

39.6 ATTORNEY ACCOUNTABILITY

The SPEAKER pro tempore, Mr. HEFLEY, pursuant to House Resolution 104 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 988) to reform the Federal civil justice system.

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

39.7 RECORDED VOTE

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

In section 2, page 4, line 1, insert at the beginning of the line "25 percent of".

And on line 5, strike the period, insert a comma and add the following new language "or the Court may increase the percentage above the 25 percent if in the opinion of the Court the offeree was not reasonable in rejecting the last offer."

It was decided in the { Yeas ..... 202  
negative ..... Nays ..... 214

39.8 [Roll No. 204] AYES—202

|              |                |               |
|--------------|----------------|---------------|
| Ackerman     | Evans          | Martinez      |
| Andrews      | Farr           | Martini       |
| Baesler      | Fattah         | Mascara       |
| Baker (LA)   | Fazio          | Matsui        |
| Baldacci     | Fields (LA)    | McCarthy      |
| Barcia       | Filner         | McCollum      |
| Barrett (WI) | Foglietta      | McDermott     |
| Bateman      | Ford           | Meehan        |
| Becerra      | Fox            | Menendez      |
| Beilenson    | Frank (MA)     | Mfume         |
| Bentsen      | Frost          | Miller (CA)   |
| Berman       | Furse          | Mineta        |
| Bevill       | Gephardt       | Minge         |
| Bilirakis    | Gilman         | Moakley       |
| Bishop       | Gonzalez       | Mollohan      |
| Bonior       | Gordon         | Moran         |
| Borski       | Graham         | Morella       |
| Boucher      | Green          | Murtha        |
| Browder      | Greenwood      | Myers         |
| Brown (CA)   | Gutierrez      | Nadler        |
| Brown (FL)   | Hall (OH)      | Neal          |
| Brown (OH)   | Hamilton       | Oberstar      |
| Burton       | Harman         | Obey          |
| Buyer        | Hastings (FL)  | Olver         |
| Cardin       | Hayes          | Ortiz         |
| Chapman      | Hefner         | Owens         |
| Clay         | Hilliard       | Pallone       |
| Clayton      | Hinchev        | Pastor        |
| Clement      | Holden         | Payne (NJ)    |
| Clyburn      | Hoyer          | Pelosi        |
| Coleman      | Hunter         | Peterson (FL) |
| Collins (IL) | Jackson-Lee    | Pomeroy       |
| Conyers      | Jacobs         | Poshard       |
| Costello     | Johnson (SD)   | Quillen       |
| Coyne        | Johnson, E. B. | Rahall        |
| Cramer       | Johnston       | Reed          |
| Danner       | Kanjorski      | Regula        |
| Davis        | Kaptur         | Reynolds      |
| de la Garza  | Kennedy (MA)   | Richardson    |
| Deal         | Kennedy (RI)   | Rivers        |
| DeFazio      | Kennelly       | Roemer        |
| DeLauro      | Kildee         | Ros-Lehtinen  |
| Dellums      | Klecza         | Rose          |
| Deusch       | Klink          | Roybal-Allard |
| Diaz-Balart  | LaFalce        | Rush          |
| Dicks        | Lantos         | Sabo          |
| Dingell      | Laughlin       | Sanders       |
| Dixon        | Levin          | Sawyer        |
| Doggett      | Lewis (GA)     | Schroeder     |
| Dooley       | Lincoln        | Schumer       |
| Doolittle    | Lipinski       | Scott         |
| Doyle        | Livingston     | Serrano       |
| Duncan       | Lofgren        | Skaggs        |
| Durbin       | Longley        | Skelton       |
| Edwards      | Lowey          | Slaughter     |
| Ehrlich      | Luther         | Spratt        |
| Engel        | Maloney        | Stark         |
| English      | Manton         | Stokes        |
| Eshoo        | Markley        | Studds        |

|            |           |
|------------|-----------|
| Stupak     | Traficant |
| Tanner     | Tucker    |
| Tejeda     | Velazquez |
| Thompson   | Vento     |
| Thornton   | Visclosky |
| Thurman    | Volkmer   |
| Torres     | Ward      |
| Torricelli | Watt (NC) |
| Towns      | Waxman    |

NOES—214

|               |               |
|---------------|---------------|
| Abercrombie   | Gilchrest     |
| Allard        | Gillmor       |
| Archer        | Goodlatte     |
| Armey         | Goodling      |
| Bachus        | Goss          |
| Baker (CA)    | Gunderson     |
| Ballenger     | Gutknecht     |
| Barr          | Hall (TX)     |
| Barrett (NE)  | Hancock       |
| Bartlett      | Hansen        |
| Barton        | Hastert       |
| Bass          | Hastings (WA) |
| Bereuter      | Hayworth      |
| Bilbray       | Hefley        |
| Billey        | Heineman      |
| Blute         | Herger        |
| Boehlert      | Hillery       |
| Boehner       | Hobson        |
| Bonilla       | Hoekstra      |
| Bono          | Hoke          |
| Brewster      | Horn          |
| Brownback     | Hostettler    |
| Bryan (TN)    | Houghton      |
| Bryant (TX)   | Hutchinson    |
| Bunn          | Hyde          |
| Bunning       | Inglis        |
| Burr          | Istook        |
| Callahan      | Johnson (CT)  |
| Calvert       | Johnson, Sam  |
| Camp          | Jones         |
| Canady        | Kasich        |
| Castle        | Kelly         |
| Chabot        | Kim           |
| Chambliss     | King          |
| Chenoweth     | Kingston      |
| Christensen   | Klug          |
| Chrysler      | Knollenberg   |
| Clinger       | Kolbe         |
| Coble         | LaHood        |
| Coburn        | Largent       |
| Collins (GA)  | Latham        |
| Combest       | LaTourrette   |
| Cooley        | Lazio         |
| Cox           | Leach         |
| Crane         | Lewis (CA)    |
| Crapo         | Lewis (KY)    |
| Creameans     | Lightfoot     |
| Cubin         | Linder        |
| Cunningham    | LoBiondo      |
| DeLay         | Lucas         |
| Dickey        | Manzullo      |
| Dreier        | McCrery       |
| Dunn          | McHale        |
| Ehlers        | McHugh        |
| Emerson       | McInnis       |
| Ensign        | McIntosh      |
| Everett       | McKeon        |
| Ewing         | McNulty       |
| Fawell        | Metcalf       |
| Fields (TX)   | Meyers        |
| Flanagan      | Mica          |
| Foley         | Miller (FL)   |
| Forbes        | Mink          |
| Fowler        | Molinari      |
| Franks (CT)   | Montgomery    |
| Franks (NJ)   | Moorhead      |
| Frelinghuysen | Myrick        |
| Frisa         | Nethercutt    |
| Gallegly      | Neumann       |
| Ganske        | Ney           |
| Gekas         | Norwood       |
| Geren         | Nussle        |

NOT VOTING—18

|              |           |
|--------------|-----------|
| Collins (MI) | Gibbons   |
| Condit       | Jefferson |
| Dornan       | McDade    |
| Flake        | McKinney  |
| Funderburk   | Meek      |
| Gejdenson    | Orton     |

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

39.9 RECORDED VOTE

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

Whole on the following amendment submitted by Mr. CONYERS:

Page 6, after line 24, insert the following:  
(e) LIMITATION ON APPLICATION OF AMENDMENTS.—The amendments made by this section shall not apply with respect to civil actions to which any of the following applies:

- (1) Section 772 of the Revised Statutes of the United States (42 U.S.C. 1988).
- (2) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.).
- (3) The Fair Housing Act (42 U.S.C. 3601 et seq.).
- (4) The Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.).
- (5) The Equal Access Act (20 U.S.C. 4071 et seq.).

Rule 11 of the Federal Rules of Civil Procedure, as in effect immediately before the effective date of such amendments, shall apply with respect to such civil actions.

It was decided in the { Yeas ..... 194  
negative ..... Nays ..... 229

39.10 [Roll No. 205] AYES—194

|              |               |               |
|--------------|---------------|---------------|
| Abercrombie  | Gilman        | Owens         |
| Ackerman     | Gonzalez      | Pallone       |
| Andrews      | Goodlatte     | Pastor        |
| Baldacci     | Gordon        | Payne (NJ)    |
| Barcia       | Green         | Payne (VA)    |
| Barrett (WI) | Gutierrez     | Pelosi        |
| Becerra      | Hall (OH)     | Peterson (FL) |
| Beilenson    | Hamilton      | Peterson (MN) |
| Bentsen      | Harman        | Pomeroy       |
| Berman       | Hastings (FL) | Poshard       |
| Bevill       | Hayes         | Rahall        |
| Bishop       | Hefner        | Reed          |
| Bonior       | Hilliard      | Reynolds      |
| Borski       | Hinchev       | Richardson    |
| Boucher      | Hobson        | Rivers        |
| Browder      | Holden        | Roemer        |
| Brown (CA)   | Hoyer         | Rose          |
| Brown (FL)   | Jackson-Lee   | Roybal-Allard |
| Brown (OH)   | Jacobs        | Rush          |
| Bryant (TX)  | Johnson (SD)  | Sabo          |
| Chapman      | Johnson, E.B. | Sanders       |
| Clay         | Johnston      | Sawyer        |
| Clayton      | Kanjorski     | Schroeder     |
| Clement      | Kaptur        | Schumer       |
| Clyburn      | Kennedy (MA)  | Scott         |
| Coleman      | Kennedy (RI)  | Serrano       |
| Collins (IL) | Kennelly      | Sisisky       |
| Conyers      | Kildee        | Skaggs        |
| Costello     | Klecza        | Skelton       |
| Coyne        | Klink         | Slaughter     |
| Cramer       | LaFalce       | Spratt        |
| Danner       | Lantos        | Stark         |
| Davis        | Laughlin      | Stenholm      |
| de la Garza  | Levin         | Stokes        |
| DeFazio      | Lewis (GA)    | Studds        |
| DeLauro      | Lincoln       | Stupak        |
| Dellums      | Lipinski      | Tanner        |
| Deusch       | Lofgren       | Taylor (MS)   |
| Dicks        | Luther        | Tejeda        |
| Dingell      | Maloney       | Thompson      |
| Dixon        | Manton        | Thornton      |
| Doggett      | Markley       | Thurman       |
| Dooley       | Martinez      | Torres        |
| Doolittle    | Mascara       | Torricelli    |
| Doyle        | Matsui        | Towns         |
| Duncan       | McCarthy      | Traficant     |
| Durbin       | McDermott     | Tucker        |
| Edwards      | McNulty       | Velazquez     |
| Ehlers       | Meehan        | Vento         |
| Engel        | Menendez      | Visclosky     |
| Eshoo        | Mfume         | Volkmer       |
| Evans        | Miller (CA)   | Ward          |
| Farr         | Mineta        | Waters        |
| Fattah       | Minge         | Watt (NC)     |
| Fazio        | Mink          | Watts (OK)    |
| Fields (LA)  | Moakley       | Waxman        |
| Filner       | Mollohan      | Weldon (FL)   |
| Foglietta    | Montgomery    | Williams      |
| Ford         | Murtha        | Wilson        |
| Fox          | Nadler        | Wise          |
| Frank (MA)   | Neal          | Woolsey       |
| Frost        | Oberstar      | Wyden         |
| Furse        | Obey          | Wynn          |
| Gejdenson    | Ortiz         | Yates         |
| Gephardt     | Orton         |               |
| Geren        |               |               |

NOES—229

|        |        |            |
|--------|--------|------------|
| Allard | Armey  | Baesler    |
| Archer | Bachus | Baker (CA) |