

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE SPEAKER TO APPOINT A COMMITTEE TO NOTIFY THE PRESIDENT OF THE ASSEMBLY OF THE CONGRESS

Mr. HOYER. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 3

Resolved, That a committee of two Members be appointed by the Speaker on the part of the House of Representatives to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House has assembled and Congress is ready to receive any communication that he may be pleased to make.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF MEMBERS TO COMMITTEE TO NOTIFY THE PRESIDENT, PURSUANT TO HOUSE RESOLUTION 3

The SPEAKER pro tempore. Without objection, pursuant to House Resolution 3, the Chair appoints the following Members to the committee on the part of the House to join a committee on the part of the Senate to notify the President of the United States that a quorum of each House has assembled and that Congress is ready to receive any communication that he may be pleased to make:

The gentleman from Maryland (Mr. HOYER) and

The gentleman from California (Mr. McCARTHY).

There was no objection.

AUTHORIZING THE CLERK TO INFORM THE PRESIDENT OF THE ELECTION OF THE SPEAKER AND THE CLERK

Mr. YOUNG. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows

H. RES. 4

Resolved, That the Clerk be instructed to inform the President of the United States that the House of Representatives has elected Nancy Pelosi, a Representative from the State of California as Speaker, and Karen L. Haas, a citizen of the State of Maryland as Clerk, of the House of Representatives of the One Hundred Sixteenth Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RULES OF THE HOUSE

Mr. MCGOVERN. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 5

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the resolution (H. Res. 6) adopting the Rules of the House of Representatives for the One Hundred Sixteenth Congress. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution to its adoption without intervening motion or demand for division of the question except as specified in sections 2 and 3 of this resolution.

SEC. 2. The question of adopting the resolution shall be divided among each of its three titles. The portion of the divided question comprising title I shall be debatable for 30 minutes, equally divided and controlled by the Majority Leader and the Minority Leader or their respective designees. The portion of the divided question comprising title II shall be debatable for one hour, equally divided and controlled by the Majority Leader and the Minority Leader or their respective designees. The portion of the divided question comprising title III shall be debatable for one hour, equally divided and controlled by the Majority Leader and the Minority Leader or their respective designees. Each portion of the divided question shall be disposed of in the order stated.

SEC. 3. During consideration of House Resolution 6 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the resolution to a time designated by the Speaker.

SEC. 4. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 21) making appropriations for the fiscal year ending September 30, 2019, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion 1 except: (1) one hour of debate equally divided and controlled by Representative Lowey of New York and Representative Granger of Texas or their respective designees; and (2) one motion to recommit.

SEC. 5. Upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 1) making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, and for other purposes. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) 30 minutes of debate equally divided and controlled by Representative Lowey of New York and Representative Granger of Texas or their respective designees; and (2) one motion to recommit.

MOTION TO REFER

Mr. BRADY of Texas. Mr. Speaker, I have a motion at the desk.

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

The Clerk read as follows:

Mr. Brady of Texas moves to refer the resolution to a select committee composed of the Majority Leader and the Minority Leader with instructions to report it forthwith back to the House with the following amendment:

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

SEC. 6. Not later than January 1, 2019, 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. 22) to amend the Internal Revenue Code of 1986 to make permanent the increase in and modifications of the child tax credit, and the repeal of the deduction for personal exemptions contained in Public Law 115-97. 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 Ways and Means. 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. 7. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 22.

MOTION TO TABLE

Mr. MCGOVERN. Mr. Speaker, I have a motion at the desk.

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

The Clerk read as follows:

Mr. MCGOVERN moves to lay on the table the motion to refer.

The SPEAKER pro tempore. The question is on the motion to table.

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

Mr. BRADY of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 230, nays 197, not voting 5, as follows:

[Roll No. 3]

YEAS—230

Adams	Castro (TX)	Dean
Aguilar	Chu, Judy	DeFazio
Allred	Cicilline	DeGette
Axne	Cisneros	DeLauro
Barragán	Clark (MA)	DelBene
Beatty	Clarke (NY)	Delgado
Bera	Clay	Demings
Beyer	Cleaver	DeSaulnier
Bishop (GA)	Clyburn	Deutch
Blumenauer	Cohen	Dingell
Blunt Rochester	Connolly	Doggett
Bonamici	Cooper	Doyle, Michael F.
Boyle, Brendan F.	Correa	Engel
Brindisi	Costa	Escobar
Brown (MD)	Courtney	Eshoo
Brownley (CA)	Cox (CA)	Espaillat
Bustos	Craig	Finkenauer
Butterfield	Crist	Fletcher
Carbajal	Cuellar	Foster
Carson (IN)	Cummings	Frankel
Cartwright	Cunningham	Fudge
Case	Davids (KS)	Gabbard
Casten (IL)	Davis (CA)	Gallego
Castor (FL)	Davis, Danny K.	

Garamendi Lowenthal Rush Moolenaar Rouzer Tipton
 Garcia (IL) Lowey Ryan Mooney (WV) Roy Turner
 Garcia (TX) Luján Sánchez Mullin Rutherford Upton
 Golden Luria Sarbanes Newhouse Scalise Wagner
 Gomez Lynch Scanlon Norman Schweikert Walberg
 Gonzalez (TX) Malinowski Schakowsky Nunes Scott, Austin Walden
 Gottheimer Maloney, Carolyn B. Schiff Olson Sensenbrenner Walker
 Green (TX) Schneiders Palazzo Shimkus Walorski
 Grijalva Maloney, Sean Schrader Palmer Simpson Waltz
 Haaland Matsui Schrier Pence Smith (MO) Watkins
 Harder (CA) McAdams Scott (VA) Perry Smith (NE) Weber (TX)
 Hastings McBath Scott, David Posey Smith (NJ) Webster (FL)
 Hayes McCollum Serrano Ratcliffe Spano Wenstrup
 Heck McEachin Sewell (AL) Reed Stauber Westerman
 Higgins (NY) McGovern Shalala Reschenthaler Stefanik Williams
 Hill (CA) McNearney Sherman Rice (SC) Stiel Wilson (SC)
 Himes Meeks Sherrill Riggieaman Steube Wittman
 Horn, Kendra S. Meng Sires Roby Stewart Womack
 Horsford Moore Soto Spanberger Roe, David P. Stivers Woodall
 Houlahan Morelle Slotkin Rogers (AL) Taylor Wright
 Hoyer Moulton Smith (WA) Soto Thompson (PA) Yoho
 Huffman Mucarsel-Powell Murphy Spanberger Rooney (FL) Thornberry Young
 Jackson Lee Murphy Speier Rose, John W. Timmons Zeldin
 Jayapal Nadler Stanton
 Jeffries Napolitano Stevens
 Johnson (GA) Neal Suozzi
 Johnson (TX) Neguse Swalwell (CA)
 Kaptur Norcross Takano
 Keating O'Halleran Thompson (CA)
 Kelly (IL) Ocasio-Cortez Thompson (MS)
 Kennedy Omar Pallone Titus
 Khanna Panetta Tlaib
 Kildee Pappas Tonko
 Kilmer Pascrell Torres (CA)
 Kim Payne Torres Small
 Kind Perlmutter (NM)
 Kirkpatrick Peters Trahan
 Krishnamoorthi Peters Peterson
 Kuster (NH) Peterson Trone
 Lamb Phillips Underwood
 Langevin Pingree Van Drew
 Larsen (WA) Pocan Vargas
 Larson (CT) Porter Veasey
 Lawrence Pressley Vela
 Lawson (FL) Price (NC) Velázquez
 Lee (CA) Quigley Visclosky
 Lee (NV) Raskin Wasserman
 Levin (CA) Rice (NY) Schultz
 Levin (MI) Richmond Waters
 Lewis Rose (NY) Watson Coleman
 Lieu, Ted Rouda Welch
 Lipinski Roybal-Allard Wexton
 Loebssack Ruiz Yarmuth
 Lofgren Ruppersberger

NAYS—197

Abraham Curtis Hollingsworth
 Aderholt Davidson (OH) Hudson
 Allen Davis, Rodney Huizenga
 Amash DesJarlais Hunter
 Amodei Diaz-Balart Hurd (TX)
 Armstrong Duffy Johnson (LA)
 Arrington Duncan Johnson (OH)
 Babin Dunn Johnson (SD)
 Bacon Emmer Jordan
 Baird Estes Joyce (OH)
 Balderson Ferguson Joyce (PA)
 Banks Fitzpatrick Katko
 Barr Fleischmann Kelly (MS)
 Bergman Flores Kelly (PA)
 Biggs Fortenberry King (IA)
 Bilirakis Foxx (NC) King (NY)
 Bishop (UT) Fulcher Kinzinger
 Bost Gaetz Kustoff (TN)
 Brady Gallagher LaHood
 Brooks (AL) Gianforte LaMalfa
 Brooks (IN) Gibbs Lamborn
 Buchanan Gohmert Latta
 Buck Gonzalez (OH) Lesko
 Bucshon Gooden Long
 Budd Gosar Loudermilk
 Burchett Granger Lucas
 Burgess Graves (GA) Luetkemeyer
 Byrne Graves (LA) Marchant
 Calvert Graves (MO) Marino
 Carter (GA) Green (TN) Marshall
 Carter (TX) Griffith Massie
 Chabot Grothman Mast
 Cheney Guest McCarthy
 Cline Guthrie McCaul
 Cloud Hagedorn McClintock
 Cole Harris McHenry
 Collins (GA) Hartzler McKinley
 Collins (NY) Hern, Kevin McMorris
 Comer Herrera Beutler Rodgers
 Conaway Hice (GA) Meadows
 Cook Higgins (LA) Meuser
 Crawford Hill (AR) Miller
 Crenshaw Holding Mitchell

Moolenaar Mooney (WV) Rouzer Tipton
 Mullin Rutherford Upton
 Newhouse Scalise Wagner
 Norman Schweikert Walberg
 Nunes Scott, Austin Walden
 Olson Sensenbrenner Walker
 Palazzo Shimkus Walorski
 Palmer Simpson Waltz
 Schrier Pence Smith (MO) Watkins
 Scott (VA) Perry Smith (NE) Weber (TX)
 Scott, David Posey Smith (NJ) Webster (FL)
 Serrano Ratcliffe Spano Wenstrup
 Sewell (AL) Reed Stauber Westerman
 Shalala Reschenthaler Stefanik Williams
 Sherman Rice (SC) Stiel Wilson (SC)
 Sherrill Riggieaman Steube Wittman
 Sires Roby Stewart Womack
 Roe, David P. Stivers Woodall
 Rogers (AL) Taylor Wright
 Soto Thompson (PA) Yoho
 Spanberger Rooney (FL) Thornberry Young
 Speier Rose, John W. Timmons Zeldin
 Stanton Stevens
 Stanton Smucker Wilson (FL)
 Stevens Wild

NOT VOTING—5

□ 1606

Messrs. KING of New York and ADERHOLT changed their vote from "yea" to "nay."

So the motion to table was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table

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

Mr. McGOVERN. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the minority leader or his designee—in this case, Mr. COLE—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. McGOVERN. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on H. Res. 5 and H. Res. 6.

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

There was no objection.

Mr. McGOVERN. Mr. Speaker, by a 10-million-vote margin, the American people entrusted Democrats to run this body. So it is finally a new day for this Congress, and this rules package is our first opportunity to chart a new course.

In a sign that we intend to run this place differently, these ideas were developed from the bottom up, not the top down. We asked every Member for their ideas, from the longest serving to the newly elected, Democrats and Republicans alike.

We spoke to experts, inside and outside this Congress, from every House committee, from offices like the Parliamentarian and the General Counsel, from the Progressive Caucus and the Black Caucus to the Hispanic Caucus, the Blue Dog Coalition and the bipartisan Problem Solvers Caucus, and from outside groups engaged on these issues.

We spent months vetting suggestions and came up with a final package that

reflects all corners of the Democratic Caucus and this Congress.

Never before has a rules package been developed like this. Our collaborative process made the final product a much stronger one. It modernizes this Chamber in five key ways.

First, it restores the people's voice by aligning Congress' agenda with the priorities of the American people. That includes enabling this House to defend the Affordable Care Act's preexisting conditions coverage; setting up consideration of H.R. 1, a historic set of reforms to reduce money in politics; creating a Select Committee on the Climate Crisis so we no longer ignore the defining issues we all face; ending the Holman rule to protect Federal workers; strengthening representation by giving rights to Delegates and the Resident Commissioner in the Committee of the Whole and ensuring they can be appointed to joint committees; and honoring our commitment to workers by putting "labor" back in the Committee on Education and Labor.

Second, it restores the legislative process by returning to regular order and abiding by the principle that good ideas should finally be debated and voted on again. That includes establishing a real 72-hour rule so Members of Congress have time to actually read the major bills they are voting on, requiring bills to have a hearing and a markup before they go through the Rules Committee and to the floor, and creating a truly bipartisan select committee to modernize Congress and keep ourselves accountable so that this place actually works for the American people.

Third, it restores oversight and ethics by cleaning up Washington, and it subjects the Trump administration to something it has never had: real oversight. That means making common-sense changes like prohibiting Members of Congress and staff from serving on boards of publicly traded companies, making sure non-disclosure agreements aren't used to prevent people here from speaking out about possible wrongdoing, providing assistance and training to help congressional offices properly protect whistleblowers, and setting a policy that Members indicted for serious crimes should resign from leadership roles and committee assignments.

Fourth, it restores budget rules by preventing Members from using the debt ceiling as a political weapon, ending the sham budgetary policy of CutGo that pretends that tax cuts somehow pay for themselves, and preventing our Federal lands from being given away for free.

Fifth, it restores inclusion to ensure Congress reflects the diversity of the American people, people of all backgrounds, including women and the LGBTQ community. That includes banning discrimination on the basis of sexual orientation and gender identity, creating a first-ever diversity office so the workers here are as diverse as the

real world, clarifying the rules so that Members and staff are finally allowed to wear religious headwear on the House floor and requiring Members to reimburse taxpayers for discrimination settlements.

Those are just some of the many rules changes that are included here, and I am especially proud that we have also included language that ensures the direct vote on privileged war powers resolutions and directs the House Office of General Counsel to explore all possible legal options for responding to the administration's attempt to circumvent Congress and limit access to SNAP for hundreds of thousands of hungry Americans, because this majority will not sit idly by as the Trump administration beats up on poor people.

Each change is the result of a real exchange of ideas, an honest attempt at unrigging the rules so that the people's House actually works for the people again.

Now, Mr. Speaker, this rules package isn't some panacea that will fix all our problems. As important as it is, there is something that is even more important, and that is how we conduct ourselves day to day, week after week, and year after year, because you can't legislate civility.

As chairman of the Rules Committee, I am ready to do my part to institute a more accommodating process, one that gives all Members a voice and brings the committee back to the days where big ideas were actually debated, where Members were treated with respect, and where the discourse wasn't so coarse.

I am not naive, Mr. Speaker. I know that, even if this House elevates the discourse here, we cannot control the other branches of government. The Senate will work its will, and the President may still reach for his phone to tweet insults and to name-call. But we can and we should be the example of how Congress should operate, and I am proud that this Democratic majority has developed a historic rules package that will immediately help restore integrity to this institution.

I would like to thank the Office of the Parliamentarian and the Office of the Legislative Counsel for their technical assistance in drafting this package. Their hard work and their professionalism is a credit to this House.

I also want to thank the incredible staff of the Rules Committee, which spent countless hours trying to help assemble all these ideas, yet these ideas, and put this package together.

This rule also includes language that will allow us to finally vote on reopening the government on day one of this new Congress.

□ 1615

Bills were negotiated in a bipartisan way with the Senate that would bring an end to the President's unnecessary and costly shutdown. Not a single penny is included for any border wall. It is that simple.

Both sides should agree on this. No part of our government should be shut down over the President's obsession with a border wall.

Mr. Speaker, we can rebuild this place and restore integrity again, and that starts with voting in favor of this rule, the underlying rules package, and the legislation to finally end the Trump shutdown. Let's get this done so we can get to work on behalf of the American people.

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

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

Mr. Speaker, I rise as the designee of the Republican leader, and I thank Chairman McGOVERN for yielding me 30 minutes.

First and foremost, I welcome my good friend, Mr. McGOVERN, and congratulate him on being named the chairman of the Rules Committee. While he and I have been on opposite sides of the Rules Committee dais for years, I know him as a passionate advocate for his beliefs and as a good friend. He and his staff have already been great to work with as we start the new Congress, and I am very much looking forward to working with him in our new roles at the Rules Committee this Congress.

However, it is unfortunate that I rise today to oppose the first measure to be put forth by my friend. I know the gentleman from Massachusetts cares deeply about this institution and wants nothing more than to foster an open and fair process.

Over the years, he has called for more open rules, more amendments, and more debate time, so it is a little surprising that this resolution and the resolution we will consider later provide for limited debate in some instances, closed rules, and what Democrats in the past have so fondly referred to as martial law. I understand there are justifications for these decisions, but I find it noteworthy that the first measures out of the gate under the majority include these provisions.

This measure, House Resolution 5, makes in order both the Democrat rules package to govern the 116th Congress and separate appropriations measures to fund the government. The rules package to start a new Congress is always an opportunity to start fresh and improve the institution.

While I applaud certain ideas in this rules package, as a whole, the package does not rise to that lofty goal. There are some good bipartisan ideas in this package for improving the institution, but, on the whole, the package reflects only Democrat priorities. For that reason, I will be opposing it.

In the spirit of bipartisanship, I will first point out areas of agreement. As I said previously, there are some good ideas in this package, and my friend from Massachusetts should be applauded for including them. Indeed, many of these ideas are ones Republicans had previously utilized in Congresses past.

In the last Congress, we maintained the practice of requiring committees to hold a Member Day hearing, where members who were not on a specific committee could come before the committee to talk about their pieces of legislation falling under that committee's jurisdiction. I am gratified my Democrat friends are seeking to continue that practice.

We are also gratified to see that the standard for committee markup notices will be 3 business days. This has been the practice, and I am happy to see my friends making it official in the rules.

We also support the idea of a Select Committee on the Modernization of Congress. This new select committee will have 12 members, evenly divided among Republicans and Democrats, and will be charged with investigating, studying, and making recommendations on modernizing Congress.

While this provision is not perfect and would have been better had it included the Senate, this will give the House a chance to develop and improve our processes and modernize the institution. I will have more to say on this idea tomorrow, but, for now, I think many of my Republican colleagues will certainly be inclined to support it.

I would also like to point out a few additional good ideas that my friends have included that we approach with a tone of skeptical optimism.

First, the majority is requiring that every bill that comes to the Rules Committee have been the subject of a hearing or a markup. I genuinely hope this produces thoughtful legislation. I would point out that the hearing requirement is met merely by a committee of jurisdiction including a list of hearings that were used to develop that bill in the committee report. I am hopeful that committees take this requirement seriously and hold hearings this Congress directly related to the measures, as opposed to hearings loosely connected to the legislation or subject matter.

Second, I believe many Members on both sides of the aisle support the spirit behind the Consensus Calendar. Under this provision, bills that receive 290 cosponsors and that have not been reported out by the committee of jurisdiction can receive a floor vote. In general, Republicans think this is a good idea, but we will be interested to see how it will work in practice and if it will yield the desired results.

Third, my friends are seeking to replace the existing 3-day notice with a 72-hour notice rule. Under this rule, they must post the text of any legislation to be considered on the floor 72 hours before it comes to a vote.

Of course, as my friend knows, legislation is sometimes posted late at night or in the early hours of the morning, and I am hopeful that this will not mean a lot of late-night legislating or attempts to pass bills right as the 72 hours expires. In situations where the 72 hours lands us at midnight, I am hopeful the majority will

view the 72 hours as a minimum and will wait to hold votes until the light of day, as the American people deserve.

As my friend also knows, he and I have had discussions off the floor about the impact of this provision in the rule that could impact the inclusion of minority views, and I appreciate him working with me on legislative history clarifying that provision and ensuring that the rule is in no way intended to suppress minority or dissenting views. As with the consensus calendar, we are interested to see how these provisions will work in practice.

Mr. Speaker, now that I have let my good friend know what he got right, it is time for me to let him know where we think he went wrong.

First and foremost, the Democratic rules package repeals a lot of the critical fiscal responsibility measures that Republicans have adhered to in years past. The repeal of these measures is undoubtedly intended to make it easier to do what Democrats have so often promised to do: spend more money, raise taxes to cover it, and repeat the cycle.

This is a recipe for driving our Nation deeper and deeper into debt. If we fail to keep our fiscal house in order, it will threaten the stability of our economy, our national security, and the American way of life. Unfortunately, I believe these rules changes are a threat to that.

Mr. Speaker, I think this point is so important that I want to list out the fiscal responsibility measures that Democrats are eliminating.

First, Democrats are repealing what we call the CutGo under Republican majorities, which meant, in order to spend money, we had to cut money. Democrats are replacing it with a paygo rule, which allows them to offset the cost of measures by raising revenue or taxing Americans.

They are eliminating the requirement that the House agree by at least a three-fifths supermajority to raise revenue through additional Federal income taxes. This will make it easier for Democrats to tax Americans to pay for their expensive policies.

The rules package brings back the so-called Gephardt rule and creates a provision that says that when the House passes a budget resolution—not both Chambers—a separate joint resolution suspending the Federal debt ceiling through September 30 of that year is also deemed to have passed the House.

Unfortunately, Mr. Speaker, I think this is emblematic of what the Democrats wish to accomplish. The Gephardt rule sweeps the national debt ceiling under a rug and ensures that Democrats will be able to spend with impunity, without worrying about hitting the limit on the national credit card. I, for one, think this is a bad practice and bad policy and will lead only to more and more unnecessary deficit spending.

The rules package we are considering today also authorizes the House to in-

tervene in the Texas v. United States lawsuit over the legality of the Affordable Care Act. I cannot think of a single member on the Republican side who wants to give the Speaker this authority.

The same can be said for the provision authorizing the Office of Legal Counsel to explore options for responding to a Department of Agriculture proposed rulemaking over SNAP benefits for able-bodied adults. Inconceivably, this provision in the rules is also hopelessly vague and represents a blanket grant of authority to simply do something without saying what.

Finally, and most notably, the Democrats are choosing to respond to the demands of one wing of their caucus by establishing a Select Committee on the Climate Crisis to study and make recommendations on climate change.

This committee is ill-conceived from the start. It takes away jurisdiction from standing committees in the House and gives it to a brand new panel rigged with a supermajority of Democrats. Indeed, we do not know where exactly the jurisdiction of this panel begins and ends, since it is conceivable it could dig into all kinds of areas.

Unlike most other committees in the House, this one does not adhere to the negotiated ratio of membership, and, instead, it calls for nine Democrats and six Republicans. The Democrats have also failed to tell us how this new panel will be funded, where the money for it will come from, or how it will be used.

Again, I cannot think of a single Republican who thinks this new panel is a good idea. Earlier in my statement, I used the phrase “skeptical optimism” to describe how I would approach some of the rules changes my friends are proposing. With this proposal, I can approach it with merely skepticism.

Mr. Speaker, as a member of the Appropriations Committee, I would be remiss if I did not shift gears and address the other major proposal covered by the rule. My Democratic friends are seeking to make in order on the floor an appropriations package to reopen the government agencies that are currently affected by the shutdown.

While I applaud them for seeking to fully fund the government, which is the single highest priority of any Member of Congress, they have done so in the worst way possible, and I will be opposing the package.

To start, Mr. Speaker, the Democrats are proposing a package of six bills covering the bulk of the closed agencies and are proposing to fund them for the full fiscal year. Unfortunately, what the Democrats have done is put up a package of six bills produced by the Senate. If the House chooses to pass these bills, we will be abrogating any and all ability for the House to affect the final spending package. None of these six bills reflect any work done by the House Appropriations Committee or the House at large, and I, for one, do not think it wise to surrender all ability to produce a final product like that.

Our own priorities as a coequal house of Congress will not be represented in this bill, and, instead, we merely are being given only the opportunity to vote on what the Senate has produced.

Second, the Democrats are proposing a continuing resolution to fund the Department of Homeland Security through February 8. This, again, is an ill-conceived idea. It simply will kick the can down the road on fully funding the department through the fiscal year. It does not provide any additional money for border security, which Americans have told us time and time again that they want and need.

Most notably, this bill is part of a package that the Senate will not pass and the President will not sign. Why would we surrender our authority and our ability to produce a legislative product on a quixotic effort that is going nowhere?

While I appreciate the attempt by my Democratic colleagues to reopen the government, I do not think the package is an appropriate way to do so, and I would encourage all of my colleagues to oppose it.

Mr. Speaker, in closing, I want to say again how gratified I am that I will be working closely with my friend from Massachusetts during this Congress. I have said some critical things about the rule he is placing on the floor, but let no one think that my disagreements with him over matters of policy or procedure reflect how I feel about him as a person.

As he so kindly noted last week, we can disagree without being disagreeable. I look forward to attempting to live up to those words as we work together in the coming 2 years. With that, I urge opposition to the rule.

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

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

Mr. Speaker, I thank my colleague from Oklahoma for his kind words. My mother and father are up in the gallery, so they are very impressed that you said nice things about me.

I am going to say nice things about you, too, but I was saving it until the end to see the tone of your speech. But I appreciate very much what you said.

Let me just make a couple of statements in response.

The gentleman made mention about martial law, and, yes, there is limited martial law or same-day authority in this package. I am going to say to the gentleman that there should be. If there ever was a time to move legislation quickly, it is while nearly 800,000 Federal employees, including our law enforcement officers, like FBI and DEA and CBP agents, are going without a paycheck.

Enough is enough. We need to open the government, and same-day authority for appropriations bills only lets us do that as quickly as we are able to.

I just want to remind my friends on the other side of the aisle that you had blanket martial law authority before

the holidays. I even voted for the rule providing for it. We did that so that we could move quickly to make sure hard-working Americans weren't left without a paycheck over Christmas.

But what did you do instead of utilizing that same-day authority to consider a bill to keep the government open? That is not what you did. You held an emergency Rules Committee meeting on a bill to define natural cheese. That was the priority, apparently, in the Rules Committee. I mean, seriously. This may seem like a novel concept to my Republican friends, but this is exactly what responsible governance looks like.

Not having the ability to fund government as expeditiously as possible and to clean up this Republican mess would be an abdication of our duty as a new Democratic House majority to keep the lights on for the American people's government. I don't recall—maybe you can correct me—in history, when we have ever started a new Congress in a shutdown that was caused by the previous Congress.

□ 1630

I mean, I would have thought that my friends would have wanted to kind of clean things up before they left town, but they didn't do that. I was here. I was on the floor trying to get the attention of the presiding Speaker to allow us to bring up a continuing resolution to keep the government running, and I was routinely not recognized.

I mean, this is crazy. The bills that we are talking about were approved overwhelmingly by either the Senate Appropriations Committee or the entire Senate. There is, like, no controversy on these bills. And most of these bills have nothing to do with border security, quite frankly. Yet, the President of the United States is holding a big chunk of our government hostage because he is having a temper tantrum, and it just has to stop.

So we are going to do what the American people want us to do. We are going to expeditiously bring before this Congress legislation to reopen the government, and we hope to do that. I hope my friends on the other side of the aisle will join with us.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Ms. CASTOR), the distinguished chairwoman of the new Select Committee on the Climate Crisis.

Ms. CASTOR of Florida. Mr. Speaker, I thank my colleague, the House Rules Chairman, JIM MCGOVERN, for crafting a transformative rules package that we hope will re-instill confidence of the American people in this Congress; confidence that we can address the challenges that our country faces, whether it is opening the government, or it is protecting our neighbors who have pre-existing health conditions, and making a statement about ethics in government as a priority.

But I want to thank Chairman MCGOVERN and Speaker PELOSI espe-

cially for re-instituting the Select Committee on the Climate Crisis.

A few years ago, in 2007, Speaker PELOSI instituted the Select Committee on Energy Independence and Global Warming. When the Republicans took over in 2010, they dismissed the committee. They wouldn't have hearings. Meanwhile, the cost of the changing climate escalated.

I come from the State of Florida where we are seeing enormous cost, not even counting the extreme weather events. This is the challenge of our time.

So, in this rules package, the Democrats will re-institute a climate change committee called the Select Committee on the Climate Crisis. In doing so, we intend to press for urgent action in defense of America and our way of life.

We want dramatic reductions in carbon pollution. We want to make clean energy a pillar of our economy and create the green jobs of today and the future. You see, we have a moral obligation to our children and future generations to do this.

So, again, Chairman MCGOVERN, my Democratic colleagues, Speaker PELOSI, thank you for listening, heeding the calls of the American people. We will tackle this challenge, and we need your help, America.

Mr. COLE. Mr. Speaker, I yield 3 minutes to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX of North Carolina. Mr. Speaker, I thank my colleague for yielding.

Mr. Speaker, on behalf of the students and workers of today and tomorrow, I rise in opposition to this rules package.

It has become tradition in the House that when Republicans are in the majority, we have the Committee on Education and the Workforce, and when the Democrats are in the majority we have the Committee on Education and Labor.

Some assign political motivations to these names. They point out the old traditional bond between organized labor and the establishment Democrat Party, but it is far more serious than that. Reverting to the committee's old name is choosing to live in the past.

Republicans value traditions. We value institutions, but we know we cannot afford to go back.

Changing the committee's name from workforce to labor has not only political ramifications but also reflects how we view our fellow citizens. It sends a message to the people we represent that we are interested only in serving some professions. If they don't consider themselves laborers, if they choose to identify as part of another demographic or class, or if they pursue career changes, they need not look to us.

Mr. Speaker, that should not be the case.

Republicans on the Education and Workforce Committee have stayed true to key principles in this regard. We be-

lieve all education is career education. We believe every American has God-given talents which they should have the freedom and opportunity to pursue, and we believe that all work is valuable.

The word "labor" harkens back to a time when work was little more than a burden to carry, not a means to a brighter future, not a manifestation of a woman or man's talents and skills.

No one wants to move backward. We may have different ideas about how to move forward, but no one should want to turn back the clock, at least no one on this side of the aisle.

Words matter. The name of such a vitally important body as the Committee on Education and the Workforce matters very much. We must govern with an eye toward to the future and not be bound to an unhealthy allegiance to those who would keep us in the past. For that reason, among many others, we must oppose this rules package.

And I, too, want to give my congratulations to the gentleman from Massachusetts, and tell him I admire him very much for his passion and commitment, and look forward to working with him in his new capacity.

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

I want to thank the gentlewoman for her kind comments, and I agree with her that words matter. And I would hope that she and others on the other side of the aisle would remember that the name of our party is the Democratic Party, not the Democrat Party, and we would appreciate the respect of calling us by what our real name is.

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

Mr. COLE. Mr. Speaker, when we defeat the previous question, I will offer an amendment to the resolution.

I ask unanimous consent to insert the text of my amendment, along with extraneous material, in the RECORD immediately prior to the vote on the previous question.

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

There was no objection.

Mr. COLE. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. WALDEN) to explain the amendment.

Mr. WALDEN. Mr. Speaker, I come here today with a very simple request and in the spirit of this new Congress and a fresh start.

Let us come together and make sure that those Americans with preexisting health conditions are protected, period.

Republicans have language to protect people with preexisting health conditions which we believe should be included in this rules package. But that can only happen if the new Democratic majority allows it.

Let me explain why it is needed at this time. Last year, 20 State attorneys general filed a lawsuit against ObamaCare arguing that the law's individual mandate is unconstitutional

and, therefore, the entire law is unconstitutional.

On December 14 of last year, a Federal judge in Texas agreed with the plaintiffs and issued a summary judgment stating: “The individual mandate is essential to and inseverable from the other provisions of the ACA” therefore, the judge has ruled the entire Affordable Care Act is unconstitutional.

It is important to note that the judge’s decision does not immediately end ObamaCare and will not affect the insurance coverage or premiums for 2019. And, in fact, the judge has ordered a stay of his earlier ruling pending appeal.

Additionally, the ruling is already being appealed by other attorneys general from States that had intervened in the lawsuit to defend ObamaCare, and that means several legal steps remain before the courts reach a final conclusion where the ruling could be reversed.

Even though these State AGs are already intervening in the case, the Democratic rules package includes a provision authorizing the House General Counsel to also intervene in the case. That effort does not preserve pre-existing condition protections. The Republican proposal would.

Put simply, the Texas court ruled that ObamaCare’s individual mandate is unconstitutional.

Now, we also know it didn’t work. The individual mandate didn’t live up to its promise. We were told that the individual mandate would encourage enrollment. In fact, the Congressional Budget Office argued 24 million Americans would enroll in ObamaCare by 2018, but less than half that number actually enrolled and paid for their coverage. Twelve million others paid the penalty or claimed an exemption.

Moreover, those that have signed up have seen skyrocketing premiums and thousands of dollars in deductibles. Preexisting condition protections are greatly diminished when you cannot afford your premiums or your deductible.

Republicans have long supported pre-existing condition protection for Americans. In fact, in 2016, our healthcare agenda, *A Better Way: Our Vision for a Confident America*, we clearly stated: “No American should ever be denied coverage or face a coverage exclusion on the basis of a preexisting condition. Our plan ensures every American, healthy or sick, will have the comfort of knowing they can never be denied a plan from a health insurer.”

It was also one of my first bills as chairman of the Energy and Commerce Committee that I introduced in February of 2017. It required health insurers to allow every eligible applicant to enroll in their plans, regardless of factors like health status, age, or income, and it also prohibited benefit exclusions and banned health status underwriting.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. COLE. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. WALDEN. Effectively, that would ensure these important patient protections if ObamaCare were no longer the law. During the floor debate on the AHCA, the leaders of our party made clear we supported protections for those with preexisting conditions. That is our position, period.

So today, we, once again, reinforce our support of people with preexisting conditions. Our language simply says Congress should produce legislation that guarantees no American citizen can be denied health insurance coverage as a result of a previous illness or health status, and it guarantees no American citizen can be charged higher premiums or cost sharing as a result of a previous illness or health status; thus, ensuring affordable health coverage for those with preexisting conditions.

But we can only offer that if the Democratic majority allows it, and we would do so if the previous question is defeated.

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

I have to be honest with you, I am almost speechless. I mean, the gentleman from Oregon takes my breath away with his previous question amendment.

I want to remind the gentleman that it was the Democrats that actually put in protections for people with pre-existing conditions. We did so over the objections of the Republicans and, for almost a decade now, while my friends were in charge, they, time and time and time again tried to take away people’s healthcare protections, including protections for people with preexisting conditions.

This lawsuit, this judgment in Texas that recently came about that threatens people’s healthcare protections was filed by the Republicans. I mean, they have been in charge of the House and the Senate and the White House, and they have done nothing to protect people with preexisting conditions. They have just tried to take these protections away.

Now, I get it. We heard loud and clear in the last election that people don’t agree with you. They don’t agree with you. And we are going to do everything we can to protect people with pre-existing conditions and to expand healthcare protections for everybody in this country because we believe that healthcare is a right and not a privilege.

So when I hear my friends come here with a procedural motion, you know, that somehow they want to be the champions for people who are worried about their healthcare coverage, it is laughable.

Mr. WALDEN. Will the gentleman yield?

Mr. McGOVERN. I yield to the gentleman from Oregon.

Mr. WALDEN. Mr. Speaker, I appreciate the gentleman’s comments. I don’t agree with them, obviously, but I

haven’t heard the gentleman’s objections to the language we proposed to offer to your rules package that already has different healthcare provisions in it. Is there anything here the gentleman objects to allowing us to offer?

Mr. McGOVERN. Mr. Speaker, reclaiming my time, we are going to do something that my friends on the other side of the aisle did not do. We are going to legislate in a professional and proper manner. And as we debate healthcare in the future, it is going to go through regular order. We are going to take on, immediately right now, some of these court cases that we think present a danger to the American people.

But the idea that the Republican friends are coming to the floor saying let’s protect people with preexisting conditions, you know what? The American people don’t believe it. That was the message in the last election. That was the message, because they know that dozens and dozens and dozens of times, Republicans came to this floor, used every trick in the book to try to undo the Affordable Care Act and, thankfully, you failed. And we put these protections in place and we will make sure they stay in place.

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

Mr. COLE. Mr. Speaker, I yield 2 minutes to the gentleman from the great State of Arizona (Mr. SCHWEIKERT).

□ 1645

Mr. SCHWEIKERT. Mr. Speaker, I thank the gentleman, Mr. COLE, for yielding.

Mr. Speaker, I will try to do this quickly. We are removing, in the Democratic Party rules package, macroeconomic analysis.

Now, we all know right now the methodology used at Joint Tax, CBO. They actually do some of it no matter what, and they have long before it was put into the rules years ago.

My great concern is, by the removal, I actually think we are sort of being a bit antimath, antiscience, antiopenness, artifacts, because walk through a couple examples with me.

Tomorrow we double the tax on cigarettes. Do you get double the tax revenue? Of course not. People stop smoking.

If there is a green agenda or when we are going to see paygo numbers, are we allowed to do macroeconomic analysis on that to tell us the economic effects?

In other words, policy matters, and if we are going to engage in policy around here that changes the economic growth rates, that also changes tax revenues for the positive or the negative. Should we be honest about that?

The rules package here strips the requirement that, on important legislation, we get a macroeconomic analysis, and that is my concern.

For all of us who make public policy, we should have honest math, and we

should have math to understand the cascade effect: What are the effects in the economy? It is just that if we are going to make public policy, let's actually have the math that backs it up.

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

Mr. Speaker, I will respond to the gentleman.

I appreciate his point, but I just want to remind him that, while his party was in power, time and time and time again, I think I have lost count of how many bills came to this floor without a CBO score, never mind a dynamic score.

Serving on the Rules Committee, I know of at least 68 bills in this last Congress that came to the Rules Committee that never had a hearing in a committee or a markup in a committee of jurisdiction.

So we are going to go back to the committee process. We are going to make committees do their work. We are going to require that there be hearings on bills and markups on bills and have this place behave in the manner in which the American people expect it to.

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

Mr. COLE. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CONAWAY), a distinguished gentleman and my good friend.

Mr. CONAWAY. Mr. Speaker, both the chairman and ranking member of the Rules Committee have addressed, literally, a rule tucked away on page 31 with respect to going after the Secretary of Agriculture's attempts to change the rules with respect to SNAP. My good colleague from Massachusetts is a master at cloaking this issue, any change to SNAP, as if Republicans are beating up on poor people.

Mr. Speaker, this rule that the Secretary of Agriculture is proposing mirrors the House requirements with respect to changing waivers on SNAP that this House passed back in June, the House version of the farm bill.

Throughout the entire conversation I had with our Senate colleagues on negotiating the conference report, both the Senate Agriculture, Nutrition, and Forestry chairman as well as the ranking member, and particularly the ranking member, the Democrat, reminded me over and over and over that Secretary Perdue had, in fact, all of the authority he needed to do what we wanted to do on the House bill; therefore, the House version was unnecessary and Secretary Perdue could move this forward.

This rule addresses a-bods, able-bodied adults, people between the ages of 18 and 49 without dependents. Most folks would look at them and say that is a worker.

Well, there is waiver abuse. Waiving the 20-hour-a-week work requirement has been abused by the system. I want to point out, until last September, the entire State of California was under work waiver, and we have, yet, a 4 per-

cent unemployment rate across this Nation. It makes no sense.

So what Secretary Perdue does is say, look, if you are willing to help yourself by working 20 hours a week, then you will, as an a-bod, be able to stay on food stamps, unlimited. If you are unwilling to help yourself, demonstrate that you can help yourself, then your SNAP requirements will be limited to 3 months out of every 36.

The impact it would have is this: With the now famous YouTube show, or wherever I saw it, we have a 27-year-old surfer from California who loves to surf—fantastic—but he doesn't like to work, but he is on food stamps. The waiver of the work requirement in California allows him to stay on food stamps an unlimited amount of time, and yet he doesn't have to work.

My colleagues on the other side of the aisle as well as my colleagues in the Senate would voraciously defend the work requirement that is currently in law, 20 hours a week; they just don't want to defend it. This rule will allow them to try to supercede and intervene on behalf of requiring able-bodied adults to work.

Mr. Speaker, I ask my colleagues to oppose this rule and oppose the underlying rule package.

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

Mr. Speaker, I want to assure the gentleman from Texas, the now ranking member of the Agriculture Committee, this provision wasn't tucked away. In fact, we did a press release on it. We want everybody to know that we are going to hold this administration accountable if they go against what the Congress passed in the farm bill.

The Congress didn't pass what the gentleman just said. In fact, my friend from Texas said in an interview last year that the Secretary of Agriculture doesn't have the authority to fix waivers. Maybe he has changed his mind.

But here is the deal, and if the Secretary is watching, I want to be very, very clear: If, in fact, he or this administration go after poor people, if they try to take away their food, if they try to undercut their food security, we are coming after them. We are going to hold them accountable. The days of turning a blind eye to attacks on poor people are over, plain and simple.

So this is not a provision that was tucked away. It was not a provision that was hidden. In fact, we did a press release on it. I want everybody to know about it.

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

Mr. COLE. Mr. Speaker, I am prepared to close if my friend is.

Mr. MCGOVERN. Mr. Speaker, I am prepared to close.

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

Mr. Speaker, in closing, I want to begin again by congratulating my good friend on assuming this very important position of responsibility as chairman of the House Rules Committee.

It is particularly, I think, notable that he began his career of public service as a staff member on this very committee. So I think moving from staff member to ranking member and to chairman is something my friend should be very proud of and all of us in the House should be proud of as well. It says wonderful things about him.

Now, while the rules package includes some very good ideas, I am going to urge all Members to oppose the rule. Some of the provisions, obviously, that I mentioned in my remarks Republicans certainly can support. It, unfortunately, however, includes too many measures that we cannot.

The rule today removes important fiscal responsibility measures from the House rules, establishes a partisan Select Committee on the Climate Crisis, and grants the Speaker the power to intervene in a lawsuit over the legality of the ACA.

It also makes in order an appropriations package, frankly, as an appropriator, I cannot support. The idea that the House would simply yield to the Senate and accept, without change, bills that the Senate has passed even though, frankly, there had been ongoing conferences and many changes have been agreed to is something that I think we should never do in this particular body.

For these and the reasons I have discussed here, I urge a “no” vote on the rule.

Mr. Speaker, I urge a “no” on the previous question, a “no” on the underlying measure, and I yield back the balance of my time.

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

Mr. Speaker, I want to congratulate the new ranking member of the Rules Committee, Mr. COLE. It has been a pleasure to be down here debating with him here today.

It is kind of strange to close debate. I kind of like it. I haven't been able to do it for a long time.

We have worked side by side on this committee for many years. We have also worked in Congress on a lot of important issues that we both care about, like the Authorization for Use of Military Force. I appreciate his work on the Appropriations Committee. I think nobody knows more about the appropriations process or respects that process more than the gentleman from Oklahoma.

Mr. Speaker, he is not only a colleague, but I consider him a friend. We don't agree on everything, but when we disagree, Congressman COLE is always very respectful. As I said before, he disagrees without being disagreeable, and all while still fighting for the ideas and issues that he cares deeply about. Frankly, in this day and age, that is a breath of fresh air, and I look forward to continuing to work with him on the committee in this Congress. I expect that we will be able to forge a relationship and, hopefully, be able to do things differently. That is my hope.

Now, Mr. Speaker, these rules that are contained in the rules package are historic. There has never been a process like this one before, and there has never been a rules package like this before. It is unprecedented.

Our Speaker, who I am proud to have just elected, tasked me with soliciting Members' feedback for this rules package months ago, and working with the members of our committee, we did just that.

Mr. Speaker, I thank her again for the opportunity. I think her leadership on this has been extraordinary. She has empowered all of our Members to get involved, and she has led a collaborative process that gave all Members a voice.

These changes incorporate ideas from every corner of our Caucus. As I said before, there are many ideas that have come from Republicans as well, and they come from Members that represent urban areas and suburban areas and rural areas.

I am a progressive. I am a liberal. My colleagues on the other side know that. There are changes here that we have been fighting for for years.

I know my Republican colleagues wouldn't have included some of these priorities, like healthcare and climate change, if they were drafting their own package, and that is okay. I get it.

The American people have entrusted Democrats to run this institution, and so this is a rules package the majority should be proud to support; but I hope some of my friends in the minority will as well, because there are major reforms to the legislative process that even they agree should be made.

There is a bipartisan agreement that we need to change how this place is run. This is our chance. On day one of this Congress, let's vote for this rule and the underlying rules package and for measures ending the Trump shutdown so we can get the American people who have been displaced back to work and get them a paycheck and give them the kind of Congress that they have demanded.

Mr. Speaker, the reason why I also think this deserves bipartisan support is because we are trying, in good faith, to have a more accommodating Rules Committee, to have a more accommodating process.

In the previous Congress, which unfortunately went down in history as the most closed Congress in American history, Members on both sides—not just Democrats, but Republicans—were routinely shut out. And I know my colleague from Oklahoma didn't always approve of that tactic, but the bottom line is that was the fact, and I think that needs to change.

We need to be willing on our side to allow ideas that we may have issues with, that we may disagree with. You don't always have to rig the rules in order to get the end product you want.

So I believe in a fair fight. We believe that important ideas, even ideas we disagree with, ought to be brought to

the floor. When we disagree with them, we are going to fight and try to defeat them on the floor. But out of respect and out of the belief that everybody in this Chamber matters, we need to change the way we have done business.

So in that spirit, I ask the Members of this House, both Democrats and Republicans, to vote on this rule and support the underlying rules package.

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

AMENDMENT TO H. RES. 5 OFFERED BY MR. COLE, MR. WALDEN, AND MR. BRADY OF TEXAS SEC. PRE-EXISTING CONDITIONS.

Not later than January 31, 2019, the Committee on Energy and Commerce and the Committee on Ways and Means shall report to the House a joint resolution that is consistent with the United States Constitution and relevant Supreme Court cases that—

(1) guarantees no American citizen can be denied health insurance coverage as the result of a previous illness or health status; and

(2) guarantees no American citizen can be charged higher premiums or cost sharing as the result of a previous illness or health status, thus ensuring affordable health coverage for those with pre-existing conditions.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 115th Congress. Only political affiliation has been changed.)

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 Democratic majority agenda and a vote to allow the opposition, at least for the moment, 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 Democrat 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 Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. McGOVERN. 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. COLE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 233, nays 197, not voting 2, as follows:

[Roll No. 4]	YEAS—233	
Adams	Correa	Garcia (IL)
Aguilar	Costa	Garcia (TX)
Allred	Courtney	Golden
Axne	Cox (CA)	Gomez
Barragán	Craig	Gonzalez (TX)
Bass	Crist	Gottheimer
Beatty	Crow	Green (TX)
Bera	Cuellar	Grijalva
Beyer	Cummings	Haaland
Bishop (GA)	Cunningham	Harder (CA)
Blumenauer	Davids (KS)	Hastings
Blunt Rochester	Davis (CA)	Hayes
Bonamici	Davis, Danny K.	Heck
Boyle, Brendan F.	Dean	Higgins (NY)
Brindisi	DeFazio	Hill (CA)
Brown (MD)	DeGette	Himes
Brownley (CA)	DeLauro	Horn, Kendra S.
Bustos	DelBene	Horsford
Butterfield	Delgado	Houlahan
Carbajal	Demings	Hoyer
Cárdenas	DeSaulnier	Huffman
Carson (IN)	Deutch	Jackson Lee
Cartwright	Dingell	Jayapal
Case	Doggett	Jeffries
Casten (IL)	Doyle, Michael F.	Johnson (GA)
Castor (FL)	Engel	Johnson (TX)
Castro (TX)	Escobar	Kaptur
Chu, Judy	Eshoo	Keating
Cicilline	Espaillat	Kelly (IL)
Cisneros	Evans	Kennedy
Clark (MA)	Finkenauer	Khanna
Clarke (NY)	Fletcher	Kildee
Clay	Foster	Kilmer
Cleaver	Frankel	Kim
Clyburn	Fudge	Kind
Cohen	Gabbard	Kirkpatrick
Connolly	Gallego	Krishnamoorthi
Cooper	Garamendi	Kuster (NH)
		Lamb

Langevin	Norcross	Sherman
Larsen (WA)	O'Halleran	Sherrill
Larson (CT)	Ocasio-Cortez	Sires
Lawrence	Pallone	Slotkin
Lawson (FL)	Panetta	Smith (WA)
Lee (CA)	Pappas	Soto
Lee (NV)	Pascrell	Spanberger
Levin (CA)	Payne	Speier
Levin (MI)	Perlmutter	Stanton
Lewis	Peters	Stevens
Lieu, Ted	Peterson	Suozzi
Lipinski	Phillips	Swalwell (CA)
Loebssack	Pingree	Takano
Lofgren	Pocan	Thompson (CA)
Lowenthal	Porter	Thompson (MS)
Lowey	Pressley	Titus
Luján	Price (NC)	Tlaib
Luria	Quigley	Tonko
Lynch	Raskin	Torres (CA)
Malinowski	Rice (NY)	Torres Small
Maloney, Carolyn B.	Richmond	(NM)
Maloney, Sean	Rose (NY)	Trahan
Matsui	Rouda	Trone
McAdams	Royal-Allard	Underwood
McBath	Ruiz	Van Drew
McCollum	Ruppersberger	Vargas
McEachin	Rush	Veasey
McGovern	Ryan	Vela
McNerney	Sánchez	Velázquez
Meeks	Scanlon	Visclosky
Meng	Schakowsky	Wasserman
Moore	Schiff	Schultz
Morelle	Schneider	Waters
Moulton	Schrader	Watson Coleman
Mucarsel-Powell	Schrirer	Welch
Murphy	Scott (VA)	Wexton
Nadler	Scott, David	Wild
Napolitano	Serrano	Wilson (FL)
Neal	Sewell (AL)	Yarmuth
Neguse	Shalala	

Steube	Wagner	Westerman
Stewart	Walberg	Williams
Stivers	Walden	Wilson (S)
Taylor	Walker	Wittman
Thompson (PA)	Walorski	Womack
Thornberry	Waltz	Woodall
Timmons	Watkins	Wright
Tipton	Weber (TX)	Yoho
Turner	Webster (FL)	Young
Upton	Wenstrup	Zeldin

NOT VOTING—2

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

MOTION TO COMMIT

Mr. COLE. Mr. Speaker, I offer a motion to commit.

The SPEAKER pro tempore. The Clerk will report the motion to commit.

The Clerk read as follows:

Mr. Cole moves that the resolution (H. Res. 5) be committed to a select committee composed of the Majority Leader and the Minority Leader with instructions to report back the same to the House forthwith with only an amendment added at the end providing for the consideration of H. Res. 11, introduced by Mr. McCarthy of California.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to commit.

There was no objection

The SPEAKER pro tempore. The question is on the motion to commit.

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

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

The yeas and nays were ordered. The vote was taken by electronic device, and there were—yeas 197, nays 232, not voting 3, as follows:

[Roll No. 5]

YEAS—197

Lesko	Pence	Steube
Long	Perry	Stewart
Loudermilk	Posey	Stivers
Lucas	Ratcliffe	Taylor
Luetkemeyer	Reed	Thompson (PA)
Marchant	Reschenthaler	Thornberry
Marino	Rice (SC)	Timmons
Marshall	Riggleman	Tipton
Massie	Roby	Turner
Mast	Roe, David P.	Upton
McCarthy	Rogers (AL)	Wagner
McCaul	Rogers (KY)	Walberg
McClintock	Rooney (FL)	Walden
McHenry	Rose, John W.	Walker
McKinley	Rouzer	Walorski
McMorris	Roy	Waltz
Rodgers	Rutherford	Watkins
Meadows	Scalise	Weber (TX)
Meuser	Schweikert	Webster (FL)
Miller	Scott, Austin	Wenstrup
Mitchell	Sensenbrenner	Westerman
Moolenaar	Shimkus	Williams
Mooney (WV)	Simpson	Wilson (SC)
Mullin	Smith (MO)	Wittman
Newhouse	Smith (NE)	Womack
Norman	Smith (NJ)	Woodall
Nunes	Spano	Wright
Olson	Stauber	Yoho
Palazzo	Stefanik	Young
Palmer	Steil	Zeldin

NAYS-232

NAT'L 202

Slotkin	Titus	Vela	Pingree	Schriger	Tonko	Torres (CA)
Smith (WA)	Tlaib	Velázquez	Pocan	Scott (VA)	Scott, David	Torres Small (NM)
Soto	Tonko	Visclosky	Porter	Serrano	Sewell (AL)	Trahan
Spanberger	Torres (CA)	Wasserman	Pressley	Shalala	Sherman	Trone
Speier	Torres Small (NM)	Schultz	Price (NC)	Price (NC)	Underwood	Underwood
Stanton	Trahan	Waters	Quigley	Rashad	Sherill	Van Drew
Stevens	Trahan	Watson Coleman	Raskin	Rice (NY)	Sires	Vargas
Suozzi	Trone	Welch	Richmond	Rose (NY)	Slotkin	Veasey
Swalwell (CA)	Underwood	Wexton	Rouda	Smith (WA)	Soto	Vela
Takano	Van Drew	Wild	Royal-Allard	Royal-Allard	Spanberger	Velázquez
Thompson (CA)	Vargas	Wilson (FL)	Ruiz	Rush	Speier	Visclosky
Thompson (MS)	Veasey	Yarmuth	Ruppersberger	Ryan	Stanton	Wasserman
NOT VOTING—3						
Brindisi	Sewell (AL)	Smucker	Sánchez	Sánchez	Stevens	Schultz
□ 1744						

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

So the motion to commit was rejected.

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.

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 234, nays 194, not voting 4, as follows:

[Roll No. 6]

YEAS—234

Adams	Delgado	Krishnamoorthi	Abraham	Gooden	Newhouse	Abraham
Aguilar	Demings	Kuster (NH)	Aderholt	Gosar	Norman	Aderholt
Allred	DeSaulnier	Lamb	Allen	Granger	Nunes	Allen
Axne	Deutch	Langevin	Amash	Graves (GA)	Olson	Amash
Barragán	Dingell	Larsen (WA)	Amodei	Graves (LA)	Palazzo	Amodei
Bass	Doggett	Larson (CT)	Armstrong	Graves (MO)	Palmer	Armstrong
Beatty	Doyle, Michael	Lawrence	Arrington	Green (TN)	Pence	Arrington
Bera	F.	Lawson (FL)	Babin	Griffith	Perry	Babin
Beyer	Engel	Lee (CA)	Bacon	Grothman	Posey	Bacon
Bishop (GA)	Escobar	Lee (NV)	Baird	Guest	Ratcliffe	Baird
Blumenauer	Eshoo	Levin (CA)	Balderson	Guthrie	Reed	Balderson
Blunt Rochester	Espaillat	Levin (MI)	Banks	Hagedorn	Reschenthaler	Banks
Bonamici	Evans	Lewis	Barr	Harris	Rice (SC)	Barr
Boyle, Brendan F.	Finkenauer	Lieu, Ted	Bergman	Hartzler	Riggleman	Bergman
Brindisi	Fletcher	Lipinski	Biggs	Hern, Kevin	Roby	Biggs
Brown (MD)	Foster	Loebssack	Bilirakis	Herrera Beutler	Roe, David P.	Bilirakis
Brownley (CA)	Frankel	Lofgren	Bishop (UT)	Hice (GA)	Rogers (AL)	Bishop (UT)
Bustos	Fudge	Lowenthal	Bost	Higgins (LA)	Rogers (KY)	Bost
Butterfield	Gabbard	Lowey	Brady	Hill (AR)	Rooney (FL)	Brady
Carbajal	Gallego	Luján	Brooks (AL)	Holding	Rose, John W.	Brooks (AL)
Cárdenas	Garamendi	Luria	Brooks (IN)	Hollingsworth	Rouzer	Brooks (IN)
Carson (IN)	García (IL)	Lynch	Buchanan	Hudson	Roy	Buchanan
Cartwright	García (TX)	Malinowski	Buck	Huizenga	Rutherford	Buck
Case	Golden	Maloney	Bucson	Hunter	Scalise	Bucson
Casten (IL)	Gomez	Carolyn B.	Budd	Hurd (TX)	Schweikert	Budd
Castor (FL)	Gonzalez (TX)	Maloney, Sean	Burchett	Johnson (LA)	Scott, Austin	Burchett
Castro (TX)	Gottheimer	Matsui	Burgess	Johnson (OH)	Sensenbrenner	Burgess
Chu, Judy	Green (TX)	McAdams	Byrne	Johnson (SD)	Shimkus	Byrne
Cicilline	Grijalva	McBath	Calvert	Jordan	Simpson	Calvert
Cisneros	Haaland	McCullom	Carter (GA)	Joyce (OH)	Smith (MO)	Carter (GA)
Clark (MA)	Harder (CA)	McEachin	Carter (TX)	Joyce (PA)	Smith (NE)	Carter (TX)
Clarke (NY)	Hastings	McGovern	Chabot	Katko	Smith (NJ)	Chabot
Clay	Hayes	McNerney	Cheney	Kelly (MS)	Spano	Cheney
Cleaver	Heck	McNerney	Cline	Kelly (PA)	Stauber	Cline
Clyburn	Higgins (NY)	Meeks	Cloud	King (IA)	Stefanik	Cloud
Cohen	Hill (CA)	Meng	Conaway	King (NY)	Taylor	Conaway
Connolly	Himes	Moore	Cook	Lambarb	Thompson (PA)	Cook
Cooper	Horn, Kendra S.	Morelle	Crawford	Latta	Thornberry	Crawford
Correa	Horsford	Moulton	Crenshaw	Lesko	Timmons	Crenshaw
Costa	Houlihan	Mucarsel-Powell	Curtis	Long	Tipton	Curtis
Courtney	Hoyer	Murphy	Davidson (OH)	Loudermilk	Turner	Davidson (OH)
Cox (CA)	Huffman	Nadler	Davis, Rodney	Lucas	Upton	Davis, Rodney
Craig	Jackson Lee	Napolitano	DesJarlais	Luetkemeyer	Wagner	DesJarlais
Crist	Jayapal	Neal	Diaz-Balart	Marino	Walberg	Diaz-Balart
Crow	Jeffries	Neguse	Duffy	Marshall	Walden	Duffy
Cuellar	Johnson (GA)	Nocross	Duncan	Dunn	Walker	Duncan
Cummings	Johnson (TX)	O'Halleran	Ferguson	Emmer	Watersonski	Ferguson
Cunningham	Kaptur	Ocasio-Cortez	McClintock	McCarthy	Waltz	McClintock
Davids (KS)	Keating	Omar	McHenry	McCaul	Watkins	McHenry
Davids (CA)	Kelly (IL)	Pallone	Fitzpatrick	McKinley	Weber (TX)	Fitzpatrick
Davis, Danny K.	Kennedy	Panetta	Fleischmann	Flores	Webster (FL)	Fleischmann
Dean	Khanna	Pappas	McKinley	McMorris	Wenstrup	McKinley
DeFazio	Kildee	Pascarella	Fortenberry	Rodgers	Westerman	Fortenberry
DeGette	Kilmer	Payne	Fox (NC)	Meadows	Williams	Fox (NC)
DeLauro	Kim	Peters	Gaetz	Meuser	Wilson (SC)	Gaetz
DelBene	Kind	Peterson	Gallagher	Miller	Womack	Gallagher
NOT VOTING—4						

NOT VOTING—4

□ 1801

Mr. RICE of South Carolina changed his vote from "yea" to "nay."

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.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Lasky, one of its clerks, announced that the Senate has agreed to the following resolutions:

S. RES. 2

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

S. RES. 5

Resolved, That the House of Representatives be notified of the election of the Honorable Chuck Grassley as President of the Senate pro tempore.

RECESS

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent that the House stand in recess subject to the call of the chair.

The SPEAKER pro tempore. Without objection, the House will stand in recess subject to the call of the chair.

There was no objection.

Accordingly (at 6 o'clock and 3 minutes p.m.), the House stood in recess.

□ 1810

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CLYBURN) at 6 o'clock and 10 minutes p.m.

ADOPTING THE RULES OF THE HOUSE OF REPRESENTATIVES FOR THE 116TH CONGRESS

Mr. HOYER. Mr. Speaker, pursuant to House Resolution 5, I call up the resolution (H. Res. 6) adopting the rules of the House of Representatives for the One Hundred Sixteenth Congress, and for other purposes, and ask for immediate consideration of the resolution.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 6

Resolved,

TITLE I—RULES OF THE ONE HUNDRED SIXTEENTH CONGRESS

SEC. 101. ADOPTION OF THE RULES OF THE ONE HUNDRED FIFTEENTH CONGRESS.

The Rules of the House of Representatives of the One Hundred Fifteenth Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Fifteenth Congress, are adopted as the Rules of the House of Representatives of the One Hundred Sixteenth Congress, with amendments to the standing rules as provided in section 102, and with other orders as provided in this resolution.

SEC. 102. CHANGES TO THE STANDING RULES.

(a) NOTIFICATION OF CONVENING OF THE HOUSE.—In clause 12 of rule I, insert “, Delegates, and the Resident Commissioner” after “Members” each place it appears.