

House on the state of the Union for consideration of a bill consisting of the text of the bill (H.R. 14) to reauthorize Federal-aid highway and highway safety construction 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 and controlled by the chair and ranking minority member of , the Committee on Transportation and Infrastructure. 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. 3. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 2 of this resolution.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

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 opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

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

Because the vote today may look bad for the Republican majority they will 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. NUGENT. Madam 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 yeas appeared to have it.

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

The yeas and nays were ordered.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 48 minutes p.m.), the House stood in recess.

□ 1415

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HASTINGS of Washington) at 2 o'clock and 15 minutes p.m.

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

Votes will be taken in the following order:

Ordering the previous question on H. Res. 591;

Adopting H. Res. 591, if ordered;

Suspending the rules and concurring in the Senate amendment to H.R. 886; and

Agreeing to the Speaker's approval of the Journal, if ordered.

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

PROVIDING FOR CONSIDERATION OF H.R. 5, PROTECTING ACCESS TO HEALTHCARE ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 591) providing for consideration of the bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 231, nays 179, answered "present" 1, not voting 20, as follows:

[Roll No. 118]  
YEAS—231

Adams	Diaz-Balart	Hultgren
Aderholt	Dold	Hunter
Akin	Dreier	Hurt
Alexander	Duffy	Issa
Amash	Duncan (SC)	Jenkins
Amodei	Duncan (TN)	Johnson (OH)
Austria	Ellmers	Johnson, Sam
Bachmann	Emerson	Jones
Barletta	Farenthold	Jordan
Bartlett	Fincher	Kelly
Barton (TX)	Fitzpatrick	King (IA)
Bass (NH)	Flake	King (NY)
Benishek	Fleischmann	Kingston
Berg	Fleming	Kline
Biggert	Flores	Labrador
Bilbray	Forbes	Lamborn
Billirakis	Fortenberry	Lance
Bishop (UT)	Fox	Landry
Black	Franks (AZ)	Lankford
Blackburn	Frelinghuysen	Latham
Bonner	Gallegly	LaTourette
Boren	Gardner	Latta
Boustany	Garrett	Lewis (CA)
Brady (TX)	Gerlach	LoBiondo
Brooks	Gibbs	Long
Broun (GA)	Gibson	Lucas
Buchanan	Gingrey (GA)	Luetkemeyer
Bucshon	Gohmert	Lummis
Buerkle	Goodlatte	Lungren, Daniel
Burgess	Gosar	E.
Burton (IN)	Gowdy	Mack
Calvert	Granger	Matheson
Camp	Graves (GA)	McCarthy (CA)
Campbell	Graves (MO)	McCaul
Canseco	Griffin (AR)	McClintock
Cantor	Griffith (VA)	McCotter
Capito	Grimm	McHenry
Carter	Guinta	McKeon
Cassidy	Guthrie	McKinley
Chabot	Hall	McMorris
Coble	Hanna	Rodgers
Coffman (CO)	Harper	Meehan
Cole	Harris	Mica
Conaway	Hartzler	Miller (FL)
Cravaack	Hastings (WA)	Miller (MI)
Crawford	Hayworth	Miller, Gary
Crenshaw	Heck	Mulvaney
Culberson	Hensarling	Murphy (PA)
Davis (KY)	Herger	Myrick
Denham	Herrera Beutler	Neugebauer
Dent	Huelskamp	Noem
DesJarlais	Huizenga (MI)	Nugent



Manzullo Paul Schweikert Engel  
Marino Rangel Thompson (MS) Eshoo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1451

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.

Stated against:  
Ms. JACKSON LEE of Texas. Mr. Speaker, on rollcall No. 119 on H. Res. 591, the Rule on H.R. 5, I was unavoidably detained. Had I been present, I would have voted “no.”

UNITED STATES MARSHALS SERVICE 225TH ANNIVERSARY COMMEMORATIVE COIN ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendment to the bill (H.R. 886) to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation’s first Federal law enforcement agency, the United States Marshals Service, on which the yeas and nays were ordered.

The Clerk read the title of the bill.  
The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. STIVERS) that the House suspend the rules and concur in the Senate amendment.

This is a 5-minute vote.  
The vote was taken by electronic device, and there were—yeas 409, nays 2, answered “present” 2, not voting 18, as follows:

[Roll No. 120]  
YEAS—409

Ackerman Brady (TX) Cole  
Adams Braley (IA) Conaway  
Aderholt Brooks Connolly (VA)  
Akin Broun (GA) Conyers  
Alexander Brown (FL) Cooper  
Altmire Buchanan Costa  
Amodi Bucshon Costello  
Andrews Buerkle Courtney  
Austria Burgess Cravaack  
Baca Burton (IN) Crawford  
Bachmann Butterfield Crenshaw  
Baldwin Calvert Critz  
Barletta Camp Crowley  
Barrow Campbell Cuellar  
Bartlett Canseco Culberson  
Barton (TX) Cantor Cummings  
Bass (CA) Capito Davis (CA)  
Bass (NH) Capps Davis (KY)  
Becerra Capuano DeFazio  
Benishek Cardoza DeGette  
Berg Carnahan DeLauro  
Berkley Carney Denham  
Berman Carson (IN) Dent  
Biggart Carter DesJarlais  
Bilbray Cassidy Deutch  
Bilirakis Castor (FL) Diaz-Balart  
Bishop (GA) Chabot Dicks  
Bishop (NY) Chandler Dingell  
Bishop (UT) Chu Doggett  
Black Cicilline Donnelly (IN)  
Blackburn Clarke (MI) Doyle  
Blumenauer Clarke (NY) Dreier  
Bonamici Clay Duffy  
Bonner Cleaver Duncan (TN)  
Boren Clyburn Edwards  
Boswell Coble Ellison  
Boustany Coffman (CO) Ellmers  
Brady (PA) Cohen Emerson

Larsen (WA) Rivera  
Larson (CT) Roby  
Latham Roe (TN)  
LaTourette Rogers (AL)  
Latta Rogers (KY)  
Levin Rogers (MI)  
Lewis (CA) Rohrabacher  
Lewis (GA) Rokita  
Lipinski Rooney  
LoBiondo Ros-Lehtinen  
Loeb sack Roskam  
Lofgren, Zoe Ross (AR)  
Long Ross (FL)  
Lowey Rothman (NJ)  
Lucas Roybal-Allard  
Luetkemeyer Royce  
Luján Runyan  
Lummis Ruppertsberger  
Lungren, Daniel E. Rush  
Lynch Ryan (OH)  
Mack Ryan (WI)  
Maloney Sánchez, Linda T.  
Marchant Sanchez, Loretta  
Markey Sarbanes  
Matheson Scalise  
Matsui Schakowsky  
McCarthy (CA) Schiff  
McCarthy (NY) Schilling  
McCaul Schmidt  
McClintock Schock  
McCollum Schrader  
McCotter Schwartz  
McDermott Schwikert  
McGovern Scott (SC)  
McHenry Scott (VA)  
McIntyre Scott, Austin  
McKeon Scott, David  
McKinley Sensenbrenner  
McMorris Serrano  
Rodgers Sessions  
Hall McNeerney Sewell  
Meehan Sherman  
Meeke Shimkus  
Mica Shuler  
Michaud Shuster  
Miller (FL) Simpson  
Miller (MI) Sires  
Miller (NC) Slaughter  
Miller, Gary Smith (NE)  
Miller, George Moore Smith (NJ)  
Moran Smith (TX)  
Murphy (CT) Smith (WA)  
Murphy (PA) Southerland  
Myrick Speier  
Nadler Stark  
Napolitano Stearns  
Neal Stivers  
Neugebauer Stutzman  
Noem Noem  
Nugent Sullivan  
Nunes Sutton  
Nunnelee Terry  
Olson Thompson (CA)  
Olver Thompson (PA)  
Owens Thornberry  
Palazzo Tiberi  
Pallone Tierney  
Pascrell Tipton  
Pastor (AZ) Tonko  
Paulsen Towns  
Pearce Tsongas  
Pelosi Turner (NY)  
Pence Turner (OH)  
Perlmutter Upton  
Peters Van Hollen  
Peterson Velázquez  
Petri Visclosky  
Pingree (ME) Walberg  
Pitts Walden  
Platts Walsh (LL)  
Poe (TX) Walz (MN)  
Pompeo Wasserman  
Posey Schultz  
Price (GA) Waters  
Price (NC) Watt  
Quayle Waxman  
Quigley Webster  
Rahall Welch  
Reed Bishop (UT)  
Rehberg Black  
Reichert Westmoreland  
Renacci Wilson (FL)  
Reyes Wilson (SC)  
Ribble Wittman  
Richardson Wolf  
Richmond Womack  
Rigell Woodall

Woolsey Yoder Young (FL)  
Yarmuth Young (AK) Young (IN)  
NAYS—2  
Amash Polis  
ANSWERED “PRESENT”—2  
Duncan (SC) Mulvaney  
NOT VOTING—18  
Bachus Gingrey (GA) Manzullo  
Bono Mack Gonzalez Marino  
Chaffetz Green, Gene Paul  
Davis (IL) Jackson (IL) Rangel  
Dold Kinzinger (IL) Thompson (MS)  
Frelinghuysen Lee (CA) Whitfield

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1458

So the Senate amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:  
Mr. DOLD. Mr. Speaker, on rollcall No. 120, I was unavoidably detained. Had I been present, I would have voted “yea.”

Mr. GENE GREEN of Texas. Mr. Speaker, on rollcall No. 120, had I been present, I would have voted “yea.”

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker’s approval of the Journal, which the Chair will put de novo.

The question is on the Speaker’s approval of the Journal.

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 will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 308, nays 101, answered “present” 3, not voting 19, as follows:

[Roll No. 121]  
YEAS—308

Ackerman Braley (IA) Cohen  
Aderholt Brooks Cole  
Akin Broun (GA) Connolly (VA)  
Alexander Brown (FL) Conyers  
Altmire Buchanan Cooper  
Austria Bucshon Crawford  
Baca Buerkle Crenshaw  
Bachmann Burton (IN) Crowley  
Barletta Butterfield Culberson  
Barrow Calvert Cummings  
Bartlett Camp Davis (CA)  
Barton (TX) Campbell Davis (KY)  
Bass (NH) Cantor DeFazio  
Becerra Capito DeGette  
Berg Capps DeLauro  
Berkley Cardoza Denham  
Berman Carnahan Deutch  
Biggart Carney Diaz-Balart  
Bilirakis Carson (IN) Dicks  
Bishop (GA) Carter Dingell  
Bishop (UT) Cassidy Doggett  
Black Chabot Dreier  
Blackburn Chandler Duncan (SC)  
Blumenauer Cicilline Duncan (TN)  
Bonamici Clarke (MI) Edwards  
Bonner Clarke (NY) Ellison  
Boren Clay Ellmers  
Boustany Cleaver Emerson  
Brady (TX) Coble Engel