

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 6 minutes p.m.), the House stood in recess.

□ 1416

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ALLEN) at 2 o'clock and 16 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 180; and

Adopting House Resolution 180, if ordered.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

PROVIDING FOR CONSIDERATION OF H.R. 720, LAWSUIT ABUSE REDUCTION ACT OF 2017, AND PROVIDING FOR CONSIDERATION OF H.R. 985, FAIRNESS IN CLASS ACTION LITIGATION ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 180) providing for consideration of the bill (H.R. 720) to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes, and providing for consideration of the bill (H.R. 985) to amend the procedures used in Federal court class actions and multidistrict litigation proceedings to assure fairer, more efficient outcomes for claimants and defendants, 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.

The vote was taken by electronic device, and there were—yeas 233, nays 186, not voting 10, as follows:

[Roll No. 138]

YEAS—233

| | | |
|------------|-------------|-------------|
| Abraham | Barr | Bost |
| Aderholt | Barton | Brady (TX) |
| Allen | Bergman | Brat |
| Amash | Biggs | Bridenstine |
| Amodel | Bilirakis | Brooks (AL) |
| Arrington | Bishop (MI) | Brooks (IN) |
| Babin | Bishop (UT) | Buchanan |
| Bacon | Black | Buck |
| Banks (IN) | Blackburn | Bucshon |
| Barletta | Blum | Budd |

| | | |
|-----------------|--------------|-------------------|
| Burgess | Huizenga | Reichert |
| Byrne | Hultgren | Renacci |
| Calvert | Hunter | Rice (SC) |
| Carter (GA) | Hurd | Roby |
| Carter (TX) | Issa | Roe (TN) |
| Chabot | Jenkins (KS) | Rogers (AL) |
| Chaffetz | Jenkins (WV) | Rogers (KY) |
| Cheney | Johnson (LA) | Rohrabacher |
| Coffman | Johnson (OH) | Rokita |
| Cole | Johnson, Sam | Rooney, Francis |
| Collins (GA) | Jones | Rooney, Thomas J. |
| Collins (NY) | Joyce (OH) | Ros-Lehtinen |
| Comer | Katko | Roskam |
| Comstock | Kelly (MS) | Ross |
| Conaway | Kelly (PA) | Rothfus |
| Cook | King (IA) | Rouzer |
| Costello (PA) | King (NY) | Royce (CA) |
| Cramer | Kinzing | Russell |
| Crawford | Knight | Rutherford |
| Culberson | Kustoff (TN) | Sanford |
| Curbelo (FL) | Labrador | Scalise |
| Davidson | LaHood | Schweikert |
| Davis, Rodney | LaMalfa | Scott, Austin |
| Denham | Lamborn | Sensenbrenner |
| Dent | Lance | Sessions |
| DeSantis | Latta | Shimkus |
| DesJarlais | Lewis (MN) | Shuster |
| Diaz-Balart | LoBiondo | Simpson |
| Donovan | Long | Smith (MO) |
| Duffy | Loudermilk | Smith (NE) |
| Duncan (SC) | Love | Smith (NJ) |
| Duncan (TN) | Lucas | Smith (TX) |
| Dunn | Luetkemeyer | Smucker |
| Emmer | MacArthur | Stefanik |
| Farenthold | Marchant | Stewart |
| Faso | Marino | Stivers |
| Ferguson | Marshall | Taylor |
| Fitzpatrick | Massie | Tenney |
| Fleischmann | Mast | Thompson (PA) |
| Flores | McCarthy | Thornberry |
| Fortenberry | McCauley | Tiberi |
| Fox | McClintock | Tipton |
| Franks (AZ) | McHenry | Turner |
| Frelinghuysen | McKinley | Upton |
| Gaetz | McMorris | Valadao |
| Gallagher | Rodgers | Wagner |
| Garrett | McSally | Walberg |
| Gibbs | Meehan | Walden |
| Gohmert | Messer | Walker |
| Goodlatte | Mitchell | Walorski |
| Gowdy | Moolenaar | Walters, Mimi |
| Granger | Mooney (WV) | Weber (TX) |
| Graves (GA) | Mullin | Webster (FL) |
| Graves (LA) | Murphy (PA) | Wenstrup |
| Graves (MO) | Newhouse | Westerman |
| Griffith | Noem | Williams |
| Grothman | Nunes | Wilson (SC) |
| Guthrie | Olson | Wittman |
| Harper | Palazzo | Womack |
| Harris | Palmer | Woodall |
| Hartzler | Paulsen | Yoder |
| Hensarling | Pearce | Yoho |
| Herrera Beutler | Perry | Young (AK) |
| Hice, Jody B. | Pittenger | Young (IA) |
| Higgins (LA) | Poe (TX) | Zeldin |
| Hill | Poliquin | |
| Holding | Posey | |
| Hollingsworth | Ratcliffe | |
| Hudson | Reed | |

NAYS—186

| | | |
|-------------------|-------------------|---------------|
| Adams | Clarke (NY) | Ellison |
| Aguilar | Clay | Engel |
| Barragán | Cleaver | Eshoo |
| Bass | Clyburn | Espallat |
| Beatty | Cohen | Esty |
| Bera | Connolly | Evans |
| Beyer | Conyers | Foster |
| Bishop (GA) | Cooper | Fudge |
| Blumenauer | Correa | Gabbard |
| Blunt Rochester | Costa | Gallego |
| Bonamici | Courtney | Garamendi |
| Boyle, Brendan F. | Crist | Gonzalez (TX) |
| Brady (PA) | Crowley | Gotthelmer |
| Brown (MD) | Cuellar | Green, Al |
| Brownley (CA) | Cummings | Green, Gene |
| Bustos | Davis, Danny | Grijalva |
| Butterfield | DeFazio | Gutiérrez |
| Capuano | DeGette | Hanabusa |
| Carbajal | DeLauro | Hastings |
| Cárdenas | DelBene | Heck |
| Carson (IN) | Demings | Higgins (NY) |
| Cartwright | DeSaunier | Himes |
| Castor (FL) | Deutsch | Hoyer |
| Castro (TX) | Dingell | Huffman |
| Chu, Judy | Doggett | Jackson Lee |
| Cicilline | Doyle, Michael F. | Jayapal |
| Clark (MA) | | Jeffries |
| | | Johnson (GA) |

| | | |
|-------------------|---------------|----------------|
| Johnson, E. B. | Meeks | Schiff |
| Kaptur | Meng | Schneider |
| Keating | Moore | Schrader |
| Kelly (IL) | Moulton | Scott (VA) |
| Kennedy | Murphy (FL) | Scott, David |
| Khanna | Nadler | Serrano |
| Kihuen | Napolitano | Sewell (AL) |
| Kildee | Neal | Shea-Porter |
| Kilmer | Nolan | Sherman |
| Kind | Norcross | Sires |
| Krishnamoorthi | O'Halleran | Slaughter |
| Kuster (NH) | O'Rourke | Smith (WA) |
| Langevin | Pallone | Soto |
| Larsen (WA) | Panetta | Speier |
| Lawrence | Pascarell | Suozzi |
| Lawson (FL) | Payne | Swalwell (CA) |
| Lee | Pelosi | Takano |
| Levin | Perlmutter | Thompson (CA) |
| Lewis (GA) | Peters | Thompson (MS) |
| Lieu, Ted | Peterson | Tonko |
| Lipinski | Pingree | Torres |
| Loeb | Pocan | Tsongas |
| Loeb | Polis | Vargas |
| Lowenthal | Price (NC) | Veasey |
| Lowey | Quigley | Vela |
| Lujan Grisham, M. | Raskin | Velázquez |
| Lujan, Ben Ray | Rice (NY) | Visclosky |
| Lynch | Richmond | Walz |
| Maloney, | Rosen | Wasserman |
| Carolyn B. | Roybal-Allard | Schultz |
| Maloney, Sean | Ruiz | Waters, Maxine |
| Matsui | Ruppersberger | Watson Coleman |
| McCollum | Ryan (OH) | Welch |
| McEachin | Sánchez | Wilson (FL) |
| McGovern | Sarbanes | Yarmuth |
| McNerney | Schakowsky | |

NOT VOTING—10

| | | |
|--------------|-------------|--------|
| Davis (CA) | Larson (CT) | Sinema |
| Frankel (FL) | Lofgren | Titus |
| Gosar | Meadows | |
| Jordan | Rush | |

□ 1442

Mr. ESPAILLAT, Ms. CLARK of Massachusetts, and Mr. CARSON of Indiana changed their vote from "yea" to "nay."

Mrs. HARTZLER changed her vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia). The question is on the resolution.

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 233, nays 184, not voting 12, as follows:

[Roll No. 139]

YEAS—233

| | | |
|-------------|--------------|---------------|
| Abraham | Brat | Conaway |
| Aderholt | Bridenstine | Cook |
| Allen | Brooks (AL) | Costello (PA) |
| Amash | Brooks (IN) | Cramer |
| Amodel | Buchanan | Crawford |
| Arrington | Buck | Culberson |
| Babin | Bucshon | Curbelo (FL) |
| Bacon | Budd | Davidson |
| Banks (IN) | Burgess | Davis, Rodney |
| Barletta | Byrne | Denham |
| Barr | Calvert | Dent |
| Barton | Carter (GA) | DeSantis |
| Bergman | Carter (TX) | DesJarlais |
| Biggs | Chabot | Diaz-Balart |
| Bilirakis | Chaffetz | Donovan |
| Bishop (MI) | Cheney | Duffy |
| Bishop (UT) | Coffman | Duncan (SC) |
| Black | Cole | Duncan (TN) |
| Blackburn | Collins (GA) | Dunn |
| Blum | Collins (NY) | Emmer |
| Bost | Comer | Farenthold |
| Brady (TX) | Comstock | Faso |

Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn

Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Rohy
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.

Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascarelli
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin

Boyle, Brendan F.
Conyers
Davis (CA)
Frankel (FL)

Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sanchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto

NOT VOTING—12

Gosar
Jordan
Larson (CT)
Lofgren
Meadows

Speier
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

□ 1451

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. LARSON of Connecticut. Mr. Speaker, on Thursday, March 9th, 2017, I was not present for roll call votes 138 and 139. If I had been present for this vote, I would have voted: "Nay" on roll call vote 138, "Nay" on roll call vote 139.

PERSONAL EXPLANATION

Ms. FRANKEL of Florida. Mr. Speaker, on roll call votes 138 and 139, I was not present because I was unavoidably detained. Had I been present, I would have voted "Nay" on both votes.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has agreed to without amendment a joint resolution of the House of the following title:

H.J. Res. 57. Joint Resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to accountability and State plans under the Elementary and Secondary Education Act of 1965.

INNOCENT PARTY PROTECTION ACT

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. 725.

The SPEAKER pro tempore (Mr. EMMER). Is there objection to the request of the gentleman from Virginia? There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 175 and rule XVIII, the Chair declares the House in the Committee of the Whole House on

the state of the Union for the consideration of the bill, H.R. 725.

The Chair appoints the gentleman from Georgia (Mr. JODY B. HICE) to preside over the Committee of the Whole.

□ 1455

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 725) to amend title 28, United States Code, to prevent fraudulent joinder, with Mr. JODY B. HICE of Georgia in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Maryland (Mr. RASKIN) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

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

Mr. Speaker, hardworking Americans are some of the leading victims of frivolous lawsuits and the extraordinary costs that our legal system imposes.

Every day, local businessowners routinely have lawsuits filed against them based on claims that have no substantive connection to them as a means of forum shopping on the part of the lawyers filing the case. These lawsuits present a tremendous burden on small businesses and their employees.

The Innocent Party Protection Act, introduced by Judiciary Committee member Mr. BUCK of Colorado, will help reduce the litigation abuse that regularly drags small businesses into court for no other reason than as part of a lawyer's forum shopping strategy.

In order to avoid the jurisdiction of the Federal courts, plaintiffs' attorneys regularly join instate defendants to the lawsuits they file in State court even if the instate defendants' connections to the controversy are minimal or nonexistent.

Typically the innocent but fraudulently joined instate defendant is a small business or the owner or employee of a small business. Even though these innocent instate defendants ultimately don't face any liability as a result of being named as a defendant, they, nevertheless, have to spend money to hire a lawyer and take valuable time away from running their businesses or spending time with their families to deal with matters related to a lawsuit to which they have no real connection.

To take just a few examples, in *Bendy v. C.B. Fleet Company*, the plaintiff brought a product liability claim against a national company for its allegedly defective medicinal drink. The plaintiff also joined a resident local defendant health clinic alleging it negligently instructed the plaintiff to ingest the drink.

The national company removed the case to Federal court and argued that

NAYS—184

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings

Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Español
Esty
Evans
Foster
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries

Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loeb sack
Lowenthal
Lowe
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore