cases for trial; to the Committee on the Judiciary.

By Mr. CRAPO:

S. 1749. A bill to require the Commissioner of Food and Drugs to issue revised regulations relating to dietary supplement labeling, to amend the Federal Trade Commission Act to provide that certain types of advertisements for dietary supplements are proper, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DEWINE (for himself, Mr. LEAHY, and Mr. KOHL):

S. 1750. A bill to reduce the incidence of child abuse and neglect, and for other purposes; to the Committee on the Judiciary.

By Mr. HATCH:

S. 1751. A bill to amend the Federal Election Campaign Act of 1971 to modify reporting requirements and increase contribution limits, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRASSLEY (for himself, Mr. KOHL, Mr. TORRICELLI, and Mr. LUGAR):

S. Res. 205. A resolution designating the week of each November in which the holiday of Thanksgiving is observed as ''National Family Week''; to the Committee on the Judiciary.

By Mr. SESSIONS (for himself, Mr. LOTT, Mr. HELMS, Mr. INHOFE, Mr. ALLARD, Mr. KYL, Mr. THURMOND, and Mr. HUTCHINSON):

S. Con. Res. 61. A concurrent resolution expressing the sense of the Congress regarding a continued United States security presence in Panama and a review of the contract bidding process for the Balboa and Cristobal port facilities on each end of the Panama Canal; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BENNETT (for himself, Mr. BURNS, and Mr. MCCONNELL):

S. 1747. A bill to amend the Federal Election Campaign Act 0f 1971 to exclude certain Internet communications from the definition of expenditure; to the Committee on Rules and Administration.

INTERNET FREEDOM PROTECTION ACT

Mr. BENNETT. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1747

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

SECTION 1 SHORT TITLE.

This Act may be cited as the ''Internet Freedom Protection Act''.

SEC. 2. EXCLUSION OF CERTAIN INTERNET COMMUNICATIONS FROM DEFINITION OF EXPENDITURE.

Section 301(9)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(9)(B)) is amended—

(1) in clause (ix), by striking ''and'' at the end;

(2) in clause (x), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(xi) any communication or dissemination of material through the Internet (including electronic mail, chat rooms, and message boards) by any individual, if such material—

''(I) is not a paid advertisement;

''(II) does not solicit funds for, or on behalf of, a candidate or political committee;

''(III) is disseminated for the purpose of communicating or disseminating the opinion of such individual (including an endorsement) regarding a political issue or candidate; and

''(IV) is not communicated or disseminated by any individual that receives payment or any other form of compensation for such communication or dissemination.''.

By Mr. HATCH (for himself, Mr. LEAHY, Mr. GRASSLEY, Mr. KOHL, Mr. TORRICELLI, and Mr. SCHUMER):

S. 1748. A bill to amend chapter 87 of title 28, United States Code, to authorize a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial; to the Committee on the Judiciary.

MULTIDISTRICT JURISDICTION ACT OF 1999

Mr. HATCH. Mr. President, I am introducing today a bill entitled the ''Multidistrict Jurisdiction Act of 1999.'' This bill would restore a 30-year-old practice under which a single court, to which several actions with common issues of fact were transferred for pretrial proceedings, could retain the multidistrict actions for trial.

This bill is necessary to correct a statutory deficiency pointed out by the Supreme Court in *Lexecon* v. *Milbert Weiss Bershad Hynes & Lerach*, 523 U.S. 26 (1997). It is an important bill for judicial efficiency and for encouraging settlements of multidistrict cases. And I am pleased that the Judicial Conference and the Multidistrict Litigation Panel support this bill. Moreover, I am pleased that this is a bipartisan bill with Senators LEAHY, GRASSLEY, TORRICELLI, KOHL, and SCHUMER as cosponsors.

Section 1407(a) of title 28, United States Code, authorizes the Multidistrict Litigation Panel to transfer civil actions with common questions of fact ''to any district for coordinated or consolidated pretrial proceedings.'' It also requires the Panel, on or before the conclusion of such pretrial proceedings, to remand any such actions to the district courts in which they were filed. However, for the 30 years prior to the Lexecon decision, federal courts followed the practice of allowing the single transferee court, upon the conclusion of pretrial proceedings, to transfer all of the actions to itself under the general venue provisions contained in 28 U.S.C. §1404. This had the practical advantage of allowing the single transferee court to retain for trial the multiple actions for which it had conducted pretrial proceedings. This greatly enhanced judicial efficiency and encouraged settlements.

In Lexecon, however, the Supreme Court held that the literal terms of 28 U.S.C. §1407 did not allow the single transferee court to retain the multidistrict actions after concluding pretrial proceedings. Instead, the Court held, the plain terms of §1407 required the Panel to remand the actions back to the multiple federal district courts in which the actions originated. The Court noted that to keep the practice of allowing the single transferee court to retain the actions after conducting the pretrial proceedings, Congress would have to change the statute.

The bill would amend 28 U.S.C. §1407 to restore the traditional practice of allowing the single transferee court to retain the multiple actions for trial after conducting pretrial proceedings. The bill also includes a provision under which the single transferee court would transfer the multiple actions back to the federal district courts from which they came for a determination of compensatory damages if the interests of justice and the convenience of the parties so require.

Mr. President, this bill is very similar to the first portion of a H.R. 2112 that passed the House of Representatives under the effective leadership of Congressman SENSENBRENNER. H.R. 2112 includes both the ''Lexecon fix'' and a provision to streamline catastrophe litigation. I believe that both provisions would make good law. However, the Lexecon matter constitutes an emergency for the Multidistrict Litigation Panel, which has a large number of these cases poised for remand if the retention practice is not restored. The catastrophe legislation would constitute an important improvement, but is not an emergency matter. Given this situation, I propose that we pass only the ''Lexecon fix'' during this session by unanimous consent and work to pass the catastrophe legislation during the second session.

Senators LEAHY, GRASSLEY, TORRICELLI, KOHL, SCHUMER, and I look forward to passing the Multidistrict Jurisdiction Act of 1999 very quickly. The Judiciary awaits our prompt action.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1748

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Multidistrict Jurisdiction Act of 1999''.

SEC. 2. MULTIDISTRICT LITIGATION.

Section 1407 of title 28, United States Code, is amended—

(1) in the third sentence of subsection (a), by inserting ''or ordered transferred to the transferee or other district under subsection (i)'' after ''terminated''; and

(2) by adding at the end the following new subsection:

''(i)(1) Subject to paragraph (2), any action transferred under this section by the panel may be transferred, for trial purposes, by the