

Jamie is one of the many role models I am proud to have in our community.

This month we have the opportunity to celebrate women like Jamie, making history now for tomorrow's generation of innovators, news makers, and community leaders.

CHE GUEVARA POSTER

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, a picture is worth a thousand words. This poster shows President Obama with the Che Guevara image behind him, coming soon to a T-shirt near you.

Che was a sadistic murderer and killer who executed Cubans during his reign of terror. Che, along with Fidel and Raul Castro, is responsible for the suffering, misery, and oppression of the people of Cuba.

But it seems that some people just don't care. Yesterday President Obama said in an interview that he would be happy to meet with Fidel Castro, and President Obama believes that Raul Castro "truly wants change in Cuba."

Really? What is stopping Castro from holding free and fair elections? Let's start with that little change.

This continued effort to legitimize this regime and its atrocities is appalling. It is appalling for those people who love freedom. It is appalling for those who have been political prisoners in Castro's gulags. It is appalling for those families who have lost their loved ones because of this communist regime.

Today is a sad day, indeed, and this poster says it all. Smile in front of Che Guevara. Get the T-shirt now.

CONDEMNING THE TERRORIST ATTACKS IN BRUSSELS, BELGIUM

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, I rise today to condemn the terrorist attacks in Brussels, Belgium, that took place early this morning. These brutal acts of violence have claimed the lives of at least 30 people and have injured at least 170 more.

The people of Brussels woke up this morning, ready for another day in their life, only to have their world rocked by this sudden and unexpected attack. Some wished their loved ones goodbye for the day, only to never return.

This is now the second time in just 5 short months that our friends and allies in Europe have been struck with a wide-scale terrorist attack. It is another chilling reminder that we are at war against radical Islamic terrorism.

But it is also a reminder of the goodness in people. We saw people run into the flames, into the smoke, and against the flow of the terrified masses to give aid and comfort to the wounded. It is a

reminder that we are right and just and that we must be ever-vigilant.

Mr. Speaker, we must stand together in solidarity with the Belgian people as they recover, and we must stand together as a world against this ever-increasing threat to our freedom and way of life.

□ 1230

PROVIDING FOR CONSIDERATION OF H.R. 2745, STANDARD MERGER AND ACQUISITION REVIEWS THROUGH EQUAL RULES ACT OF 2015, AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM MARCH 24, 2016, THROUGH APRIL 11, 2016

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 653 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 653

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2745) to amend the Clayton Act and the Federal Trade Commission Act to provide that the Federal Trade Commission shall exercise authority with respect to mergers only under the Clayton Act and only in the same procedural manner as the Attorney General exercises such authority. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit.

SEC. 2. On any legislative day during the period from March 24, 2016, through April 11, 2016—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 3. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 2 of this resolution as though under clause 8(a) of rule I.

SEC. 4. Each day during the period addressed by section 2 of this resolution shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546).

SEC. 5. The Committee on Energy and Commerce may, at any time before 4 p.m. on Thursday, March 31, 2016, file a report to accompany H.R. 2666.

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

Mr. COLLINS of Georgia. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), 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. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on House Resolution 653, currently under consideration.

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

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased to bring this rule forward on behalf of the Rules Committee.

The rule provides for consideration of H.R. 2745, the Standard Merger and Acquisition Reviews Through Equal Rules Act of 2015, or the SMARTER Act.

The rule also provides 1 hour of debate equally divided and controlled by the chair and ranking member of the Judiciary Committee, and also provides a motion to recommit. I would like to point out that the Rules Committee put out a call for amendments, but none were submitted for consideration.

Yesterday the Rules Committee received testimony from the chairman and ranking member of the Judiciary Subcommittee on Regulatory Reform, Commercial, and Antitrust Law. A subcommittee hearing was held on this legislation and it was marked up and reported by the Judiciary Committee. The bill went through regular order and enjoyed discussion at both the subcommittee and full committee level.

H.R. 2745 is supported by the U.S. Chamber of Commerce and the American Hospital Association because it is a matter of basic fairness and reducing uncertainty.

This legislation makes two key changes to the procedures by which the Federal Trade Commission litigates merger cases. First, it requires the FTC to satisfy the same standards that the DOJ must meet in order to obtain a preliminary injunction in Federal Court.

Second, it requires the FTC to litigate merits of contested merger cases in Federal Court under the Clayton Act—just as the DOJ does—rather than before its own administrative tribunals.

Currently the FTC is authorized to obtain preliminary injunctive relief, whereas the DOJ must satisfy the generally applicable test for obtaining preliminary injunction in Federal Court if it wants to block a merger. Courts have sometimes held that there is a lower burden on the FTC to obtain an injunction than the DOJ would have to face under the traditional test.

Additionally, if the FTC loses a preliminary injunction in Federal Court, it is able to litigate the merits of the cases in an administrative proceeding ultimately adjudicated by its commissioners. However, the DOJ does not have this power.

The SMARTER Act addresses these disparities, as recommended by the Antitrust Modernization Commission.

Parties to a merger should not be subject to different treatment and standards based on the reviewing anti-trust enforcement agency. Antitrust agencies are charged with reviewing transactions efficiently and fairly in order to ensure that competition is preserved. But current law leaves the impression that there is a divergence of procedure and that whether or not a merger can proceed depends on which agency reviews that particular transaction.

Importantly, this bill does not make it easier for mergers to be approved. H.R. 2745 does increase fairness and efficiency by ensuring that the antitrust enforcement agencies are not imposing unequal burdens on the merging parties.

I thank the full committee, Chairman GOODLATTE, Chairman MARINO, Congressman FARENTHOLD, and their staff for their work bringing these important reforms today. Again, as we look forward, I would encourage all to support this rule and the underlying legislation as it will bring some streamlined modern efficiencies to this program as we go forward.

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

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

I thank the gentleman for yielding me the customary 30 minutes.

That was complicated. My colleague from Georgia, Mr. Speaker, explained a lot of stuff. There were definitely a lot of big words in there, and words that we do not use too often in Colorado.

It seems to me that this bill is designed to make it easier for very big companies to merge and reduce the oversight in making sure that those big mergers do not hurt consumers. Most mergers do not even go through this. I think it was in our Rules Committee yesterday where Mr. MARINO testified it was maybe 3 percent of mergers. So only if both companies are very, very, very big companies, multinational conglomerates, then it goes up for review. This bill says that maybe there should be a little less review. I think even the proponents say there still should be review. There are several government agencies involved.

But it seems to me, Mr. Speaker, that what this bill is really doing—the Standard Merger and Acquisition Reviews Through Equal Rules Act of 2015—it almost takes a few breaths to even say it. It is one of the longer bill titles that I have heard, very technical—it is really the stalling on the floor of the House bill until the Republicans can figure out a budget. That is exactly what we are doing here, Mr. Speaker.

I would hope that, as we stall, we could offer more substantive bills that we could do in the meantime. This bill, the Standard Merger and Acquisition Reviews Through Equal Rules bill, is really, truly a solution in search of a problem.

Where does this bill come from?

I am certainly very pro-business. I founded several businesses before I came here. I took a long and hard look at this bill today. I am all for streamlining government processes, but I just can't imagine what problem we are even trying to solve here. I don't know. I wonder where the idea for this bill came from. Maybe it came from a town hall. I know a lot of the best ideas that I get start from my constituents and small businesses back home. That was the argument we heard very passionately orated when we talked about brick kilns for an entire week the other week.

Maybe Members are fighting for people back home. Maybe a constituent approached somebody in Mr. COLLINS' district and said: We truly wish review processes for the larger corporate mergers were streamlined; something must be done about the FTC's administrative adjudication authority.

Maybe that was the call that was resounding in town halls across the country, but it did not come up in any of mine. In Colorado's Front Range it simply was not the issue that my constituents were raising, but I will certainly give my colleagues the benefit of the doubt. Perhaps there is a groundswell for addressing the FTC's administrative adjudication authority for the largest companies and their mergers that simply has not reached Colorado. Perhaps that is the case.

Mr. Speaker, there is an important point I want to make. Time is very precious here on the House floor. Taxpayers are paying for this time. In fact, apparently tomorrow will be the last day. This will be the last bill we vote on before we all get sent home for a 3-week vacation. We have very limited time to pass bills that benefit the American people.

Six years ago, nearly to this day, the House took this workweek in late March and passed a little something called the Affordable Care Act. Now, that might not be popular with my friends on the other side of the aisle, but it certainly was consequential. In fact, 15 million more Americans have coverage today because of what we did this same week 6 years ago. We passed the first major piece of healthcare reform in a generation. Like it or not, we had conviction, and we passed bills that helped Americans every day solve problems.

Now here we are 6 years later and we are debating a measure that helps a few large corporations merge with each other to become even larger. Look, if we want to help American business, let's find a backbone, let's look at tax reform, let's look at comprehensive immigration reform, let's invest in our infrastructure and in our schools to have a better prepared workforce. Be courageous. Let's present solutions to problems, not solutions in search of a problem.

Here we are passing yet another bill the Senate won't consider and that will never become law, and then go reward

ourselves with 3 weeks of vacation. Look, maybe someday this bill will help one conglomerate purchase another conglomerate, or save them a few dollars in legal fees along the way.

Is that exciting, Mr. Speaker, to you? Is that something that resounds across our country or would even contribute one iota to our country's economic growth?

Mr. Speaker, this bill does not solve any of the problems this Congress needs to take on.

What should we be doing this week?

We should be talking about making college more affordable. We should be talking about growing our economy, investing in infrastructure, reforming our bloated Tax Code, and simplifying taxes. We should be talking about passing a budget.

Mr. Speaker, most households have a budget. My household has a budget, but this Congress does not have a budget. Instead of having a budget, everybody is going on a vacation.

Mr. Speaker, this bill does not find a solution to the 11 million undocumented people in our country and fix our broken immigration system. This bill does not secure our borders or does not make college more affordable. It is a shame that we are spending an entire week debating this nonsolution in search of a problem that maybe some years hence will help one large company merge with another and reduce their paperwork to the detriment of the public interest and consumer interest in the American people.

I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I think it is interesting. It does not help. As we come down here and debate—and this is a floor to do that, Mr. Speaker—let's just be very clear, this does not help companies merge. I am not sure why we are putting forth a statement that helps companies merge. It simply takes and it streamlines the process so that you are not having two divergent paths in which the scrutiny of a merger takes place.

If we want to at least be faithful to the bill, which is what this does, it does not make substantive changes to antitrust law. Rather, this legislation standardizes the process between the two antitrust enforcement agencies.

Look, I grew up in north Georgia, and there were a lot of times especially—I have had some small businesses, and I appreciate the gentleman from Colorado, but I bet there are many times in his businesses that the things that you do every day, it is like being a part of a family. It is doing chores, it is doing the work that needs to be done. It may not hit the front page of the paper, it may not be the glamorous piece that anybody would want to talk about. Those things are getting discussed and those things are moving forward. Maybe not at the pace that some would like to see, but we are moving forward with legislation.

The question is if a bill that simply streamlines and provides some efficiency that even this current Department of Justice assistant attorney general for the antitrust division stated, I don't think that there is a real practical difference in how courts assess the factual legal basis for enjoining a merger challenged by the FTC on the one hand or the Department on the other.

□ 1245

Basically, we are doing some of the administrative work that needs to be done to lay the groundwork so that we don't have divergent opinions, so that we don't have two processes out there. If that is not exciting enough, then I am sorry. There are a lot of things that we do that do affect business, that do affect the streamlining of government. There are a lot of things that I would like to see us work on and that we are continuing to work on.

On this issue of "will the Senate take it up or not?" I, frankly, Mr. Speaker, don't care. If they don't want to do their job, that is their problem. If they have other agendas, then that is their problem. That is why there are two separate bodies on the Hill—there is the House, and then there is the Senate. We must work in tandem when we can, but we also must work with our own individual agendas to move forward what, in our perspective, is a conservative agenda for this country.

The other thing that is very concerning is—and there are a lot of issues here, and I appreciate the gentleman's speaking, Mr. Speaker, about where ideas come from. I am very concerned—and I know the Speaker is as well—about where ideas and processes come from for bills here. The best place, as the gentleman stated, is from back home—being with members and being with constituents and being with the businesses and being with the school groups and being with the folks in the places which we come from. I am born and raised in my district. As is the old saying, good Lord willing, by August, it will have been 50 years I will have lived in my district. I know my district and have gotten to know their concerns.

Do I believe there are a lot of things we can do up here? Yes, but I get to go home to my district, and I get to listen to people. I will be happy to read my schedule for the next few weeks while I am in the district, and if that sounds like a vacation to you, maybe we will have a different opinion on what a vacation looks like, because I am going to be going to businesses which, over the past few years, have been hurt by a healthcare policy that was put in place, and they don't know if they can hire new members. They have had to downsize—they have had to stop progress—and they are just being, all the time, encircled with regulations that keep them from hiring and from providing good jobs in the Ninth District of Georgia.

I don't know about what others do on their time back in their districts. I go to talk to school groups who ask the question: What do their futures look like with an ever-increasing pile of debt? They look at their futures, and they ask: What is this country? They look at the future around the world when they see attacks, such as this morning in Brussels, and they ask where their place is in the world. What is America's role? These are the kinds of things that are discussed on my time when I am in the district.

I believe we could work up here every day, and I will be supportive of that; but when I go back home to the district, when it is scheduled for us as Members to go home, then, frankly, maybe there is just a definitional difference in vacations. For me, it is to go home and listen and to be a part and to, yes, spend some time with my family. At the same point in time, every day, I get up and go out and talk to the district, and I talk to these people who have issues with Washington, D.C.: with their tax burdens, with their regulatory burdens, with their healthcare burdens, and with all of these supposed fixes.

Many times, like I said, I believe the Republican majority, in the last 5 years, has had to undo and fix the problems that were so forcefully allocated. We have got a banking system in our district that is still having trouble with banks being able to make loans, banks being able to do the things that they are supposed to be doing to help our business community, because they are strangled with regulatory burden.

You see, these are the issues that we can discuss here, and I appreciate the argument. Also, as we go back to the bill before us, sometimes it may not make the front page of whatever you read, but when you have two agencies that do, basically, a similar function in the merger arena and when they do it differently—and even the current Department of Justice and the chairwoman for the mergers and acquisitions were looking at this and were saying that this just needs to be better—this bill is a positive step forward. As we move forward to the debate that will happen this afternoon, I look forward to the debate of the committee as it discusses the ins and outs of this bill.

Before we go any further, I think we just need to be honest with the American people and say that these are ideas that are worth having and that also, when we are back in the districts, their ideas are worth having, because that is where the best ideas come from. That is where our homes are, and that is who we represent up here. It is never a burden to go home. Many times, it is a burden to come up here and fight against values that you have in your district that are not valued on the other side of the aisle. That is the burden that we will continue to fight. We will continue to stand as a conservative bearer on this side to say that

this is a government that needs to work for the people and not at the people. That is the biggest difference that you will see on this floor today.

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

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

I think the American people deserve to know what Members of Congress are doing to earn their salaries.

This week—3 days—this bill is the only bill under a rule that this Congress is even considering. Let me tell you how Congress calculates days, Mr. Speaker, because most Americans think, "Okay. A day, maybe I go to work at 9 o'clock and come home at 5 o'clock. That is a day." Let me tell you that Congress has a different definition of a day for Members of Congress.

Monday, we started at 6:30 p.m.—not a.m. but p.m. Now, Mr. COLLINS and I got to come in at 5 p.m. to start. We started early. Mr. COLLINS and I worked an extra hour and a half. I asked the Speaker if Mr. COLLINS did, and he did start at 5 o'clock with me. We worked an extra hour and a half; but you, Mr. Speaker—I don't think you started until 6:30. That is when the votes occurred.

On Tuesday—that is today—that is a real day. I will give you that. We are working on Tuesday. I started this morning at around 8 o'clock, and I fully expect we will go until 6 o'clock or 7 o'clock. That is a good day. That is good. I can be proud of that for my kids that I worked a good day and can tell anybody back home.

Tomorrow, Wednesday—this day, we are working today. I would ask my colleague from Georgia: Does the gentleman know what time we expect to finish tomorrow? I would ask Mr. COLLINS if he knows what time we are scheduled to finish tomorrow.

I yield to the gentleman from Georgia.

Mr. COLLINS of Georgia. It is the majority leader's prerogative, as the gentleman from Colorado is well aware.

Mr. POLIS. What is that?

Mr. COLLINS of Georgia. After the final votes are cast tomorrow, it is the majority leader's prerogative, as the gentleman from Colorado is well aware.

Mr. POLIS. I heard it was around noon or, maybe, 12:30. I think I heard a lot of Members discussing whether they could catch their flights at around 1 o'clock or 2 o'clock. I don't know if they are going off to the Caribbean for their vacations or what. So, in this week, in which the Republicans are claiming we are working 3 days, I call it 1 day—Tuesday—and maybe half a day on Wednesday and maybe an hour or two on Monday.

Look, that is not the kind of job that the American people expect us to do here. They want us to work full days. Why aren't we here all week? Why aren't we bringing up more than one bill? Fine. This bill can have its day in

the Sun, and, as Mr. COLLINS said, not every bill is glamorous. Maybe there are some really big companies that want to be merged with other really big companies, and they feel it is too much paperwork to do it. Let's discuss it. Let's do that in a half a day. I mean, let's do that on Monday. Instead of coming in at 6 o'clock, maybe we come in at noon and sleep until 11 o'clock—that should be late enough for Members of Congress to sleep—and debate it for a few hours. Then let's do something else on Tuesday. Let's do a budget on Tuesday. Let's do something about the Zika virus on Tuesday. Let's do something about the Puerto Rico virus on Tuesday. On Wednesday, let's get to work and do more, right? I mean, let's roll up our sleeves and get to work. Let's not go home at noon.

Mr. Speaker, I have a very exciting motion I will be able to make here. If we defeat the previous question, I will offer an amendment to the rule to prohibit the House from starting a 2-week recess tomorrow unless we do our job and pass a budget.

I ask unanimous consent to insert that amendment in the RECORD.

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

There was no objection.

Mr. POLIS. Now, this is very exciting, Mr. Speaker, because I am giving my colleagues an opportunity. As to this previous question vote, if we vote it down—a “no” vote—it will mean “Congress, don't go on vacation. Do your job and pass the budget.” A “yes” vote means “go on vacation, and forget about a budget.” With this motion that I am introducing here, if we defeat the previous question, I am really calling on Members of Congress to account as to whether they think we should do our job or whether we should go home after making it easier for very big companies to merge.

I hope that the answer is the one that the men and women who are listening at home would agree is the logical answer: that we should stay here and do our jobs. We will see here in a few minutes what my colleagues want to do: whether they agree with me that we should stay here and do our jobs or whether they think that we should allow bigger companies to have facilitated mergers and then go home.

I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I have no more speakers. I am interested in whether the gentleman from Colorado has any more speakers or if he is ready to close.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I am ready to close.

I yield myself the balance of my time.

It is interesting, Mr. Speaker, that my good friend and colleague Mr. COLLINS from Georgia said that maybe this bill is important, that maybe it is one of those things that might not be glamorous but that has to be done, that it is

important. Yet I think it speaks volumes, Mr. Speaker, that not a single person even showed up to this debate besides Mr. COLLINS and me, who have to be here. No Republicans who, I guess, support this bill and no Democrats—and there might even be some Democrats, I think, who support this bill or oppose this bill—I mean, no one even came.

That is because everybody knows this bill is not going anywhere. The Senate won't consider it. The President won't sign it. The American people have not been crying out for it. Big multinational corporations are perfectly able to merge today as long as they are not blocked by the FTC or the DOJ for antitrust. This bill doesn't solve any problems. Not a single Republican even came to the floor to argue about why we needed this bill, with the exception, of course, of my good friend and colleague Mr. COLLINS and me, who have to be here because we are running the debate.

What does that mean when even the proponents of this bill don't even come here to tell us why they want it? I think it shows a certain moral bankruptcy, Mr. Speaker, and it exposes the veneer off the fact that this is, simply, a time-stalling bill because Republicans don't have a budget, and they want us to go on vacation right away.

Look, as to this bill that is being considered, I will address some of its merits. It would alter the process in which the Federal Trade Commission acts to regulate mergers and guarantee a competitive marketplace and protect consumers. I am sure there are valid and important arguments on both sides of this bill. The FTC was created in 1914 as an independent, bipartisan agency, and it has unique tools to look after consumers in order to make sure that when two large companies merge that it doesn't hurt consumers. Of course, because the FTC and the DOJ have overlapping responsibilities, there are issues between them. If there is a pressing problem, I would be happy to consider this bill under an open rule.

Now, what does that mean?

It means that I believe—and the Democrats on the Rules Committee yesterday made a motion to this effect—that we should allow Democrats and Republicans to offer amendments on this bill to say: Do you know what? Maybe there is a problem. Maybe we need to improve it. Maybe we need to change it. Do you know what? That motion for an open rule was voted down on a partisan vote.

Perhaps that is the reason, Mr. Speaker, that no Republicans or Democrats bothered to come in on this bill, because the Republicans have locked us out of participating. They have locked out the Democratic and Republican rank-and-file Members, who represent great districts across our country, like from Texas and California and New York and Wisconsin—Democrats and Republicans. No one with any good ideas can even try to make this bill

better. No wonder people aren't bothering to come to the floor in droves. It is because their ideas—and they are good ideas, and good ideas even come from Republicans, Mr. Speaker—are locked out of inclusion in this bill.

Do you know what? In 2007, Congress established the Antitrust Modernization Commission, which released 80 recommendations for revisions to antitrust law and policy. Of those recommendations, one of them advocated for the elimination of the FTC's administrative adjudication authority, and another proposed the adoption of a uniform preliminary injunction standard. Those are two things that are in this bill. To date, Congress has not considered the other 78 ideas that came out of this obscure Commission that were reported back that only affect the world's largest companies that merge with one another.

If we had an open rule, I could bring forward some of those other 78 ideas. If this is such a pressing problem and if we need to spend our full day in session here this week in talking about making it easier for corporations to buy one another, why not go all out and allow a discussion of the other 78 ideas that the Antitrust Modernization Commission recommended?

Mr. Speaker, this is a half measure that is a solution in search of a problem. Instead of debating bills like the one here today, we should be tackling problems that the American people sent us here to work on. We should work an honest workweek rather than an hour on Monday, a full day on Tuesday, a half a day on Wednesday, and take Thursday off and take Friday off. The American people deserve an honest week.

They deserve us to get the budget done. Just like our households have a budget, Congress deserves a budget. I am sure, in the past, my colleague and many others have reminded us that Democrats, at times, have also failed to produce budgets. I am saying neither side is perfect. I am not proud that the Democrats, in the past, have failed to produce a budget, but what we are talking about today are the Republicans who are failing to produce a budget.

I remember very distinctly that, when the Democrats had difficulty producing a budget, the Republicans said: How dare you. Produce a budget. Our households rely on budgets. Why can't the Congress have a budget?

That was one of the arguments that my colleagues made to the American people, and the American people, for that reason and perhaps others, gave control of this body to the Republicans. Now here we are with the Republicans, who, instead of producing a budget, are sending every Member of Congress home on vacation for 2½ weeks after working a very taxing 1½-day week, making it easier for multinational corporations to merge.

□ 1300

Mr. Speaker, we can do better. As I mentioned earlier, when we do defeat

the previous question on the vote, the amendment I have offered into the RECORD will amend the rule to prohibit the House from starting our vacation tomorrow, unless we do our job and pass a budget.

I strongly urge my colleagues to vote “no” on the rule, vote “no” on the underlying bill, and, instead, work to pass a budget and find solutions to the big problems that we were sent here to face, like improving our national security, like securing our border and replacing our broken immigration system into one that reflects our values as a Nation of laws and a Nation of immigrants, one that makes prescription drugs more affordable and improves upon the Affordable Care Act, improves our schools, invests in infrastructure, and so many of the other issues that I hear about from my constituents at our town halls, on the phone, and in letters.

I urge my colleagues to vote “no” on the rule and the underlying bill.

I yield back the balance of my time.

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

I always try to be positive. There is one thing I do agree on with my friend from Colorado just now, and that is that we can do better.

We can do better about explaining what is actually going on here and talking about it in derisive terms, especially about a bill in which there was—I serve on the Judiciary Committee—there was one amendment brought to committee. This bill seems to be fairly tight because there seems to be general agreement here.

There was one committee amendment brought to the committee, and it was withdrawn. Then there was an amendment process put out.

It is interesting that, from this Anti-trust Modernization Commission, there were 78 other ideas. And then, when my friend just spoke about the fact that, if we had an open rule on the floor, they might bring up 78.

I would just ask him where was he yesterday. We have talked about showing up for work. Maybe he didn’t punch in last night. He could have brought 78 amendments last night to the Rules Committee. He chose not to.

So we can do better. We can honestly discuss the procedures and the fact that right now, while he and I are on the floor discussing this rule and preparing for this rule, the rest of the 433 Members of the House of Representatives—432 now—I think we still have one open seat—are in committees right now.

They are meeting constituents. They are marking up bills. They are going through regular order, which is the Republican Congress’ way of doing the people’s business.

Also, as we have already discussed, whether the Senate signs something or not—then he brought up the fact that the President would never sign this piece of legislation.

Well, let’s just remind the people what the administration doesn’t also sign. They won’t also sign the Keystone Pipeline, which takes away jobs from Americans.

He won’t also sign a refugee bill that actually would just put an extra measure of protection for protecting the American homeland from possibly infiltration through the refugee program. They refuse to sign that.

Yet, we will have the results of the world looking at that. He won’t sign that, Mr. Speaker. The administration doesn’t seem to want to hold Iran accountable for the testing that it is doing with its missiles.

So we can discuss what this administration doesn’t want to sign. I think using that as an excuse not to move a bill is an abdication of responsibility.

So as we look forward, again, I have never thought anything that I do up here, especially when it comes to my office or in committee work, was not working.

I think, frankly, it is sort of disrespectful to the folks who come to our offices and meet with us or the committee work that we do to say that the only “work” is here before the cameras making speeches. If that is what work is about up here, maybe we have just found the problem with this Congress.

So, Mr. Speaker, parties to a merger should expect and receive the same treatment and processes, regardless of the reviewing antitrust enforcement agencies.

These parties should not be subject to attempts to extract concessions or threat of administrative litigation by the FDC simply because that is the agency reviewing the merger.

The underlying bill preserves key standards of review while removing disparities. For that reason, I urge my colleagues to support this rule and H.R. 2745.

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

AN AMENDMENT TO H. RES. 653 OFFERED BY
MR. POLIS OF COLORADO

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

SEC. 6. It shall not be in order to consider a motion that the House adjourn on the legislative day of March 23, 2016, unless the House has adopted a concurrent resolution establishing the budget for the United States government for fiscal year 2017.

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

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

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

Mr. POLIS. Mr. Speaker, 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.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair