Environment and Public Works:* Subcommittee on Superfund, Waste Control, and Risk Assessment resumed oversight hearings on the implementation of the Comprehensive Environmental Response, Compensation, and Liability Act (P.L. 102-426), receiving testimony from Robert W. Varney, New Hampshire Department of Environmental Services, Concord, on behalf of the National Governor's Association; James C. Colman, Massachusetts Department of Environmental Protection, Boston, on behalf of the Association of State and Territorial Solid Waste Management Officials; Russell J. Harding, Michigan Department of Natural Resources, Detroit; Jonathan B. Howes, North Carolina Department of Environment, Health and Natural Resources, on behalf of the National Academy of Public Administrators; David R. Tripp, Stinson, Mag and Fizzell, Wichita, Kansas; Karen Florini, Environmental Defense Fund, and Kent Jeffreys, National Center for Policy Analysis, both of Washington, D.C.; and Velma Dunn, Phoenix, Arizona.

Hearings continue on Tuesday, May 9.

**VACCINES FOR CHILDREN**

*Committee on Finance:* Committee concluded hearings to examine the implementation and progress of the Vaccine For Children (VFC) Entitlement Program, focusing on barriers to immunization and the impact of the VFC on immunization rates, after receiving testimony from Kwai-Cheung Chan, Director for Program Evaluation in Physical Systems Areas, General Accounting Office; David Satcher, Director,

Centers for Disease Control and Prevention, Department of Health and Human Services (Atlanta, Georgia); Lloyd F. Novick, New York State Department of Health, Albany; Irwin E. Redlener, Children's Health Fund, New York, New York; F. E. Thompson, Mississippi State Department of Health, Jackson; and David L. Wood, Cedars-Sinai Medical Center, Los Angeles, California.

#### ORGAN TRANSPLANTATION IN CHINA

*Committee on Foreign Relations:* Committee concluded hearings to examine China's use of executed prisoners' body organs for transplantation, after receiving testimony from Harry Wu, Laogai Research Foundation, Milipitas, California; David J. Rothman, Columbia University, and Bill Schulz, Amnesty International USA, both of New York, New York; Mike Jendrzeczyk, Human Rights Watch/Asia, Washington, D.C.; and Pei Qi Gao, London, England.

#### NAVY SHIP PROCUREMENT

*Committee on Governmental Affairs:* Permanent Subcommittee on Investigations resumed hearings to examine waste and mismanagement in the United States Navy ship procurement system, focusing on a 1985 contract known as the Navy T-AO Kaiser Class Oiler Contract, in which the Navy never received two ships, receiving testimony from Steven S. Honigman, General Counsel, Ronald Kiss, Deputy Assistant Secretary of the Navy, and Harold V. Hanson, Contracting Officer, Naval Sea Systems Command, all of the Department of the Navy; William R. Boyles, Jr., Tampa Shipyards, Inc., Tampa, Florida; and Thomas C. Weller, Jr. and Ronald J. Stevens, both of Mobile, Alabama.

Hearings were recessed subject to call.

#### NOMINATIONS

*Committee on the Judiciary:* Committee concluded hearings on the nominations of Mary Beck Briscoe, of Kansas, to be United States Circuit Judge for the Tenth Circuit; Peter C. Economus, to be United States District Judge for the Northern District of Ohio; John Garvan Murtha, to be United States District Judge for the District of Vermont; and George A. O'Toole, to be United States District Judge for the District of Massachusetts, after the nominees testified and answered questions in their own behalf. Ms. Briscoe was introduced by Senators Dole and

Kassebaum, Mr. Economus was introduced by Senator Glenn, Mr. Murtha was introduced by Senators Jeffords and Leahy, and Mr. O'Toole was introduced by Senators Kennedy and Kerry.

#### COUNTER-TERRORISM

*Committee on the Judiciary:* Subcommittee on Terrorism, Technology, and Government Information concluded hearings on S. 390, to improve the ability of the United States to respond to the international terrorism threat, and S. 735, to prevent and punish acts of terrorism, after receiving testimony from Senator Smith; Philip C. Wilcox, Jr., Coordinator for Counter-Terrorism, Department of State; Paul W. Virtue, Deputy General Counsel, Immigration and Naturalization Service, and Teresa Wynn Roseborough, Deputy Assistant Attorney General, Office of Legal Counsel, both of the Department of Justice; and Khalil E. Jahshan, National Association of Arab Americans, Sean Mc Manus, Irish National Caucus, David Cole, Georgetown University Law Center, Gregory T. Nojeim, American Civil Liberties Union, and Robert S. Rifkind, American Jewish Committee, all of Washington, D.C.

#### PRIMARY HEALTH CARE SERVICES

*Committee on Labor and Human Resources:* Committee concluded hearings on proposed legislation to authorize funds for the Public Health Service's Community and Migrant Health Center programs, the Health Care for the Homeless Program, and the Health Services for Residents of Public Housing Program, focusing on the Administration's proposal to consolidate the programs in an effort to provide more efficient and effective health care for the underprivileged, after receiving testimony from Ciro V. Sumaya, Administrator, and Marilyn H. Gaston, Director, both of the Health Resources and Services Administration, Public Health Service, Department of Health and Human Services (Rockville, Maryland); Mark V. Nadel, Associate Director, Health Financing and Policy Issues, Health, Education, and Human Services Division, General Accounting Office; John M. Silva, Family Health Care Centers, St. Louis, Missouri; Richard J. Morrissey, Kansas Department of Health and the Environment, Topeka; and Debra Singletary, Delmarva Rural Ministries, Dover, Delaware.