

asset, A-10s continue to demonstrate their value on the battlefield.

Now, when the world turns to us to destroy this dangerous and growing threat, we turn to the A-10. It proves again that, until we have a suitable replacement for this one-of-a-kind attack jet, we must keep it flying.

CONGRESS MUST FUND THE GOVERNMENT

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, like many Members, I was pleased that Congress last month passed a bipartisan budget agreement that avoids yet another manufactured political crisis from hanging over the heads of America's hardworking families.

But Congress must still act to pass legislation to fund the government before December 11. Especially now, with very real national security threats, Congress must take the politics as usual out of the question, pass a clean bill without poison pill riders, and fund our government.

When I go home, I hear from my constituents every day that they just want Congress to do their job. They say it is time for responsible, bipartisan governing. I couldn't agree more.

I am ready—I know other Democrats are, and I know Republicans are as well—to continue to work together to avoid a government shutdown. But, without action, that won't happen.

Passing a budget and a funding bill that will keep the government open means we can work on the priorities of the American people, helping them send their kids to school, afford to buy a house, and, of course, protect national security.

We have to act together, and we have to do it soon.

WEAR RED WEDNESDAY TO BRING BACK OUR GIRLS

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, tomorrow is Wear Red Wednesday to Bring Back Our Girls, a day that I ask my colleagues to join me in remembering those affected by the ISIS-linked Boko Haram. In light of Friday's reprehensible terrorist attacks in Paris, our remembrance will be especially important.

As we lower our heads in somber prayer for the Parisian victims and raise our voices in disgust over ISIS' horrifying acts, I hope that we will also remember the millions of people around the world who have had their lives destroyed by ISIS and its affiliates. This, of course, includes the 15,000 people ISIS-linked Boko Haram has murdered in West Africa.

We will continue to wear red every Wednesday until we free the Chibok girls from Boko Haram, and we will

continue to tweet, tweet, tweet #bringbackourgirls, #joinrepwilson.

Please continue to pray for the people of Paris and continue to pray for the victims of Africa.

PROVIDING FOR CONSIDERATION OF H.R. 1737, REFORMING CFPB INDIRECT AUTO FINANCING GUIDANCE ACT; PROVIDING FOR CONSIDERATION OF H.R. 511, TRIBAL LABOR SOVEREIGNTY ACT OF 2015; AND FOR OTHER PURPOSES

Mr. COLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 526 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 526

Resolved, That at any time after adoption of this resolution the Speaker may, 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 bill (H.R. 1737) to nullify certain guidance of the Bureau of Consumer Financial Protection and to provide requirements for guidance issued by the Bureau with respect to indirect auto lending. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 511) to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the

chair and ranking minority member of the Committee on Education and the Workforce; and (2) one motion to recommit with or without instructions.

SEC. 3. Upon adoption of this resolution—

(a) the House shall be considered to have: (1) taken from the Speaker's table the bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; (2) stricken all after the enacting clause of such bill and inserted in lieu thereof the provisions of H.R. 5, as passed by the House; and (3) passed the Senate bill as so amended; and

(b) it shall be in order for the chair of the Committee on Education and the Workforce or his designee to move that the House insist on its amendment to S. 1177 and request a conference with the Senate thereon.

SEC. 4. In the engrossment of H.R. 3762, the Clerk shall strike title I and redesignate the subsequent titles accordingly.

□ 1230

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

Mr. COLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), my friend, 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 consideration of two important measures. First, the resolution provides a structured rule for consideration of H.R. 1737, the Reforming Consumer Financial Protection Bureau Indirect Auto Financing Guidance Act. The rule provides for 1 hour of debate equally divided and controlled by the chair and ranking member of the Financial Services Committee, makes in order three amendments submitted to the Rules Committee which were germane to the legislation, and provides for a motion to recommit.

In addition, the resolution provides a closed rule for consideration of H.R. 511, the Tribal Labor Sovereignty Act of 2015. The rule provides 1 hour of debate equally divided and controlled by the chair and ranking member of the Education and Workforce Committee, and provides for a motion to recommit.

In addition, Mr. Speaker, the rule facilitates a conference with the Senate on reauthorization of the Elementary and Secondary Education Act by replacing the text of S. 1177 with the text of H.R. 5, as passed by the House, and provides for a motion by the chair of the Committee on Education and the Workforce to request a conference with the Senate.

Finally, the rule directs the Clerk to strike a provision from the reconciliation bill which was already enacted

into law in the Bipartisan Budget Act of 2015, facilitating consideration of the bill by the Senate.

Mr. Speaker, H.R. 1737 passed out of the Financial Services Committee by a vote of 47–10. It nullifies a guidance put forward by the Consumer Financial Protection Bureau which the CFPB was specifically exempted from making in the first place. In addition to the CFPB's disregard for its statutory limitation, the CFPB's methodology is severely flawed. According to a study by Charles River Associates, the CFPB's methodology overestimates minorities by up to 41 percent, leading many to question the reliability of these results.

In addition, and more importantly to me, Mr. Speaker, the rule provides for consideration of H.R. 511, the Tribal Labor Sovereignty Act of 2015. When Congress passed the National Labor Relations Act in 1935, it specifically recognized all governments were excluded. Subsequent regulations and case law further recognized this exemption applies to territories, possessions, the District of Columbia, and State-operated port authorities. From the 1970s until 2004, the NLRB recognized that tribal governments are exempt from the NLRA as sovereign governments. Unfortunately, in 2004, the NLRB decided to reverse 69 years of prior precedent and strip tribes of their ability of self-government.

In our first terms in Congress, Chairman KLINE and I both worked to try and restore the sovereignty this board had stripped away. While unsuccessful at that time, I am happy we are now able to rectify this injustice.

H.R. 511, the Tribal Labor Sovereignty Act would unequivocally state that tribal governments are not subject to the National Labor Relations Act. I respect my friends who hold different opinions, but in this case, they are simply wrong. In the NLRB's 2004 decision, they made an arbitrary distinction between commercial activity and government activity. If you are a tribe and it is commercial activity, they said the NLRB could regulate it. But that same standard isn't applied to any other government exempted from the NLRA, regardless of whether it engages in commercial activities or not. Their nature, as a government, precludes their regulation under the NLRA.

Practically every county and city in this country has a golf course. Most States have a lottery. The National Park Service operates hotels. Virginia and other States sell alcohol. Many cities operate convention centers. All of these activities are not regulated under the NLRA. It should be the same with tribes.

In addition, Mr. Speaker, I am pleased that this rule sets up a process for us to go to conference on an ESEA reauthorization. The last time we considered an ESEA reauthorization was 13 years ago. It is far past time to reauthorize this critical program.

Mr. Speaker, I urge support for the rule and the underlying legislation.

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

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

Mr. Speaker, I appreciate the gentleman's yielding me the time.

Mr. Speaker, on January 5, 2011, newly elected Speaker John Boehner announced: "To my friends in the minority, I offer a commitment: openness, once a tradition of this institution but increasingly scarce in recent decades, will be the new standard . . . You will always have the right to a robust debate in an open process that allows you to represent your constituents, to make your case, offer alternatives, and be heard."

What we were promised was openness, but what we got was absolutely the opposite.

Mr. Speaker, I rise today to mark the breaking of a record, perhaps the worst kind of record: this has officially become the most closed session of Congress in American history. We are living it now.

Today marks the 45th closed rule in this session of Congress, and with each new closed rule that the majority approves, we will break the record anew. Under a closed rule, no amendments are allowed on the House floor, which limits debate and silences half of the American people who are represented by the minority of the House.

It is true that the trend toward more closed rules has been growing over the past 20 years under the leadership of both political parties, but my Republican colleagues have taken the trend to new heights. The Republican Congress, for example, passed more closed rules in 1 week in October of 2013 than in an entire year under Democrat control.

It is the work of the Rules Committee to report each rule that comes to the floor, and according to our statistics, in this session of Congress, the majority has chosen a closed rule more times than any other kind of rule.

Under this regime, the majority has wasted taxpayer money on their obsession with taking health care away from millions of people and held more than 60 votes to repeal or dismantle ObamaCare. They have spent over \$5 million of taxpayer money on a duplicative, politicized Benghazi special committee even after nine other House and Senate committees and one State Department committee had found nothing nefarious nor illegal. Benghazi was, yes, a tragedy, but it was not a conspiracy. To continue with their wasteful, politicized special committees, they created a special committee to investigate Planned Parenthood, even after grilling the president of Planned Parenthood, Cecile Richards, for 5 hours in a hearing and the chairman later declared that no law had been broken.

Ladies and gentlemen, this is what you get here for your taxpayer dollars.

While Americans are riding over rutted roads, traveling over unsafe bridges, using crowded and outdated airports, and our schools are crumbling around our children, this majority insists on wasting millions of dollars and our time not on governance, but on purely political goals. These distractions keep true regular order nothing but a mirage. This is the work that we got under Speaker Boehner's promise of openness.

As it turns out, Speaker RYAN promised the same openness for his tenure. On November 5, 2015, just after taking office, he said to a gaggle of reporters: "I want to have a process that is more open, more inclusive, more deliberative, more participatory, and that's what we're trying to do." We have heard that before.

He even explained the importance of an open legislative process and said: "So that every citizen of this country, through their elected Representatives, has the opportunity to make a difference. That is the people's House. This is the branch of government closest to the people."

Will we get that openness? Today gives us very little reason for hope.

Let me remind us that while we may have a new hand wielding the gavel, no amount of good intentions can overcome the dynamics in the radical Republican Conference because it remains the same.

Mr. Speaker, for this body to function as the Founding Fathers intended, we need debate and we need openness. For our constituents to be heard and for our institutions to thrive, we need debate and we need openness.

Democrats have always been willing to provide the votes to move the country forward on any bill that would come to the floor, and I would like to extend my well wishes to our new Speaker, PAUL RYAN, and express again our willingness to work together for the American people, because that is why we have been sent here.

Let me mention, if I may, that today, when we are concerned about bringing refugees and immigration, that we have been begging for 2 years or more for this House to take up an immigration bill, and the majority has refused to do so.

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

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

Mr. Speaker, it is not surprising I would differ from my good friend on whether or not we have an open process here. Frankly, I think we can all point to times in the past where each of us believe the other has been less than open. I recall, during the Democratic majority, we literally would bring appropriations bills to the floor with absolutely closed rules, something that violates the tradition of this House.

In terms of this legislation, I hope I am forgiven, but again, I find very little relevance of discussions of Benghazi and Planned Parenthood to this particular debate. I don't think it has anything to do.

The legislation in front of us really deals with two bills: H.R. 1737, the Consumer Financial Protection Bureau bill, actually seeks to simply restrain an agency from exercising authority that it is prohibited from exercising under the legislation, and all the amendments that were germane to that piece of legislation were indeed made in order.

H.R. 511, the Tribal Labor Sovereignty Act, frankly, is just simply: Does the NLRB have this jurisdiction or not? It doesn't take a lot of amendments. It is just a straight question. Our assertion is, obviously, that it does not. It has claimed authority it should not have, and we are simply restoring that to tribal governments.

□ 1245

So I actually think the rule in question facilitates the debate, allows those who have different ideas to present them if they are relevant, and I think we will end up with a good result.

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

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

If we defeat the previous question, I will offer an amendment to the rule to bring up H.R. 430, a bill to clean up the secret money in politics and give the American people the fair and transparent political system that they deserve.

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 gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. VAN HOLLEN), to discuss our proposal, the ranking member of the Committee on the Budget.

Mr. VAN HOLLEN. Mr. Speaker, I thank the ranking member of the Rules Committee, who began the discussion here by pointing out that here we go again. We say there is new leadership in town on the Republican side, but it is the same old closed process: closed rule, limit democracy, don't allow a full debate, and don't allow the people's House to decide on important questions for the country. When you have a closed rule, you are starting to close down democracy; you are limiting the ability of this House to make decisions on behalf of all the American people.

So we have, as part of the previous question, if you defeat the previous question, a proposal to also improve transparency and openness in the full political process, because this is the people's House, and we would hope that it would do the people's business. But we also know that there are a lot of special interests out there that are

spending millions and millions and millions of dollars trying to get their way and substitute their special interests for the public interests. They are spending millions of dollars to try to elect candidates who will do their bidding.

What this proposal does is just say we need to be transparent and open about who is spending all that money. People in those interests can continue to spend money to try and elect candidates, but don't do it secretly. Do it openly.

So what we are asking is for this House to take up what is called the Disclose Act. The Disclose Act simply says that voters have a right to know which special interests around the country are spending millions and millions of dollars to try to influence their voting decision, because we believe that sunlight and transparency helps build accountability and that accountability helps build a stronger democracy.

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

Ms. SLAUGHTER. I yield the gentleman an additional 2 minutes.

Mr. VAN HOLLEN. Mr. Speaker, I thank the gentlewoman.

So after the Citizens United decision, that terrible decision, what happened? Special interests were able to spend millions and millions of dollars at a time. They weren't constrained by any limits on what kind of contributions they could make. So we got a lot more money, but we also got something else. We got essentially a political underground in spending. We had this system now where people try and channel their moneys in secret ways to hide themselves from the public.

So if we get to vote on the Disclose Act, we will see where we stand on the simple question of whether this body supports transparency, because, honestly, if you have got nothing to hide, you have got nothing to fear.

Right now we have these commercials out there. They say, "Paid for by Committee for a Better America," "Paid for by mom and apple pie," but the people who are paying for them don't want the voters to know who they are. They want it to be a closed process. We are asking that they disclose their identity.

In fact, in the Citizens United case, eight of the nine Supreme Court Justices said they were for more disclosure. And, in fact, recently, Justice Kennedy, who was one of the five in the 5-4 majority, said that the disclosure that he thought would work is not working. But they said the legislature can always act on this issue and improve the transparency and disclosure of the political process. Even Justice Scalia said that would be good for the political process.

We want to know who is spending all that money to try and influence decisions of the people's House. What is wrong with a little sunshine? What is wrong with transparency? Doesn't that

improve accountability, and doesn't that strengthen our democracy?

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

Ms. SLAUGHTER. I yield the gentleman an additional 30 seconds.

Mr. VAN HOLLEN. I thank the gentlewoman.

I understand that we are going to continue to have these closed rules apparently that are not going to make this an open process here, but for goodness' sake, Mr. Speaker, let's at least allow the American people to know who is spending all that money to try to influence voting decisions and, ultimately, influence the kind of legislation that comes to the floor of this House, because we need to be focused on the people's business, not the business of secret special interests.

Let the sunshine in. Let's allow transparency. Let's defeat the previous question so that we can vote on the Disclose Act and give the voters the right to know that they deserve.

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

Mr. Speaker, I am encouraged by the debate so far because my good friends on the other side said absolutely nothing about H.R. 1737 and H.R. 511, so I assume that they support these bipartisan pieces of legislation.

Just to reiterate, with all due respect to my friends, we are not here to talk about campaign finance reform, always a worthy subject of discussion. I remember a number of years bringing up campaign finance reform, trying to get rid of taxpayer subsidies for political conventions. We finally got that done and redirected that money to research for pediatric diseases but could never get it made in order when my friends were on the other side of the aisle, so I understand the frustrations. But again, we have got two important bills to consider, and I think that is where we ought to focus our attention.

In H.R. 1737, the Consumer Financial Protection Bureau has literally gone beyond the mandate laid out in Dodd-Frank. So I must say I am mystified that I am up here defending a provision of Dodd-Frank, but in this case, it is actually the right thing to do. They have tried to extend their authority into auto lending, which is specifically prohibited under the statute, so we are trying to make that crystal clear.

H.R. 511 does something that, frankly, this House can be very proud of. It recognizes and extends and restores tribal sovereignty in a very important area. That has actually been an area of bipartisan cooperation.

We worked together in the Violence Against Women Act across party lines to extend tribal sovereignty with respect to domestic crime and domestic violence committed by non-Indians on Indian land against Indian citizens. Now we are trying in the labor area to once again restore tribal sovereignty to what it was before 2004 when the National Labor Relations Board, frankly,

acted outside of its authority and seized jurisdiction it simply doesn't have under any statute ever passed by Congress.

I would invite my friends to focus on those two areas, hope they do, and certainly look forward to working with them in a bipartisan manner to pass both of those bills.

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

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

In closing, it really is a shame that the only way we can talk about campaign finance is to put it in our previous question because it is never a subject for debate here. That really is a shame because we have terrible situations going on in campaign finance unaccounted for, which is something that we have never had before in this country, certainly since the Watergate issue, where we cleaned up campaign finance considerably and did well with it. But now all that is gone and anything goes.

Mr. Speaker, this rule we are doing today strikes a provision of the reconciliation bill that the House passed last month in the latest futile Republican attempt to undermine the Affordable Care Act. This provision is unprecedented, is unacceptable, and we oppose it. The stricken provision eliminates an auto enroll requirement that employers who offer health insurance automatically enroll new employees in the health plan. The rule strikes this provision from the reconciliation bill because it became law as part of last month's bipartisan budget agreement.

My Republican colleagues may describe this as a simple housekeeping measure, but no matter what is done, the reconciliation bill will not become a serious piece of legislation.

The bill passed by the House would add 16 million people to the ranks of the uninsured, would increase health insurance premiums by up to 20 percent for millions of others, and would reduce women's access to important health services by ending Medicaid funding to Planned Parenthood clinics.

The best piece of housekeeping that Congress could do on the reconciliation bill is to set it aside and put an end, once and for all, to this fantasy of repealing affordable health coverage for millions of Americans. Instead, let us focus on the policies that actually help American families, such as improving access to education and to good-paying jobs.

Mr. Speaker, I hope that people paid some attention to this debate today. There is so much going on in the House that one wonders if we have.

Let me just reiterate that this is the most closed Congress in history. At every turn, the majority has chosen to shut out debate and silence the will of Members. We have heard again this morning the minority party, our constituents, and the democratic process itself are ailing, Mr. Speaker, and we must do something about it.

I urge my colleagues to vote "no" and to defeat the previous question so that we can take up Mr. VAN HOLLEN's good measure here and try to clean up, as even the members of the Supreme Court who voted to give us Citizens United would like to see us make some change there because they recognize that what they did has been a complete failure. Somehow they had this awesome wonderland idea that everybody would just continue to put their name down on their contributions, and we have certainly found that that is not the case. We don't even know what country a lot of the money is coming from.

Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question and also to vote "no" on the rule.

I yield back the balance of my time.

Mr. COLE. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I am somewhat mystified by the debate that my friends on the other side have offered. It has got a lot to do with campaign finance reform. Unfortunately, there is nothing in the legislation before us that deals with that.

I beg to differ in terms of whether or not the rules here are closed or inappropriate. Frankly, every amendment offered to H.R. 1737 that was germane was actually made in order; and, frankly, amendments on H.R. 511 simply aren't necessary. It is a yes or no type of question. Either the NLRB has jurisdiction that we think it has claimed inappropriately over Indian tribes and labor matters or it does not, and we think that clarifies things considerably.

So again, we also are a little bit surprised to see what we do think is a housekeeping matter in terms of striking something out of the reconciliation bill objected to. I just remind my friends they voted overwhelmingly for the budget deal itself that included that measure. There is nothing untoward going on here. We are just trying to move forward legislation that we think is important and remove things that have already been enacted into law. So it is, indeed, as suggested, a housekeeping matter.

Mr. Speaker, in closing, I want to encourage all Members to support the rule. H.R. 1737 undoes a regulation that should never have been made in the first place, and H.R. 511 restores a right, the right of self-governance, that should have never been taken away from tribal governments.

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

AN AMENDMENT TO H. RES. 526 OFFERED BY
MS. SLAUGHTER OF NEW YORK

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

SEC. 5. 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 bill (H.R. 430) to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements

for corporations, labor organizations, and other entities, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on House Administration, the chair and ranking minority member of the Committee on the Judiciary, and the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage 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 bill, 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 bill.

SEC. 6. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 430.

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 pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting House Resolution 526, if ordered, suspending the rules and passing H.R. 1694 and H.R. 3114.

The vote was taken by electronic device, and there were—yeas 245, nays 178, not voting 10, as follows:

[Roll No. 629]

YEAS—245

Abraham	Cole	Frelinghuysen
Aderholt	Collins (GA)	Gabbard
Allen	Collins (NY)	Garrett
Amash	Comstock	Gibbs
Amodei	Conaway	Gibson
Babin	Cook	Gohmert
Barletta	Costello (PA)	Goodlatte
Barr	Cramer	Gosar
Barton	Crawford	Gowdy
Benishek	Crenshaw	Granger
Bilirakis	Culberson	Graves (GA)
Bishop (MI)	Curbelo (FL)	Graves (LA)
Bishop (UT)	Davis, Rodney	Graves (MO)
Black	Denham	Griffith
Blackburn	Dent	Grothman
Blum	DeSantis	Guinta
Bost	DesJarlais	Guthrie
Boustany	Diaz-Balart	Hanna
Brady (TX)	Dold	Hardy
Brat	Donovan	Harper
Bridenstine	Duffy	Harris
Brooks (AL)	Duncan (SC)	Hartzler
Brooks (IN)	Duncan (TN)	Heck (NV)
Buchanan	Ellmers (NC)	Hensarling
Buck	Emmer (MN)	Herrera Beutler
Bucshon	Farenthold	Hice, Jody B.
Burgess	Fincher	Hill
Byrne	Fitzpatrick	Holding
Calvert	Fleischmann	Hudson
Carter (GA)	Fleming	Huelskamp
Carter (TX)	Flores	Huizenga (MI)
Chabot	Forbes	Hultgren
Chaffetz	Fortenberry	Hunter
Clawson (FL)	Fox	Hurd (TX)
Coffman	Franks (AZ)	Hurt (VA)

Issa	Miller (FL)	Schweikert
Jenkins (KS)	Miller (MI)	Scott, Austin
Jenkins (WV)	Moolenaar	Sensenbrenner
Johnson (OH)	Mooney (WV)	Sessions
Johnson, Sam	Mullin	Shimkus
Jolly	Mulvaney	Shuster
Jones	Murphy (PA)	Simpon
Jordan	Neugebauer	Smith (MO)
Joyce	Newhouse	Smith (NE)
Katko	Noem	Smith (NJ)
Kelly (MS)	Nugent	Smith (TX)
Kelly (PA)	Nunes	Stefanik
King (IA)	Olson	Stewart
King (NY)	Palazzo	Stivers
Kinzinger (IL)	Palmer	Stutzman
Kirkpatrick	Paulsen	Thompson (PA)
Kline	Pearce	Thornberry
Knight	Perry	Tiberi
Labrador	Pittenger	Tipton
LaHood	Pitts	Trott
LaMalfa	Poe (TX)	Turner
Lamborn	Poliquin	Upton
Lance	Pompeo	Valadao
Latta	Posey	Walberg
LoBiondo	Price, Tom	Walden
Long	Ratcliffe	Walker
Loudermilk	Reed	Walorski
Love	Reichert	Walters, Mimi
Lucas	Renacci	Weber (TX)
Luetkemeyer	Ribble	Webster (FL)
Lummis	Rice (SC)	Wenstrup
MacArthur	Rigell	Westerman
Marchant	Roby	Westmoreland
Marino	Roe (TN)	Whitfield
Massie	Rogers (AL)	Williams
McCarthy	Rogers (KY)	Wilson (SC)
McCaul	Rohrabacher	Wittman
McClintock	Rokita	Womack
McHenry	Roskam	Woodall
McKinley	Ross	Yoder
McMorris	Rothfus	Yoho
Rodgers	Rouzer	Young (AK)
McSally	Royce	Young (IA)
Meadows	Russell	Young (IN)
Meehan	Salmon	Zeldin
Messer	Sanford	Zinke
Mica	Scalise	

NAYS—178

Adams	Dingell	Lieu, Ted
Aguilar	Doggett	Lipinski
Ashford	Doyle, Michael	Loebsock
Bass	F.	Lofgren
Beatty	Duckworth	Lowenthal
Becerra	Edwards	Lowey
Bera	Ellison	Lujan Grisham
Beyer	Engel	(NM)
Bishop (GA)	Esty	Lujan, Ben Ray
Blumenauer	Farr	(NM)
Bonamici	Fattah	Lynch
Boyle, Brendan	Foster	Maloney,
F.	Frankel (FL)	Carolyn
Brady (PA)	Fudge	Maloney, Sean
Brown (FL)	Gallego	Matsui
Brownley (CA)	Garamendi	McCollum
Bustos	Graham	McDermott
Butterfield	Grayson	McGovern
Capps	Green, Al	McNerney
Capuano	Green, Gene	Meeks
Cárdenas	Grijalva	Meng
Cárdenas	Gutiérrez	Moulton
Carney	Hahn	Murphy (FL)
Carson (IN)	Hastings	Nadler
Cartwright	Heck (WA)	Napolitano
Castor (FL)	Higgins	Neal
Castro (TX)	Himes	Nolan
Chu, Judy	Honda	Norcross
Cicilline	Hoyer	O'Rourke
Clark (MA)	Huffman	Pallone
Clarke (NY)	Israel	Pascarell
Clay	Jackson Lee	Pelosi
Cleaver	Jeffries	Perlmutter
Clyburn	Johnson (GA)	Peters
Cohen	Johnson, E. B.	Peterson
Connolly	Kaptur	Pingree
Conyers	Keating	Pocan
Cooper	Kelly (IL)	Polis
Costa	Kennedy	Price (NC)
Courtney	Kildee	Quigley
Crowley	Kulmer	Rangel
Cuellar	Kind	Rice (NY)
Cummings	Kuster	Richmond
Davis (CA)	Langevin	Roybal-Allard
Davis, Danny	Larsen (WA)	Ruiz
DeGette	Larson (CT)	Rush
DeLaney	Lawrence	Ryan (OH)
DeLauro	Lee	Sánchez, Linda
DelBene	Levin	T.
DeSaulnier	Lewis	Sanchez, Loretta
Deutch		

Sarbanes	Smith (WA)	Vela
Schakowsky	Speier	Velázquez
Schiff	Swalwell (CA)	Visclosky
Schrader	Takano	Walz
Scott (VA)	Thompson (CA)	Wasserman
Scott, David	Thompson (MS)	Schultz
Serrano	Tonko	Waters, Maxine
Sewell (AL)	Torres	Watson Coleman
Sherman	Tsongas	Welch
Sinema	Van Hollen	Wilson (FL)
Sires	Vargas	Yarmuth
Slaughter	Veasey	

NOT VOTING—10

DeFazio	Payne	Takai
Eshoo	Rooney (FL)	Titus
Hinojosa	Ros-Lehtinen	
Moore	Ruppersberger	

□ 1329

Messrs. SIRES, VELA, and LARSON of Connecticut changed their votes from "yea" to "nay."

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Ms. ESHOO. Mr. Speaker, I was not present during rollcall No. 629 on November 17, 2015 due to an Energy and Commerce Committee hearing.

I would like to reflect that on rollcall No. 629, 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.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 243, nays 181, not voting 9, as follows:

[Roll No. 630]

YEAS—243

Abraham	Cramer	Grothman
Aderholt	Crawford	Guinta
Allen	Crenshaw	Guthrie
Amodei	Culberson	Hanna
Babin	Curbelo (FL)	Hardy
Barletta	Davis, Rodney	Harper
Barr	Denham	Harris
Barton	Dent	Hartzler
Benishek	DeSantis	Heck (NV)
Bilirakis	DesJarlais	Hensarling
Bishop (MI)	Diaz-Balart	Herrera Beutler
Bishop (UT)	Dold	Hice, Jody B.
Black	Donovan	Hill
Blackburn	Duffy	Holding
Blum	Duncan (SC)	Hudson
Bost	Duncan (TN)	Huelskamp
Boustany	Ellmers (NC)	Huizenga (MI)
Brady (TX)	Emmer (MN)	Hultgren
Brat	Farenthold	Hunter
Bridenstine	Fincher	Hurd (TX)
Brooks (AL)	Fitzpatrick	Hurt (VA)
Brooks (IN)	Fleischmann	Issa
Buchanan	Fleming	Jenkins (KS)
Buck	Flores	Jenkins (WV)
Bucshon	Forbes	Johnson (OH)
Burgess	Fortenberry	Johnson, Sam
Byrne	Fox	Jolly
Calvert	Franks (AZ)	Jones
Carter (GA)	Frelinghuysen	Jordan
Carter (TX)	Garrett	Joyce
Chabot	Gibbs	Katko
Chaffetz	Gibson	Kelly (MS)
Clawson (FL)	Gohmert	Kelly (PA)
Coffman	Goodlatte	King (IA)
Cole	Gosar	King (NY)
Collins (GA)	Gowdy	Kinzinger (IL)
Collins (NY)	Granger	Kline
Comstock	Graves (GA)	Knight
Conaway	Graves (LA)	Labrador
Cook	Graves (MO)	LaHood
Costello (PA)	Griffith	LaMalfa

Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer

Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)

Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—181

Adams
Aguilar
Amash
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth

Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larsen (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)

Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradner
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)

Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen

Vargas
Veasey
Vela
Velázquez
Visclosky
Walz

Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—9

DeFazio
Hinojosa
Moore

Pascrell
Payne
Ros-Lehtinen

Ruppersberger
Takai
Titus

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1337

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.

PERSONAL EXPLANATION

Ms. MOORE. Mr. Speaker, on rollcall Nos. 629 and 630, had I been present, I would have voted “no” and “no.”

FAIRNESS TO VETERANS FOR INFRASTRUCTURE INVESTMENT ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1694) to amend MAP-21 to improve contracting opportunities for veteran-owned small business concerns, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. FITZPATRICK) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 285, nays 138, not voting 10, as follows:

[Roll No. 631]

YEAS—285

Abraham
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Babin
Babin
Barr
Benishak
Bera
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Boyle, Brendan F.
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)

Carter (TX)
Chabot
Chaffetz
Cicilline
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Delaney
DelBene
Denham
Dent
DeSantis
DesJarlais
Dold
Donovan
Duffy
Duncan (SC)

Duncan (TN)
Ellmers (NC)
Emmer (MN)
Engel
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gabbard
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guinta
Guthrie

Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Keating
Kelly (MS)
Kelly (PA)
Kennedy
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Latta
Lipinski
LoBiondo
Loeb sack
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lujan Grisham (NM)
Lummis
Lynch

MacArthur
Maloney, Sean
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Mulvaney
Murphy (PA)
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
Olson
Palazzo
Palmer
Pascrell
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita

Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Russell
Ryan (OH)
Salmon
Scalise
Schradner
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thornberry
Tiberi
Tipton
Trott
Tsongas
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—138

DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gallego
Grayson
Green, Al
Grijalva
Gutiérrez
Hastings
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Kelly (IL)
Kildee

Larsen (WA)
Larsen (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lofgren
Lowenthal
Lowe
Luján, Ben Ray (NM)
Maloney
Carolyn
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Murphy (FL)
Nadler
Napolitano
O'Rourke
Pallone
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel