

of extraordinary times calling for extraordinary measures. At the end of the day, what's most important is that we fulfill our core mission. As anybody in the military will tell you, sometimes we have to adapt.

It's not perfect, but we can't let the perfect be the enemy of the good, especially when we're talking about keeping our troops and our citizens safe. For that reason, I'm proud to support the rule, and I encourage all my colleagues to do the same.

When the Committee on Rules filed its report (H. Rept. 113–170) to accompany House Resolution 312 the summary of amendment numbered 43 was inadvertently omitted. The summary of amendments should have included the following:

43. COLE (OK), KILMER (WA), MCCARTHY, KEVIN (CA), BISHOP, ROB (UT), JONES (NC), LOESACK (IA), MCCOLLUM (MN), SCOTT, AUSTIN (GA): Provides that none of the funds appropriated by this Act shall be available to implement a furlough of Department of Defense federal employees who are paid from the Working Capital Fund (WCF) Account, which is a revolving fund and does not receive direct funding from Congressional appropriations to finance its operations. (10 minutes)

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 312 OFFERED BY
MR. MCGOVERN OF MASSACHUSETTS

At the end of the resolution, add the following new sections:

SEC. 7. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the resolution (H. Res. 174) expressing the sense of the House of Representatives that the Speaker should immediately request a conference and appoint conferees to complete work on a fiscal year 2014 budget resolution with the Senate. The first reading of the resolution shall be dispensed with. General debate shall be confined to the resolution and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Budget. After general debate the resolution shall be considered for amendment under the five-minute rule. At the conclusion of consideration of the resolution for amendment the Committee shall rise and report the resolution to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the resolution and preamble to adoption without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the resolution, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the resolution.

SEC. 8. Clause 1(c) of rule XIX shall not apply to the consideration of the resolution specified in section 7 of this resolution.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.”

The Republican majority may say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: “Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

MR. NUGENT. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

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

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

MR. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further pro-

ceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 1 o'clock and 24 minutes p.m.), the House stood in recess.

□ 1340

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. YODER) at 1 o'clock and 40 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 312; and adoption of House Resolution 312, if ordered.

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

PROVIDING FOR CONSIDERATION OF H.R. 2397, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2014; AND PROVIDING FOR CONSIDERATION OF H.R. 2610, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2014

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 312) providing for consideration of the bill (H.R. 2397) making appropriations for the Department of Defense for the fiscal year ending September 30, 2014, and for other purposes; and providing for consideration of the bill (H.R. 2610) making appropriations for the Departments of Transportation and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, 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 229, nays 190, not voting 14, as follows:

[Roll No. 377]

YEAS—229

Aderholt	Bachmann	Barr
Alexander	Bachus	Barton
Amash	Barber	Benishke
Amodei	Barletta	Bentivolio

Bilirakis	Harper	Posey	Hastings (FL)	Matsui	Ryan (OH)	Daines	Kinzinger (IL)	Rogers (MI)
Bishop (UT)	Harris	Price (GA)	Heck (WA)	McCollum	Sánchez, Linda T.	Davis, Rodney	Kline	Rohrabacher
Black	Hartzler	Radel	Higgins	McDermott		Denham	Labrador	Rokita
Blackburn	Hastings (WA)	Reed	Himes	McGovern	Sanchez, Loretta	Dent	LaMalfa	Rooney
Bonner	Heck (NV)	Reichert	Hinojosa	McIntyre	Sarbanes	DeSantis	Lamborn	Ros-Lehtinen
Boustany	Hensarling	Renacci	Honda	McNerney	Schakowsky	DesJarlais	Lance	Roskam
Brady (TX)	Holding	Ribble	Hoyer	Meeks	Schiff	Diaz-Balart	Lankford	Ross
Bridenstine	Hudson	Rice (SC)	Huffman	Meng	Schneider	Duffy	Latham	Rothfus
Brooks (AL)	Huelskamp	Rigell	Israel	Michaud	Schrader	Duncan (SC)	Latta	Royce
Brooks (IN)	Huizenga (MI)	Roby	Jackson Lee	Miller, George	Schwartz	Duncan (TN)	LoBiondo	Runyan
Broun (GA)	Hultgren	Jeffries	Moore	Scott (VA)	Ellmers		Long	Ryan (WI)
Buchanan	Hunter	Rogers (AL)	Johnson (GA)	Moran	Scott, David	Farenthold	Lucas	Salmon
Bucshon	Hurt	Rogers (KY)	Johnson, E. B.	Murphy (FL)	Serrano	Fincher	Luetkemeyer	Sanford
Burgess	Issa	Rogers (MI)	Kaptur	Nadler	Sewell (AL)	Fitzpatrick	Lummis	Scalise
Calvert	Jenkins	Rohrabacher	Kelly (IL)	Napolitano	Shea-Porter	Fleischmann	Marchant	Schock
Camp	Johnson (OH)	Rokita	Kennedy	Neal	Sherman	Fleming	Marino	Schweikert
Cantor	Johnson, Sam	Rooney	Kilmer	Negrete McLeod	Sires	Flores	Massie	Scott, Austin
Capito	Jones	Ros-Lehtinen	Lowenthal	Nolan	Slaughter	Forbes	McCarthy (CA)	Scott, Austin
Carter	Jordan	Roskam	Lowey	O'Rourke	Smith (WA)	Fortenberry	McCaul	Sensenbrenner
Cassidy	Joyce	Ross	Lujan Grisham (NM)	Owens	Speier	Fox	McClintock	Sessions
Chabot	Kelly (PA)	Rothfus	Lujan, Ben Ray (NM)	Pallone	Swallow (CA)	Franks (AZ)	McHenry	Shimkus
Chaffetz	King (IA)	Royce	Lupinski	Pascrell	Takano	Frelinghuysen	McKeon	Shuster
Coffman	King (NY)	Runyan	Loebach	Pastor (AZ)	Thompson (CA)	Gardner	McKinley	Simpson
Cole	Kingston	Ryan (WI)	Lofgren	Payne	Thompson (MS)	Garrett	McMorris	Sinema
Collins (GA)	Kinzinger (IL)	Salmon	Lowenthal	Pelosi	Tierney	Gerlach	Rodgers	Smith (MO)
Collins (NY)	Kline	Sanford	Lowey	Perlmutter	Titus	Gibbs	Meadows	Smith (NE)
Conaway	Labrador	Scalise	Lujan, Ben Ray (NM)	Peters (CA)	Tonko	Gingrey (GA)	Meehan	Smith (NJ)
Cook	LaMalfa	Schock	Lynch	Peters (MI)	Van Hollen	Goodlatte	Messer	Smith (TX)
Cotton	Lamborn	Scott, Austin	Maffei	Peterson	Vargas	Gosar	Mica	Southerland
Cramer	Lance	Sensenbrenner	Maloney, Sean	Pingree (ME)	Veasey	Gowdy	Miller (FL)	Stewart
Crawford	Lankford	Sessions	Matheson	Pocan	Vela	Granger	Miller (MI)	Stivers
Crenshaw	Latham	Shimkus		Polis	Velázquez	Graves (GA)	Mullin	Stockman
Culberson	Latta	Shuster		Price (NC)	Visclosky	Graves (MO)	Mulvaney	Stutzman
Daines	LoBiondo	Simpson		Quigley	Walz	Griffin (AR)	Murphy (PA)	Terry
Davis, Rodney	Long	Sinema		Rahall	Wasserman	Griffith (VA)	Noem	Thompson (PA)
Denham	Lucas	Smith (MO)		Rangel	Schultz	Guthrie	Nugent	Thornberry
Dent	Luetkemeyer	Smith (NE)		Richmond	Waters	Hall	Nunes	Tiberi
DeSantis	Lummis	Smith (NJ)		Roybal-Allard	Watt	Hanna	Nunnelee	Tipton
DesJarlais	Marchant	Smith (TX)		Ruiz	Waxman	Harper	Olson	Turner
Diaz-Balart	Marino	Southerland		Ruppersberger	Welch	Harris	Palazzo	Upton
Duffy	Massie	Stewart		Rush	Wilson (FL)	Hartzler	Paulsen	Valadao
Duncan (SC)	McCarthy (CA)	Stivers				Hastings (WA)	Pearce	Wagner
Duncan (TN)	McCaul	Stockman				Heck (NV)	Perry	Walberg
Ellmers	McClintock	Stutzman				Hensarling	Petri	Walden
Farenthold	McHenry	Terry				Holding	Pittenger	Walorski
Fincher	McKeon	Thompson (PA)				Hudson	Pitts	Weber (TX)
Fitzpatrick	McKinley	Thornberry				Huelskamp	Poe (TX)	Webster (FL)
Fleischmann	McMorris	Tiberi				Huizenga (MI)	Pompeo	Wenstrup
Fleming	Rodgers	Tipton				Hultgren	Posey	Westmoreland
Flores	Meadows	Turner				Hunter	Price (GA)	Whitfield
Forbes	Meehan	Upton				Hurt	Radel	Williams
Fortenberry	Messer	Valadao				Issa	Reed	Wilson (SC)
Fox	Mica	Wagner				Jenkins	Reichert	Wittman
Franks (AZ)	Miller (FL)	Walberg				Johnson (OH)	Renacci	Wolf
Frelinghuysen	Miller (MI)	Walden				Johnson, Sam	Ribble	Womack
Gardner	Mullin	Walorski				Jones	Rice (SC)	Woodall
Garrett	Mulvaney	Weber (TX)				Jordan	Rigell	Yoder
Gerlach	Murphy (PA)	Webster (FL)				Kelly (PA)	Roby	Yoho
Gibbs	Neugebauer	Wenstrup				King (IA)	Roe (TN)	Young (AK)
Gibson	Noem	Westmoreland				King (NY)	Rogers (AL)	Young (FL)
Gingrey (GA)	Nugent	Whitfield				Kingston	Rogers (KY)	Young (IN)
Gohmert	Nunes	Williams						
Goodlatte	Nunnelee	Wilson (SC)						
Gosar	Olson	Wittman						
Gowdy	Palazzo	Wolf						
Granger	Paulsen	Womack						
Graves (GA)	Pearce	Woodall						
Graves (MO)	Perry	Yoder						
Griffin (AR)	Petri	Yoho						
Griffith (VA)	Pittenger	Young (AK)						
Guthrie	Pitts	Young (FL)						
Hall	Poe (TX)	Young (IN)						
Hanna	Pompeo							

NAYS—190

Andrews	Chu	Doyle
Barrow (GA)	Cicilline	Duckworth
Bass	Clarke	Edwards
Beatty	Clay	Ellison
Becerra	Cleaver	Engel
Bera (CA)	Clyburn	Enyart
Bishop (GA)	Cohen	Eshoo
Bishop (NY)	Connolly	Esty
Blumenauer	Conyers	Farr
Bonamici	Cooper	Fattah
Brady (PA)	Costa	Foster
Braley (IA)	Courtney	Frankel (FL)
Brown (FL)	Crowley	Fudge
Brownley (CA)	Cuellar	Gabbard
Bustos	Cummings	Gallego
Butterfield	Davis (CA)	Garamendi
Capps	Davis, Danny	Garcia
Capuano	DeFazio	Grayson
Cardenas	Delaney	Green, Al
Carney	DeLauro	Green, Gene
Carson (IN)	DelBene	Grijalva
Cartwright	Deutch	Gutiérrez
Castor (FL)	Dingell	Hahn
Castro (TX)	Doggett	Hanabusa

NOT VOTING—14

□ 1406

Mr. PITTS changed his vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

Ms. KUSTER. Mr. Speaker, on rollcall No. 377, had I been present, I would have voted “no.”

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 226, noes 194, not voting 13, as follows:

[Roll No. 378]

AYES—226

Aderholt	Blackburn	Carter
Alexander	Bonner	Cassidy
Amash	Boustany	Chabot
Amodei	Brady (TX)	Chaffetz
Bachmann	Bridenstine	Coffman
Bachus	Brooks (AL)	Cole
Barber	Brooks (IN)	Collins (GA)
Barletta	Brown (GA)	Collins (NY)
Barr	Buchanan	Conaway
Barton	Bucshon	Cook
Benishek	Burgess	Cotton
Bentivolio	Calvert	Cramer
Bilirakis	Camp	Crawford
Bishop (UT)	Cantor	Crenshaw
Black	Capito	Culberson

Andrews	Crowley	Hahn
Barrow (GA)	Cuellar	Hanabusa
Bass	Cummings	Hastings (FL)
Beatty	Davis (CA)	Heck (WA)
Becerra	Davis, Danny	Higgins
Bera (CA)	DeFazio	Himes
Bishop (GA)	Delaney	Hinojosa
Bishop (NY)	DeLauro	Honda
Blumenauer	DelBene	Hoyer
Bonamici	Deutch	Huffman
Brady (PA)	Dingell	Israel
Braley (IA)	Doggett	Jackson Lee
Brown (FL)	Doyle	Jeffries
Brownley (CA)	Duckworth	Johnson (GA)
Bustos	Edwards	Johnson, E. B.
Butterfield	Ellison	Kaptur
Capps	Engel	Keating
Capuano	Enyart	Kelly (IL)
Cardenas	Eshoo	Kennedy
Carney	Esty	Kildee
Carson (IN)	Farr	Kilmer
Cartwright	Fattah	Kind
Castor (FL)	Foster	Kirkpatrick
Castro (TX)	Frankel (FL)	Kuster
Chu	Fudge	Langevin
Cicilline	Gabbard	Larsen (WA)
Clarke	Gallego	Larson (CT)
Clay	Garamendi	Lee (CA)
Cleaver	Garcia	Levin
Clyburn	Gibson	Lewis
Cohen	Gohmert	Lipinski
Connolly	Grayson	Loebach
Conyers	Green, Al	Lofgren
Cooper	Green, Gene	Lowenthal
Costa	Grijalva	Lowey
Courtney	Gutiérrez	

Lujan Grisham (NM)	Pascarell (AZ)	Scott, David
Lujan, Ben Ray (NM)	Payne	Serrano
Lynch	Pelosi	Sewell (AL)
Maffei	Perlmutter	Shea-Porter
Maloney, Carolyn	Peters (CA)	Sherman
Maloney, Sean	Peters (MI)	Sires
Matheson	Peterson	Slaughter
Matsui	Pingree (ME)	Smith (WA)
McCollum	Pocan	Speier
McDermott	Polis	Swalwell (CA)
McGovern	Price (NC)	Takano
McIntyre	Quigley	Thompson (CA)
McNerney	Rahall	Thompson (MS)
Meeks	Rangel	Tierney
Meng	Richmond	Titus
Michaud	Roybal-Allard	Tonko
Miller, George	Ruiz	Van Hollen
Moore	Ruppersberger	Vargas
Moran	Rush	Veasey
Murphy (FL)	Ryan (OH)	Vela
Nadler	Sánchez, Linda	Velázquez
Napolitano	T.	Visclosky
Neal	Sanchez, Loretta	Walz
Negrete McLeod	Sarbanes	Wasserman
Nolan	Schakowsky	Schultz
O'Rourke	Schiff	Waters
Owens	Schneider	Watt
Pallone	Schrader	Waxman
	Schwartz	Welch
	Scott (VA)	Wilson (FL)

NOT VOTING—13

Campbell	Holt	Neugebauer
Coble	Horsford	Tsongas
DeGette	Joyce	Yarmuth
Grimm	McCarthy (NY)	
Herrera Beutler	Miller, Gary	

Mr. PAYNE changed his vote from “aye” to “no.”

□ 1414

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.

REPORT ON H.R. 2787, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2014

Mr. WOLF, from the Committee on Appropriations, submitted a privileged report (Rept. No. 113-171) on the bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2014, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

REPORT ON H.R. 2786, FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2014

Mr. CRENSHAW, from the Committee on Appropriations, submitted a privileged report (Rept. No. 113-172) on the bill making appropriations for financial services and general government for the fiscal year ending September 30, 2014, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 1012

Mrs. CAPPS. Mr. Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 1012, a bill originally introduced by Representative MARKEY of Massachusetts, for the purposes of adding cosponsors and requesting re-printings pursuant to clause 7 of rule XII.

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

There was no objection.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2014

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the consideration of H.R. 2397, and that I may include tabular material on the same.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 312 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. 2397.

The Chair appoints the gentlewoman from Michigan (Mrs. MILLER) to preside over the Committee of the Whole.

□ 1418

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. 2397) making appropriations for the Department of Defense for the fiscal year ending September 30, 2014, and for other purposes, with Mrs. MILLER 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 Florida (Mr. YOUNG) and the gentleman from Indiana (Mr. VISCLOSKEY) each will control 30 minutes.

The Chair recognizes the gentleman from Florida.

Mr. YOUNG of Florida. Madam Chairman, I yield myself 5 minutes.

Madam Chairman, the subcommittee has produced this bill after months of bipartisan cooperation, months of hearings, and months of classified briefings. We present a bill today that includes a base funding of \$512.5 billion—\$3.4 billion below the CBO estimate of the President's request and approximately \$28.1 billion above the estimated fiscal year 2013 sequestration level. For Overseas Contingencies Operations, OCO, the bill includes \$85.8 billion, which is \$1.5 billion below last year's level.

We have worked closely with all parties. Mr. VISCLOSKEY has been involved in every step of the way on producing this legislation. Our committee staff is unrivaled anywhere in this Congress, and they have done a tremendous job for the subcommittee.

These are some highlights of the bill:

There is \$580 million to fully fund the authorized military pay raise; \$536 million to fully fund the anticipated fuel costs; \$950 million to fully fund the 2nd Virginia class submarine; \$922 million to restore Facility Sustainment, Modernization and Restoration funding; and \$692 million for military medical research, including \$246 million for cancer research and \$125 million for traumatic brain injury research.

During the next couple of days we are going to consider 100 amendments. So everybody be prepared: it's going to be a long day and a long night. And Madam Chair, to get us started off on the right track, I'm going to reserve the balance of my time.