

Monday, March 6, 1995

# 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