

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 247
Nays 181

¶41.9 [Roll No. 218]
AYES—247

Allard	Franks (NJ)	Neumann
Archer	Frelinghuysen	Ney
Armey	Frisa	Norwood
Bachus	Funderburk	Nussle
Baesler	Gallegly	Oxley
Baker (CA)	Ganske	Packard
Baker (LA)	Gekas	Parker
Ballenger	Geran	Paxon
Barr	Gilchrest	Payne (VA)
Barrett (NE)	Gillmor	Peterson (MN)
Bartlett	Gilman	Petri
Barton	Goodlatte	Pickett
Bass	Goodling	Pombo
Bateman	Goss	Porter
Bereuter	Greenwood	Portman
Bevill	Gunderson	Pryce
Bilbray	Gutknecht	Quillen
Bilirakis	Hall (TX)	Quinn
Bliley	Hancock	Radanovich
Blute	Hansen	Ramstad
Boehlert	Hastert	Regula
Boehner	Hastings (WA)	Riggs
Bonilla	Hayes	Roberts
Bono	Hayworth	Rogers
Brewster	Hefley	Rohrabacher
Browder	Heineman	Ros-Lehtinen
Brownback	Herger	Roth
Bryant (TN)	Hilleary	Roukema
Bunn	Hobson	Royce
Bunning	Hoekstra	Salmon
Burr	Hoke	Sanford
Burton	Horn	Saxton
Buyer	Hostettler	Scarborough
Callahan	Houghton	Schaefer
Calvert	Hunter	Schiff
Camp	Hutchinson	Seastrand
Canady	Hyde	Sensenbrenner
Castle	Inglis	Shadegg
Chabot	Johnson (CT)	Shaw
Chambliss	Johnson, Sam	Shays
Chenoweth	Jones	Shuster
Christensen	Kasich	Sisisky
Chrysler	Kelly	Skeen
Clinger	Kim	Smith (MI)
Coble	King	Smith (NJ)
Coburn	Kingston	Smith (TX)
Collins (GA)	Klug	Smith (WA)
Combest	Knollenberg	Solomon
Condit	Kolbe	Souder
Cooley	LaHood	Spence
Cox	Largent	Stearns
Cramer	Latham	Stenholm
Crane	LaTourette	Stockman
Crapo	Laughlin	Stump
Creameans	Lazio	Talent
Cubin	Leach	Tanner
Cunningham	Lewis (CA)	Tate
Danner	Lewis (KY)	Tauzin
Davis	Lightfoot	Taylor (NC)
Deal	Linder	Thomas
DeLay	Livingston	Thornberry
Diaz-Balart	Longley	Tiahrt
Dickey	Lucas	Torkildsen
Doolittle	Manullo	Upton
Dornan	Martini	Vucanovich
Dreier	McCollum	Waldholtz
Duncan	McCrery	Walker
Dunn	McDade	Walsh
Ehlers	McHugh	Wamp
Ehrlich	McInnis	Watts (OK)
Emerson	McIntosh	Weldon (FL)
English	McKeon	Weldon (PA)
Ensign	Metcalf	Weller
Everett	Meyers	White
Ewing	Mica	Whitfield
Fawell	Miller (FL)	Wicker
Fields (TX)	Molinari	Wolf
Flanagan	Montgomery	Young (AK)
Foley	Moorhead	Young (FL)
Forbes	Morella	Zeliff
Fowler	Myers	Zimmer
Fox	Myrick	
Franks (CT)	Nethercutt	

NOES—181

Abercrombie	Becerra	Borski
Ackerman	Beilenson	Boucher
Andrews	Bentsen	Brown (CA)
Baldacci	Berman	Brown (FL)
Barcia	Bishop	Brown (OH)
Barrett (WI)	Bonior	Bryant (TX)

Cardin	Jackson-Lee	Pelosi
Chapman	Jacobs	Peterson (FL)
Clayton	Jefferson	Pomeroy
Clement	Johnson (SD)	Poshard
Clyburn	Johnson, E.B.	Rahall
Coleman	Johnston	Reed
Collins (IL)	Kanjorski	Reynolds
Collins (MI)	Kaptur	Richardson
Conyers	Kennedy (MA)	Rivers
Costello	Kennedy (RI)	Roemer
Coyne	Kennelly	Rose
de la Garza	Kildee	Roybal-Allard
DeFazio	Kleczka	Rush
Dellums	Klink	Sabo
DeLauro	LaFalce	Sanders
Dellums	Lantos	Sawyer
Deutsch	Levin	Schroeder
Dicks	Lewis (GA)	Schumer
Dingell	Lincoln	Scott
Dixon	Lipinski	Serrano
Doggett	Lofgren	Skaggs
Dooley	Lowey	Skelton
Doyle	Luther	Slaughter
Durbin	Maloney	Spratt
Edwards	Manton	Stark
Engel	Markey	Stokes
Eshoo	Martinez	Studds
Evans	Mascara	Stupak
Farr	Matsui	Taylor (MS)
Fattah	McCarthy	Tejeda
Fazio	McDermott	Thompson
Fields (LA)	McHale	Thornton
Filner	McKinney	Thurman
Flake	McNulty	Torres
Foglietta	Meehan	Torricelli
Ford	Meehan	Towns
Frank (MA)	Meek	Trafficant
Frank	Menendez	Tucker
Frank	Miller (CA)	Tucker
Gejdenson	Mineta	Velazquez
Gephardt	Minge	Vento
Gibbons	Mink	Visclosky
Gonzalez	Moakley	Volkmmer
Gordon	Mollohan	Ward
Graham	Murtha	Waters
Green	Nadler	Watt (NC)
Gutierrez	Neal	Waxman
Hall (OH)	Oberstar	Williams
Hamilton	Obey	Wilson
Harman	Olver	Wise
Hastings (FL)	Ortiz	Woolsey
Hefner	Orton	Wyden
Hilliard	Owens	Wynn
Hinchev	Pallone	Yates
Holden	Pastor	
Hoyer	Payne (NJ)	

NOT VOTING—6

Clay	LoBiondo	Moran
Istook	Mfume	Rangel

So the resolution, as amended, was agreed to.

A motion to reconsider the vote whereby said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶41.10 FURTHER MESSAGE FROM THE PRESIDENT

A further message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

¶41.11 PRODUCT LIABILITY LITIGATION

The SPEAKER pro tempore, Mr. EWING, pursuant to House Resolution 109 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 956) to establish legal standards and procedures for product liability litigation, and for other purposes.

Mr. DREIER, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶41.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the

Whole on the following amendment submitted by Mrs. SCHROEDER:

Page 11, strike lines 17 through 24, and re-designate succeeding sections accordingly.

Page 17, line 25, insert "and noneconomic" before "loss".

It was decided in the negative { Yeas 179
Nays 247

¶41.13 [Roll No. 219]
AYES—179

Abercrombie	Furse	Neal
Ackerman	Gejdenson	Oberstar
Andrews	Gephardt	Obey
Baldacci	Gonzalez	Olver
Barcia	Gordon	Ortiz
Barrett (WI)	Green	Owens
Bateman	Gutierrez	Pallone
Becerra	Hall (OH)	Pastor
Beilenson	Harman	Payne (NJ)
Bentsen	Hastings (FL)	Peterson (FL)
Berman	Hefner	Poshard
Bevill	Hilliard	Rahall
Bishop	Hinchev	Reed
Bonior	Holden	Reynolds
Borski	Hoyer	Richardson
Boucher	Jackson-Lee	Rivers
Browder	Jefferson	Rose
Brown (CA)	Johnson (SD)	Roybal-Allard
Brown (FL)	Johnson, E.B.	Rush
Brown (OH)	Johnston	Sabo
Bryant (TX)	Kanjorski	Sanders
Cardin	Kaptur	Sawyer
Chapman	Kennedy (MA)	Schiff
Clay	Kennedy (RI)	Schroeder
Clayton	Kennelly	Schumer
Clyburn	Kildee	Scott
Coble	Kleczka	Serrano
Coleman	Klink	Skaggs
Collins (IL)	LaFalce	Skelton
Collins (MI)	Lantos	Slaughter
Conyers	Levin	Spratt
Costello	Lewis (GA)	Stark
Coyne	Lincoln	Stokes
Cramer	Lipinski	Studds
de la Garza	Lofgren	Stupak
DeFazio	Luther	Thompson
DeLauro	Maloney	Thornton
Dellums	Manton	Thurman
Deutsch	Markey	Torres
Diaz-Balart	Martinez	Torricelli
Dicks	Mascara	Towns
Dingell	Matsui	Trafficant
Dixon	McCarthy	Tucker
Doggett	McDermott	Velazquez
Doyle	McHale	Vento
Durbin	McKinney	Visclosky
Engel	McNulty	Volkmmer
English	Meehan	Ward
Eshoo	Meek	Waters
Evans	Menendez	Watt (NC)
Farr	Mfume	Waxman
Fattah	Miller (CA)	Williams
Fazio	Mineta	Wilson
Fields (LA)	Minge	Wise
Filner	Mink	Woolsey
Flake	Moakley	Wyden
Foglietta	Morella	Wynn
Ford	Murtha	Yates
Frank (MA)	Nadler	
Frost		

NOES—247

Allard	Bunn	Crapo
Archer	Bunning	Creameans
Armey	Burr	Cubin
Bachus	Burton	Cunningham
Baesler	Buyer	Danner
Baker (CA)	Callahan	Davis
Baker (LA)	Calvert	Deal
Ballenger	Camp	DeLay
Barr	Canady	Dickey
Barrett (NE)	Castle	Dooley
Bartlett	Chabot	Doolittle
Barton	Chambliss	Dornan
Bass	Chenoweth	Dreier
Bereuter	Christensen	Duncan
Bilbray	Chrysler	Dunn
Bilirakis	Clement	Edwards
Bliley	Clinger	Ehlers
Blute	Coburn	Ehrlich
Boehlert	Collins (GA)	Emerson
Bonilla	Combest	Ensign
Bono	Condit	Everett
Brewster	Cooley	Ewing
Brownback	Cox	Fawell
Bryant (TN)	Crane	Fields (TX)

Flanagan	Largent	Rogers
Foley	Latham	Rohrabacher
Forbes	LaTourette	Ros-Lehtinen
Fowler	Laughlin	Roth
Fox	Lazio	Roukema
Franks (CT)	Leach	Royce
Franks (NJ)	Lewis (CA)	Salmon
Frelinghuysen	Lewis (KY)	Sanford
Frisa	Lightfoot	Saxton
Funderburk	Linder	Scarborough
Gallegly	Livingston	Schaefer
Ganske	Longley	Seastrand
Gekas	Lucas	Sensenbrenner
Geren	Manzullo	Shadegg
Gilchrest	Martini	Shaw
Gillmor	McCollum	Shays
Gilman	McDade	Shuster
Goodlatte	McHugh	Sisisky
Goodling	McInnis	Skeen
Goss	McIntosh	Smith (MI)
Graham	McKeon	Smith (NJ)
Greenwood	Metcalf	Smith (TX)
Gunderson	Meyers	Smith (WA)
Gutknecht	Mica	Solomon
Hall (TX)	Miller (FL)	Souder
Hamilton	Molinari	Spence
Hancock	Mollohan	Stearns
Hansen	Montgomery	Stenholm
Hastert	Moorhead	Stockman
Hastings (WA)	Moran	Stump
Hayes	Myers	Talent
Hayworth	Myrick	Tanner
Hefley	Nethercutt	Tate
Heineman	Neumann	Tauzin
Herger	Ney	Taylor (MS)
Hilleary	Norwood	Taylor (NC)
Hobson	Nussle	Thomas
Hoekstra	Orton	Thornberry
Hoke	Oxley	Tiahrt
Horn	Packard	Torkildsen
Hostettler	Parker	Upton
Houghton	Paxon	Vucanovich
Hunter	Payne (VA)	Waldholtz
Hutchinson	Peterson (MN)	Walker
Hyde	Petri	Walsh
Inglis	Pickett	Wamp
Jacobs	Pombo	Weldon (FL)
Johnson (CT)	Pomeroy	Weldon (PA)
Johnson, Sam	Porter	Weller
Jones	Portman	White
Kasich	Pryce	Whitfield
Kelly	Quillen	Wicker
Kim	Quinn	Wolf
King	Radanovich	Young (AK)
Kingston	Ramstad	Young (FL)
Klug	Regula	Zeliff
Knollenberg	Riggs	Zimmer
Kolbe	Roberts	
LaHood	Roemer	

NOT VOTING—8

Boehner	LoBiondo	Rangel
Gibbons	McCrery	Watts (OK)
Istook	Pelosi	

So the amendment was not agreed to. After some further time,

¶41.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. SCHUMER:

Page 13, redesignate section 110 as 111 and insert after line 3 the following:

SEC. 110. SUNSHINE, ANTI-SECRECY, CONSUMER EMPOWERMENT, AND LITIGATION AVOIDANCE.

(a) IN GENERAL.—To empower consumers with the information to avoid defective products, court records in all product liability actions are presumed to be open to the general public. No court order or opinion in the adjudication of a product liability action may be sealed. No court record, including records obtained through discovery, whether or not formally filed with the court, may be sealed, subjected to a protective order, or otherwise have access restricted except through a court order based upon particularized findings of fact that—

(1) such order would not restrict the disclosure of information which is relevant to public health or safety; or

(2)(A) the public interest in disclosure of potential health or safety hazards is clearly

outweighed by a specific and substantial interest in maintaining the confidentiality of the information or records in question; and

(B) the requested order is no broader than necessary to protect the privacy interest asserted.

No such order shall continue in effect after the entry of final judgment or other final disposition, unless at or after such entry the court makes a separate particularized finding of fact that the requirements of paragraph (1) or (2) have been met.

(b) BURDEN.—The party who is the proponent for the entry of an order, as provided under subsection (a), shall have the burden of proof in obtaining such an order.

(c) AGREEMENT.—No agreement between or among parties in a product liability action filed in a State or Federal court may contain a provision that prohibits or otherwise restricts a party from disclosing any information relevant to such product liability action to any Federal or State agency with authority to enforce laws regulating an activity relating to such information.

(d) INTERVENTION.—Any person may intervene as a matter of right in a product liability action for the limited purpose of participating in proceedings considering limitation of access to records upon payment of the fee required for filing a plea in intervention.

It was decided in the } Yeas 184
negative } Nays 243

¶41.15 [Roll No. 220] AYES—184

Abercrombie	Fox	Mineta
Ackerman	Frank (MA)	Minge
Baldacci	Frost	Mink
Barcia	Furse	Moakley
Barrett (WI)	Gedjenson	Moran
Becerra	Gephardt	Murtha
Beilenson	Gibbons	Nadler
Bentsen	Gonzalez	Neal
Berman	Gordon	Oberstar
Bevill	Graham	Obey
Bishop	Green	Olver
Bonior	Gutierrez	Ortiz
Borski	Hall (OH)	Owens
Boucher	Hamilton	Pallone
Brewster	Harman	Pastor
Browder	Hastings (FL)	Payne (NJ)
Brown (CA)	Hayes	Payne (VA)
Brown (FL)	Hefner	Pelosi
Brown (OH)	Hilliard	Peterson (FL)
Bryant (TX)	Hinchey	Pomeroy
Bunn	Holden	Poshard
Cardin	Hoyer	Rahall
Chapman	Jackson-Lee	Reed
Clayton	Jacobs	Reynolds
Clement	Jefferson	Richardson
Clyburn	Johnson (SD)	Rivers
Coleman	Johnson, E.B.	Rose
Collins (IL)	Johnston	Roybal-Allard
Collins (MI)	Kanjorski	Rush
Conyers	Kaptur	Sabo
Costello	Kennedy (MA)	Sanders
Coyne	Kennedy (RI)	Sawyer
Cramer	Kennelly	Schroeder
Danner	Kildee	Schumer
de la Garza	Klecicka	Scott
DeFazio	Klink	Serrano
DeLauro	Klug	Skaggs
Dellums	LaFalce	Skelton
Deutsch	Lantos	Slaughter
Dicks	Lewis (GA)	Spratt
Dixon	Lipinski	Stark
Doggett	Lofgren	Stokes
Dooley	Luther	Studds
Doyle	Maloney	Stupak
Duncan	Manton	Tejeda
Durbin	Markey	Thompson
Edwards	Martinez	Thornton
Engel	Mascara	Thurman
Eshoo	Matsui	Torres
Evans	McCarthy	Torricelli
Farr	McDermott	Towns
Fattah	McHale	Trafficant
Fazio	McNulty	Tucker
Fields (LA)	Meehan	Velazquez
Filner	Meek	Vento
Flake	Menendez	Visclosky
Foglietta	Mfume	Volkmer
Ford	Miller (CA)	Ward

Waters
Watt (NC)
Waxman
Williams

Wilson
Wise
Woolsey
Wyden

Wynn
Yates

NOES—243

Allard	Gekas	Norwood
Archder	Geren	Nussle
Arney	Gilchrest	Orton
Bachus	Gillmor	Oxley
Baessler	Gilman	Packard
Baker (CA)	Goodlatte	Parker
Baker (LA)	Goodling	Paxon
Ballenger	Goss	Peterson (MN)
Barr	Greenwood	Petri
Barrett (NE)	Gunderson	Pickett
Bartlett	Gutknecht	Pombo
Barton	Hall (TX)	Porter
Bass	Hancock	Portman
Bateman	Hansen	Pryce
Bereuter	Hastert	Quillen
Bilbray	Hastings (WA)	Quinn
Bilirakis	Hayworth	Radanovich
Bliley	Hefley	Ramstad
Blute	Heineman	Regula
Boehlert	Herger	Riggs
Boehner	Hilleary	Roberts
Bonilla	Hobson	Roemer
Bono	Hoekstra	Rogers
Brownback	Hoke	Rohrabacher
Bryant (TN)	Horn	Ros-Lehtinen
Bunning	Hostettler	Roth
Burr	Houghton	Roukema
Burton	Hunter	Royce
Buyer	Hutchinson	Salmon
Callahan	Hyde	Sanford
Calvert	Inglis	Saxton
Camp	Istook	Scarborough
Canady	Johnson (CT)	Schaefer
Castle	Johnson, Sam	Schiff
Chabot	Jones	Seastrand
Chambliss	Kasich	Sensenbrenner
Christensen	Kelly	Shadegg
Chrysler	Kim	Shaw
Clinger	King	Shays
Coble	Kingston	Shuster
Coburn	Knollenberg	Sisisky
Collins (GA)	Kolbe	Skeen
Combest	LaHood	Smith (MI)
Condit	Largent	Smith (NJ)
Cooley	Latham	Smith (TX)
Cox	LaTourette	Smith (WA)
Crane	Laughlin	Solomon
Crapo	Lazio	Souder
Creameans	Leach	Spence
Cubin	Levin	Stearns
Cunningham	Lewis (CA)	Stenholm
Davis	Lewis (KY)	Stockman
Deal	Lightfoot	Stump
DeLay	Lincoln	Talent
Diaz-Balart	Linder	Tanner
Dickey	Livingston	Tate
Dingell	Longley	Tauzin
Doolittle	Lucas	Taylor (MS)
Dornan	Manzullo	Taylor (NC)
Dreier	Martini	Thomas
Dunn	McCollum	Thornberry
Ehlers	McCrery	Tiahrt
Ehrlich	McDade	Torkildsen
Emerson	McHugh	Upton
English	McInnis	Vucanovich
Ensign	McIntosh	Waldholtz
Everett	McKeon	Walker
Ewing	Metcalf	Walsh
Fawell	Meyers	Wamp
Fields (TX)	Mica	Watts (OK)
Flanagan	Miller (FL)	Weldon (FL)
Foley	Molinari	Weldon (PA)
Forbes	Mollohan	Weller
Fowler	Montgomery	White
Franks (CT)	Moorhead	Whitfield
Franks (NJ)	Morella	Wicker
Frelinghuysen	Myers	Wolf
Frisa	Myrick	Young (AK)
Funderburk	Nethercutt	Young (FL)
Gallegly	Neumann	Zeliff
Ganske	Ney	Zimmer

NOT VOTING—7

Andrews	LoBiondo	Rangel
Chenoweth	Lowey	
Clay	McKinney	

So the amendment was not agreed to. After some further time,

¶41.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the