

two Houses on the bill, H.R. 2546, be instructed to insist on the House position relating to technical corrections to the Financial Responsibility and Management Assistance Act.

The SPEAKER pro tempore. The gentleman from California [Mr. DIXON] will be recognized for 30 minutes, and the gentleman from New York [Mr. WALSH] will be recognized for 30 minutes.

The Chair recognizes the gentleman from California [Mr. DIXON].

(Mr. DIXON asked and was given permission to revise and extend his remarks.)

Mr. DIXON. Mr. Speaker, this motion to instruct conferees on H.R. 2546, the Fiscal Year 1996 District of Columbia Appropriations Act, is very straightforward. This motion would simply instruct the House conferees to insist on the House position related to technical corrections to the District of Columbia Financial Responsibility and Management Assistance Act, Public Law 104-8.

When the House considered the District of Columbia appropriations bill, the House unanimously adopted an amendment from the distinguished gentleman from Virginia, Mr. DAVIS, making technical, but important, changes to the enabling statute for the District's financial control board. These changes would correct several inadvertent errors made in the original statute enacted in April 1995, and carry out the original intent of Public Law 104-8.

These provisions were not included in the Senate version of the bill, but should be adopted by the conference committee.

These provisions will strengthen the hand of the financial oversight board in dealing with the district. I urge the adoption of this motion to instruct.

Mr. WALSH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have no objection to the motion. I support the motion.

Mr. Speaker, I reserve the balance of my time.

Mr. DIXON. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Speaker, those who are following the budget debate in Washington may be aware that we are coming upon some deadlines, important deadlines for every American family. Next week there will be a deadline on funding the Federal Government. If this Congress fails to pass a continuing resolution which is signed by President Clinton, then in fact many offices of the Federal Government will close. For many American families, the veterans seeking to sign up at the Veterans Administration, those seeking to sign up for Social Security, small businesses looking for help from the SBA, they will place the phone call, no one will answer, and the lights will be out.

There is another deadline coming up soon. It is called the debt-ceiling extension, which most Americans are not aware of. It is, in fact, the authoriza-

tion by this Congress to the Federal Treasury to continue to borrow, to extend the full faith and credit of the United States. If we fail to make that extension, then in fact we will default for the first time in our history, the first time in U.S. history, and that default, of course, will ripple across the economy as it raises interest rates and raises the cost of home mortgages.

There are the doomsday scenarios, the train wrecks, the gridlocks that we hear so much about as part of the strategy from the Republican side of the aisle.

Speaker GINGRICH has said repeatedly when it comes to dealing with President Clinton on the budget, "I will cooperate, but I will not compromise." Let me tell my colleagues this:

For us to sit by and watch the Federal Government shut down or to default on this debt is a total abdication of responsibility, and that is why I am supporting a provision which says no budget, no pay. It is in the Senate version of this bill. I will be pushing for it in the conference committee. What it says is simply this:

If Congress fails to keep the agencies of Government open, if we default on the national debt because of the negligence of this Congress, Members of Congress will not be paid for those days.

Now I know that is tough medicine. A lot of my colleagues are murmuring about me, and they will not talk to me in the hallways. That is OK. I think the bottom line is Democrats and Republicans were sent here to solve problems on a bipartisan basis, not to preside over a train wreck or any gridlock.

Mr. Speaker, I will be pushing for this no budget, no pay in conference.

Mr. DIXON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. WALSH. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I rise just briefly to respond. I think that certainly our party has reached out to work with the administration to try to preclude any of the train-wreck scenarios the gentleman from Illinois [Mr. DURBIN] has talked about, and our leadership has gone out of its way to try to resolve these issues, they need to be resolved, but at the same time we are very concerned about getting our budget in balance for the first time in a long, long time. Raising the debt ceiling for the Federal Government is an important issue, and I think it is important that both sides work together to try to resolve it so that we can, while we are going to increase our ability to borrow money to pay the debt, we need to talk seriously about getting our budget in balance. So I ask that first of all we support this motion.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from California [Mr. DIXON].

The motion to instruct was agreed to.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Mesrs. WALSH, BONILLA, KINGSTON, FRELINGHUYSEN, NEUMANN, LIVINGSTON, DIXON, DURBIN, Ms. KAPTUR, and Mr. OBEY.

There was no objection.

GENERAL LEAVE

Mr. WALSH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and that I may include tabular and extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, the pending business is the question de novo of the Speaker's approval of the Journal.

The question is on the Speaker's approval of the Journal of the last day's proceedings.

The questions was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RIGGS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 338, nays 66, answered "present" 1, not voting 27, as follows:

[Roll No. 776]

YEAS—338

Ackerman	Bono	Conyers
Allard	Boucher	Cooley
Andrews	Brewster	Costello
Archer	Browder	Cox
Bachus	Brown (OH)	Coyne
Baesler	Brownback	Cramer
Baker (CA)	Bryant (TN)	Crapo
Baker (LA)	Bryant (TX)	Cremeans
Baldacci	Bunn	Cubin
Ballenger	Bunning	Cunningham
Barcia	Burton	Danner
Barr	Buyer	de la Garza
Barrett (NE)	Callahan	Deal
Barrett (WI)	Calvert	DeFazio
Bartlett	Camp	DeLauro
Barton	Canady	DeLay
Bass	Castle	Dellums
Beilenson	Chabot	Deutsch
Bentsen	Chambliss	Diaz-Balart
Bereuter	Chenoweth	Dickey
Berman	Christensen	Dicks
Bevill	Chrysler	Dingell
Bilbray	Clayton	Dixon
Bilirakis	Clement	Doggett
Bishop	Clinger	Dooley
Biley	Coble	Doolittle
Blute	Collins (GA)	Doyle
Boehlert	Collins (MI)	Dreier
Bonilla	Combest	Duncan
Bonior	Condit	Dunn

Edwards Klink Ramstad Neal Sabo Velazquez
 Ehlers Klug Reed Ney Sanford Vento
 Ehrlich Knollenberg Regula Oberstar Schroeder Visclosky
 Emerson Kolbe Richardson Orton Scott Waters
 Engel LaHood Riggs Payne (NJ) Skaggs Wise
 English Largent Rivers Roberts Pickett Taylor (MS) Woolsey
 Eshoo LaTourette Roberts Pombo Thompson Yates
 Evans Laughlin Roemer Rush Torkildsen Zimmer
 Ewing Lazio Rogers
 Farr Leach Rohrabacher
 Fattah Lewis (CA) Ros-Lehtinen
 Fawell Lewis (KY) Rose
 Fields (TX) Lightfoot Roukema
 Flake Lincoln Roybal-Allard
 Flanagan Lipinski Royce
 Foley Livingston Salmon
 Forbes LoBiondo Sanders
 Ford Lofgren Sawyer
 Fowler Lowey Saxton
 Fox Lucas Scarborough
 Frank (MA) Luther Schaefer
 Franks (CT) Maloney Schiff
 Franks (NJ) Manton Schumer
 Frelinghuysen Manzullo Seastrand
 Frisa Markey Sensenbrenner
 Frost Martini Serrano
 Funderburk Mascara Shadegg
 Gallegly Matsui McCarthy
 Ganske McCollum Shuster
 Gejdenson McCrery Sisisky
 Gekas McDade Skeen
 Geren Gilchrest McHugh Skelton
 Gillmor Gilman McIntosh Slaughter
 Gonzalez Goodlatte McKeon Smith (MI)
 Goodling Gordon McKinney Smith (NJ)
 Gordon Goss McMurtry Smith (TX)
 Green Greenwood Meehan Smith (WA)
 Gunderson Hall (OH) McHugh Solomon
 Hall (TX) McInnis Stenholm
 Hamilton Mckintosh Stokes
 Hancock Moakley Studds
 Hansen Molinari Stump
 Hastert Mollohan Stupak
 Hastings (WA) Montgomery Talent
 Hayes Moorhead Tanner
 Hayworth Morella Tate
 Herger Murtha Tazuin
 Hobson Myers Taylor (NC)
 Hoekstra Myrick Tejeda
 Hoke Nadler Thomas
 Holden Nethercutt Thornberry
 Horn Neumann Tiaht
 Hostettler Norwood Torres
 Houghton Nussle Torricelli
 Hoyer Obey Towns
 Hutchinson Olver Traficant
 Hyde Ortiz Upton
 Inglis Oxley Vucanovich
 Istook Packard Walker
 Jackson-Lee Parker Ward
 Johnson (CT) Pastor Watt (NC)
 Johnson (SD) Paxon Watts (OK)
 Johnson, Sam Payne (VA) Pelosi Waxman
 Johnston Pelosi Peterson (MN)
 Jones Petri Weller
 Kanjorski Pomeroy White
 Kasich Porter Whitfield
 Kelly Poshard Wicker
 Kennedy (MA) Portman Williams
 Kennedy (RI) Kennelly Williams
 Kildene Prysce Wolf
 Kim Quillen Wyden
 King Quinn Wynn
 Kingston Radanovich Young (FL)
 Kleczka Rahall Zeliff

NAYS—66

Abercrombie Everett Hinchee
 Becerra Fazio Jacobs
 Borski Filner Jefferson
 Brown (CA) Foglietta Johnson, E.B.
 Brown (FL) Furse LaFalce
 Cardin Gephhardt Lantos
 Clay Gibbons Latham
 Clyburn Gutierrez Levin
 Coburn Gutknecht Lewis (GA)
 Coleman Hastings (FL) Longley
 Collins (IL) Hefley Martinez
 Davis Heineman McDermott
 Durbin Hilleary Menendez
 Ensign Hilliard Miller (CA)

Neal Sabo Velazquez
 Ney Sanford Vento
 Oberstar Schroeder Visclosky
 Richardson Orton Scott Waters
 Riggs Payne (NJ) Skaggs Wise
 Rivers Roberts Pickett Taylor (MS) Woolsey
 LaTourette Roberts Pombo Thompson Yates
 Laughlin Roemer Rush Torkildsen Zimmer
 Lazio Rogers
 Leach Rohrabacher
 Lewis (CA) Ros-Lehtinen
 Lewis (KY) Rose
 Lightfoot Roukema
 Lincoln Roybal-Allard
 Lipinski Royce
 Livingston Salmon
 LoBiondo Sanders
 Lofgren Sawyer
 Lowey Saxton
 Lucas Scarborough
 Luther Schaefer
 Maloney Schiff
 Manton Schumer
 Manzullo Seastrand
 Markey Sensenbrenner
 Martini Serrano
 Mascara Shadegg
 Matsui McCarthy
 McCollum Shuster
 McCrery Sisisky
 McDade Skeen
 McHugh Skelton
 McInnis Slaughter
 McIntosh Smith (MI)
 McKeon Smith (NJ)
 McKinney Smith (TX)
 McMurtry Smith (WA)
 Meehan Solomon
 Meek Souder
 Metcalf Spence
 Meyers Spratt
 Mica Stark
 Miller (FL) Stearns
 Minge Stenholm
 Mink Stokes
 Moakley Studds
 Molinari Stump
 Mollohan Stupak
 Montgomery Talent
 Moorhead Tanner
 Morella Tate
 Murtha Tazuin
 Myers Taylor (NC)
 Myrick Tejeda
 Nadler Thomas
 Nethercutt Thornberry
 Neumann Tiaht
 Norwood Torres
 Nussle Torricelli
 Obey Towns
 Hutchinson Upton
 Hyde Vucanovich
 Inglis Walker
 Istook Ward
 Jackson-Lee Watt (NC)
 Johnson (CT) Watts (OK)
 Johnson (SD) Pelosi
 Johnson, Sam Waxman
 Johnston Pelosi
 Jones Petri
 Kanjorski Weller
 Kasich White
 Kelly Whitfield
 Kennedy (MA) Wicker
 Kennedy (RI) Williams
 Kennelly Williams
 Kildene Wolf
 Kim Wyden
 King Wynn
 Kingston Young (FL)
 Kleczka Zeliff

ANSWERED "PRESENT"—1

NOT VOTING—27

Armey Hunter Stockman
 Bateman Kaptur Thornton
 Boehner Linder Thurman
 Burr Mfume Tucker
 Chapman Moran Volkmer
 Crane Owens Waldholtz
 Dornan Peterson (FL) Weldon (PA)
 Fields (LA) Rangel Wilson
 Hefner Roth Young (AK)

□ 1102

Mr. PAYNE of New Jersey changed his vote from "yea" to "nay."

So the Journal was approved.

The result of the vote was announced as above recorded.

MOTION TO GO TO CONFERENCE
 ON H.R. 956, COMMON SENSE
 PRODUCT LIABILITY AND LEGAL
 REFORM ACT OF 1995

Mr. HYDE. Mr. Speaker, by direction of the Committee on the Judiciary, pursuant to House rule XX, I move to take from the Speaker's table the bill H.R. 956, to establish legal standards and procedures for product liability litigation, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

The SPEAKER pro tempore (Mr. GILLMOR). The question is on the motion offered by the gentleman from Illinois [Mr. HYDE].

The motion was agreed to.

MOTION TO INSTRUCT CONFEREES OFFERED BY
 MR. CONYERS

Mr. CONYERS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. CONYERS moves that the managers on the part of the House, at the conference on the disagreeing votes of the two Houses on the bill H.R. 956, be instructed not to agree to any provision, within the scope of conference, that would limit the total damages recoverable for injuries by aged individuals, women, or children to an amount less than that recoverable by other plaintiffs with substantially similar injuries.

The SPEAKER pro tempore. The gentleman from Michigan [Mr. CONYERS] will be recognized for 30 minutes, and the gentleman from Illinois [Mr. HYDE] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume.

(Mr. CONYERS asked and was given permission to revise and extend his remarks.)

Mr. CONYERS. Mr. Speaker, the motion I am offering would instruct the conferees to not agree to those provisions which limit the total amount of damages recoverable by seniors, women, and children to an amount less

than that recoverable by other plaintiffs with substantially similar injuries.

The Republican legal liability bills passed by both Houses of Congress are replete with provisions which will have a disproportionate impact on the most vulnerable members of our society. The House bill caps noneconomic damages in health care liability cases at \$250,000, both bills limit punitive damages depending on the amount of economic damages, and both bills eliminate joint and several liability relating to noneconomic damages.

The cumulative effect of these provisions on the elderly, women, and children is devastating. Since these groups generally earn less wages, a greater proportion of their losses is likely to be noneconomic. A middle-aged adult who loses his job could seek full compensation, while a child or a senior who loses a limb or is forced to bear excruciating pain for the remainder of his or her life would face arbitrary new damage limitations. A corporate CEO with a seven figure salary is entitled to collect millions of dollars in damages in lost wages resulting from medical misconduct, but a homemaker who loses her reproductive capacity as a result of medical malpractice would face a \$250,000 limitation on her damages.

The House bill also immunizes manufacturers of FDA-approved products from any possible award of punitive damages. This so-called FDA defense completely forecloses the possibility of punitive damages for defective products—even if the manufacturer has clear evidence of the dangers of a product. This will undoubtedly have a disproportionate impact on the ability of women to recover damages, since so many cases involving large punitive damage awards pertain to defective medical products placed inside women's bodies. We need look no further than the Dalkon Shield, Cooper 7-IUD, high-estrogen birth control pills, and high absorbency tampons linked to toxic shock syndrome to find recent examples of FDA-approved products which caused widespread injuries to female consumers.

What is it about the elderly, women, and children that the Republican Party is so opposed to? The legal reform bills before us are blatantly unfair and discriminatory, and I would hope the conferees would have the good sense to remove these provisions from whatever final legislation may emerge from the conference.

Mr. Speaker, I reserve the balance of my time.

Mr. DINGELL. Mr. Speaker, I urge my colleagues to support the motion to instruct. I have long supported product liability reform legislation. However, I was compelled to vote against the so-called common sense product liability and legal reform bill passed by the House early this year because it had little to do with either product liability reform or common sense. Due in great part to extreme amendments added during floor debate, the bill passed by the House became a Christmas