

¶37.25 DELETIONS OF SPONSORS FROM
PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.J. Res. 2: Mrs. SEASTRAND.

MONDAY, MARCH 6, 1995 (38)

¶38.1 DESIGNATION OF SPEAKER PRO
TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. GOSS, at 12:30 p.m., who laid before the House the following communication:

WASHINGTON, DC,
March 6, 1995.

I hereby designate the Honorable PORTER J. GOSS to act as Speaker pro tempore on this day.

NEWT GINGRICH,

Speaker of the House of Representatives.

Whereupon, pursuant to the order of the House of Wednesday, January 4, 1995 and Thursday, February 16, 1995, Members were recognized for "morning hour" debates.

¶38.2 RECESS—1:00 P.M.

The SPEAKER pro tempore, Mr. GOSS, pursuant to clause 12 of rule I, declared the House in recess until 2:00 p.m.

¶38.3 AFTER RECESS—2:00 P.M.

The SPEAKER called the House to order.

¶38.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Friday, March 3, 1995.

Pursuant to clause 1, rule I, the Journal was approved.

¶38.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

474. A letter from the Deputy Secretary of Defense, transmitting a report on C-17 milestones and exit criteria; to the Committee on National Security.

475. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment and services sold commercially to Greece (Transmittal No. DTC-3-95), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

476. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment and services sold commercially to Sweden (Transmittal No. DTC-1-95), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

477. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

478. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report of activities under the Freedom of Information Act for calendar

year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

479. A letter from the Administrator, General Services Administration, transmitting an informational copy of the fiscal year 1996 GSA's Public Buildings Service Capital Investment and Leasing Program, pursuant to 40 U.S.C. 606(a); to the Committee on Transportation and Infrastructure.

480. A letter from the Secretary of Energy, transmitting the Department's 15th annual report on the Automotive Technology Development Program, fiscal year 1993, pursuant to 42 U.S.C. 5914; to the Committee on Science.

481. A letter from the Secretary of Veterans Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, to increase, effective as of December 1, 1995, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of such veterans, and for other purposes; to the Committee on Veterans' Affairs.

482. A letter from the Secretary of Veterans Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, to provide for cost savings in the housing loan program for veterans, to limit cost-of-living increases for Montgomery GI Bill benefits, and for other purposes; jointly, to the Committees on Veterans' Affairs and National Security.

483. A letter from the Director, Office of Management and Budget, transmitting a draft of proposed legislation to revise and streamline the acquisition laws of the Federal Government, and for other purposes; jointly, to the Committees on Government Reform and Oversight, National Security, the Judiciary, International Relations, Small Business, Science, and Commerce.

¶38.6 MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Edwin Thomas, one of his secretaries.

¶38.7 PROVIDING FOR THE
CONSIDERATION OF H.R. 988

Mr. GOSS, by direction of the Committee on Rules, called up the following resolution (H. Res. 104):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 988) to reform the Federal civil justice system. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed two hours equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule for a period not to exceed seven hours. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amend-

ments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

On motion of Mr. GOSS, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶38.8 MESSAGE FROM THE PRESIDENT—
FLOOD PLAIN MANAGEMENT

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

To the Congress of the United States:

It is with great pleasure that I transmit *A Unified National Program for Floodplain Management* to the Congress. The Unified National Program responds to section 1302(c) of the National Flood Insurance Act of 1968 (Public Law 90-448), which calls upon the President to report to the Congress on a Unified National Program. The report sets forth a conceptual framework for managing the Nation's floodplains to achieve the dual goals of reducing the loss of life and property caused by floods and protecting and restoring the natural resources of floodplains. This document was prepared by the Federal Interagency Floodplain Management Task Force, which is chaired by FEMA.

This report differs from the 1986 and 1979 versions in that it recommends four national goals with supporting objectives for improving the implementation of floodplain management at all levels of government. It also urges the formulation of a more comprehensive, coordinated approach to protecting and managing human and natural systems to ensure sustainable development relative to long-term economic and ecological health. This report was prepared independent of *Sharing the Challenge: Floodplain Management Into the 21st Century* developed by the Floodplain Management Review Committee, which was established following the Great Midwest Flood of 1993. However, these two reports complement and reinforce each other by the commonality of their findings and recommendations. For example, both reports recognize the importance of continuing to improve our efforts to reduce the loss of life and property caused by floods and to preserve and restore the natural resources and functions of floodplains in an economically and environmentally sound manner. This is significant in that the natural resources and func-

tions of our riverine and coastal floodplains help to maintain the viability of natural systems and provide multiple benefits for people.

Effective implementation of the Unified National Program for Floodplain Management will mitigate the tragic loss of life and property, and disruption of families and communities, that are caused by floods every year in the United States. It will also mitigate the unacceptable losses of natural resources and result in a reduction in the financial burdens placed upon governments to compensate for flood damages caused by unwise land use decisions made by individuals, as well as governments.

WILLIAM J. CLINTON.

THE WHITE HOUSE, March 6, 1995.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Banking and Financial Services.

38.9 MESSAGE FROM THE PRESIDENT— NATIONAL ENDOWMENT FOR DEMOCRACY

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

To the Congress of the United States:

Pursuant to the provisions of section 504(h) of Public Law 98-164, as amended (22 U.S.C. 4413(i)), I transmit herewith the 11th Annual Report of the National Endowment for Democracy, which covers fiscal year 1994.

Promoting democracy abroad is one of the central pillars of the United States' security strategy. The National Endowment for Democracy has proved to be a unique and remarkable instrument for spreading and strengthening the rule of democracy. By continuing our support, we will advance America's interests in the world.

WILLIAM J. CLINTON.

THE WHITE HOUSE, March 6, 1995.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations.

38.10 ATTORNEY ACCOUNTABILITY

The SPEAKER pro tempore, Mr. KNOLLENBERG, pursuant to House Resolution 104 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 988) to reform the Federal civil justice system.

The SPEAKER pro tempore, Mr. KNOLLENBERG, by unanimous consent, designated Mr. HOBSON as Chairman of the Committee of the Whole.

The Acting Chairman, Mr. GOSS assumed the Chair; and after some time spent therein,

38.11 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. GOODLATTE:

Page 3, line 20, insert before the period the following: "or, if the offeree made an offer

under this subsection, from the date the last such offer by the offeree was made".

Page 4, line 3, insert after "offer was made" the following: "or, if the offeree made an offer under this subsection, from the date the last such offer by the offeree was made".

It was decided in the } Yeas 317
affirmative } Nays 89

38.12 [Roll No. 200] AYES—317

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| Archer | Ensign | Leach |
| Armey | Eshoo | Levin |
| Bachus | Everett | Lewis (CA) |
| Baker (CA) | Ewing | Lewis (KY) |
| Baker (LA) | Fawell | Lightfoot |
| Baldacci | Fields (TX) | Lincoln |
| Ballenger | Flanagan | Linder |
| Barcia | Foley | Livingston |
| Barr | Forbes | LoBiondo |
| Barrett (NE) | Fowler | Lofgren |
| Barrett (WI) | Fox | Longley |
| Bartlett | Frank (MA) | Lucas |
| Bass | Franks (CT) | Luther |
| Bateman | Franks (NJ) | Manzullo |
| Beilenson | Frelinghuysen | Martinez |
| Bentsen | Frisa | Martini |
| Bereuter | Funderburk | Mascara |
| Berman | Furse | McCarthy |
| Bevill | Gallegly | McCollum |
| Bilbray | Ganske | McCrery |
| Bilirakis | Gejdenson | McHale |
| Bishop | Gekas | McHugh |
| Bliley | Geren | McInnis |
| Blute | Gibbons | McKeon |
| Boehlert | Gilchrest | McNulty |
| Boehner | Gilman | Meehan |
| Bonilla | Goodlatte | Menendez |
| Bono | Goodling | Metcalf |
| Boucher | Gordon | Meyers |
| Brewster | Goss | Mica |
| Browder | Graham | Miller (FL) |
| Brownback | Green | Minge |
| Bryant (TN) | Greenwood | Molinari |
| Bunn | Gunderson | Mollohan |
| Burr | Gutknecht | Montgomery |
| Burton | Hall (OH) | Moorhead |
| Buyer | Hall (TX) | Moran |
| Callahan | Hamilton | Morella |
| Calvert | Hancock | Myers |
| Camp | Hansen | Myrick |
| Canady | Harman | Nadler |
| Cardin | Hastert | Neal |
| Castle | Hastings (WA) | Nethercutt |
| Chabot | Hayes | Neumann |
| Chambliss | Hayworth | Ney |
| Chapman | Heineman | Norwood |
| Chenoweth | Herger | Nussle |
| Christensen | Hillery | Obey |
| Chryslers | Hobson | Olver |
| Clayton | Hoekstra | Ortiz |
| Clement | Hoke | Orton |
| Clinger | Holden | Oxley |
| Coble | Horn | Packard |
| Coburn | Hostettler | Pallone |
| Collins (GA) | Houghton | Parker |
| Combest | Hoyer | Paxon |
| Cooley | Hunter | Payne (VA) |
| Cox | Hutchinson | Peterson (FL) |
| Cramer | Hyde | Peterson (MN) |
| Crane | Inglis | Pombo |
| Crapo | Istook | Pomeroy |
| Creameans | Jackson-Lee | Porter |
| Cubin | Johnson (CT) | Pryce |
| Cunningham | Johnson, Sam | Quillen |
| Danner | Jones | Quinn |
| Davis | Kaptur | Rahall |
| de la Garza | Kasich | Ramstad |
| Deal | Kelly | Reed |
| DeFazio | Kennedy (MA) | Regula |
| DeLay | Kennedy (RI) | Riggs |
| Diaz-Balart | Kennelly | Roberts |
| Dickey | Kim | Roemer |
| Dicks | King | Rohrabacher |
| Dixon | Kingston | Ros-Lehtinen |
| Doggett | Klecza | Royce |
| Doolittle | Klink | Salmon |
| Dornan | Klug | Sanford |
| Doyle | Knollenberg | Sawyer |
| Dreier | Kolbe | Saxton |
| Duncan | LaFalce | Scarborough |
| Dunn | LaHood | Schroeder |
| Edwards | Lantos | Schumer |
| Ehlers | Largent | Seastrand |
| Ehrlich | Latham | Sensenbrenner |
| Emerson | LaTourrette | Shaw |
| Engel | Laughlin | Shays |
| English | Lazio | Shuster |

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|------------|-------------|-------------|
| Sisisky | Tauzin | Wamp |
| Skaggs | Taylor (MS) | Ward |
| Skeen | Taylor (NC) | Watts (OK) |
| Smith (MI) | Tejeda | Waxman |
| Smith (NJ) | Thomas | Weldon (FL) |
| Smith (TX) | Thornberry | Weldon (PA) |
| Smith (WA) | Thurman | Weller |
| Solomon | Tiahrt | White |
| Souder | Torkildsen | Whitfield |
| Spence | Torres | Wicker |
| Spratt | Torricelli | Wilson |
| Stearns | Traficant | Wolf |
| Stenholm | Upton | Woolsey |
| Stockman | Vento | Wyden |
| Stump | Volkmer | Young (AK) |
| Stupak | Vucanovich | Young (FL) |
| Talent | Waldholtz | Zeliff |
| Tanner | Walker | Zimmer |
| Tate | Walsh | |

NOES—89

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|--------------|----------------|---------------|
| Abercrombie | Gutierrez | Reynolds |
| Ackerman | Hastings (FL) | Richardson |
| Allard | Hefley | Rivers |
| Andrews | Hilliard | Rose |
| Baessler | Hinchee | Roybal-Allard |
| Bonior | Jacobs | Rush |
| Borski | Jefferson | Sabo |
| Clay | Johnson (SD) | Sanders |
| Clyburn | Johnson, E. B. | Schaefer |
| Coleman | Kanjorski | Scott |
| Collins (IL) | Kildee | Serrano |
| Collins (MI) | Lewis (GA) | Shadegg |
| Conyers | Lipinski | Skelton |
| Costello | Lowe | Slaughter |
| Coyne | Manton | Stark |
| DeLauro | Markey | Stokes |
| Dellums | Matsui | Studds |
| Deutsch | McDermott | Thompson |
| Dingell | McKinney | Thornton |
| Durbin | Mineta | Towns |
| Evans | Mink | Tucker |
| Farr | Moakley | Velazquez |
| Fattah | Murtha | Visclosky |
| Fazio | Oberstar | Waters |
| Filner | Owens | Watt (NC) |
| Flake | Pastor | Williams |
| Foglietta | Payne (NJ) | Wise |
| Frost | Petri | Wynn |
| Gephardt | Pickett | Yates |
| Gonzalez | Poshard | |

NOT VOTING—28

- | | | |
|-------------|-------------|------------|
| Barton | Ford | Pelosi |
| Becerra | Gillmor | Portman |
| Brown (CA) | Hefner | Radanovich |
| Brown (FL) | Johnston | Rangel |
| Brown (OH) | Maloney | Rogers |
| Bryant (TX) | McDade | Roth |
| Bunning | McIntosh | Roukema |
| Condit | Meek | Schiff |
| Dooley | Mfume | |
| Fields (LA) | Miller (CA) | |

So the amendment was agreed to. After some further time,

38.13 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BERMAN to the amendment submitted by Mr. MCHALE: Amendment submitted by Mr. BERMAN:

Strike section 2 and insert the following:

SEC. 2. FRIVOLOUS ACTIONS.

(a) GENERAL RULE.—

(1) SIGNING OF COMPLAINT.—The signing or verification of a complaint in all civil actions in Federal court constitutes a certificate that to the signatory's or verifier's best knowledge, information, and belief, formed after reasonable inquiry, the action is not frivolous as determined under paragraph (2).

(2) DEFINITIONS.—

(A) For purposes of this section, an action is frivolous if the complaint is—

- (i) groundless and brought in bad faith;
- (ii) groundless and brought for the purpose of harassment; or
- (iii) groundless and brought for any improper purpose.

(B) For purposes of subparagraph (A), the term "groundless" means—