

attorney's services, such as administrative or secretarial assistance, overhead, travel expenses, witness fees, or preparation by a person other than the attorney of any study, analysis, report, or test;

(C) the term "claimant" means any natural person who files a civil action arising under any Federal law or in any diversity action in Federal court and—

(i) if such a claim is filed on behalf of the claimant's estate, the term shall include the claimant's personal representative; or

(ii) if such a claim is brought on behalf of a minor or incompetent, the term shall include the claimant's parent, guardian, or personal representative;

(D) the term "contingent fee" means the cost or price of an attorney's services determined by applying a specified percentage, which may be a firm fixed percentage, a graduated or sliding percentage, or any combination thereof, to the amount of the settlement or judgment obtained;

(E) the term "hourly fee" means the cost or price per hour of an attorney's services;

(F) the term "initial meeting" means the first conference or discussion between the claimant and the attorney, whether by telephone or in person, concerning the details, facts, or basis of the claim;

(G) the term "natural person" means any individual, and does not include an artificial organization or legal entity, such as a firm, corporation, association, company, partnership, society, joint venture, or governmental body; and

(H) the term "retain" means the act of a claimant in engaging an attorney's services, whether by express or implied agreement, by seeking and obtaining the attorney's services.

#### (2) DISCLOSURE AT INITIAL MEETING.—

(A) IN GENERAL.—An attorney retained by a claimant shall, at the initial meeting, disclose to the claimant the claimant's right to receive a written statement of the information described under paragraph (3).

(B) WAIVER AND EXTENSION.—The claimant, in writing, may—

(i) waive the right to receive the statement required under subparagraph (A); or

(ii) extend the 30-day period referred to under paragraph (3).

(3) INFORMATION AFTER INITIAL MEETING.—Subject to paragraph (2)(B), within 30 days after the initial meeting, an attorney retained by a claimant shall provide a written statement to the claimant containing—

(A) the estimated number of hours of the attorney's services that will be spent—

(i) settling or attempting to settle the claim or action; and

(ii) handling the claim through trial;

(B) the basis of the attorney's fee for services (such as a contingent, hourly, or flat fee basis) and any conditions, limitations, restrictions, or other qualifications on the fee the attorney determines are appropriate; and

(C) the contingent fee, hourly fee, or flat fee the attorney will charge the client.

#### (4) INFORMATION AFTER SETTLEMENT.—

(A) IN GENERAL.—An attorney retained by a claimant shall, within a reasonable time not later than 30 days after the date on which the claim or action is finally settled or adjudicated, provide a written statement to the claimant containing—

(i) the actual number of hours of the attorney's services in connection with the claim;

(ii) the total amount of the fee for the attorney's services in connection with the claim; and

(iii) the actual fee per hour of the attorney's services in connection with the claim, determined by dividing the total amount of the fee by the actual number of hours of attorney's services.

(B) WAIVER AND EXTENSION.—A client, in writing, may—

(i) waive the right to receive the statement required under subparagraph (A); or

(ii) extend the 30-day period referred to under subparagraph (A).

(5) FAILURE TO DISCLOSE.—Except with regard to a claimant who provides a waiver under paragraph (2)(B) or (4)(B), a claimant to whom an attorney fails to disclose information required by this section may withhold 10 percent of the fee and file a civil action for damages resulting from the failure to disclose in the court in which the claim or action was filed or could have been filed.

(6) OTHER REMEDIES.—This subsection shall supplement and not supplant any other available remedies or penalties.

(b) EFFECTIVE DATE.—This title shall take effect and apply to claims or actions filed on and after the date occurring 30 days after the date of enactment of this Act.

#### HOLLINGS AMENDMENT NO. 598

Mr. HOLLINGS proposed an amendment to amendment No. 597 proposed by Mr. ABRAHAM to the bill (H.R. 956) to establish legal standards and procedures for product liability litigation, and for other purposes; as follows:

At the end of the matter proposed to be inserted, add the following:

#### SEC. 302. LIMITATIONS ON FEES.

If an attorney at law brings a civil action or is engaged to defend against any civil action, the attorney may not be compensated for the legal services provided in connection with that action at a rate in excess of \$50 an hour.

#### BROWN AMENDMENT NO. 599

Mr. GORTON (for Mr. BROWN) proposed an amendment to amendment No. 596 proposed by Mr. GORTON the bill H.R. 956, *supra*; as follows:

At the appropriate place, insert the following new section:

#### SEC. . REPRESENTATIONS AND SANCTIONS UNDER RULE 11 FEDERAL RULES OF CIVIL PROCEDURE.

(a) IN GENERAL.—Rule 11 of the Federal Rules of Civil Procedure is amended—

(1) in subsection (b)(3) by striking out "or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery" and inserting in lieu thereof "or are well grounded in fact"; and

(2) in subsection (c)—

(A) in the first sentence by striking out "may, subject to the conditions stated below," and inserting in lieu thereof "shall";

(B) in paragraph (2) by striking out the first and second sentences and inserting in lieu thereof the following: "A sanction imposed for violation of this rule may consist of reasonable attorneys' fees and other expenses incurred as a result of the violation, directives of a nonmonetary nature, or an order to pay penalty into court or to a party."; and

(C) in paragraph (2)(A) by inserting before the period " , although such sanctions may be awarded against a party's attorneys".

(b) EFFECTIVE DATE.—The provisions of this section shall take effect 30 days after the date of the enactment of this Act.

#### NOTICE OF HEARING

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information

of the Senate and the public that the hearing scheduled before the Committee on Energy and Natural Resources for Thursday, April 27, in room SD-366 to consider S. 537 and H.R. 402, bills to amend the Alaska Native Claims Settlement Act, will begin at 9:45 a.m. instead of 9:30 a.m., as previously scheduled.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. GORTON. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for an executive session, during the session of the Senate on Tuesday, April 25, 1995, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SUBCOMMITTEE ON STRATEGIC FORCES

Mr. GORTON. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet on Tuesday, April 25, 1995 at 2 p.m. in open session to receive testimony on the Department of Energy's Environmental Management Program in review of the defense authorization request for fiscal year 1996 and the future years defense program; Defense Nuclear Facilities Safety Board reauthorization.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ADDITIONAL STATEMENTS

##### MORRIS K. UDALL PARKINSON'S RESEARCH, EDUCATION, AND ASSISTANCE ACT

• Mr. HATFIELD. Mr. President, since the introduction of the Morris K. Udall Parkinson's Research, Education, and Assistance Act, S. 684, on April 6, 1995, I have received subsequent letters of support from many groups and individuals around the country.

I ask that a list of these groups and individuals be printed in the RECORD following a letter of support from the chairman of the National Parkinson Foundation, Inc.

The material follows:

NATIONAL PARKINSON FOUNDATION, INC.,  
*Miami, FL, March 27, 1995.*

Hon. MARK HATFIELD,  
*U.S. Senator,*  
*Washington, DC.*

DEAR SENATOR HATFIELD: The National Parkinson Foundation was founded with a dual purpose. Firstly, to find the cause and cure of Parkinson's Disease and secondly, to improve the quality of care for Parkinson patients and their caregivers.

Our fifty thousand square foot headquarters building, located in Miami, Florida, comprises clinical offices, research facilities, therapeutic departments and a Parkinson day care center.

In addition, our dedication has caused us to create and to support twenty additional

centers located in the most prestigious medical schools in the United States as well as to create seven more such centers world wide.

Thus, it is evident how all encompassing our representation is in and for the Parkinson community.

I assure you of the utmost support of the entire National Parkinson Foundation organization on behalf of the "Morris K. Udall Parkinson's Research, Assistance, and Education Act of 1995".

I also wish to assure you that I personally am available in any manner you see fit to assist you in support of the bill.

Sincerely,

NATHAN SLEWETT,  
*Chairman.*

#### LETTERS OF SUPPORT

Letters of support were received from: Orange Elderly Services, Inc., Orange, CA; the Grand Strand Parkinson's Support Group, Calabash, NC; The Parkinson's Disease and Movement Disorders Center at the Graduate Hospital, Philadelphia, PA; Parkinson's Support Group of Santa Maria, CA; Parkinson's and Other Neurological Disorders, Inc., Joplin, MO; Social Service Federation, Parkinson's Support Group, Englewood, NJ; Parkinson's Disease Support Group, Sioux Valley Hospital, Sioux Falls, SD; San Joaquin Valley Parkinson Support Group, Turlock, CA; Parkinson's Support Group of Greater Syracuse, NY; Tri-State Pittsburgh Chapter, American Parkinsons Disease Association, Pittsburgh, PA; Houston Area Parkinson Society; Houston, TX; Chestnut Hill Rehabilitation Hospital Parkinson's Disease Support Group, Wyndmoor, PA; Parkinson Foundation of Harris County, Houston, TX; American Parkinson Disease Association Information and Referral Center, National Capital Area, Fairfax, VA; Norfolk Parkinson Support Group, Norfolk, NE; Parkinson Support Group of Tarrant County, TX, Fort Worth, TX; Lake County, Illinois Parkinson's Support Group, Mundelein, IL; Wellness Interaction Network, Encino, CA; Palo Alto Parkinson's Support Group, Palo Alto, CA; Parkinson Partners of NW Pennsylvania, Erie, PA; South Sound Parkinson's Support Group, Olympia, WA; Rockford, Illinois Parkinson's Support Group, Rockford, IL; Greater Daytona Parkinson's Support Group, Ormond Beach, FL; American Parkinson Disease Association, Oahu chapter, Honolulu, HI; Greencroft Retirement Community Parkinson's Support Group, Goshen, IN; Parkinsonian Publications; Harvey Checkoway, PhD, Professor of Environmental Health and Epidemiology, University of Washington, Seattle, WA; Walter C. Low, Ph.D., professor of neurosurgery, University of Minnesota, Minneapolis, MN; Parsippany Parkinson Support Group, Parsippany, NJ; Wise Young, Ph.D., MD, professor of neurosurgery, physiology, and biophysics, New York University Medical Center, New York, NY; Chico Parkinson's Support Group, Chico, CA; Colonial Club Senior Center Parkinson's Support Group, Sun Prairie, WI; American Parkinson Disease Association Information and Referral Center, Suffolk County, Smithtown, NY; Longmont, Colorado Parkinson's Disease Support Group, Longmont, CO; North Central Mississippi Parkinson's Support Group, Greenwood, MS; Central New York Parkinson Support Group, Herkimer, NY; Erwin B. Montgomery, Jr., MD, associate professor of neurology, the University of Arizona Health Sciences Center, Tucson, AZ; Nebraska Parkinson's Action Information Network, Lincoln, NE; Parkinson Support Group of North Jersey, Verona, NJ; Parkinson's Enrichment Program Support Group, New York, NY; William C. Koller, MD, Ph.D., Professor and chairman, department of neurology, the University

of Kansas Medical Center, Kansas City, KS; Dallas Area Parkinsonism Society, Dallas, TX; the Movement Disorder Society, Houston, TX; Eisenhower Medical Center Parkinson Center of Excellence, Rancho Mirage, CA; American Parkinson Disease Association Information and Referral Center, Reno, NV; Parkinson Support Group Foundation of Long Island, Inc., Rockville Centre, NY.●

#### MCKENDREE COLLEGE'S NEW PRESIDENT

● Mr. SIMON. Mr. President, James W. Dennis will be inaugurated as McKendree College's 32d president on April 29. Whether as a faculty member or administrator, Dr. Dennis has had an exceptional commitment to young people.

Throughout his career, Dr. Dennis has been active in both the academic and nonacademic communities. For instance, Dr. Dennis founded the National Youth Program which offers educational and sports opportunities to disadvantaged youth. He has also provided learning opportunities for high school and college educators by establishing the educational seminars. A world class advocate and educator, Dr. Dennis has promoted student voluntarism and supported area alcohol and drug-abuse education efforts.

As Illinois' oldest college, McKendree will prosper with Dr. Dennis' activism and commitment. I extend my best wishes to Dr. Dennis and McKendree College.●

#### TRIBUTE TO LOUISVILLE MALE HIGH SCHOOL

● Mr. McCONNELL. Mr. President, I would like to recognize Louisville Male High School, from Kentucky, who won first place at the State competition of the We the People . . . The Citizen and the Constitution. This victory entitles these young scholars to compete in the national finals held in our Nation's Capital.

The members of the Louisville Male High School team are: Shannon Bender, Josh Bridgwater, Shilo Burke, Katie Callender, Scott Embry, Jessi Followwill, Adam Greenwell, John Grissom, Christy Jones, Jonathan Keith, Stephanie McAlmont, Stephen McAlmont, Shannon McMillan, Travis Moore, Kristi Mosier, Adam Pedigo, Melanie Rapp, Amber Rowan, Chris Rutledge, Shannon Simms, Eric Stevens, April Stivers, Ricky Suel, Danyaun Vandgrift, Shaniqua Wade.

I would also like to recognize their teacher, Sandra D. Hoover, who deserves much of the credit for the success of the team. The district coordinator, Tommy Dowler, and the State coordinator, Tami Dowler also contributed a significant amount of time and effort to help the team reach the national finals.

The We the People . . . the Citizen and the Constitution program, funded by Congress, is designated to educate young people about the Constitution

and the Bill of Rights. The 3-day national competition simulates a congressional hearing in which students' oral presentations are judged on the basis of their knowledge of constitutional principles and their ability to apply them to historical and contemporary issues. Members of Congress and their staff enhance the program by discussing current constitutional issues with both students and teachers.

Mr. President, I would like my colleagues to join me in recognizing these students. It is refreshing to see young people wanting to gain an informed perspective about the history and the principles of the United States constitutional government. I wish the members of the Male High School We the People team the best of luck and look forward to their future in politics and government.●

#### JAMES R. SCHLESINGER: PAUL H. NITZE AWARD RECIPIENT

● Mr. MOYNIHAN. Mr. President, the Center for Naval Analyses in Alexandria, VA, annually presents the Paul H. Nitze Award in recognition of important contributions to national and international security affairs. This year's recipient of the Nitze Award is the Honorable James R. Schlesinger, who received the award on April 6, 1995.

Dr. James Schlesinger is of course one of the most experienced and able public servants of our time. A distinguished economist, he served during the Nixon administration in several prominent capacities in the Bureau of the Budget, ascending to Assistant Director in 1970, when the Bureau became the Office of Management and Budget. And, as Senators are well aware, he went on to become Director of Central Intelligence and Secretary of Defense in the Nixon and Ford administrations, and Secretary of Energy under President Carter. Dr. Schlesinger has also served for many years as senior advisor at Lehman Brothers, and he is widely respected for his scholarship arising out of his long association with the Center for Strategic and International Studies at Georgetown University.

On receiving the Paul H. Nitze Award, Jim Schlesinger delivered an outstanding lecture on "American Leadership, Isolationism, and Unilateralism" in which he points out the need for close attention to the leadership role of the United States in international affairs in the post-cold-war era.

Mr. President, when a scholar and public eminence of James Schlesinger's wisdom and stature addresses himself to an issue of such significance to world affairs, I believe it is incumbent on all of us to take notice. Every Senator will benefit from a careful reading of Dr. Schlesinger's speech, and I therefore ask that it be printed in the RECORD.

The speech follows: