

PROVIDING FOR CONSIDERATION OF H.J. RES. 75, SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN CONTINUING APPROPRIATIONS RESOLUTION, 2014; PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES; WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS; AND FOR OTHER PURPOSES

Mr. COLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 371 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 371

Resolved, That upon adoption of this resolution it shall be in order to consider in the House any joint resolution specified in section 2 of this resolution. All points of order against consideration of each such joint resolution are waived. Each such joint resolution shall be considered as read. All points of order against provisions in each such joint resolution are waived. The previous question shall be considered as ordered on each such joint resolution and on any amendment thereto to final passage without intervening motion except: (1) 40 minutes of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

SEC. 2. The joint resolutions referred to in the first section of this resolution are as follows:

(a) The joint resolution (H.J. Res. 75) making continuing appropriations for the Special Supplemental Nutrition Program for Women, Infants, and Children for fiscal year 2014, and for other purposes.

(b) The joint resolution (H.J. Res. 76) making continuing appropriations for the National Nuclear Security Administration for fiscal year 2014, and for other purposes.

(c) The joint resolution (H.J. Res. 77) making continuing appropriations for the Food and Drug Administration for fiscal year 2014, and for other purposes.

(d) The joint resolution (H.J. Res. 78) making continuing appropriations for national intelligence program operations for fiscal year 2014, and for other purposes.

(e) The joint resolution (H.J. Res. 79) making continuing appropriations for certain components of the Department of Homeland Security for fiscal year 2014, and for other purposes.

(f) The joint resolution (H.J. Res. 80) making continuing appropriations for the Bureau of Indian Affairs, the Bureau of Indian Education, and the Indian Health Service for fiscal year 2014, and for other purposes.

(g) The joint resolution (H.J. Res. 82) making continuing appropriations for the National Weather Service for fiscal year 2014, and for other purposes.

(h) The joint resolution (H.J. Res. 83) making continuing appropriations for the Impact Aid program of the Department of Education for fiscal year 2014, and for other purposes.

(i) The joint resolution (H.J. Res. 84) making continuing appropriations for Head Start for fiscal year 2014, and for other purposes.

(j) The joint resolution (H.J. Res. 85) making continuing appropriations for the Federal Emergency Management Agency for fiscal year 2014, and for other purposes.

SEC. 3. Upon adoption of this resolution it shall be in order to consider in the House the

bill (H.R. 3223) to provide for the compensation of furloughed Federal employees. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) 40 minutes of debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform; and (2) one motion to recommit.

SEC. 4. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of October 21, 2013.

SEC. 5. It shall be in order at any time through the calendar day of October 20, 2013, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

The SPEAKER pro tempore (Mr. WOMACK). The gentleman from Oklahoma is recognized for 1 hour.

□ 1245

Mr. COLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my good friend, the gentlelady from Rochester, New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. COLE. Mr. Speaker, yesterday, the Rules Committee met and reported a rule for the consideration of 10 different joint resolutions, all of which demonstrate House Republicans' continuing commitment to reopen necessary portions of our government.

The rule is a closed rule, which provides for 40 minutes of debate between the chairman and ranking member of the Committee on Appropriations for each joint resolution. Additionally, the rule provides for 40 minutes of debate between the chairman and ranking member of the Committee on Oversight and Government Reform for H.R. 3223, the Federal Employee Retroactive Pay Fairness Act. The rule also provides for a motion to recommit for each bill or joint resolution.

Additionally, the rule extends same-day authority for resolutions reported by the Rules Committee through the legislative day of October 21, 2013, thus continuing to allow the House the flexibility to continue to address the government shutdown. Finally, the rule permits the Speaker to entertain

motions to suspend the rules until October 20.

Here we are again, Mr. Speaker—day four of a government shutdown. Unfortunately for the American people, not much has changed. The Senate is still recalcitrant, unwilling to consider legislation that would reopen parts of the government. I do want to add an exception, though, and thank our friends in the upper Chamber for actually agreeing with us to exempt our military from these cuts, both civilian and uniform. The Senate, however, is still unwilling to go to conference to discuss the very serious fiscal issues facing this country. The Senate is also unwilling to consider any of the five pieces of legislation the House passed in the last 2 days, which will reopen parts of our government. Even so, House Republicans continue to bring legislation to the floor to meet the needs of American citizens.

Today's rule will allow for the consideration of resolutions that reopen the Bureau of Indian Education, the Bureau of Indian Affairs, the Indian Health Service, the WIC program, the National Weather Center, FEMA, our intelligence agencies, Impact Aid, Head Start—and the list goes on and on.

In addition, Mr. Speaker, this rule makes clear our commitment to the 800,000 Federal workers currently furloughed that they will, indeed, be paid. It is not their fault that Washington is dysfunctional in that Congress can't agree on the size and scope of government. Yet they are caught in the crossfire, wondering if they will be able to afford their mortgages and pay their utility bills. Mr. Speaker, that simply isn't fair. H.R. 3223, of which I am a proud cosponsor, would codify what we have done in every previous government shutdown: pay our Federal employees from the date on which the government shut down.

I particularly want to compliment in a bipartisan fashion our friends Mr. MORAN and Mr. WOLF, who worked together on this measure, who brought it forward and gathered many dozens of cosponsors from both sides of the aisle. Quite frankly, I think their example of bipartisanship and working together is something that we could all learn from.

Mr. Speaker, Democrats and Republicans alike agree that that's the responsible thing to do. House Republicans are working to deal with the real-world problems of our constituents. Republicans are working to reopen the government. However, we lack a willing partner in the Senate and in the President. Every time we have attempted to negotiate with them, they have told us to accept their plan. They have even rebuffed our attempts to go to conference. Therefore, House Republicans have been left with little choice except that of passing a number of smaller bills to see if the Senate would be willing to accept those. Again, I remark on one occasion, with respect to the military, that they

did, indeed, accept one, so I would urge them to do that with the others.

I urge support for the rule and the underlying legislation, and I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I thank my good friend for yielding me the time, and I yield myself such time as I may consume.

Unless the silent Members of the majority speak up, today's debate is a fait accompli.

For the last 2 days, Members of the majority have said publicly that they wish this government shutdown would end. In fact, a coalition of more than 218 Democrats and Republicans has publicly declared that it is ready to vote on the clean Senate CR. This 218 would be the majority, and we would pass it; and that's why the powerful minority, who has taken the government hostage, is doing all it can again today to prevent the Senate CR from coming to the House floor. It doesn't make any sense. Not only doesn't it make any sense; but, actually, were we to do that, we wouldn't have to be here today, trying to do these piecemeal pieces.

Last night, the Rules Committee proposed a rule for these 11 piecemeal funding bills before us today. They didn't go through a single meeting of a committee. At least, in the committee process, the subcommittees and committees would have given both Republicans and Democrats an opportunity to weigh in on these measures. Remember that half the population of the United States is represented by Democrats and that, in the last election, Democrat candidates for Congress achieved a million more votes than our Republican friends, but we are shut out of the process. Indeed, these bills were written yesterday afternoon and were brought straight to the Rules Committee, as so many are lately, in order to be rushed to the floor.

During our hearing, a colleague promised that the reckless approach would continue, even suggesting that we could see 150 more of these piecemeal bills before the majority agrees to end the government shutdown. That should take us to, maybe, October of next year. Yet, while they're willing to take 150 votes on bills the President would veto—and everybody knows the President would veto them—and the Senate would reject, they haven't allowed a single vote on the cure to the problem: bring up the CR, and put the government back to work.

Fortunately for the American people, no minority—no matter how powerful—can stop the will of the House if we exercise it. Unlike the Senate, a majority in the House can only be held back for so long. Thanks to the democratic spirit baked into our Chamber's rules, the majority will always succeed. For the more than 218 Members—a majority who has expressed a desire to vote on the clean CR—our most powerful tool is voting down the previous question and bringing the clean Senate CR to the floor to vote on.

Now, earlier this week, my Democrat colleagues and I urged the Chamber to vote "no" on the previous question so that we could bring the Senate bill to the floor. Not a single Republican joined our cause. Today, we are going to give you another chance. Following the debate on the rule, we will have a chance to vote down the previous question. While that may simply be legislative language to most people, what that will do is give us an opportunity—those of us who very strongly believe this government should work—to bring the CR, bring the shutdown to a close and put everybody back to work. I want to see by the end of this day that we can accomplish that, because words are no longer enough. Those Members of the majority who claim that they want to end the government shutdown get the opportunity today to stand up and vote. As I said the other day when we had the same opportunity, I would like them to put their voting cards where their mouths are.

Over the next hour, I encourage every Member of this Chamber to reflect on the damage that has already been wrought on our Nation because of the shutdown and on the damage that will ensue if we wait another day. The shutdown is costing the Nation \$300 million a day, and more than 800,000 workers are furloughed without pay. Today, we are going to vote—and, I think, almost unanimously—to pay them when the shutdown ends. A logical person would say, Why don't you bring them back to work? If they're going to be paid anyway, let them work. There is no answer for that. There must be some reason here that is available to only a few people as to why the majority wants to keep the government shut down.

We have to also end this because our State Department and intelligence employees need to go back on the job. A hurricane is bearing down right now on the State of Louisiana while 80 percent of the FEMA workers are furloughed. NASA had to turn off the Mars Rover, which was giving us so much information about the universe—stopping all the space exploration in its tracks.

I think one of the best things I've read to describe what we are doing in this House was said by a Republican. Because there is no plan here—there is no end game here—he is saying that what they are doing is laying the track ahead of the speeding train as it bears down on them.

The majority started the shutdown because they were dead set on repealing the Affordable Care Act; and I think, by doing this piecemeal, they think they can still do that. Throughout the process, they have issued dire predictions about the health care law and have warned that the law would hurt American workers. It is absolutely turning out not to be true.

In the last week, two of our Nation's biggest companies have responded to the Affordable Care Act by giving tens of thousands of their part-time employ-

ees full-time jobs. Guess who they are? One is the largest employer in the United States—Walmart. They are raising 35,000 of their part-time employees to become full-time employees in order to make them eligible for health insurance. Walt Disney announced that 427 employees at Disney World who have been hired as full-time employees will be given access to the health insurance plan. We also hear all the time—and I've really got to research this—that Delta Air Lines has said, they tell me, that the affordable care plan would cost them \$100 million a year. I surely would like to know how that's possible unless they plan to hire 70 million new employees, which would certainly be good for employment, but I see no earthly reason for them to do that. We need to know whether that's true or not since all of the rest of the dire predictions have turned out not to be.

The Affordable Care Act is working; but because of the majority, the government is not, and it's time for the majority to give up this losing game. I strongly urge my colleagues to vote "no" on the rule and on the underlying legislation; and, so importantly, I urge a "no" vote on the previous question. Then, Mr. Speaker, we can bring the clean Senate CR to the House floor, as we should have done weeks ago, and end this government shutdown today.

I reserve the balance of my time.

Mr. COLE. I yield myself such time as I may consume.

Mr. Speaker, I want to address a couple of points that my good friend raises; but before I do, I want to agree with her in that I think we all think the government ought to be open. I, actually, don't think there is much division about that, and folks have actually tried to do that. On our side of the aisle, every single piece of legislation we've brought to the floor during this period has either kept the government open in whole or in part, and I suspect we will continue to try and do that. So it's not the aim of either side here to shut down the government.

In terms of the Affordable Health Care Act, I certainly don't support it—I voted against it, and voted multiple times to repeal it and delay it—but I'll agree with my good friend on that, too, in the sense that there are times when we have actually worked together on both sides of the aisle to change it. My friends like to quite often mention there have been 41 or 42 efforts to repeal, delay, defund the bill; but they usually forget to add—and, quite frankly, some people on our side of the aisle forget to add—that seven of those have actually succeeded, that is, a Democratic Senate and a Democratic President agreed with them.

The proposals that we have on the table now in terms of the Affordable Health Care Act are immanently sensible and overwhelmingly popular. To put it quite simply, we just don't think that political appointees and elected officials ought to be treated differently

than other Americans. Now, we can get into a big fight about health care; but the reality is, right now, under the law, Members of Congress and their staffs can bring subsidies with them onto the exchange. No other American can do that. We can do this either way as far as I'm concerned. I could leave them back as Federal employees, and they could be treated like every other Federal employee—that's the acceptable solution to me at least—or we could allow other Americans to bring subsidies onto the exchange just like Members of Congress; but the underlying principle is that we ought to treat them all the same. Washington political appointees shouldn't be treated differently than the average American.

The second thing is, I think, very simple. We're not talking about delaying all of ObamaCare; but if we are going to allow big businesses to wait a year before they implement what they're required to do—if we are going to allow 1,100 organizations and many labor unions to do it—why shouldn't we allow the average American, at his choice, to delay it as well?

□ 1300

They don't want to delay. They can go onto the exchanges. The subsidies are still there. The tax programs are still there. Why shouldn't the average American have the same privilege that we've bestowed on Big Business, Big Labor, and countless organizations? That's what we're talking about.

To my friend's point here—and I suspect this is true of the debt ceiling a little bit further down the road—the Democratic approach is very simple: do everything I want, and then I'm willing to negotiate. We would like to sit down and talk now and see if we could find some common ground. We've got negotiators, conferees—the technical title—available to sit down and find common ground. We're not asking for something that is unreasonable, in my view. We're certainly not proposing something that is outside the scope of the type of things we've been able to agree on before.

The President, I want to add, is taking the same approach that the Senate has taken with regard to the continuing resolution with the debt ceiling. He has just simply said we have to raise it unilaterally. That's not a particularly popular vote, probably on either side of the aisle. It's certainly not on my side of the aisle.

I'm willing to work with the President on the debt ceiling. I did it in 2011. And I want to note for the record, that is something he never did when he was a Member of the United States Senate. He didn't vote to raise the debt ceiling when he had the opportunity to do it. Instead, he engaged in a lecture about debt. It probably was a lecture that was needed. Regardless, he did not do for George Bush what he's asking us to do for him.

I'm willing to do that. I'm willing to work with him on the debt ceiling. If

you voted for the Ryan budget, you envisioned the debt ceiling as being something that has to be raised while you deal with the underlying deficit. I do want to do something or be in a negotiation with the President about what to do on that deficit. I don't think that's an unreasonable position.

I think the real central issue in this is not the Affordable Care Act, not the debt ceiling, and, frankly, not even the government shutdown, as serious as that is. The real issue is whether my friends and the President of the United States will simply come to the table to negotiate. Will they put a counterproposal out there, or is it simply going to be: We insist in getting our way, in full, all the time? I don't think that's an acceptable way to arrive at common ground, and I don't think it's likely to succeed.

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

Ms. SLAUGHTER. Mr. Speaker, I'm so pleased to yield 4 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), our incredible member of the Committee on Rules.

Mr. MCGOVERN. I thank the distinguished ranking member for the time.

Mr. Speaker, here we are on day 4 of the Republican shutdown of the people's government.

The other day after meeting with the President at the White House, Speaker BOEHNER said:

At some point, we've got to allow the process that our Founders gave us to work out.

Mr. Speaker, I've studied American history, too, and what the Republican leadership is doing with this rule is a million miles away from what the Founders had in mind.

I'm comforted that Speaker BOEHNER has said privately that he wants to extend the debt ceiling. He also said he didn't want to shut down the government, yet here we are. I don't know what Senator CRUZ is saying privately, which is important, because he's apparently calling all the shots around here.

The rule before us today extends martial law rule until October 21. They have decided that they have the right to throw the rules and traditions of this House into the trash can for the next 2½ weeks. That's 4 days after we default on our obligations. That should make all of us very nervous.

The rule also makes in order 11 separate bills—many of which were never considered in committee or on the House floor—under a closed process with no amendments. I've been on and around the Rules Committee for quite a few years, Mr. Speaker, but I have never seen a rule like this.

I find it astounding that the Republicans have suddenly found religion on the need to go to conference on the budget, because for months and months and months and months they have refused to appoint budget negotiators. Suddenly, as the American people rise up in outrage over their tactics and their poll numbers fall off a cliff, my Republican friends all of the sudden now want to negotiate.

There's a very easy way to get past this: bring up the short-term clean continuing resolution that has already passed the Senate—at Republican sequester numbers, no less—and we will pass it with a bipartisan vote and end this unnecessary, harmful Republican shutdown. It is simple.

Mr. Speaker, not only is this process awful, so are many of the bills made in order under this rule. I want to talk about one in particular, the one that provides funding for WIC, the Women, Infants, and Children Nutrition Program. After months of trying to cut \$40 billion from the SNAP program, after months of demonizing poor people, after months of trying to slash food assistance programs across the board, Republicans would like us all to believe that they care about hunger in America all of the sudden.

Give me a break. Give me a break, Mr. Speaker. I say to my Republican friends: Where have you been? Where have you been on this issue?

Because of the sequester, we've already seen WIC clinics close and participation in the program fall. That means that fewer and fewer low-income women and children are getting help, the nutritious food that they need. This bill does not fix that.

The National WIC Association urges the House to oppose H.J. Res. 75, calling it "a cynical ploy to use low-income, nutritionally at-risk mothers and young children as political pawns for political ends." They are right, Mr. Speaker, this is a cynical ploy.

Enough is enough. I urge my colleagues to defeat this rule, pass the clean CR, and let the American people get on with their lives.

I would say to the Speaker of the House that all you need to do is schedule a vote. You don't even have to vote for it. If you schedule it, it will pass in a bipartisan manner and we can end this shutdown once and for all.

Please, Mr. Speaker, practice a little democracy in the people's House. Please, Mr. Speaker, give us a vote.

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

Just a quick point. My friend is always quite eloquent, and I know, frankly, very passionate and very well-meaning and very expert when he talks about nutrition programs, where he spent a great deal of time.

For the record, it's worth noting that we have increased nutrition programs broadly by 400 percent since George Bush became President. We doubled them, roughly, when Bush was President. Doubled them again since President Obama has been in office. What the Republican program is talking about is a 5 percent cut after a 400 percent increase based on reforms. I think it's maybe not quite so dire.

Again, I recognize my friend's good work in this area and hope that we have an opportunity to get to conference, have that discussion. I suspect the bill, if it comes back, may be closer to his liking than the bill that went out.

Mr. MCGOVERN. Will the gentleman yield?

Mr. COLE. I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. I thank the gentleman for yielding.

My objection with the Republican approach to the SNAP program is that 3.8 million people will lose their benefits, 170,000 veterans would lose their benefits, and we have a problem with hunger in America. We have close to 50 million people who are hungry, and 17 million are kids. We should all be ashamed of that. We should be coming together to solve the problem and not making it worse. That's where my frustration comes from.

Mr. COLE. Reclaiming my time, the rolls have been going up in a period we're supposed to be recovering. I think we have some genuine problems in this program in terms of reform. Again, that's the initial proposal. It's not out of bounds considering a 400 percent increase to have a 5 percent cut-back. We'll wait and see what comes out of the conference committee.

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

Ms. SLAUGHTER. Mr. Speaker, I'm delighted to yield 5 minutes to the gentleman from Maryland (Mr. HOYER), the Democratic whip.

Mr. HOYER. I thank the ranking member of the Rules Committee for yielding, and I thank Ms. SLAUGHTER for the extraordinary leadership she has shown and the work she has been doing.

Mr. Speaker, the people want their government open. A government of the people and for the people and by the people ought to be open. They want their dedicated Federal employees, who have been unfairly furloughed, to go back to work. They want to end the shutdown that is having negative consequences for our economy and for our national security and for the confidence of Americans that their government can work.

The only way to do so is by passing a clean, get-the-government-open funding bill to keep the government open while we discuss, negotiate, put forward our positions, a longer term agreement on the budget.

The Senate has acted, and acted responsibly, by passing a bill that will keep the government operating. They passed that bill with a number that was suggested by the Republican Party, Mr. Speaker. Now we have the opportunity to do the same thing right now and end this shutdown. Get the people's government back to work.

There are a growing number of Republicans who say they would vote for a bill which is so-called "clean," not with any of the poison pills that have been on it time after time after time. I tell them that this is your opportunity to back up your words with actions. Don't just say, "Let's end the shutdown." Vote with us in just a few minutes to end the shutdown.

On Wednesday, Majority Leader CANTOR said this:

We're trying to get this government open as quickly as possible.

"As quickly as possible" is in about 5, 10, 15, or 20 minutes. That's "as quickly as possible." I don't know if it's as quickly as probable, because I'm not sure that the majority leader means those words or that his party means those words, but we're going to have an opportunity to vote on it.

I say to my friend from Virginia, here is our chance to do so. To the gentleman from Oklahoma (Mr. LANKFORD), Mr. COLE's colleague, who said about the shutdown that he and his Republican colleagues have imposed: I would like to end it this afternoon; I say we can do it—he's right. In just a few minutes, Mr. LANKFORD is going to have the opportunity to vote that way. It's either empty rhetoric, or he means what he says.

Let's do it. Let's open government. Let's get the people's public servants back to work for them. Right here, right now, we can end this shutdown today, this afternoon, in just a few minutes.

We don't differ. As I understand it, everybody on both sides of the aisle says they don't want to shut down government. Mr. COLE says that. Ms. SLAUGHTER says that. I say that. We have the power, in a few minutes, to put people back to work for all of our constituents.

I urge my colleagues to vote "no" on this motion—the previous question, we call it, jargon for saying "let's move on." If we vote "no" on the previous question, we can put a bill on the floor which will put the government back to work this afternoon. Mr. COLE knows we can do that. I don't know that Mr. COLE will vote to do that. I think Ms. SLAUGHTER will vote to do that. I will vote to do that. Mr. ANDREWS will vote to do that. Others will vote to do that. If they do, if they match their actions with their talk, then we can open this government in just a matter of minutes.

Mr. COLE. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. WOODALL), my good friend and fellow member of the Rules Committee.

□ 1315

Mr. WOODALL. Mr. Speaker, I thank my friend from the Rules Committee for yielding me the time.

Mr. Speaker, I listened with great interest to what my friend, the minority whip, just said. He said, There are things that we agree on, why can't we get those things done? I would say that every single Member that the majority whip pointed out that said, I know they're going to vote for that, I know they're going to vote for that, I know they're going to vote for that—we have an opportunity today to vote to reopen parts of the Department of Homeland Security. I know we agree on that. Let's do that. We have the opportunity under this rule to go ahead and fund the WIC program. I know we agree on that. Let's do that.

I didn't come to that conclusion on my own, Mr. Speaker. I sit in the Rules Committee, and I listen to my colleagues. This happens to be a statement from the minority whip in a Rules Committee hearing. He said this: "The American people are obviously deeply distressed. They are distressed that when they see agreement, that that agreement is not made into law. We don't have an agreement on everything, but we do have an agreement. Let's move forward on that which we agree."

I agree. Every single provision that we are bringing to the floor today, I say, Mr. Speaker, is something on which we agree.

Mr. HOYER. The gentleman used my name. Will the gentleman yield?

Mr. WOODALL. I would be happy to yield if I have time remaining. The gentleman knows I would be happy to yield, and I absolutely will.

Let us move forward on that with which we agree. There is not one provision in this rule on which we disagree. And Mr. Speaker, you will not hear anyone on this floor say otherwise.

But it's not just the minority whip, who I would very much like to yield to if I have time remaining; it's the minority leader. The same Rules Committee hearing: "Here is a place where we are all in agreement. Whatever else we have, we can continue that conversation later."

"We can continue that conversation later." Let's do what we all agree on.

Mr. HOYER. Will the gentleman now yield?

Mr. WOODALL. I agree with my friend, the minority whip. I agree with the minority leader.

As I have said to my friend very respectfully, if I have time remaining at the end, I would be happy to yield. But at the moment, I do not. Very respectfully to my friend.

And it's not just my friend, the minority whip. It's not just the minority leader. It's President Barack Obama: "I want the American people to urge Congress soon to begin the work we have by doing what we all agree on. We already all agree on making sure middle class taxes don't go up. So let's get that done."

We did. Now some Republicans voted "no," and some Democrats voted "no." But the Chamber came together, and we got that done. We're in the same place today, Mr. Speaker.

If one of my colleagues on the other side of the aisle disagrees with any one of these provisions is not worthy of their vote, if they do not affirmatively want to see these programs reopen, I would like to hear that from my friends. But Mr. Speaker, they do.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. COLE. I yield such time as he may consume to the gentleman from Georgia.

Mr. WOODALL. I thank my friend for yielding.

I now yield to my friend from Maryland, the minority whip.

Mr. HOYER. I thank the gentleman for yielding.

Does the gentleman believe that we should shut down the government?

Mr. WOODALL. Reclaiming my time, I will say to my friend, I spent the entire month of August at every town hall meeting I could find, telling folks that government shutdowns were not the right plan for this Nation.

Mr. HOYER. I thank the gentleman for continuing to yield.

Then we agree not only on the small slices of which the gentleman has spoken and would draw on the floor today but on the whole. And we could put every employee back to work for the American people today because, as you say, we agree.

Mr. WOODALL. Reclaiming my time, Mr. Speaker, I would say to the gentleman that, no, we do not agree because the gentleman wants to continue to support those programs that are putting workers in my district out of work. They want to continue to support those programs that are taking health insurance away from families in my district. They want to continue to support those programs that we know are broken.

Folks, my constituency wants to do away with preexisting conditions. My constituency wants to ensure that every child has access to health coverage. But my constituency does not understand why we had to re-regulate the entire health care industry, destroying the 40-hour workweek, as my union friends have said, destroying quality health care plans that folks in my district have had but have now lost, breaking the promise the President made that if you like your health insurance, you can keep it. There's not a man or woman in this room that believes that promise has been kept. We were duped, Mr. Speaker, by that promise.

Today, however, we have straightforward, narrow bills. Not 2,400 pages of legislation, Mr. Speaker, but one idea at a time. Stand up, Mr. Speaker. Who doesn't believe that the Department of Homeland Security, focused on our Nation's security, should be funded? Stand up, and vote "no." But you believe that it should be, and you're going to vote "no" anyway.

Who doesn't believe that the Impact Aid Program from the Department of Education which helps children not just in my district but in every district, Mr. Speaker, who doesn't believe that ought to be funded? The truth is, everyone believes that ought to be funded. And yet they are going to stand up today and vote "no" anyway. They are encouraged to vote "no" by leadership. It's disappointing to me, Mr. Speaker.

I'm disappointed we can't agree on everything, but I recognize that we can't. I know that we agree on most things. Let's do those things on which we agree. Don't take my word for it.

Take President Obama's word for it. Let's begin the work we have by doing what we all agree on. Take NANCY PELOSI's word for it—let's do what we all agree on. We can continue the rest of that conversation later. Let's do what my good friend, the minority whip, who just left the floor, said: We don't have an agreement on everything, but we do have an agreement. Let's move forward on that with which we agree. I could not agree more, Mr. Speaker.

I urge a strong "yes" vote for this rule and a strong "yes" vote for every single underlying provision.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 45 seconds.

My colleagues have confused the fact that they have gone around saying how, indeed, throughout August and all the rest of this time, that they don't want to shut down the House, in some hope, I guess, that nobody would understand that when they shut down the House, that they had actually done it.

Now what my colleague is talking about from the Democrat side, what they are saying, let's do what we agree with, they are taking their word for it that you didn't want to shut down the House. So let's not do it. You cannot superimpose that notion onto the idea of setting up this government by dribs and drabs. None of us are for that. The Senate won't do it. You know this is an exercise in futility. But pretty soon, the previous question is coming up. You are going to have a chance to do what you said you didn't want to do, shut down the House. But I understand from what you have said that because of health care, because of health care and what you think it has done to people in your district, you are holding this country hostage.

Mr. WOODALL. Will the gentlelady yield?

Ms. SLAUGHTER. I don't have the time. My time has been given out.

I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, could the Chair tell me how much time the gentlewoman from New York has remaining?

The SPEAKER pro tempore. The gentlewoman from New York has 13 minutes remaining. The gentleman from Oklahoma has 12½ minutes remaining.

Mr. COLE. Mr. Speaker, I yield 2 minutes to my good friend from the great State of Florida (Mr. MICA).

Mr. MICA. Mr. Speaker, we are here on a Friday. The government has partially been shut down for some 4 days now.

Republicans have tried to be reasonable. Many of us did not like ObamaCare. Some folks, like myself—my family didn't have health care at certain times. And I thought we had a responsibility to help people who had preexisting conditions, help some of our young people. And we disagreed with the other side. They passed it. They said you'd know what was in the bill after we passed it. After we passed it, and it became the law, we saw what

was in it. The President, some 17 times now—many times in contravention of the law that was passed—changed the law.

Now when we came a few days ago, October 1, there wasn't money to run the government, but there was money to run ObamaCare. Still, many people were left in the lurch after many exceptions were made for special interest folks, even business. And I admit to being pro-business. They gave them a waiver.

We said that Members of Congress and also the White House staff and others should be under ObamaCare, and we said that the individual should also have a break here.

This is a system that some Democrats said was a train wreck. We didn't say that. But we should have the opportunity to make some changes. And we offered three opportunities to make changes—some of them minor—that we thought were fair.

But when you go out golfing the Saturday before the government is about to run out of money, when you don't show up for work on Sunday, and you come to work on Monday, as the United States Senate did, you can't negotiate. When you send people to the White House and sit there and say, we won't negotiate—

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. COLE. I yield my friend from Florida an additional 1 minute.

Mr. MICA. But our leaders, in good faith, went to the White House.

As a staffer, I used to get calls. I was a staffer for Senator Hawkins, and Ronald Reagan would ask me to help work with my boss and others to get things done.

I voted on this floor to impeach Bill Clinton. And Bill Clinton came back and worked with us. We balanced the budget.

Remember, after we had the last shutdown, '95, within 2 years, we balanced the budget. We reformed welfare. We balanced the budget. Actually, the debate here on September 11, just before September 11, was what to do with the surplus. So some good can come out of this, good people working together.

But when they won't negotiate, when they call you to the White House and they won't talk, when they go to Maryland, as they did, or wherever it was in the region here, and then tell folks that we're holding a gun to their heads, that's wrong.

Let's negotiate. Let's get this done for the American people.

Ms. SLAUGHTER. Mr. Speaker, I am feeling quite badly. I didn't know how much time I had remaining.

I am happy to yield 1 minute to the gentleman from Florida (Mr. MICA), if he would like.

I yield 2 minutes to the gentleman from Illinois (Mr. DANNY K. DAVIS) a member of the Committee on Oversight and Government Reform.

Mr. DANNY K. DAVIS of Illinois. I thank the gentlewoman from New York for yielding.

I oppose this rule, and I oppose the bill. I don't oppose it because my district does not need the assistance. I represent one of the most impoverished and disadvantaged districts in America. We have great need. Fortunately, many of my constituents know the difference between genuinely trying to help them or, as the guys in the barber shop might say, "gaming them." Or they may say, "Fool me once, shame on you; fool me twice, shame on me." Or they could say that this piecemeal approach is not going to cut it.

Poverty in my State of Illinois is at nearly 15 percent. And in my district, child poverty is 40 percent. Women, 28 percent; African Americans, 38 percent. Twenty-three percent of Asian Americans and 24 percent of Latinos in my district live in poverty. Overall, 196,478 people in my district live in poverty.

So you can see we need the assistance. But we also need affordable health care. We need LIHEAP. We need mortgage assistance. We need to get homeless people off the street during Chicago's cold winters. Therefore, I cannot support this piecemeal approach. What we need is a clean CR so that our employees can return to work and our people can receive the services and benefits that they so greatly need and rightly deserve. We need a clean CR.

Mr. COLE. Mr. Speaker, I yield 2 minutes to my good friend from Kentucky, the Honorable HAL ROGERS, the distinguished chairman of the Appropriations Committee.

Mr. ROGERS of Kentucky. I thank the gentleman for yielding.

Might I engage in a colloquy with the gentleman?

Mr. COLE. Certainly.

Mr. ROGERS of Kentucky. What is the normal time-honored procedure in the Congress when the two bodies disagree?

Mr. COLE. Will the gentleman yield?

Mr. ROGERS of Kentucky. I yield to the gentleman from Oklahoma.

Mr. COLE. Mr. Chairman, we schedule a conference, we go to conference, and we try to negotiate our differences.

Mr. ROGERS of Kentucky. That's the time-honored tradition. That's the way the place works. It's the way it should operate. That's regular order.

Now the Senate has passed the bill. The House has passed a bill, which disagree with each other. The House, two or three nights ago now, passed their motion to go to conference, and it passed the House. The Speaker of the House then appointed conferees from the House side and sent that to the Senate, waiting for the Senate to appoint conferees so that we can meet together, work out our differences, and bring that agreement back to each body, the House and the Senate.

□ 1330

Why aren't we proceeding on regular order in this case?

Do you have an answer?

Mr. COLE. If the gentleman will yield, no, Mr. Chairman, I do not. I

would just highly recommend to my friends we do, since it seems to be a good way to resolve our differences.

Mr. ROGERS of Kentucky. Reclaiming my time, that's the way we've done it for 200 years or so, and that is, when we disagree with the other body, we each appoint our conferees. The conferees go off and haggle and amend and argue and debate until there's some agreement that can be brought back to each Chamber, which then can reject or accept that conference report.

The House has acted. We're waiting on the Senate to appoint their conferees so that we can go off and work, 24 hours a day, if necessary, to come to an agreement, which we can do.

And I would urge the other body to honor the age-old tradition in the Congress. When you disagree with the other body, you appoint conferees to work out the differences, bring it back to each body, and I would hope that the Senate would do that.

Ms. SLAUGHTER. Mr. Speaker, I just want to say that regular order has not been the order of business in this House for a long time.

Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from California (Mr. FARR), ranking member of the Appropriations Subcommittee on Agriculture.

Mr. FARR. Thank you, Ms. SLAUGHTER, for yielding me the time.

Mr. Speaker, I am a member of the Appropriations Committee. This process is about appropriations. That's how we keep government open.

Unfortunately, we've never been able to get any of the appropriation bills to the floor because the Republicans won't appoint conferees to the joint committees, so we're doing a continuing resolution.

The continuing resolution is not new in this Congress. It's been done every year. The shocking thing is it's never been used as a weapon of destruction until now. We were here last year, same argument.

The health care bill is not the issue here. That's been law in this country for 3½ years. So for 3½ years, we've been appropriating money to keep government open.

What's the difference now?

The difference now is a new attitude, new breed, very mean, very conservative, very anti-government; and they're willing to bring their internal kind of power within their caucus to shut down the whole country, if not the whole world. It's totally irresponsible.

They argue, well, we can do this if we could change the health care. If the health care bill needs changing, bring it up in a bill. That's how we change things.

So I'm opposing this rule because this rule says, okay, let's bring up 10 parts of government. Let's bring up 10 parts. Let's just have multiple choice. Let's have a triage.

Which parts of government do you like?

I'd like to compliment my colleague, Mr. COLE, because in it we can't be

against all health care because we keep open, in one of these bills, H.J. Res. 80, the Indian Health Services, so obviously we're going to provide health services for some low-income people; but we're against any other system that might provide assistance for other kinds of low-income people.

So this is government by multiple choice. It's not working. That's why we oppose it. Let's bring the whole family, the whole Nation together.

Reject this rule. Defeat the previous question and defeat the rule, and get on with a CR that is in this House and can be voted on right now.

Mr. COLE. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I believe I've only got one more speaker in the room, so I wanted to inform my colleague that, after Mr. ANDREWS, I may be prepared to close.

I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. I thank my friend for the time.

Mr. Speaker, there's been an avalanche of talk from both sides, an avalanche of opinion. That's democracy.

I think there is one indisputable fact, and that is the one way to end the government shutdown today is for the House to pass the Senate bill and send it to the President. That would end the shutdown immediately.

Now, it's my opinion that a majority of Members of the House would vote in favor of that proposal if it reaches the floor. I think that's what would happen.

But it's my conviction, and I think it should be our shared conviction, that we ought to take a vote on it. We ought to let all 433 Members that are present here cast a vote on whether they want the Senate bill to pass or not; and if our side wins, fine. If our side loses, that's fine too. That's democracy.

After this avalanche of talk, there is going to be a chance, in a few minutes, for people to actually vote on this question; and this is not the technical, procedural language, but it's the reality language.

What this vote's really going to ask is this: Do you want the government shutdown to continue or not?

If you vote "no" that you don't want the government shutdown to continue, the Senate bill will come to the House floor this afternoon, and we'll take that vote.

If you vote "yes," then the Senate bill will not come to the House floor, and we'll continue on this everlasting process of burdening the American people, talking the issue to death, and not getting anything done.

I think we owe it to the American people to all stand up and raise our hands, either say "yes" or "no" on the Senate bill. If your answer is "no," your answer is "no." Mine would be "yes."

But the way to make that happen is to cast this vote in a few minutes. The question on this vote is, Do you want the government shutdown to continue or not?

If your vote is “no,” then we vote on the Senate bill. If your vote is “yes,” then we don’t, and the shutdown continues.

The American people deserve this vote.

Mr. Speaker, give us this vote.

Mr. COLE. Mr. Speaker, I have some good news I want to announce here just shortly.

But I want to note, for the record, my friends quite often make the point that they don’t like a piecemeal approach. The reality is, if you look at actions, sometimes they do. They like it until they don’t.

I would point out we had, of course, H.R. 3210 here, which funded the military, by our good friend from Colorado (Mr. COFFMAN). I think, in a very bipartisan way, we voted overwhelmingly on both sides to fund the military and most of the contracting and civilian employees.

There is a little disagreement with the administration about that right now, but that’s half the discretionary budget taken care of in a “piecemeal approach.”

Today the administration just announced, and I commend them for doing it, and I commend my friend because she announced she was going to be supportive of this too, and I think we all are. It was very evident in the Rules Committee, H.R. 3223, the Federal Employee Retroactive Pay Fairness Act.

The administration’s just announced that they’re going to support that legislation. The President looks forward to signing it, and that’s a bipartisan agreement between both sides and, frankly, a product of the work of our mutual good friends, the gentleman from Virginia (Mr. MORAN) and the gentleman from Virginia (Mr. WOLF), who found common ground and, in a piecemeal approach, moved us closer to a solution.

So I think that’s maybe not the greatest news in the world, but on a day where there’s not as much good as we would all like, some good news. And I would hope my friends would look at the individual pieces of legislation that are coming, where we mostly agree, and accept those.

We don’t have to agree on everything, as the point’s been made by several, to agree on some things. Those are areas that we do agree. And if we can fund our military in this fashion, and if we can make sure that our Federal employees are not going to lose any pay, retroactively, certainly, one step at a time, we can walk in the right direction and turn back on critical parts of our government. I hope that’s what we’re moving toward, Mr. Speaker.

So my friend knows, I’m quite prepared to close whenever she wishes to close.

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

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

I am absolutely going to vote to retroactively fund the Federal employees because that’s the best I can do, on that one issue. It is a matter of basic fairness, but it is not good enough.

The fact is that the Federal employees will not get paid their retroactive money until after all this charade is over. We have no idea when that’s going to be.

Let me reiterate again what all my colleagues have said: we can do it right now, put them back to work and let them get their paycheck.

I’m embarrassed every time I pass the Capitol Police at what’s happening to them. It bothers me terribly to hear my friends at the State Department say that they’re working on fumes.

We cannot run the Government of the United States, which is the beacon of democracy, has been the pattern for countries all over the world, by saying we’re going to fund this piece over there and that piece over there, and we don’t care what happens to the rest of it. That’s not what we are here for.

Certainly, we will fund that one piece; but I can tell you right now, the Democrats are not going to do any of the rest of it because the Senate is not going to take it up and the President is not going to sign it.

We are simply wasting time, and we’re taking up valuable time, and we are worrying the country half to death.

For heaven’s sake, when we do this previous question, let us do the right thing. Vote “no” and get all these folks back to work.

Does it literally make sense to anybody who either manages a household or their own business that we would say to everybody, go home and rest around here or there; we’ll pay you later when we decide you can come back, for not being here. That makes absolutely no sense.

Let them go back to work. We’re going to pay them. Pay them now for the work they’re doing. Pay concurrently with work.

Doesn’t that make more sense?

Does it really make any sense at all that we’re saying to them, we have no idea what the end game is here. You may be sitting around for a very long time, while the country pays \$300 million a day of the cost of the shutdown.

For heaven’s sake, I would say once again that we have to do this previous question today. We have to stop this nonsense. It is humiliating us. We cannot go on with this another week.

We’re only here today to try to make it look like we’re doing something because the government’s shut down, and we know it. Those bills that we’re voting on today had no committee action, nothing. The Senate has made perfectly clear they’re not going to take them up. They will not become law, as every school child knows.

Now, those who vote “no” on ordering the previous question will be giving this Chamber what the leadership of the majority has not, and that will be the real chance to vote this down so that we can put the CR on the calendar and stop the shutdown now, today.

It doesn’t have to go back to the Senate. The President’s waiting for it.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

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

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I urge my colleagues. Mr. Speaker, I beg my colleagues, I do implore my colleagues, for goodness sakes, come to the floor, defeat the previous question. Vote “no.”

Mr. Speaker, I yield back the balance of my time.

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

I want to thank my good friend from New York. She’s always a terrific, frankly, counterpoint and debater, and we agree on some things. We both agree that the government shutdown’s not a good thing.

Frankly, there’s a strong bipartisan agreement. It’s not something that either side wished to achieve, and it’s something we ought to be working together, step by step, to try and undo; and, frankly, we’ve made a little bit of progress.

Again, the idea that it never works to work piecemeal, it certainly did with respect to the United States military, civilian defense force, and contractors. That’s exactly what we did.

We passed something out of here; and the Senate, which said it wasn’t going to agree to anything, magically did.

Now we’re going to, hopefully, eventually pass H.R. 3223 out of here to guarantee back pay. I think most people on both sides of the aisle will support that. The President’s indicated he’ll sign it, which suggests to me that the Senate will probably take it up and move on it. So, voila.

Once again, just working through the process, we’ve found something that we can agree on. The differences here should not be so great that they can’t be bridged.

Just to remind everyone of the history, we have placed multiple offers concerning the Affordable Care Act before the Senate. The last offer seems to me something that we ought to be able to agree on, or certainly be willing to sit down and discuss. It only has two points, and it’s basically a question of fairness.

Why should Members of Congress and high appointees in the executive branch and our staffs go into the exchange and be able to bring subsidies with us, when no other American can do that?

It’s just not fair.

Now, we could amend the law and let everybody come into the exchanges with subsidies. That would be fair. Or we could say, you know, really, Members of Congress and their staff are at a fundamental level employees of the Federal Government and they ought to be in that, and that would be fair. But let's treat everybody the same.

More fundamentally, currently, the President has unilaterally decided to exempt 1,100-plus organizations. He's unilaterally, in a questionable measure, constitutionally, decided to suspend parts of the law for a year and exempt Big Business.

We think, gosh, if you're going to do that, shouldn't every single American have the right to decide whether or not they want to participate in this for just 1 year until everybody is actually operating under the same system?

That too is a question of fairness. Give every individual American the same relief from a mandate that you're giving Big Business and Big Labor. It just seems to me commonsensical.

It doesn't mean you have to stop the exchanges.

□ 1345

You don't have to undo the program. Just treat everybody the same. Be fair. That's the Republican proposal in front of the Senate right now, and, frankly, I think they probably don't want to discuss it because it's a hard one to say "no" to because it's fundamentally fair. And that's all we've asked, is that the Senate, which has rejected it, at least come to conference and talk about it.

The real issue here beyond the questions of policy is whether the Senate is going to be allowed to dictate unilaterally what the House does. Is it just going to say, no, you've to do it our way? We're not going to negotiate. We're not going to go to conference. We're not going to deal with you. You have to do it our way. That's not the way the system was set up.

My friend, Chairman ROGERS, pointed that out quite succinctly. We've got a way to handle this. It's called go to conference, argue, and work out the differences. And I suspect we're going to see the same thing a little bit down the road from the President, who's told us and told the Speaker this week, I'm not going to negotiate with you on raising the debt ceiling in the United States. You just have to do it unilaterally. You have to put the country further into debt without any discussion of what we can do to change the trajectory of that debt.

Now, that's a remarkable change from where he was in August of 2011. A remarkable change. He was in a very different place and position and was willing to sit down and talk. I don't know why he would change that now.

So I think we should do something in this bill to build on this piecemeal approach. We should pass these different measures. We agree these parts of government ought to be open; and we

should continue to work through, conference with our friends in the Senate and ultimately in negotiation with the President of the United States on the debt ceiling.

And so I urge the adoption of this rule.

In closing, I'd like to, again, say that one of the basic functions of Congress is to fund government. This rule would allow 10 or more pieces of that government to open again to provide for crucial services that they provide. I would urge my colleagues to support this rule and the underlying legislation.

Ms. JACKSON LEE. Mr. Speaker, I again rise in strong opposition to the rule and the underlying resolution.

I oppose this rule because it is not a serious effort to end the government shutdown engineered by House Republicans by cherry-picking some programs to fund while leaving unfunded other programs critical to our nation and its future.

Both President Obama and Senate Majority Leader REID have made it crystal clear that they will not accept this game-playing because the piecemeal strategy now being pursued by House Republicans is not an honest or serious option to reopen the government and will not end the impacts of this shutdown that extend across our country.

Mr. Speaker, USA Today said it best and I quote:

House Republicans who forced the government closure offered to reopen some of the most popular programs, such as the Department of Veterans Affairs, on a piecemeal basis. It's like seizing a school bus full of kids then offering to release the cutest ones. The mounting toll will increasingly expose the shutdown's foolishness. The sooner the Republicans free all their hostages, the better.

Initially, our friends across the aisle were content to take the whole nation hostage by refusing to fund the government unless the Affordable Care Act was defunded. That effort failed. Undaunted, House Republicans tried again. The effort failed again.

This past Monday, the House Republicans refused for the third time to take up and vote on the clean CR passed by the Senate last week, and which the President has stated publicly on several occasions he would sign.

Instead House Republicans voted to shut down the government.

Now faced with strong public backlash—more than 70% of Americans disapproving of the government shutdown engineered by the House Republicans, the majority is trying to extricate themselves from this debacle by bringing to the floor and passing "mini-CRs" providing minimal funding for the following programs that enjoy strong and broad public support:

- (1) Nutrition Assistance for Low-Income Women and Children Act (H.J. Res. 75);
- (2) Nuclear Weapon Security & Non-Proliferation Act, (H.J. Res. 76);
- (3) Food and Drug Safety Act (H.J. Res. 77);
- (4) Preserving Our Intelligence Capabilities Act (H.J. Res. 78);
- (5). Border Safety & Security Act (H.J. Res. 79);
- (6) American Indian and Alaska Native, Health, Education, and Safety Act (H.J. Res. 80);

(7) National Weather Monitoring Act (H.J. Res. 82);

(8) Impact Aid for Local Schools Act (H.J. Res. 83);

(9) Head Start for Low-Income Children Act (H.J. Res. 84);

(10) National Emergency and Disaster Recovery Act (H.J. Res. 85); and

H.R. 3223—Federal Employee Retroactive Pay Fairness Act (H.R. 3223).

Mr. Speaker, these ploys are a cynical waste of time giving false hope to innocent Americans who depend on the services provided by these programs. But House Republicans know they have no chance whatsoever of becoming law. The Senate will not pass them and the President would veto these piece-meal measures if they made it to his desk.

All we are doing is wasting time when we should be helping people.

We need to pass the clean CR approved by the Senate so we can keep our promises to our veterans, as well as the doctors, nurses, and hospital workers who take care of our wounded and healthy warriors.

We need to pass the clean CR approved by the Senate so we can fund our engineers and technicians who maintain all of our critical military equipment to keep our troops safe and take care of national security infrastructure.

We need to pass the clean CR approved by the Senate so we can fund our IT security folks who protect us from cyber-attacks, and our astronauts who risk their lives to push the technical boundaries of knowledge for all mankind.

These exceptional Americans, and the people who depend on them and benefit from their work, do not deserve to have been locked out of their workplaces since Tuesday.

These exceptional Americans deserve a Congress that does its job and keeps America open for business.

For these reasons and more, I oppose this rule and the underlying amendments it makes in order and urge my colleagues to join me in urging the passage of H.J. Res. 59 as amended by the Senate so that the federal government will reopen for business to serve the American people and end the disruption in the lives of 800,000 dedicated workers who take pride in the greatest jobs in the world: serving the American people.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 371 OFFERED BY
MS. SLAUGHTER OF NEW YORK

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

Sec. 6. Immediately upon adoption of this resolution the joint resolution (H.J. Res. 59) making continuing appropriations for fiscal year 2014, and for other purposes, with the House amendment to the Senate amendment thereto, shall be taken from the Speaker's table and the pending question shall be, without intervention of any point of order, whether the House shall recede from its amendment and concur in the Senate amendment. The Senate amendment shall be considered as read. The question shall be debatable for one hour equally divided and controlled by the chair and ranking member of the Committee on Appropriations. The previous question shall be considered as ordered on the question of receding from the House amendment and concurring in the Senate amendment without intervening motion or demand for division of the question.

Sec. 7. Clause 1(c) of rule XIX shall not apply to the consideration of H.J. Res. 59 as specified in section 6 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. COLE. 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.

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

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 8 of rule XX, further proceedings 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 subject to the call of the Chair.

Accordingly (at 1 o'clock and 47 minutes p.m.), the House stood in recess.

□ 1430

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at 2 o'clock and 30 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 371; adopting the resolution, if ordered; and agreeing to the Speaker's approval of the Journal, if ordered.

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

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.J. RES. 75, SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN CONTINUING APPROPRIATIONS RESOLUTION, 2014; PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES; WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS; AND FOR OTHER PURPOSES

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 371) providing for consideration of the bill (H.J. Res. 75) making continuing appropriations for the Special Supplemental Nutrition Program for Women, Infants, and Children for fiscal year 2014, and for other purposes; providing for consideration of motions to suspend the rules; waiving a requirement of clause 6(a) of rule XIII

with respect to consideration of certain resolutions reported from the Committee on Rules; 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 223, nays 184, not voting 24, as follows:

[Roll No. 519]

YEAS—223

Aderholt	Gowdy	Petri
Amash	Granger	Pitts
Amodei	Graves (GA)	Poe (TX)
Bachmann	Graves (MO)	Pompeo
Bachus	Griffin (AR)	Posey
Barletta	Griffith (VA)	Price (GA)
Barr	Grimm	Radel
Barton	Guthrie	Reed
Benishek	Hall	Reichert
Bentivolio	Hanna	Renacci
Bilirakis	Harper	Ribble
Bishop (UT)	Harris	Rice (SC)
Black	Hartzler	Rigell
Blackburn	Hastings (WA)	Roby
Boustany	Heck (NV)	Roe (TN)
Brady (TX)	Hensarling	Rogers (AL)
Bridenstine	Holding	Rogers (KY)
Brooks (AL)	Hudson	Rogers (MI)
Brooks (IN)	Huelskamp	Rohrabacher
Broun (GA)	Huizenga (MI)	Rokita
Buchanan	Hultgren	Rooney
Bucshon	Hunter	Ros-Lehtinen
Burgess	Hurt	Roskam
Calvert	Issa	Ross
Camp	Jenkins	Rothfus
Campbell	Johnson (OH)	Royce
Cantor	Johnson, Sam	Runyan
Capito	Jordan	Ryan (WI)
Carter	Joyce	Salmon
Cassidy	Kelly (PA)	Sanford
Chabot	King (NY)	Scalise
Chaffetz	Kingston	Schock
Coble	Kinzinger (IL)	Schweikert
Coffman	Kline	Scott, Austin
Cole	Labrador	Sensenbrenner
Collins (GA)	LaMalfa	Sessions
Collins (NY)	Lamborn	Shimkus
Conaway	Lance	Shuster
Cook	Lankford	Simpson
Cotton	Latham	Smith (MO)
Cramer	Latta	Smith (NE)
Crawford	LoBiondo	Smith (NJ)
Crenshaw	Long	Smith (TX)
Culberson	Lucas	Southerland
Daines	Luetkemeyer	Stewart
Davis, Rodney	Marchant	Stivers
Denham	Marino	Stockman
Dent	Massie	Stutzman
DeSantis	McCarthy (CA)	Terry
DesJarlais	McCaull	Thompson (PA)
Diaz-Balart	McClintock	Thornberry
Duffy	McHenry	Tiberi
Duncan (SC)	McKeon	Turner
Duncan (TN)	McKinley	Upton
Ellmers	McMorris	Valadao
Farenthold	Rodgers	Wagner
Fincher	Meadows	Walberg
Fitzpatrick	Meehan	Walden
Fleischmann	Messer	Walorski
Fleming	Mica	Weber (TX)
Flores	Miller (FL)	Webster (FL)
Forbes	Miller (MI)	Wenstrup
Fortenberry	Mullin	Westmoreland
Fox	Mulvaney	Whitfield
Franks (AZ)	Murphy (PA)	Williams
Frelinghuysen	Neugebauer	Wilson (SC)
Gardner	Noem	Wittman
Garrett	Nugent	Wolf
Gerlach	Nunes	Womack
Gibbs	Nunnelee	Woodall
Gibson	Olson	Yoder
Gingrey (GA)	Palazzo	Yoho
Gohmert	Paulsen	Young (AK)
Goodlatte	Pearce	Young (IN)
Gosar	Perry	

NAYS—184

Andrews	Barrow (GA)	Becerra
Barber	Beatty	Bera (CA)