I am proud to be here today on behalf of the rule, Mr. Speaker, and I urge adoption of both the rule and the underlying bill, H.R. 4712, so we can continue to do what is right, what is morally required of us, and that is to protect and nurture and make sure we have provided safeguards for the unborn and for those who are born alive after abortion.

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

AN AMENDMENT TO H. RES. 694 OFFERED BY MR. MCGOVERN

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

SEC. 4. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4820) to extend funding for certain public health programs, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the respective chairs and ranking minority members of the Committee on Ways and Means and the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 5. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 4820.

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.

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

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

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

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

The yeas and nays were ordered.

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Lasky, one of its clerks, announced that the Senate has agreed to without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 98. Concurrent resolution directing the Secretary of the Senate to make a correction in the enrollment of the bill S. 139.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 139) ''An Act to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes.''.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 195, FEDERAL REGISTER PRINTING SAVINGS ACT OF 2017; WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS; AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. COLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 696 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 696

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 195) to amend title 44, United States Code, to restrict the distribution of free printed copies of the Federal Register to Members of Congress and other officers and employees of the United States, and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendment with an amendment consisting of the text of Rules Committee Print 115-55. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the motion to its adoption without intervening motion.

SEC. 2. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of January 20, 2018.

SEC. 3. It shall be in order at any time through the legislative day of January 20, 2018, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

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

Mr. COLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), 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. COLE. 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 Oklahoma?

There was no objection.

Mr. COLE. Mr. Speaker, yesterday the Rules Committee met and ordered a rule for consideration of the Senate amendment to H.R. 195, the Extension of Continuing Appropriations Act of 2018. The rule provides for 1 hour of debate, equally divided and controlled by the chair and the ranking member of the Appropriations Committee.

Mr. Speaker, the appropriations package in front of us represents the fourth continuing resolution to fund the government for the fiscal year 2018. In bringing up this bill, the House is fulfilling its primary obligation to the American people: to fund the government and keep the government open and operating.

With the package under consideration today, Congress will fund the government through February 16, 2018. We will provide crucial dollars to keep the government functioning, to support our troops and the military, and to ensure we are all working for the American people. We will provide time to negotiate a larger agreement on funding the government for the remainder of the fiscal year, as well as a badly needed immigration reform measure.

In addition to funding the government, this bill also includes several other important provisions. Most notably, it reauthorizes the Children's Health Insurance Program—or CHIP, as it is popularly known—for 6 years. It also implements critical delays in certain taxes imposed by the Affordable Care Act, including a 2-year delay for the medical device tax, a 2-year delay for the so-called Cadillac tax on health insurance plans, and a 1-year delay on the health insurance tax.

As a supporter of repealing and replacing the entire Affordable Care Act, I am gratified to see this delay in imposing these harmful taxes on the American people.

Finally, I am also pleased that this bill provides additional funding for ballistic missile defense, which is of crucial importance when dealing with rogue states like North Korea.

Mr. Speaker, in 2017, Congress actually got a great deal done. The House and the Senate have worked with President Trump to do more to deregulate the economy and free small businesses from harmful regulations than any previous Congress.

The Senate has been productive in overhauling the judicial branch, confirming a new Supreme Court Justice and 12 judges for the courts of appeals. The House and the Senate have approved and passed into law a new National Defense Authorization Act, which will provide new tools to rebuild and strengthen our military in the face of global threats.

We have passed two supplemental appropriations bills to deal with the damage caused by multiple disasters across the country, and I am confident we will pass a third in the days ahead.

Above all, the crown jewel in this first year of the 115th Congress has been the passage of major tax reform legislation, which will boost the economy, reduce the tax burden on workers, support working families, and simplify and modernize our burdensome Tax Code. I am particularly pleased this bill included the repeal of the ObamaCare individual mandate.

The place where Congress has not gotten its job done is in the appropriations process. This is not the fault of the House of Representatives. Under the leadership of Chairman BLACK, the House wrote and passed a budget for FY18—fiscal year '18—in April. Through the efforts of Chairman FRELINGHUYSEN and the other members of the Appropriations Committee, the House wrote and passed all 12 appropriations bills prior to the start of the fiscal year.

However, our friends in the Senate have failed to act. We have been waiting for over 120 days—4 months—for the Senate to either act on our bills or write their own and send us passed appropriations legislation to consider. The Senate has not done so. Given their failure to act, we need yet another additional short-term CR to ensure the government remains open.

□ 1345

It is my hope, in the interim, that the leaders of the two Chambers and the President will be able to come together to determine what our spending top lines will be for the fiscal year 2018. Once that happens, all the interested parties can meet to put together a bipartisan and bicameral full-year spending bill.

If the leadership of both Chambers come to an agreement, I am confident that the appropriators can produce bills to fund the government in fiscal year 2018 and begin the important task of producing a budget for fiscal year 2019.

Let me be crystal clear about the consequences of voting against the underlying legislation:

A vote against the underlying legislation is a vote against reauthorizing the Children's Health Insurance Program.

A vote against the underlying legislation is a vote to tax the health insurance plans of millions of Americans.

A vote against the underlying legislation is a vote to tax the medical devices that millions of Americans rely on.

A vote against the underlying legislation is a vote against badly needed funds to protect America against missile attacks from rogue states like North Korea.

And a vote against the underlying legislation is a vote to shut down the government of the United States.

I hope every Member on both sides of the aisle understands these consequences and votes accordingly.

Mr. Speaker, today's CR accomplishes several important tasks and keeps our government open and operating. But there is still more work to be done. In the words of Winston Churchill: ''Give us the tools, and we will finish the job.''

Mr. Speaker, I urge support for the rule and the underlying legislation, and I reserve the balance of my time.

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

Mr. Speaker, I thank the gentleman for yielding me the customary time.

Mr. Speaker, the Chamber finds itself in much the same position it was in on September 8, December 7, and December 21. Those were the other three continuing resolutions that we passed to try to get through here, but we are rushing again with one of the majority's short-term continuing resolutions with days to spare—actually, tomorrow—one day to spare until the great Government of the United States closes for business.

Now, you might think that would be the most important thing on the minds of the majority and of the United States Government, but it isn't because we are not going to get to vote on this tonight until 7 p.m.—and all the people in the country who are holding their breath to see whether they are going to be laid off, the Federal workers, and all the other things that go with that devastating thing.

Let me remind you that the last time the government had a shutdown, $24 billion was lost to the economy, a lot of it to laid-off workers, and also the fact that large numbers of facilities owned by the government have stores and newspaper stands in them that were also closed.

But, no, we are not in any hurry today. Nobody is concerned about it, and the President of the United States and several Members of the House have gone to a political rally in Pennsylvania. They are trying to save a congressional seat there of a person who was forced to step down. That, obviously, is of more importance to them than whether or not this government continues to function.

That is a tragedy, Mr. Speaker, but that is what we have been putting up with for a long time.

I don't recall a time we have had four continuing resolutions in probably a month and a half, but here we are, and I bet you that we will come back in February and do yet another one.

Now, my colleagues who have gone to Pennsylvania could have gone next week—because we are taking another week off back to the district next week—and not caused this great hubbub today, which is one of the most important days in the life of the Nation as to whether we are going to continue to be the Government of the United States.

It is tragic, isn't it?

I remember I was on the floor the last time it shut down, and at midnight I had said: The government of the United States is now closed. I would

hate to be up here to have to say something like that again.

I don't know what else to call it except incompetence. That certainly comes as close to the definition as I can make.

But this latest proposal that we will not vote on until after 7 p.m.—and I understand that will inconvenience some people, but I do hope that other people will be able to stand the suspense. This is the fourth continuing resolution since the end of the fiscal year in September, and it will run, as I said before, through February 16, where I bet you we do another one.

If past is prologue, we probably will find ourselves back because what we do in this House now is be a standby person while the majority goes from one self-imposed crisis to the next. And much like the proposals before it, this continuing resolution is not the product of bipartisan negotiations. It was written solely by the majority without a single Democratic fingerprint anywhere on the bill.

America, pay heed to that. If this government should shut down, this problem is solely that of the Republican Party. We were not asked for our input when it was written in the back room, but since its public release hours ago, the majority has being asking for our support and saying what a shame it is, what a shame that we who don't even believe in this particular thing are not out there beating the drum for it.

But that is not how it works. The majority cannot craft this bill solely by itself and fail to address the matters that we agree we need to take action on and then criticize us for not supporting this partisan proposal.

We had an idea we would come to this point for some time, and I think everybody will agree with me, certainly on my side, and I suspect on both, that our leader, the minority leader, Nancy Peolsi, certainly made herself clear all the way through as to what it would take to get the votes of the Democrats in the House. But there was no consideration given to that, and yet they are asking us for votes.

This stopgap measure continues to just chip away at the Affordable Care Act—and I know my colleague said he was happy about that—by targeting some key funding mechanisms under the law. I suppose I probably did the rule on at least the vast majority of all the times repeal and replace was the fashion here, and I have always asked every single time: Why does the Republican Party want to take healthcare away from people? I have never gotten an answer to that, but I am totally convinced, after all this time, that that is exactly what they want to do.

Since the majority waived the rules requiring the provisions to be paid for for the healthcare act, it is actually a massive tax cut for the health insurance industry. It comes on the heels of the majority's tax cut for the wealthy and corporations, which represents the largest transfer of wealth from working families to the wealthy that our Nation has ever seen. It is a bill that made tax cuts for corporations permanent.

Now, the continuing resolution before us today includes a temporary reauthorization of the Children's Health Insurance Program, which provides healthcare for 9 million of America's children. That was only to be for 6 years. But, as you heard already from a previous speaker this morning, had it been made permanent, it would save over $6 billion. I fail to understand the economic benefits of what they are doing here.

Mr. Speaker, why is the majority giving permanent tax cuts to corporations but it won't even give permanency to children in need of healthcare? The majority believes that a temporary reprieve on CHIP will force us to vote for this misguided plan. But what about the community health centers? What about improving healthcare for veterans?

The continuing resolution turns a blind eye to victims in desperate need of help in the wake of some of the worst hurricanes, mudslides, and wildfires our Nation has ever experienced and to 700,000 DREAMers who remain at risk of being deported following President Trump's decision to end DACA.

Remember what DACA was about. We asked young people who had been brought to the United States by their parents at a very young age to come out and to register and say that they were undocumented and that we would protect them as a way to citizenship. But instead, that was taken away from them, and they face deportation and are being deported daily—and it is an emergency.

But it also fails to take any action, this particular CR does, on bipartisan priorities like the pension crisis, veterans healthcare, and, as I said, the community health centers.

What has the majority prioritized instead of crafting a long-term spending bill that deals with these urgent issues? Ideological crusades like undermining financial reform laws and attacking women's health.

We had a wonderful debate just before this bill came on the floor of a thing called Born-Alive. We passed a bill I think unanimously, and I think it was done by voice vote, in 2002, that any infant born in an abortion setting would be given every care in the world, and, in fact, we didn't even need that bill. That is a given.

At the same time, though, that we are debating that on the floor today, that is to do every medical thing possible, the administration announced that, if a provider—a nurse, a doctor, or anybody in a medical setting, and they don't have to give any reason for this—if they personally or for some other reason, morality reason, decide they do not want to treat a patient before them, they don't have to.

Think about that a minute. Well, you know what I am trying to say here. It is more than ironic. It is stupid. But we sort of get used to that.

A separate bill on the floor today, H.R. 2954, would weaken the Consumer Financial Protection Bureau, a thing hated by this Congress, their ability to respond to the problematic trends in the mortgage market. So here we go again. The CFPB has already saved over $12 billion for consumers.

Another measure that will be considered this week, H.R. 4712—that was the one I mentioned a minute ago—tries to shame and scare doctors out of providing constitutionally protected abortion services. The bill this morning gives doctors and medical professionals up to 5 years in prison just for practicing medicine to the best of their ability.

And all the while, the majority has been ignoring the elephant in the room and we march toward another government shutdown, and the American people and the world are once again forced to wonder whether the greatest superpower on this planet can keep the lights on. Surely, this is no way to run the Government of the United States.

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

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

Mr. Speaker, my good friend refers to the drama of the moment. Frankly, there wouldn't be any drama if Democrats would simply vote to keep the government open while good faith negotiations are going on on the very topics they are most concerned about.

They are concerned about the immigration issue; there is a negotiation under way. They are concerned about the appropriate balance between military and nonmilitary spending in the budget; there is a negotiation that is under way.

Now, I suspect this effort to threaten a government shutdown in order to achieve policy aims that are unrelated to the funding and operation of the government will not succeed in this House. Here, we have a simple majority. But to my friend's point, and to be fair, that is not the case in the United States Senate. There, Democratic votes will be needed to keep the government open.

Now, this House's responsibility is to do everything we can to keep the government functioning. In addition to that, there are important policy objectives in here that my friends, I think, either agree with or have even been demanding.

The reauthorization of the Children's Health Insurance Program is something both sides agree on. Actually, the 6-year extension is a year beyond what the Democrats asked for when the legislation was originally considered last fall. That is something I know they agree with, and I would hope they would vote for it.

A couple of the unattractive parts of the Affordable Care Act, which even

my opponents who supported it en masse agree with:

It is not very smart to tax the health insurance plans of American workers. We have got a delay of that for 2 years.

They also agree it is not wise to tax medical devices. Again, we have a measure in here that would delay that for 2 years.

They also, I know, believe that we ought to protect the American people against missile attacks from rogue states. There is a request from the Pentagon in here, again, that is fully funded.

□ 1400

There is absolutely nothing in this bill that my friends on the other side object to. There are many things that they support. Now, they are perfectly free to say, well, I would like this, and this, and this, and this added. But there is nothing in here to vote against.

If you want to raise the other issues, I suspect we can work out an agreement. And I suspect those issues are being negotiated, literally, right now in budget discussions and budget talks. So that is the appropriate place to deal with them. But, again, there is no reason to shut down the government or threaten a shutdown unless you are trying to force some unrelated policy objective.

In this case, the immigration issue that my friend refers to, actually things extend into March. There are talks underway there. I don't see how shutting down the government moves us toward that solution.

The same thing is true with the other functions of government. So I would say we have a very reasonable prospect or proposal on the table here. I suspect that we will achieve the majority in this Chamber. Then we will go to the United States Senate, and we will see whether Democrats there really do want to shut down the government, as opposed to pass a number of items that they agree with: keep the government running and keep negotiations going.

That is the responsible thing to do. That is what I think this House will do. That is what I hope Members on both sides of the aisle choose to do, both when they vote here and later when they take this matter up for consideration in the United States Senate.

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

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

For months, the majority has been holding the healthcare of 9 million children and more than 9 million individuals, including seniors, pregnant women, and veterans, hostage while they pass the tax breaks for millionaires and billionaires.

Well, the time is up, and with each day we fail to act, our constituents face uncertain futures. This is wrong. Mr. Speaker, even President Trump agrees we need to act on CHIP. Just this morning, he tweeted: ''CHIP should be part of a long-term solution, not a 30-day or a short-term extension.''

Well, here is our chance to stop playing politics, except we can't do it until 7 o'clock this evening because the President and so many Members of the House are in Pennsylvania at a political rally. I guess this wasn't as important as we thought it was.

If we defeat the previous question, I will offer an amendment to the rule to bring up Representative MCEACHIN's bill, H.R. 4820, the Advancing Seniors and Kids Act. This bill would restore certainty and stability to so many of our most vulnerable citizens by responsibly addressing critical healthcare priorities.

It permanently reauthorizes CHIP, saving us $6 billion. It reauthorizes the community health centers for 2 years and includes other vital healthcare programs that provide relief to pregnant women, seniors, and so many more.

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

The SPEAKER pro tempore (Mr. ROGERS of Kentucky). Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. I am pleased to yield 2 minutes to the gentleman from South Carolina (Mr. CLYBURN), the assistant minority leader, to discuss our proposal.

Mr. CLYBURN. Mr. Speaker, I thank the gentlewoman for yielding me the time.

Mr. Speaker, Republicans control the House, the Senate, and the White House. The responsibility to govern rests squarely on their shoulders. Democrats stand ready to keep government open, but neither Speaker RYAN nor Leader MCCONNELL seem interested in finding bipartisan solutions. Maybe they are adhering to President Trump's admonition that we need a ''good government shutdown.''

House Democrats wholeheartedly disagree. We ought to work together in a bipartisan way to help our veterans, to fight the opioid epidemic, to protect millions of workers' pensions, and to help the DREAMers. Today's CR is the fourth kick of the can. Once again, Republicans are engaging in legislative sleight of hand, shamefully using low-income children as political pawns. The Children's Health Insurance Program provides health insurance for 9 million low-income children. Every Democratic Member of this body supports it.

Republicans allowed it to expire more than 4 months ago and have refused to bring it up on its own until they can get something in return. That is wrong. What good is health insurance if you have nowhere to go when your child is sick? Republicans leave community health centers and disproportionate share hospitals out of their temporary authorization.

Mr. Speaker, we could save $6 billion if we permanently authorize CHIP. We should fund community health centers and protect disproportionate share hospitals for 2 years. We should permanently repeal the cap on therapy services for seniors in Medicare. We should fund the highly successful home visiting program for 5 years.

And we could do all of this by passing Representative Donald McEachin's Advancing Seniors and Kids Act. I urge my Republican colleagues to stop playing games with the children's health. Reject this grotesque political calculation, and let's work in a bipartisan way to keep government open.

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

Mr. Speaker, let's be crystal clear on something. The House of Representatives never held up CHIP. It actually passed it in October. We are still waiting for Democrats in the Senate to work with Republicans in the Senate and send us something back. In the meantime, in this bill, my friend said they want to reauthorize CHIP. We reauthorized it for 6 years. There is nothing in it they object to. They believe in the program. I believe in the program. It has had bipartisan support.

When we passed it, it got almost every Republican vote, a couple of dozen Democratic votes. We actually made the bill better in the process, so if you want to fix CHIP, you just simply need to vote for this bill.

And my friends, frankly, we wouldn't be racing Members back here, or the President of the United States, if my friends weren't threatening to block vote against funding the government while negotiations are underway. What advantage do you have in shutting down the government of the United States, which is precisely what my friends are threatening to do? I think they will not succeed here but actually have the ability to do it in the United States Senate, should they choose to do it under the rules of that body.

While negotiations are going on, if you think shutting down the government is a good idea, I beg to differ. If you are using it as a negotiating tactic, then you ought to be ashamed, because that is no way to treat the American people.

We are operating in good faith. There is not an item in this bill that offends any Democrat. Nobody I know is against CHIP. We just heard that. Nobody I know is against delaying the Cadillac tax or the medical device tax in ObamaCare—two parts of that bill that even my friends who supported it tend to disagree with. I know my friends are not opposed to providing ballistic missile defense for the United States of America. I know my friends surely don't want to handicap the American military at a dangerous time by a government shutdown. There is nothing in here that could possibly be offensive to them.

And there are negotiations underway on the very items they are most concerned about: immigration and the appropriate balance in funding level. Shutting down the government while those negotiations are underway isn't going to help us get DACA reform, isn't going to help us actually get a budget that we can operate on. It will actually just simply switch attention away from those and create a crisis, which I assume my friends think will work, somehow, to their political benefit.

I don't think that is true, and I speak from some experience here. I argued against it, but I watched my own side do something like this when it came to defunding ObamaCare. It was not successful. It was not the appropriate way to proceed, and there was a pretty harsh verdict by the American people.

I suggest my friends are running the same risk today. Now, they have every right to do this. I never question any Member's right to vote how they think is appropriate, but, in this case, in this body, I think we have the votes to make sure that they don't shut down the government as they have threatened to do.

In the United States Senate, that is going to be up to them. Frankly, if Democratic Senators want to shut down the government to achieve some policy objective, that is their choice. But I think it will be crystal clear at the end of the day who actually closed down the government for some unrelated policy aim that was actually under negotiation at the time.

So I would, again, just urge my friends to benefit from our experience and sit down and keep negotiating while we keep the government open. I think if we do that, we will arrive at a constructive solution for the American people. I think if we don't, it is going to be a political crisis that was unprovoked and unnecessary.

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

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, my good friend from Oklahoma—and he is a good friend. We have seen each other often in the Rules Committee—protests too much. This is not a bill, and the American people should know that it is not a bill. It is an affirmation of the inability of Republicans to govern.

Republicans have the Presidency, the Senate, and the House. A few months ago, their President indicated that we need a good, beautiful government shutdown. Those are not my words. Those are the words of the President of the United States. This is not an appropriations bill. This is a stopgap emergency method in order to save ourselves from collapse. That is the Republican's responsibility.

Democrats, so many months ago, passed a budget, as a member of the Budget Committee, a budget that respected the needs of all Americans, including the United States Department of Defense. It provided funding for ordinary men and women who put on the uniform, some of them on food stamps. It provided for veterans health. It provided for the children's health insurance. It provided for infrastructure, and it provided for ensuring that Americans could have good healthcare. That was the Democrat's budget.

The Republican budget was a $2.4 trillion, and counting, cut to the needs of the American people. It threatened Medicaid and Medicare, quite contrary to Democrats. Now, we find ourselves in the midst of those in Puerto Rico and the Virgin Islands who barely got lights or power during the holiday season or thereafter. It is dealing with Texans who have no power in their homes, living in shells. They have no heat. They are waiting on disaster supplemental relief that is not coming.

And, of course, what about CHIP? I represent the Texas Children's Hospital with my colleagues. My district surrounds that area. I have been to that hospital. I have seen what the Children's Health Insurance Program means to saving lives. What does that mean? Six years, that is nebulous. What about permanent?

What about passing Mr. MCEACHIN's bill on working with seniors and children? That is serious. And I don't know what my friends heard, but earlier this morning, I heard the President say: Snatch CHIP out of it. They want to be in negotiation. I just want to be mean.

And you know how you are being mean? You are not here seriously dealing with this. You are going off on a rally so that you can support the man that is running in the Pennsylvania suburbs who loves the President. That is not democracy. Whoever is running, let them run.

Right now, in here, we need some help and we need to work on these issues for the 700,000 near-Americans. They are DREAMers, but they serve in the military. They are in medical school. They are Ph.D.s. They are teachers, and we have them suffering. Some of them have committed suicide because of the ugliness of this body controlled by Republicans in the House and the Senate.

Finally, let me say that any President who can call something an s---hole is not a serious negotiator.

I believe it is the Republicans' responsibility to put a bill on the floor.

Mr. Speaker, I rise to speak on the Rule, which makes in order legislation extending the Continuing Resolution now in effect for another month, or until February 16, 2018.

This resolution is yet another short-term Continuing Resolution (CR) to extend government funding for a few weeks, this time until February 16th.

This is the fourth time House Republicans have chosen to kick the can down the road rather than work with Democrats to come to a necessary bipartisan agreement to lift the Budget Control Act (BCA) spending caps, giving appropriators the direction they need for full-year funding bills.

The reason given for passing each of the prior Continuing Resolutions was that the extra time was needed to reach a comprehensive agreement to fund government operations in a fair and balanced way.

Yet, even with the extra time, House Republicans made no progress during any of the previous extensions.

Mr. Speaker, I cannot support a rule that does not make in order legislation that provides full funding for disaster recovery, extends additional health access for veterans, provides funding to combat the opioid epidemic, and protects pensions.

Most important, it is outrageous that House Republicans would bring to the floor and request support for a fourth CR extension that does not address and resolve the crisis the Republican Administration has inflicted on 800,0oo Dreamers and their families, including 124,000 Dreamers in my home state of Texas.

Instead of acting responsibly to address these issues and fund the government for the remainder of the fiscal year, House Republicans continue wasting time.

Mr. Speaker, the legislation before us includes a six year reauthorization of the Children's Health Insurance Program (CHIP), which provides health coverage to nine million children, and which Republicans allowed to lapse on September 30, 2017.

In contrast, making CHIP permanent would not only provide long-term stability for families, providers, and states, it would save $6 billion according to the Congressional Budget Office.

Republicans are only just now getting around to reauthorizing the program because they wasted months on efforts to repeal the Affordable Care Act and enact unpaid for tax cuts for the wealthy.

This resolution includes additional tax cuts totaling over $26 billion, including a two year delay of the medical device and Cadillac taxes, and a one year delay of the health insurance tax.

At the same time, the resolution fails to address numerous other expired and expiring health priorities, from funding for community health centers to waiving caps on therapy services for seniors on Medicare, to preventing cuts to safety net hospitals.

Mr. Speaker, despite controlling the House, Senate, and the White House, Republicans have not funded the government for the entire year, even though we are already four months into the fiscal year.

Because Republicans refuse to work with Democrats and compromise on how to provide relief from the BCA's sequester level spending caps, they are lurching from CR to CR—degrading the readiness of our military and preventing government agencies from properly serving the American people.

This is not a responsible way to govern.

Therefore, I cannot support the Rule or the underlying bill.

Instead, Republicans need to work across the aisle with Democrats and get our work done—including upholding the long-standing precedent of agreeing to parity when providing relief from sequester caps.

The SPEAKER pro tempore. The time of the gentlewoman from Texas has expired. The gentleman from Oklahoma is recognized. The gentlewoman from Texas is not recognized.

Ms. JACKSON LEE. * * *

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oklahoma.

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

Just to be clear with my good friend from Texas, Democrats didn't pass a budget. They proposed a budget. That is fair enough, but they never passed a budget in this House. There was a budget that was passed by the Republican majority. It is interesting, that budget actually came into balance within 10 years. Our friends on the other side never presented a budget that came into balance from any of their various groups.

Frankly, the last administration never presented a budget that ever came into balance. So it is hard to talk about a budget that never comes into balance as if it is a responsible document. It is clearly not.

In terms of my friend's concern about CHIP, it is an appropriate concern. The answer is right in front of her. Simply vote for this bill. You got a 6-year authorization that was longer than my friends originally asked for in the negotiations that were last fall.

□ 1415

This House has actually, again, met all of its obligations. My friends' counterparts in the other body, frankly, have used their votes under the rules of that body to sabotage any appropriations process whatsoever. It requires 60 votes in the United States Senate. Unfortunately, we only have 51. So if Democrats won't sit down and negotiate, nothing much gets done over there. That is why we are here today. Frankly, we are here to make sure the government doesn't shut down.

Now, again, my friends have every right to vote to shut down the government. If they vote ''no'' on this measure, that is exactly what they are doing. They are voting to shut down the government. They are voting not to reauthorize CHIP. They are voting to tax the American people by putting taxes on their healthcare plans and putting taxes on medical devices. They are missing the opportunity to help us with missile defense in a very dangerous era. And they are throwing away the time while negotiations on the topics they are concerned about are underway—negotiations on the budget and negotiations on DACA.

So why my friends want to do this at this particular point is beyond me. But I would suggest it is not likely to work. It is likely to backfire. If we end up in a government shutdown—something I would very much advise against—I think my friends, all of whom will have voted to shut down the government, will bear the responsibility. I think the American people will understand.

Now, again, I don't think my friends will succeed in this House, but they may well in the upper Chamber because, up there, they do have the votes under the rules of that body to shut down the government. I would urge them not to do that and to keep the government operational, to take these victories—and they are victories where we agree—and keep negotiating on the issues that most concern us. I think that is the appropriate way to proceed, and I would urge my friends to adopt that course.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I want to thank the gentlewoman for yielding and, once again, for her tremendous leadership on so many issues as our ranking member.

Now, I serve as a member of the Appropriations and the Budget Committees, and I rise in strong opposition to this rule and the continuing resolution.

I just want to make one comment before I start my statement with regard to what was just said about Democrats shutting down the government.

First of all, there is no way that Democrats are voting to shut down the government, given the fact that the Republicans control the House, the Senate, and the White House. The numbers just aren't there for Democrats to do this. So I hope that people on the other side—Republicans and my colleagues on the other side of the aisle—will be honest about that because there is no way, given the numbers and given the composition of the House, the Senate, and the White House, that Democrats can do that.

This bill kicks the can down the road for the fourth time, mind you, since October.

Republicans control, again, as I said, the three bodies: the House, the Senate, White House. The least they could do is honor the basic responsibility of being in the majority, and that is to keep the government open.

Sadly, they continue to drive this country to the brink of one avoidable, self-inflicted crisis after another.

This short-term resolution ignores—ignores—urgent bipartisan priorities that Democrats have been pushing for months with Republicans, the most urgent of which is passing a clean Dream Act. DACA recipients are American in every way except on paper, and right now, their lives are hanging in the balance. Every day Congress fails to take action, 122 DACA recipients lose their protections. It is time to put politics aside and pass a clean Dream Act immediately.

Mr. Speaker, this continuing resolution is really irresponsible and it is morally bankrupt. It fails to honor the temporary protected status for immigrants. It fails to raise budget caps equally for defense and nondefense spending. It fails to fund community health centers. It neglects to provide desperately needed funding for hurricane- and wildfire-impacted communities, the opioid epidemic, community health centers, and our veterans.

This bill underscores the majority's complete lack of regard for everyday Americans and struggling families.

Continuing resolutions leave the American people out on a limb with no confidence, mind you, in their Federal Government. This resolution makes it clear that is just what Republicans want to do. The American people sent us to Congress to govern in their best interest. Unfortunately, this CR is just the opposite. It is completely irresponsible.

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

Ms. SLAUGHTER. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman from California.

Ms. LEE. Mr. Speaker, this CR does nothing—nothing—to help create jobs, better wages, and ultimately a better future for our children and our families.

It is really clear to me that the delay on this bill is because some House Republicans are in Pennsylvania. I was shocked when I learned this. They are in Pennsylvania with the President at a political rally.

What is that about?

They should be here in Washington, D.C., to do their job. Shame on them.

Mr. Speaker, I urge a ''no'' vote on this rule and the bill.

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

Mr. Speaker, I include in the RECORD a press release from—my friends may have missed this—the Children's Hospital Association.

[Press Release, Jan. 18, 2018]

CHILDREN'S HOSPITALS TO CONGRESS: KIDS CAN'T WAIT, FUND CHIP NOW

WASHINGTON, DC.— The Children's Health Insurance Program (CHIP) is vital to millions of children and families. These families have been living with uncertainty since funding for CHIP expired at the end of September. States are exhausting all available program funds and have announced plans to freeze enrollment and, in some cases, end their programs altogether. Kids can't wait any longer.

Congress has a chance to pass a long-term extension of CHIP that will provide security for millions of kids. The continuing resolution being considered by Congress includes a six-year extension of CHIP. Children's hospitals support a long-term extension of CHIP and urge Congress to take this opportunity to pass CHIP this week. The time is now to extend funding for this lifeline millions of children and their families count on every day.

About the Children's Hospital Association—the Children's Hospital Association is the national voice of more than 220 children's hospitals, advancing child health through innovation in the quality, cost and delivery of care.

Mr. COLE. Mr. Speaker, the Children's Hospital Association has actually urged that this bill be adopted. They have urged that we, for 6 years, ensure the funding. They would like my friends—who I know believe in the program—to actually vote for the measure in front of them.

Now, we have heard a number of things about kicking the can down the road. I confess, keeping the government open while negotiations are in progress is something we are trying to do.

But I also point out this is not simply a normal CR. It settles the Children's Health Insurance Program for the next 6 years and appropriately funds it. It delays tax increases, which my friends also oppose, although they voted for them in ObamaCare on people's health insurance programs and on medical devices. It provides badly needed dollars for missile defense in an era of crisis with an irresponsible state.

It doesn't have anything in it that offends my friends in any way. There is nothing in this bill they are against. If they are, I would like to know.

Is it CHIP that my friends are against? Is it delaying the Cadillac tax that my friends are against? Is it, frankly, delaying the medical device tax increase that my friends are against? Is it putting more money in ballistic missile defense that my friends are against? Or is it just continuing the government's operations that my friends are against while negotiations are underway?

I am not sure which one my friends are for, but it suggests to me if there is nothing in here they are against, then they ought to be voting for the bill.

Finally, to my friend's point—and there is more to this than their comments would suggest—to suggest that we simply can control the universe around here isn't true. We don't write the Senate rules. I wish we did. They would probably look a lot different and we probably would have less of a problem. But my friends have not been able to shut down the government here, although they tried to in December. I don't think they will be able to shut down the government, although they will try to again today.

But in the United States Senate, the Democrats will decide whether or not the government continues to operate; whether or not CHIP is reauthorized for 6 years, as the Children's Hospital Association urges; whether or not millions of American families are spared from a tax increase simply because they fought and worked for a decent insurance plan; whether or not millions of Americans who depend on medical devices for their survival have to pay more for them; and whether or not we have a higher level of certainty that we can defend ourselves against an unprovoked and dangerous attack that might occur at any moment.

That will be a decision for Democrats in the Senate to make as long as we vote here to move this legislation forward. I think we will, and I would invite my friends to join us in that.

There is nothing in here that offends my friends. There are many things that my friends like, and there are negotiations underway on the things that are my friends' concerns.

I would suspect that is the course that we ought to take, and I would urge my friends to reconsider and adopt that course.

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

Ms. SLAUGHTER. Mr. Speaker, may I inquire of my colleague if he is prepared to close? I have no further speakers.

Mr. COLE. Mr. Speaker, I am certainly prepared to close whenever my good friend is.

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

Mr. Speaker, my good friend, Mr. COLE, seems almost to be desperate to have us vote for this continuing resolution, which says to me that the majority doesn't have enough votes to pass it. Somehow by saying that because the Democrats will not support this farce, then we are going to be responsible for it. But, frankly, my good friends are three for three on government shutdowns just since I have been a Member of Congress. Nobody is going to believe that, with all the excess numbers of votes here—I think you have 23 more Members have than we have got—we are at fault.

But, anyway, let's get to the business here.

Instead of treating this like the serious issue that it is, the President is treating it like another reality show. He has suggested that Democrats would certainly be blamed for the majority's inability to keep the government running. But he is wrong about that, too. Just this week, a poll from Hart Research Associates found that the public would blame the majority by a double-digit margin. That gap grows wider when you look specifically at independent Americans.

History shows this to be true. When the majority shut down the government over the Affordable Care Act in 2013, a majority of the public placed the blame on them, not President Obama. We saw similar results when former Speaker Gingrich engineered shutdowns in both 1995 and 1996 because he thought the seat given to him on Air Force One did not fit his stature. The American people then blamed the Republican congressional majority, not President Bill Clinton. That is because facts matter, and the fact here is that the majority chose a partisan approach that threatens our ability to keep the government functioning.

But this discussion should not be centered on blame. It is about whether the Republican majority can even govern. Holding the White House, the Senate, and the House comes with great responsibilities, and, obviously, the most basic one—and we all understand this—to start with is keeping the Government of the United States running.

Yet we are confronted all the time with this problem: Are we going to be able to pay the bills and keep things going?

That is so humiliating for America. There is no other word for it.

But this majority, as pointed out before, just lurches from crisis to crisis to crisis, and they lurch around from one deadline to the next without any plan. All the time, all you need to do is ask to let us work together, let Democrats in on your backroom plans. We never get to see that. We are never consulted and never a part of any plan.

Let me remind everyone watching that the last Republican shutdown in 2013 cost the economy an estimated $24 billion. Federal loans to small businesses, homeowners, and families were halted, and numbers of great Federal employees were furloughed. Federal permitting was stopped. Hundreds of patients at the National Institutes of Health were unable to enroll in possible lifesaving clinical trials. Federal scientific research was also put on hold. We had five Nobel Prize-winning scientists working for the Federal Government at that time, and four of them were furloughed.

The majority apparently thinks it has the votes to go it alone on this bill, but I don't think so anymore. We thought so when I wrote this. But they think we are going to prevent a repeat of all that carnage. It is a shame that they squandered a chance to work with us to craft a bipartisan bill. Frankly, I think it is tragedy, and I think it is no way to run the government.

Without question, we could have kept the government running while addressing the priorities that Members of both parties agree on, like we used to.

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

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

Mr. Speaker, I want to, as always, thank my good friend. We disagree on this, but there is nobody that I enjoy serving with on the Rules Committee more than my good friend, the ranking member. She is a wise and able legislator.

There are a couple of things she said I am going to agree with. She did say that facts matter. I actually agree with that. Facts do matter here, and the fact of the matter is anyone who votes ''no'' on this resolution is voting to shut down the government. Anyone—Republican or Democrat—who votes ''no'' has said: I am not willing to keep the government open while negotiations are underway.

Anyone who votes ''no'' is voting against a 6-year extension of the Children's Health Insurance Program that we all agree on to say is critical. Anyone who votes ''no'' is absolutely guaranteed a tax increase or will be voting for a tax increase on American workers who happen to have a fairly decent insurance program. Anybody who votes ''no'' is going to raise taxes on Americans who are ill enough to require medical devices.

Anyone who votes ''no'' is going to make sure we don't have the resources we need to protect this country in a time of international crisis against a potential rogue missile attack.

□ 1430

Anyone who votes ''no,'' to begin where I started, is voting to shut down

the government. It is that simple. My friends did that in December because they thought, ''Well, they can't do it without us,'' but we did. I suspect we will be able to do that again. But I regret that anyone would vote ''no'' on those kinds of votes because I think they will come back to haunt them.

My friend also—and I think this may actually be the key to the issue—quoted polling data that said the Republicans are going to get the blame anyway. That may be true. I don't doubt the accuracy of my friend's numbers, but I suspect that, once they watch the process, the American people are pretty smart and they will understand a ''no'' vote is a vote to shut down the government.

Now, if my friends are gambling that Republicans will get the blame for this because they have done this in the past, I think they are running a terrible risk with their own credibility.

In this body, we will succeed. I don't serve in the United States Senate, never served in the United States Senate, never worked for anybody who served in the Senate. They have rules that will allow the Democrats to shut down the government if they choose to do it. I don't think they will. But if they do, I think they will regret it. Certainly, many on my side regret some of the decisions they made in the last crisis of this kind.

I hope we do the responsible thing in this body and count on cooler heads in the United States Senate to do the same thing.

I also would point out that in this bill that my friends are going to vote ''no'' on—probably in overwhelming numbers, I am sad to say—there is nothing in it they disagree with. They don't disagree with the CHIP reauthorization. They don't disagree with delaying taxes in the Affordable Care Act. They don't disagree with providing additional missile defense.

They tell us they want to keep the government operating, particularly when there are negotiations underway on the matters that actually concern them. That strikes me as incredibly disingenuous, shortsighted, or both.

So I urge my friends: Do what you must on the rule. The rule is the rule. That is always a partisan exercise, and I always respect my friends for voting ''no'' on a rule. But the underlying legislation is real: whether or not the government operates; whether or not we take care of these knotty problems where we happen to agree; whether or not we actually put the well-being of the country, in terms of its defense, above the media partisan interests. Those things are all areas that shouldn't be tough votes.

So I would hope my friends reconsider, come down and vote to keep the government running instead of shutting it down, come down and vote to keep taxes from being imposed on hard-working families through their health insurance plan or medical devices, come down and vote to make sure we have the strongest possible defense against any possible attack on our country, and come down and vote to keep the government open while negotiations are underway. I think the failure to do that is one that my friends will look back on with deep regret in the years ahead.

Mr. Speaker, in closing, I encourage all Members to support the rule. Today's bill represents the next step toward fulfilling our primary obligation as Members of Congress: to fund the government. Although not perfect, the bill before us today will fund our government and keep it open and operating through February 16, 2018.

We will also reauthorize the Children's Health Insurance Program for 6 years and achieve a delay in several harmful Obama taxes. While doing so, we bolster the defense of our country at a dangerous time.

While I look forward to completing our work and passing a bipartisan, bicameral full-year omnibus spending bill, for now, this legislation will keep the government open and operating and give us time to continue working toward a bipartisan agreement for the American people.

I applaud my colleagues for their work.

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

AN AMENDMENT TO H. RES. 696 OFFERED BY MS. SLAUGHTER

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

SEC. 4. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4820) to extend funding for certain public health programs, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the respective chairs and ranking minority members of the Committee on Ways and Means and the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 5. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 4820.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

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

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on:

Adoption of the resolution, if ordered;

Ordering the previous question on House Resolution 694; and

Adoption of House Resolution 694, if ordered.

The vote was taken by electronic device, and there were—yeas 229, nays 191, not voting 10, as follows:

[Roll No. 27]

YEAS—229

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Curtis
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
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
McSally
Meadows
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
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
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—191

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Barletta
Cummings
Kelly (PA)
Kind
Meehan
Noem
Rothfus
Scalise
Shuster
Thompson (PA)

□ 1458

Mr. JOHNSON of Georgia changed his vote from ''yea'' to ''nay.''

Mr. GROTHMAN changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 226, nays 194, not voting 10, as follows:

[Roll No. 28]

YEAS—226

Abraham
Aderholt
Allen
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Curtis
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
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
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
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
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—194

Adams
Aguilar
Amash
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar

Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Massie
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Barletta
Cummings
Kelly (PA)
Kind
Meehan
Noem
Rothfus
Scalise
Shuster
Thompson (PA)

□ 1506

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.

PROVIDING FOR CONSIDERATION OF H.R. 4712, BORN-ALIVE ABORTION SURVIVORS PROTECTION ACT, AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM JANUARY 22, 2018, THROUGH JANUARY 26, 2018

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 694) providing for consideration of the bill (H.R. 4712) to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion, and providing for proceedings during the period from January 22, 2018, through January 26, 2018, 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.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 229, nays 190, not voting 11, as follows:

[Roll No. 29]

YEAS—229

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Curtis
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
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
McSally
Meadows
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
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
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—190

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—11

Barletta
Beyer
Cummings
Kelly (PA)
Kind
Meehan
Noem
Rothfus
Scalise
Shuster
Thompson (PA)

□ 1514

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. BEYER. Mr. Speaker, I was unavoidably detained. had I been present, I would have voted "Yea" on rollcall No. 29.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 228, nays 189, not voting 13, as follows:

[Roll No. 30]

YEAS—228

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)