

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

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia). 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.

PROVIDING FOR CONSIDERATION OF H.R. 5620, VA ACCOUNTABILITY FIRST AND APPEALS MODERNIZATION ACT OF 2016

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 859 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 859

Resolved, That at any time after adoption of this resolution the Speaker may, 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. 5620) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, 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 Veterans' Affairs. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments 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.

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 859, 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 forward, on behalf of the Rules Committee today, this rule that provides for consideration of H.R. 5620, the VA Accountability First and Appeals Modernization Act of 2016.

The rule provides for 1 hour of debate equally divided and controlled by the chair and ranking member of the Veterans' Affairs Committee and also provides a motion to recommit.

Additionally, the rule makes in order several amendments, representing ideas from both sides of the aisle. Yesterday the Rules Committee received testimony from the chairman and ranking member of the Veterans' Affairs Committee and heard from numerous Members on behalf of amendments offered.

H.R. 5620 includes provisions of the House-passed versions of H.R. 1994, the VA Accountability Act; H.R. 280, the legislation related to bonuses paid to VA employees; language from H.R. 5083, the VA Appeals Modernization Act; and H.R. 4138, legislation related to relocation payments for VA employees.

The VA Accountability First and Appeals Modernization Act continues efforts by this Congress to reform the VA and address the bureaucratic mess that has plagued its operations for far too long.

□ 1315

The bill builds on meaningful steps to restore accountability to the Department of Veterans Affairs and ensure it is appropriately providing veterans with the resources and care they deserve.

We have heard time and time again that the Department of Veterans Affairs has failed to hold individuals accountable for their actions. In the circumstances when the VA has tried to take appropriate disciplinary action against an employee, the process is rarely efficient or meaningful. That is just simply unacceptable, Mr. Speaker.

In fact, a recent study done by the GAO found that on average it takes 6 months to a year—or even longer—to remove a permanent civil servant in the Federal Government. This is ridiculous on its own. Imagine a private business having underperforming employees but not being able to remove

them from their positions and, in some circumstances, even being forced to give them raises or bonuses.

Examples range from the typical poor-performing employee to the absurd. Projects continue to be mismanaged and cost overruns abound. Then there are the cases bordering on the absurd.

In one case, the VA helped a veteran, who was an inpatient of the substance abuse clinic, purchase illegal drugs. This employee continued to work at the VA for over a year before removal proceedings even started. Mr. Speaker, did you catch that? It was a year before the proceedings even started. This is amazing.

Another VA employee, a nurse in this case, showed up to work intoxicated and participated in a veteran's surgery while under the influence. Yet another VA employee participated in an armed robbery.

This behavior would not slide in the private sector, and we certainly shouldn't stand for it when it comes to our Nation's heroes who have put their lives on the line to serve our country.

VA officials have even stated in testimony that the process for removing employees is too difficult and lengthy. This means that problem employees continue to work for the VA and interact with veterans. These employees aren't providing services to the agency, and they aren't providing services to our Nation's veterans.

Employees like this need to be removed in a timely way. At the very least, employees need to receive discipline appropriate to the misconduct in a way that discourages poor performance or behavior in the future, but that is just not happening right now.

Let me be clear—and I want to again emphasize because it may even come up here in just a moment—this is not a broadside attack on all VA employees. This is not something that says that all VA employees are bad. In fact, it is far from it.

My office, Mr. Speaker—yours as well, and many others—deal with the VA in a very constructive way, helping many of our veterans get what they need. There are hardworking and wonderful individuals at the VA who are doing all they can to help our Nation's veterans. In northeast Georgia, my office has a good working relationship with our local VA and especially in Augusta and Atlanta in the places we need.

This is not an issue of all of the employees. In fact, we have actually heard from employees of the VA. They say we need these changes because they are tired of being dragged down by the anchors of the bad employees.

Those employees who are doing work well, they are just hindered by this bureaucracy—and it has got to stop—by a system that fails to remove or discipline those poorly performing counterparts. That is not fair to these hardworking individuals who are, in fact, doing their jobs. Most importantly, it

is not fair to the veterans. But I am going to take it a step further as well—it is not fair to the taxpayers.

That is why this bill, the VA Accountability First and Appeals Modernization Act, will take steps to address this problem. The bill will provide improved protections for whistleblowers. It will restrict bonuses for supervisors who retaliate against whistleblowers and strengthen accountability of VA senior executive service employees.

It would expand senior executive service removal authority and create an expedited removal system that would include an appeals process. It would also eliminate bonuses for VA senior executive service employees for 5 years and streamline authority for the Secretary of the VA to rescind employee bonuses. I wish these steps weren't necessary, but the ongoing problems plaguing the VA demand strong action.

Our veterans deserve better, and we have to take steps to be served by this agency that is supposed to be providing them assistance.

In addition to the problems with the VA employee misconduct, the VA's current appeals process is unquestionably broken. As of June 1, 2016, there were almost 457,000 appeals pending in the VA, an increase of over 80,000 pending appeals from the preceding year. In fact, in the Atlanta regional office, there are about 16,500 appeals pending with an approximate 3-year wait time; and the backlog is growing. Caseworkers in my Gainesville office have been told that cases from 2013 are, in some cases, just getting on the desk of VA employees.

Appeals issues are the most common types of cases that my district office sees. We have some great caseworkers in my Georgia office, but they are not able to speed up the process. They only help navigate the red tape and bureaucracy.

My office is always willing to help veterans in need, and we stand by ready to help when we can. But it shouldn't take a congressional office to get answers from the VA. The VA should be answering veterans in a timely manner. This process needs to be fixed. As a current, still active member of the United States Air Force Reserve, this is just not what we need.

Mr. Speaker, could you think about what we could do with our caseworkers if they were not bogged down in this kind of inefficiency dealing with the VA that we have addressed in this Congress on other occasions with funding and with other issues, and they are still dealing with this?

When a veteran appeals a claim, they shouldn't have to wait for years for an answer. But the current system has led to a backlog that leaves many veterans in limbo.

This bill takes steps in the right direction. H.R. 5630 would streamline the appeals process and help clear the massive backlog of appeals currently stuck and clogging the system.

Under the bill, veterans will be able to obtain faster decisions and will be able to retain the original effective date of their claims throughout the appeals process. It will protect veterans' due process rights while updating the antiquated appeals process for VA disability benefits.

This is a good bill, Mr. Speaker. It is something that we need to address. We can make all the excuses in the world we want. We have funded this. As my Senator from Georgia has stated, who is the chairman of the Senate Veterans' Affairs Committee, money is no longer the biggest issue. They have the resources, and they have the will of the Congress. The question is: Will we give them the tools and will the Secretary, more importantly, actually act upon those? That, I have questions about, but we are here today to pass this rule and to get this bill to help those who need help the most, and that is our veterans.

I reserve the balance of my time.

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

I thank the gentleman from Georgia. I want to point out that with regard to procedures and regular order and how this body works, there is a difference between these two bills, the one that I discussed previously under the other rule and this one. The deficit bill, the \$30 billion increase in the deficit that the Republicans want to do, that came through what we call regular order, meaning it was marked up in the Ways and Means Committee. That is normally how things work around here. A bill goes through committee, then it comes to the Rules Committee, and then it goes to the floor.

This bill, however, sort of magically appeared in Rules Committee. It didn't go through the committee of jurisdiction which, at the very least, would include the Veterans' Affairs Committee. It might include other committees as well. It simply appeared and was referred to the floor. So what that means is Members of Congress and a committee did not have a chance to amend it. We don't even know if it would have had a vote in committee and whether it cleared committee. Instead, it just sort of appeared right now.

So, look, we all deeply care, of course, about veterans. I agree with much of what my colleague from Georgia said about the need for the VA to do better.

In Colorado, I have been very involved with our long-overdue, new veterans hospital in Aurora. We have been working many years on getting this completed. In fact, delays have cost taxpayers over \$300 million. It continues to leave many who served in our Armed Forces, including many of my constituents, without the convenient, quality care that they were promised.

So I join my colleagues, Mr. PERLMUTTER, Mr. COFFMAN, and many others from our entire Colorado delegation, in, of course, wanting to improve the quality of services at the VA. We

had issues as well with fraudulent over-billing and mislabeling of the amount of time that patients waited out of our Fort Collins facility.

There are a number of problems with this bill, but one of them that I want to briefly mention is that it can actually lead to less accountability in the VA because it could lead to the punishment of whistleblowers, of employees who speak up against mismanagement.

When you are looking at passing a thoughtful human resources policy or personnel policy—and I don't dispute that we need to work with the VA to come up with a better way of doing it—you want to make sure that somebody who is a whistleblower is adequately protected. If somebody comes forward and says, you know what, we are doing mislabeling of timesheets, or, you know what, I know why this project is \$300 million over budget, and this might be because of X, Y, or Z, it doesn't always rise to the Federal level of whistleblower.

We just want good employees to not feel that they can be fired for coming forward with the truth about misconduct. This bill does not do that. In fact, it will make those who have useful information that can lead to systemic improvements at the VA more hesitant to come forward with that information.

The bill removes a due process protection for VA employees and reduces the amount of time they have to respond to a termination by two-thirds, from 30 days to 10 days. We all want to move expeditiously, but it seems like 30 days is a reasonable timeframe. There is no evidence given as to why that 20-day reduction is needed. I haven't heard any.

It also eliminates a requirement that supervisors provide specific examples of poor performance when an employee is terminated—of course, there should be reasons given—opening the door for unnecessary firings and leaving VA employees with no recourse or rebuttal.

In any organization, employee morale is critical. And to create an environment of paranoia in any enterprise—a company, an agency—is not conducive to furthering the mission. Creating this kind of uncertainty and chaos from a personnel perspective within the VA would likely only make our services to veterans even harder to provide and worse by decreasing employee morale, therefore, making it harder to attract the type of quality caregivers and administrators that we need to facilitate the VA program.

Look, this bill is an attempt to make long-overdue reforms. I wish that it was a thoughtful, bipartisan attempt. I wish it had gone through committee. I wish the committee had worked on it, marked it up, and reported it out with bipartisan support; but that is not what has happened here.

This bill appeared at the last minute, throws away basic rights of employees, reduces morale, endangers whistleblowers, and does very little to improve the quality of services of the VA

or, frankly, the accountability of the employees of the VA, both at the management level and at the worker level.

Like a lot of ideas that we debate here, of course, there is a kernel of an idea here. Yes, we want to work together to reform the VA. We agree with that. My colleague from Georgia gave a lot of reasons. I could give my own. I mentioned the price overrides in our hospital in Aurora. I have mentioned the manipulated timesheets in Fort Collins. I have mentioned, like my colleague from Georgia, just the individual cases where I have had constituents that we have had to help navigate an overly complex bureaucracy and they shouldn't have to go to their Member of Congress.

For men and women who have served our country, for men and women who were injured in the line of duty, for men and women who are disabled from a service-related injury, we owe them our very best. They stood up and defended our freedom, and we owe them all the highest quality of care to take care of them through our VA system, or through Veterans Choice, and the other types of programs that serve our veterans' community. Of course, we need to reform and do better in the VA.

Again, rather than this kind of irresponsible, appeared-out-of-nowhere magical bill that would actually penalize the very whistleblowers that we need to tell us about misconduct and would decrease morale even further in an agency where it has already been impacted, let's start fresh. Let's work together. Let's go back to committee. Let's come up with a thoughtful approach to improving the VA. And let's make this happen.

I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, this has to be the slowest magic trick I have ever seen in my life. This actually, as written, was introduced and also noticed for amendment 2 months ago—sort of a delay in timing. That is a pretty good magic trick. I guess in the last 2 months, you haven't had a chance to read it. Oh, well.

Mr. POLIS. Will the gentleman yield?

Mr. COLLINS of Georgia. I yield to the gentleman from Colorado.

Mr. POLIS. In those 2 months, why wasn't there a time for this to go through the committee process and regular order?

Mr. COLLINS of Georgia. Mr. Speaker, I reclaim my time.

The vast bulk of this bill did. H.R. 1994 passed out of this House. Frankly, this is a good bill that needs to move forward, and it is a protection of bad workers at the expense of the veterans. If you want to vote against this then that is what you are saying. You are wanting to vote to protect bad workers instead of getting the VA where it needs to go.

Sixteen whistleblower groups have said this is the strongest whistleblower protection they have ever seen. So this idea that you are punishing whistleblowers is, again, just a myth.

I just have one thing, Mr. Speaker, before I yield to the gentleman from Oregon. Thirty days to respond to showing up drunk for surgery in one of the examples that I gave? You don't need 30 days to respond to that. You need to be fired immediately. So I am not sure what the argument is here.

I will agree with my friend from Colorado that we need to fix this. I think we may have different ways to go about it. But again, at the expense of the good workers at the VA, we need to address this.

I yield such time as he may consume to the gentleman from Oregon (Mr. WALDEN).

□ 1330

Mr. WALDEN. Mr. Speaker, I thank my good friend and the gentleman for yielding and for his comments. You are so spot on.

On Saturday morning in Medford, Oregon, I met with about 40 veterans who are furious about the delays in getting access to care, and the fact that they can't maintain providers at the local facility. And, by the way, that is not unique just there. I don't know about you, but I am hearing all across my district, all across Oregon, that these clinics and hospitals are having trouble recruiting people, keeping people. Morale is already bad, and part of it is because there is this lack of discipline.

I agree, Mr. COLLINS, that if you are a surgeon and you showed up drunk for the surgery, we are going to give you 30 days to dry out and explain yourself? Are you kidding me? If you were a pilot and showed up drunk for the flight, I can tell you what happens, right? You are done. And so this is part of the problem.

The people I represent, the veterans, as you say, the men and women who have fought for our freedom, as you have done, they want action, not delay. They want access to care in a timely manner. Everything in this bill, interestingly enough, came up in our discussion from them. How come you are paying bonuses to people that aren't doing their job? Why do they get bonuses at all? Isn't that what we pay them to do? This bill fixes that. Why is it when we raise complaints internally, you know, there is retribution? This bill protects whistleblowers. Why isn't there more transparency about what happens inside the VA? This bill gets at that.

Accountability and transparency will lead us to a better VA, and the dedicated men and women who work in those facilities will feel better about their organization if they know the people who are letting down the veterans that are around them are somehow held accountable. That is true in any organization. I was a small-business owner for 21 years with my wife. This wasn't a you show up drunk on the job and we will talk about it in a month. That is not how this works, and nobody expects that kind of thing.

So, look, we need to reform the VA. We need to take care of our men and

women in uniform. We need to claw back the bonuses. We need to get this ship righted. We have helped 5,000 veterans out of my office over the last number of years—5,000.

Ask yourself this: Why do we all have to have staff in our district offices to help veterans work their way through the bureaucracy to get the help that they have earned and deserve? Yet we all do because we care and we want to help. But somewhere you have to back up and go: Why do we all have to hire people to help these veterans get to that point? That shouldn't be necessary. They ought to be embraced by the agency. They ought to be cared for immediately, and it should be a complete last resort that they have to actually track down their Member of Congress to say: "Can you help bust through the bureaucracy because my loved one doesn't get access to care?" or "I can't get access to care."

This is fundamentally a broken system that needs repair. I think we all agree on that. That is not a partisan issue. None of this should be. We should protect whistleblower rights. This bill does that. We should recoup the bonuses when they were given to undeserving employees, and we should increase transparency. But most of all, we should start with what matters most, and that is the veteran, and build everything out from there. That should be our foremost commitment and our starting place, what is best for that veteran and that veteran's family.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. I thank the gentleman from Colorado, and I want to thank the gentleman from California (Mr. TAKANO), my colleague and the ranking member, for his work on this important issue as well.

Mr. Speaker, I was disappointed to see that my amendment was not made in order. I would like to take this opportunity, really, to expand on something the gentleman from Oregon (Mr. WALDEN) had to say.

Congressman TAKANO and I had simply offered an amendment that would ensure we could improve the process for removing employees for misconduct or performance that warrants removal. It is reprehensible, and it ought to take action.

This amendment that we introduced mirrored legislation introduced by our colleagues Senator JOHNNY ISAKSON and Senator RICHARD BLUMENTHAL. They have developed, by contrast, a bipartisan bill, the Veterans First Act, which will be a critical step to achieving true accountability that the VA so desperately needs to be an efficient agency for the men and women who serve this Nation. It has more than 44 cosponsors, including Senator BOOZMAN, Senator BLUNT, Senator ROUNDS, Senator DAINES. All have supported language that we merely requested be in the bill to improve accountability at the VA that is sorely needed, while

also protecting—and we have heard this a lot from our colleagues on the other side—due process: the due process of the whistleblower, the due process of people who are employed in the Federal Government.

We have a bipartisan-supported bill in the Senate that will take much-needed steps for comprehensive due process and accountability within the VA. This is what the American people despise. Here we are in total agreement on what we need to do with veterans, but because of talking points, in the House we are at a difference for political messaging. We shouldn't make veterans the point of political messaging.

We ought to make sure that the veterans get the kind of service that they need, and when we have a bill in the Senate that is bipartisanly approved and accepted and does just that, that is the kind of bill that we ought to embrace.

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

Mr. Speaker, I do appreciate my friend from Connecticut, and the issue was there were two Takano amendments. One is made in order that does a similar thing, but also to simply say that the Senate bill, which was reported out in May, has never been taken up in the Senate because they have had significant opposition to it. In fact, the only way they got it reported out was union groups and others, they had to make changes to it to get their agreement.

I think at this point we are putting veterans first, not these outside interest groups. I think we just need to understand that the Senate bill has not moved. The Senate bill, in fact, has not passed out of the Senate and shows no hope of passing out of the Senate at this point, and so why should we take that, frankly, product and come over here when we have a bill that can move.

We are offering as many of these amendments as possible. We are going to be voting on my friend from California's amendment as well today. These are the kinds of things where I think we just need to look at this bill for what it is. It is helping veterans. The bottom line is not just simply saying this is what we are doing. This is coming from VA employees, VA employees who are saying help us not be, you know, categorized with all the other things that are going on and with those that are actually bringing what we do down, and also trying to help the appeals process in this situation.

So I appreciate the words of the Members, Mr. Speaker, coming forward on this, but let's also be very honest with what is happening in both Chambers of the bicameral legislature. We have one bill over there that is not going anywhere that was reported out. We have an amendment that will be voted on today that reflects the gentleman from California's concern. We will see how that will be decided by

this body. We are moving forward on a bill that will actually help, and we encourage everybody to be a part of that.

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

The SPEAKER pro tempore. Without objection, the gentlewoman from New York (Ms. SLAUGHTER) will control the remainder of the time of the minority.

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from California (Mr. TAKANO), the distinguished ranking member of the Committee on Veterans' Affairs.

Mr. TAKANO. Mr. Speaker, I thank the gentlewoman from New York for yielding me time.

Mr. Speaker, I rise in opposition to this rule and the underlying bill. All of us, Democrats and Republicans, believe in the need for stronger accountability for employees at the VA to ensure that our veterans get the care they deserve. Unfortunately, this legislation will fall short of that goal and, in doing so, set accountability efforts back for at least a year, if not more.

Our Senate colleagues have a bipartisan bill that includes accountability provisions that could serve as a foundation for legislation in the House. It doesn't mean it is perfect; it doesn't mean in its current form it would be voted out of the Senate; but it is a far more bipartisan approach than the one that is before us today. We have an opportunity to advance language that both parties in both Chambers can agree to and would contribute to a more accountable and more effective VA.

H.R. 1994 and the current bill before us, H.R. 5620, both contain flawed accountability tools, tools which, if the VA used them, would likely result in adverse judgments in the courts and cost a lot of time and money pursuing with the likely result of those employees being reinstated.

Democrats are ready to work with the majority to find the right path forward. That is why 75 Democratic or bipartisan amendments were submitted to the Committee on Rules. Unfortunately, only 22 amendments were made in order to be considered by the full Chamber.

One of my amendments not made in order included a crucial fix to support and protect student veterans who have their education cut short by a school's abrupt closure. When a college or university like IIT Tech or Corinthian shuts its doors on short notice, student veterans enrolled at these institutions are routinely left with their GI Bill and Yellow Ribbon benefits severely weakened or even depleted and with no degree or job prospects to show for it. There is urgency to put a fix in place, and my amendment would do that.

There are no means in place for a student veteran enrolled at one of these institutions to get any part of their educational benefits restored, and many also lose their housing benefits,

which student veterans depend on as a crucial source of housing support.

The bipartisan amendment I submitted with Representative SUSAN BROOKS would have restored post-9/11 GI Bill benefits and training time to veterans who are negatively affected by a school's sudden closure, and it would also allow the VA to continue paying student veterans a monthly housing stipend for a short time following a permanent school closure.

There are even more important amendments that this House won't get to consider.

Congresswoman DELBENE from Washington State offered an amendment to update the Advisory Committee on Minority Veterans, including LGBT representatives, and ensure that this committee better addresses the needs of all minorities.

My colleague, Congressman WALZ, offered an amendment to extend the original deadline issued by the Agent Orange Act of 1991 to ensure that Vietnam veterans exposed to Agent Orange receive just compensation and care.

Another colleague on the House Committee on Veterans' Affairs, Congresswoman KUSTER, offered an amendment to help improve access to care for veterans and strengthen the healthcare workforce by creating a pilot program to train physician assistants who agree to work at the VA in underserved communities.

She also submitted an amendment to address the opioid crisis by creating a pilot program that improves pain management for veterans suffering from opioid addiction and chronic pain. It also requires the VA to assess its ability to treat opioid dependency. It also requires increased access to opioid overdose reversal medication at VA facilities.

Access to care and reducing opioid addiction are some of the most pressing issues facing veterans today, yet neither of her amendments were made in order.

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

Ms. SLAUGHTER. Mr. Speaker, I yield an additional 1 minute to the gentleman.

Mr. TAKANO. Instead, the majority has once again introduced a partisan bill that violates the due process rights of VA employees and includes several provisions that are likely to be overturned by our justice system, which is why the Department of Justice, Office of Personnel Management, and the VA itself have all raised serious objections.

Even though 30 percent of VA employees are veterans themselves, the majority is treating their constitutional rights as inconvenient obstacles to evade instead of fundamental civil service protections to uphold.

Finally, I believe that the majority's efforts to institute new whistleblower provisions would be overturned for the same reason that the U.S. Attorney General's office said it would not defend an unconstitutional section of the

Choice Act. It violates the Appointments Clause in the Constitution by allowing lower level government employees to have the final decisionmaking authority to decide whether an employee will be fired.

These are more than minor legal concerns. They are reasons why VA employees who commit misconduct will not be held accountable when their terminations are challenged in court. We can pass H.R. 5620, but we will be right back here a year from now or 2 years from now when the law is deemed unconstitutional.

I urge my colleagues to oppose the rule and the underlying bill.

□ 1345

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

I feel for the passion of my friend from California, but let's also get back to some issues of fact here. His amendment that was not made in order would not have helped the ITT Tech students. In fact, the VA itself has already said it wouldn't. By the way, it also costs \$50 million. It wouldn't help the very ones we are claiming it would help, but the VA says this, not us.

Again, are we wanting to help somebody or make, again, a political statement about a bill that you are trying to figure out a way to vote against?

Maybe that is what we are doing here.

Also, this issue of bipartisanship. Thirty pieces of legislation have been passed on VA, of which 29 have had Democrat or bipartisan provisions added in them in this Congress. By the way, the Senate has passed none of those. If you want to know who is actually working to fix the problems in the VA, it is the House.

To keep bringing up and having a baseline and say we need the baseline of a Senate bill that can't move, I mean, that is like saying that I still want to play football for the Atlanta Falcons. It is not happening. It is a great, I guess, aspirational goal, but they haven't called me lately.

So let's move something that actually works. This idea that it is going to be struck down in court, I am an attorney; it is conjecture. You don't have a ruling that says that. You can say it all you want. I can go to the good judge from Texas, Mr. Speaker. Nobody has made a ruling. So it is conjecture. It sounds good in an argument if you are trying to find a reason to vote against it.

This bill would harm veterans because veterans make up 35 percent of the VA's workforce. This one is the one that bothers me a little bit. As someone who still serves, when you go through training and you work—and many in this room have served—you are trained in the military to the highest expectations of your service every day. And if you are forced to work with people who do not live up to those expectations, then the immediate punish-

ment in the military is real, severe, and actual. This is ridiculous. We are lowering the standard for appeal when you have done something.

There has been this argument that we are just picking on the low-level employees. No, it is not. It is for everyone all the way up the chain.

In my own home State, Mr. Speaker, we had a gentleman who was directly implicated in the scheduling issues in Augusta and asked for a transfer to Atlanta because he was not liking the working conditions in Augusta. He should have never got a transfer to Decatur. He should have been fired and prosecuted.

Now, if we want to keep coming up with reasons to vote against this bill, fine and dandy. Keep it up.

When we look at the honesty here of the questions and we look at how we are discussing this and some of the amendments that were made in order, let's go back to the amendments. Sixteen Democrat amendments made in order, five Republican, one bipartisan. Many of the applications had dual meaning. They were doing basically the same thing, so we made some in order. And then some of the amendments that were not made in order would not have done what they said they were going to do anyway.

So we are about a rule, about a bill. If you want to vote against it, if you would rather put the appeals process of bad employees ahead of VA actual services and veterans who need it, then vote against it. But you just framed it.

Go spin that one to your local veterans service organizations who support these kinds of measures. Go spin that one to them. It is not going to work. They are not buying it. I have been there for a while.

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

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

Mr. Speaker, this bill is not a serious proposal to reform the Department of Veterans Affairs, although we certainly know that needs to be done. I think a major bill should be in order to get that done. And the Veterans Administration is vastly overstretched and we are concerned for the safety and healing of the veterans. My personal hope is that we can get them out of the building business and just do the business of taking care of veterans' health and concerns.

We should also be voting on a bill that includes the funding that we need to address the Zika virus. The head of the Centers for Disease Control, Tom Frieden, recently warned that, "The cupboard is bare. Basically, we are out of money and we need Congress to act."

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up legislation that would fully fund the administration's request to address this public health crisis. This request was made more than 7 months ago to help com-

bat the spread of this virus, when I think we would have done better to control it and accelerate research into finding a vaccine. We have, instead, just been left behind in trying to get caught up on some of that. Over that time, the virus is spreading at an alarming rate, as the range of mosquito transmission far exceeds the initial estimates. It is beyond time for us to finally act. Just today, I read that they have discovered that the Zika virus can cause brain damage to adults, not just to fetuses.

Mr. Speaker, I ask unanimous consent to insert the text of the 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 New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I urge my colleagues to vote "no" on ordering the previous question, the rule, and the underlying bill.

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

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

Mr. Speaker, I guess, as they always try to say, you start off with something positive. So I will start with positive.

I agree with the gentlewoman from New York: they need to get out of the building business. They have proved totally incompetent. I agree completely. But then let's get back to the bill. Let's get back to what we have talked about.

What is amazing to me in this whole rules debate, and I am sure will happen in the general debate on this bill, is there is going to be a lot of reasons given to vote "no" and to say this due process or this employee or that. But the bottom line is, when you look at the evidence, I understand we all have constituencies that have different opinions, but at the Veterans Administration there is only one constituency that matters, and that is the veteran who has served, who is to be served, and to have their dedication honored.

To actually come before this body and advocate for a bill that can't pass the Senate after it has been watered down, that can't move forward, to advocate to say that we are making every excuse in the world like, You are going to make them at-will employees at the VA—I heard this last night. No, you are not. There is still the same hiring programs. It is just that, if you do something wrong, there is going to be a process to actually remove you. Frankly, Mr. Speaker, if the Secretary at the VA can't do the things he should do, then maybe he should be removed.

At this point in time, this House and the Senate, this Congress, and even this administration, have acted. We have provided funds, we have provided resources, and we have provided direction. But you cannot continue to keep

building on a faulty foundation. If you can't get rid of the bad actors in this, if you can't have an appeals process in which somebody can get an answer in a shorter time than 3 years, there is a problem.

Here is the framing of that, Mr. Speaker. If you believe that is okay, then vote "no" on the previous question, vote "no" on the rule, and vote "no" on the bill. If you think the Senate can pass something, wait for them. But as they say, for such a time as this, you have a moment. It is a moment of choosing. It is a time to decide: Are we going to continue to make excuses or are we going to put the veterans first—and those veterans who actually work within the VA system, who are tired of watching others abuse it?

To actually say, again, Mr. Speaker, that you are going to harm the veterans who work for the VA by disciplining bad employees is an affront to every veteran who works at the VA, every Active Duty servicemember, every reservist and guardsman who have lived to the highest standards of honor and integrity and doing their job.

There are bad actors everywhere, even in the military; and when found, they are handled efficiently and quickly. That exists everywhere else except here.

So if you want to continue the status quo, then make speeches. If you want to move something forward and work toward a solution, then you vote "yes" on the previous question, you vote "yes" on the rule, and you vote "yes" on the bill.

Then you can go home to your veterans service organizations and people trying to get help and say: I tried to move something. I am actually moving for you.

Or you can go back and say: You know, I am protecting the employees and the unions and the appeals process and due process while all at the point in time our veterans are dying because they can't get services.

Easy choice, Mr. Speaker. Easy choice.

With that, I challenge my colleagues to continue to work on this issue. We can disagree, but that disagreement should never stop us from helping the veterans who need help to lower their appeals time, to get the sufficient organization that they deserve and this country deserves. Not just our veterans, but our taxpayers, the citizens who look up to this Government, they deserve a functioning, operating system that meets the needs to the highest integrity that they have been given charge to.

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

AN AMENDMENT TO H. RES. 859 OFFERED BY
MS. SLAUGHTER

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

SEC. 2. 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. 5044) making supplemental appropriations for fiscal year 2016 to respond to Zika virus. 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 chair and ranking minority member of the Committee on Appropriations and the chair and ranking minority member of the Committee on the Budget. 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 H.R. 5044.

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 pre-

vious 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.

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 adopting House Resolution 859, if ordered; ordering the previous question on House Resolution 858; and adopting House Resolution 858, if ordered.

The vote was taken by electronic device, and there were—yeas 237, nays 170, not voting 24, as follows:

[Roll No. 498]

YEAS—237

Abraham	Carter (GA)	Ellmers (NC)
Aderholt	Carter (TX)	Emmer (MN)
Allen	Chabot	Farenthold
Amash	Chaffetz	Fitzpatrick
Amodei	Clawson (FL)	Fleischmann
Babin	Coffman	Fleming
Barletta	Cole	Flores
Barr	Collins (GA)	Forbes
Barton	Collins (NY)	Fortenberry
Benishek	Comstock	Fox
Bilirakis	Conaway	Franks (AZ)
Bishop (MI)	Cook	Frelinghuysen
Bishop (UT)	Costello (PA)	Garrett
Black	Cramer	Gibbs
Blackburn	Crawford	Gibson
Blum	Crenshaw	Gohmert
Bost	Culberson	Goodlatte
Boustany	Curbelo (FL)	Gosar
Brady (TX)	Davidson	Gowdy
Brat	Davis, Rodney	Granger
Bridenstine	Denham	Graves (GA)
Brooks (AL)	Dent	Graves (LA)
Brooks (IN)	DeSantis	Graves (MO)
Buchanan	Diaz-Balart	Griffith
Buck	Dold	Grothman
Bucshon	Donovan	Hanna
Burgess	Duffy	Hardy
Byrne	Duncan (SC)	Harper
Calvert	Duncan (TN)	Harris

Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry

NAYS—170

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chu, Judy
Clark (MA)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier

Deutch
Dingell
Doggett
Doyle, Michael
F.
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)

McKinley
McMorris
Rogers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Posey
Price, Tom
Ratchliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce

Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Lynch
Maloney
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Royal-Allard
Ruiz
Ruppersberger

Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Sires
Brady (PA)
Castor (FL)
Cicilline
Costa
DesJarlais
Duckworth
Fincher
Guinta
Guthrie

NOT VOTING—24

Hinojosa
Israel
Johnson, Sam
Kirkpatrick
Luján, Ben Ray
(NM)
Meeks
Meng
Palazzo

Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas

□ 1419

Payne
Pelosi
Pompeo
Rush
Schiff
Sewell (AL)
Wagner

LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palmer
Paulsen
Pearce
Perry

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (FL)
Castro (TX)
Chu, Judy
Clark (MA)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Edwards
Ellison
Engel
Eshoo

Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Posey
Price, Tom
Ratchliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)

Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Jackson Lee
Jeffries
Ruiz
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern

Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)

NAYS—169

McNerney
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Royal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Lynch
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman
Schultz

Mr. LOEBSACK and Mrs. NAPOLITANO changed their vote from “yea” to “nay.”

Mr. ZINKE 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 (Mr. POE of Texas). 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 241, nays 169, not voting 21, as follows:

[Roll No. 499]

YEAS—241

Abraham
Aderholt
Allen
Amash
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith

Grothman
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta

Waters, Maxine Welch Yarmuth
Watson Coleman Wilson (FL)

NOT VOTING—21

Brady (PA) Israel Payne
Ciilline Johnson, Sam Pelosi
DesJarlais Kirkpatrick Pompeo
Duckworth Luján, Ben Ray Rush
Fincher (NM) Schiff
Guinta Meeks Sewell (AL)
Guthrie Meng
Hinojosa Palazzo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1426

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. 3590, HALT TAX INCREASES ON THE MIDDLE CLASS AND SENIORS ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 858) providing for consideration of the bill (H.R. 3590) to amend the Internal Revenue Code of 1986 to repeal the increase in the income threshold used in determining the deduction for medical care, 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 is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 237, nays 171, not voting 23, as follows:

[Roll No. 500]

YEAS—237

Abraham Collins (NY) Goodlatte
Aderholt Comstock Gosar
Allen Conaway Gowdy
Amash Cook Granger
Amodei Costello (PA) Graves (GA)
Babin Cramer Graves (LA)
Barletta Crawford Graves (MO)
Barr Crenshaw Griffith
Barton Culberson Grothman
Benishek Curbelo (FL) Hanna
Bilirakis Davidson Hardy
Bishop (MI) Davis, Rodney Harper
Bishop (UT) Denham Harris
Black Dent Hartzler
Blackburn DeSantis Heck (NV)
Blum Diaz-Balart Hensarling
Bost Dold Herrera Beutler
Boustany Donovan Hice, Jody B.
Brady (TX) Duffy Hill
Brat Duncan (SC) Holding
Bridenstine Duncan (TN) Hudson
Brooks (AL) Ellmers (NC) Huelskamp
Brooks (IN) Emmer (MN) Huizenga (MI)
Buchanan Farenthold Hultgren
Buck Fitzpatrick Hunter
Bucshon Fleischmann Hurd (TX)
Burgess Fleming Hurt (VA)
Byrne Issa
Calvert Forbes Jenkins (KS)
Carter (GA) Fortenberry Jenkins (WV)
Carter (TX) Foxx Johnson (OH)
Chabot Franks (AZ) Jolly
Chaffetz Frelinghuysen Jones
Clawson (FL) Garrett Jordan
Coffman Gibbs Joyce
Cole Gibson Katko
Collins (GA) Gohmert Kelly (MS)

Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.

Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Granger
Carter (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Clark (MA)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cullar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Edwards
Ellison

NAYS—171

Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebuck
Lofgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Lynch
Maloney,
Carolyn

Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schradler
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres

Tsongas
Van Hollen
Vargas
Veasey
Vela

Velázquez
Visclosky
Walz
Wasserman
Schultz

NOT VOTING—23

Brady (PA)
Ciilline
Clarke (NY)
DesJarlais
Duckworth
Fincher
Guinta
Guthrie

Hinojosa
Israel
Johnson, Sam
Kirkpatrick
Luján, Ben Ray
(NM)
Meeks
Meng

Palazzo
Payne
Pelosi
Pompeo
Rush
Schiff
Sewell (AL)
Stivers

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1432

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

Ms. CLARKE of New York. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted: Rollcall No. 500, "nay."

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.

RECORDED VOTE

Ms. SLAUGHTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—yeas 239, noes 169, not voting 23, as follows:

[Roll No. 501]

AYES—239

Abraham Crenshaw Heck (NV)
Aderholt Culberson Hensarling
Allen Curbelo (FL) Herrera Beutler
Amash Davidson Hice, Jody B.
Amodei Davis, Rodney Hill
Babin Denham Holding
Barletta Dent Hudson
Barr DeSantis Huelskamp
Barton Diaz-Balart Huizenga (MI)
Benishek Donovan Hultgren
Bilirakis Duffy Hunter
Bishop (MI) Hurd (TX)
Bishop (UT) Hurd (VA)
Black Duncan (SC) Issa
Blackburn Duncan (TN) Jenkins (KS)
Blum Ellmers (NC) Jenkins (WV)
Bost Emmer (MN) Johnson (OH)
Boustany Farenthold Jolly
Brady (TX) Fitzpatrick Jones
Brat Fleischmann Jordan
Bridenstine Flores Fleming Joyce
Brooks (AL) Forbes Katko
Brooks (IN) Fortenberry Kelly (MS)
Buchanan Foxx Kelly (PA)
Buck Franks (AZ) King (IA)
Bucshon Frelinghuysen King (NY)
Burgess Garrett Kinzinger (IL)
Byrne Gibbs Kline
Calvert Gibson Knight
Carter (GA) Gohmert Labrador
Carter (TX) Goodlatte LaHood
Chabot Gosar LaMalfa
Chaffetz Gowdy Lamborn
Clawson (FL) Granger Lance
Coffman Graves (GA) Latta
Cole Graves (LA) LoBiondo
Collins (GA) Graves (MO) Long
Comstock Griffith Loudermilk
Conaway Grothman Love
Cook Hanna Lucas
Costello (PA) Hardy Luetkemeyer
Cramer Harper Marchant
Crawford Hartzler Marino
McCarty