

the procedures of the Federal courts in certain matters, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with section 303(a) of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, modified by striking section 9 (and redesignating succeeding sections accordingly). Each section of that amendment in the nature of a substitute shall be considered as read. Points of order against that amendment in the nature of a substitute for failure to comply with clause 7 of rule XVI or section 303(a) of the Congressional Budget Act of 1974 are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

When said resolution was considered. After debate, On motion of Mr. GOSS, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

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

33.5 JUDICIAL REFORM

The SPEAKER pro tempore, Mr. KNOLLENBERG, pursuant to House Resolution 408 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1252) to modify the procedures of the Federal courts in certain matters, and for other purposes.

The SPEAKER pro tempore, Mr. KNOLLENBERG, by unanimous consent, designated Mr. RIGGS as Chairman of the Committee of the Whole.

The Acting Chairman, Mr. EWING assumed the Chair; and after some time spent therein,

33.6 RECORDED VOTE

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

Page 9, strike lines 13 through 20 and insert the following:

"(2) The limitation contained in paragraph (1) shall apply only to any order or settlement which expressly directs any State, or political subdivision of a State, to impose, increase, levy, or assess any tax.

Redesignate succeeding paragraphs accordingly.

It was decided in the affirmative { Yeas 230 Nays 181

33.7 [Roll No. 103] AYES—230

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|--------------|----------------|---------------|
| Abercrombie | Gilman | Menendez |
| Ackerman | Gordon | Millender- |
| Allen | Green | McDonald |
| Andrews | Greenwood | Minge |
| Baesler | Gutierrez | Mink |
| Baldacci | Gutknecht | Moakley |
| Barcia | Hall (OH) | Mollohan |
| Barrett (WI) | Hamilton | Moran (VA) |
| Bass | Harman | Morella |
| Bentsen | Hefner | Murtha |
| Berman | Hinchev | Nadler |
| Berry | Hinojosa | Neal |
| Bilbray | Hobson | Ney |
| Bishop | Holden | Oberstar |
| Blagojevich | Hooley | Obey |
| Blumenauer | Horn | Ortiz |
| Boehlert | Houghton | Owens |
| Bonior | Hoyer | Pallone |
| Borski | Jackson (IL) | Pappas |
| Boswell | Jackson-Lee | Pascarell |
| Boucher | (TX) | Pastor |
| Brown (CA) | Jefferson | Payne |
| Brown (FL) | John | Pelosi |
| Brown (OH) | Johnson (CT) | Pomeroy |
| Burr | Johnson (WI) | Porter |
| Camp | Johnson, E. B. | Poshard |
| Capps | Kanjorski | Price (NC) |
| Cardin | Kaptur | Pryce (OH) |
| Carson | Kelly | Quinn |
| Castle | Kennedy (MA) | Rahall |
| Clayton | Kennedy (RI) | Ramstad |
| Clement | Kennelly | Rangel |
| Clyburn | Kildee | Regula |
| Conyers | Kilpatrick | Reyes |
| Costello | Kind (WI) | Rivers |
| Coyne | Kleckza | Rodriguez |
| Cummings | Klink | Roemer |
| Davis (FL) | Klug | Rothman |
| Davis (IL) | Kucinich | Roukema |
| DeFazio | LaFalce | Roybal-Allard |
| DeGette | LaHood | Rush |
| DeLahunt | Lampson | Sabo |
| DeLauro | Lantos | Sanchez |
| Deutsch | LaTourette | Sanders |
| Dicks | Lazio | Sandlin |
| Dingell | Leach | Sawyer |
| Doggett | Lee | Saxton |
| Dooley | Levin | Schumer |
| Doyle | Lewis (GA) | Scott |
| Edwards | Lipinski | Serrano |
| Ehlers | LoBiondo | Shays |
| Engel | Lofgren | Sherman |
| Eshoo | Lowe | Skaggs |
| Etheridge | Luther | Skelton |
| Evans | Maloney (CT) | Slaughter |
| Ewing | Maloney (NY) | Smith (NJ) |
| Farr | Manton | Smith, Adam |
| Fattah | Markey | Snyder |
| Fawell | Martinez | Spratt |
| Fazio | Mascara | Stabenow |
| Filner | McCarthy (MO) | Stark |
| Forbes | McCarthy (NY) | Stokes |
| Ford | McDade | Strickland |
| Fox | McDermott | Stupak |
| Frank (MA) | McGovern | Sununu |
| Franks (NJ) | McHale | Tauscher |
| Frost | McIntyre | Thompson |
| Furse | McKinney | Thurman |
| Ganske | McNulty | Tierney |
| Gedjenson | Meehan | Torres |
| Gephardt | Meek (FL) | Towns |
| Gilchrist | Meeks (NY) | Upton |

- Velazquez
- Vento
- Visclosky
- Walsh
- Waters
- Watt (NC)

- Waxman
- Weller
- Wexler
- Weygand
- White
- Whitfield

- Wise
- Woolsey
- Wynn
- Yates

NOES—181

- | | | |
|---------------|---------------|---------------|
| Aderholt | Gibbons | Paul |
| Archer | Gillmor | Pease |
| Armey | Goode | Peterson (MN) |
| Bachus | Goodlatte | Peterson (PA) |
| Baker | Goodling | Pickering |
| Balenger | Goss | Pickett |
| Barrett (NE) | Graham | Pitts |
| Bartlett | Granger | Pombo |
| Barton | Hall (TX) | Portman |
| Bereuter | Hansen | Redmond |
| Bilirakis | Hastert | Riggs |
| Bliley | Hastings (WA) | Riley |
| Blunt | Hayworth | Rogan |
| Boehner | Hefley | Rogers |
| Bonilla | Herger | Rohrabacher |
| Bono | Hill | Ros-Lehtinen |
| Brady | Hilleary | Royce |
| Bryant | Hilliard | Ryun |
| Burton | Hoekstra | Salmon |
| Buyer | Hostettler | Sanford |
| Callahan | Hulshof | Scarborough |
| Calvert | Hunter | Schaefer, Dan |
| Campbell | Hutchinson | Schaffer, Bob |
| Canady | Hyde | Sensenbrenner |
| Cannon | Inglis | Sessions |
| Chabot | Jenkins | Shadegg |
| Chambliss | Johnson, Sam | Shaw |
| Chenoweth | Jones | Shimkus |
| Christensen | Kasich | Shuster |
| Coble | Kim | Sisisky |
| Coburn | King (NY) | Skeen |
| Collins | Kingston | Smith (MI) |
| Combest | Knollenberg | Smith (OR) |
| Condit | Kolbe | Smith (TX) |
| Cox | Largent | Smith, Linda |
| Cramer | Latham | Snowbarger |
| Crane | Lewis (CA) | Solomon |
| Crapo | Lewis (KY) | Souder |
| Cubin | Linder | Spence |
| Cunningham | Livingston | Stearns |
| Danner | Lucas | Stenholm |
| Davis (VA) | Manzullo | Stump |
| Deal | McCollum | Talent |
| DeLay | McCrery | Tauzin |
| Diaz-Balart | McHugh | Taylor (MS) |
| Dickey | McInnis | Taylor (NC) |
| Doolittle | McIntosh | Thomas |
| Dreier | McKeon | Thornberry |
| Duncan | Metcalf | Thune |
| Dunn | Mica | Tiahrt |
| Ehrlich | Miller (FL) | Traficant |
| Emerson | Moran (KS) | Turner |
| English | Myrick | Wamp |
| Ensign | Nethercutt | Watts (OK) |
| Everett | Neumann | Weldon (FL) |
| Foley | Northup | Wicker |
| Fossella | Norwood | Wolf |
| Fowler | Nussle | Young (AK) |
| Frelinghuysen | Oxley | Young (FL) |
| Gallegly | Packard | |
| Gekas | Parker | |

NOT VOTING—21

- | | | |
|---------|---------------|-------------|
| Barr | Cooksey | Olver |
| Bateman | Dixon | Paxon |
| Becerra | Gonzalez | Petri |
| Boyd | Hastings (FL) | Radanovich |
| Bunning | Istook | Tanner |
| Clay | Matsui | Watkins |
| Cook | Miller (CA) | Weldon (PA) |

So the amendment was agreed to. After some further time,

33.8 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. JACKSON-LEE:

Add the following at the end of the bill:

SEC. 12. PROTECTIVE ORDERS AND SEALING OF CASES AND SETTLEMENTS RELATING TO PUBLIC HEALTH OR SAFETY.

(a) IN GENERAL.—Chapter 111 of title 28, United States Code, is amended by adding at the end thereof the following new section:

“§ 1660. Protective orders and sealing of cases and settlements relating to public health or safety

“(a) FINDINGS OF FACT REGARDING PUBLIC HEALTH AND SAFETY.—No order entered in accordance with the provisions of rule 26(c) of the Federal Rules of Civil Procedure shall continue in effect after the entry of final judgment in that case, unless at or after such entry the court makes a separate finding of fact that such order would not prevent the disclosure of information which would adversely affect public health or safety.

“(b) RESTRICTION ON AGREEMENTS AMONG PARTIES.—(1) No agreement between or among parties in a civil action filed in a court of the United States may prohibit or otherwise restrict a party from disclosing any information relevant to such civil action to any Federal or State agency with authority to enforce laws regulating an activity relating to such information, unless the court makes a separate finding of fact that such agreement would not adversely affect public health or safety.

“(2) Any disclosure of information described in paragraph (1) to a Federal or State agency shall be confidential to the extent provided by law.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for chapter 111 of title 28, United States Code, is amended by adding at the end the following:

“1660. Protective orders and sealing of cases and settlements relating to public health or safety.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 30 days after the date of the enactment of this Act and shall apply only to orders entered in civil actions or agreements entered into on or after such date.

It was decided in the { Yeas 177 negative } Nays 242

§33.9 [Roll No. 104] AYES—177

Table listing names of representatives for §33.9, including Abercrombie, Ackerman, Allen, Andrews, Baesler, Baldacci, Barcia, Barrett (WI), Becerra, Bentsen, Bereuter, Berman, Berry, Bishop, Blagojevich, Blumenauer, Bonior, Borski, Boswell, Boucher, Brown (CA), Brown (FL), Brown (OH), Campbell, Capps, Cardin, Carson, Clayton, Clement, Clyburn, Conyers, Costello, Coyne, Cummings, Davis (FL), Davis (IL), DeFazio, DeGette, Delahunt, DeLauro, Deutsch, Dingell, Doggett, Edwards, Emerson, Engel, Eshoo, Etheridge, Evans, Farr, Fattah, Fazio, Filner, Ford, Fox, Frank (MA), Frost, Furse, Gejdenson, Gephardt, Green, Hall (OH), Harman, Hefner, Hilliard, Hinchey, Hinojosa, Holden, Hooley, Horn, Hoyer, Jackson (IL), Jackson-Lee, Clement (TX), Jefferson, Johnson (WI), Johnson, E. B., Kaptur, Kennedy (MA), Kennedy (RI), Kennelly, Kildee, Kilpatrick, Kind (WI), Kleczka, Klink, Kucinich, LaFalce, Lampson, Lantos, Leach, Lee, Levin, Lewis (GA), Lipinski, Lowey, Luther, Maloney (CT), Manton, Markey, Martinez, Mascara, McCarthy (MO), McCarthy (NY), McDermott, McGovern, McHale, McIntyre, McKinney, McNulty, Meehan, Meek (FL), Meeks (NY), Menendez, Millender-McDonald, Miller (CA), Minge, Mink, Moakley, Mollohan, Moran (VA), Morella, Nadler, Neal, Oberstar, Obey, Olver, Ortiz, Owens, Pallone, Pascrell, Pastor, Payne, Pelosi, Price (NC), Rahall, Rangel, Reyes, Rivers, Rodriguez, Rohrabacher, Roybal-Allard, Rush, Sabo, Sanchez, Sanders, Sawyer, Schumer, Aderholt, Archer, Arney, Bachus, Baker, Ballenger, Barr, Barrett (NE), Bartlett, Barton, Bass, Bilbray, Bilirakis, Bliley, Blunt, Boehlert, Boehner, Bonilla, Bono, Boyd, Brady, Bryant, Bunning, Burr, Burton, Buyer, Callahan, Calvert, Camp, Canady, Cannon, Castle, Chabot, Chambliss, Chenoweth, Christensen, Coble, Coburn, Collins, Combust, Condit, Cooksey, Cox, Cramer, Crane, Crapo, Cuban, Cunningham, Danner, Davis (VA), Deal, DeLay, Diaz-Balart, Dickey, Dicks, Doyle, Dreier, Duncan, Dunn, Ehlers, Ehrlich, English, Ensign, Everett, Ewing, Fawell, Foley, Forbes, Fossella, Fowler, Frank (NJ), Frelinghuysen, Gilman, Goode, Goodlatte, Goodling, Gordon, Goss, Graham, Granger, Greenwood, Gutknecht, Hamilton, Hansen, Hastert, Hastings (WA), Hayworth, Hefley, Herger, Hill, Hilleary, Hobson, Hoekstra, Hostettler, Houghton, Hulshof, Hunter, Hutchinson, Hyde, Inglis, Jenkins, John, Johnson (CT), Johnson, Sam, Jones, Kanjorski, Kasich, Kelly, Kim, King (NY), Kingston, Klug, Knollenberg, Kolbe, LaHood, Largent, Latham, LaTourette, Lazio, Lewis (CA), Lewis (KY), Linder, Livingston, LoBiondo, Lofgren, Lucas, Maloney (NY), Manzullo, Matsui, McCollum, McDade, McHugh, McInnis, McIntosh, McKeon, Metcalf, Mica, Moran (KS), Murtha, Myrick, Nethercutt, Neumann, Ney, Northup, Norwood, Nussle, Oxley, Packard, Pappas, Parker, Paul, Pease, Peterson (MN), Peterson (PA), Petri, Pickering, Pickett, Pitts, Pombo, Pomeroy, Porter, Portman, Pryce (OH), Quinn, Radanovich, Ramstad, Redmond, Regula, Riggs, Riley, Roemer, Rogan, Rogers, Ros-Lehtinen, Rothman, Roukema, Royce, Ryan, Salmon, Sandlin, Sanford, Saxton, Scarborough, Schaefer, Dan, Schaffer, Bob, Sensenbrenner, Sessions, Shadegg, Shaw, Shimkus, Shuster, Sisisky, Skaggs, Skeeen, Skelton, Smith (MI), Smith (NJ), Smith (OR), Smith (TX), Smith, Linda, Snyder, Solomon, Souder, Spence, Stearns, Stenholm, Stump, Sununu, Talent, Tauzin, Taylor (MS), Taylor (NC), Thomas, Thornberry, Thune, Tiahrt, Traficant, Turner, Upton, Walsh, Wamp, Watkins, Watt (NC), Watts (OK), Weldon (FL), Weldon (PA), Weller, White, Whitfield, Wicker, Wolf, Young (AK), Young (FL), Gutierrez, Hall (TX), Hastings (FL), Istook, McCreary, Miller (FL), Paxon, Tanner

Table listing names of representatives: Poshard, Price (NC), Rahall, Rangel, Reyes, Rivers, Rodriguez, Rohrabacher, Roybal-Allard, Rush, Sabo, Sanchez, Sanders, Sawyer, Schumer, Scott, Serrano, Shays, Sherman, Slaughter, Smith, Adam, Spratt, Stabenow, Stark, Stokes, Strickland, Stupak, Tauscher, Thompson, Thurman, Tierney, Torres, Towns, Velazquez, Vento, Visclosky, Waters, Waxman, Wexler, Weygand, Wise, Woolsey, Wynn, Yates

NOES—242

Table listing names of representatives for NOES, including Aderholt, Archer, Arney, Bachus, Baker, Ballenger, Barr, Barrett (NE), Bartlett, Barton, Bass, Bilbray, Bilirakis, Bliley, Blunt, Boehlert, Boehner, Bonilla, Bono, Boyd, Brady, Bryant, Bunning, Burr, Burton, Buyer, Callahan, Calvert, Camp, Canady, Cannon, Castle, Chabot, Chambliss, Chenoweth, Christensen, Coble, Coburn, Collins, Combust, Condit, Cooksey, Cox, Cramer, Crane, Crapo, Cuban, Cunningham, Danner, Davis (VA), Deal, DeLay, Diaz-Balart, Dickey, Dicks, Doyle, Dreier, Duncan, Dunn, Ehlers, Ehrlich, English, Ensign, Everett, Ewing, Fawell, Foley, Forbes, Fossella, Fowler, Frank (NJ), Frelinghuysen, Gilman, Goode, Goodlatte, Goodling, Gordon, Goss, Graham, Granger, Greenwood, Gutknecht, Hamilton, Hansen, Hastert, Hastings (WA), Hayworth, Hefley, Herger, Hill, Hilleary, Hobson, Hoekstra, Hostettler, Houghton, Hulshof, Hunter, Hutchinson, Hyde, Inglis, Jenkins, John, Johnson (CT), Johnson, Sam, Jones, Kanjorski, Kasich, Kelly, Kim, King (NY), Kingston, Klug, Knollenberg, Kolbe, LaHood, Largent, Latham, LaTourette, Lazio, Lewis (CA), Lewis (KY), Linder, Livingston, LoBiondo, Lofgren, Lucas, Maloney (NY), Manzullo, Matsui, McCollum, McDade, McHugh, McInnis, McIntosh, McKeon, Metcalf, Mica, Moran (KS), Murtha, Myrick, Nethercutt, Neumann, Ney, Northup, Norwood, Nussle, Oxley, Packard, Pappas, Parker, Paul, Pease, Peterson (MN), Peterson (PA), Petri, Pickering, Pickett, Pitts, Pombo, Pomeroy, Porter, Portman, Pryce (OH), Quinn, Radanovich, Ramstad, Redmond, Regula, Riggs, Riley, Roemer, Rogan, Rogers, Ros-Lehtinen, Rothman, Roukema, Royce, Ryan, Salmon, Sandlin, Sanford, Saxton, Scarborough, Schaefer, Dan, Schaffer, Bob, Sensenbrenner, Sessions, Shadegg, Shaw, Shimkus, Shuster, Sisisky, Skaggs, Skeeen, Skelton, Smith (MI), Smith (NJ), Smith (OR), Smith (TX), Smith, Linda, Snyder, Solomon, Souder, Spence, Stearns, Stenholm, Stump, Sununu, Talent, Tauzin, Taylor (MS), Taylor (NC), Thomas, Thornberry, Thune, Tiahrt, Traficant, Turner, Upton, Walsh, Wamp, Watkins, Watt (NC), Watts (OK), Weldon (FL), Weldon (PA), Weller, White, Whitfield, Wicker, Wolf, Young (AK), Young (FL)

Table listing names of representatives: Tierney, Torres, Towns, Velazquez, Vento, Visclosky, Waters, Waxman, Wexler, Weygand, Wise, Woolsey, Wynn, Yates

NOT VOTING—13

Table listing names of representatives: Bateman, Clay, Cook, Dixon, Gonzalez, Gutierrez, Hall (TX), Hastings (FL), Istook, McCreary, Miller (FL), Paxon, Tanner

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

§33.10 RECORDED VOTE

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

Add the following at the end:

SEC. 12 LIMITATION ON PRISONER RELEASE ORDERS.

(a) IN GENERAL.—Chapter 99 of title 28, United States Code, is amended by adding at the end the following new section:

§ 1632. Limitation on prisoner release orders

“(a) LIMITATION.—Notwithstanding section 3626(a)(3) of title 18 or any other provision of law, in a civil action with respect to prison conditions, no court of the United States or other court listed in section 610 shall have jurisdiction to enter or carry out any prisoner release order that would result in the release from or nonadmission to a prison, on the basis of prison conditions, of any person subject to incarceration, detention, or admission to a facility because of a conviction of a felony under the laws of the relevant jurisdiction, or a violation of the terms or conditions of parole, probation, pretrial release, or a diversionary program, relating to the commission of a felony under the laws of the relevant jurisdiction.

“(b) DEFINITIONS.—As used in this section—

“(1) the terms ‘civil action with respect to prison conditions,’ ‘prisoner,’ ‘prisoner release order,’ and ‘prison’ have the meanings given those terms in section 3626(g) of title 18; and

“(2) the term ‘prison conditions’ means conditions of confinement or the effects of actions by government officials on the lives of persons confined in prison.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 99 of title 28, United States Code, is amended by adding at the end the following new item:

“1632. Limitation on prisoner release orders.”.

(c) CONSENT DECREES.—

(1) TERMINATION OF EXISTING CONSENT DECREES.—Any consent decree that was entered into before the date of the enactment of the Prison Litigation Reform Act of 1995, that is in effect on the day before the date of the enactment of this Act, and that provides for remedies relating to prison conditions shall cease to be effective on the date of the enactment of this Act.

(2) DEFINITIONS.—As used in this subsection—

(A) the term “consent decree” has the meaning given that term in section 3626(g) of title 18, United States Code; and

(B) the term “prison conditions” has the meaning given that term in section 1632(c) of title 28, United States Code, as added by subsection (a) of this section.

It was decided in the { Yeas 367 affirmative } Nays 52

§33.11 [Roll No. 105] AYES—367

Table listing names of representatives for §33.11, including Abercrombie, Ackerman, Aderholt, Allen, Andrews, Archer, Arney, Bachus, Baesler, Baker, Baldacci, Ballenger, Barcia, Barr, Barrett (NE), Bartlett, Barton, Bass, Becerra, Bentsen, Bereuter