considered for amendment under the fiveminute 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

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 305.

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.

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

Mr. POLIS. 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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3 p.m. today.

Accordingly (at 2 o'clock and 1 minute p.m.), the House stood in recess.

□ 1500

AFTER RECESS

The recess having expired, the House was called to order by the Speaker protempore (Mr. HULTGREN) at 3 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 229;

Adoption of House Resolution 229, if ordered;

Ordering the previous question on House Resolution 230; and

Adoption of House Resolution 230, if ordered.

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

PROVIDING FOR CONSIDERATION OF H.R. 1430, HONEST AND OPEN NEW EPA SCIENCE TREATMENT ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on order-

ing the previous question on the resolution (H. Res. 229) providing for consideration of the bill (H.R. 1430) to prohibit the Environmental Protection Agency from proposing, finalizing, or disseminating regulations or assessments based upon science that is not transparent or reproducible, on which the yeas and navs 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 231, nays 189, not voting 19, as follows:

[Roll No. 197]

YEAS-231

Abraham Gaetz Meehan Gallagher Aderholt Messer Mitchell Amash Gibbs Moolenaar Mooney (WV) Gohmert Amodei Mullin Arrington Goodlatte Babin Gosar Murphy (PA) Gowdy Bacon Newhouse Banks (IN) Noem Granger Barletta Graves (GA) Nunes Graves (LA) Olson Barr Graves (MO) Barton Palazzo Bergman Griffith Palmer Grothman Paulsen Biggs Bilirakis Guthrie Pearce Bishop (MI) Harper Perry Poe (TX) Bishop (UT) Harris Black Hartzler Poliquin Blackburn Hensarling Posev Herrera Beutler Ratcliffe Blum Hice, Jody B. Reed Bost Brady (TX) Reichert Higgins (LA) Brat Renacci Holding Bridenstine Rice (SC) Hollingsworth Brooks (AL) Roby Roe (TN) Brooks (IN) Hudson Buchanan Huizenga. Rogers (AL) Buck Hultgren Rogers (KY) Bucshon Rohrabacher Hunter Budd Hurd Rokita. Rooney, Francis Burgess Issa Jenkins (KS) Roskam Calvert Jenkins (WV) Ross Carter (GA) Rothfus Johnson (LA) Carter (TX) Johnson (OH) Rouzer Royce (CA) Chabot Johnson Sam Chaffetz Russell Jones Jordan Rutherford Cheney Jovce (OH) Coffman Sanford Cole Katko Scalise Kelly (MS) Collins (GA) Schweikert Collins (NY) Kelly (PA) Scott, Austin Comer King (IA) Sensenbrenner Comstock King (NY) Sessions Shimkus Conaway Kinzinger Knight Cook Shuster Costello (PA) Kustoff (TN) Smith (MO) Cramer Labrador Smith (NE) Crawford LaHood Smith (NJ) Culberson LaMalfa Smith (TX) Curbelo (FL) Lamborn Smucker Davidson Lance Stefanik Davis, Rodney Latta Stewart Denham Lewis (MN) Stivers Dent LoBiondo Taylor DeSantis Long Tenney Loudermilk DesJarlais Thompson (PA) Diaz-Balart Love Thornberry Donovan Lucas Tiberi Duffv Luetkemeyer Tipton Duncan (SC) MacArthur Trott Duncan (TN) Marchant Turner Dunn Marshall Upton Emmer Massie Valadao Farenthold Mast Wagner McCarthy Faso Walberg McCaul McClintock Ferguson Walden Fitzpatrick Walker Fleischmann McHenry Walorski Flores McKinley McMorris Walters, Mimi Fortenberry Weber (TX) Foxx Rodgers Webster (FL) Franks (AZ) McSally Wenstrup Frelinghuysen Meadows Westerman

| March 28 |
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| Williams Wilson (SC) |
| Wittman |
| Womack |
| |
| Adams |
| Aguilar |
| Barragan Bass |
| Beatty |
| Bera |
| Beyer Bishop (GA) |
| Blumenauer |
| Blunt Rochester |
| Bonamici Boyle, Brendan |
| F. |
| Brady (PA) |
| Brown (MD) Brownley (CA) |
| Bustos |
| Butterfield |
| Capuano Carbajal |
| Cárdenas |
| Carson (IN) |
| Cartwright Castor (FL) |
| Castro (TX) |
| Chu, Judy |
| Cicilline Clark (MA) |
| Clarke (NY) |
| Clay |
| Cleaver Clyburn |
| Cohen |
| Connolly |
| Conyers Cooper |
| Correa |
| Costa |
| Courtney Crist |
| Crowley |
| Cuellar |
| Cummings Davis (CA) |
| Davis, Danny |
| DeFazio |
| DeGette Delaney |
| DeLauro |
| DelBene Demings |
| DeSaulnier |
| Deutch |
| Dingell Doggett |
| Doyle, Michael F. |
| |
| Ellison Engel |
| Eshoo |
| Espaillat |
| Esty Evans |
| Foster |
| Frankel (FL) |
| |
| Marino |
| Dittengen |

Pittenger

Price (NC)

Woodall Young (IA) Yoder Zeldin Yoho

Young (AK) NAYS-189 Napolitano Neal Nolan Norcross O'Halleran O'Rourke Pallone Panetta Pascrell Payne

Fudge Gabbard Gallego Garamendi Gonzalez (TX) Gottheimer Green, Al Green, Gene Grijalva Gutiérrez Hanabusa Pelosi Hastings Perlmutter Heck Peters Higgins (NY) Peterson Himes Pingree Hover Pocan Huffman Polis Jackson Lee Quiglev Javapal Raskin Jeffries Rice (NY) Johnson (GA) Johnson, E. B. Richmond Rosen Kaptur Roybal-Allard Keating Ruiz Kelly (IL) Ruppersberger Kennedy Ryan (OH) Khanna Sánchez Kihuen Sarbanes Kildee Schakowsky Kilmer Schiff Kind Schneider Krishnamoorthi Schrader Kuster (NH) Scott (VA) Langevin Serrano Larsen (WA) Sewell (AL) Larson (CT)

Shea-Porter Lawrence Sherman Lawson (FL) Sinema. Lee Levin Sires Smith (WA) Lewis (GA) Lieu, Ted Soto Speier Lipinski Suozzi Loebsack Swalwell (CA) Lofgren Takano Lowenthal Thompson (CA) Lowey Lujan Grisham, Thompson (MS) Titus Tonko Luján, Ben Ray Torres Lynch Maloney, Tsongas Vargas Carolyn B. Maloney, Sean Veasey Matsui Vela. Velázquez McCollum a.e1 McEachin Visclosky

McGovern

McNerney

Meeks

Meng

Moore

Nadler

Moulton

Murphy (FL)

NOT VOTING-9

Scott, David Rooney, Thomas Simpson J. Ros-Lehtinen Slaughter Rush

Walz

Welch

Wasserman

Wilson (FL)

Yarmuth

Schultz Waters, Maxine Watson Coleman

Mr. BLUMENAUER and Ms. ROY-BAL-ALLARD changed their vote from "yea" to "nay."

Mr. CULBERSON changed his vote from "nay" to "yea."

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

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—aves 231, noes 185. not voting 13, as follows:

[Roll No. 198]

AYES-231

Abraham Gibbs Newhouse Aderholt Gohmert Noem Allen Goodlatte Nunes Amash Gosar Olson Amodei Gowdy Palazzo Arrington Granger Palmer Graves (GA) Babin Paulsen Bacon Graves (LA) Pearce Banks (IN) Graves (MO) Perry Poe (TX) Barletta Griffith Barr Grothman Poliquin Barton Guthrie Posey Bergman Harper Ratcliffe Biggs Harris Reed Bilirakis Hartzlei Reichert Hensarling Herrera Beutler Bishop (MI) Renacci Bishop (UT) Rice (SC) Black Hice, Jody B. Roby Blackburn Higgins (LA) Roe (TN) Blum Hill Rogers (KY) Bost Holding Rohrabacher Brady (TX) Hollingsworth Rokita Hudson Brat Rooney, Francis Bridenstine Huizenga Roskam Brooks (AL) Hultgren Brooks (IN) Ross Hunter Rothfus Buchanan Hurd Rouzer Buck Issa Royce (CA) Jenkins (KS) Bucshon Russell Budd Jenkins (WV) Rutherford Burgess Johnson (LA) Sanford Byrne Johnson (OH) Calvert Johnson, Sam Scalise Carter (GA) Schweikert Jones Jordan Carter (TX) Scott, Austin Chabot Joyce (OH) Sensenbrenner Chaffetz Katko Sessions Kelly (MS) Cheney Shimkus Shuster Smith (MO) Coffman Kelly (PA) Cole King (IA) Collins (GA) King (NY) Smith (NE) Collins (NY) Kinzinger Smith (NJ) Comer Knight Smith (TX) Comstock Kustoff (TN) Smucker Conaway Labrador Stefanik Cook LaHood Stewart Costa LaMalfa Stivers Costello (PA) Lamborn Taylor Cramer Lance Tenney Crawford Latta Thompson (PA) Lewis (MN) Culberson Thornberry Curbelo (FL) LoBiondo Tiberi Davidson Long Loudermilk Tipton Davis, Rodney Trott Denham Love Turner Dent Lucas Upton DeSantis Luetkemever Valadao DesJarlais MacArthur Wagner Diaz-Balart Marchant Walberg Donovan Marshall Walden Duffy Massie Walker Duncan (SC) Mast McCarthy Walorski Duncan (TN) Walters, Mimi Dunn McCaul Weber (TX) McClintock Emmer Farenthold McHenry Webster (FL) Wenstrup Faso McKinley Westerman Ferguson McMorris Williams Wilson (SC) Fitzpatrick Rodgers Fleischmann McSally Wittman Flores Meadows Fortenberry Meehan Womack Foxx Messer Woodall Franks (AZ) Yoder Mitchell Frelinghuysen Yoho Moolenaar Mooney (WV) Young (AK) Gaetz Gallagher Mullin Young (IA) Murphy (PA) Zeldin Garrett

NOES-185

Adams

Aguilar

Bass

Bera

Bever

Bishop (GA)

Beatty

Barragán

Bustos Butterfield Blumenauer Blunt Rochester Bonamici Capuano Boyle, Brendan Carbajal Cárdenas Brady (PA) Carson (IN) Brown (MD) Cartwright Brownley (CA) Castor (FL)

Chu, Judy Cicilline Clark (MA) Clarke (NY) Clay Clyburn Cohen Connolly Convers Cooper Correa Courtney Crist Crowley Cuellar Cummings Davis (CA) Davis, Danny DeFazio DeGette Delaney DeLauro DelBene Demings DeSaulnier Deutch Dingell Doggett Dovle, Michael Ellison Engel Eshoo Espaillat Estv Evans Foster Frankel (FL) Fudge Gabbard Garamendi Gonzalez (TX) Gottheimer Green, Al Green, Gene Napolitano Grijalya. Gutiérrez Neal Hanabusa Nolan

Hastings

Higgins (NY)

Jackson Lee

Heck

Hover

Huffman

Jayapal

Pelosi Castro (TX) Jeffries Johnson (GA) Perlmutter Johnson, E. B. Peters Kaptur Keating Kelly (IL) Kennedy Khanna Kihuen Kildee Kilmer Kind Krishnamoorthi Kuster (NH) Langevin Larsen (WA) Larson (CT) Lawrence Lawson (FL) Levin Lewis (GA) Lieu, Ted Lipinski Loebsack Lofgren Lowenthal Lowey Lujan Grisham, M. Luján, Ben Ray Lynch Malonev. Carolyn B. Maloney, Sean Matsui McCollum McEachin McGovern McNerney Meeks Meng Moore Moulton Murphy (FL) Nadler

Peterson Pingree Pocan Polis Quigley Raskin Rice (NY) Richmond Rosen Rovbal-Allard Ruiz Ruppersberger Ryan (OH) Sánchez Sarbanes Schakowsky Schiff Schneider Schrader Scott (VA) Serrano Sewell (AL) Shea-Porter Sherman Sinema Sires Smith (WA) Soto Speier Suozzi Swalwell (CA) Takano Thompson (CA) Thompson (MS) Titus Tonko Torres Tsongas Vargas Veasey Vela Velázquez Visclosky Walz Wasserman Schultz Waters, Maxine Watson Coleman Welch

Wilson (FL)

Yarmuth

NOT VOTING-

Price (NC) Cleaver Rush Scott David Gallego Rogers (AL) Rooney, Thomas Himes Simpson Marino .T Slaughter Pittenger Ros-Lehtinen

Norcross

O'Halleran

O'Rourke

Pallone

Panetta

Pascrell

Payne

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE The SPEAKER pro tempore (during the vote). There are 2 minutes remain-

□ 1532

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.

PROVIDING FOR CONSIDERATION OF S.J. RES. 34, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE FEDERAL COMMUNICATIONS COMMISSION

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 230) providing for consideration of the joint resolution (S.J. Res. 34) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications