



EC direction of discretionally
H-13(a) "no objection"

Biden Subcommittee
100990

Peckham Feidler
Barker Siegel
Nangle Jennis
Robinson Mackl
Brazil

1. Where are we?
- 2.

update

House passed 3 bills on Sept 27

Senate circulating - Title I
Title II w/ 77
Title III - 95% what
Comm. has seen

UC ^{agreement} to permit pkg to be
brought up this week - but
series of objections to UC
negotiations ongoing - should be
recirculation + vote
later this week

In Conference, RF thinks "may" will
go because Km wants many
items in Title III -
compromise language

Peckham - Fish will be included - he favors
Senate version of Title I
Judiciary part of negotiations?

Barber - Speak to Hatch re conference?

Nangle - How much more can we do? Last minute
trading out of our hands.

RF - Hatch/Fish point persons on judgeships

Peckham - mandatory plus opt-out as middle
ground.

Km would like to ^{not} offer judges - his
interest is multi-party / multi-journal
(reflects a problem)


Stand by our position (strengthen Km's
position)

Hatch agrees

→

change from "may" → "should
appropriately reflect"? Barber has
no problem.

As far as
we could go



Barber - Renew concern/position to Congress

Who are players?

Chair + ranking, Com + Sub, both houses

Moorhead added 473 (c) - AG exemption
Peckham doesn't like (two tiered system)

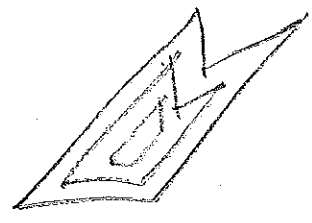
What does this mean? Would US
have all constraints eliminated?

* Peckham - narrow in conference

Robinson - DOJ should be like
any other litigant in the ct

Barber - broad - seems to get
USAG out of all provisions

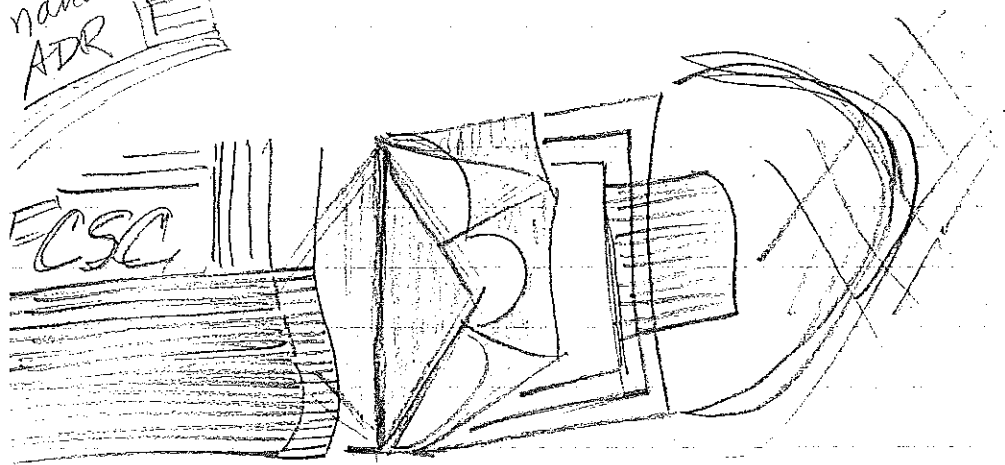
* main concern - settlement conferences
(wherever possible - use teleconferencing)



3.7 voluntary ADR

mandatory ADR should be left to
user.

~~Frassley~~
mandatory
ADR



CSC