

(d) PENDING CASES.—Effective 90 days after the date of enactment of this Act, any case pending in the special court established under section 209(b) of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 719(b)) shall be assigned to the United States District Court for the District of Columbia as though the case had originally been filed in that court. The amendments made by subsection (b) of this section shall not apply to any final order or judgment entered by the special court for which—

(1) a petition for writ of certiorari has been filed before the date on which the special court is abolished; or

(2) the time for filing a petition for writ of certiorari has not expired before that date.

(e) EFFECTIVE DATE.—The amendments made by subsections (b) and (c) of this section shall take effect 90 days after the date of enactment of this Act and, except as provided in subsection (d), shall apply with respect to proceedings that arise or continue after such effective date.

#### SEC. 606. PLACE OF HOLDING COURT IN THE DISTRICT COURT OF UTAH.

(a) NORTHERN DIVISION.—Section 125(1) of title 28, United States Code, is amended by inserting "Salt Lake City and" before "Ogden".

(b) CENTRAL DIVISION.—Section 125(2) of title 28, United States Code, is amended by inserting ", Provo, and St. George" after "Salt Lake City".

#### SEC. 607. EXCEPTION OF RESIDENCY REQUIREMENT FOR DISTRICT JUDGES APPOINTED TO THE SOUTHERN DISTRICT AND EASTERN DISTRICT OF NEW YORK.

Section 134(b) of title 28, United States Code, is amended—

(1) by inserting "the Southern District of New York, and the Eastern District of New York," after "the District of Columbia,"; and

(2) by inserting at the end the following: "Each district judge of the Southern District of New York and the Eastern District of New York may reside within 20 miles of the district to which he or she is appointed."

#### SEC. 608. EXTENSION OF CIVIL JUSTICE EXPENSE AND DELAY REDUCTION REPORTS ON DEMONSTRATION AND PILOT PROGRAMS.

(a) DEMONSTRATION PROGRAM.—Section 104(d) of the Civil Justice Reform Act of 1990 (28 U.S.C. 471 note) is amended by striking out "December 31, 1996," and inserting in lieu thereof "June 30, 1997,".

(b) PILOT PROGRAM.—Section 105(c)(1) of the Civil Justice Reform Act of 1990 (28 U.S.C. 471 note) is amended by striking out "December 31, 1996," and inserting in lieu thereof "June 30, 1997,".

#### SEC. 609. PLACE OF HOLDING COURT IN THE SOUTHERN DISTRICT OF NEW YORK.

The last sentence of section 112(b) of title 28, United States Code, is amended to read as follows:

"Court for the Southern District shall be held at New York, White Plains, and in the Middletown-Wallkill area of Orange County or such nearby location as may be deemed appropriate."

#### SEC. 610. VENUE FOR TERRITORIAL COURTS.

(a) CHANGE OF VENUE.—Section 1404(d) of title 28, United States Code, is amended to read as follows:

"(d) As used in this section, the term 'district court' includes the District Court of Guam, the District Court for the Northern Mariana Islands, and the District Court of the Virgin Islands, and the term 'district' includes the territorial jurisdiction of each such court."

(b) CURE OR WAIVER OF DEFECTS.—Section 1406(c) of title 28, United States Code, is amended to read as follows:

"(c) As used in this section, the term 'district court' includes the District Court of Guam, the District Court for the Northern Mariana Islands, and the District Court of the Virgin Islands, and the term 'district' includes the territorial jurisdiction of each such court."

(c) APPLICABILITY.—The amendments made by this section apply to cases pending on the date of the enactment of this Act and to cases commenced on or after such date.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### EXTENDING PERIOD OF STAY IN UNITED STATES FOR CERTAIN NURSES

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2197) to extend the authorized period of stay within the United States for certain nurses, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. ROHRABACHER. Mr. Speaker, reserving the right to object, I understand that this is designed to help a lot of people who come here to provide employment, to be here as nurses, but I would like to understand a little bit more about this.

Mr. SOLOMON. Mr. Speaker, if the gentleman would yield, I would like to withdraw the unanimous consent. I believe that the staff has some information that might solve some of his problems and I will bring it up at a later date.

The SPEAKER pro tempore. The gentleman from New York [Mr. SOLOMON] withdraws his unanimous-consent request with regard to S. 2197.

□ 1415

#### ENHANCING FAIRNESS IN COMPENSATING OWNERS OF PATENTS USED BY UNITED STATES

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 632) to enhance fairness in compensating owners of patents used by the United States, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Senate amendments: Page 2, line 8, strike out all after "States," down to and including "Acts," in line 13 and insert "Notwithstanding the preceding sentences, unless the action has been pending for more than 10 years from the time of filing to the time that the owner applies for such costs and fees, reasonable and entire compensation shall not include such costs and fees if the court finds that the position of the United States was substantially justified or that special circumstances make an award unjust."

Page 2, line 17, strike out "January 1, 1995" and insert "the date of the enactment of this Act".

The SPEAKER pro tempore (during the reading). Without objection, the Senate amendments are considered as read and printed in the RECORD.

There was no objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from New York?

There was no objection.

A motion to reconsider was laid on the table.

#### PROVISIONS WITH RESPECT TO INTERNATIONALLY RECOGNIZED HUMAN RIGHTS, REFUGEE, AND OTHER FOREIGN RELATIONS

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4036) making certain provisions with respect to internationally recognized human rights, refugees, and foreign relations, with Senate amendments, thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Senate amendments:

Page 2, strike out all after line 4 over to and including line 6 on page 4.

Page 4, line 7, strike out "103" and insert "101".

Page 4, strike out all after line 20, over to and including line 17 on page 6.

Page 6, line 18, strike out "105" and insert "102".

Page 7, line 3, strike out "106" and insert "103".

Page 8, line 10, strike out "107" and insert "104".

Page 12, after line 2 insert:

#### TITLE III—CLAIBORNE PELL INSTITUTE FOR INTERNATIONAL RELATIONS AND PUBLIC POLICY

##### SEC. 301. SHORT TITLE.

This title may be cited as the "Claiborne Pell Institute for International Relations and Public Policy Act".

##### SEC. 302. GRANT AUTHORIZED.

In recognition of the public service of Senator Claiborne Pell, the Secretary of Education is authorized to award a grant, in accordance with the provisions of this title, to assist in the establishment and operation of the Claiborne Pell Institute for International Relations and Public Policy, located at Salve Regina University, Newport, Rhode Island, including the purchase and renovation of facilities to house the Institute.

##### SEC. 303. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for fiscal year 1997 such sums, not to exceed \$3,000,000, as may be necessary to carry out this title.

##### SEC. 304. EFFECTIVE DATE.

This title shall take effect on the date of enactment of this Act.

#### TITLE IV—GEORGE BUSH SCHOOL OF GOVERNMENT AND PUBLIC SERVICE

##### SEC. 401. SHORT TITLE.

This title may be cited as the "George Bush School of Government and Public Service Act".

##### SEC. 402. GRANT AUTHORIZED.

In recognition of the public service of President George Bush, the Secretary of

Education is authorized to make a grant in accordance with the provisions of this Act to assist in the establishment of the George Bush Fellowship Program, located at the George Bush School of Government and Public Service of the Texas A & M University.

#### SEC. 403. GRANT CONDITIONS.

No payment may be made under this title except upon an application at such time, in such manner, and containing or accompanied by such information as the Secretary of Education may require.

#### SEC. 404. APPROPRIATIONS AUTHORIZED.

There are authorized to be appropriated such sums, not to exceed \$3,000,000, as may be necessary to carry out the provisions of this title.

#### SEC. 405. EFFECTIVE DATE.

This title shall take effect on October 1, 1996.

### TITLE V—MISCELLANEOUS PROVISIONS

#### SEC. 501. EDMUND S. MUSKIE FOUNDATION.

In recognition of the public service of Senator and Secretary of State Edmund S. Muskie, the Secretary of Education is authorized to award a grant in accordance with the provisions of this Act to assist in the establishment of the Edmund S. Muskie Foundation, located in Washington, DC, by providing assistance to support the foundation, including assistance to be used for awarding stewardships, supporting the Muskie archives, and supporting the Edmund S. Muskie Institute of Public Affairs.

#### SEC. 502. CALVIN COOLIDGE MEMORIAL FOUNDATION GRANT.

(a) DEFINITIONS.—In this section:

(1) FOUNDATION.—The term "Foundation" means the Calvin Coolidge Memorial Foundation.

(2) SECRETARY.—The term "Secretary" means the Secretary of Education.

(b) GRANT AUTHORIZED.—The Secretary is authorized to make a grant in the amount of \$1,000,000 in accordance with the provisions of this section to the Foundation.

(c) GRANT CONDITIONS.—

(1) APPLICATION.—No payment may be made under this section except upon an application at such time, in such manner, and containing or accompanied by such information as the Secretary may require.

(2) USE OF GRANT FUNDS.—Funds received under this section may be used for any of the following purposes:

(A) To increase the endowment of the Foundation.

(B) To conduct educational, archival, or preservation activities of the Foundation.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary \$1,000,000, without fiscal year limitation, to carry out the provisions of this section.

(e) EFFECTIVE DATE.—This section shall take effect on October 1, 1996.

The SPEAKER pro tempore. (during the reading). Without objection, the Senate amendments are considered as read and printed in the RECORD.

There was no objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from New Jersey?

Mr. ROHRABACHER. Mr. Speaker, reserving the right to object, I would like to ask my good friend and colleague from New Jersey to explain to me the provisions in this bill concerning abortion and what protections we would have against, let us say, in China, for example, where there are forced abortions?

Mr. SMITH of New Jersey. Mr. Speaker, if the gentleman will yield,

the language in this legislation that dealt with coercive abortion was stripped in the Senate. The issue was already covered by the CR, which had an identical provision. We are concurring with the Senate in taking that language out of the bill, so there is nothing in the bill on that subject.

Mr. ROHRABACHER. Mr. Speaker, continuing my reservation of objection, some people were concerned that anyone who wanted to immigrate from China would just get pregnant and come back over here.

The second thing is, what groups are protected by this act? I understand this gives certain immigration treatment to certain groups.

Mr. SMITH of New Jersey. Mr. Speaker, if the gentleman will yield further, the language of the bill extends to Russian Jews, evangelicals, and to some of the people in Southeast Asia a very basic amount of protection for 1 year. As a matter of fact, this too mirrors exactly the human rights and refugee provisions in the CR, and because this had broad bipartisan support, it was kept in.

Mr. ROHRABACHER. Mr. Speaker, further reserving the right to object, I would ask the gentleman, is there a cap on this?

Mr. SMITH of New Jersey. No, there is not.

Mr. ROHRABACHER. How many people would be affected by this?

Mr. SMITH of New Jersey. It is unclear.

Mr. ROHRABACHER. Is it possible we are talking about more than 100,000 people?

Mr. SMITH of New Jersey. No, not at all. As a matter of fact, the annual cap negotiated between the administration and Congress is far less than 100,000 in its totality.

Mr. Speaker, this act consists of several human rights refugee and education provisions. I am proud to sponsor this legislation along with House International Relations Committee Chairman BEN GILMAN and Ranking Democratic Member LEE HAMILTON, as well as TOM LANTOS, HOWARD BERMAN, HENRY HYDE, ILEANA ROS-LEHTINEN, and BILL GOODLING. The administration does not oppose the legislation.

H.R. 4036 extends the authority of USIA to include Tibetan and Burmese exiles in its scholarship programs, and requires USIA to take appropriate steps to involve prodemocracy and human rights leaders in exchange programs with countries whose people do not fully enjoy freedom and democracy. It also requires that the State Department's Country Reports on Human Rights Practices include reports on each country's votes on resolutions before the U.N. Human Rights Commission, as well as its treatment of refugees. The latter provision is designed to enhance efforts to persuade other countries in the Western Hemisphere and elsewhere to accept their fair share of the world's refugee population, rather than leaving the brunt of the burden on the United States and a few other nations.

The act extends for 1 year an extremely important policy relating to refugees in certain

high-risk categories, such as Jews and evangelical Christians from the former Soviet Union and Southeast Asians who have suffered persecution for their wartime associations with the United States.

Also, the act provides that the United States should not give foreign assistance, other than humanitarian assistance, to Mauritania unless that country rigorously enforces its laws against human chattel slavery.

H.R. 4036 also authorizes the Secretary of Education to make grants for the Pell Institute, the Bush Fellowships, the Muskie Foundation, and the Coolidge Memorial Foundation. A Pell amendment deleted section 102, providing for reports on the Cuban Government's methods of enforcing its 1994 and 1995 immigration agreements with the United States.

The administration opposed an earlier version of this provision on the ground that it already provides such reports. We are agreeing to drop this provision only because we have been assured that these reports will continue to be provided. Originally, the agreement negotiated with the Senate was that a reference to the Cuba human rights reports would be placed in report language rather than in the text of the bill itself. Because the procedure under which this law is enacted does not provide for committee reports, it is important to place in the RECORD the continued expectation of the Subcommittee on International Operations and Human Rights that our Government will continue to monitor and report to Congress on the treatment of people against whom the Castro regime enforces these two agreements. The reports are an important manifestation of congressional concern about the human rights of persons against whom enforcement measures are taken.

I would like to extend my deep gratitude to Senator HELMS and his staff, who shepherded this important human rights bill through the Senate. In particular, Chief Counsel Tom Kleine of the Senate Foreign Relations Committee has demonstrated his willingness and ability to work effectively with people representing a wide range of viewpoints in order to ensure that our law reflects the right answers to important questions of public policy. Senator LOTT and Senator NICKLES and their respective staffs have also been extremely helpful. I also thank the Democratic staff of the Foreign Relations Committee for working with us on this bipartisan effort.

Mr. BALDACCI. Mr. Speaker, I rise today in support of H.R. 4036. Included in this legislation are provisions to create the Edmund S. Muskie Foundation. We were all deeply saddened earlier this year when Senator Muskie passed away. This legislation provides a worthy tribute to one of the Nation's greatest statesmen and legislators.

As part of its work, the Muskie Foundation will make environmental stewardship awards. Senator Muskie played a crucial role in the drafting and adoption of every major piece of environmental legislation that was signed into law during his tenure in the Senate. He was one of the first to recognize the tremendous harm that humans were doing to their environment. He educated his colleagues in the Congress, as well as the American people, and helped them to understand that we needed to change our ways. The result of his efforts was landmark legislation to clean up our Nation's air and water. The Muskie Foundation's environmental stewardship awards will help to ensure that Senator Muskie's legacy will live on.

The Muskie Foundation will also assist the Muskie Archives at Bates College in Lewiston, ME, to ensure that future generations will have access to Senator Muskie's papers. The foundation will work with the Muskie Institute for Public Policy at the University of Southern Maine to promote the study of policy development. And the foundation will engage in other programs and activities in which Senator Muskie had an abiding interest.

Mr. Speaker, as a freshman Member of Congress from the State of Maine, I was privileged to be able to turn to Senator Muskie for encouragement and advice. He was a mentor to me, and to countless others of my generation. I am pleased that we are honoring him today, and I urge my colleagues to support this legislation.

Mr. ROHRABACHER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from New Jersey?

There was no objection.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the Senate amendments to H.R. 4036.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

#### PRESIDENTIAL AND EXECUTIVE OFFICE ACCOUNTABILITY ACT

Mr. CLINGER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3452) to make certain laws applicable to the Executive Office of the President, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Senate amendments:

In section 1(b), strike the items relating to sections 4 through 9, and insert the following:

Sec. 4. Applicability of future employment laws.

Sec. 5. Repeal of section 303 of the Government Employee Rights Act of 1991.

In the table of contents relating to title 3, United States Code (as added by section 2), redesignate the item relating to section 420 as an item relating to section 421.

In the table of contents relating to title 3, United States Code (as added by section 2), redesignate the item relating to section 430 as an item relating to section 431.

In the table of contents relating to title 3, United States Code (as added by section 2), in the item relating to subchapter III, strike the hyphen and insert a space.

In the table of contents relating to title 3, United States Code (as added by section 2), strike the item relating to section 457.

In the table of contents for title 3, United States Code (as amended by section 2), strike

the items relating to subchapters IV and V and insert the following:

#### "SUBCHAPTER IV—EFFECTIVE DATE

"471. Effective date."

In section 401 of title 3, United States Code (as added by section 2), insert before "Except" the following:

"(a) IN GENERAL.—"

In section 401 of title 3, United States Code (as added by section 2), add at the end the following:

"(b) DEFINITIONS RELATING TO CERTAIN MATTERS.—For purposes of applying this chapter with respect to any practice or other matter—

"(1) to which section 411 relates, the terms 'employing office' and 'covered employee' shall each be considered to have the meaning given to the term by such section;

"(2) to which section 412 relates, the term 'covered employee' means a covered employee described in section 412(a)(2)(B);

"(3) to which section 413 relates, the term 'covered employee' excludes interns and volunteers, as described in section 413(a)(2); and

"(4) to which section 416 relates, the term 'covered employee' means a covered employee described in section 416(a)(2)."

In section 411 of title 3, United States Code (as added by section 2), redesignate subsection (d) as subsection (e).

In section 411 of title 3, United States Code (as added by section 2 and so redesignated) insert after subsection (c) the following:

"(d) REGULATIONS TO IMPLEMENT SECTION.—

"(1) IN GENERAL.—The President, or the designee of the President, shall issue regulations to implement paragraphs (1) and (3) of subsection (a) and paragraphs (1) and (3) of subsection (b).

"(2) AGENCY REGULATIONS.—The regulations issued under paragraph (1) shall be the same as substantive regulations promulgated by the appropriate officer of an executive agency to implement the statutory provisions referred to in paragraphs (1) and (3) of subsection (a) and paragraphs (1) and (3) of subsection (b)—

"(A) except to the extent that the President or designee may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section; and

"(B) except that the President or designee may, at the discretion of the President or designee, issue regulations to implement a provision of section 717 of the Civil Rights Act of 1964 or section 501 of the Rehabilitation Act of 1973 that applies to employees in the executive branch of the Federal Government in lieu of an analogous statutory provision referred to in paragraph (1) or (3) of subsection (a) or paragraph (1) or (3) of subsection (b), if the issuance of such regulations—

"(i) would be equally effective for the implementation of the rights and protections under this section; and

"(ii) would promote uniformity in the application of Federal law to employees in the executive branch of the Federal Government."

In section 411 of title 3, United States Code (as added by section 2 and so redesignated), add at the end the following:

"(f) EFFECTIVE DATE.—This section shall take effect on October 1, 1997."

In section 412(b) of title 3, United States Code (as added by section 2), strike "such damages" and insert "such remedy".

In section 412 of title 3, United States Code (as added by section 2), add at the end the following:

"(c) REGULATIONS TO IMPLEMENT SECTION.—

"(1) IN GENERAL.—The President, or the designee of the President, shall issue regulations to implement this section.

"(2) AGENCY REGULATIONS.—The regulations issued under paragraph (1) shall be the same as substantive regulations promulgated by the Secretary of Labor to implement the statutory provisions referred to in subsections (a) and (b)—

"(A) except to the extent that the President or designee may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section; and

"(B) except that the President or designee may, at the discretion of the President or designee, issue regulations to implement a provision of subchapter V of chapter 63 of title 5, United States Code, that applies to employees in the executive branch of the Federal Government in lieu of an analogous statutory provision referred to in subsection (a) or (b), if the issuance of such regulations—

"(i) would be equally effective for the implementation of the rights and protections under this section; and

"(ii) would promote uniformity in the application of Federal law to employees in the executive branch of the Federal Government.

"(d) EFFECTIVE DATE.—Subsections (a) and (b) shall take effect on the earlier of—

"(1) the effective date of regulations issued under subsection (c); or

"(2) October 1, 1998."

In section 413(c)(1) of title 3, United States Code (as added by section 2), strike "President" and insert "President, or the designee of the President."

In section 413(c)(2) of title 3, United States Code (as added by section 2), strike "subsection (a) except insofar as the President" and insert "subsections (a) and (b) except to the extent that the President or designee"

In section 413(c)(3) of title 3, United States Code (as added by section 2), strike "President" and insert "President or designee".

In section 413 of title 3, United States Code (as added by section 2), add at the end the following:

"(d) EFFECTIVE DATE.—Subsections (a) and (b) shall take effect on the earlier of—

"(1) the effective date of regulations issued under subsection (c); or

"(2) October 1, 1998."

In section 414(c)(1) of title 3, United States Code (as added by section 2), strike "President" and insert "President, or the designee of the President."

In section 414(c)(2) of title 3, United States Code (as added by section 2), strike "insofar as the President" and insert "to the extent that the President or designee".

In section 414 of title 3, United States Code (as added by section 2), add at the end the following:

"(d) EFFECTIVE DATE.—Subsections (a) and (b) shall take effect on the earlier of—

"(1) the effective date of regulations issued under subsection (c); or

"(2) October 1, 1998."

In section 415(a)(2)(A) of title 3, United States Code (as added by section 2), strike "does not succeed himself" and insert "is not elected to a successive term".

In section 415(c)(1) of title 3, United States Code (as added by section 2), strike "President" and insert "President, or the designee of the President."

In section 415(c)(2) of title 3, United States Code (as added by section 2), strike "subsection (a) except insofar as the President" and insert "subsections (a) and (b) except to the extent that the President or designee"

In section 415 of title 3, United States Code (as added by section 2), add at the end the following: