

Hensarling	McCarthy	Royce
Herrera Beutler	McCaul	Ruiz
Hice, Jody B.	McClintock	Ruppersberger
Higgins	McCollum	Rush
Hill	McDermott	Ryan (OH)
Himes	McHenry	Salmon
Holding	McKinley	Sarbanes
Honda	McMorris	Scalise
Hoyer	Rodgers	Schakowsky
Hudson	McNerney	Schiff
Huelskamp	McSally	Schrader
Huffman	Meadows	Schweikert
Huizenga (MI)	Meehan	Scott, Austin
Hunter	Meeks	Scott, David
Hurd (TX)	Meng	Sensenbrenner
Hurt (VA)	Messer	Serrano
Issa	Mica	Sessions
Jeffries	Miller (MI)	Sherman
Jenkins (KS)	Moolenaar	Shimkus
Jenkins (WV)	Mooney (WV)	Shuster
Johnson (OH)	Moore	Sinema
Johnson, Sam	Moulton	Sires
Jones	Mullin	Slaughter
Joyce	Mulvaney	Smith (MO)
Kaptur	Murphy (FL)	Smith (NE)
Katko	Murphy (PA)	Smith (WA)
Keating	Nadler	Speier
Kelly (IL)	Napolitano	Stefanik
Kelly (MS)	Neal	Stewart
Kelly (PA)	Neugebauer	Swalwell (CA)
Kennedy	Newhouse	Takano
Kildee	Noem	Thompson (CA)
Kilmer	Norcross	Thompson (MS)
Kind	Nunes	Thompson (PA)
King (IA)	O'Rourke	Thornberry
King (NY)	Olson	Tipton
Kinzinger (IL)	Palazzo	Tonko
Kirkpatrick	Pallone	Torres
Kline	Palmer	Trott
Knight	Pascrell	Tsongas
Kuster	Paulsen	Turner
Labrador	Payne	Upton
LaHood	Pearce	Valadao
LaMalfa	Perry	Van Hollen
Lance	Peters	Vargas
Langevin	Pingree	Vela
Larson (CT)	Pittenger	Velázquez
Latta	Pitts	Visclosky
Lawrence	Pocan	Walberg
Lee	Poliquin	Walden
Levin	Polis	Walker
Lewis	Pompeo	Walorski
Lieu, Ted	Posey	Walters, Mimi
Lipinski	Price (NC)	Walz
LoBiondo	Price, Tom	Wasserman
Loeb sack	Quigley	Schultz
Lofgren	Ratcliffe	Waters, Maxine
Long	Reed	Watson Coleman
Loudermilk	Reichert	Welch
Love	Renacci	Wenstrup
Lowenthal	Rice (NY)	Westerman
Lowey	Rice (SC)	Westmoreland
Lucas	Richmond	Whitfield
Luetkemeyer	Roby	Williams
Lujan Grisham	Roe (TN)	Wilson (FL)
(NM)	Rogers (AL)	Wilson (SC)
Luján, Ben Ray	Rogers (KY)	Wittman
(NM)	Rohrabacher	Womack
Lynch	Rokita	Woodall
MacArthur	Ros-Lehtinen	Yoder
Maloney,	Roskam	Yoho
Carolyn	Ross	Young (IA)
Maloney, Sean	Rothfus	Young (IN)
Massie	Rouzer	Zeldin
Matsui	Roybal-Allard	Zinke

ANSWERED "PRESENT"—1

Grayson

NOT VOTING—70

Barletta	Garamendi	McGovern
Bass	Granger	Miller (FL)
Bishop (GA)	Green, Al	Nolan
Black	Grijalva	Nugent
Butterfield	Hastings	Pelosi
Calvert	Heck (WA)	Perlmutter
Cárdenas	Hinojosa	Peterson
Clawson (FL)	Hultgren	Poe (TX)
Collins (NY)	Israel	Rangel
Comstock	Jackson Lee	Ribble
Crawford	Johnson (GA)	Rigell
Davidson	Johnson, E. B.	Rooney (FL)
Davis, Danny	Jolly	Russell
Edwards	Jordan	Sánchez, Linda
Ellison	Lamborn	T.
Fincher	Larsen (WA)	Sanchez, Loretta
Forbes	Lummis	Sanford
Foxx	Marchant	Scott (VA)
Franks (AZ)	Marino	Sewell (AL)

□ 1343

Messrs. GOHMERT, COFFMAN, LABRADOR, and CARTER of Georgia changed their vote from "yea" to "nay."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF H.R. 5538, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017; PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM JULY 15, 2016, THROUGH SEPTEMBER 5, 2016; AND FOR OTHER PURPOSES

The SPEAKER pro tempore. The gentleman from New York (Ms. SLAUGHTER) is recognized for 30 minutes.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Washington (Mr. NEWHOUSE) for graciously yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, despite the repeated claims by the majority that the Chamber is an open one and represents the American people, we have not had a single open rule since Speaker RYAN assumed the gavel. Although they claim there are many restricting amendments processed to prevent so-called "poison pill" amendments, nothing could be further from the truth, and, frankly, even poison pill amendments are allowable.

The bill before us contains several controversial policy riders that virtually guarantee the President's veto and blocks a number of amendments that would be in order under the standing rules of the House.

□ 1345

The bill drastically underfunds important agencies and programs by more than \$1 billion below the President's request. This sends a message that the majority puts what is best for their special interests ahead of what is best for the health of our communities.

I am particularly concerned that the bill makes draconian cuts to the Environmental Protection Agency, which will undercut the health and safety of all Americans—these cuts, despite the ongoing public health disaster in Flint, Michigan, where, for the rest of their lives, the children who were poisoned by lead in their drinking water could suffer from neurodevelopmental damage that could lead to everything from behavioral changes, to anemia, to hypertension.

All across the Nation, there are century-old water pipes in older cities in desperate need of replacement. Although lead pipes were banned 30 years

ago, there are an estimated 3 to 10 million still in service today. My district has an estimated 23,000 lead service lines that lead from the water main to the curb, and that is 40 percent of all the water lines in the district.

Multiple schools in the district recently tested have found elevated lead levels in their water sources. The majority refuses to make virtually any investments in our Nation's infrastructure as it crumbles. But as you know, Mr. Speaker, lead has been found in the drinking water in the Cannon Building, one of the legislative office buildings. I can almost guarantee you that before the next week is out, that that will be taken care of. I don't know how this Congress can ignore the needs of the young people in Flint, Michigan, and other children throughout this country who are drinking lead water in their schools such that we will take care of what happens here in Congress and completely overlook and ignore their needs.

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

Mr. NEWHOUSE. Mr. Speaker, being as we have no additional speakers, I just would like to inquire of the gentleman from New York if she is ready to close.

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

Mr. Speaker, every day we are here considering bills like this that will never become law, and every time we do that, that is another day that we have failed to combat the gun violence epidemic that is tearing our country apart.

Mr. Speaker, an epidemic of gun violence is happening all across the country, and the majority should stop the political games and the gimmicks. Instead of voting on another one-House bill that is sure to be vetoed by the President should it ever become a two-House bill, we should be voting on no fly, no buy. It is astonishing to American citizens that persons who are on the no-fly list as suspected terrorists can nonetheless buy guns.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up this important legislation. No fly, no buy is a commonsense, bipartisan bill that would keep guns out of the hands of suspected terrorists. In the interest of public safety, if nothing else, we should be doing that by all means. It is supported by nearly 90 percent of the public and deserves our consideration.

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 to vote "no" on ordering the previous question, the rule, and the underlying bill.

I yield back the balance of my time.

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

The rule we have considered today provides for consideration of an important and badly needed bill. This legislation funds critical activities, such as wildfire mitigation and response, PILT payments for counties with large amounts of Federal lands, fish hatcheries that are helping to meet salmon recovery goals, the \$12 billion maintenance backlog on our National Park Service lands, and the need to address the problem of lead in drinking water across our country.

This is also a fiscally responsible bill that reflects House Republicans' priorities in tackling our out-of-control national debt. This is accomplished by striking a smart balance between funding essential programs and making responsible reductions to lower priority activities to ensure we meet our tight budget guidelines. This bill includes provisions that will roll back and prevent many harmful Federal regulations that have had a chilling effect on business development and economic activity at a time when we can ill afford either.

The measure protects the rights of law-abiding Americans by prohibiting Federal agencies from issuing new closures of public lands to hunting and recreational shooting as well as from regulating the lead content of ammunition and fishing tackle.

Mr. Speaker, this legislation recognizes and respects the current fiscal landscape, lowers overall funding in the bill by \$64 million below current levels and \$1 billion below the President's request, yet it still provides the means necessary to fund the Department of the Interior and environmental programs that protect and promote our natural resources with a responsible, yet sustainable, budget.

Additionally, the measure provides critically needed funds to ensure forest health and combat wildfires, a priority for many living in the West who have seen devastating wildfires destroy homes, businesses, and millions of acres of land over the last few years.

This is a strong rule that provides for the consideration of a very important bill, and I urge my colleagues to support the rule's adoption and invest in a prosperous future for our country by passing the FY 2017 Interior and environment appropriations bill.

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

AN AMENDMENT TO H. RES. 820 OFFERED BY
MS. SLAUGHTER

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

SEC. 15. 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. 1076) to increase public safety by permitting the Attorney General to deny the transfer of a firearm or the issuance of firearms or explosives licenses to a known or suspected dangerous terrorist.

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 the Judiciary. 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. 16. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1076.

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 amend-

ment 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. NEWHOUSE. 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 of rule XX, further proceedings on this question will be postponed.

PROVIDING FOR CONSIDERATION
OF H.R. 4992, UNITED STATES FI-
NANCIAL SYSTEM PROTECTION
ACT OF 2016; PROVIDING FOR
CONSIDERATION OF H.R. 5119, NO
2H2O FROM IRAN ACT; AND PRO-
VIDING FOR CONSIDERATION OF
H.R. 5631, IRAN ACCOUNTABILITY
ACT OF 2016

Mr. BYRNE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 819 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 819

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4992) to codify regulations relating to transfers of funds involving Iran, and for other purposes. 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) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5119) to prohibit the obligation or expenditure of funds available to any Federal department or agency for any fiscal year to purchase or issue a license for the purchase of heavy water produced in Iran. All