

# House of Representatives

## Chamber Action

**Bills Introduced:** Nineteen public bills, H.R. 1178–1195 and 1200; four private bills, H.R. 1196–1199; and six resolutions, H. Con. Res. 35–37 and H. Res. 110–112, were introduced.

Pages H2988–89

**Report Filed:** One report was filed as follows: H.R. 402, to amend the Alaska Native Claims Settlement Act (H. Rept. 104–73).

Page H2988

**Presidential Message—Nuclear Cooperation:** Read a message from the President wherein he reports on the nuclear cooperation within the European Community—referred to the Committee on International Relations and ordered printed (H. Doc. No. 104–43).

Page H2901

**Product Liability:** House continued consideration of H.R. 956, to establish legal standards and procedures for product liability litigation; but came to no resolution thereon. Consideration of amendments will resume on Friday, March 10.

Pages H2914–67

### Agreed To:

The Pete Geren of Texas amendment, as modified pursuant to the rule, that applies liability rules applicable to product sellers to persons engaged in the business of renting or leasing products, but exempt them from liability for customer's illegal misuse of such a product;

Pages H2918–19

The Hyde amendment that eliminates the exception to the statute of repose for product liability that allows a claimant to bring a suit if he cannot receive full compensation for medical expenses from other sources;

Pages H2923–26

The Conyers amendment that requires any product liability action for injury sustained in the United States and that relates to the purchase or use of a product manufactured outside the United States by a foreign manufacturer be heard by a Federal court and that such court shall have jurisdiction over the manufacturer (agreed to by a recorded vote of 258 ayes to 166 noes, Roll No. 221);

Pages H2930–32

The Hyde technical amendment as modified;

Pages H2940–41

The Oxley amendment that adds "FDA defense" provisions that bar punitive damages for the sale or manufacture of drugs or devices which have been approved by the Food and Drug Administration;

Pages H2941–48

The Cox of California amendment that eliminates joint and several liability (in which any of the defendants can be required to pay the entire amount) for noneconomic losses in all civil lawsuits that in-

volve interstate commerce (agreed to by a recorded vote of 263 ayes to 164 noes, Roll No. 225);

Pages H2951–58

The Cox of California amendment, as modified pursuant to the rule, that limits the maximum award of noneconomic damages in health care liability actions to \$250,000 (agreed to by a recorded vote of 247 ayes to 171 noes, Roll No. 226);

Pages H2958–65

### Rejected:

The Schroeder amendment that sought to strike the provision that eliminates joint liability for noneconomic loss in product liability suits; and to change the cap on punitive damages to \$250,000 or three times the economic and noneconomic damages awarded, whichever is greater (rejected by a recorded vote of 179 ayes to 247 noes, Roll No. 219);

Pages H2919–23

The Schumer amendment that sought to make open to the public all records in product liability cases, except under special circumstances (rejected by a recorded vote of 184 ayes to 243 noes, Roll No. 220);

Pages H2926–30

The Watt of North Carolina amendment that sought to strike the "clear and convincing" burden of proof required in proving that punitive damages should be awarded (rejected by a recorded vote of 150 ayes to 278 noes, Roll No. 222);

Pages H2932–35

The Furse amendment that sought to strike provisions establishing a cap on punitive damages (rejected by a recorded vote of 155 ayes to 272 noes, Roll No. 223); and

Pages H2935–40

The Hoke amendment that sought to provide that, if punitive damages of more than \$250,000 are awarded in a civil liability action, 75% of the additional amount would be awarded to the Treasury of the State in which the action was brought (rejected by a recorded vote of 162 ayes to 265 noes, Roll No. 224).

Pages H2948–51

H. Res. 109, the rule under which the bill is being considered was agreed to earlier by a recorded vote of 247 ayes to 181 noes, Roll No. 218. Agreed to order the previous question on the resolution by a yea-and-nay vote of 234 yeas to 191 nays, Roll No. 217.

Pages H2901–12

Agreed to the Linder amendment to the rule which allowed for modifications to the Geren amendment numbered 1 and the Cox of California amendment numbered 12.

Pages H2903–12

**Presidential Message—Economic Crisis in Mexico:** Read a message from the President wherein he notifies the Congress of his determination with respect to the economic crisis in Mexico that justified

the use of the Exchange Stabilization Fund—referred to the Committee on Banking and Financial Services and ordered printed (H. Doc. No. 104-44).

Pages H2967-68

**Committees To Sit:** The following committees and their subcommittees received permission to sit on Friday, March 10, during the proceedings of the House under the 5-minute rule. Committees on Economic and Educational Opportunities, Government Reform and Oversight, House Oversight, Judiciary, and Transportation and Infrastructure. Page H2968

**Amendments Ordered Printed:** Amendments ordered printed pursuant to the rule appear on pages H2989-90.

**Quorum Calls—Votes:** One yea-and-nay vote and nine recorded votes developed during the proceedings of the House today and appear on pages H2911-12, H2912, H2923, H2929-30, H2931-32, H2935, H2940, H2951, H2958, and H2964-65. There were no quorum calls.

**Adjournment:** Met at 10:00 a.m. and adjourned at 11:10 p.m.

## Committee Meetings

### AGRICULTURE, RURAL DEVELOPMENT, FDA AND RELATED AGENCIES APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Commodity Futures Trading Commission. Testimony was heard from Mary Schapiro, Chairman, Commodity Futures Trading Commission.

### COMMERCE, JUSTICE, STATE AND JUDICIARY APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Commerce, Justice, and State and the Judiciary, and Related Agencies held a hearing on Federal Law Enforcement. Testimony was heard from the following officials of the Department of Justice: Jamie Gorelick, Deputy Attorney General; Louis J. Freeh, Director, FBI; Thomas A. Constantine, Administrator, DEA; Carol DiBattiste, Director, Executive Office for U.S. Attorneys; JoAnn Harris, Assistant Attorney General, Criminal Division; and David Boyd, Director, Science and Technology, National Institute of Justice.

### ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Energy and Water Development held a hearing on DOE: General; Science/Biological; Environmental Research/

Basic Energy Sciences; Fusion/Science Education and Technical Information/Technology Partnerships and Economic Competitiveness. Testimony was heard from the following officials of the Department of Energy: Martha A. Krebs, Director, Office of Energy Research; Terry Cornwell Rumsey, Director, Office of Science Education and Technical Information; and Alexandria MacLachian, Deputy Under Secretary, Technology Partnerships and Economic Competitiveness.

### FOREIGN OPERATIONS APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Foreign Operations, Export Financing, and Related Agencies held a hearing on Russian Aid. Testimony was heard from Thomas Simons, Jr., Coordinator of United States Assistance to the New Independent States, Department of State; and Tom Dine, Assistant Administrator, Europe and the New Independent States, AID, U.S. International Development Cooperation Agency.

### INTERIOR APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Interior and Related Agencies held a hearing on the Minerals Management Service, the Commission of Fine Arts, the Advisory Council on Historic Preservation, and on the Woodrow Wilson International Center for Scholars. Testimony was heard from Cynthia L. Quarterman, Acting Director, Minerals Management Service, Department of the Interior; J. Carter Brown, Chairman, Commission of Fine Arts; Cathryn Buford Slater, Chairman, Advisory Council on Historic Preservation; and Charles Blitzer, Director, Woodrow Wilson International Center for Scholars.

### LABOR—HHS—EDUCATION APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on the Centers for Disease Control and Prevention, and on the Health Resources and Services Administration. Testimony was heard from the following officials of Health and Human Services: David Satcher, M.D., Director, Centers for Disease Control and Prevention; and Ciro V. Sumaya, M.D., Administrator, Health Resources and Services Administration.

### MILITARY CONSTRUCTION APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Military Construction held a hearing on the Medical Program. Testimony was heard from George Anderson, Deputy Assistant Secretary, Health Services Operations and Readiness, Department of Defense.