

AMENDMENT NO. 725

At the appropriate place, insert the following:

SEC. . NO PREEMPTION OF RECENT TORT REFORM LAWS.

Notwithstanding any other provision of this Act to the contrary, nothing in this Act preempts any provision of State law inconsistent with this Act if the legislature of that State considered a legislative proposal dealing with that provision in connection with reforming the tort laws of that State during the period beginning on January 1, 1980, and ending on the date of enactment of this Act, without regard to whether such proposal was adopted, modified and adopted, or rejected.

AMENDMENT NO. 726

At the appropriate place, insert the following:

SEC. . NO PREEMPTION OF RECENT TORT REFORM LAWS.

Notwithstanding any other provision of this Act to the contrary, nothing in this Act preempts any provision of State law adopted after the date of enactment of this Act.

AMENDMENT NO. 727

On page 1, after line 3, insert the following:

SEC. 2. STATE IMPLEMENTATION REQUIRED.

Notwithstanding any provision of this Act to the contrary, nothing in this Act shall supersede any provision of State law or rule of civil procedure unless that State has enacted a law providing for the application of this Act in that State.

AMENDMENT NO. 728

On page 27, after line 23, insert the following:

SEC. 111. APPLICATION OF ACT LIMITED TO DOMESTIC PRODUCTS.

Notwithstanding any other provision of this Act, this Act shall not apply to any product, component part, implant, or medical device that is not manufactured in the United States within the meaning of the Buy American Act (41 U.S.C. 10a) and the regulations issued thereunder, or to any raw material derived from sources outside the United States.

BYRD (AND OTHERS) AMENDMENT NO. 729

(Ordered to lie on the table.)

Mr. BYRD (for himself, Mr. BAUCUS, and Mr. REID) submitted an amendment intended to be proposed by them to amendment No. 690, proposed by Mr. COVERDELL to amendment No. 596, proposed by Mr. GORTON to the bill, H.R. 956, supra; as follows:

At the appropriate place, insert

Inasmuch as, the United States and Japan have a long and important relationship which serves as an anchor of peace and stability in the Pacific region;

Inasmuch as, tension exists in an otherwise normal and friendly relationship between the United States and Japan because of persistent and large trade deficits which are the result of practices and regulations which have substantially blocked legitimate access of American products to the Japanese market;

Inasmuch as, the current account trade deficit with Japan in 1994 reached an historic high level of \$66 billion, of which \$37 billion, or 56 percent, is attributed to imbalances in automotive sector, and of which \$12.8 billion is attributable to auto parts flows:

Inasmuch as, in July, 1993, the Administration reached a broad accord with the Govern-

ment of Japan, called the "United States-Japan Framework for a New Economic Partnership", which established automotive trade regulations as one of 5 priority areas for negotiations, to seek market-opening arrangements based on objective criteria and which would result in objective progress;

Inasmuch as, a healthy American automobile industry is of central importance to the American economy, and to the capability of the United States to fulfill its commitments to remain as an engaged, deployed, Pacific power;

Inasmuch as, after 18 months of negotiations with the Japanese, beginning in September 1993, the U.S. Trade Representative concluded that no progress had been achieved, leaving the auto parts market in Japan "virtually closed";

Inasmuch as, in October, 1994, the United States initiated an investigation under Section 301 of the Trade Act of 1974 into the Japanese auto parts market, which could result in the imposition of trade sanctions on a variety of Japanese imports into the United States unless measurable progress is made in penetrating the Japanese auto parts market;

Inasmuch as, the latest round of U.S.-Japan negotiations on automotive trade, in Whistler, Canada, collapsed in failure on May 5, 1995, and the U.S. Trade Representative, Ambassador Kantor, stated the "government of Japan has refused to address our most fundamental concerns in all areas" of automotive trade, and that "discrimination against foreign manufacturers of autos and auto parts continues."

Inasmuch as, President Clinton stated, on May 5, 1995, that the U.S. is "committed to taking strong action" regarding Japanese imports into the U.S. if no agreement is reached.

Now, therefore, be it

Declared, That it is the Sense of the Senate that—

(1) the Senate supports the efforts of the President to continue to strongly press the Government of Japan, through bilateral negotiations under the agreed "Framework for a New Economic Partnership," for sharp reductions in the trade imbalances in automotive sales and parts through the elimination of unfair and restrictive Japanese market-closing practices and regulations; and

(2) If such results-oriented negotiations are not concluded satisfactorily, appropriate and reasonable measures, up to and including trade sanctions, should be imposed in accordance with Section 301 of the trade Act of 1974.

NOTICES OF HEARINGS**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. NICKLES. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Energy Production and Regulation.

The hearing will take place Thursday, May 18, 1995, at 2 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on S. 283, a bill to provide for the extension of the deadline under the Federal Power Act applicable to two hydroelectric projects in Pennsylvania, and for other purposes, S. 468, a bill to provide for the extension of the deadline under the Federal Power Act applicable to the construction of a hydroelectric project in Ohio, and for

other purposes, S. 543, a bill to provide for the extension of the deadline under the Federal Power Act applicable to the construction of a hydroelectric project in Oregon, and for other purposes, S. 547, a bill to provide for the extension of the deadlines applicable to certain hydroelectric projects under the Federal Power Act, and for other purposes, S. 549, a bill to provide for the extension of the deadline under the Federal Power Act applicable to the construction of three hydroelectric projects in the State of Arkansas, S. 552, a bill to provide for the refurbishment and continued operation of a small hydroelectric facility in central Montana by adjusting the amount of charges to be paid to the United States under the Federal Power Act and for other purposes, S. 595, a bill to provide for the extension of a hydroelectric project located in the State of West Virginia, and S. 611 a bill to provide for the extension of time limitation for a FERC-issued hydroelectric license.

Those who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. For further information, please call Judy Brown or Howard Useem at 202-224-6567.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. NICKLES. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Energy Production and Regulation.

The hearing will take place Tuesday, June 6, 1995, at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on S. 708, a bill to repeal section 210 of the Public Utility Regulatory Policies Act of 1978.

Those who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. For further information, please call Judy Brown or Howard Useem at 202-224-6567.

SUBCOMMITTEE ON FORESTS AND PUBLIC LAND MANAGEMENT

Mr. CRAIG. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Forests and Public Land Management.

The hearing will take place Tuesday, May 23, 1995, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony regarding S. 620, Reclamation Facilities Transfer Act.

Those wishing to testify or who wish to submit written statements should write to the Committee on Energy and Natural Resources, attention Betty Nevitt, U.S. Senate, Washington, DC 20510. For further information, please call Jim Beirne at (202) 224-2564 or Betty Nevitt at 202-224-0765.

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. President, I would like to announce for the public that a hearing has been scheduled before the full Committee on Energy and Natural Resources to consider S. 638, the Insular Development Act of 1995.

The hearing will take place Thursday, May 25, 1995, at 2 p.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

Those wishing to testify or who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. For further information, please call Jim Beirne at (202) 224-2564 or Betty Nevitt at 202-224-0765.

ADDITIONAL STATEMENTS

BUDGET SCOREKEEPING REPORT

• Mr. DOMENICI. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under section 308(b) and in aid of section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of section 5 of Senate Concurrent Resolution 32, the first concurrent resolution on the budget for 1986.

This report shows the effects of congressional action on the budget through May 5, 1995. The estimates of budget authority, outlays, and revenues, which are consistent with the technical and economic assumptions of the concurrent resolution on the budget (H. Con. Res. 218), show that current level spending is below the budget resolution by \$5.6 billion in budget authority and \$1.4 billion in outlays. Current level is \$0.5 billion over the revenue floor in 1995 and below by \$9.5 billion over the 5 years 1995-99. The current estimate of the deficit for purposes of calculating the maximum deficit amount is \$238 billion, \$3.1 billion below the maximum deficit amount for 1995 of \$241 billion.

Since my last report, dated April 24, 1995, there has been no action that affects the current level of budget authority, outlays, or revenues.

The report follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 8, 1995.

Hon. PETE DOMENICI,
Chairman, Committee on the Budget, U.S. Senate,
Washington, DC.

DEAR MR. CHAIRMAN: The attached report for fiscal year 1995 shows the effects of Congressional action on the 1995 budget and is current through May 5, 1995. The estimates of budget authority, outlays and revenues are consistent with the technical and economic assumptions of the 1995 Concurrent Resolution on the Budget (H. Con. Res. 218). This report is submitted under Section 308(b) and in aid of Section 311 of the Congressional Budget Act, as amended, and meets the requirements of Senate scorekeeping of Section 5 of S. Con. Res. 32, the 1986 First Concurrent Resolution on the Budget.

Since my last report, dated April 24, 1995, there has been no action that affects the current level of budget authority, outlays or revenues.

Sincerely,

JUNE E. O'NEILL,
Director.

THE CURRENT LEVEL REPORT FOR THE U.S. SENATE, FISCAL YEAR 1995, 104TH CONGRESS, 1ST SESSION, AS OF CLOSE OF BUSINESS MAY 5, 1995

[In billions of dollars]

	Budget resolution (H. Con. Res. 218) ¹	Current level ²	Current level over/under resolution
ON-BUDGET			
Budget authority	1,238.7	1,233.1	-5.6
Outlays	1,217.6	1,216.2	-1.4
Revenues:			
1995	977.7	978.2	0.5
1995-99	5,415.2	5,405.7	-9.5
Deficit	241.0	238.0	-3.1
Debt subject to limit	4,965.1	4,764.5	-200.6
OFF-BUDGET			
Social Security outlays:			
1995	287.6	287.5	-0.1
1995-99	1,562.6	1,562.6	3.0
Social Security revenues:			
1995	360.5	360.3	-0.2
1995-99	1,998.4	1,998.2	-0.2

¹ Reflects revised allocation under section 9(g) of H. Con. Res. 64 for the Deficit-Neutral reserve fund.

² Current level represents the estimated revenue and direct spending effects of all legislation that Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made. The current level of debt subject to limit reflects the latest U.S. Treasury information on public debt transactions.

³ Less than \$50 million.

Note: Detail may not add due to rounding.

THE ON-BUDGET CURRENT LEVEL REPORT FOR THE U.S. SENATE, 104TH CONGRESS, 1ST SESSION, SENATE SUPPORTING DETAIL FOR FISCAL YEAR 1995 AS OF CLOSE OF BUSINESS MAY 5, 1995

[In millions of dollars]

	Budget authority	Outlays	Revenues
ENACTED IN PREVIOUS SESSIONS			
Revenues			978,466
Permanents and other spending legislation	750,307	706,236	
Appropriation legislation	738,096	757,783	
Offsetting receipts	(250,027)	(250,027)	
Total previously enacted	1,238,376	1,213,992	978,466
ENACTED THIS SESSION			
1995 Emergency Supplementals and Rescissions Act (Public Law 104-6)	(3,386)	(1,008)	
Self-Employed Health Insurance Act (Public Law 104-7)			(248)
Total enacted this session	(3,386)	(1,008)	(248)
ENTITLEMENTS AND MANDATORIES			
Budget resolution baseline estimates of appropriated entitlements other mandatory programs not yet enacted	(1,887)	3,189	
Total current level	1,233,103	1,216,173	978,218
Total budget resolution	1,238,744	1,217,605	977,700
Amount remaining:			
Under budget resolution	5,641	1,432	
Over budget resolution			518

¹ In accordance with the Budget Enforcement Act, the total does not include \$3,905 million in budget authority and \$7,442 million in outlays in funding for emergencies that have been designated as such by the President and the Congress, and \$841 million in budget authority and \$917 million in outlays for emergencies that would be available only upon an official budget request from the President designating the entire amount requested as an emergency requirement.

Notes: Numbers in parentheses are negative. Detail may not add due to rounding.

TIME FOR REAL FARM REFORM

• Mr. DORGAN. Mr. President, no other legislation which is likely to come before the Congress this year will

have more direct impact on my State, North Dakota, and the people who live there than the 1995 farm bill. For a farm State, for a State with a predominantly rural economy, it is critically important legislation.

When Congress and the President begin to draft that legislation, I believe it is essential that we be about the business of fundamental reform. The time for farm program facelifts has long since passed. It is time for real change, change that returns the farm program to its fundamental and original mission: helping family farmers survive and prosper.

I recently wrote a guest editorial which was published in a number of North Dakota newspapers which outlined my thinking on this important issue in some detail. I would like to share that article, and those thoughts, with my colleagues and ask that it be reprinted at this point in the RECORD.

The editorial follows:

NO MORE FACELIFTS FOR THE FARM PROGRAM—IT'S TIME FOR REAL REFORM
(By U.S. Senator Byron L. Dorgan)

The new U.S. Secretary of Agriculture, Dan Glickman, is coming to North Dakota Friday at my invitation to meet with family farmers. His visit comes at both an opportune and very challenging time.

This year Congress will cut federal spending to reduce the deficit. It will also write a new five year farm program. The two are closely related. Budget pressures will limit the amount of money available for a farm program.

Farm program price supports have already been cut deeply—slashed by 62% since 1986—but still, some leaders in the new Congress are pushing for even deeper cuts. House Majority Leader Dick Armey (R-TX) and Senate Agriculture Committee Chair Richard Lugar (R-IN) are calling outright for the federal farm program to be phased down and, effectively, abolished.

Those of us who believe that a decent farm program is essential to the survival of family farmers face a major challenge. To retain a decent farm program, we are going to have to propose new, and more effective approaches. We must take a fresh look at what works and what doesn't in the farm program.

I hope that will be the focus of the discussion in North Dakota on Friday with the Secretary of Agriculture.

At the outset we have to admit that the current farm program doesn't work very well.

First, price supports are too low to offer real protection to family-sized farms. That's because the nation's largest farms—often big corporate farms—soak up too much of the farm program's funds.

Second, the current farm program is far too complicated.

Third, it is built on a "supply management" approach that no longer works. In the new global market place of the 1990's and beyond, it is virtually impossible for one nation to control supplies. When we cut production of a commodity, other countries eagerly step in and fill the gap.

The bottom line is that the current farm program does not do a good job serving as a safety net for family farmers nor does it do much to boost market prices for farm commodities.

Under the current program, we have ended up with more government employees to run the farm program, and fewer family farmers. That's moving in the wrong direction.