

Assault weapons were the weapon of choice not just in the Florida shooting but also in the mass shootings at the concert in Las Vegas; the movie theater in Aurora, Colorado; and the elementary school in Sandy Hook, Connecticut.

They were prohibited under the assault weapons ban that Congress let expire in 2004. I was here when we established that ban, and we saw a great decrease in gun deaths from that. So they should be prohibited today and not in the hands of people who simply want to kill the most people they can in the shortest time.

Why would we allow an insanity like that?

So I was pleased to cosponsor legislation this week to re-implement the assault weapons ban.

□ 1145

The students of Marjory Stoneman Douglas High School are inspiring the entire Nation to push Congress to do our job and to act on gun violence.

I will tell you that I understand the pain that everybody feels from all of this, but we can't maintain it. We go from one to the other, as though nothing had ever happened before.

But we have to also do what the NRA has forbidden us from doing, which is to have gun research at the Communicable Disease Center. That certainly should be lifted, as well.

We certainly should expand and strengthen the background check system. Keeping people on the terrorist watch list and the no-fly list from being able to purchase firearms and explosives seems to me to be a no-brainer, but we won't even do that. And, yes, reinstating that weapons ban again, I think, is critically important.

Perhaps the voices of those injured and grieving children can break the gun lobby's stranglehold on Congress. I hope so. The majority should heed their call because we, as Members of Congress, are in a unique position. Unlike the clergy or grief counselors or elected officials, we can actually do something to combat this violence. It certainly is, Mr. Speaker, past time that we do.

Mr. Speaker, I yield back the balance of my time.

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

Mr. Speaker, as a member of the Judiciary Committee, I am proud to support H.R. 1865, the Allow States and Victims to Fight Online Sex Trafficking Act of 2017.

This legislation will prevent websites like Backpage from hiding behind section 230 of the Communications Decency Act while simultaneously empowering law enforcement, State attorneys general, and victims to fight against the sex trade and its predators. I look forward to supporting this rule and the underlying bill.

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

AN AMENDMENT TO H. RES. 748 OFFERED BY
MS. SLAUGHTER

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

SEC. 2. 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. 3440) to authorize the cancellation of removal and adjustment of status of certain individuals who are long-term United States residents and who entered the United States as children 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 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. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3440.

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. COLLINS of Georgia. 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. 4296, OPERATIONAL RISK CAPITAL REQUIREMENTS FOR BANKING ORGANIZATIONS, AND PROVIDING FOR CONSIDERATION OF H.R. 4607, COMPREHENSIVE REGULATORY REVIEW ACT

Mr. BUCK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 747 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 747

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4296) to place requirements on operational risk capital requirements for banking organizations established by an appropriate Federal banking agency. All points of order against consideration of the bill are waived. In lieu of the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill, an amendment in the nature of a substitute consisting of the text of

Rules Committee Print 115-60, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, 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 Financial Services; and (2) 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. 4607) to amend the Economic Growth and Regulatory Paperwork Reduction Act of 1996 to ensure that Federal financial regulators perform a comprehensive review of regulations to identify outdated or otherwise unnecessary regulatory requirements imposed on covered persons, and for other purposes. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-61, modified by the amendment printed in part B of the report of the Committee on Rules accompanying this resolution, 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 Financial Services; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 1 hour.

Mr. BUCK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), 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. BUCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. BUCK. Mr. Speaker, I rise today in support of the rule and the underlying legislation.

Just 3 weeks ago, we hosted a small lender in my district office who was being hindered in his efforts to serve home buyers in eastern Colorado. Why? Washington, in its unyielding effort to regulate every decision of Americans, lumped this lender into a broader regulation that came out of the housing crisis 10 years ago. This isn't some theoretical exercise. These regulations have real impact on Coloradans.

The last time I was on the floor debating these issues, I discussed the affordable housing situation in Colorado. Without completely recounting that

debate, I want to reiterate the basic facts.

From 2009 to 2016, Colorado had a net increase of 600,000 people. In that same time, housing costs skyrocketed by more than 57 percent.

Since 2016, our growth has begun to fall off considerably. When The Denver Post researched why a State with a high quality of life and decades more growth potential had a dramatically slowing growth rate, they found that a substantial part of it had to do with rising housing costs.

We must reconsider our Washington-knows-best regulatory approach. We here in Washington can't possibly know what is the best for a potential home buyer in Trinidad or Las Animas or Fort Morgan or Greeley or Castle Rock, Colorado.

I, for one, am tired of the arrogance of Washington telling us in eastern Colorado which banks we can and can't use to finance our mortgages. It is time that we bring financial accountability to the place that needs it most: Washington.

That is what these two financial bills do. They return power to the American people. They reduce unnecessary regulations on small community banks and credit unions, thereby freeing up capital that small businesses and employers can access to create new jobs. They make commonsense changes to Federal laws so that regulators have to routinely review their regulations to ensure that the regulations are not overly burdensome.

Eastern Coloradans are frustrated with the Washington-knows-best mindset of their government, and I am listening to them.

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

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

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman from Colorado (Mr. BUCK) for yielding me the customary 30 minutes.

Mr. Speaker, I rise in opposition to this resolution, which provides for the consideration of two bills from the House Financial Services Committee—H.R. 4607, the Comprehensive Regulatory Review Act, and H.R. 4296, legislation to undercut operational risk capital requirements—under a completely closed process.

These are the 66th and 67th closed rules of this Congress, Mr. Speaker. I am deeply concerned with the Republican leadership's total lack of consideration for regular order.

For all intents and purposes, regular order is dead in this Congress. We consider one closed rule after another after another after another, and Republicans routinely rush bills to the floor without even holding hearings on the underlying legislation to help Members better understand the impacts of these bills and to benefit from expert witnesses.

What is especially shameful about the process today, Mr. Speaker, is the fact that there were amendments submitted, but Republicans decided to self-execute these nongermane amendments with no debate or discussion on the House floor and to shut down the ability of Members to offer additional amendments. This is just bad legislating, plain and simple.

I hope that if November turns out the way I hope it does and we have a change in leadership in Congress, when Democrats are in charge, we run this place like professionals, like adults, where we respect all points of view, where we go back to regular order, when we say we are going to go back to regular order, we mean it.

Why are we doing all of this, Mr. Speaker? What is possibly so urgent that we have to throw regular order out the window?

Today, we are considering another two pieces of deregulatory legislation that will benefit big banks at the expense of financial stability to our economy and consumer protections that help everyday families.

H.R. 4607 would create a lopsided approach to implementing regulations that force agencies to consider the cost of regulations on bankers without considering the benefit to consumers. H.R. 4296 would undermine the ability of regulators to establish operational risk capital requirements to protect our economy from another crisis.

Mr. Speaker, this is unacceptable. Our constituents expect Congress to put them first, not the big banks, especially the big banks that wrecked our economy and endangered the life savings of millions of families. We owe it to them to bring to the floor legislation that will help their lives and make our country better. But, sadly, Mr. Speaker, this Congress has failed to act on meaningful legislation that will do anything like that.

Mr. Speaker, today marks nearly 2 weeks since 17 people, including 14 students, were gunned down at Marjory Stoneman Douglas High School in Parkland, Florida. This was one of the worst shootings our country has ever seen. It was the eighth school shooting this year, and it is only February.

Yet Republicans in Congress have not lifted a finger to take up bipartisan gun reform legislation that would help to prevent shootings like these and protect our kids. Instead, we are here considering a bill that will only help the already rich and powerful.

This is shameful. It is absolutely shameful, Mr. Speaker.

According to the Gun Violence Archive, a nonprofit that monitors gun violence, since 2014, there have been over 1,360 mass shootings in America. In 2018 alone, less than 2 months, there have been over 400 teens aged 12 through 17 and 90 children under the age of 11 killed or injured by guns.

Yet the majority in this House even refuses to bring to the floor legislation banning bump stocks, a reform agreed

upon by both sides of the aisle, I thought. The NRA has even said that “devices designed to allow semiautomatic rifles to function like fully automatic rifles should be subject to additional regulations.” I don’t know if they meant it, but they said it.

President Trump: “I will be strongly pushing comprehensive background checks with an emphasis on mental health. Raise age to 21 and end sale of bump stocks. Congress is in a mood to finally do something on this issue—I hope.”

Now, it is true that we have a President who is so erratic that he changes his mind from one hour to the next, but so far, I haven’t seen a retraction tweet. So I have every reason to believe he is still standing by his commitment to supporting these modest gun safety reforms.

Yet here we are, just days after this horrific mass shooting, and not one single gun reform or gun safety bill is being voted on or even scheduled for a vote. I am furious that, in the face of such tragedy and such senseless violence, this Congress continues to do nothing—not a thing—to protect our kids and our families and our communities.

Students from Amherst Regional Middle School in my district in Massachusetts sent me a letter last week that every Republican in Congress should read.

They write: “Seventeen innocent people lost their lives. . . . That scares us. It scares us that kids have to go to school wondering if they are next. That we even have to think that the next time we see some of our classmates or teachers may be in their open caskets. And what scares us most of all, is that our government fails to do anything to change this.”

They continue: “They are gone because our country doesn’t care enough to have better gun control, and we will not stop fighting until they get their justice. . . . We’re writing this letter because we want to personally ask each and every one of our politicians: How many more killings must we bear before the laws are changed. . . . Our country is no longer safe. Not in school, church, concerts, parties, or even public meeting areas. Please choose to do something. All of our lives depend on your actions.”

Mr. Speaker, I include in the RECORD the letter written by these students.

DEAR CONGRESSMAN MCGOVERN: Seventeen innocent people lost their lives on February 14th, 2018. That scares us. It scares us that kids have to go to school wondering if they are next. That we even have to think that the next time we see some of our classmates or teachers may be in their open caskets. And what scares us most of all, is that our government fails to do anything to change this. Please don’t forget. About the pain and suffering of all the families and the victims. About the children fearing that their school is next. About all of the lives that will never be lived. They are gone because our country doesn’t care enough to have better gun control, and we will not stop fighting until they get their justice. And that’s why we wrote

this letter. We’re not writing it to get some extra credit points or fame. We’re writing this letter because we want to personally ask each and every one of our politicians; how many more killings must we bear before the laws are changed and regulations are tightened. Before the government cares for our safety. Before the lives that were lost are never forgotten or regarded as yesterday’s news. The time to talk about gun-control is now. It is not next decade or next year or even next week. It is now. Now is the time to strengthen the process involved in conducting a complete background check and lengthen the waiting period required in order to receive a firearm. Please stand with us and all of the of the students and children in our nation. Stand with all of the families of the victims. Stand with the tremendously brave people who lived through these terrifying events. Stand with the heroes who saved countless lives, and ended up losing their own. Our country is no longer safe. Not in school, church, concerts, parties, or even public meeting areas. Please choose to do something. All of our lives depend on your actions and support.

Sincerely,
STUDENTS AT AMHERST REGIONAL
MIDDLE SCHOOL.

□ 1200

Mr. MCGOVERN. I cannot say it better than these students, Mr. Speaker. These are young people writing to Congress begging us to do something to end the violence. They are young people who want a better future.

I would just ask my Republican friends: Are you so beholden to the National Rifle Association that you could possibly turn your backs on our country’s young people? Can you really ignore these heartbreaking pleas for action?

You know, a recent poll showed that 80 percent of Americans support bans on assault-style weapons like the one used in the Florida school shooting and 90 percent support tougher background checks. These are commonsense reforms that have overwhelming support from the American people. This should be a bipartisan issue that we could come together on.

But I would say, even if you don’t want to support what I think is commonsense legislation and commonsense reform, understand that the majority of the people in this country do support this and at least bring these bills to the floor so that we could have a debate, and then people can vote however they want to vote.

So I urge my colleagues to oppose this rule and these terrible bills that help big banks, put consumers in our country at risk, and do absolutely nothing to address the real priorities that we should be tackling. It is long past time for Congress to finally do something to stop these horrific mass shootings that are taking the lives of our kids and our families.

Mr. Speaker, we could just have easily spent this afternoon debating and approving one, or more, of any of the gun safety and gun reform measures that have bipartisan support. We could have shown high school and elementary students, our children, Mr. Speak-

er, that we heard them, that we care about them, and that we are starting to take action.

Instead, we are debating these worthless bills to help big banks and continue to ignore our children’s suffering. Shame on this Congress, Mr. Speaker, shame on all of us.

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

Mr. BUCK. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. LOUDERMILK), a member of the Financial Institutions and Consumer Credit Subcommittee.

Mr. LOUDERMILK. Mr. Speaker, I thank my friend and colleague from Colorado for yielding me this time to speak on this rule.

I have to admit, I was a little confused when I walked in, based on what I was hearing on the other side, of what bill we were actually discussing. And let me just say this, Mr. Speaker, before I get into why I am rising today in support of these important bills that have bipartisan support.

Being someone who has been on the receiving end of being shot at, we have to focus on how do we make our children safe. I think everybody in this Chamber is deeply, deeply concerned on that. We have to assume the next shooter is there and he already has a weapon, and the actions that we take must be focused clearly on how do we make these children safe. I don’t think there is any person in this Chamber who would disagree with that, and especially, I know, on our side of the aisle, so we are committed to that.

But today, we are here speaking on a rule that is very important for two substantive bills that we are bringing up, and I rise in support of not only my bill, the Comprehensive Regulatory Review Act, but also my colleague, Mr. LUETKEMEYER’s bill, which we are also discussing here.

This week, the House is continuing to take up strongly bipartisan bills from the Financial Services Committee. The committee has passed, so far, Mr. Speaker, 91 bills in this Congress, and we have taken our remarkable productivity to the floor by passing 36 bills out of this Chamber, and six of them have been signed into law.

My bill, which we are beginning to debate here today, is another strongly bipartisan bill which will provide regulatory relief for financial institutions and increase access to capital and credit for businesses and consumers.

Mr. Speaker, there is a historical trend for the government to overregulate after an economic recession. The recovery from the financial crisis of 2008 to 2009 was weak and slow for many reasons, not least of which was overregulation of the financial sector by the Dodd-Frank Act and the previous administration.

Some would argue that there is also a trend to underregulate during good economic times like we are living in now. Some say that the regulatory relief legislation that we passed out of

the Financial Services Committee will lead to abuses by big banks and other financial institutions and cause another financial crisis.

But these bills will not cause the government to underregulate banks and credit unions. They will simply implement smart regulation. In other words, these bills do not gut or eliminate regulation. They right-size regulation and make it more efficient.

Back in 1996, Congress did a good thing by passing the Economic Growth and Regulatory Paperwork Reduction Act, or as we call it, EGRPA. EGRPA requires the banking regulatory agencies to go back once every 10 years—that is, once a decade—and review their regulations to identify those that may be outdated, unnecessary, or overly burdensome, and then they are to send a report to Congress. It also requires the agencies to eliminate regulations if they determine they are inappropriate.

Make no mistake, EGRPA was a good idea back in 1996, and it is a very valuable tool, but far too often EGRPA regulatory reviews have been viewed as merely a check-the-box exercise by these agencies and in the financial sector. Many believe the two EGRPA reports, which were released in 2007 and then a decade later in 2017, were lackluster and could have produced more useful recommendations to policymakers; and under the current EGRPA law, it will be another decade before we could actually look at those regulations again.

EGRPA could also result in more action from the regulators to clean up outdated and unnecessary rules. That is why it is important for Congress to revisit EGRPA and to revitalize this law.

My bill contains several reforms to the EGRPA review process that will breathe new life into the law and make sure it is not simply a check-the-box exercise for regulators. This bill will require more frequent regulatory reviews by moving the review cycle from 10 to 7 years. It will expand EGRPA to include all regulated financial institutions instead of only the insured depository institutions. It will expand EGRPA to include the CFPB, and the bill will also codify the National Credit Union Administration into EGRPA, since the NCUA participated in the latest review voluntarily.

The bill will also require the CFPB to use its findings from its Dodd-Frank regulatory reviews and its EGRPA reports so the CFPB does not waste time on rules it has already reviewed. And most importantly, this bill will require the agencies to tailor rules they find to be unnecessary, outdated, or overly burdensome based on the size and risk profile of the bank or credit union—that is, the regulators making the determination, not the banks and not the institutions.

The SPEAKER pro tempore (Mr. ROGERS of Alabama). The time of the gentleman has expired.

Mr. BUCK. Mr. Speaker, I yield an additional 1 minute to the gentleman from Georgia.

Mr. LOUDERMILK. Mr. Speaker, I am wrapping up.

This bill passed out of the committee with a strong bipartisan vote of more than two-thirds of the committee members, including all Republicans and eight Democrats. I urge my colleagues to support the rule and the underlying bills.

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

Mr. Speaker, with all due respect to my colleagues, I mean, let's be honest, the two bills that we are debating today are "nothing burgers." I mean, you know, I just figured this out. In the Rules Committee, we have spent 43–43 percent of the bills that have come before the Rules Committee have been financial service-related bills, mostly to undercut Dodd-Frank and to reward big banks and powerful special interests.

But, you know, we could debate that, but no matter what you think about some of this legislation, most of it, I think, has been either, you know, destructive to our economy or it doesn't add up to very much of anything. But no matter what you think about it—and we could say that banking issues are important—they are not as important as protecting our kids.

I mean, 43 percent of the bills that have come before the Rules Committee have basically been attempts to reward big corporations and big financial institutions in this country. We have spent zero time, zero percent of our time, discussing legislation to ban bump stocks. We have spent zero percent of our time in the Rules Committee considering legislation to strengthen and expand universal background checks. We have spent zero percent of the time debating a bill to ban assault weapons. We have spent zero percent of our time discussing how we can restrict high-capacity magazines.

I can go on and on and on. We spent zero percent of our time on the issue of guns, notwithstanding that we are seeing massacres occur on a regular basis in this country. There is something wrong here, and, I mean, we have the time; and if this were a priority, we would be talking about some of this commonsense gun legislation today rather than, as I said, these "nothing burgers" that are now before us.

Mr. Speaker, less than 2 weeks ago, a gunman walked into a school in Parkland, Florida, and gunned down 17 students and teachers. Unfortunately, senseless acts of violence like that one are far too common. According to Everytown for Gun Safety, every day, 96 Americans are killed with guns; and every year, there are 13,000 gun homicides in the United States.

With this most recent tragedy in Parkland, Americans have stood up and said: Enough is enough. We have all been inspired by these eloquent and passionate voices of these young stu-

dents from Florida who have had the guts to stand up and speak truth to power. But you know, Mr. Speaker, according to a Quinnipiac poll from last week, over 90 percent of Americans are in favor of universal background checks for gun purchases; and according to a CNN poll from yesterday, over 70 percent are in favor of stricter gun control laws generally.

The American people are clamoring for action on this issue, and we have yet to do anything about it, not one thing. As I mentioned, all of our time has been spent mostly on legislation to help the well-off and the powerful in this country. We have not spent any time at all talking about this issue of guns, which are killing our kids. But today, my Republican colleagues have an opportunity to put the safety of our children over the power of the gun lobby.

Mr. Speaker, I ask my colleagues to defeat the previous question, and if we defeat the previous question, I will offer an amendment to the rule to bring up three commonsense gun safety bills: H.R. 4240, the Public Safety and Second Amendment Rights Protection Act; H.R. 3464, the Background Check Completion Act; and H.R. 2598, the Gun Violence Restraining Order Act.

These bills would close the dangerous gun show and internet sale background check loopholes, prevent the sale of guns without a completed background check, and ensure that people who are a danger to themselves or others can be prevented from purchasing or possessing a gun.

Mr. Speaker, I ask unanimous consent to insert the text of my 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 Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. THOMPSON) to discuss our proposal.

Mr. THOMPSON of California. Mr. Speaker, I thank the gentleman for yielding, and I ask my good friend from Massachusetts, in the revision of his remarks, if he wouldn't just clear up one point. He had mentioned that this Congress has not done anything in regard to gun violence prevention, and while true, it is not completely accurate.

The fact of the matter is, this Congress is controlled by the Republican Party. The Republican Party determines what bills go for a hearing, what bills come up for a vote. So the fact is, this is a Republican problem. They are the ones that are stopping commonsense gun violence prevention legislation from coming up for a vote to make the American people more safe.

Mr. Speaker, there are many important bills that this House could be considering, but none more important than legislation that would save lives

and prevent gun violence. There is no single bill, nor policy, that will end gun violence in America, but we do know that background checks work. Every day, background checks stop more than 170 felons, some 50 domestic abusers, and nearly 20 fugitives from buying a gun.

Unfortunately, those folks who were blocked from buying a gun from a licensed dealer can go around the block, around the corner, or down the street to a gun show or to an online site and get a gun, oftentimes the same gun, without having to go through a background check.

There is a reason that 97 percent of Americans want to expand and strengthen our background check system. Even the President has come out and said that he is in support of this. I can't think of many things that Americans agree on 90 percent of the time, but they do so on background checks.

We have a bipartisan bill ready to go. H.R. 4240, both Democrats and Republicans coauthoring that bill, the Public Safety and Second Amendment Rights Protection Act, would help get more records into the NICS system and would expand background checks to all commercial sales.

□ 1215

We shouldn't have to wait for another mass shooting, and we shouldn't have to wait for the 44th moment of silence. Let's act now. Oppose the previous question and give us a vote on H.R. 4240.

How many more people have to die before Members of this body will muster the courage to bring background check legislation that will help to the floor of this House for a vote?

Mr. BUCK. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri (Mr. LUETKEMEYER), the chairman of the Financial Institutions and Consumer Credit Subcommittee.

Mr. LUETKEMEYER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in support of the combined rule for H.R. 4296, my bill that addresses difficulties with operational risk capital requirements imposed on financial institutions, and H.R. 4607, the Comprehensive Regulatory Review Act. Both of these bills are commonsense reforms to regulation that will improve the efficiency of our financial system. My legislation, H.R. 4296, will replace misguided capital standards imposed by the international standard setters, the Basel Committee.

The Basel Committee requires U.S. institutions to hold excessive capital based on a "look back" approach of an organization's risks, previous earnings, and other provisions that provide no indication of future risks. The methodology employed by this international body has forced our banks to hold hundreds of billions of dollars in reserve rather than putting the money to work in the form of loans and investments. That is money that could be used to fund mortgage loans, car loans, and

other day-to-day financing for American consumers.

I recognize the importance of our Nation's financial institutions to hold capital in the event of a future crisis or distress, and H.R. 4296 maintains those capital requirements. As a former regulator, I can tell you that it is important to have adequate capital to regard against loss. But there is a sweet spot that needs to be attained, and regulators can do that if you have proper regulation in place.

What this bill does is amend the method by which the reserve capital is calculated by focusing standards based on an organization's current business activities. This approach offers a better assessment of the amount of capital that should be held to withstand any future crisis.

The methods-based approach proposed in H.R. 4296 properly calibrates operational capital requirements. It maintains strong and healthy financial institutions, while unshackling billions of dollars for lending purposes.

The second bill we are discussing here today provides another opportunity to advance a more practical approach to regulation. H.R. 4607, the Comprehensive Regulatory Review Act, sponsored by Mr. LOUDERMILK from Georgia, offers a holistic approach to U.S. prudential financial regulation.

This bill requires all Federal financial agencies, including the CFPB and National Credit Union Association, to participate in the Economic Growth and Regulatory Paperwork Reduction Act's, or EGRPRA, comprehensive review of rules and regulations. The purpose of the review is to ensure that regulation is not overly burdensome, duplicative, or outdated, while maintaining standards to promote safety and soundness.

Additionally, H.R. 4607 requires the agencies to meet every 7 years for a comprehensive regulatory evaluation, as opposed to the current 10-year cycle in statute.

I am hard pressed to think of a less controversial bill than this one. Requiring regulators to review the impact of their actions on a more frequent basis is a simple and straightforward way to improve efficiency.

H.R. 4296 and H.R. 4607 have garnered bipartisan support, Mr. Speaker, because they are practical solutions that will properly guide supervisors to enforce more effective regulation. The result of these modest bills will be the promotion of a vibrant and open economy that works for the American people.

Mr. Speaker, I hope my colleagues will join me in supporting this rule and the underlying bills.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, I want to repeat what I said at the outset. The rule we are considering would make in order two Financial Services bills that I think amount to "nothing burgers," especially when compared to what we

should be doing in terms of protecting our communities and protecting our kids from gun violence. That should take priority over this.

We have young people from Florida here, going door to door, talking to Members of Congress and Members of the Senate, begging us to do something. And what are we going to consider is the Comprehensive Regulatory Review Act, and then we are going to consider the operational risk capital requirements for banking organizations.

I did a couple of townhall meetings over the weekend, and I can tell my colleagues truthfully that nobody in the audience asked a question about the operational risk capital requirements for banking organizations. Nor did they bring up the need for us to rush ahead and pass the Comprehensive Regulatory Review Act, but they did ask what we are doing to protect their kids and to protect our schools.

We are living in a time when parents have to wonder when they send their kids to school in the morning whether they will come back alive. We are living in a time when going to the movie theater is a risk, when going to a concert is a risk, or when going to church is a risk. This is unacceptable, and people have had it.

I would say to my colleagues who are beholden to the National Rifle Association: I get it. If you don't want to stand up to them, that is fine, but don't stand in the way of this House having a debate on these issues and having a vote. Let the American people see where everybody stands, Democrats and Republicans alike.

It is unbelievable to me, in the aftermath of this tragedy, that we are here talking about the operational risk capital requirements for banking organizations, when we should be talking about strengthening our background checks and expanding our background checks; when we should be talking about banning bump stocks; when we should be talking about dealing with high-capacity magazines; and when we should be talking about banning assault weapons.

People don't have to vote for those things if they don't want to, but I think that is what the American people want. You see it in the polling data. I am hearing it when I go home and I talk in townhalls.

People are just frustrated that we are doing nothing. We hold moments of silence, and that is about it. I think some in the NRA are hoping that this is kind of business as usual. That we will have this terrible tragedy, then, as time goes on, people will focus less and less on it, the media will focus less and less on it, and then we will just kind of move on.

I remember, in the aftermath of the Las Vegas shooting, there was talk about banning bump stocks. The President said he thought that was a good idea. Even the NRA did. Time went on, the focus went off of what happened in

Las Vegas, and we did nothing. Maybe that is what some of my colleagues are hoping for, is that time will pass and we will do nothing. But it is such an abrogation of our duty and our responsibility, and I just don't get it. I don't get it.

This is another closed rule that makes a mockery of regular order. But what is even more disturbing to me is that we are prioritizing banking issues over protecting our kids and our families, and I just find that unconscionable.

I think the anger in this country is just growing more and more and more. I have great hope that these young voices, not just those from Parkland, Florida, but high school students all across this country, who want a future where they don't have to worry about going to school, their voices are getting louder and louder and louder, and they are not going to cave and they are going to demand change. It is their future, and they want us to give them a future where they feel safer and more protected.

Mr. Speaker, I ask my colleagues to defeat the previous question so that we can bring up some commonsense gun safety legislation. Again, if you don't want to vote for it, you can vote "no," but we have to have the debate.

I think that is what is particularly insulting to so many people across this country who are frustrated with this House when it comes to gun safety legislation, is that we don't even have the guts to have a debate. We don't even bring it up. It is not a priority. I think we have an opportunity now, if we defeat the previous question, to make it a priority.

Mr. Speaker, I urge a "no" vote on the previous question, a "no" vote on the rule, and I yield back the balance of my time.

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

Mr. Speaker, I want to close debate by reviewing a few basic truths.

In the aftermath of the financial meltdown last decade, Washington embarked on a campaign to reduce the power of Wall Street over Americans. In typical Washington fashion, we, instead, got a monstrosity of a new regulatory infrastructure that has all but snuffed out Main Street lenders. The plan to reduce Wall Street's influence actually increased it.

This House—not the Senate, because the Senate has refused to act—listened to the American people and passed the Financial CHOICE Act. Instead of embarking on a campaign that hurt American people and propped up Wall Street, we set out with one goal: increase the financial freedom of Americans.

And we did that. We passed a bill that would make substantive changes to our financial regulations to the betterment of Americans.

These bills before us today continue on that path. They recognize that this government should work for all Ameri-

cans, not just those who can afford political connections.

Eastern Coloradans should know that I serve them and them alone. As long as I have this responsibility to represent them, I will work to reduce Washington's role in their life.

I thank Chairman HENSARLING for his leadership on the Financial CHOICE Act and these bills. I hope that he will remain engaged in this effort as he commences the next chapter in his life at the end of this Congress.

I thank Chairman SESSIONS for his leadership in bringing this debate to the floor today.

We must never yield in putting Americans first in our public policy.

Mr. Speaker, I urge passage of the rule and the underlying bill.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 747 OFFERED BY
MR. MCGOVERN

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

SEC. 3. That 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. 4240) to protect Second Amendment rights, ensure that all individuals who should be prohibited from buying a firearm are listed in the National Instant Criminal Background Check System, and provide a responsible and consistent background check process. 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. 4. Immediately after disposition of H.R. 4240 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. 3464) to prohibit firearms dealers from selling a firearm prior to the completion of a background check. 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 Com-

mittee 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. 5. Immediately after disposition of H.R. 3464 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. 2598) to provide family members of an individual who they fear is a danger to himself, herself, or others new tools to prevent gun violence. 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. 6. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 4240, H.R. 3464, or H.R. 2598.

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. BUCK. 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. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 27, 2018.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 27, 2018, at 9:24 a.m.:

That the Senate agreed to without an amendment H. Con. Res. 103.

That the Senate agreed to without an amendment H. Con. Res. 107.

With best wishes, I am,

Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o’clock and 28 minutes p.m.), the House stood in recess.

□ 1307

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WEBER of Texas) at 1 o’clock and 7 minutes p.m.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. THOMPSON of California. Mr. Speaker, I have a privileged resolution at the desk, which I have previously noticed.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Whereas, gun violence affects every community in our Nation;

Whereas, 30 people are killed every day by someone using a gun;

Whereas, more than 2,200 people have been killed this year by someone using a gun;

Whereas, there have been at least 34 mass shootings this year;

Whereas, while mass shootings often receive media attention, gun violence is present every day in every community;

Whereas, since the tragedy at Sandy Hook Elementary School, the House of Representatives has held 43 moments of silence to honor the memory of people killed by someone using guns;

Whereas, most gun owners are responsible and law-abiding;

Whereas, the Supreme Court, in its District of Columbia v. Heller decision, recognized the right to keep and to bear arms;

Whereas, the Brady Handgun Violence Prevention Act was enacted on November 30, 1993;

Whereas, background checks have been successful and every day stop more than 170 felons, some 50 domestic abusers, and nearly 20 fugitives from buying a gun;

Whereas, over 2,000,000 gun sales were blocked since enactment of the Brady Handgun Violence Prevention Act;

Whereas, 90 percent of all background checks are done instantly;

Whereas, the States that require background checks, 47 percent fewer women are murdered by intimate partners;

Whereas, in States that require background checks, there are 47 percent firearm suicides;

Whereas, in States that require background checks, 53 percent fewer law enforcement officers are killed by someone using a gun;

Whereas, 97 percent of Americans polled support background checks for all gun sales;

Whereas, in many States, no background check is required to buy a gun online or at a gun show; and

Whereas, the President has said, “Whether we are Republican or Democrats must now focus on strengthening Background Checks!” Now, therefore, be it:

Resolved That the House of Representatives should immediately consider H.R. 4240, the Public Safety and Second Amendment Rights Protection Act of 2017, and H.R. 3464, the Background Check Completion Act of 2017.

The SPEAKER pro tempore. Does the gentleman from California wish to present argument on the parliamentary question whether the resolution presents a question of the privileges of the House?

Mr. THOMPSON of California. Mr. Speaker, yes, I do.

The SPEAKER pro tempore. The gentleman is recognized on the question of order.

Mr. THOMPSON of California. Mr. Speaker, it is our duty as lawmakers and Representatives to pass laws that will make our communities safer. So far, Mr. Speaker, Congress has done nothing in regard to gun violence prevention, and that is shameful.

Every Member here knows that something must be done about gun violence. We may not all agree on what that is, but everyone, from the President of the United States of America to the inspiring young leaders who are leading a movement today out of Florida, agrees we must expand background checks. That is why we need this resolution and why we must take up the bipartisan background bill immediately. You cannot table the 30 people a day who are killed by someone using a gun.

Let us have this vote, Mr. Speaker. We have had too many moments of silence. We have got a bill that is ready to come to the floor. It is bipartisan, Democrats and Republicans supporting the bill, coauthoring the bill.

Ninety-seven percent of the American people believe that we should take up and vote for a measure regarding background checks. This is a good bill. It should be brought to the floor.

The Republicans should not be silencing the wishes of the American people. The Republican majority should not disallow hearings and votes on this bill.

Mr. Speaker, it is past time.

The SPEAKER pro tempore. The remarks of the gentleman must be confined to the question of order.

The Chair is prepared to rule.

The gentleman from California seeks to offer a resolution raising a question of the privileges of the House under rule IX. The resolution offered by the gentleman from California provides that the House should vote on two specified measures.

One of the fundamental tenets of rule IX, as the Chair recently ruled on December 10, 2015, is that a resolution expressing a sentiment that the House should consider a particular bill does not qualify as a question of the privileges of the House. Similarly, on February 6, 2018, the Chair ruled that a resolution providing that the House should act on a specified item of business does not constitute a question of the privileges of the House.