February 2, 2017 ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition' in order to offer an amendment. On March

15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to vield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy im-plications 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 mo-tion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

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

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

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

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

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

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

The yeas and nays were ordered.

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

RECESS

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

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

\Box 1305

AFTER RECESS

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

Ordering the previous question on House Resolution 74; and

Adoption of House Resolution 74, if ordered.

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

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

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

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

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

[Roll No. 74]

YEAS-230

Abraham	Allen	Amodei
Aderholt	Amash	Arrington

4

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

Adams

Aguilar

Bass

Beatty

Bera

Bever

F.

Bustos

Barragán

Bishop (GA)

Blumenauer

Bonamici

Blunt Rochester

Boyle, Brendan

Brown (MD)

Butterfield

Capuano

Carbajal

Cárdenas

Carson (IN)

Brownley (CA)

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

Davis, Danny DeFazio DeGette Delanev DeLauro DelBene Demings DeSaulnier Deutch Dingell Doggett Doyle, Michael F. Ellison Engel Eshoo Espaillat Esty Evans Foster Frankel (FL)

H893

Paulsen

Pearce

Hartzler Hensarling Herrera Beutler Hice, Jody B. Higgins (LA) Hill Holding Hollingsworth Huizenga Hultgren Hunter Hurd Issa. Jenkins (KS) Jenkins (WV) Johnson (LA) Johnson (OH) Johnson, Sam Jordan Joyce (OH) Katko Kelly (MS) Kelly (PA) King (IA) King (NY) Kinzinger Knight Kustoff (TN) Labrador LaHood LaMalfa Lamborn Lance Latta Lewis (MN) LoBiondo Long Loudermilk Love Lucas Luetkemeyer MacArthur Marchant Marino Marshall Massie Mast McCarthy McCaul McClintock McHenry McKinlev McMorris Rodgers McSally Meadows Messer Mitchell Moolenaar Mooney (WV) Mullin Murphy (PA) Newhouse Noem Nunes Olson Palazzo Palmer NAYS-188 Cartwright Castor (FL) Castro (TX) Chu. Judy Cicilline

Clarke (NY)

Clay

Cleaver

Clyburn

Connolly

Convers

Cooper

Correa

Costa

Crist

Courtney

Crowley

Cuellar

Cummings

Davis (CA)

Cohen

Graves (GA)

Graves (LA)

Griffith

Guthrie

Harper

Harris

Grothman

H894

Μ.

Nea1

Fudge Gabbard Gallego Garamendi Gonzalez (TX) Gottheimer Green, Al Green, Gene Grijalva Gutiérrez Hanabusa Heck Higgins (NY) Himes Hoyer Huffman Jackson Lee Jayapal Jeffries Johnson (GA) Johnson, E. B. Kaptur Keating Kelly (IL) Kennedy Khanna Kihuen Kildee Kilmer Kind Krishnamoorthi Kuster (NH) Langevin Larsen (WA) Larson (CT) Lawrence Lawson (FL) Lee Levin Lewis (GA) Lieu, Ted Lipinski Loebsack Lofgren Brady (PA)

Ruppersberger Lowenthal Lowey Ryan (OH) Lujan Grisham, Sánchez Sarbanes Luján, Ben Ray Schakowsky Lynch Schiff Malonev Schneider Carolyn B. Schrader Maloney, Sean Scott (VA) Matsui Scott. David McCollum Serrano McEachin Sewell (AL) McGovern Shea-Porter McNerney Sherman Meeks Sinema Meng Moulton Sires Slaughter Murphy (FL) Smith (WA) Nadler Napolitano Soto Speier Nolan Suozzi Norcross O'Halleran Takano O'Rourke Pallone Panetta Titus Pascrell Tonko Payne Torres Pelosi Tsongas Perlmutter Vargas Peters Veasev Peterson Vela Pingree Velázquez Pocan Visclosky Polis Walz Price (NC) Wasserman Quigley Raskin Schultz Rice (NY) Richmond Welch Rosen Wilson (FL) Roybal-Allard Yarmuth NOT VOTING-14 Rush Russell Moore Walker Mulvaney

Jones Meehan

Ruiz

Bucshon Clark (MA) Hastings Hudson

Price, Tom (GA) $\Box 1328$

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

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

Stated for:

Abraham

Aderholt

Allen

Amash

Amodei

Babin

Bacon

Barr

Arrington

Banks (IN)

Barletta

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

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

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

[Roll No. 75] AYES-232 Barton Bergman Biggs Bilirakis Bishop (MI) Bishop (UT)

Black Blackburn

Brady (TX)

Blum

Rost

Brat

Buck

Budd

Burgess

Byrne

Calvert

Bridenstine

Brooks (AL)

Brooks (IN)

Buchanan

Bucshon

Swalwell (CA) Thompson (CA) Thompson (MS) Waters, Maxine Watson Coleman Zinke

Chabot Chaffetz Chenev Coffman Cole Collins (GA) Collins (NY) Comer Comstock Conaway Cook Costello (PA) Cramer Crawford Culberson Curbelo (FL) Davidson Davis, Rodney Denham Dent DeSantis Des Jarlais Diaz-Balart Donovan Duffy Duncan (SC) Duncan (TN) Dunn Emmei Farenthold Faso Ferguson Fitzpatrick Fleischmann Flores Fortenberry Foxx Franks (AZ) Frelinghuysen Gaetz Gallagher Garrett Gibbs Gohmert Goodlatte Gosar Gowdy Granger Graves (GA) Graves (LA) Graves (MO) Griffith Grothman Guthrie Harper Harris Hartzler Hensarling Herrera Beutler Hice, Jody B. Higgins (LA) Hill Holding Hollingsworth Huizenga

Carter (GA)

Carter (TX)

Adams Aguilar Barragán Bass Beatty Bera Beyer Bishop (GA) F. Cleaver

Hultgren Hunter Hurd Issa Jenkins (KS) Jenkins (WV) Johnson (LA) Johnson (OH) Johnson, Sam Jordan Joyce (OH) Katko Kelly (MS) Kelly (PA) King (IA) King (NY) Kinzinger Knight Kustoff (TN) Labrador LaHood LaMalfa Lamborn Lance Latta Lewis (MN) LoBiondo Long Loudermilk Love Lucas Luetkemeyer MacArthur Marchant Marino Marshall Massie Mast McCarthy McCaul McClintock McHenry McKinley McMorris Rodgers McSallv Meadows Meehan Messer Mitchell Moolenaar Mooney (WV) Mullin Murphy (PA) Newhouse Noem Nunes Olson Palazzo Palmer Paulsen Pearce Perry Pittenger Poe (TX) Poliquin Posev NOES-190

CONGRESSIONAL RECORD—HOUSE

Clyburn Cohen Connolly Convers Cooper Correa Costa Courtney Crist Crowley Cuellar Cummings Davis (CA) Davis, Danny DeFazio DeGette Delaney DeLauro DelBene Demings DeSaulnier Deutch Dingell Doggett Doyle, Michael Ellison Engel Eshoo Espaillat

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

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

February 2, 2017 Schrader

Scott (VA)

Serrano

Scott, David

Sewell (AL)

Shea-Porter

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

Sherman Sinema Sires Slaughter Smith (WA) Soto Speier Suozzi Swalwell (CA) Takano Thompson (CA) Thompson (MS) Titus Tonko Torres Tsongas Vargas Veasev Vela Velázquez Viscloskv Walz Wasserman Schultz Waters, Maxine Watson Coleman Welch Wilson (FL) Yarmuth

Mulvaney Walker Price, Tom (GA) Zinke Rush Smith (TX)

\Box 1336

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

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

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

RECESS

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

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

□ 1341

AFTER RECESS

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

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

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

Blumenauer Blunt Rochester Bonamici Boyle, Brendan Brady (PA) Brown (MD) Brownley (CA) Bustos Butterfield Capuano Carbajal Cárdenas Carson (IN) Cartwright Castor (FL) Castro (TX) Chu, Judy Cicilline Clarke (NY) Clay

Estv Evans Foster Frankel (FL) Fudge Gabbard Gallego Garamendi Gonzalez (TX) Gottheimer Green, Al Green, Gene Grijalva Gutiérrez Hanabusa Heck Higgins (NY) Himes Hoyer Huffman Jackson Lee Jayapal Jeffries Johnson (GA) Johnson, E. B Kaptur Keating Kelly (IL) Kennedy

Khanna

Zeldin