

Why can't you? That is the reason the Congressional approval rating is so low.

Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question. I urge a "no" vote on the rule and the underlying bill.

I yield back the balance of my time.

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

Mr. Speaker, back in the late 1990s, in the middle of what was called the dot-com boom, my predecessor, the then-majority leader of the House of Representatives, Richard Armey, came and spoke to the Dallas Chamber of Commerce. The purpose of his discussion that day was to talk about the dot-com boom that the economy was experiencing.

He confessed that the Internet was the gosh darnedest thing, no one had ever seen anything like it, but he cautioned us. As business leaders that day, he cautioned us. He said: Look, when the government doesn't understand something, the first thing it will want to do is regulate it, the next thing it will want to do is tax it, and you have then effectively killed it.

Mr. Speaker, it wasn't an accident that I used in the opening statement the language that under the proposed rules from the FCC, the Federal Government will have the ability to control the Internet. That is a significant and important fact. If you allow the Federal Government to control the Internet, you have effectively damaged the promise of the Internet to the point where it will no longer function for its citizens the way it was intended to function: as a free and open process.

Mr. Speaker, it is pretty simple. Today's rule provides for consideration of a bill to rein in the Federal Government that is all too eager to regulate every aspect of our lives.

H.R. 2666 will protect the Internet from government regulation and allow it to continue to thrive without interference.

Mr. Speaker, I want to thank Mr. KINZINGER for his work on this legislation, and I want to thank the committee for the work that they did in getting this legislation to the floor.

I urge my colleagues to vote "yes" on the rule and "yes" on the underlying bill.

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

AN AMENDMENT TO H. RES. 672 OFFERED BY
MR. POLIS

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

SEC. 2. At any time after the adoption of this resolution the Speaker may, 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 concurrent resolution (H. Con. Res. 125) establishing the budget for the United States Government for fiscal year 2017 and setting forth appropriate budgetary levels for fiscal years 2018 through 2026. The first reading of the concurrent resolution shall be dispensed with. All points of order against consideration of the concurrent reso-

lution are waived. General debate shall not exceed four hours, with three hours of general debate confined to the congressional budget equally divided and controlled by the chair and ranking minority member of the Committee on the Budget and one hour of general debate on the subject of economic goals and policies equally divided and controlled by Representative Tiberi of Ohio and Representative Carolyn Maloney of New York or their respective designees. After general debate the concurrent resolution shall be considered for amendment under the five-minute rule. The concurrent resolution shall be considered as read. No amendment shall be in order except amendments in the nature of a substitute. Each such amendment shall be considered as read, and shall be debatable for one hour equally divided and controlled by the proponent and an opponent. All points of order against such amendments are waived except those arising under clause 7 of rule XVI (germaneness). If more than one such amendment is adopted, then only the one receiving the greater number of affirmative votes shall be considered as finally adopted. In the case of a tie for the greater number of affirmative votes, then only the last amendment to receive that number of affirmative votes shall be considered as finally adopted. After the conclusion of consideration of the concurrent resolution for amendment and a final period of general debate, which shall not exceed 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Budget, the Committee shall rise and report the concurrent resolution to the House with such amendment as may have been finally adopted. The previous question shall be considered as ordered on the concurrent resolution and amendments thereto to adoption without intervening motion except amendments offered by the chair of the Committee on the Budget pursuant to section 305(a)(5) of the Congressional Budget Act of 1974 to achieve mathematical consistency. The concurrent resolution shall not be subject to a demand for division of the question of its adoption.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

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

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

The Republican majority may say "the vote on the previous question is simply a

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

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

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

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

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

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

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

The yeas and nays were ordered.

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

□ 1245

PROVIDING FOR CONSIDERATION OF H.R. 3340, FINANCIAL STABILITY OVERSIGHT COUNCIL REFORM ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 3791, RAISING CONSOLIDATED ASSETS THRESHOLD UNDER SMALL BANK HOLDING COMPANY POLICY STATEMENT

Mr. STIVERS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 671 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 671

Resolved, That upon adoption of this resolution it shall be in order to consider in the

House the bill (H.R. 3340) to place the Financial Stability Oversight Council and the Office of Financial Research under the regular appropriations process, to provide for certain quarterly reporting and public notice and comment requirements for the Office of Financial Research, and for other purposes. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; (2) the further amendment printed in part A of the report of the Committee on Rules accompanying this resolution, if offered by the Member designated in the report, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question; and (3) one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3791) to raise the consolidated assets threshold under the small bank holding company policy statement, 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 except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; (2) the amendment printed in part B of the report of the Committee on Rules accompanying this resolution, if offered by the Member designated in the report, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for a division of the question; and (3) one motion to recommit with or without instructions.

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

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

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

There was no objection.

Mr. STIVERS. Mr. Speaker, on Tuesday, the Rules Committee met and re-

ported a rule for H.R. 3340, the FSOC Reform Act, and for H.R. 3791, the Raising Consolidated Assets Threshold Under Small Bank Holding Company Policy Statement. House Resolution 671 provides structured rules for both bills. The resolution provides each bill 1 hour of debate that is equally divided between the chair and the ranking member of the Financial Services Committee. Additionally, the resolution provides for the consideration of one amendment to each bill.

Mr. Speaker, I rise in support of the resolution and the underlying legislation.

The Dodd-Frank Act created the Financial Stability Oversight Council, which is dedicated to identifying threats to the stability of the American financial system. The FSOC is supported in this mission by the Office of Financial Research, which was also created by Dodd-Frank.

The OFR is armed with subpoena power to compel vast amounts of non-public, sensitive information from institutions across the financial system. The OFR feeds this data to the FSOC, which is empowered to designate banks, as well as nonbank institutions, as "systemically important financial institutions," or SIFIs. This designation significantly increases the regulatory burdens that are faced by these institutions, and they have far-reaching effects on the entire financial system. The impact of excessive regulation trickles down to customers, resulting in higher borrowing costs that may stop Americans from realizing their dreams of homeownership, of purchasing cars, of pursuing higher education, or other goals.

Despite the vast power that the FSOC and OFR have, neither organization is subject to the annual appropriations process. The OFR is funded through assessments on banks, and it pays for the FSOC through these funds. As such, the FSOC is insulated from the transparency and accountability that Congress would give to normal organizations by virtue of this self-funding mechanism. This has, effectively, shielded the FSOC from any congressional oversight.

The FSOC Reform Act would, simply, fix those problems. It does not reduce the FSOC's budget or the OFR's, but it would require that they be under annual appropriations. It would also require occasional reports to Congress on their expenses, objectives, and performance measures. Congressional approval of FSOC's budget would encourage transparency with regard to FSOC's methodology for designating SIFIs. It would also make it clear what their objectives are and what they see as concerns for our financial system. I believe this bill will actually increase the transparency of the process, and it will make sure that we look out for the financial security of the American financial system.

The bill also requires the FSOC to engage in a public notice and comment

period before issuing any new rules and regulations. These changes will put the FSOC in line with other agencies that have to engage in public notice and comment periods before they provide new rules and regulations.

I thank the sponsor of H.R. 3340, Representative TOM EMMER of Minnesota, for introducing this important legislation that will increase the oversight and transparency to ensure we have a safe and competitive financial market in the United States.

The other measure for consideration under the rule is H.R. 3791, which is a bill sponsored by Representative MIA LOVE of Utah.

Last year, Congress passed and the President signed legislation providing relief to community banks by increasing the Federal Reserve's Small Bank Holding Company Policy Statement threshold to include small bank holding companies with up to \$1 billion of consolidated assets. This was in response to the small banks' difficulty in accessing capital as a result of significant changes in the regulatory landscape.

This bill provides further relief by expanding the Fed's policy statement to include small bank and savings and loan holding companies with up to \$5 billion of consolidated assets. This will provide needed relief for about 400 small bank and thrift holding companies. The \$5 billion level matches the threshold that was offered in the last Congress by the current ranking member of the Senate Committee on Banking, Housing, and Urban Affairs, my fellow Ohioan, Democratic Senator SHERROD BROWN. He did that in S. 798, so this should not be controversial. It is bipartisan. Democrats and Republicans have been for this.

Since the second quarter of 2010, around the time that the Dodd-Frank Act was passed by Congress, the community banks' share of U.S. commercial banking assets has declined at a rate that is almost double that experienced between 2006 and 2010. What is happening in our financial system is that the big are getting bigger, and the small are disappearing. That is why it is important to give regulatory relief to some smaller community banks that are caught in the middle. According to the FDIC, there were more than 18,000 banks in the 1980s as compared to just 6,400 in the first quarter of 2015, and we are currently losing community banks at a rate of one every day.

Increasing the eligibility threshold to \$5 billion will ensure that small bank and savings and loan holding companies will be able to issue debt and raise capital so that the community banks can continue to provide financial services to the customers they serve and increase their involvement in promoting economic growth in their local communities.

It is important to note that this bill maintains the requirements that these

holding companies meet regulations related to nonbanking activities, off-balance sheet activities, and publicly registered debt equity. The legislation also maintains a safeguard that allows the Federal Reserve to deny an increased debt level to any bank holding company it deems at risk of failure.

Together, these bills will help ensure that powerful regulators act in a transparent manner and are accountable to Congress, and they will provide needed relief for community banks that are attempting to survive in a difficult environment.

I look forward to debating these bills with my colleagues, and I urge support for the rule and the underlying legislation.

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

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

I thank my friend, the gentleman from Ohio, for yielding me the customary 30 minutes for debate.

Mr. Speaker, I rise to oppose the rule that is providing for the consideration of both H.R. 3340, the Financial Stability Oversight Council Reform Act, and H.R. 3791, the Raising Consolidated Assets Threshold Under Small Bank Holding Company Policy Statement, and for other purposes.

These partisan financial services bills, in my opinion, would weaken and politicize the institutions that were created after the financial crisis to identify and guard against systemic risk in our financial system; and they will allow even larger bank holding companies to leverage themselves with debt when financing the purchase of other banks.

In reviewing this legislation, I have to ask myself: Are the memories of my Republican friends really so short that they do not remember the pain that our Nation went through only a few short years ago?

The financial crisis of 2008, by everybody's statement, was the worst economic downturn that this great Nation has faced since the Great Depression. It left millions out of work and millions out of their homes. Yet, instead of supporting efforts to ensure that a collapse of this magnitude never happens again, the majority has chosen to weaken the very protections that are designed to prevent such a crisis. This is even more appalling when you consider that we are still dealing with the fallout from the crisis. Just this week, Goldman Sachs agreed to pay \$5 billion to settle claims that it misled mortgage bond investors during the financial crisis. I was pleased to see that a portion of its repayment is going to go to low-income and moderate-income housing.

Mr. Speaker, I guess we really shouldn't be surprised by the actions of my friends in the majority. With the kinds of bills that have come to the floor under this Republican Congress, whether they be to roll back environmental protections, 60-plus repeals of

the Affordable Care Act, or to deny access to women's health care, I guess it is not a surprise that now my Republican friends are bringing up legislation to help the big banks and strip away the protections to prevent another financial crisis.

I am also left wondering: Why are we debating a rule for these bills today at all? I would like to remind the majority—and I will now and twice again before I yield back my time—that, by law, this body must produce a budget resolution by Friday of this week. Despite this requirement, we still have no budget or a clear path to one. I ask the question: Where is the budget?

I pause here to yield to my friend from Ohio if I could get his attention just for a moment. I know the gentleman is on the Committee on Financial Services. We serve together on Rules, but I am not in the majority and am not privy to what may happen this Friday. I am just curious: Since the gentleman is in the majority, what is the gentleman hearing, if anything, regarding our having a budget by this Friday?

I yield to the gentleman from Ohio (Mr. STIVERS).

□ 1300

Mr. STIVERS. Mr. Speaker, I thank the gentleman from Florida for yielding.

I am hearing that negotiations are ongoing, and I am hopeful that we can have a budget by this Friday. There is a bit of disagreement, even inside our Conference, about how to move forward on the budget as far as the numbers. But there are a lot of discussions ongoing, and I am hopeful.

I support passing a budget. I have voted for a budget since I have been here. We have passed budgets every year since I have been here. We have not passed the deadline yet for this budget. I am hopeful that we can get it done, but it is an ongoing negotiation.

Mr. HASTINGS. Mr. Speaker, I appreciate my friend's response.

I urged that yesterday in the Rules Committee. Aside from your subcommittee holding a hearing this Thursday at 3, we were advised by the chair that there would be no further business of the Rules Committee.

So I assumed, if that is the case, that we won't be going back to the Rules Committee. And I am sure that the budget, if it were to be here by Friday, would require a rule.

Despite all of these things, I empiricize the fact that it doesn't appear that we will have a budget by Friday.

Mr. Speaker, here is how we got to this point: last fall Republicans and Democrats came together to pass a bipartisan budget agreement. Now, however, Republicans are refusing to support their party's own budget proposal.

Now, I understand what my friend said about negotiations going on, and that is good. It would be helpful if those negotiations were going on with Democrats in the room as well.

I was very optimistic, as I am sure all of us were and, to a relative degree, still are, when Speaker RYAN promised to end Republican obstructionism and return to regular order. I felt very optimistic about that.

It seemed that the now-dubbed do-nothing Congress is back and, with it, total dysfunction on the Republican side of the aisle. The dysfunction is so bad that Republicans cannot even agree to a budget number that they have already agreed to.

Now, Democrats don't want to weaken the financial protections keeping our economy stable and strong. Instead, Democrats are ready to pass a budget that creates and helps create jobs and grow the paychecks of hard-working Americans.

We would like to work in a bipartisan way, and we would assuredly like to work in a way that would bring us to the work that is needed to be done in a positive manner.

If only the Republican Conference could stand up to the extreme faction in their own party to work with us, then we could get this business done.

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

Mr. STIVERS. Mr. Speaker, I am prepared to close. I have no more speakers. If the gentleman from Florida wants to close, I will reserve the balance of my time.

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

These financial services bills are not what the American people want. These are bills that big banks want.

Instead of debating and passing a budget, which we are required to do by law by the end of this week, as I have said, the majority has decided that we should spend what precious legislative time we have left debating bills that would roll back vital protections to the systemic health of our financial system.

So now not only is the dysfunction in the Republican Conference putting one of this institution's most basic functions in jeopardy, which is passing a budget to fund the government, but, to add insult to injury, the majority has decided now is the best time to debate putting our entire financial system in jeopardy by rolling back measures designed to protect it.

I might add that there is an appellate decision that is not on this measure, but on another that we dealt with earlier. I don't understand why we are going forward on these measures when we know, in fact, that they aren't going to go anywhere in the other body.

Mr. Speaker, in my judgment, the American people deserve better.

So since Congress is required to pass a budget by Friday of this week and there is absolutely little sign that the Republican majority intends to fulfill that responsibility, well, Mr. Speaker, I want to give my friends on the other side of the aisle the opportunity to end the obstructionism and meet their and our obligation to pass a budget.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up the Republican budget resolution and allow for the consideration of alternative budget proposals under the same process we use every year.

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

The SPEAKER pro tempore (Mr. HUIZENGA of Michigan). Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS. Mr. Speaker, I urge my colleagues to vote “no” and defeat the previous question and vote “no” on the rule and the underlying bills.

I yield back the balance of my time.

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

I appreciate the comments of my colleague. I can assure him we are working hard on a budget resolution. Although we cannot notify the committee of any upcoming meeting because we don't know when it will be because we don't know when the negotiations will be, I am hopeful that that will happen and we will actually end up having a budget that will be passed before the deadline.

So, again, I am hopeful, but none of us can control that ourselves. The negotiations are ongoing.

I would just say that these two bills and the rule don't do anything to undermine our financial stability. The first bill puts the FSOC and the OFR on budget. It requires that they have appropriations every year.

You might be familiar with the appropriations clause of the U.S. Constitution: “No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .”

So we just want the normal constitutional checks and balances that exist in every other agency to exist here, to increase the transparency and accountability for what these agencies do.

So the first bill puts FSOC and OFR on budget. It requires appropriations to be passed. It also requires periodic reports on what their goals and objectives are and how their meeting goes. That is kind of a no-brainer.

Again, Senator SHERROD BROWN, the Democrat minority ranking member on the Senate Banking Committee, has a bill that—I'm sorry. It is the second bill. I apologize.

It makes sense to do this, to put them on appropriations.

The second bill is a bill that raises the limit for small financial institutions, community banks, up to \$5 billion. We are talking about 400 banks. It is not the biggest banks.

In fact, the biggest banks in America are almost a trillion dollars. We are talking about \$5 billion in consolidated assets in banks and savings and loans.

These are community-based financial institutions. There are about 400 of

them. They are struggling right now. We are losing a community bank a day in this country. We need to make sure that we do everything that we can to help those community banks continue.

I know that is a bipartisan effort to do that. This may not be the exact way that the other side of the aisle wants to move forward on that.

I offered to the ranking member of the Financial Services Committee yesterday in the Rules Committee that I would be happy to work with her on some other method.

If she thinks she wants to use an activity test, if she wants to require some kind of loans to assets, if she wants to require some kind of capital in this, I would be happy to work with her because we have to help our community banks. I know that is a bipartisan feeling.

Mr. Speaker, I would say to the gentleman from Florida that I know that the other side of the aisle feels the same way. We may have a tactical disagreement, but we all feel that way. So I would love to work on that.

In the meantime, I hope my colleagues will support both these bills and the underlying rule. I urge my colleagues to support the rule and the underlying bills.

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

AN AMENDMENT TO H. RES. 671 OFFERED BY
MR. HASTINGS

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

SEC. 3. At any time after the adoption of this resolution the Speaker may, 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 concurrent resolution (H. Con. Res. 125) establishing the budget for the United States Government for fiscal year 2017 and setting forth appropriate budgetary levels for fiscal years 2018 through 2026. The first reading of the concurrent resolution shall be dispensed with. All points of order against consideration of the concurrent resolution are waived. General debate shall not exceed four hours, with three hours of general debate confined to the congressional budget equally divided and controlled by the chair and ranking minority member of the Committee on the Budget and one hour of general debate on the subject of economic goals and policies equally divided and controlled by Representative Tiberi of Ohio and Representative Carolyn Maloney of New York or their respective designees. After general debate the concurrent resolution shall be considered for amendment under the five-minute rule. The concurrent resolution shall be considered as read. No amendment shall be in order except amendments in the nature of a substitute. Each such amendment shall be considered as read, and shall be debatable for one hour equally divided and controlled by the proponent and an opponent. All points of order against such amendments are waived except those arising under clause 7 of rule XVI (germaneness). If more than one such amendment is adopted, then only the one receiving the greater number of affirmative votes shall be considered as finally adopted. In the case of a tie for the greater number of affirmative votes, then only the last amendment to receive that number of affirmative votes shall be considered as finally adopted. After the conclusion

of consideration of the concurrent resolution for amendment and a final period of general debate, which shall not exceed 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Budget, the Committee shall rise and report the concurrent resolution to the House with such amendment as may have been finally adopted. The previous question shall be considered as ordered on the concurrent resolution and amendments thereto to adoption without intervening motion except amendments offered by the chair of the Committee on the Budget pursuant to section 305(a)(5) of the Congressional Budget Act of 1974 to achieve mathematical consistency. The concurrent resolution shall not be subject to a demand for division of the question of its adoption.

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

The yeas and nays were ordered.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 1:30 p.m. today.

Accordingly (at 1 o’clock and 10 minutes p.m.), the House stood in recess.

□ 1330

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HUIZENGA of Michigan) at 1 o’clock and 30 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 672;

Adopting House Resolution 672, if ordered;

Ordering the previous question on House Resolution 671; and

Adopting House Resolution 671, if ordered.

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

PROVIDING FOR CONSIDERATION OF H.R. 2666, NO RATE REGULATION OF BROADBAND INTERNET ACCESS ACT

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

ing the previous question on the resolution (H. Res. 672) providing for consideration of the bill (H.R. 2666) to prohibit the Federal Communications Commission from regulating the rates charged for broadband Internet access service, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 243, nays 182, not voting 8, as follows:

[Roll No. 141]

YEAS—243

Abraham	Gosar	Miller (MI)
Aderholt	Gowdy	Moolenaar
Allen	Granger	Mooney (WV)
Amash	Graves (GA)	Mullin
Amodei	Graves (LA)	Mulvaney
Babin	Graves (MO)	Neugebauer
Barletta	Griffith	Newhouse
Barr	Grothman	Noem
Barton	Guinta	Nugent
Benishek	Guthrie	Nunes
Bilirakis	Hanna	Olson
Bishop (MI)	Hardy	Palazzo
Bishop (UT)	Harper	Palmer
Black	Harris	Paulsen
Blackburn	Hartzler	Pearce
Blum	Heck (NV)	Perry
Bost	Hensarling	Pittenger
Boustany	Herrera Beutler	Pitts
Brady (TX)	Hice, Jody B.	Poe (TX)
Brat	Hill	Poliquin
Brooks (AL)	Holding	Pompeo
Brooks (IN)	Hudson	Posey
Buchanan	Huelskamp	Price, Tom
Buck	Huizenga (MI)	Ratcliffe
Bucshon	Hultgren	Reed
Burgess	Hunter	Reichert
Byrne	Hurd (TX)	Renacci
Calvert	Hurt (VA)	Ribble
Carter (GA)	Issa	Rice (SC)
Carter (TX)	Jenkins (KS)	Rigell
Chabot	Jenkins (WV)	Roby
Chaffetz	Johnson (OH)	Roe (TN)
Clawson (FL)	Johnson, Sam	Rogers (AL)
Coffman	Jolly	Rogers (KY)
Cole	Jones	Rohrabacher
Collins (GA)	Jordan	Rokita
Collins (NY)	Joyce	Rooney (FL)
Comstock	Katko	Ros-Lehtinen
Conaway	Kelly (MS)	Roskam
Cook	Kelly (PA)	Ross
Costello (PA)	King (IA)	Rothfus
Cramer	King (NY)	Rouzer
Crawford	Kinzinger (IL)	Royce
Crenshaw	Kline	Russell
Culberson	Knight	Salmon
Curbelo (FL)	Labrador	Sanford
Davis, Rodney	LaHood	Scalise
Denham	LaMalfa	Schweikert
Dent	Lamborn	Scott, Austin
DeSantis	Lance	Sensenbrenner
DesJarlais	Latta	Sessions
Diaz-Balart	LoBiondo	Shimkus
Dold	Long	Shuster
Donovan	Loudermilk	Simpson
Duffy	Love	Smith (MO)
Duncan (SC)	Lucas	Smith (NE)
Duncan (TN)	Luetkemeyer	Smith (NJ)
Ellmers (NC)	Lummis	Smith (TX)
Emmer (MN)	MacArthur	Stefanik
Farenthold	Marchant	Stewart
Fincher	Marino	Stivers
Fitzpatrick	Massie	Stutzman
Fleischmann	McCarthy	Thompson (PA)
Fleming	McCaul	Thornberry
Flores	McClintock	Tiberi
Forbes	McHenry	Tipton
Fortenberry	McKinley	Trott
Fox	McMorris	Turner
Franks (AZ)	Rodgers	Upton
Frelinghuysen	McSally	Valadao
Garrett	Meadows	Wagner
Gibbs	Meehan	Walberg
Gibson	Messer	Walden
Gohmert	Mica	Walker
Goodlatte	Miller (FL)	Walorski

Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield

Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho

Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—182

Adams	Fudge	Neal
Aguilar	Gabbard	Nolan
Ashford	Gallego	Norcross
Bass	Garamendi	O'Rourke
Beatty	Graham	Pallone
Becerra	Grayson	Pascarella
Bera	Green, Al	Payne
Beyer	Green, Gene	Pelosi
Bishop (GA)	Grijalva	Perlmutter
Blumenauer	Gutiérrez	Peters
Bonamici	Hahn	Peterson
Boyle, Brendan F.	Hastings	Pingree
Brady (PA)	Heck (WA)	Pocan
Brown (FL)	Higgins	Polis
Brownley (CA)	Himes	Price (NC)
Bustos	Hinojosa	Quigley
Butterfield	Honda	Rangel
Capps	Hoyer	Rice (NY)
Capuano	Huffman	Richmond
Cárdenas	Israel	Roybal-Allard
Carney	Jeffries	Ruiz
Carson (IN)	Johnson (GA)	Ruppersberger
Cartwright	Johnson, E. B.	Rush
Castor (FL)	Kaptur	Ryan (OH)
Castro (TX)	Keating	Sánchez, Linda T.
Chu, Judy	Kelly (IL)	Sanchez, Loretta
Cicilline	Kennedy	Sarbanes
Clark (MA)	Kildee	Schakowsky
Clarke (NY)	Kilmer	Schiff
Clay	Kind	Schrader
Cleaver	Kirkpatrick	Scott (VA)
Clyburn	Kuster	Scott, David
Cohen	Langevin	Serrano
Connolly	Larsen (WA)	Sewell (AL)
Conyers	Larson (CT)	Sherman
Cooper	Lawrence	Sinema
Costa	Levin	Sires
Courtney	Lewis	Slaughter
Crowley	Lipinski	Smith (WA)
Cuellar	Loeb sack	Speier
Cummings	Loftgren	Swalwell (CA)
Davis (CA)	Lowenthal	Takai
Davis, Danny	Lowe y	Takano
DeFazio	Lujan Grisham (NM)	Thompson (CA)
DeGette	Luján, Ben Ray (NM)	Thompson (MS)
Delaney	Lynch	Titus
DeLauro	Maloney,	Tonko
DelBene	Carolyn	Torres
DeSaulnier	Maloney, Sean	Tsongas
Deutch	Matsui	Vargas
Dingell	McCollum	Veasey
Doggett	McDermott	Vela
Doyle, Michael F.	McGovern	Velázquez
Duckworth	McNerney	Visclosky
Edwards	Meeks	Walz
Ellison	Meng	Wasserman
Eshoo	Moore	Schultz
Esty	Moulton	Waters, Maxine
Farr	Murphy (FL)	Watson Coleman
Foster	Nadler	Welch
Frankel (FL)	Napolitano	Wilson (FL)
		Yarmuth

NOT VOTING—8

Bridenstine	Jackson Lee	Murphy (PA)
Engel	Lee	Van Hollen
Fattah	Lieu, Ted	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1352

Ms. MICHELLE LUJAN GRISHAM of New Mexico, Messrs. ASHFORD, AL GREEN of Texas, SCHIFF, and Ms. BONAMICI 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 (Mr. HULTGREN). The question is on the resolution.