

which the unpackaged product is dispensed, and

“(B) displayed in the English language in conspicuous and legible type in contrast by typography, layout, or color with other printed matter on such package, descriptive materials, bin, container, and vending machine, and in a manner consistent with part 1500 of title 16, Code of Federal Regulations (or successor regulations thereto).

“(2) EXCEPTION FOR PRODUCTS MANUFACTURED OUTSIDE UNITED STATES.—In the case of a product manufactured outside the United States and directly shipped from the manufacturer to the consumer by United States mail or other delivery service, the accompanying material inside the package of the product may fail to bear the required statement if other accompanying material shipped with the product bears such statement.

“(3) SPECIAL RULES FOR CERTAIN PACKAGES.—(A) A cautionary statement required by subsection (a) or (b) may, in lieu of display on the principal display panel of the product's package, be displayed on another panel of the package if—

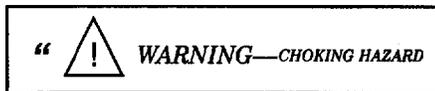
“(i) the package has a principal display panel of 15 square inches or less and the required statement is displayed in three or more languages; and

“(ii) the statement specified in subparagraph (B) is displayed on the principal display panel and is accompanied by an arrow or other indicator pointing toward a place on the package where the statement required by subsection (a) or (b) appears.

“(B)(i) In the case of a product to which subsection (a), subsection (b)(2)(B), subsection (b)(2)(C), or subsection (b)(2)(D) applies, the statement specified by this subparagraph is as follows:



“(ii) In the case of a product to which subsection (b)(2)(A) applies, the statement specified by this subparagraph is as follows:



“(d) TREATMENT AS MISBRANDED HAZARDOUS SUBSTANCE.—A balloon, ball, marble, toy, or game, that is not in compliance with the requirements of this section shall be considered a misbranded hazardous substance under section 2(p).”

(b) OTHER SMALL BALLS.—A small ball—

(1) intended for children under the age of 3 years of age, and

(2) with a diameter of 1.75 inches or less, shall be considered a banned hazardous substance under section 2(q) of the Federal Hazardous Substances Act (15 U.S.C. 1261(q)).

(c) REGULATIONS.—The Consumer Product Safety Commission (hereinafter referred to as the “Commission”) shall promulgate regulations, under section 553 of title 5, United States Code, for the implementation of this section and section 24 of the Federal Hazardous Substances Act by July 1, 1994, or the date that is 6 months after the date of enactment of this Act, whichever occurs first. Subsections (f) through (i) of section 3 of the Federal Hazardous Substances Act (15 U.S.C. 1262) shall not apply with respect to the issuance of regulations under this subsection.

(d) EFFECTIVE DATE; APPLICABILITY.—Subsections (a) and (b) shall take effect January 1, 1995, and section 24 of the Federal Hazardous Substances Act shall apply only to products entered into commerce on or after January 1, 1995.

(e) PREEMPTION.—

(1) IN GENERAL.—Subject to paragraph (2), a State or political subdivision of a State may not establish or enforce a requirement relating to cautionary labeling of small parts hazards or choking hazards in any toy, game, marble, small ball, or balloon intended or suitable for use by children unless such requirement is identical to a requirement established by amendments made by this section to the Federal Hazardous Substances Act or by regulations promulgated by the Commission.

(2) EXCEPTION.—A State or political subdivision of a State may, until January 1, 1995, enforce a requirement described in paragraph (1) if such requirement was in effect on October 2, 1993.

SEC. 102. REPORTING REQUIREMENTS.

(a) REPORTS TO CONSUMER PRODUCT SAFETY COMMISSION.—

(1) REQUIREMENT TO REPORT.—Each manufacturer, distributor, retailer, and importer of a marble, small ball, or latex balloon, or a toy or game that contains a marble, small ball, latex balloon, or other small part, shall report to the Commission any information obtained by such manufacturer, distributor, retailer, or importer which reasonably supports the conclusion that—

(A) an incident occurred in which a child (regardless of age) choked on such a marble, small ball, or latex balloon or on a marble, small ball, latex balloon, or other small part contained in such toy or game; and

(B) as a result of that incident the child died, suffered serious injury, ceased breathing for any length of time, or was treated by a medical professional.

(2) TREATMENT UNDER CPSA.—For purposes of section 19(a)(3) of the Consumer Product Safety Act (15 U.S.C. 2068(a)(3)), the requirement to report information under this subsection is deemed to be a requirement under such Act.

(3) EFFECT ON LIABILITY.—A report by a manufacturer, distributor, retailer, or importer under paragraph (1) shall not be interpreted, for any purpose, as an admission of liability or of the truth of the information contained in the report.

(b) CONFIDENTIALITY PROTECTIONS.—The confidentiality protections of section 6(b) of the Consumer Product Safety Act (15 U.S.C. 2055(b)) apply to any information reported to the Commission under subsection (a) of this section. For purposes of section 6(b)(5) of such Act, information so reported shall be treated as information submitted pursuant to section 15(b) of such Act respecting a consumer product.

TITLE II—CHILDREN'S BICYCLE HELMET SAFETY

SEC. 201. SHORT TITLE.

This title may be cited as the “Children's Bicycle Helmet Safety Act of 1993”.

SEC. 202. STANDARDS.

(a) IN GENERAL.—Bicycle helmets manufactured 9 months or more after the date of the enactment of this Act shall conform to—

(1) any interim standard described under subsection (b), pending the establishment of a final standard pursuant to subsection (c); and

(2) the final standard, once it has been established under subsection (c).

(b) INTERIM STANDARDS.—The interim standards are as follows:

(1) The American National Standards Institute standard designated as “Z90.4-1984”.

(2) The Snell Memorial Foundation standard designated as “B-90”.

(3) The American Society for Testing and Materials (ASTM) standard designated as “F 1447”.

(4) Any other standard that the Commission determines is appropriate.

(c) FINAL STANDARD.—Not later than 60 days after the date of the enactment of this

Act, the Commission shall begin a proceeding under section 553 of title 5, United States Code, to—

(1) review the requirements of the interim standards set forth in subsection (a) and establish a final standard based on such requirements;

(2) include in the final standard a provision to protect against the risk of helmets coming off the heads of bicycle riders;

(3) include in the final standard provisions that address the risk of injury to children; and

(4) include additional provisions as appropriate.

Sections 7, 9, and 30(d) of the Consumer Product Safety Act (15 U.S.C. 2056, 2058, 2079(d)) shall not apply to the proceeding under this subsection and section 11 of such Act (15 U.S.C. 2060) shall not apply with respect to any standard issued under such proceeding. The final standard shall take effect 1 year from the date it is issued.

(d) FAILURE TO MEET STANDARDS.—

(1) FAILURE TO MEET INTERIM STANDARD.—Until the final standard takes effect, a bicycle helmet that does not conform to an interim standard as required under subsection (a)(1) shall be considered in violation of a consumer product safety standard promulgated under the Consumer Product Safety Act.

(2) STATUS OF FINAL STANDARD.—The final standard developed under subsection (c) shall be considered a consumer product safety standard promulgated under the Consumer Product Safety Act.

A motion to reconsider the vote whereby said Senate amendment was agreed to with an amendment was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶20.23 SUBPOENA

The SPEAKER pro tempore, Mr. STRICKLAND, laid before the House a communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
House of Representatives, March 7, 1994.

Hon. THOMAS FOLEY,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: In accordance with House Rule 50, I respectfully notify you of my receipt of a witness subpoena from the Superior Court of Cobb County, Georgia.

After consultation with the General Counsel to the House, I have determined that compliance is not consistent with the privileges and precedents of the House.

Sincerely,

NEWT GINGRICH.

¶20.24 MESSAGE FROM THE PRESIDENT— EUROPEAN UNION NUCLEAR COOPERATION

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

To the Congress of the United States:

The United States has been engaged in nuclear cooperation with the European Community (now European Union) for many years. This cooperation was initiated under agreements that were concluded over three decades ago between the United States and the European Atomic Energy Community [EURATOM] and that extend until December 31, 1995. Since the inception of

this cooperation, EURATOM has adhered to all its obligations under those agreements.

The Nuclear Non-Proliferation Act of 1978 amended the Atomic Energy Act of 1954 to establish new nuclear export criteria, including a requirement that the United States have a right to consent to the reprocessing of fuel exported from the United States. Our present agreements for cooperation with EURATOM do not contain such a right. To avoid disrupting cooperation with EURATOM, a provision was included in the law to enable continued cooperation until March 10, 1980, if EURATOM agreed to negotiations concerning our cooperation agreements. EURATOM agreed in 1978 to such negotiations.

The law also provides that nuclear cooperation with EURATOM can be extended on an annual basis after March 10, 1980, upon determination by the President that failure to cooperate would be seriously prejudicial to the achievement of U.S. non-proliferation objectives or otherwise jeopardize the common defense and security, and after notification to the Congress. President Carter made such a determination 14 years ago and signed Executive Order No. 12193, permitting nuclear cooperation with EURATOM to continue until March 10, 1981. President Reagan made such determinations in 1981, 1982, 1983, 1984, 1985, 1986, 1987, and 1988, and signed Executive Orders Nos. 12295, 12351, 12409, 12463, 12506, 12554, 12587, and 12629 permitting nuclear cooperation to continue through March 10, 1989. President Bush made such determinations in 1989, 1990, 1991, and 1992, and signed Executive Orders Nos. 12670, 12706, 12753, and 12791 permitting nuclear cooperation to continue through March 10, 1993. Last year I signed Executive Order No. 12840 to extend cooperation for an additional year, until March 10, 1994.

In addition to numerous informal contacts, the United States has engaged in frequent talks with EURATOM regarding the renegotiation of the U.S.-EURATOM agreements for cooperation. Talks were conducted in November 1978, September 1979, April 1980, January 1982, November 1983, March 1984, May, September, and November 1985, April and July 1986, September 1987, September and November 1988, July and December 1989, February, April, October, and December 1990, and September 1991. Formal negotiations on a new agreement were held in April, September, and December 1992, and in March, July, and October 1993. They are expected to continue this year.

I believe that it is essential that cooperation between the United States and EURATOM continue, and likewise, that we work closely with our allies to counter the threat of proliferation of nuclear explosives. Not only would a disruption of nuclear cooperation with EURATOM eliminate any chance of progress in our talks with that organization related to our agreements, it

would also cause serious problems in our overall relationships. Accordingly, I have determined that failure to continue peaceful nuclear cooperation with EURATOM would be seriously prejudicial to the achievement of U.S. nonproliferation objectives and would jeopardize the common defense and security of the United States. I therefore intend to sign an Executive order to extend the waiver of the application of the relevant export criterion of the Atomic Energy Act for an additional 12 months from March 10, 1994.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 9, 1994.*

By unanimous consent, the message was referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 103-217).

¶20.25 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 313. An Act to amend the San Juan Basin Wilderness Protection Act of 1984 to designate additional lands as wilderness and to establish the Fossil Forest Research Natural Area, and for other purposes; to the Committee on Natural Resources.

¶20.26 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HOUGHTON, for March 8.

And then,

¶20.27 ADJOURNMENT

On motion of Mr. Solomon, pursuant to the special order heretofore agreed to, at 8 o'clock and 28 minutes p.m., the House adjourned until 10 o'clock a.m. on Thursday, March 10, 1994.

¶20.28 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DERRICK: Committee on Rules. House Resolution 384. Resolution providing for the consideration of H. Con. Res. 218, setting forth the congressional budget for the U.S. Government for fiscal years 1995, 1996, 1997, 1998, and 1999 (Rept. No. 103-429). Ordered to be printed.

¶20.29 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. TAYLOR of Mississippi:

H.R. 3984. A bill to designate the U.S. post office located at 212 Coleman Avenue in Waveland, MS, as the "John Longo, Jr. Post Office"; to the Committee on Post Office and Civil Service.

By Mr. CRANE:

H.R. 3985. A bill to amend the Federal Rules of Evidence with respect to the rule of privileges in civil cases; to the Committee on the Judiciary.

By Mr. FAWELL (for himself, Mr. ARCHER, Mr. BALLENGER, Mr. BARTLETT of Maryland, Mr. BOEHNER, Mr. BURTON of Indiana, Mr. COX, Mr. CRANE, Mr. CRAPO, Mr. DEFAZIO, Mr. DOO-

LITTLE, Mr. EHLERS, Mr. EWING, Mrs. FOWLER, Mr. GILCHREST, Mr. GOODLATTE, Mr. GOODLING, Mr. HANCOCK, Mr. HEFLEY, Mr. HERGER, Mr. HOEKSTRA, Mr. KING, Mr. MANZULLO, Mr. MILLER of Florida, Mr. NUSSLE, Mr. OXLEY, Mr. PAXON, Mr. PENNY, Mr. PETERSON of Minnesota, Mr. RAMSTAD, Mr. SENSENBRENNER, Mr. SMITH of Texas, Mr. STEARNS, and Mr. ZIMMER):

H.R. 3986. A bill to rescind unauthorized supplemental appropriations for fiscal year 1994, and for other purposes; to the Committee on Appropriations.

By Mr. FIELDS of Texas (for himself, Mr. STUDDS, and Mr. BEILENSON):

H.R. 3987. A bill to provide for conservation of rhinoceros and tigers; jointly, to the Committees on Merchant Marine and Fisheries and Ways and Means.

By Mr. RAHALL:

H.R. 3988. A bill to provide for the preservation and interpretation of certain lands and structures relating to the coal mining heritage of the State of West Virginia and the Nation; and for other purposes; to the Committee on Natural Resources.

By Mr. SHAYS (for himself and Mr. FRANK of Massachusetts):

H.R. 3989. A bill to reduce domestic and defense discretionary spending; jointly, to the Committees on Science, Space, and Technology; Armed Services; Energy and Commerce; and Natural Resources.

By Ms. SLAUGHTER (for herself, Mr. ABERCROMBIE, Ms. DELAURO, Mr. EVANS, Mr. FROST, Mr. HOCHBRUECKNER, Mr. KING, Mr. KLUG, Mrs. MALONEY, Mr. STUPAK, Mr. TOWNS, and Mr. ENGEL):

H.R. 3990. A bill to provide protection from sexual predators; to the Committee on the Judiciary.

By Mr. SOLOMON:

H.R. 3991. A bill to prohibit federally sponsored research pertaining to the legalization of drugs; to the Committee on Government Operations.

H.R. 3992. A bill to prohibit foreign assistance to Russia unless certain requirements relating to Russian intelligence activities, relations between Russia and certain neighboring countries, and the reform of the Russian economy are met; jointly, to the Committees on Foreign Affairs and Banking, Finance and Urban Affairs.

By Mr. RAMSTAD (for himself, Mr. KENNEDY, and Mr. BLILEY):

H.R. 3993. A bill to amend title 18, United States Code, with respect to the sexual exploitation of children; to the Committee on the Judiciary.

By Mr. MONTGOMERY:

H.J. Res. 332. Joint resolution designating July 27 of each year as the "National Korean War Veterans Armistice Day"; to the Committee on Post Office and Civil Service.

By Mr. JOHNSTON of Florida (for himself, Mr. WAXMAN, Mr. FROST, Mr. YATES, Mr. BERMAN, Mr. FRANK of Massachusetts, Mr. ENGEL, Mr. LEWIS of Georgia, Mr. SHAYS, Mr. FINGERHUT, Mr. BLACKWELL, Mr. SAXTON, Mr. EDWARDS of California, Mr. DEUTSCH, Mr. WYNN, Mr. PALLONE, Mr. HORN, Mr. PENNY, Mr. MARTINEZ, Mr. BACCHUS of Florida, Mrs. MEEK of Florida, Mr. CARDIN, Ms. CANTWELL, Ms. BROWN of Florida, Mr. PAYNE of New Jersey, Mr. GEJDENSON, Mr. PETERSON of Florida, Mr. WYDEN, Ms. KAPTUR, Mr. KLEIN, Mrs. THURMAN, Mr. ANDREWS of New Jersey, Mr. SYNAR, Mr. FALEOMAVAEGA, Mr. MARKEY, Mr. LEVY, Mr. LEACH, Mr. SABO, Mr. BORSKI, Mr. HASTINGS, and Mr. MENENDEZ):

H. Con. Res. 219. Concurrent resolution to support the Middle East peace process and