Product liability lawsuits usually involve claims that a product is unreasonably dangerous, either in its design, manufacture, or its lack of a proper warning or instructions regarding use.

Historically, trial lawyers name the product manufacturer as well as any store party that handled the product in the stream of commerce as a defendant. This includes the shipper of the product, as well as the store owner who sells it. In most cases, the store owner is never liable for a design defect, manufacturing defect, or failure to warn. Why? Because these cases have nothing to do with the negligence of the store owner.

Doctors and pharmacists are similar to store owners. They have nothing to do with the design or manufacture of a product. Yet time and time again, doctors and other health care providers are named as parties to product liability lawsuits involving prescription drugs and medical devices. Why? Because class action lawyers are constantly looking for the best courtrooms to file their lawsuits. These lawyers know for siding with the patient who has been harmed. By bringing their cases in front of plaintiff-friendly judges and juries, these lawyers immesurably enhance their probability of securing jury awards.

Judgments are virtually never entered against doctors and pharmacists in product liability lawsuits. Yet these health care professionals are often forced to spend thousands of dollars in legal costs and take valuable time off from work, time away from the patients who need them, to provide lawyers with rounds and rounds of deposition and to provide jurors with testimony. This is completely ridiculous. We urge our colleagues to join me in taking action to curb this abuse of our legal system. Let’s protect our health care providers from incurring frivolous unnecessary costs. Our health care providers should be focused on providing the best care to their patients, not on product liability lawsuits when they have nothing to do with the product in question.

I urge my colleagues to join me in taking action to curb this abuse of our legal system. Let’s protect our health care providers from incurring frivolous unnecessary costs. Our health care providers should be focused on providing the best care to their patients, not on product liability lawsuits when they have nothing to do with the product in question.

I ask unanimous consent to have printed in the Record letters of support from the American Medical Association and the American Osteopathic Association.

There being no objection, the material was ordered to be printed in the Record, as follows:

AMERICAN MEDICAL ASSOCIATION,

Mr. BROWN. I ask unanimous consent that there now be a period of 10 minutes each.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Without objection, it is so ordered.

ADDITIONAL STATEMENTS

REMEMBERING HAWAII’S DON HO

• MR. AKAKA. Mr. President, I wish to pay tribute to a remarkable son of Hawaii, an entertainment legend, Don Ho. Don’s big heart gave out on April 14, in Waikiki. He was 76 years old. On Saturday, May 5, Hawaii bid a fond aloha to Don Ho, during a ceremony on Waikiki Beach in celebration of his life. Thousands of people attended his memorial. Don didn’t plan on a career in entertainment. After his college graduation, he served in the U.S. Air Force, attaining the rank of first lieutenant. When