

So there is a case to be made on both sides of these things. I think the majority has tried to move legislation as best they can, but we certainly want the active participation of our friends from the other side, and, quite often, they are very robust in taking advantage of that opportunity. That is a good thing.

Mr. Speaker, in closing, I want to encourage all Members to support the rule. I recognize my friends on the other side probably will not do that, and that is appropriate. The rule debate is normally a partisan divide, and I respect my friend's efforts in that regard.

But I know that many of my friends will support the underlying resolution, and, for that, I express my appreciation, and, frankly, my gratitude for the good hard work that has gone back and forth across partisan aisles. This bill, though, this rule represents the next step toward fulfilling our primary obligation as Members of Congress to fund the government.

For the first time in over 10 years, we will fully fund the Department of Defense before the start of our fiscal year. We will pass a Labor, Health and Human Services, Education, and Related Agencies appropriations bill, providing funds for healthcare, schools, medical research, job training, and thousands of other priorities for both parties for the first time in 22 years. And we will enable that the government remains open and operating to provide needed services for our constituents.

So I want to applaud my colleagues on both sides of the aisle for their hard work. I want to thank our friends in the United States Senate who have already completed their portion of this. I want to join my friend in urging the President, assuming we pass this legislation, to sign it and sign it before the end of the fiscal year.

The material previously referred to by Mrs. TORRES is as follows:

AN AMENDMENT TO H. RES. 1077 OFFERED BY  
MS. TORRES

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

SEC. 4. 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. 6545) to reauthorize the Violence Against Women Act of 1994, 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. 5. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 6545.

THE VOTE ON THE PREVIOUS QUESTION: WHAT  
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. COLE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

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

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

Mrs. TORRES. 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, September 26, 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 September 26, 2018, at 11:55 a.m.:

That the Senate passed S. 3139.

That the Senate passed S. 3389.

That the Senate passed without amendment H.R. 4958.

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 for a period of less than 15 minutes.

Accordingly (at 1 o'clock and 9 minutes p.m.), the House stood in recess.

□ 1315

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DONOVAN) at 1 o'clock and 15 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 1077;

Adoption of House Resolution 1077, if ordered;

The motion to suspend the rules and pass H.R. 5420, if ordered; and

Agreeing to the Speaker's approval of the Journal, 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 CONFERENCE REPORT ON H.R. 6157, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2019; PROVIDING FOR CONSIDERATION OF H. RES. 1071, RECOGNIZING THAT ALLOWING ILLEGAL IMMIGRANTS THE RIGHT TO VOTE DIMINISHES THE VOTING POWER OF UNITED STATES CITIZENS; AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 1077) providing for consideration of the conference report to accompany the bill (H.R. 6157) making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; providing for consideration of the resolution (H. Res. 1071) recognizing that allowing illegal immigrants the right to vote devalues the franchise and diminishes the voting power of United States citizens; and providing for consideration of motions to suspend the rules, on which the yeas and nays are 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 10, as follows:

[Roll No. 402]

YEAS—230

|             |               |               |
|-------------|---------------|---------------|
| Abraham     | Calvert       | Emmer         |
| Aderholt    | Carter (GA)   | Estes (KS)    |
| Allen       | Carter (TX)   | Faso          |
| Amash       | Chabot        | Ferguson      |
| Amodei      | Cheney        | Fitzpatrick   |
| Arrington   | Cloud         | Fleischmann   |
| Babin       | Coffman       | Flores        |
| Bacon       | Cole          | Fortenberry   |
| Balderson   | Collins (GA)  | Foxx          |
| Banks (IN)  | Collins (NY)  | Frelinghuysen |
| Barr        | Comer         | Gaetz         |
| Barton      | Comstock      | Gallagher     |
| Bergman     | Conaway       | Garrett       |
| Biggs       | Cook          | Gianforte     |
| Bilirakis   | Costello (PA) | Gibbs         |
| Bishop (MI) | Cramer        | Gohmert       |
| Bishop (UT) | Crawford      | Goodlatte     |
| Black       | Culberson     | Gosar         |
| Blum        | Curbelo (FL)  | Gowdy         |
| Bost        | Curtis        | Granger       |
| Brady (TX)  | Davidson      | Graves (GA)   |
| Brat        | Davis, Rodney | Graves (LA)   |
| Brooks (AL) | Denham        | Graves (MO)   |
| Brooks (IN) | DesJarlais    | Griffith      |
| Buchanan    | Diaz-Balart   | Grothman      |
| Buck        | Donovan       | Guthrie       |
| Bucshon     | Duffy         | Handel        |
| Budd        | Duncan (SC)   | Harper        |
| Burgess     | Duncan (TN)   | Harris        |
| Byrne       | Dunn          | Hartzler      |

|                 |                   |
|-----------------|-------------------|
| Hensarling      | McCaul            |
| Herrera Beutler | McClintock        |
| Hice, Jody B.   | McHenry           |
| Higgins (LA)    | McKinley          |
| Hill            | McMorris          |
| Holding         | Rodgers           |
| Hollingsworth   | McSally           |
| Hudson          | Meadows           |
| Huizenga        | Messer            |
| Hultgren        | Mitchell          |
| Hunter          | Mooleenaar        |
| Hurd            | Mooney (WV)       |
| Jenkins (KS)    | Mullin            |
| Johnson (LA)    | Newhouse          |
| Johnson (OH)    | Noem              |
| Johnson, Sam    | Norman            |
| Jones           | Nunes             |
| Jordan          | Olson             |
| Joyce (OH)      | Palazzo           |
| Katko           | Palmer            |
| Kelly (MS)      | Paulsen           |
| Kelly (PA)      | Pearce            |
| King (IA)       | Perry             |
| King (NY)       | Pittenger         |
| Kinzinger       | Poe (TX)          |
| Knight          | Poliquin          |
| Kustoff (TN)    | Posey             |
| Labrador        | Ratcliffe         |
| LaHood          | Reed              |
| LaMalfa         | Reichert          |
| Lamborn         | Renacci           |
| Lance           | Rice (SC)         |
| Latta           | Roby              |
| Lesko           | Roe (TN)          |
| Lewis (MN)      | Rogers (AL)       |
| LoBiondo        | Rogers (KY)       |
| Long            | Rohrabacher       |
| Loudermilk      | Rokita            |
| Love            | Rooney, Francis   |
| Lucas           | Rooney, Thomas J. |
| Luetkemeyer     | Roskam            |
| MacArthur       | Ross              |
| Marchant        | Rothfus           |
| Marino          | Rouzer            |
| Marshall        | Royce (CA)        |
| Massie          | Russell           |
| Mast            | Rutherford        |
| McCarthy        |                   |

NAYS—188

|                   |                   |                |
|-------------------|-------------------|----------------|
| Adams             | DeSaulnier        | Larson (CT)    |
| Agullar           | Deutch            | Lawrence       |
| Barragán          | Dingell           | Lawson (FL)    |
| Bass              | Doggett           | Lee            |
| Beatty            | Doyle, Michael F. | Levin          |
| Bera              | Engel             | Lewis (GA)     |
| Beyer             | Espallat          | Lieu, Ted      |
| Bishop (GA)       | Esty (CT)         | Lipinski       |
| Blumenauer        | Evans             | Loeb sack      |
| Blunt Rochester   | Foster            | Lofgren        |
| Bonamici          | Frankel (FL)      | Lowenthal      |
| Boyle, Brendan F. | Fudge             | Lowe y         |
| Brady (PA)        | Gabbard           | Lujan, Ben Ray |
| Brown (MD)        | Galleo            | Lynch          |
| Brownley (CA)     | Garamendi         | Maloney,       |
| Bustos            | Gomez             | Carolyn B.     |
| Butterfield       | Gonzalez (TX)     | Maloney, Sean  |
| Capuano           | Gottheimer        | Matsui         |
| Cardinal          | Green, Al         | McCollum       |
| Cárdenas          | Green, Gene       | McEachin       |
| Carson (IN)       | Grijalva          | McGovern       |
| Cartwright        | Gutiérrez         | McNerney       |
| Castro (TX)       | Hanabusa          | Meeks          |
| Chu, Judy         | Hastings          | Meng           |
| Cicilline         | Heck              | Moore          |
| Clark (MA)        | Higgins (NY)      | Moulton        |
| Clarke (NY)       | Himes             | Murphy (FL)    |
| Clay              | Hoyer             | Nadler         |
| Cleaver           | Huffman           | Napolitano     |
| Clyburn           | Jackson Lee       | Neal           |
| Cohen             | Jayapal           | Norcross       |
| Connelly          | Jeffries          | O'Halleran     |
| Cooper            | Johnson (GA)      | O'Rourke       |
| Correa            | Johnson, E. B.    | Pallone        |
| Costa             | Kaptur            | Panetta        |
| Courtney          | Keating           | Pascarell      |
| Crist             | Kelly (IL)        | Payne          |
| Crowley           | Kennedy           | Pelosi         |
| Cuellar           | Khanha            | Perlmutter     |
| Cummings          | Kihuen            | Peters         |
| Davis (CA)        | Kildee            | Peterson       |
| Davis, Danny      | Kilmer            | Pingree        |
| DeFazio           | Kind              | Pocan          |
| DeGette           | Krishnamoorthi    | Polis          |
| Delaney           | Kuster (NH)       | Price (NC)     |
| DeLauro           | Lamb              | Quigley        |
| DelBene           | Langevin          | Raskin         |
| Demings           | Larsen (WA)       | Rice (NY)      |
|                   |                   | Richmond       |

|               |
|---------------|
| Rosen         |
| Roybal-Allard |
| Ruiz          |
| Ruppersberger |
| Rush          |
| Ryan (OH)     |
| Sánchez       |
| Sarbanes      |
| Schakowsky    |
| Schiff        |
| Schneider     |
| Schrader      |
| Scott (VA)    |
| Scott, David  |
| Serrano       |

|               |
|---------------|
| Sewell (AL)   |
| Shea-Porter   |
| Sherman       |
| Sinema        |
| Sires         |
| Smith (WA)    |
| Soto          |
| Speier        |
| Suoizzi       |
| Swalwell (CA) |
| Takano        |
| Thompson (CA) |
| Thompson (MS) |
| Titus         |
| Tonko         |

|                |
|----------------|
| Torres         |
| Tsongas        |
| Vargas         |
| Veasey         |
| Vela           |
| Velázquez      |
| Schultz        |
| Walz           |
| Wasserman      |
| Waters, Maxine |
| Watson Coleman |
| Welch          |
| Wilson (FL)    |
| Yarmuth        |

NOT VOTING—10

|             |              |                |
|-------------|--------------|----------------|
| Barletta    | Eshoo        | Lujan Grisham, |
| Blackburn   | Issa         | M.             |
| Castor (FL) | Jenkins (WV) | Nolan          |
| Ellison     |              | Ros-Lehtinen   |

□ 1341

Messrs. SIREs, VELA, RICHMOND, LARSON of Connecticut, and VIS-CLOSKY changed their vote from "yea" to "nay."

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. HASTINGS. 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—aye 230, noes 188, not voting 10, as follows:

[Roll No. 403]

AYES—230

|               |                 |               |
|---------------|-----------------|---------------|
| Abraham       | Crawford        | Hice, Jody B. |
| Aderholt      | Crist           | Higgins (LA)  |
| Allen         | Culberson       | Hill          |
| Amodei        | Curbelo (FL)    | Holding       |
| Arrington     | Curtis          | Hollingsworth |
| Babin         | Davidson        | Hudson        |
| Bacon         | Davis, Rodney   | Huizenga      |
| Balderson     | Denham          | Hultgren      |
| Banks (IN)    | DesJarlais      | Hunter        |
| Barr          | Diaz-Balart     | Hurd          |
| Barton        | Donovan         | Issa          |
| Bergman       | Duffy           | Jenkins (KS)  |
| Biggs         | Duncan (SC)     | Johnson (LA)  |
| Bilirakis     | Duncan (TN)     | Johnson (OH)  |
| Bishop (MI)   | Dunn            | Johnson, Sam  |
| Bishop (UT)   | Emmer           | Jordan        |
| Black         | Estes (KS)      | Joyce (OH)    |
| Blum          | Faso            | Katko         |
| Bost          | Ferguson        | Kelly (MS)    |
| Brady (TX)    | Fitzpatrick     | Kelly (PA)    |
| Brat          | Fleischmann     | King (IA)     |
| Brooks (AL)   | Flores          | King (NY)     |
| Brooks (IN)   | Fortenberry     | Kinzinger     |
| Buchanan      | Foxx            | Knight        |
| Buck          | Frelinghuysen   | Kustoff (TN)  |
| Bucshon       | Gaetz           | Labrador      |
| Budd          | Gallagher       | LaHood        |
| Burgess       | Garrett         | LaMalfa       |
| Byrne         | Gianforte       | Lamb          |
| Calvert       | Gibbs           | Lamborn       |
| Carter (GA)   | Goodlatte       | Lance         |
| Carter (TX)   | Gottheimer      | Latta         |
| Chabot        | Gowdy           | Lesko         |
| Cheney        | Granger         | Lewis (MN)    |
| Cloud         | Graves (GA)     | LoBiondo      |
| Coffman       | Graves (LA)     | Long          |
| Cole          | Graves (MO)     | Loudermilk    |
| Collins (GA)  | Grothman        | Love          |
| Collins (NY)  | Guthrie         | Lucas         |
| Comer         | Handel          | Luetkemeyer   |
| Comstock      | Harper          | MacArthur     |
| Conaway       | Harris          | Marchant      |
| Cook          | Hartzler        | Marino        |
| Costello (PA) | Hensarling      | Marshall      |
| Cramer        | Herrera Beutler | Mast          |