

HEINONLINE

Citation: 1 To Enhance Fairness in Compensating Owners of
Used by the United States P.L. 104-308 110 Stat. 3814
1996

Content downloaded/printed from
HeinOnline (<http://heinonline.org>)
Fri Mar 22 12:40:20 2013

- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at <http://heinonline.org/HOL/License>
- The search text of this PDF is generated from uncorrected OCR text.

(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-Walkill 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. ROHRBACHER. 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 as 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

