Cárdenas	Honda	Pascrell
Carney	Hoyer	Payne
Carson (IN)	Huffman	Perlmutter
Cartwright	Israel	Peters
Castor (FL)	Jackson Lee	Peterson
Castro (TX)	Jeffries	Pingree
Chu, Judy	Johnson (GA)	Pocan
Cicilline	Johnson, E. B.	Polis
Clarke (NY)	Jones	Price (NC)
Clay	Kaptur	Quigley
Cleaver	Keating	Rangel
Clyburn	Kelly (IL)	Rice (NY)
Cohen	Kennedy	Richmond
Connolly	Kildee	Roybal-Allard
Cooper	Kilmer	Ruiz
Costa	Kind	Ruppersberger
Courtney	Kirkpatrick	Rush
Crowley	Kuster	Ryan (OH)
Cuellar	Langevin	Sánchez, Linda T.
Cummings	Larsen (WA)	Sarbanes
Davis (CA)	Larson (CT)	Schakowsky
Davis, Danny	Lawrence	Schiff
DeGette	Lee	Schrader
Delaney	Levin	Scott (VA)
DeLauro	Lewis	Scott, David
DelBene	Lieu, Ted	Serrano
DeSaulnier	Lipinski	Sewell (AL)
Deutch	Loebsack	Sherman
Doggett	Lofgren	Sinema
Doyle, Michael F.	Lowenthal	Sires
Duckworth	Lowey	Slaughter
Edwards	Lujan Grisham (NM)	Speier
Ellison	Luján, Ben Ray (NM)	Swalwell (CA)
Engel	Lynch	Takai
Eshoo	Maloney, Carolyn	Takano
Esty	Maloney, Sean	Thompson (MS)
Farr	Massie	Titus
Fattah	Matsui	Tonko
Foster	McCollum	Torres
Frankel (FL)	McDermott	Tsongas
Fudge	McGovern	Van Hollen
Gabbard	McNerney	Vargas
Gallego	Meeks	Veasey
Garamendi	Meng	Vela
Graham	Moore	Velázquez
Grayson	Moulton	Visclosky
Green, Al	Murphy (FL)	Walz
Green, Gene	Nadler	Wasserman Schultz
Grijalva	Napolitano	Waters, Maxine
Gutiérrez	Neal	Watson Coleman
Hahn	Nolan	Welch
Hastings	Norcross	Wilson (FL)
Heck (WA)	O'Rourke	Yarmuth
Higgins	Pallone	
Himes		
Hinojosa		

NOT VOTING—13

Barr	Fincher	Thompson (CA)
Clark (MA)	Mulvaney	Wagner
Conyers	Pelosi	Westmoreland
DeFazio	Sanchez, Loretta	
Dingell	Smith (WA)	

□ 1524

So the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. CONYERS. Mr. Speaker, I unfortunately missed the vote on adoption of H. Res. 420. Had I been present, I would have voted "no."

LAWSUIT ABUSE REDUCTION ACT OF 2015

Mr. GOODLATTE. Mr. Speaker, pursuant to House Resolution 420, I call up the bill (H.R. 758) to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. FLEISCHMANN). Pursuant to House Resolution 420, the bill is considered read.

The text of the bill is as follows:

H.R. 758

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Lawsuit Abuse Reduction Act of 2015''.

SEC. 2. ATTORNEY ACCOUNTABILITY.

(a) SANCTIONS UNDER RULE 11.—Rule 11(c) of the Federal Rules of Civil Procedure is amended—

(1) in paragraph (1), by striking ''may'' and inserting ''shall'';

(2) in paragraph (2), by striking ''Rule 5'' and all that follows through ''motion.'' and inserting ''Rule 5.''; and

(3) in paragraph (4), by striking ''situated'' and all that follows through the end of the paragraph and inserting ''situated, and to compensate the parties that were injured by such conduct. Subject to the limitations in paragraph (5), the sanction shall consist of an order to pay to the party or parties the amount of the reasonable expenses incurred as a direct result of the violation, including reasonable attorneys' fees and costs. The court may also impose additional appropriate sanctions, such as striking the pleadings, dismissing the suit, or other directives of a non-monetary nature, or, if warranted for effective deterrence, an order directing payment of a penalty into the court.''.

(b) RULE OF CONSTRUCTION.—Nothing in this Act or an amendment made by this Act shall be construed to bar or impede the assertion or development of new claims, defenses, or remedies under Federal, State, or local laws, including civil rights laws, or under the Constitution of the United States.

The SPEAKER pro tempore. The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Tennessee (Mr. COHEN) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia (Mr. GOODLATTE).

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 758, currently under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 758, the Lawsuit Abuse Reduction Act, would restore mandatory sanctions for frivolous lawsuits filed in Federal Court. Many Americans may not realize it, but today, under what is called rule 11 of the Federal Rules of Civil Procedure, there is no requirement that those who file frivolous lawsuits pay for the unjustified legal costs they impose on their victims, even when those victims prove to a judge the lawsuit was without any basis in law or fact. As a result, the current rule 11 goes largely unenforced, because the victims of frivolous lawsuits have little incentive to pursue additional litigation to have the case declared frivolous when there is no guarantee of compensation at the end of the day.

H.R. 758 would finally provide light at the end of the tunnel for the victims of frivolous lawsuits by requiring sanctions against the filers of frivolous lawsuits, sanctions which include paying back victims for the full costs of their reasonable expenses incurred as a direct result of the rule 11 violation, including attorneys' fees.

The bill also strikes the current provisions in rule 11 that allow lawyers to avoid sanctions for making frivolous claims and demands by simply withdrawing them within 21 days. This change eliminates the free pass lawyers now have to file frivolous lawsuits in Federal Court.

□ 1530

The current lack of mandatory sanctions leads to the regular filing of lawsuits that are clearly baseless. So many frivolous pleadings currently go under the radar because the lack of mandatory sanctions for frivolous filings forces victims of frivolous lawsuits to roll over and settle the case because doing that is less expensive than litigating the case to a victory in court.

Correspondence written by someone filing a frivolous lawsuit, which became public, concisely illustrates how the current lack of mandatory sanctions for filing frivolous lawsuits leads to legal extortion.

That correspondence to the victim of a frivolous lawsuit states, ''I really don't care what the law allows you to do. It's a more practical issue. Do you want to send your attorney a check every month indefinitely as I continue to pursue this?''

Under the Lawsuit Abuse Reduction Act, those who file frivolous lawsuits would no longer be able to get off scot-free; and, therefore, they could not get away with those sorts of extortionary threats any longer.

The victims of lawsuit abuse are not just those who are actually sued. Rather, we all suffer under a system in which innocent Americans everywhere live under the constant fear of a potentially bankrupting frivolous lawsuit.

As the former chairman of The Home Depot company has written, ''An unpredictable legal system casts a shadow over every plan and investment. It is devastating for start-ups. The cost of even one ill-timed abusive lawsuit can bankrupt a growing company and cost hundreds of thousands of jobs.''

The prevalence of frivolous lawsuits in America is reflected in the absurd warning labels companies must place on their products to limit their exposure to frivolous claims.

A 5-inch brass fishing lure with three hooks is labeled ''Harmful if swallowed.'' A Vanishing Fabric Marker warns it ''Should not be used . . . for signing checks or any legal documents, as signatures will . . . disappear completely.''

A household iron contains the warning ''Never iron clothes while they are being worn.'' A piece of ovenware warns ''Ovenware will get hot when used in oven.'' A hair dryer warns ''Never use while sleeping.''

A cardboard car sun shield that keeps sun off the dashboard warns ''Do not drive with sun shield in place.'' Not to be outdone, a giant Yellow Pages directory warns ''Do not use this directory while operating a motor vehicle.''

Here are just a couple of examples of frivolous lawsuits brought in Federal court in which judges failed to award compensation to the victims:

A man sued a television network for $2.5 million because he said a show it aired raised his blood pressure. When the network publicized his frivolous lawsuit, he demanded the court make them stop.

Although the court found the case frivolous, not only did it not compensate the victim, it granted the man who filed the frivolous lawsuit an exemption from even paying the ordinary court filing fees.

In another case, lawyers filed a case against a parent, claiming the parent's discipline of his child violated the Eighth Amendment of the Constitution, which prohibits cruel and unusual punishment by the government, not private citizens. One of the lawyers even admitted to signing the complaint without reading it.

The court found the case frivolous, but it awarded the victim only about a quarter of its legal costs because rule 11 currently doesn't require that a victim's legal costs be paid in full. The Lawsuit Abuse Reduction Act would change that.

In his 2011 State of the Union Address, President Obama said, ''I'm willing to look at other ideas to . . . rein in frivolous lawsuits.''

Mr. President, here it is: a one-page bill that would significantly reduce the burden of frivolous litigation on innocent Americans.

I thank the former chairman of the Judiciary Committee, Congressman LAMAR SMITH, for introducing this simple, commonsense legislation that would do so much to prevent lawsuit abuse and to restore Americans' confidence in the legal system. I urge my colleagues to support it today.

I reserve the balance of my time.

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

I was duly impressed with the statement and position of my chairman, but I find it hard to believe it is on this bill because this bill is not a bill that should be passed.

This bill is an affront to the judges of this country, to the Judicial Conference, and to the American Bar Association.

The American Bar Association, a conservative organization, has come out against it. The Judicial Conference, made up of predominantly appellate judges, headed by Chief Justice Roberts—mostly of Republican-appointed judges—came out against it because it is not necessary.

It will clog the courts with unnecessary litigation, cost money, and make it more difficult to get your cases disposed of. It is just unnecessary.

Indeed, it would amend rule 11, but in such a way that it could have a serious deleterious effect on civil rights claims as well as to increase the volume and cost of litigation. If this House were a court and not a legislative body, rule 11 sanctions could apply here.

These concerns are not hypothetical. They are based on actual experience. From 1983 to 1993, there was a version of rule 11 that this law would reinstate.

So all you have to do and all any legislative body ought to do is go back and look at what happened in history. These rules were in effect from 1983 to 1993, taking a judge's discretion away.

Judges can order sanctions. They can make sure that those cases that were brought up about reading a phone book and having a wreck are out, gone. They can do that.

This takes their discretion away, and they have got to give costs and compensation to the other side's lawyers. And then there are hearings and all of that stuff.

Presently, the court has discretion, and there is a 21-day safe harbor provision where an attorney can withdraw or correct any alleged submissions that were wrong.

This requires the courts to award reasonable attorneys' fees and other costs. It does not leave it to the discretion of the court.

Currently, such awards are entirely at the court's discretion, and they are limited to deterrence purposes, not for the compensation of lawyers.

Simply put, H.R. 758 will have a deleterious impact on the administration of justice for these reasons:

First, civil rights. Think about Brown v. Board of Education. When it came before the court, it was a novel case, and a judge in certain places, especially in the South in 1954, might have said: Sorry, lawyer. You are out of here.

The judge would have had no option under this but to grant costs against the attorney who brought the case, Mr. Marshall, and we might not have ever had Brown v. Board of Education.

Civil rights cases comprise 11 percent of Federal cases filed, but more than 22 percent of the cases in which sanctions have been imposed for civil rights cases. H.R. 758 would restore this problem. Just imagine that result. There are other cases that are similar.

The legal arguments in landmark cases where certain novel arguments are made that are not based on then-existing law would be affected. Litigation would be prolonged and may be too expensive to continue.

Secondly, H.R. 758 will also substantially increase the amount, cost, and intensity of litigation. Experts in civil procedure are virtually unanimous on this point.

By making sanctions mandatory and having no safe harbor, the 1983 rule spawned a ''cottage industry'' of litigation. There were financial incentives to file rule 11s.

Prior to the 1983 rule taking effect—this really gets me—there had been only 19 rule 11 proceedings over the course of 45 years, but in the decade that this rule was in effect, which this bill wants to reinstate, there were 7,000 proceedings in 10 years—11 in 45 years and 7,000 in 10 years. So we are talking about a lot of litigation and clogging up of the courts.

One-third of all Federal lawsuits were burdened by these satellite litigations that came about because of this rule. It strips the judiciary of discretion, and it utterly ignores the thorough process by which the Federal court rules are usually amended.

H.R. 758 overrides this judicial independence by removing the discretion to impose sanctions and to determine which sanctions might be appropriate. It circumvents the painstakingly thorough Rules Enabling Act process that Congress itself established 80 years ago.

The 1993 amendments to rule 11 have been a tremendous success. That is what this would throw out. As documented by the Judicial Conference of the United States, these amendments resulted in a ''marked decline in rule 11 satellite litigation without any noticeable increase in frivolous filings.''

H.R. 758, however, would undo this. That is why the American Bar Association and the Judicial Conference oppose it.

It is also opposed by the Alliance for Justice, the Center for Justice & Democracy, the Consumer Federation of America, the Consumers Union, and Public Citizen.

This is a deeply flawed bill that addresses a nonexistent problem. We have this bill, and we have a bill on abortion. It seems like today's actions in Congress are Shakespearean, first, ''kill the lawyers,'' but, this time, it is ''kill the judges.'' The other one is ''kill the doctors.''

Congress knows the answer. We can tell the judges what they need to do because they are not doing it, and we will tell the doctors what they need to do, and we will tell the women what they need to do. Unfortunately, that is what we have come down to, a bad bill.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield myself 1 minute to say to the gentleman from Tennessee that no judges have to find a frivolous lawsuit to be a frivolous lawsuit. They have that discretion in every case.

But once they find it to be a frivolous lawsuit, it is injustice to not award attorneys' fees under rule 11 to those who have been wronged by being the victims of a frivolous lawsuit.

What about the burden on the court?

When the mandatory rule 11 sanction provision was in effect for almost 10 years between 1983 and 1993, the number of rule 11 court proceedings was easily manageable by the courts.

The number of rule 11 court proceedings during that time amounted to 7.5 reported rule 11 cases per Federal district court per year, or one reported decision for each Federal district court

judge per year, one per judge per year. That is not an unreasonable burden on our Federal judiciary to see justice done.

Quite frankly, if that were done more often today, we would see a lot fewer frivolous lawsuits to begin with and, therefore, fewer requests for attorneys' fees.

Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. SMITH), the author of the legislation, the former chairman of the House Judiciary Committee and the current chairman of the House Science, Space, and Technology Committee.

Mr. SMITH of Texas. Mr. Speaker, let me thank the gentleman from Virginia (Mr. GOODLATTE) for bringing this legislation to the House floor.

I appreciate all of his efforts to do so, and I appreciate his taking the initiative on this and on so many other issues as chairman of the Judiciary Committee.

Mr. Speaker, the Lawsuit Abuse Reduction Act, known as LARA, is just over one-page long, but it would prevent the filing of hundreds of thousands of pages of frivolous lawsuits in Federal court.

For example, frivolous lawsuits have been filed against The Weather Channel for failing to accurately predict storms, against television shows people claimed were too scary, and against fast food companies because inactive children gained weight.

In other cases, prison inmates have sued alcohol companies, blaming them for a life of crime. A teacher sought damages from her school district based on her fear of children. A father demanded $40 million in compensation after his son was kicked off the track team for excessive absenteeism. There are many, many more examples.

Frivolous lawsuits have simply become too common. Lawyers who bring these cases have everything to gain and nothing to lose under current rules, which permit plaintiffs' lawyers to file frivolous lawsuits, no matter how absurd the claims, without any penalty whatsoever. Meanwhile, defendants are often faced with years of litigation and substantial attorneys' fees.

These cases have wrongly cost innocent Americans their reputations and their hard-earned dollars. They amount to legalized extortion because defendants must settle out of court rather than endure a more expensive trial.

According to the research firm Towers Watson, the annual direct cost of American tort litigation now exceeds over $260 billion a year, or over $850 per person.

Before 1993, it was mandatory for judges to impose sanctions, such as orders to pay for the other side's legal expenses when lawyers filed frivolous lawsuits.

Then the Civil Rules Advisory Committee, an obscure branch of the courts, made penalties optional. This needs to be reversed by Congress.

□ 1545

As Chairman GOODLATTE noted, even President Obama has expressed a willingness to limit frivolous lawsuits. If the President is serious about stopping these meritless claims, he should support mandatory sanctions for frivolous lawsuits to avoid making frivolous promises.

LARA requires lawyers who file frivolous lawsuits to pay the attorneys' fees and court costs of innocent defendants. It reverses the rules that made sanctions discretionary rather than mandatory.

Further, LARA expressly provides that no claim under civil rights laws would be affected in any way, and I trust this will address the concerns expressed by the gentleman from Tennessee (Mr. COHEN). I would like to direct his attention to page 2 of the bill, lines 18 to 23, which explicitly protect civil rights lawsuits.

Opponents argue that reinstating mandatory sanctions for frivolous lawsuits impedes judicial discretion. This is patently false. Under LARA, judges retain the discretion to determine whether or not a claim is frivolous. If a judge determines that a claim is frivolous, they must award sanctions. This ensures that victims of frivolous lawsuits obtain compensation, but the decision to find a claim frivolous still remains with the judge.

A report earlier this year from the Administrative Office of the United States Courts found that civil lawsuits increased by tens of thousands last year. Such an increase makes this legislation necessary in order to discourage abusive filings, which further strain court dockets with lengthy backlogs.

The American people are looking for solutions to obvious lawsuit abuse. LARA restores accountability to our legal system by reinstating mandatory sanctions for attorneys who file these frivolous lawsuits. Though it will not stop all lawsuit abuse, LARA encourages attorneys to think twice before filing a frivolous lawsuit.

I want to, again, thank Chairman GOODLATTE for bringing this much-needed legislation to the House floor, and I ask my colleagues who oppose frivolous lawsuits and who want to protect hard-working Americans from false claims to support the Lawsuit Abuse Reduction Act.

Now, furthermore, Mr. Speaker, similar bills to this have passed in the last several Congresses, and I hope this legislation will be approved today.

Mr. COHEN. Mr. Speaker, I have great respect for Mr. SMITH, as I do for Mr. GOODLATTE, but I would submit that the rule of construction, nothing in this act or an amendment made by this act, shall be construed to bar or impede the assertion or development of new claims, defenses, or remedies under Federal, State, or local laws, including civil rights laws or under the Constitution of the United States.

That is the same thing as the committee having—if they would have accepted the amendment that we offered to specifically exempt civil rights laws. That was not accepted.

Mr. SMITH of Texas. Will the gentleman yield?

Mr. COHEN. I yield to the gentleman.

Mr. SMITH of Texas. This particular rule of construction was a bipartisan effort led by BOBBY SCOTT, a former member of the Judiciary Committee, to avoid the problem that you are concerned about, and that is that this bill in any way would seem to dampen or prohibit civil rights legislation.

Again, this rule of construction was put in there to address the very problem that the gentleman is concerned about.

Mr. COHEN. Mr. Speaker, at the same time, I would submit the rule of construction is not the same thing as if the committee would have accepted the amendment offered that said specifically civil rights laws would not be affected by this because you could still offer a rule 11 under this. It just says nothing in this action will be construed to borrow or impede the assertion.

It doesn't borrow or impede the assertion of a new claim, but it doesn't say the court cannot find a rule 11 violation and then the mandatory imposition of costs would take place. It doesn't do what you are submitting, I would suggest.

The bottom line is the court felt that this wasn't necessary. The court said, in all those cases he talked about that seem so absurd—I don't understand—and particularly as lawyer—why a lawyer would waste his time doing it because there is no chance of success and no chance of remuneration in cases like that.

I yield 5 minutes to the gentleman from Pennsylvania (Mr. CARTWRIGHT), who can explain easily and in a very facile fashion why those arguments are not good.

Mr. CARTWRIGHT. Mr. Speaker, I will say, with due deference to respected colleagues from Virginia and Texas, this is a misguided piece of legislation.

I speak as not only a Member of this House, but also as somebody who has practiced civil litigation for the last 25 years. I have represented companies, consumers, defendants, and plaintiffs in all sorts of civil litigation; and I have done this before and after the 1993 changes that led to the current rule 11.

Where I come out on it is that this really is an attack on the Federal judiciary. Yes, they have discretion on whether to decide whether there has been a rule 11 violation of in initio, but this is something that encourages rule 11 motion litigation.

It encourages rule 11 motion practice, and that is why the Federal judges oppose it. The Judicial Conference surveyed the Federal judges of this Nation, and fully 87 percent of United States district judges prefer the current version of rule 11. After all, it already allows monetary sanctions for silly lawsuits.

I think something of a false picture was presented a little bit earlier, the implication that Federal judges don't have the power to impose monetary sanctions. Court costs and legal fees of the so-called victims of frivolous lawsuits, that is in the current practice of rule 11. They can do that now.

If a Federal judge decides that he or she thinks that a lawsuit has been frivolous and dismissed, on that basis, they can fully award all defense costs and defense fees. As a result, this is completely unnecessary and superfluous legislation. It offends the Federal judiciary. After all, we are talking about limiting the discretion of Federal judges.

Federal judges are folks that are appointed. We work very, very hard here on Capitol Hill in making sure that we appoint only the Federal judges who will exercise good discretion, Federal judges that are completely vetted, who are interviewed, who go through hearing after hearing and are very carefully selected here by the United States Congress.

To say that we cannot and we should not repose full discretion in our Federal judges is what is being said here, and I think it is a misguided attempt to take away the discretion of our Federal judges.

Not only that, it leads to unnecessary litigation. Everybody in court who ever won a motion or threw out a case thinks that the opposition's position was frivolous.

When you say rule 11 sanctions are mandatory, it creates this compulsion to follow up a motion victory with a rule 11 motion: Not only did I win the case, but I want you to pay my attorney's fees and costs.

When you make it a mandatory sanction like this, you create this compulsion to file rule 11 motions, and I don't say that out of theory, Mr. Speaker.

The truth is that we did have, in that 10-year period, 7,000 rule 11 motions. This is the type of a rule that we lived under for 10 years that this legislation would go back to that spawned all this extraneous litigation. You say: Your position was frivolous, so I am filing a rule 11 motion.

Guess what—rule 11 motions themselves are subject to rule 11 so that they could be frivolous so that the receiving end says: Well, your rule 11 motion was frivolous, so I am filing my own rule 11 motion against you.

That is something that happened.

In fact, a United States district judge from the Eastern District of Pennsylvania, Robert S. Gawthrop, in the suburban Philadelphia area, he termed that ''zombie litigation.'' That is something that gets spawned by this type of litigation. We don't need zombie litigation in this country.

Mr. GOODLATTE. Will the gentleman yield?

Mr. CARTWRIGHT. I yield to the gentleman from Virginia.

Mr. GOODLATTE. I thank the gentleman for yielding.

I would just ask the gentleman this: What other sorts of legal claims should a victim be able to prove in court—prove in court, but be denied damages by the judge?

Mr. CARTWRIGHT. I am afraid I am not following the gentleman from Virginia.

Mr. GOODLATTE. It is a simple question. What other sorts of legal claims should a victim be able to prove in court—because they are allowed to do this under rule 11—prove that they have suffered damages in court, but be denied those damages by the judge?

Mr. CARTWRIGHT. This is not something that is denied. Judges have discretion.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. COHEN. I yield an additional 1 minute to the gentleman from Pennsylvania (Mr. CARTWRIGHT).

Mr. CARTWRIGHT. Mr. Speaker, the bottom line is that this is misguided legislation.

More ominously, it disproportionately hurts the people filing claims—civil rights claims, consumer rights claims—and it has a chilling effect on legal innovation. It was legal innovation on the part of Thurgood Marshall to come up with Brown v. Board of Education. Who are we to chill that kind of legal innovation in this Chamber?

For those reasons, I oppose this legislation.

Mr. GOODLATTE. Mr. Speaker, I yield myself 1 minute to respond to the gentleman from Pennsylvania, who was not able to identify a single other sort of legal claim where the victim would be able to prove their damages in court, but still be denied those damages by the judge.

What I am getting at is that in no other area of the law can a person prove to a judge that they are a victim under the standards that define the wrong they have suffered, yet the judge retains the discretion to refrain from compensating the victim of the legal wrong.

All this bill does is provide equal treatment by allowing victims of frivolous lawsuits, who prove the lawsuit against them was frivolous, the right to compensation for the harm done to them, just like every other victim of a legal wrong.

I would continue to ask: In what other area of the law can a person prove to the judge they were the victim of a legal wrong and still be denied compensation by the judge?

This only occurs after the judge has already found that the lawsuit was frivolous, which would not apply to some of the great cases through history where courts have found merit to the case. They are not going to find it frivolous.

Mr. CARTWRIGHT. Will the gentleman yield?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GOODLATTE. I yield myself such time as I may consume, and I yield to the gentleman from Pennsylvania (Mr. CARTWRIGHT).

Mr. CARTWRIGHT. Mr. Speaker, I thank the gentleman for yielding.

The answer is that, every time somebody with damages proves his or her case in front of a jury, the jury has the discretion to award whatever they think is proper damages. For example, if they accept some of the damages and reject other parts of the damages, they don't award the full amount, and that is the kind of discretion a Federal judge should retain.

Mr. GOODLATTE. Mr. Speaker, reclaiming my time, the judge has that discretion under current law, has that discretion under this bill, but they don't have the discretion to say they are not going to award any damages where the case is found to be frivolous and, in fact, damages have been incurred.

Obviously, the judge has a discretion to determine what those actual damages are, but he doesn't have the discretion to simply say: I am not going to award damages, even though I found the case to be frivolous.

Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. FARENTHOLD), a member of the Judiciary Committee.

Mr. FARENTHOLD. Mr. Speaker, I rise today in support of H.R. 758, the Lawsuit Abuse Reduction Act, commonly called LARA, sponsored by my good friend and colleague from Texas, Mr. LAMAR SMITH. The legal system in the United States needs to driven by justice, not by dollars.

Right now, there are too many lawyers out there throwing their money at frivolous lawsuits to manipulate and abuse the system. No one should be able to abuse our system.

It is simple to file a lawsuit, and you can cost the defendant hundreds of thousands of dollars on a frivolous claim going through discovery and going through all of the legal processes. That simply isn't right.

LARA ensures that judges impose monetary sanctions against lawyers who file these frivolous lawsuits, including the costs of attorneys' fees incurred by their victims. It prevents bad lawyers from using the judicial system as a weapon and provides justice for those who have been abused by these attorneys.

By passing LARA, these attorneys will no longer be able to exert power over their victims with these suits that are not based on facts or in law, but are merely intended to scare or extort money out of the victims.

I remember when I was in law school in Congressman SMITH's hometown of San Antonio, Texas, and one of the professors in one of my classes said something that has stuck with me for all these years about a lawsuit: You may be able to beat the wrap, but you can't beat the ride.

□ 1600

LARA helps with that. You are not going to be able to stop the emotional

roller coaster ride the defendant and his family, his partners, his employees, his friends all go through as a result of the lawsuit that is frivolous, but you will be able to beat some of the cost of that ride by holding the attorneys who file frivolous lawsuits responsible for that. That is what we need to do.

Frivolous lawsuits drain victims of their money and damage their reputations. Let's stop them before they start by putting the lawyers at risk for filing frivolous lawsuits.

In many countries, there is a loser pay system. We are not proposing we go that far here in the United States, but we do want justice for those who are victims of clearly frivolous lawsuits, and this legislation will make sure that that happens. I urge my colleagues to support it.

Mr. COHEN. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Florida (Mr. DEUTCH), who was a distinguished barrister before becoming a Congressman.

Mr. DEUTCH. Mr. Speaker, I rise in opposition to the so-called Lawsuit Abuse Reduction Act.

Today, Mr. Speaker, is Constitution Day. How is the House GOP celebrating Constitution Day? By trampling on our Framers' vision of an independent judiciary as one of three separate but equal branches of government.

The Framers of our Constitution established an independent judicial branch because they believed the judges should be able to interpret the law without interference. They believed that only when judges were shielded from the influence of politicians and pundits and special interests could they issue rulings fairly and impartially. In short, they worked to create a system that shielded judges from efforts like the one behind today's Lawsuit Abuse Reduction Act.

This legislation, Mr. Speaker, is nothing more—I repeat, this legislation is nothing more—than a giveaway to corporate special interests that seek to price Americans out of their day in court. The bill restores a rule, reimposes a rule that our independent judiciary system abandoned over 20 years ago because it unfairly disadvantaged workers and consumers and other Americans that dared to take on big corporations in court.

Our judges put in place this rule—or kept this version that we use today of this rule—20 years ago, and they remain strongly in support of it today. That is because today's rule, Mr. Speaker, gives judges the flexibility to determine when to apply sanctions against attorneys who file frivolous lawsuits.

This legislation flies in the face of our Framers' vision of an independent judiciary. It strips our judges of their discretion, imposing congressionally mandated rules that drove up costs and clogged our courts when these were the rules before.

We don't have to debate the harmful consequences of this legislation because history has already shown us how the 1983 version of rule 11 tipped the scales of justice in favor of those with the deepest pockets.

Mr. Speaker, too often everyday Americans feel that they have got the cards stacked against them in our economy and in our elections. Let's give them a fighting chance in the courtroom and reject this frivolous bill.

Mr. GOODLATTE. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Speaker, I rise in strong support of H.R. 758.

This is not an attack on the Federal judiciary. This is an attack on those unscrupulous lawyers and con artists who are bilking the American people out of hundreds of millions of dollars that they have had to earn and work hard in order to achieve. Our system is out of whack today, and today we find our honest citizens exposed to this type of threat. This would take care of that somewhat.

First, I would like to thank my good friend from Texas, LAMAR SMITH, for his bill, which I believe is so important, as many small- and medium-sized businesses like we have in California are hit every year with frivolous and abusive lawsuits.

I would also like to thank my friends Chairman TRENT FRANKS from Arizona and especially Chairman BOB GOODLATTE from Virginia for their leadership on this much-needed legislation.

Frivolous lawsuits have cost honest Americans hundreds of millions of dollars by encouraging lawyers and scam artists to attack honest citizens, expecting that these honest citizens will opt for a settlement. This is what we call a legal shakedown, and it must be ended, which is what H.R. 758 intends to do.

Let us note that giving in when someone reaches a settlement rather than trying to fight people who have more resources than they do, even though it is a frivolous lawsuit, encourages more people to have more lawsuits and encourages certain lawyers to go down a route where they are only aimed at trying to use their leverage against honest citizens to enrich themselves.

I would note that this legislation will go a long way in these specific areas in terms that threaten all Americans, honest citizens, but it especially will take care of another concern that I have had, of course, and Chairman GOODLATTE and Chairman SMITH have had, and that is it takes care of patent trolls, who are scam artists who use claims of patent infringement in their frivolous lawsuits.

Other proposed approaches to this problem deal with the problem in a way that would hurt legitimate inventors—this is where we have a little disagreement—but this solution will help these inventors and help all enterprisers and entrepreneurs. H.R. 758, combined with the actions of the FTC and other States on bad faith demand letters, gives small-business owners the tools they need to fight scam artists, including patent trolls who attempt to use our judicial process to extort America's job creators.

I urge all of my colleagues to support H.R. 758. Support those people who are creating jobs throughout our society. Support those people who deserve the protection and are not trying to scam our system.

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

Mr. GOODLATTE. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. COSTELLO).

Mr. COSTELLO of Pennsylvania. Mr. Speaker, should those filing a frivolous lawsuit be held accountable to the victims of that frivolous lawsuit? I think most people would say yes. There are hard-working Americans and small businesses across this country spending tens of thousands of dollars, collectively millions of dollars every year defending themselves from frivolous lawsuits.

A frivolous lawsuit, as it is defined, has no basis in fact or in law, no basis whatsoever. A judge can make a determination—must make a determination—whether a lawsuit is frivolous or not upon the question being presented and yet not award damages even upon a finding of a frivolous lawsuit. That just doesn't make sense, and it is not fair to the victims of frivolous lawsuits.

The bill that we are voting on here stands for something very basic. A judge shouldn't be allowed to deny damage awards to the victim of a frivolous lawsuit. A vote for this bill is a vote to reduce the filing of frivolous lawsuits; a vote for this bill is a vote to protect the integrity of the judicial system; and a vote for this bill is a warning shot to anyone who thinks that filing a frivolous lawsuit is a way to extort money.

It has been said—and I practiced law—what is the nuisance value of this claim? In other words, what would you advise your client to just pay the other side to make a frivolous lawsuit go away because of how costly it is and how much time you spend worrying and preparing?

Lawsuits can be very intimidating to a defendant, and those who have a good faith claim will litigate it out, and the judge won't find there to be anything frivolous about it; but when it is frivolous, those filing it should have to pay. This is very, very common sense.

A vote for this bill is standing on the side of small business and preserving the integrity of our judicial system.

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

First, I just want to go back to the Judicial Conference of the United States and their committee on rules of practice and procedure, which came out against this. They were just against it totally. In a letter signed by Judge Jeffrey Sutton and Judge David

Campbell, they said it is going to cost money, going to impede justice, and is not necessary.

Now, we have heard this is common sense and all these frivolous cases and how absurd it is and how wrong it is and how terrible it is. Well, the two judges that wrote this letter to Mr. GOODLATTE and said that this was unnecessary, that we should just keep the rule we have got, that the rule that we are adopting was an error in 1983 to 1993, it cost a lot of money in frivolous litigation, satellite lawsuits, explosion of satellite litigation, and it just didn't work.

Judge Sutton was appointed to the bench by President Bush after clerking for Justices Scalia and Powell. I would assume that if you were appointed by President Bush, approved by the United States Senate, and you clerked for Justices Scalia and Powell, you are not some kind of a big supporter of frivolous lawsuits in the plaintiffs' bar.

The other gentleman is Judge Campbell from Arizona, also appointed by President Bush. They were pretty adamant that this was a bad idea. They took some surveys, and 80-some-odd percent of folks said it was a bad idea. The bar association said it was a bad idea. The bar association had a group of 200 lawyers, litigants, judges, and academics who participated in the 2010 conference at Duke University Law School convened by the advisory committee to search for ways to address the problem. Not one of the 200 people proposed a return to the 1983 version. So 200 lawyers, litigants, judges, and academics met, and none of them suggested this type of bill.

The Judicial Conference, headed up by two people appointed by President Bush, conservative judges, said this is a very bad idea. The bar association says it is a terrible idea. Yet we are to come here and think that Congress has got the best idea, better than all these specialists. That is one of the things that is wrong with this Congress. People realize that we are not respecting logic, expertise, and history.

In their letter, the judges said that this was a return to previous attempts to amend this rule, that it would eliminate this provision adopted in 1993, and their concerns that they expressed here mirrored the views expressed by the Judicial Conference in 2004 when the Republicans, I believe, had both Houses, the House and Senate, but they certainly had the House.

In 2005, this bill came up, and they came out against it. The Republicans had the House and maybe the Senate, I don't know. The bill came up again in 2011 and 2013. So this bill has been here in 2004, 2005, 2011, and 2013, and the Judicial Conference, the judges, the lawyers, and the experts almost two to one have said it is a bad idea. I know it is throwback Thursday, but that is no reason to bring this bill forward.

□ 1615

I find it hard to be against my good friends, Mr. SMITH and Mr. GOODLATTE. They are fine gentlemen. Mr. ROHRABACHER was here. He is my buddy. But it is a bad bill.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. I thank Chairman GOODLATTE for yielding.

A couple of things. First of all, we have found in the past that the judiciary, of course, always opposes anyone else changing these rules except for themselves. That is no surprise, that they object to this change that we propose today.

That doesn't mean the change isn't a good one, but that is their history. If they didn't think of the change, they don't like it. Clearly, this is good for the American people because it reduces the number of frivolous lawsuits.

The gentleman from Tennessee mentioned a poll a few minutes ago. I would like, first of all, to mention a poll that was taken when this rule was in effect in 1990.

At that point, 751 Federal judges responded to that survey, and they overwhelmingly supported a rule 11 with mandatory sanctions.

The gentleman mentioned, I believe, a 2005 survey. In that survey, only 278 judges responded. Over half of the judges who responded had no experience under this stronger rule 11 because they were appointed to the bench after 1992.

So the 2005 survey tells us very little about how judges actually view the stronger versus the weaker rule 11.

It is just amazing to me to hear individuals try to justify these frivolous lawsuits. There is no effort in this bill to deny individuals the right to file lawsuits if they have legitimate claims.

But to try to justify frivolous lawsuits and lawsuits that are found to be frivolous by judges, to me, is so contrary to the best interest of Americans who are innocent of these charges. I just don't understand the opposition to this bill.

Innocent Americans sacrifice reputations. They sacrifice money. They oftentimes lose their livelihoods to frivolous lawsuits. I think we ought to do everything we possibly can to reduce the number of these frivolous lawsuits.

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

I respect Mr. SMITH and understand what he is saying about judges wanting to control their own courtrooms and control the system, but they have the expertise.

The bar association is not the judges. The bar association is against this, too. So you have got the bar association and the Judicial Conference, both of which are conservative organizations, against it.

In the study, yes, some of those folks might not have been there in 1983 to 1993, but they still knew what the rule was and they were able to study and they were able to understand things.

They weren't there when cases were filed. They didn't know the facts of the case. They learned. They have got minds that are capable of absorbing information, analyzing it, synthesizing it, and coming to decisions.

You didn't have to be alive when slavery was around to know slavery was bad. You didn't have to be on the bench from 1983 to 1993 to know that rule 11 was working and that this bill which brings back that old rule would be a failure.

So I think there is deference you should give to the bar association and to the Judicial Conference, both of which have come out against this.

There are motions for summary judgment. They talk as if there is no way to get rid of a frivolous lawsuit. If you bring a frivolous lawsuit, you are going to get a motion for summary judgment. A court can order that. It can find a motion to dismiss. You don't even have to go into discovery.

The courts are the ones that suffer the most. You said that, sure, sometimes the defendants do from defending these cases, but the courts have to put up with it.

The courts don't want frivolous litigation at all. They probably are one of the first groups that don't want frivolous litigation.

I know some people that serve in this Congress who have been judges. They are outstanding men. They understand how important judges are and that their opinions should be revered and respected.

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

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

I would just say that sometimes I see Mr. ROHRABACHER and I think about the fact that we have traveled some together. One of the things I have learned on those travels is the thing people in foreign countries appreciate most about the United States of America is our justice system, the fact that you have got a system where you go in and get a case heard. That is one of the things that is best about our country.

What this is about is taking power from judges and giving financial incentives. The defendants have got the heavy pockets, and it will end up squeezing plaintiffs from bringing actions. If they are so frivolous, the judges will dismiss them on summary judgments or motions to dismiss.

The judges can still have sanctions and damages, but just not have all power taken from them. And there are other rules where they can have sanctions if you are just messing with discovery and violating the rules.

I just think this is going to help close our courts, and that is not the right way to go, particularly on Constitution Day.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield myself the balance of my time.

First, Mr. Speaker, I would say to the gentleman from Tennessee, who is

my friend, that I was pleased that he cited as one of the credentials for the two judges that wrote to the committee on behalf of the Conference that they had been schooled by Justice Scalia.

Here is what Justice Scalia himself had to say about this. He specifically opposed the weakening of rule 11 when it occurred in 1993, writing that it would ''render the Rule toothless, by allowing judges to dispense with sanction, by disfavoring compensation for litigation expenses, and by providing a 21-day 'safe harbor,''' entitling the party accused of a frivolous filing to escape with no sanction at all.

Justice Scalia further observed, ''In my view, those who file frivolous suits and pleadings should have no 'safe harbor.' The Rules should be solicitous of the abused (the courts and the opposing party), and not of the abuser. Under the revised Rule, parties will be able to file thoughtless, reckless, and harassing pleadings, secure in the knowledge that they have nothing to lose: If objection is raised, they can retreat without penalty.''

So I also want to say, Mr. Speaker, that the gentleman from Tennessee and I agree on one of the great hallmarks of this country, and that is our judicial system. The hallmark of our judicial system is that, when you are victimized in this country, you have a place where you can go and seek justice.

That is exactly what Mr. SMITH's bill does. It allows people who are victimized by aggressive plaintiffs—abusive, frivolous, and fraudulent lawsuits—to be able to get justice themselves.

Because when you are the victim of an expensive, costly lawsuit that can damage your business, damage your reputation, cost you huge amounts of money, you are indeed a victim, if the court finds that that whole lawsuit was brought on a frivolous basis.

And, yet, I challenge again the other side of the aisle and those who oppose this legislation to name one other sort of legal claim—just one—where the victim is able to prove in court their damages and then be denied those damages by the judge.

They have not done that. They have not made their case in this court, the people's court. The elected representatives of the people today should pass this legislation and give justice to victims of frivolous lawsuits.

I urge my colleagues to support this great legislation.

I yield back the balance of my time.

Mr. CONYERS. Mr. Speaker, I oppose H.R. 758, the ''Lawsuit Abuse Reduction Act of 2015.''

This bill is substantially identical to bills that we considered in the 112th and 113th Congresses, and we have considered even earlier versions of this bill going back at least a decade.

H.R. 758, like its predecessors, is a solution in search of a problem that would threaten to do more harm than good if enacted.

H.R. 758 would restore the 1983 version of Rule 11 of the Federal Rules of Civil Procedure by making sanctions for Rule 11 violations mandatory and by eliminating the current safe-harbor provision that allows a party to withdraw or correct any allegedly offending submission to the court within 21 days after service of such submission.

Moreover, the bill would go beyond the 1983 Rule by requiring a court to award reasonable attorneys' fees and costs related to Rule 11 litigation. Current Rule 11 makes such awards entirely discretionary.

Yet no empirical evidence suggests any need for a change to the current Rule 11.

In fact, there were good reasons why the Judicial Conference of the United States amended the 1983 version of Rule 11. For these same reasons, H.R. 758 is ill-advised.

The 1983 Rule caused excessive litigation. Many civil cases had a parallel track of litigation—referred to as ''satellite litigation''—over Rule 11 violations because having mandatory sanctions and no safe-harbor provision caused parties on both sides of a Rule 11 motion to litigate the Rule 11 matter to the bitter end.

The dramatic increase in litigation spawned by the 1983 Rule not only resulted in delays in resolving the underlying case and increased costs for the litigants, but also strained judicial resources.

In light of this history, it is clear that H.R. 758 will result in more, not less, litigation and will impose a great burden on the federal judiciary.

Ultimately, the type of Rule 11 sanctions regime that H.R. 758 envisions will only favor those with the money and resources to fight expensive and drawn out litigation battles.

H.R. 758 also threatens judicial independence by removing the discretion that Rule 11 currently gives judges in determining whether to impose sanctions and what type of sanctions would be most appropriate.

It also circumvents the painstakingly thorough Rules Enabling Act process, recklessly attempting to amend the rules directly, even over the Judicial Conference's objections.

Finally, we know that the 1983 Rule had a disproportionately chilling impact on civil rights cases, and there is no reason to think H.R. 758 would not have a similar chilling effect if it is enacted.

Civil rights cases in particular depend on novel arguments for the extension, modification, or reversal of existing law.

Not surprisingly, a Federal Judicial Center study found that the incidence of Rule 11 motions was higher in civil rights cases than some other types of cases when the 1983 Rule was in place, notwithstanding the fact that the 1983 Rule was neutral on its face.

Even the decision in Brown v. Board of Education arguably may have been delayed or stopped had H.R. 758's changes to Rule 11 been in effect at the time, given the novel nature of the plaintiffs' arguments in that case.

At a minimum, the defendants could have used Rule 11, as amended by H.R. 758, as a weapon to dissuade the plaintiffs or weaken their resolve.

H.R. 758 is a flawed bill for many reasons. I would urge my colleagues to oppose it.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Judiciary Committee and a strong defender of the civil rights and liberties of all Americans, I rise in strong opposition to H.R. 758, the ''Lawsuit Abuse Reduction Act of 2015,'' which can more accurately be described as the ''Denial of Access to Civil Justice Act.''

This ill-considered and misguided legislation would rescind the current version of Rule 11 of the Federal Rules of Civil Procedure, which has been in effect since 1993, and reinstate the disastrous 1983 version of the rule.

I strongly oppose H.R. 758 because it hampers the ability of federal district courts to deter frivolous litigation—while preserving access to the courts—by limiting the ability of judges to exercise discretion in imposing sanctions for Rule 11 violations.

Under H.R. 758, federal district judges would be required to impose sanctions for all violations of Rule 11, even in cases in which it would be manifestly inappropriate to do so.

Mr. Speaker, the reason the version of Rule 11(c) in effect from 1983–1993 was rescinded is because the results of its 10-year experiment proved conclusively that it did not work.

Instead of reducing frivolous litigation, mandatory imposition of sanction actually had the opposite effect of increasing litigation.

Indeed, according to the American Bar Association, ''during the decade of that the 1983 version of the Rule requiring mandatory sanctions was in effect, an entire industry of litigation revolving around Rule 11 claims inundated the legal system and wasted valuable court resources and time.''

Studies by the Judicial Conference of the United States, the administrative arm of the federal judiciary, found that the 1983 version of Rule ii(c) quickly became a tool of abuse.

Aggressive filings of Rule 11 sanctions motions required expenditure of tremendous resources on Rule 11 battles having nothing to do with the merits of the case and everything to do with strategic gamesmanship.

Most importantly, Mr. Speaker, H.R. 758 would undermine civil rights cases.

During the decade between 1983 and 1993, mandatory sanctions under Rule 11 were disproportionately imposed in civil rights cases.

A leading study on this issue showed that although civil rights cases made up 11.4% of federal cases filed during this period, 22.7% of the cases in which sanctions had been imposed were civil rights cases.

If this bill were to be enacted, once again, as happened between 1983 and 1993, defendants in civil rights cases could wield Rule 11 as a weapon against legitimate plaintiffs, tying up civil rights cases in long and costly satellite litigation on Rule 11 and preventing legitimate civil rights cases from moving forward.

For these reasons, I urge all Members to vote against H.R. 758.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 420, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. DELBENE. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. DELBENE. I am opposed, in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. DelBene moves to recommit the bill H.R. 758 to the Committee on the Judiciary with instructions to report the same back to the House forthwith, with the following amendment:

Add, at the end of the bill, the following:

SEC. 3. PROTECTING EQUAL PAY FOR WOMEN.

This Act, and the amendments made by this Act, shall not apply in the case of any action brought under employment discrimination laws, including laws that ensure that women receive equal pay for equal work.

Ms. DELBENE (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Washington is recognized for 5 minutes in support of her motion.

Ms. DELBENE. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage as amended.

The so-called Lawsuit Abuse Reduction Act would turn back the clock to deter good-faith litigants seeking justice, like women who are denied equal pay for equal work.

The harmful effects of this bill are not speculative. We know this bill will undercut important civil rights and equal pay litigation because it would restore a version of rule 11 that was in effect from 1983 to 1993.

Under the version of rule 11 that this bill would resurrect, sanctions were disproportionately imposed against plaintiff's in civil rights and anti-discrimination cases. The old rule's onerous provisions created a chilling effect on civil rights litigation, created time-consuming and costly satellite litigation, and gave rise to needless delay and harassment in the courtroom.

This amendment would ensure the bill's harmful effects do not apply in cases brought under employment discrimination laws, including laws to ensure women earn equal pay for equal work.

When President Kennedy signed the Equal Pay Act into law 50 years ago, women, on average, made 59 cents for every dollar earned by men.

While we have made some progress since then, with women appointed to the Supreme Court and to executive leadership roles at Fortune 500 companies, we are still nowhere near the goal of equal pay for equal work.

Just as recently as 2007, the Supreme Court ruled against Lilly Ledbetter, making it nearly impossible for workers who suffered discrimination to seek justice.

Because she was prohibited from discussing her salary with coworkers, Lilly didn't find out she was making significantly less than her male counterparts until her retirement.

The court ruled that she waited too long to file her lawsuit. Luckily, in 2009, Congress intervened, passing the Lilly Ledbetter Fair Pay Act to reverse the Supreme Court's decision.

Unfortunately, stories like this are not unique. Women still make only 79 cents on the dollar, about 20 percent less take-home pay than their male counterparts.

That is why it is critical that Congress vote for this amendment: to ensure women can continue fighting for equal pay at work.

Because equal pay is not just good for women, it is good for families, businesses, and our economy. When women aren't paid what they deserve, middle class families and communities pay the price.

Families today rely on women's wages to put food on the table, save for retirement, and pay for their children's education. It is estimated that the pay gap costs a woman and her family more than $10,000 in lost earnings each year, a significant number by any standards.

I recently spoke with a mother of three named Adriana. She told me that, while working her way through college as a waitress, she had to approach her manager after discovering her less-experienced male colleague made more than $1 an hour than she did.

Adriana said she felt lucky that she worked for a small, family-run business. Otherwise, she might have been too intimidated to ask for equal pay.

She said it seemed ''criminal and ridiculous'' to pay people unfairly and that lawmakers should think about their wife, sister, or daughter and the effect this financial barrier would have on them. I agree. I hope everyone in this Chamber does as well.

For women seeking justice under employment discrimination laws, the Lawsuit Abuse Reduction Act would be a disaster.

Women taking on huge corporations with limitless funds and armies of attorneys will face an uphill battle in court, at best, or may be completely deterred from even pursuing their day in court.

We have come a long way in expanding opportunities for women, but there is no question that we have a lot more to do. We cannot create more barriers to success than women and families already face in America today.

I urge my colleagues to vote ''yes'' on this motion to recommit and support the women and families in our communities who we were sent here to represent.

I yield back the balance of my time.

□ 1630

Mr. GOODLATTE. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Speaker, this motion to recommit must be strongly opposed by anyone who understands that the victims of frivolous lawsuits are indeed victims.

No one who supports civil rights laws or the Constitution should support the filing of frivolous claims without penalty, but that is exactly what this motion to recommit would allow.

The base bill makes sanctions for filing frivolous lawsuits in Federal court mandatory. Under rule 11, a lawsuit is frivolous if it is presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation if it is not warranted by existing law or if the factual contentions have no evidentiary support.

In other words, a lawsuit will only be found frivolous if it has no basis in law or fact.

Who here thinks that lawyers should be able to avoid any penalty when the lawsuit they file is found by a Federal judge to have been filed simply to harass or cause unnecessary delay or to needlessly increase the cost of litigation or when the Federal judge finds that the lawsuit is not warranted by existing law or has no evidentiary support?

If you think lawyers should be able to get off scot-free when they file those sorts of frivolous lawsuits, vote for this motion to recommit; but if you agree with me that the victims of frivolous lawsuits are real victims and that they have to shell out thousands of dollars; endure sleepless nights; and spend time away from their family, work, and customers just to respond to frivolous pleadings with no basis in law or fact, then you should oppose this motion to recommit and support the base bill, and join me in taking a clear stance against frivolous lawsuits.

Mr. Speaker, I urge my colleagues to oppose this motion to recommit and to support the underlying bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Ms. DELBENE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered, ordering the previous question on House Resolution 421, and adopting House Resolution 421, if ordered.

The vote was taken by electronic device, and there were—yeas 179, nays 239, not voting 16, as follows:

[Roll No. 500]

YEAS—179

Adams	Ashford	Beatty
Aguilar	Bass	Becerra

Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NAYS—239

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—16

Barr
Carter (TX)
Cleaver
Dingell
Fincher
Gutiérrez
Johnson, Sam
Lewis
Olson
Sanchez, Loretta
Sewell (AL)
Smith (WA)
Thompson (CA)
Wagner
Waters, Maxine
Westmoreland

□ 1702

Messrs. POE of Texas, PALMER, ZINKE, NUNES, WITTMAN, KELLY of Pennsylvania, MULLIN, and BARTON changed their vote from ''yea'' to ''nay.''

Messrs. HASTINGS, Ms. LEE, Messrs. PETERS and SCHRADER, Mses. KAPTUR and VELÁQUEZ, and Mr. PASCRELL changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. BARR. Mr. Speaker, on rollcall Nos. 497–500, I was unavoidably detained. Had I been present, I would have voted "yes" on 497, 498, 499 and "no" on 500.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. COHEN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 241, noes 185, not voting 8, as follows:

[Roll No. 501]

AYES—241

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—185

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings

Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Poe (TX)
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—8

Cleaver
Dingell
Fincher
Sanchez, Loretta
Smith (WA)
Thompson (CA)
Wagner
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1711

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 3134, DEFUND PLANNED PARENTHOOD ACT OF 2015; AND PROVIDING FOR CONSIDERATION OF H.R. 3504, BORN-ALIVE ABORTION SURVIVORS PROTECTION ACT; AND FOR OTHER PURPOSES

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 421) providing for consideration of the bill (H.R. 3134) to provide for a moratorium on Federal funding to Planned Parenthood Federation of America, Inc.; providing for consideration of the bill (H.R. 3504) to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion; and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 243, nays 183, not voting 8, as follows:

[Roll No. 502]

YEAS—243

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—183

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—8

Dingell
Fincher
Sanchez, Loretta
Smith (WA)
Thompson (CA)
Wagner
Waters, Maxine
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1719

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 246, noes 179, not voting 9, as follows: