

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. BURGESS. 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 on the resolution.

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 proceedings on this question will be postponed.

RESILIENT FEDERAL FORESTS  
ACT OF 2015

GENERAL LEAVE

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the bill, H.R. 2647.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 347 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. 2647.

The Chair appoints the gentleman from North Carolina (Mr. HOLDING) to preside over the Committee of the Whole.

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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. 2647) to expedite under the National Environmental Policy Act and improve forest management activities in units of the National Forest System derived from the public domain, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes, with Mr. HOLDING 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.

General debate shall not exceed 1 hour equally divided among and controlled by the chair and ranking minority member of the Committee on Agriculture and the chair and ranking minority member of the Committee on Natural Resources.

The gentleman from Pennsylvania (Mr. THOMPSON), the gentleman from Minnesota (Mr. PETERSON), the gentleman from Utah (Mr. BISHOP), and the tsentlewoman from Massachusetts (Ms. TSONGAS) each will control 15 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in strong support and as an original cosponsor of

H.R. 2647, the Resilient Federal Forests Act of 2015.

Since the inception of the National Forest System in 1905, the fundamental mission of the Forest Service has been to manage our Federal forests and grasslands to meet the needs of present and future generations. As a result, the Forest Service has played a critical role in rural America, partnering to produce timber, natural resources, and jobs, while sustaining the ecological health of the forests and surrounding watersheds.

National forests have been extremely successful in creating recreational and educational opportunities for millions of Americans. However, our forests are facing declining health and simply are not managed as well as they need to be due to numerous challenges that have grown over the past few decades.

Often unnecessary and prolonged planning processes limit the Service from effectively managing our forests. This also goes along with the constant litigation, or even the threat of litigation in some cases. Both of these situations keep boots in the office instead of in the forests and spend money on doing paperwork instead of work in the field.

The costs of suppressing and fighting wildfires has been a growing challenge for the Forest Service, with their fire costs increasing from 13 percent of the Forest Service budget in 1995 to approximately half of the annual budget today. This epidemic of declining health and catastrophic wildfires are in direct correlation to policies that have led to a dramatic decrease in managed acres. Timber harvests have drastically plummeted from almost 13 billion board feet in the late 1980s to only 3 billion board feet of timber in recent years. At the same time, the number of acres affected by the catastrophic wildfires has doubled from around 3 million acres during the second record timber harvest to 6 million acres now.

This bill reverses this cycle by ending the destructive fire borrowing problem that robs Peter to pay Paul, and it does so in a fiscally responsible manner, with the funds only made available for wildfire suppression. In my view, this legislation is the next step to build upon the groundwork laid by the 2014 farm bill and is an earnest attempt to give the Forest Service more authority and much-needed flexibility to deal with these challenges of process, funding, litigation, necessary timber harvesting, and much-needed management.

H.R. 2647 incentivizes and rewards collaborations with the private sector on management activities. It allows for State and third-party funding of projects. The bill reauthorizes the resource advisory committees, known as RACs, while returning county shares of forest receipts for long-term stewardship projects.

Perhaps most importantly, the bill provides commonsense categorical exclusions, or CEs, for certain Forest

Service projects. These CEs are routine and have known impacts and will expedite the planning process to get projects up and running.

To conclude, this is a thoughtful piece of legislation that will do much to help the Forest Service to better do its job. I urge my colleagues to vote "yes."

I reserve the balance of my time.

Mr. PETERSON. Mr. Chair, I yield myself such time as I may consume.

I rise in support of H.R. 2647, the Resilient Federal Forests Act of 2015. This is a bipartisan piece of legislation that will address some of the burdensome regulations that have arisen from legal challenges and help get our forests actively managed the way we need.

For some time now we have been concerned about efforts undertaken by extreme environmental groups to twist laws to their liking. The so-called sue and settle strategy has led to policy changes decided by activists and bureaucrats. These policy changes often ignore congressional intent and fail to take into account constituent input and real facts on the ground. Additionally, this means a less transparent and less accountable regulatory process. H.R. 2647 will simplify forest management activities, thereby reducing some of this bad behavior.

The bill also includes an important budgetary fix to help address the rising cost of wildfires. Just this year, the wildfires have burned hundreds of thousands of acres and caused millions of dollars of damage.

□ 1530

H.R. 2647 will allow access for our land management agencies to the resources they need to fight wildfires without having to rob their other accounts. The current practice of fire borrowing leads to taking away resources from productively managing our forests to keep them healthy and less prone to fire. This bill would end this practice and ensure that agencies have access to the needed resources to fight wildfire disasters all year.

Again, this is much-needed, bipartisan legislation that addresses many of the issues currently impacting forest management. I urge my colleagues to support H.R. 2647, and I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana (Mr. ABRAHAM).

Mr. ABRAHAM. Mr. Chairman, I want to thank my colleague from Arkansas (Mr. WESTERMAN) for introducing this bill and recognize the hard work done by the Agriculture and Natural Resources Committees to bring this important bill to the floor.

For too long, failure to properly manage our national forests had led to increased tree mortality from wildfires, droughts, insects, and disease. The Resilient Federal Forests Act gives the Forest Service and the Bureau of Land Management the tools needed to reverse this trend.

This bill will allow critical forest health projects to move forward by streamlining regulations, will give parishes and counties greater flexibility in how they use forestry revenues, and will ensure Federal agencies have increased access to fund in order to fight and prevent wildfires.

These reforms will put more Americans to work through increased management activities and timber production. It will give money back to our local community for infrastructure and education and will make our forested communities safer by reducing their vulnerability to wildfires.

In my home State of Louisiana, the Kisatchie National Forest covers 604,000 acres, with 382,500 of those acres in my district alone. In all, forestry and the forest products industries accounts for well over 18,000 jobs and over \$1 billion of income in my district.

The people of Louisiana know how valuable well-managed forests are to the health of our State and our economy. I would imagine forested communities throughout the country know this as well.

It is time we start being proactive instead of reactive when it comes to managing our national forests. The Resilient Federal Forests Act will put us back on track to realize the full potential of our forest resources.

I urge my colleagues to support this bill.

Mr. PETERSON. I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Michigan (Mr. BENISHEK), a member of the Conservation and Forestry Subcommittee.

Mr. BENISHEK. Mr. Chairman, I rise today in support of H.R. 2647, the Resilient Federal Forests Act of 2015.

I represent northern Michigan, which has over 20 million acres of Federal, State, and private forest land. Our forests are a vital part of the economy in northern Michigan that generate over \$16.3 billion per year and creates more than 77,000 jobs. In addition to forestry, the outdoor recreation industry also contributes \$18 billion to Michigan's economy and over 190,000 jobs to our State.

Healthy forests are vital to our way of life in northern Michigan. Like most in my district, I grew up exploring these forests, hunting, fishing, snowmobiling. It is a way of life for so many, not only for those who live up north, but for the millions who visit the forests every year from all around the country.

Sadly, many of our Federal forests are in a state of disrepair these days; they are overgrown, and especially in the Western United States, they are consumed by wildfire.

The Forest Service, which is entrusted with managing 10 percent of the continental United States land base, has identified approximately 58 million acres as being at high risk for

catastrophic fire. Even worse, by conservative estimates, over 56 billion board feet of timber have simply burned away in wildfires on Forest Service lands over the last 10 years.

Over the past 10 years, over a billion dollars of timber rotted on the stump instead of being sold. Those revenues aren't available to the U.S. Treasury. The Forest Service couldn't use the funds to buy seedlings to replant our devastated national forests. We are literally allowing jobs for American families to burn away in our poorly managed Federal lands. Nothing about the current process is working.

H.R. 2647 takes some very simple steps to allow our forests to become healthier and better managed for the future. This bill would streamline timber harvesting on Federal forests in existing land use plans, while reducing the threat of frivolous lawsuits related to forest management.

The Acting CHAIR (Mr. WOMACK). The time of the gentleman has expired.

Mr. THOMPSON of Pennsylvania. I yield the gentleman an additional 1 minute.

Mr. BENISHEK. In addition, this legislation would allow States and Federal forests to react faster to catastrophic wildfire events, thereby reducing the future risk to public lands.

Finally, this legislation includes a number of collaborative processes for tribal, State, and private contracting, which will lead to healthier and better managed forests.

I understand that many of my friends here today may live in areas with a few forests or low risk of wildfire. I ask all my colleagues here today, especially those not in heavily forested areas, to listen to your friends from forested districts.

Support this bipartisan, common-sense legislation and help improve the health of our forests.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. DUNCAN of Tennessee) assumed the chair.

#### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate insists upon its amendment to the bill (H.R. 1735) "An Act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes," agrees to a conference requested by the House on the disagreeing votes of the two Houses thereon, and appoints the following Members to be the conferees on the part of the Senate: Mr. MCCAIN, Mr. INHOFE, Mr. SESSIONS, Mr. WICKER, Ms. AYOTTE, Mrs. FISCHER, Mr. COTTON, Mr. ROUNDS, Mr. GRAHAM, Mr. REED (RI), Mr. NELSON, Mr. MANCHIN, Mrs. GILLIBRAND, Mr. DONNELLY, Ms. HIRONO, and Mr. KAINE.