Mr. ASHMORE. Yes.
Mr. HALL. With no upper limit?
Mr. ASHMORE. That is correct.
Mr. McClory. As I understand it, the Attorney General defends and represents the interests of the United States in any suit, and he would continue to be the one to represent these interests in court. If he wants to settle before trial, but after suit is filed, there is no upper limit at the present time or under this bill. This bill merely requires him to give his approval in the case of any settlement above $25,000 made before suit is filed.
Mr. Hall. I simply want to make the statement that I think there would be an upper limit on the amount that any one appointed officer of the Federal Government can settle for in a torts claim regardless of how much it is. Because if there is no such limit, then indeed this Congress has again relegated the executive branch its responsibility.
Mr. ASHMORE. Mr. Speaker, I yield myself 1 minute.
Mr. Speaker, I take this additional time because I want to point out to the gentleman that the testimony before the committee was to the effect that the existing personnel would process these claims that are settled, and because at the present time this settlement process is already carried on by the various agencies of the Government; if adopted, should provide for greater uniformity, since the settlements will have to be made in accordance with regulations of the Attorney General.
Mr. Speaker, I urge the unanimous support of this legislation.
Mr. Hall. Mr. Speaker, will the gentleman yield?
Mr. McClory. I yield to the gentleman from Missouri.
Mr. Hall. Mr. Speaker, I am referring to the bill and also to the second sentence on page 3 under the paragraph entitled "Purpose," wherein it states:
Settlements for more than $25,000 must have the prior written approval of the Attorney General or his designee.
Now, Mr. Speaker, the question presents itself, if the Attorney General should happen to be a liberal, or a relatively weak Attorney General, one who is not thinking of the taxpayers’ funds, and if he should certify an amount greater than $25,000, does there any upward limit to which he could or would not go toward this end?
In other words, could the Attorney General not certify $250,000 or more, to be the settlement by any given agency in any particular torts claim? If so, is this not a defect in the bill?
Mr. ASHMORE. Mr. Speaker, will the gentleman yield?
Mr. McClory. I yield to the gentleman from South Carolina.
Mr. ASHMORE. The Attorney General can do that now. He can settle in excess of a $25,000 claim. He has that authority now.
Mr. Hall. And it does not matter even if it is greater than $25,000?