Paulsen

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 vield 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

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 for a period of less than 15 minutes.

Accordingly (at 12 o'clock and 54 minutes p.m.), the House stood in re-

□ 1305

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PALAZZO) at 1 o'clock and 5 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 74; and

Adoption of House Resolution 74, if ordered.

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

PROVIDING FOR CONSIDERATION OF H.J. RES. 36, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A FINAL RULE OF THE BU-REAU OF LAND MANAGEMENT, AND PROVIDING FOR CONSIDER-RES. 37, DIS-ATION OF H.J. APPROVING A RULE SUBMITTED BY THE DEPARTMENT OF DE-FENSE, THE GENERAL SERVICES ADMINISTRATION, AND THE NA-TIONAL AERONAUTICS AND SPACE ADMINISTRATION

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 74) providing for consideration of the joint resolution (H.J. Res. 36) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Bureau of Land Management relating to "Waste Prevention, Production Subject to Royalties, and Resource Conservation", and providing for consideration of the joint resolution (H.J. Res. 37) disapproving the rule submitted by the Department of Defense, the General Services Administration, the National Aeronautics and Space Administration relating to the Federal Acquisition Regulation, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 230, nays 188, not voting 14, as follows:

[Roll No. 74]

YEAS-230

Ahraham Allen Aderholt Amash

Amodei Arrington

Banks (IN) Barletta Barr Barton Bergman Biggs Bilirakis Bishop (MI) Bishop (UT) Black Blackburn Bost. Brady (TX) Brat Bridenstine Brooks (AL) Brooks (IN) Buchanan Buck Budd Burgess Byrne Calvert Carter (GA) Carter (TX) Chabot Chaffetz Cheney Coffman Cole Collins (GA) Collins (NY) Comer Comstock Conaway Cook Costello (PA) Cramer Crawford Culberson Curbelo (FL) Davidson Davis, Rodney Denham Dent DeSantis DesJarlais Diaz-Balart Donovan Duffy Duncan (SC) Duncan (TN) Dunn Emmei Farenthold Faso Ferguson ${\bf Fitzpatrick}$ Fleischmann Flores Fortenberry Foxx Franks (AZ) Frelinghuysen Gaetz Gallagher Garrett Gohmert Goodlatte Gosar Gowdy Granger

Griffith Grothman Guthrie Harper Harris Hartzler Hensarling Herrera Beutler Hice, Jody B. Higgins (LA) Holding Hollingsworth Huizenga Hultgren Hunter Hurd Tssa. Jenkins (KS) Jenkins (WV) Johnson (LA) Johnson (OH) Johnson, Sam Jordan Joyce (OH) Katko Kelly (MS) Kelly (PA) King (IA) King (NY) Kinzinger Knight Kustoff (TN) Labrador LaHood LaMalfa Lamborn Lance Latta Lewis (MN) LoBiondo Long Loudermilk Love Lucas Luetkemeyer MacArthur Marchant Marino Marshall Massie Mast McCarthy McCaul McClintock McHenry McKinley McMorris Rodgers McSally Meadows Messer Mitchell Moolenaar Mooney (WV) Mullin Murphy (PA) Newhouse Noem Nunes Olson Palazzo Palmer

Graves (GA)

Graves (LA)

Graves (MO)

Pearce Perry Pittenger Poe (TX) Poliquin Posey Ratcliffe Reed Reichert Renacci Rice (SC) Roby Roe (TN) Rogers (AL) Rogers (KY) Rohrabacher Rokita Rooney, Francis Rooney, Thomas Ros-Lehtinen Roskam Ross Rothfus Rouzer Royce (CA) Rutherford Sanford Scalise Schweikert Scott, Austin Sensenbrenner Sessions Shimkus Shuster Simpson Smith (MO) Smith (NE) Smith (NJ) Smith (TX) Smucker Stefanik Stewart Stivers Taylor Tenney Thompson (PA) Thornberry Tiberi Tipton Trott Turner Upton Valadao Wagner Walberg Walden Walorski Walters, Mimi Weber (TX) Webster (FL) Wenstrup Westerman Williams Wilson (SC) Wittman Womack Woodall Yoder Yoho Young (AK)

NAYS-188

Clay

Adams Aguilar Barragán Bass Beatty Bera Bever Bishop (GA) Blumenauer Blunt Rochester Bonamici Boyle, Brendan F. Brown (MD) Brownley (CA) Bustos Butterfield Capuano Carbajal Cárdenas Carson (IN)

Cartwright. Davis, Danny DeFazio Castor (FL) Castro (TX) DeGette Chu. Judy Delanev DeLauro Cicilline Clarke (NY) DelBene Demings Cleaver DeSaulnier Clyburn Deutch Cohen Dingell Connolly Doggett Convers Doyle, Michael Cooper Ellison Correa CostaEngel Courtney Eshoo Crist Espaillat Crowley Esty Evans Cuellar Cummings Foster Frankel (FL) Davis (CA)

Young (IA)

Zeldin

M.

Carolyn B.

CONGRESSIONAL RECORD—HOUSE

Ratcliffe

Reichert

Renacci

Rice (SC)

Roby Roe (TN)

Rokita

J.

Ross

Roskam

Rothfus

Royce (CA)

Rutherford

Schweikert

Scott, Austin

Sensenbrenner

Rouzer

Russell

Sanford

Scalise

Sessions

Shimkus

Shuster

Simpson

Smith (MO)

Smith (NE)

Smith (NJ)

Smucker

Stefanik

Stewart

Stivers

Taylor

Tenney

Tiberi

Tipton

Turner Upton Valadao

Wagner

Walberg

Walden

Walorski

Wenstrup

Williams

Wittman

Womack

Woodall

Yoder

Yoho

Zeldin

Westerman

Wilson (SC)

Young (AK)

Young (IA)

Walters, Mimi Weber (TX)

Webster (FL)

Trott

Thompson (PA)

Thornberry

Rogers (AL)

Rogers (KY)

Rohrabacher

Rooney, Francis

Rooney, Thomas

Ros-Lehtinen

Reed

Hultgren

Jenkins (KS)

Jenkins (WV)

Johnson (LA)

Johnson (OH)

Johnson, Sam

Jordan

Katko

Joyce (OH)

Kelly (MS)

Kelly (PA)

Hunter

Hurd

Tssa

Carter (GA)

Carter (TX)

Chabot

Chenev

Cole

Comer

Cook

Comstock

Conaway

Chaffetz

Coffman

Collins (GA)

Collins (NY)

Costello (PA)

Fudge Lowenthal Gabbard Lowey Gallego Lujan Grisham, Garamendi Luján, Ben Ray Gonzalez (TX) Gottheimer Lynch Green, Al Green, Gene Maloney. Grijalva Maloney, Sean Gutiérrez Matsui McCollum Hanabusa Heck McEachin Higgins (NY) McGovern Himes McNerney Hoyer Meeks Huffman Meng Jackson Lee Moulton Jayapal Murphy (FL) Jeffries Nadler Johnson (GA) Napolitano Johnson, E. B. Nea1 Nolan Kaptur Norcross Keating Kelly (II.) O'Halleran Kennedy O'Rourke Khanna Pallone Kihuen Panetta Kildee Pascrell Payne Kilmer Kind Pelosi Krishnamoorthi Perlmutter Kuster (NH) Peters Peterson Langevin Larsen (WA) Pingree Larson (CT) Pocan Polis Lawrence Lawson (FL) Price (NC) Lee Quigley Levin Raskin Lewis (GA) Rice (NY) Lieu, Ted Richmond Lipinski Rosen Roybal-Allard Loebsack Lofgren Ruiz

Ruppersberger Ryan (OH) Sánchez Sarbanes Schakowsky Schiff Schneider Schrader Scott (VA) Scott, David Serrano Sewell (AL) Shea-Porter Sherman Sinema Sires Slaughter Smith (WA) Soto Speier Suozzi Swalwell (CA) Takano Thompson (CA) Thompson (MS) Titus Tonko Torres Tsongas Vargas Veasev Vela

Velázquez

Visclosky

Wasserman

Schultz

Wilson (FL)

Yarmuth

Waters, Maxine

Watson Coleman

Walz

Welch

NOT VOTING-14

Brady (PA) Jones Rush Bucshon Meehan Russell Clark (MA) Moore Walker Hastings Mulvaney Zinke Price, Tom (GA) Hudson

 \sqcap 1328

Messrs. DAVID SCOTT of Georgia and GENE GREEN of Texas changed their vote from "yea" to "nay."

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

Stated for:

Mr. MEEHAN. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 74.

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 will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 232, noes 190, not voting 10, as follows:

[Roll No. 75]

AYES-232

Abraham Barton Brat Bridenstine Aderholt Bergman Allen Biggs Brooks (AL) Amash Bilirakis Brooks (IN) Amodei Bishop (MI) Buchanan Arrington Bishop (UT) Buck Babin Black Blackburn Bucshon Budd Bacon Banks (IN) Blum Burgess Barletta Rost. Byrne Brady (TX) Calvert Barr

Cramer King (IA) Crawford King (NY) Culberson Kinzinger Curbelo (FL) Knight Kustoff (TN) Davidson Davis, Rodney Labrador Denham LaHood LaMalfa Dent DeSantis Lamborn Des Jarlais Lance Diaz-Balart Latta Donovan Lewis (MN) Duffv LoBiondo Duncan (SC) Long Duncan (TN) Loudermilk Dunn Love Emmei Lucas Farenthold Luetkemeyer Faso MacArthur Ferguson Marchant Fitzpatrick Marino Marshall Fleischmann Massie Flores Fortenberry Mast McCarthy Foxx Franks (AZ) McCaul Frelinghuysen McClintock McHenry Gaetz Gallagher McKinley Garrett McMorris Gibbs Rodgers Gohmert McSallv Goodlatte Meadows Meehan Gosar Gowdy Messer Mitchell Granger Graves (GA) Moolenaar Mooney (WV) Graves (LA) Graves (MO) Mullin Griffith Murphy (PA) Grothman Newhouse Guthrie Noem Nunes Harper Olson Harris Hartzler Palazzo Hensarling Palmer Herrera Beutler Paulsen Hice, Jody B. Pearce Higgins (LA) Perry Hill Pittenger Holding Poe (TX) Hollingsworth Poliquin Huizenga Posev

Adams

Bass

Bera

Beyer

F.

Bustos

Capuano

Carbajal

Cárdenas Carson (IN)

Cartwright

Castor (FL)

Castro (TX)

Clarke (NY)

Chu, Judy

Cicilline

Clay

Cleaver

Bishop (GA)

Blumenauer

Bonamici

Brady (PA)

Brown (MD)

Butterfield

Brownley (CA)

Blunt Rochester

Boyle, Brendan

Beatty

Aguilar

Barragán

NOES-190

Espaillat

Clyburn Estv Cohen Evans Connolly Foster Frankel (FL) Convers Cooper Fudge Gabbard Correa Gallego Costa Garamendi Courtney Gonzalez (TX) Crist Crowley Gottheimer Cuellar Green, Al Cummings Green, Gene Davis (CA) Grijalva Davis, Danny Gutiérrez DeFazio Hanabusa DeGette Heck Delaney Higgins (NY) DeLauro Himes DelBene Hoyer Demings Huffman DeSaulnier Jackson Lee Deutch Jayapal Dingell Jeffries Johnson (GA) Doggett Doyle, Michael Johnson, E. B Kaptur Ellison Keating Kelly (IL) Engel Eshoo Kennedy

Khanna

Kihuen Kildee Kilmer Kind Krishnamoorthi Kuster (NH) Langevin Larsen (WA) Larson (CT) Lawrence Lawson (FL) Lee Levin Lewis (GA) Lieu, Ted Lipinski Loebsack Lofgren Lowenthal Lowey Lujan Grisham, Μ. Luján, Ben Ray Lynch Maloney, Carolyn B. Malonev, Sean Matsui McCollum McEachin McGovern McNernev Meeks Meng Moore Clark (MA) Hastings Hudson

Moulton Murphy (FL) Nadler Napolitano Neal Nolan Norcross O'Halleran O'Rourke Pallone Panetta Pascrell Payne Pelosi Perlmutter Peters Peterson Pingree Pocan Polis Price (NC) Quigley Raskin Rice (NY) Richmond Rosen Rovbal-Allard Ruiz Ruppersberger Rvan (OH) Sánchez Sarbanes Schakowsky Schiff Schneider NOT VOTING-Mulvaney Price, Tom (GA)

Schrader Scott (VA) Scott, David Serrano Sewell (AL) Shea-Porter Sherman Sinema Sires Slaughter Smith (WA) Soto Speier Suozzi Swalwell (CA) Takano Thompson (CA) Thompson (MS) Titus Tonko Torres Tsongas Vargas Veasev Vela Velázquez Visclosky Walz Wasserman Schultz Waters, Maxine Watson Coleman Welch Wilson (FL) Yarmuth

Walker Zinke Rush Smith (TX)

□ 1336

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

Mr. HUDSON. Mr. Speaker, on rollcall No. 74 and 75 I was unable to cast my vote in person due to an emergency dental procedure. Had I been present, I would have voted "Yes."

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 1 o'clock and 38 minutes p.m.), the House stood in recess.

□ 1341

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PALAZZO) at 1 o'clock and 41 minutes p.m.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUB-MITTED BY THE SOCIAL SECU-RITY ADMINISTRATION

Mr. GOODLATTE. Mr. Speaker, pursuant to House Resolution 71, I call up the joint resolution (H.J. Res. 40) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Social Security Administration relating to Implementation of the NICS Improvement Amendments Act of 2007,