

In the Senate of the United States,

October 27, 1999.

Resolved, That the bill from the House of Representatives (H.R. 2112) entitled “An Act to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial, and to provide for Federal jurisdiction of certain multiparty, multiforum civil actions.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Multidistrict Jurisdic-*
3 *tion Act of 1999”.*

4 ***SEC. 2. MULTIDISTRICT LITIGATION.***

5 *Section 1407 of title 28, United States Code, is*
6 *amended—*

7 *(1) in the third sentence of subsection (a), by in-*
8 *serting “or ordered transferred to the transferee or*

1 *other district under subsection (i)” after “termi-*
2 *nated”; and*

3 *(2) by adding at the end the following new sub-*
4 *section:*

5 *“(i)(1) Subject to paragraph (2), any action trans-*
6 *ferred under this section by the panel may be transferred,*
7 *for trial purposes, by the judge or judges of the transferee*
8 *district to whom the action was assigned to the transferee*
9 *or other district in the interest of justice and for the conven-*
10 *ience of the parties and witnesses.*

11 *“(2) Any action transferred for trial purposes under*
12 *paragraph (1) shall be remanded by the panel for the deter-*
13 *mination of compensatory damages to the district court*
14 *from which it was transferred, unless the court to which*
15 *the action has been transferred for trial purposes also finds,*
16 *for the convenience of the parties and witnesses and in the*
17 *interests of justice, that the action should be retained for*
18 *the determination of compensatory damages.”.*

1 **SEC. 3. EFFECTIVE DATE.**

2 *The amendments made by this Act shall apply to any*
3 *civil action pending on or brought on or after the date of*
4 *the enactment of this Act.*

Attest:

Secretary.

106TH CONGRESS
1ST SESSION

H. R. 2112

AMENDMENT