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14-18

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 1996
OFFERED BY MR. JOHNSON OF GEORGIA**

(Scott offered)

Page 2, strike line 22 and all that follows through
page 3, line 16, and insert the following:

1 (2) in subsection (b)(1), by amending subpara-

2 graph (A) to read as follows:

3 “(A) ‘fees and other expenses’ includes the rea-

4 sonable expenses of expert witnesses, the reasonable

5 cost of any study, analysis, engineering report, test,

6 or project which is found by the agency to be nec-

7 essary for the preparation of the party’s case, and

8 reasonable attorney or agent fees (the amount of

9 fees awarded under this section shall be based upon

10 prevailing market rates for the kind and quality of

11 the services furnished, except that no expert witness

12 shall be compensated at a rate in excess of the high-

13 est rate of compensation for expert witnesses paid by

14 the agency involved);”;

Page 7, strike line 13 and all that follows through
page 8, line 6, and insert the following:

1 (3) in paragraph (2), by amending subpara-
2 graph (A) to read as follows:

3 “(A) ‘fees and other expenses’ includes the rea-
4 sonable expenses of expert witnesses, the reasonable
5 cost of any study, analysis, engineering report, test,
6 or project which is found by the court to be nec-
7 essary for the preparation of the party’s case, and
8 reasonable attorney fees (the amount of fees award-
9 ed under this subsection shall be based upon pre-
10 vailing market rates for the kind and quality of the
11 services furnished, except that no expert witness
12 shall be compensated at a rate in excess of the high-
13 est rate of compensation for expert witnesses paid by
14 the United States);” and

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