

DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Español
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Galleo
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)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe y
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascarell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis

Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sarbanes
Schakowsky
Schiff
Schneider
Schradler
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suo zzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Cole
Collins (NY)
Comstock
Conyers
Cook
Cooper
Courtney
Cramer
Crawford
Cuellar
Culberson
Davidson
Davis (CA)
Davis, Danny
DeGette
DeLauro
DelBene
Demings
Dent
DeSaulnier
DesJarlais
Deutch
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Ellison
Engel
Eshoo
Estes (KS)
Esty (CT)
Evans
Farenthold
Ferguson
Fleischmann
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Gabbard
Garamendi

NOT VOTING—8

Collins (NY)
Cummings
Long

□ 1357

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.

Stated against:

Ms. SANCHEZ. Mr. Speaker, on rollcall No. 332, providing for consideration of H.R. 3003, the No Sanctuary for Criminals Act I was unavoidably detained and missed the vote. Had I been present, I would have voted “no.”

PERSONAL EXPLANATION

Mrs. NAPOLITANO. Mr. Speaker, I was absent during rollcall votes No. 331 and 332 due to my spouse's health situation in California. Had I been present, I would have voted “nay” on the Motion on Ordering the Previous Question on the Rule providing for consideration of H.R. 3003. I would have also voted “nay” on H. Res. 414—Rule providing for consideration of H.R. 3003—No Sanctuary for Criminals Act.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 232, nays

183, answered “present” 2, not voting 16, as follows:

[Roll No. 333]

YEAS—232

Abraham
Aderholt
Allen
Amodei
Arrington
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (UT)
Black
Blackburn
Blumenauer
Blunt Rochester
Hill
Bonamici
Himes
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Brown (MD)
Buchanan
Bustos
Butterfield
Byrne
Calvert
Carter (TX)
Cartwright
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clay
Cole
Collins (NY)
Comstock
Conyers
Cook
Cooper
Courtney
Cramer
Crawford
Cuellar
Culberson
Davidson
Davis (CA)
Davis, Danny
DeGette
DeLauro
DelBene
Demings
Dent
DeSaulnier
DesJarlais
Deutch
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Ellison
Engel
Eshoo
Estes (KS)
Esty (CT)
Evans
Farenthold
Ferguson
Fleischmann
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Gabbard
Garamendi

Garrett
Gianforte
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Green, Al
Griffith
Guthrie
Handel
Harper
Harris
Hastings
Heck
Hensarling
Higgins (LA)
Hill
Himes
Roe (TN)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ross
Rothfus
Royce (CA)
Ruppersberger
Russell
Schiff
Schneider
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Speier
Stefanik
Stewart
Suo zzi
Takano
Taylor
Thornberry
Titus
Torres
Trott
Tsongas
Wagner
Walker
Walorski
Walters, Mimi
Walz
Wasserman
Schultz
Waters, Maxine
Webster (FL)
Welch
Wenstrup
Williams
Wilson (SC)
Womack
Yarmuth
Yoho
Young (IA)
Zeldin

NAYS—183

Adams
Aguilar
Amash
Babin
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blum

Boyle, Brendan
F.
Brady (PA)
Brooks (AL)
Brownley (CA)
Buck
Bucshon
Budd
Burgess
Capuano
Carbajal

Comer
Conaway
Connolly
Correa
Costa
Costello (PA)
Crist
Crowley
Curbelo (FL)
Davis, Rodney
DeFazio
Denham
DeSantis
Diaz-Balart
Dingell
Doyle, Michael
F.
Emmer
Español
Faso
Fitzpatrick
Flores
Foxy
Franks (AZ)
Fudge
Gaetz
Gallagher
Galleo
Gibbs
Gonzalez (TX)
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Grothman
Gutiérrez
Hanabusa
Hartzler
Herrera Beutler
Hice, Jody B.
Higgins (NY)
Holding
Hoyer
Hudson
Hurd
Jackson Lee
Jayapal
Jenkins (KS)
Jenkins (WV)
Johnson (OH)

Johnson, E. B.
Jordan
Joyce (OH)
Kaptur
Keating
Kelly (IL)
Khanna
Kihuen
Kilmer
Kind
Kinzinger
Knight
LaHood
Lance
Langevin
Larson (CT)
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
LoBiondo
Loeb sack
Lofgren
Love
Luján, Ben Ray
Lynch
MacArthur
Maloney, Sean
Matsui
McGovern
McKinley
McSally
Moolenaar
Moore
Murphy (PA)
Neal
Nolan
O'Halleran
Pallone
Palmer
Paulsen
Payne
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Price (NC)

Ratcliffe
Reed
Reichert
Rice (NY)
Richmond
Rogers (AL)
Ros-Lehtinen
Rosen
Rouzer
Roybal-Allard
Ruiz
Rush
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Schakowsky
Schradler
Sewell (AL)
Sinema
Sires
Slaughter
Smith (MO)
Soto
Swalwell (CA)
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tipton
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walden
Watson Coleman
Weber (TX)
Westerman
Wittman
Woodall
Yoder
Young (AK)

ANSWERED “PRESENT”—2

Rice (SC) Tonko

NOT VOTING—16

Cummings
Delaney
Doggett
Gohmert
Grijalva
Jones

Long
Napolitano
Norcross
Peters
Quigley
Renacci

Roskam
Scalise
Stivers
Wilson (FL)

□ 1404

Ms. SINEMA changed her vote from “yea” to “nay.”

So the Journal was approved.

The result of the vote was announced as above recorded.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. FERGUSON) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,

HOUSE OF REPRESENTATIVES,

Washington, DC, June 28, 2017.

Hon. PAUL D. RYAN,

The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2th of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 28, 2017, at 9:28 a.m.:

Clerical correction to an appointment made on March 22, 2017 to the Board of Visitors of the U.S. Merchant Marine Academy.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

PROTECTING ACCESS TO CARE
ACT OF 2017

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 1215.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 382 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. 1215.

The Chair appoints the gentleman from Louisiana (Mr. GRAVES) to preside over the Committee of the Whole.

□ 1407

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. 1215) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system, with Mr. GRAVES of Louisiana 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 Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

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

Mr. Chairman, the bill before us today is modeled on California's highly successful litigation reforms that have lowered healthcare costs and made healthcare much more accessible to the people of that State.

Because the evidence of the effects of those reforms on lowering healthcare costs is so overwhelming, the Congressional Budget Office has estimated that, if the same reforms were applied at the Federal level, they would save over \$50 billion over a 10-year period.

Because the evidence that those reforms increase access to healthcare is so overwhelming, they are supported by a huge variety of public safety and labor unions, community clinics and health centers, and organizations dedicated to disease prevention, all of which have seen the beneficial effects of these reforms in California.

So popular are these reforms among the citizens of California that a ballot initiative to raise the damages cap, backed and funded by trial lawyers, was defeated by an over 2-to-1 margin in 2014.

This bill's commonsense reforms include a \$250,000 cap on inherently unquantifiable noneconomic damages and limits on the contingency fees law-

yers can charge. They allow courts to require periodic payments for future damages instead of lump sum awards so bankruptcies in which plaintiffs would receive only pennies on the dollar can be prevented. They include provisions creating a "fair share" rule by which damages are allocated fairly in direct proportion to fault.

This bill does all this without in any way limiting compensation for 100 percent of plaintiffs' economic losses, which include anything to which a receipt can be attached, including all medical costs, lost wages, future lost wages, rehabilitation costs, and any other economic out-of-pocket loss suffered as the result of a healthcare injury. Far from limiting deserved recoveries in California, these reforms have led to medical damage awards in deserving cases in the \$80 million and \$90 million range.

Unlike past iterations, this bill only applies to claims concerning the provision of goods or services for which coverage is provided in whole or in part via a Federal program, subsidy, or tax benefit, giving it a clear Federal nexus. Wherever Federal policy directly affects the distribution of healthcare, there is a clear Federal interest in reducing the costs of such Federal policies.

The legislation before us today also protects any State law that otherwise caps damages—whether at a higher level or lower than the caps in the bill—or provides greater protections that lower healthcare costs.

When President Ronald Reagan established a special task force to study the need for Federal tort reform, that task force concluded as follows: "In sum, tort law appears to be a major cause of the insurance availability and affordability crisis which the Federal Government can and should address in a variety of sensible and appropriate ways."

Indeed, the Reagan task force specifically recommended "eliminate joint and several liability," "provide for periodic payments of future economic damages," "schedule"—that is, limit—"contingency fees" of attorneys, and "limit noneconomic damages to a fair and reasonable amount." All of these recommended reforms are part of the bill before us today.

I urge my colleagues to support this legislation that would enact much-needed commonsense and cost-saving litigation reforms that would increase healthcare accessibility for all.

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

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,

Washington, DC, March 21, 2017.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary,
Washington, DC.

DEAR CHAIRMAN GOODLATTE: I write in regard to H.R. 1215, Protecting Access to Care Act of 2017, which was referred in addition to the Committee on Energy and Commerce. I wanted to notify you that the Committee will forgo action on the bill so that it may

proceed expeditiously to the House floor for consideration.

The Committee on Energy and Commerce takes this action with our mutual understanding that by foregoing consideration of H.R. 1215, the Committee does not waive any jurisdiction over the subject matter contained in this or similar legislation and will be appropriately consulted and involved as this or similar legislation moves forward to address any remaining issues within the Committee's jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation and asks that you support any such request.

I would appreciate your response confirming this understanding with respect to H.R. 1215 and ask that a copy of our exchange of letters on this matter be included in your committee's report on the legislation or the Congressional Record during its consideration on the House floor.

Sincerely,

GREG WALDEN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, March 21, 2017.

Hon. GREG WALDEN,
Chairman, Committee on Energy and Commerce,
Washington, DC.

DEAR CHAIRMAN WALDEN: Thank you for consulting with the Committee on the Judiciary and agreeing to be discharged from further consideration of H.R. 1215, the "Protecting Access to Care Act," so that the bill may proceed expeditiously to the House floor.

I agree that your foregoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 1215 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

BOB GOODLATTE,
Chairman.

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

Mr. Chairman, H.R. 1215 will do little to protect Americans' access to safe and affordable healthcare. Instead, it will deny victims of medical malpractice and defective medical products the opportunity to be fully compensated for their injuries and to hold wrongdoers accountable.

This legislation imposes various restrictions on lawsuits against healthcare providers concerning the provision of healthcare goods or services that would apply regardless of the merits of the case, the misconduct at issue, or the severity of the victim's injury.

There are so many problems with this bill, but to begin with, this bill would cause real harm by severely limiting the ability of victims to be made whole. For instance, the bill's \$250,000 aggregate limit for noneconomic damages, an amount established more than