

## ¶39.26 PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. SHAW:

H.R. 1155. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade of the vessel *Fifty One*; to the Committee on Transportation and Infrastructure.

H.R. 1156. 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 *Big Dad*; to the Committee on Transportation and Infrastructure.

## ¶39.27 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 65: Mr. MCCOLLUM.

H.R. 70: Mr. LARGENT.

H.R. 103: Mr. BORSKI, Mr. GORDON, Mr. GOSS, Mr. WELDON of Florida, and Mr. FIELDS of Texas.

H.R. 109: Mr. FILNER, Mr. PARKER, and Mr. WOLF.

H.R. 303: Mr. MCCOLLUM.

H.R. 328: Mr. WELDON of Pennsylvania.

H.R. 357: Ms. LOWEY, Mr. SMITH of New Jersey, Mr. KLINK, Mrs. MALONEY, Mr. RANGEL, Ms. RIVERS, Mr. STARK, Mr. FALEOMAVAEGA, Mr. ROEMER, Mr. HINCHEY, and Mr. REED.

H.R. 359: Mr. LAZIO of New York, Mr. ABERCROMBIE, Mr. MCDADE, and Mr. SPENCE.

H.R. 467: Mr. METCALF, Mr. MCNULTY, Mr. MONTGOMERY, Mr. FROST, and Mr. KING.

H.R. 468: Mr. PETRI.

H.R. 482: Mr. ZIMMER.

H.R. 499: Mr. SCARBOROUGH, Mr. STUPAK, Mr. ROYCE, and Mr. MARTINEZ.

H.R. 500: Mr. CHRYSLER, Mrs. CUBIN, and Mr. TAUZIN.

H.R. 593: Mr. GUTKNECHT.

H.R. 605: Mr. PARKER.

H.R. 609: Ms. LOFGREN, Ms. PELOSI, and Mr. TORKILDSEN.

H.R. 612: Mr. GEJDENSON.

H.R. 682: Mr. LIGHTFOOT.

H.R. 747: Mrs. JOHNSON of Connecticut and Mrs. KENNELLY.

H.R. 789: Mr. UPTON, Mr. LAHOOD, and Mr. EMERSON.

H.R. 832: Mr. PACKARD, Mr. WOLF, Mr. BAKER of Louisiana, Mr. ARMEY, Mr. KNOLLENBERG, Mr. KINGSTON, Mr. CHRYSLER, Mr. GUTKNECHT, and Mr. CANADY.

H.R. 863: Mr. JACOBS.

H.R. 866: Mr. MORAN, Mr. LIPINSKI, Mr. CLYBURN, and Mr. BRYANT of Texas.

H.R. 888: Mr. FILNER, Mr. OWENS, Mr. MINETA, Ms. KAPTUR, Mr. BROWN of California, and Mrs. MINK of Hawaii.

H.R. 896: Mr. DEUTSCH, Mr. BARRETT of Wisconsin, Mr. HINCHEY, and Mr. ROMERO-BARCELO.

H.R. 949: Mr. HUTCHINSON and Mr. STEARNS.

H.R. 983: Ms. VELAZQUEZ, Mr. JACOBS, Mr. KLECZKA, Mr. FRANK of Massachusetts, Ms. LOFGREN, Mr. TORRICELLI, and Mr. MARKEY.

H.R. 991: Mr. JOHNSTON of Florida, Mr. PALLONE, Ms. VELAZQUEZ, and Mr. CONYERS.

H.R. 1066: Mr. WOLF, Mr. HASTERT, Mr. KING, and Mr. WICKER.

H.R. 1076: Mr. MCHUGH, Mr. FORBES, Mr. LIPINSKI, Mr. CREMEANS, Mr. SAXTON, Mr. PARKER, and Mr. GUNDERSON.

H.R. 1077: Mr. ALLARD, Mr. RADANOVICH, Mr. WATTS of Oklahoma, Mr. HERGER, Mr. STUMP, and Mr. EMERSON.

H.R. 1115: Ms. RIVERS and Mr. HOYER.

H.J. Res. 70: Mr. FILNER, Ms. ROYBAL-ALLARD, Mr. MARTINEZ, Mr. EVANS, Mr. WYNN, Mr. JEFFERSON, Mr. WARD, Mr. FRANK of Massachusetts, and Mr. UNDERWOOD.

H. Res. 95: Mr. POSHARD.

## ¶39.28 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 481: Mr. CALLAHAN.

## WEDNESDAY, MARCH 8, 1995 (40)

The House was called to order by the SPEAKER.

## ¶40.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, March 7, 1995.

Pursuant to clause 1, rule I, the Journal was approved.

## ¶40.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

493. A letter from the Director of Legislative Affairs, Equal Employment Opportunity Commission, transmitting the Commission's fiscal year 1994 annual report on the operations of the Office of General Counsel, pursuant to 42 U.S.C. 2000e-4(e); to the Committee on Economic and Educational Opportunities.

494. A letter from the President, U.S. Enrichment Corporation, transmitting the Corporation's annual report for fiscal year 1994, pursuant to Public Law 102-486, section 901 (106 Stat. 2929); to the Committee on Commerce.

495. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11-23, "Recycling Fee and Illegal Dumping Amendment Act of 1995," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

496. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11-24, "Litter Control Fine Increase Amendment Act of 1995," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

497. A letter from the Chairman, Consumer Product Safety Commission, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

498. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

499. A letter from the Secretary, Federal Trade Commission, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

500. A letter from the Freedom of Information/Privacy Officer, Interstate Commerce Commission, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

501. A letter from the President, National Endowment for Democracy, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

502. A letter from the Acting Director of Legislative and Public Affairs, National Science Foundation, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

503. A letter from the Director, Office of Personnel Management, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

504. A letter from the Director, Office of Science and Technology Policy, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

505. A letter from the Librarian of Congress, transmitting the report of the activities of the Library of Congress, including the Copyright Office, for the fiscal year ending September 30, 1993, pursuant to 2 U.S.C. 139; to the Committee on House Oversight.

506. A letter from the Administrator, General Services Administration, transmitting informational copies of prospectuses for three U.S. courthouses located in Jacksonville, FL, Albany, GA, and Corpus Christi, TX, pursuant to 40 U.S.C. 606(a); to the Committee on Transportation and Infrastructure.

507. A letter from the Secretary of Energy, transmitting notification that the report on coal research, development, demonstration, and commercial application activities regarding coal-based technologies is expected to be submitted by June 30, 1995; to the Committee on Science.

508. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation to reduce costs and make improvements in the Medicare Program, and for other purposes; jointly, to the Committees on Ways and Means and Commerce.

## ¶40.3 MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Edwin Thomas, one of his secretaries.

## ¶40.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 244. An Act 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.

## ¶40.5 EMERGENCY SUPPLEMENTAL APPROPRIATIONS

Mr. LIVINGSTON submitted a privileged report (Rept. No. 104-70) on the bill (H.R. 1158) making emergency supplemental appropriations for additional disaster assistance and making rescissions for the fiscal year ending September 30, 1995, and for other purposes.

When said bill and report were referred to the Union Calendar and ordered printed.

Pursuant to clause 8 of rule XXI all points of order were reserved.

40.6 SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS

Mr. LIVINGSTON submitted a privileged report (Rept. No. 104-71) on the bill (H.R. 1159) making supplemental appropriations and rescissions for the fiscal year ending September 30, 1995, and for other purposes.

When said bill and report were referred to the Union Calendar and ordered printed.

Pursuant to clause 8 of rule XXI all points of order were reserved.

40.7 HOUSE OVERSIGHT REVIEW PANEL

The SPEAKER laid before the House the following communication, which was read as follows:

COMMITTEE ON HOUSE OVERSIGHT, Washington, DC, March 3, 1995.

Hon. NEWT GINGRICH, Speaker, House of Representatives, The Capitol, Washington, DC.

DEAR MR. SPEAKER: Pursuant to House Rule 51, clause 7, I have appointed the Honorable Lincoln Diaz-Balart as chairman of, and the Honorable Robert W. Ney to serve on, the review panel established by that Rule for the 104th Congress.

Best regards,

BILL THOMAS, Chairman.

40.8 MESSAGE FROM THE PRESIDENT—FEDERAL RAILROAD SAFETY

The SPEAKER pro tempore, Mr. CUNNINGHAM, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

I transmit herewith the 1993 annual report on the Administration of the Federal Railroad Safety Act of 1970, pursuant to section 211 of the Act (45 U.S.C. 440(a)).

WILLIAM J. CLINTON.

THE WHITE HOUSE, March 8, 1995.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Transportation and Infrastructure.

40.9 MESSAGE FROM THE PRESIDENT—TRADE POLICY AGENDA AND AGREEMENTS PROGRAM

The SPEAKER pro tempore, Mr. CUNNINGHAM, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

As required by section 163 of the Trade Act of 1974, as amended (19 U.S.C. 2213), I transmit herewith the 1995 Trade Policy Agenda and 1994 Annual Report on the Trade Agreements Program.

WILLIAM J. CLINTON.

THE WHITE HOUSE, March 8, 1995.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Ways and Means.

40.10 MESSAGE FROM THE PRESIDENT—FEDERAL COUNCIL ON AGING

The SPEAKER pro tempore, Mr. CUNNINGHAM, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

In accordance with section 204(f) of the Older Americans Act of 1965, as amended (42 U.S.C. 3015(f)), I transmit herewith the Annual Report for 1994 of the Federal Council on the Aging. The report reflects the Council's views in its role of examining programs serving older Americans.

WILLIAM J. CLINTON.

THE WHITE HOUSE, March 8, 1995.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Economic and Educational Opportunities.

40.11 FEDERAL SECURITIES LITIGATION REFORM

The SPEAKER pro tempore, Mr. CUNNINGHAM, pursuant to House Resolution 105 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1058) to reform Federal securities litigation, and for other purposes.

Mr. COMBEST, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

40.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following substitute amendment submitted by Mr. COX for the amendment submitted by Ms. ESHOO:

Substitute amendment submitted by Mr. COX:

Page 18, beginning on line 2, strike "For example" and all that follows through line 5 and insert the following: "Deliberately refraining 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."

Amendment submitted by Ms. ESHOO:

Page 18, beginning on line 2, strike "For example, a defendant who genuinely forgot to disclose, or to whom disclosure did not come to mind, is not reckless."

It was decided in the affirmative ..... Yeas ..... 252 Nays ..... 173 Answered present 1

40.13 [Roll No. 210] AYES—252

- Allard Boehert Chabot
Archer Boehner Chambliss
Armey Bonilla Chenoweth
Bachus Bono Christensen
Baker (CA) Brewster Chrysler
Baker (LA) Browder Clinger
Ballenger Brownback Coble
Barr Bryant (TN) Coburn
Barrett (NE) Bunn Collins (GA)
Bartlett Bunning Combest
Barton Burr Condit
Bass Burton Cooley
Bateman Buyer Cox
Bereuter Callahan Cramer
Bilbray Calvert Crane
Bilirakis Bilirakis Crapo
Bliley Canady Cremeans
Blute Castle Cubin

- Cunningham Davis Johnson (CT)
Deal Johnson, Sam Ramstad
DeLay Jones Regula
Diaz-Balart Kasich Riggs
Dickey Kelly Roberts
Dooley Kennedy (RI) Roemer
Doolittle Kim Rogers
Dornan King Rohrabacher
Dreier Kingston Ros-Lehtinen
Dunn Klug Roth
Ehlers Knollenberg Roukema
Ehrlich Kolbe Royce
Emerson LaHood Salmon
English Largent Sanford
Ensign Latham Saxton
Everett LaTourette Scarborough
Ewing Laughlin Schaefer
Fawell Lazio Schiff
Fields (TX) Leach Seastrand
Flanagan Lewis (CA) Sensenbrenner
Foley Lewis (KY) Shadegg
Forbes Lightfoot Shaw
Fowler Linder Shays
Franks (CT) Livingston Shuster
Franks (NJ) LoBiondo Sisisky
Frelinghuysen Longley Skeen
Frisa Lucas Skelton
Frost Manuzello Smith (MI)
Funderburk Martini Smith (NJ)
Gallegly McCollum Smith (TX)
Ganske McCreery Smith (WA)
Gekas McHugh Solomon
Geren McInnis Souder
Gilchrist McIntosh Spence
Gillmor McKeon Stearns
Gilman McNulty Stenholm
Goodlatte Menendez Stockman
Goodling Metcalf Stump
Goss Meyers Talent
Graham Mica Tate
Greenwood Miller (FL) Tauzin
Gunderson Minge Taylor (NC)
Gutknecht Molinari Thomas
Hall (TX) Montgomery Thornberry
Hancock Moorhead Tiahrt
Hansen Moran Torquadsen
Harman Morella Upton
Hastert Myers Vucanovich
Hastings (WA) Myrick Waldholtz
Hayworth Nethercutt Walker
Hefley Neumann Walsh
Heineman Ney Wamp
Herger Norwood Watts (OK)
Hilleary Nussle Weldon (FL)
Hobson Oxley Weldon (PA)
Hoekstra Packard Weller
Hoke Parker White
Holden Paxon Whitfield
Horn Peterson (MN) Wicker
Hostettler Petri Wilson
Houghton Pombo Wolf
Hunter Porter Young (AK)
Hutchinson Portman Young (FL)
Hyde Pryce Zelfi
Inglis Quillen Zimmer

NOES—173

- Ackerman de la Garza Gutierrez
Andrews DeFazio Hall (OH)
Baesler DeLauro Hamilton
Baldacci Dellums Hastings (FL)
Barcia Deutsch Hayes
Barrett (WI) Dicks Hefner
Becerra Dingell Hilliard
Beilenson Dixon Hinchey
Bentsen Doggett Hoyer
Berman Doyle Istook
Bevill Duncan Jackson-Lee
Bishop Durbin Jefferson
Bonior Edwards Johnson (SD)
Borski Engel Johnston
Boucher Eshoo Kanjorski
Brown (CA) Evans Kaptur
Brown (FL) Farr Kennedy (MA)
Brown (OH) Fattah Kennelly
Bryant (TX) Fazio Kildee
Cardin Fields (LA) Kleczka
Chapman Filner Klink
Clay Flake LaFalce
Clement Foglietta Lantos
Clyburn Ford Levin
Coleman Fox Lewis (GA)
Collins (IL) Frank (MA) Lincoln
Collins (MI) Furse Lipinski
Conyers Gejdenson Lofgren
Costello Gephardt Luther
Coyne Gonzalez Maloney
Crapo Gordon Manton
Cremeans Danner Green Markey