

I ask the gentleman from Colorado: Does Lamont own more than one establishment?

Mr. BUCK. Will the gentleman yield?

Mr. HASTINGS. I yield to the gentleman from Colorado.

Mr. BUCK. He does.

Mr. HASTINGS. Does he own more than 20?

Mr. BUCK. I don't believe he owns more than 20.

Mr. HASTINGS. If he doesn't own more than 20, then he is not affected by this law. I just want you to know that. I am with you. I want Lamont to be successful.

Mr. BUCK. I will pass that information on to Lamont, although I disagree with your reading.

Mr. HASTINGS. Mr. Speaker, reclaiming my time, Democrats do not want to weaken financial protections keeping our economy stable and strong. Democrats do not want to make it harder for Americans to know the nutritional value of their food.

Rather, Democrats are ready to pass a budget that creates jobs and grows the paychecks of hardworking Americans. Democrats are ready to provide relief to our fellow Americans suffering from natural disasters. Democrats are ready to protect American's pensions. Democrats are ready to protect DREAMers; people who have known no other country than the United States; people, who, but for one piece of paper, are just as American as anyone who will walk in this Chamber today; people who served in the United States military, almost 1,000 of them.

Preferably, we would like to do that work in a bipartisan way. All we need is for the Republican Conference to stand up to the extreme faction in their party and to finally work with us.

Mr. Speaker, I urge a "no" vote on the rule, and I yield back the balance of my time.

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

Washington is out of step with the vast majority of the American people. It is true that we often do work here that moves our country forward, that protects this great land, but it is also true that there is a competing worldview in this City which seeks to rule over the American people.

In Colorado, we have experienced the negative effects of overreach by the Federal Government.

How is it that regulators living 1,700 miles away from us believe they can create rules that take into account our needs and that respect our way of life? It is just not possible.

Washington is good at stamping out large Federal programs. The problem is that it usually stamps out individual liberty in the process. This City must stop telling the people of Colorado how to live every detail of their lives. Washington's so-called experts must stop burying Colorado businessmen and -women under piles of rules.

If we truly free our people to grow and pursue their hopes and dreams, we

will experience a renaissance of growth unmatched in our history. This Congress has done good work in rolling back the strong arm of the Federal Government, but there is more work to do.

These bills before us continue what should be a never-ending pursuit of giving back to the people their personal liberty which has been confiscated by overreaching Federal Government.

Mr. Speaker, I thank Chairman HENSARLING and Chairman WALDEN for their work on these bills. I thank Chairman SESSIONS for bringing these bills to the floor.

Mr. Speaker, I urge passage of the bills and the rule.

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

AN AMENDMENT TO H. RES. 725 OFFERED BY
MR. HASTINGS

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

SEC. 6. 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. 4938) to address the opioid epidemic, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on 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. 7. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 4938.

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

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

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

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

The yeas and nays were ordered.

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

RAISING A QUESTION OF THE
PRIVILEGES OF THE HOUSE

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise to a question of the privileges of the House and offer the resolution previously noticed.

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

H. RES. 726

Whereas, on January 30, 2018, Representative Paul Gosar tweeted a series of statements that included “Today, Congressman Paul Gosar contacted the U.S. Capitol Police, as well as Attorney General Jeff Sessions, asking that they consider checking identification of all attending the State of the Union address and arresting any illegal aliens in attendance.”;

Whereas Representative Gosar went on to tweet “Any illegal aliens attempting to go through security, under any pretext of invitation or otherwise, should be arrested and deported,” said Congressman Gosar;

Whereas Representative Gosar’s comments explicitly targeted the DACA recipients that Members of Congress brought as their guests to the State of the Union;

Whereas DACA recipients have been granted deferred action, are contributing to this country, and have been thoroughly vetted by the U.S. Citizenship and Immigration Services;

Whereas Representative Gosar’s actions to inappropriately pressure the U.S. Capitol Police to detain and deport Dreamers, who are staying in the country according to U.S. Department of Homeland Security regulations, intimidated these young people who are already facing fear and uncertainty;

Whereas Representative Gosar abused the power in an attempt to interfere with and politicize the United States Capitol Police’s efforts to provide for a safe, secure, and open environment during the State of the Union;

Whereas Representative Gosar has violated clause 1 of rule XXIII of the Code of Official Conduct which states that “A Member, Delegate, Resident Commissioner, officer or employee of the House shall behave at all times in a manner that shall reflect creditably on the House”: Now, therefore, be it:

Resolved, That the House of Representatives strongly condemns Representative Paul Gosar for his inappropriate actions that intimidated State of the Union guests and discredited the House of Representatives.

The SPEAKER pro tempore. The resolution qualifies.

MOTION TO TABLE

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

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

The Clerk read as follows:

Mr. Buck moves that the resolution be laid on the table.

The SPEAKER pro tempore. The question is on the motion by the gentleman from Colorado.

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

Ms. MICHELLE LUJAN GRISHAM of New Mexico. 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, this 15-minute vote on the motion to lay the resolution on the table will be followed by 5-minute votes on:

Ordering the previous question on House Resolution 725; and

Adopting House Resolution 725, if ordered.

The vote was taken by electronic device, and there were—yeas 231, nays 187, not voting 12, as follows:

[Roll No. 53]

YEAS—231

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Constock
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
Fox
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs

NAYS—187

Adams
Aguilar
Barragan
Bass
Beatty
Bera
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos

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 (OH)
Johnson, Sam
Jones
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
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse

Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Espallat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
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
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)

Beyer
Bridenstine
Clay
Cummings
Gutiérrez

Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe
Lujan Grisham,
M.
Lujan, 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’Halloran
O’Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)

NOT VOTING—12

Johnson (LA)
Palazzo
Pearce
Rooney, Thomas
J.

□ 1126

Ms. BROWNLEY of California and Mr. BROWN of Maryland changed their vote from “yea” to “nay.”

Messrs. REED, WEBSTER of Florida, HARRIS, and KATKO changed their vote from “nay” to “yea.”

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

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 772, COMMON SENSE NUTRITION DISCLOSURE ACT OF 2017; PROVIDING FOR CONSIDERATION OF H.R. 1153, MORTGAGE CHOICE ACT OF 2017; PROVIDING FOR CONSIDERATION OF H.R. 4771, SMALL BANK HOLDING COMPANY RELIEF ACT OF 2018; AND FOR OTHER PURPOSES

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 725) providing for consideration of the bill (H.R. 772) to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority