

come together and have a bipartisan solution, not something offered in the middle of the night on which all debate is denied, a totally partisan approach.

So just as I am pleased that we have strong bipartisan support for the Iran Nuclear Agreement, coming together with this major letter that was sent to us yesterday, that is the kind of bipartisan approach I hope we can work to eventually, perhaps when we come back after this long Republican recess, one of the longest in the history of the Congress, to address Zika, and address these other problems that they refuse to deal with today.

I thank the gentleman.

Mr. POLIS. I thank the gentleman from Texas.

Mr. Speaker, the time to act is now. If we can defeat this particular previous question, we will bring up the bill that prevents terrorists from assembling arsenals of weapons.

We also, of course, want to be part of a constructive discussion around combating the Zika menace. I am hopeful that the House will find time to do that in the next few days.

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. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, I urge my colleagues to vote "no" to defeat the previous question so that we can keep our country safer. Vote "no" on the rule. Vote "no" on the underlying bills because they interfere with our efforts to prevent Iran from developing nuclear weapons in the rigid implementation of the JCPOA.

Mr. Speaker, I yield back the balance of my time.

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

As frequently happens around here, the House passed one version of the Zika bill, the Senate passed another version. The Senate version contained \$1.1 billion in spending. The House, in our agreement to the conference committee, agreed with the \$1.1 billion, so we, essentially, agreed to what the Senate wanted to have in terms of the dollar amount.

So we brought that conference report to the floor of this House so that we could go ahead and move that before we went out for Fourth of July recess. But, instead of helping us to pass that, my friends from the other side of the aisle blocked the well, tried to stop us from bringing it up.

And I would say this: There was some talk about amendments. We don't normally have amendments to conference reports. That is not typical procedure around here.

Perhaps more to the point, we couldn't get to an amendment debate because of the way we had behavior on the floor of the House that evening

which, by the way, was in violation of the House rules.

So it has been the Republicans that have tried to get something that would help with this Zika virus problem, and we have been blocked, almost completely blocked here on the floor of the House by the Democrats, and then blocked completely over in the Senate by the Democrats in the Senate.

The Republicans are taking a responsible, constructive approach, and the Democrats, they just want to block things to try to make some political points and raise money or whatever it is they are trying to do.

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

AN AMENDMENT TO H. RES. 819 OFFERED BY
MR. POLIS

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. 1076) to increase public safety by permitting the Attorney General to deny the transfer of a firearm or the issuance of firearms or explosives licenses to a known or suspected dangerous terrorist. 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 the Judiciary. 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. 1076.

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. BYRNE. Mr. Speaker, I urge my colleagues to support House Resolution 819 and the underlying bill.

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

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

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

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

The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings

today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

TESTED ABILITY TO LEVERAGE EXCEPTIONAL NATIONAL TALENT ACT OF 2016

Mr. FARENTHOLD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5658) to amend title 5, United States Code, to codify the Presidential Innovation Fellows Program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5658

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Tested Ability to Leverage Exceptional National Talent Act of 2016” or the “TALENT Act of 2016”.

SEC. 2. PRESIDENTIAL INNOVATION FELLOWS PROGRAM.

(a) IN GENERAL.—Chapter 31 of title 5, United States Code, is amended by adding at the end the following:

“SUBCHAPTER V—PRESIDENTIAL INNOVATION FELLOWS PROGRAM

“§ 3171. Presidential Innovation Fellows Program

“(a) POLICY.—It is in the national interest for the Government to attract the brightest minds skilled in technology or innovative practices to serve in the Government to work on some of the Nation’s biggest and most pressing challenges. This subchapter establishes a program to encourage successful entrepreneurs, executives, and innovators to join the Government and work in close cooperation with Government leaders, to create meaningful solutions that can help save lives and taxpayer money, fuel job creation, and significantly improve how the Government serves the American people.

“(b) ESTABLISHMENT.—The Administrator of General Services shall continue the Presidential Innovation Fellows Program (hereinafter referred to as the ‘Program’) to enable exceptional individuals with proven track records to serve time-limited appointments in Executive agencies to address some of the Nation’s most significant challenges and improve existing Government efforts that would particularly benefit from expertise using innovative techniques and technology.

“(c) ADMINISTRATION.—The Program shall be administered by a Director, appointed by the Administrator under authorities of the General Services Administration. The Administrator shall provide necessary staff, resources and administrative support for the Program.

“(d) APPOINTMENT OF FELLOWS.—The Director shall appoint fellows pursuant to the Program and, in cooperation with Executive agencies, shall facilitate placement of fellows to participate in projects that have the potential for significant positive effects and are consistent with the President’s goals.

“(e) APPLICATION PROCESS.—

“(1) IN GENERAL.—The Director shall prescribe the process for applications and nominations of individuals to the Program.

“(2) PROGRAM STANDARDS.—Following publication of these processes, the Director may accept for consideration applications from

individuals. The Director shall establish, administer, review, and revise, if appropriate, a Governmentwide cap on the number of fellows. The Director shall establish and publish salary ranges, benefits, and standards for the Program.

“(f) SELECTION, APPOINTMENT, AND ASSIGNMENT OF FELLOWS.—

“(1) PROCEDURES.—The Director shall prescribe appropriate procedures for the selection, appointment, and assignment of fellows.

“(2) CONSULTATION.—Prior to the selection of fellows, the Director shall consult with the heads of Executive agencies regarding potential projects and how best to meet those needs. Following such consultation, the Director shall select and appoint individuals to serve as fellows.

“(3) TIME LIMITATION.—Fellows selected for the Program shall serve under short-term, time-limited appointments. Such fellows shall be appointed for no less than 6 months and no longer than 2 years in the Program. The Director shall facilitate the process of placing fellows at requesting Executive agencies.

“(g) RESPONSIBILITIES OF AGENCIES.—Each Executive agency shall work with the Director and the Presidential Innovation Fellows Program advisory board established under section 3172 to attempt to maximize the Program’s benefits to the agency and the Government, including by identifying initiatives that have a meaningful effect on the people served and that benefit from involvement by one or more fellows. Such agencies shall ensure that each fellow works closely with responsible senior officials for the duration of the assignment.

“§ 3172. Presidential Innovation Fellows Program advisory board

“(a) IN GENERAL.—The Administrator of General Services shall continue an advisory board to advise the Director of the Presidential Innovation Fellows Program by recommending such priorities and standards as may be beneficial to fulfill the mission of the Presidential Innovation Fellows Program and assist in identifying potential projects and placements for fellows. The advisory board may not participate in the selection process under section 3171(f).

“(b) CHAIR; MEMBERSHIP.—The Administrator shall designate a representative to serve as the Chair of the advisory board. In addition to the Chair, the membership of the advisory board shall include—

“(1) the Deputy Director for Management of the Office of Management and Budget;

“(2) the Director of the Office of Personnel Management;

“(3) the Administrator of the Office of Electronic Government of the Office of Management and Budget;

“(4) the Assistant to the President and Chief Technology Officer; and

“(5) other individuals as may be designated by the Administrator.

“(c) CONSULTATION.—The advisory board may consult with industry, academia, or nonprofits to ensure the Presidential Innovation Fellows Program is continually identifying opportunities to apply advanced skillsets and innovative practices in effective ways to address the Nation’s most significant challenges.”

(b) CLERICAL AMENDMENT.—The table of sections for chapter 31 of title 5, United States Code, is amended by adding at the end the following:

“SUBCHAPTER V—PRESIDENTIAL INNOVATION FELLOWS PROGRAM

“3171. Presidential Innovation Fellows Program.

“3172. Presidential Innovation Fellows Program advisory board.”

(c) TRANSITION.—The Presidential Innovation Fellows Program established pursuant to Executive Order 13704 (5 U.S.C. 3301 note) as in existence on the day before the date of enactment of this Act shall be considered the Presidential Innovation Fellows Program described under this section.

(d) NO ADDITIONAL FUNDS AUTHORIZED.—No additional funds are authorized to be appropriated to carry out this Act or the amendments made by this Act. This Act and the amendments made by this Act shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. FARENTHOLD) and the gentleman from California (Mr. TED LIEU) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. FARENTHOLD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

I rise today in support of H.R. 5658, the TALENT Act of 2016, introduced by our distinguished majority leader, Representative KEVIN MCCARTHY of Bakersfield, California. I commend the leader for bringing before the House this bill as part of his Innovation Initiative, rethinking what government does and how government operates.

Mr. Speaker, the TALENT Act makes permanent the Presidential Innovation Fellows program that was created by the administration in 2012. This highly competitive program recruits talented innovators and technologists to Federal agencies from the private sector.

During this short timeframe, fellows work on initiatives to transfer ideas into tangible results for American taxpayers at startup speeds. Since 2012, 96 top innovators have been recruited into the program from across the country.

Presidential Innovation Fellows are rethinking what government does and how government operates. Consider one example of the program’s work. Presidential Innovation Fellows improved services available to veterans, transitioning servicemembers, and their spouses. As a result, veterans now have better access to a résumé-builder, a military skills translator, and detailed career and training resources all together in one place.

Mr. Speaker, the Presidential Innovation Fellowship program is demonstrating results and should continue. I urge my colleagues to support H.R. 5658.

I reserve the balance of my time.

Mr. TED LIEU of California. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of the TALENT Act. I believe it will help our government