

National parks are not at all like military bases. They were created to establish a natural or historical legacy for future generations. They don't need a closure commission; they need more creative ways to stay open.

H.R. 260 would:

Create a park closure commission to recommend specific parks to Congress for closure, privatization or sale to the highest bidder;

Weaken Congress' statutory authority to make decisions on park management by granting broad powers to a politically appointed commission;

Send a strong signal to the American people that Congress does not have the political will to carry out its responsibilities of oversight over the National Park Service.

Exempt the 54 National Park units from closure, leaving less visited, smaller budgeted parks and important national monuments like Independence Hall, the Statue of Liberty, Mt. Rushmore, the Washington, Lincoln and Jefferson Monuments and the Martin Luther King, Jr. Historic Site on the chopping block.

RECESS

The SPEAKER pro tempore. There being no further requests for morning business, pursuant to clause 12, rule I, the House will stand in recess until 12 noon.

Accordingly, at 10 o'clock and 42 minutes a.m., the House stood in recess until 12 noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. CLINGER] at 12 noon.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

When the light of day illumines our days, O God, we are grateful beyond any measure for we are warmed by that light and it helps us see the way. And when that light seems dim we can falter and fail, or when we turn our heads from that light and go our own way, we can so easily miss the mark. O gracious God, giver of all good things, may we eagerly seek the light of Your presence and walk in Your way so faith will be our strength, hope will be our daily support, and love our ever present reality. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The gentleman from New York [Mr. SOLOMON] will come forward and lead the membership in the Pledge of Allegiance.

Mr. SOLOMON led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

SUNDRY 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.

ANNOUNCEMENT OF PREFILING REQUIREMENT FOR AMENDMENTS TO H.R. 927, CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY ACT OF 1995

Mr. SOLOMON. Mr. Speaker, the Rules Committee hearing scheduled on H.R. 927, the Cuban Liberty and Democratic Solidarity Act has been postponed until 2 p.m. tomorrow.

Due to time constraints this week, the Rules Committee may report a structured rulemaking in order only amendments prefiled with our committee. Members who wish to offer amendments to the bill should submit 55 copies of their amendments, together with a brief explanation, to the Rules Committee office at H-312 of the Capitol, no later than 1 p.m. tomorrow, Tuesday, September 19.

Amendments should be drafted to the amendment in the nature of a substitute that will be made in order as base text that is available at the Office of Legislative Counsel. Members should therefore have their amendments drafted by the Legislative Counsel's office to ensure that they are properly drafted.

If Members or their staff have any questions regarding this procedure, they should contact Eric Pelletier in the Rules Committee Office at extension 5-9191.

We appreciate the cooperation of all Members in submitting their amendments by 1 p.m. tomorrow to ensure their proper consideration by the committee.

104TH CONGRESS OUT OF TOUCH WITH THE AMERICAN PEOPLE

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Speaker, today we are going to take up H.R. 260, a bill that will close many of our national parks.

Millions of Americans spent their summer vacations visiting Mount Rushmore, Bandolier, Independence Hall and the Statue of Liberty. In fact, 270 million visitors came to our parks this year.

As is often the case, the 104th Congress is out of touch with the American people. On the suspension calendar today will be H.R. 260. The vote will

take place tomorrow. There is no reason for this bill to be on suspension.

All we had asked for, those of us who are concerned with this bill, is an amendment that would have permitted an alternative. An alternative through concessions, through increased fees, through a trust fund, we can finance these parks.

Mr. Speaker, let us make sure we have a process here. Let us have H.R. 260 sent back to the Committee on Rules.

The environmental community is against this. The Clinton administration is against this bill.

Let us have proper debate on it. Let us not get rushed on our national parks. We do not need a park closure commission. We need better management and new ways to finance our national parks.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken on Tuesday, September 19, 1995.

EXTENSION OF DISTRICT COURT DEMONSTRATION PROJECTS

Mr. MOORHEAD. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 464) to make the reporting deadlines for studies conducted in Federal court demonstration districts consistent with the deadlines for pilot districts, and for other purposes.

The Clerk read as follows:

S. 464

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF CIVIL JUSTICE EXPENSE AND DELAY REDUCTION DEMONSTRATION PROGRAMS.

Section 104 of the Civil Reform Act of 1990 (28 U.S.C. 471 note) is amended—

(1) in subsection (a)(1) by striking "4-year period" and inserting "5-year period"; and

(2) in subsection (d) by striking "December 31, 1995," and inserting "December 31, 1996,".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. MOORHEAD] will be recognized for 20 minutes, and the gentleman from Virginia [Mr. SCOTT] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. MOORHEAD].

Mr. MOORHEAD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 464 which is a technical corrections bill that was introduced by Senator HATCH and passed the Senate on March 30,

1995, under a unanimous-consent request.

The Civil Justice Reform Act of 1990 set up two programs to study various innovative programs in court management. One program involves so-called pilot courts, and the other involves what are referred to as demonstration districts. Those court programs were originally established for a 3-year period, with the studies conducted over a 4-year period and the resulting reports transmitted to Congress by December 31, 1995. The Rand Corp. has been carrying out the study of the pilot courts, while the Federal Judicial Center is conducting the study of the demonstration districts.

Last year, the pilot court programs were extended for an additional year, and the Rand Corp. received a 1-year extension for its study of those courts. That extension was included in the Judicial Amendments Act of 1994. Through an oversight, however, no extension was included for the demonstration districts.

S. 464 would grant the same 1-year extension for the demonstration districts as was granted for the pilot courts. This will make the two programs and their studies consistent so that the final reports can be directly compared. That was the intent behind the deadlines that were established when the two study programs were set up. This legislation will restore that end. Also, the extension of the deadline will improve the study, since more cases will be complete and included in the study.

Finally, this 1-year extension will entail no additional cost since the demonstration districts are planning to continue the programs under study in any event. S. 464 represents a sound judicial housekeeping proposal and I urge my colleagues' support for it.

Mr. Speaker, I reserve the balance of my time.

Mr. SCOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I join the gentleman from California in supporting this bill, because it will help our Federal courts achieve greater efficiency and effectiveness.

The demonstration program that is the subject of this bill, involves five Federal district courts, that have been experimenting with various case management systems, and forms of alternative dispute resolution, since the program was established 4 years ago. At the same time, there is a parallel pilot court program, which is testing certain principles of litigation management and cost-and-delay reduction. These programs are testing a number of systems, in a manner that will permit the Federal judiciary to compare their relative effectiveness.

As the gentleman from California has explained, we extended the pilot program last year for 1 additional year, with a 1-year extension for the study that will evaluate that program. We inadvertently failed, however, to grant a

similar extension to the demonstration program. This bill will restore the demonstration program to the same time line that applies to the pilot program, making the two programs more directly comparable, and improving the studies of both programs, by ensuring that an additional year of court experience, is included in those studies. Thus, passage of S. 464 will enable our Federal courts to get the full benefit of these studies.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MOORHEAD. Mr. Speaker, I have no further requests for time, and I yield the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. MOORHEAD] that the House suspend the rules and pass the Senate bill, S. 464.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

The motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MOORHEAD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on S. 464, the Senate bill just passed.

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

There was no objection.

CLARIFYING RULES GOVERNING VENUE

Mr. MOORHEAD. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 532) to clarify the rules governing venue, and for other purposes.

The Clerk read as follows:

S. 532

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. VENUE.

Paragraph (3) of section 1391(a) of title 28, United States Code, is amended by striking "the defendants are" and inserting "any defendant is".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. MOORHEAD] will be recognized for 20 minutes, and the gentleman from Virginia [Mr. SCOTT] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. MOORHEAD].

Mr. MOORHEAD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 532 which is a technical corrections bill that was introduced by Senator HATCH and passed the Senate on March 30, 1995, under a unanimous-consent request. It is based on a proposal by the Judicial Conference of the United

States to correct a flaw in a venue provision, section 1391(a) of title 28 which governs venue in diversity cases. Section 1391(a) has a fallback provision—subsection (3)—that comes into play if neither of the other subsections confers venue in a particular case. Specifically, subsection (3) provides that venue lies in "a judicial district in which the defendants are subject to personal jurisdiction at the time the action is commenced, if there is no district in which the action may otherwise be brought."

The defect in this fallback provision is that it may be read to mean that all defendants must be subject to personal jurisdiction in a district in order for venue to lie. Under this reading, there would be cases in which there would be no proper venue. S. 532 would eliminate this ambiguity and I urge its passage.

Mr. Speaker, I reserve the balance of my time.

Mr. SCOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from California has explained the purpose of this bill, a technical amendment to ensure that in multidefendant cases, there is at least one Federal district where venue is proper.

The problem with the venue statute as it is currently written is that it is possible to read the language in such a way that there could be no Federal district court where venue is proper in some multidefendant cases. This bill resolves the ambiguity in that language, and ensures that venue requirements will not defeat the ability to bring a civil action in Federal court if subject matter and personal jurisdiction are available.

The Judiciary Committee heard testimony on behalf of the Judicial Conference of the United States supporting this bill. Having identified the ambiguity in the current venue provisions, it is important that we amend the language to ensure that there is at least one Federal district court where venue is proper in multidefendant cases. S. 532 achieves that end, and I urge its passage.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MOORHEAD. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. MOORHEAD] that the House suspend the rules and pass the Senate bill S. 532.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MOORHEAD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on S. 532, the Senate bill just considered.