

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: Messrs. 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 were 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
Baessler	Brownback	Cramer
Baker (CA)	Bryant (TN)	Crapo
Baker (LA)	Bryant (TX)	Cremins
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	Deutsches
Bentsen	Chambliss	Diaz-Balart
Bereuter	Chenoweth	Dickey
Berman	Christensen	Dicks
Bevill	Chrysler	Dingell
Bilbray	Clayton	Dixon
Bilirakis	Clement	Doggett
Bishop	Clinger	Dooley
Bliley	Coble	Doolittle
Blute	Collins (GA)	Doyle
Boehlert	Collins (MI)	Dreier
Bonilla	Combest	Duncan
Bonior	Condit	Dunn

Edwards	Klink	Ramstad
Ehlers	Klug	Reed
Ehrlich	Knollenberg	Regula
Emerson	Kolbe	Richardson
Engel	LaHood	Riggs
English	Largent	Rivers
Eshoo	LaTourette	Roberts
Evans	Laughlin	Roemer
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
Galleghy	Matsui	Shaw
Ganske	McCarthy	Shays
Gejdenson	McCollum	Shuster
Gekas	McCrery	Sisisky
Geren	McDade	Skeen
Gilchrest	McHale	Skelton
Gillmor	McHugh	Slaughter
Gilman	McInnis	Smith (MI)
Gonzalez	McIntosh	Smith (NJ)
Goodlatte	McKeon	Smith (TX)
Goodling	McKinney	Smith (WA)
Gordon	McNulty	Solomon
Goss	Meehan	Souder
Graham	Meek	Spence
Green	Metcalfe	Spratt
Greenwood	Meyers	Stark
Gunderson	Mica	Stearns
Hall (OH)	Miller (FL)	Stenholm
Hall (TX)	Minge	Stokes
Hamilton	Mink	Studds
Hancock	Moakley	Stump
Hansen	Molinari	Stupak
Hastert	Mollohan	Talent
Hastings (WA)	Montgomery	Tanner
Hayes	Moorhead	Tate
Hayworth	Morella	Tauzin
Herger	Murtha	Taylor (NC)
Hobson	Myers	Tejeda
Hoekstra	Myrick	Thomas
Hoke	Nadler	Thornberry
Holden	Nethercutt	Tiahrt
Horn	Neumann	Torres
Hostettler	Norwood	Torricelli
Houghton	Nussle	Towns
Hoyer	Obey	Trafficant
Hutchinson	Oliver	Upton
Hyde	Ortiz	Vucanovich
Inglis	Oxley	Walker
Istook	Packard	Walsh
Jackson-Lee	Pallone	Wamp
Johnson (CT)	Parker	Ward
Johnson (SD)	Pastor	Watt (NC)
Johnson, Sam	Paxon	Watts (OK)
Johnston	Payne (VA)	Waxman
Jones	Pelosi	Weldon (FL)
Kanjorski	Peterson (MN)	Weller
Kasich	Petri	White
Kelly	Pomeroy	Whitfield
Kennedy (MA)	Porter	Wicker
Kennedy (RI)	Portman	Williams
Kennelly	Poshard	Wolf
Kildee	Pryce	Wyden
Klim	Quillen	Wynn
King	Quinn	Young (FL)
Kingston	Radanovich	Zeliff
Klecicka	Rahall	

## NAYS—66

Abercrombie	Everett	Hinchey
Becerra	Fazio	Jacobs
Borski	Filmer	Jefferson
Brown (CA)	Foglietta	Johnson, E.B.
Brown (FL)	Furse	LaFalce
Cardin	Gephardt	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	Hiiliard	Miller (CA)

Neal	Sabo	Velazquez
Ney	Sanford	Vento
Oberstar	Schroeder	Visclosky
Orton	Scott	Waters
Payne (NJ)	Skaggs	Wise
Pickett	Taylor (MS)	Woolsey
Pombo	Thompson	Yates
Rush	Torkildsen	Zimmer

## ANSWERED "PRESENT"—1

Harman

## NOT VOTING—27

Armedy	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)

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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