

106TH CONGRESS
2D SESSION

H. R. 5451

For the relief of Marleen R. Delay.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 11, 2000

Mr. LANTOS introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

For the relief of Marleen R. Delay.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS AND PURPOSE.**

4 (a) FINDINGS.—The Congress finds the following:

5 (1) The Pacific Northwest River Basins Com-
6 mission (hereinafter in this Act referred to as the
7 “Commission”) was established by Executive Order
8 No. 11331 (March 6, 1967) (42 U.S.C. 1962b note)
9 pursuant to section 201 of the Water Resources
10 Planning Act of 1965 (Public Law 89–80; 79 Stat.
11 246) (42 U.S.C. 1962b).

1 (2) The Commission was chaired by a Federal
2 official appointed by the President.

3 (3) Among the Commission's members were
4 representatives from the former Department of
5 Health, Education, and Welfare, the Departments of
6 Housing and Urban Development, Agriculture, Com-
7 merce, Transportation (Coast Guard), and Energy,
8 the Environmental Protection Agency, the Water
9 Resources Council, the Army Corps of Engineers,
10 and the Bonneville Power Administration.

11 (4) The Commission received a majority of its
12 funding from the Federal Government.

13 (5) The Commission was terminated by Execu-
14 tive Order No. 12319 (September 9, 1981) (42
15 U.S.C. 1962b note).

16 (6) In 1978, the Commission wrongfully termi-
17 nated William H. Delay from his employment in a
18 position as a hydrological engineer.

19 (7) William H. Delay brought suit in the
20 United States District Court for the District of Or-
21 egon in 1980 (Civil Action No. 80-549) and ob-
22 tained a judgment against the Commission on Janu-
23 ary 8, 1985, in the amount of \$140,430, which rep-
24 resented \$93,000 in damages and \$47,430 in pre-
25 judgment interest.

1 (B) payable for the period beginning on
2 January 8, 1985, and ending on the date on
3 which such sum is paid.

4 (b) SATISFACTION OF CLAIM AGAINST UNITED
5 STATES.—The payment in subsection (a) shall be in full
6 satisfaction of the renewed judgment in favor of William
7 H. Delay against the Pacific Northwest River Basins
8 Commission for wrongful termination of his employment.

9 **SEC. 3. LIMITATION ON AGENT OR ATTORNEY FEES.**

10 No agent or attorney shall receive more than 10 per-
11 cent of any amount described in section 2 for any service
12 rendered in connection with the payment made by this
13 Act, notwithstanding any contract which provides other-
14 wise. Any person who violates this section shall be guilty
15 of an infraction and shall be subject to a fine in the
16 amount provided in title 18, United States Code.

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