

something that is appropriate and ensures that we are following our constitutional separation of powers.

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

Mr. NADLER. Madam Speaker, the gentlewoman is accurate as to what SOPRA would do, and for all the reasons I stated before, it is a terrible bill, as terrible as REINS is. I am not going to repeat those arguments.

As to this amendment, I don't have to have practiced law recently. I know how to read a bill. There are lawyers on my staff who know how to read a bill and we know, as I said before, that courts don't enforce guidance. There is no such thing.

Guidance issued by agencies tells the courts how to interpret the rules promulgated by those agencies. That is a simple fact. It is not debatable.

Similarly, to have an amendment that says there shall be no guidance is to have an amendment that says businesses should operate in the dark and bet their businesses on what an agency might do. That is ridiculous and harmful to business, and I urge my colleagues to oppose this amendment as I urge them to oppose the bill.

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

The SPEAKER pro tempore. Pursuant to the rule, the previous question is ordered on the bill, as amended and on the amendment offered by the gentlewoman from Wyoming (Ms. HAGEMAN).

The question is on the amendment by the gentlewoman from Wyoming.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

#### MOTION TO RECOMMIT

Ms. DEAN of Pennsylvania. Madam Speaker, I have a motion to recommit at the desk.

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

The Clerk read as follows:

Ms. Dean of Pennsylvania moves to recommit the bill H.R. 288 to the Committee on the Judiciary.

The material previously referred to by Ms. DEAN of Pennsylvania is as follows:

Ms. Dean of Pennsylvania moves to recommit H.R. 288 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Page 1, line 9, insert after "extent necessary" the following: "and except as otherwise provided in this section".

Add at the end the following:

#### SEC. 3. EXCEPTED RULES REGARDING THE PREVENTION OF FIREARMS TRANSFERS TO CRIMINALS AND SUSPECTED TERRORISTS.

Section 706 of title 5, United States Code, as amended by this Act, is further amended by adding at the end the following:

"(c) In the case of a rule made by the Attorney General pertaining to the implemen-

tation of the national instant criminal background check system, including rules pertaining to the denial of firearms transfers to international or domestic terrorist suspects, the reviewing court shall decide all relevant questions of law, interpret constitutional and statutory provisions, and determine the meaning or applicability of the terms of an agency action."

The SPEAKER pro tempore. Pursuant to clause 2(b) of rule XIX, the previous question is ordered on the motion to recommit.

The question is on the motion to recommit.

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

Ms. DEAN of Pennsylvania. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 9 o'clock and 54 minutes a.m.), the House stood in recess.

□ 1001

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CAREY) at 10 o'clock and 1 minute a.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

The motion to recommit on H.R. 288; and

Passage of H.R. 288, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Pursuant to clause 9 of rule XX, the remaining electronic vote will be conducted as a 5-minute vote.

#### SEPARATION OF POWERS RESTORATION ACT OF 2023

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to recommit on the bill (H.R. 288) to amend title 5, United States Code, to clarify the nature of judicial review of agency interpretations of statutory and regulatory provisions, offered by the gentlewoman from Pennsylvania (Ms. DEAN), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to recommit.

The vote was taken by electronic device, and there were—yeas 210, nays 220, not voting 3, as follows:

[Roll No. 270]

YEAS—210

Adams	Golden (ME)	Panetta
Aguilar	Goldman (NY)	Pappas
Allred	Gomez	Pascrell
Auchincloss	Gonzalez,	Payne
Balint	Vicente	Pelosi
Barragán	Gottheimer	Peltola
Beatty	Green, Al (TX)	Perez
Bera	Grijalva	Peters
Beyer	Harder (CA)	Pettersen
Bishop (GA)	Higgins (NY)	Phillips
Blumenauer	Himes	Pingree
Blunt Rochester	Horsford	Pocan
Bonamici	Houlahan	Porter
Bowman	Hoyer	Pressley
Boyle (PA)	Hoyle (OR)	Quigley
Brown	Huffman	Ramirez
Brownley	Ivey	Raskin
Budzinski	Jackson (IL)	Ross
Bush	Jackson (NC)	Ruiz
Caraveo	Jackson Lee	Ruppersberger
Carbajal	Jacobs	Ryan
Cárdenas	Jayapal	Salinas
Carson	Jeffries	Sánchez
Carter (LA)	Johnson (GA)	Sarbanes
Cartwright	Kamlager-Dove	Scanlon
Casar	Kaptur	Schakowsky
Case	Keating	Schiff
Casten	Kelly (IL)	Schneider
Castor (FL)	Khanna	Scholten
Castro (TX)	Kildee	Schrier
Cherfilus-	Kilmer	Scott (VA)
McCormick	Kim (NJ)	Scott, David
Chu	Krishnamoorthi	Sewell
Clark (MA)	Kuster	Sherman
Clarke (NY)	Landsman	Sherrill
Cleaver	Larsen (WA)	Slotkin
Clyburn	Larson (CT)	Smith (WA)
Cohen	Lee (CA)	Sorensen
Connolly	Lee (NV)	Soto
Correa	Lee (PA)	Spanberger
Costa	Leger Fernandez	Stansbury
Courtney	Levin	Stanton
Craig	Lieu	Stevens
Crockett	Lofgren	Strickland
Crow	Magaziner	Swalwell
Cuellar	Manning	Sykes
Davids (KS)	Matsui	Takano
Davis (IL)	McBath	Thanedar
Davis (NC)	McClellan	Thompson (CA)
Dean (PA)	McCollum	Thompson (MS)
DeGette	McGarvey	Titus
DeLauro	McGovern	Tlaib
DelBene	Meeks	Tokuda
Deluzio	Menendez	Tonko
DeSaulnier	Meng	Torres (CA)
Dingell	Mfume	Torres (NY)
Doggett	Moore (WI)	Trahan
Escobar	Morelle	Trone
Eshoo	Moskowitz	Underwood
Espallat	Moulton	Vargas
Evans	Mrvan	Vasquez
Fletcher	Mullin	Veasey
Foster	Nadler	Velázquez
Foushee	Napolitano	Wasserman
Frankel, Lois	Neal	Schultz
Frost	Neguse	Waters
Galleo	Nickel	Watson Coleman
Garamendi	Norcross	Wexton
Garcia (IL)	Ocasio-Cortez	Wild
Garcia (TX)	Omar	Williams (GA)
Garcia, Robert	Pallone	Wilson (FL)

NAYS—220

Aderholt	Bice	Carey
Alford	Biggs	Carl
Allen	Bilirakis	Carter (GA)
Amodei	Bishop (NC)	Carter (TX)
Armstrong	Boebert	Chavez-DeRemer
Arrington	Bost	Ciscomani
Babin	Brecheen	Cline
Bacon	Buchanan	Cloud
Baird	Buck	Clyde
Balderson	Bucshon	Cole
Banks	Burchett	Collins
Barr	Burgess	Comer
Bean (FL)	Burlison	Crane
Bentz	Calvert	Crawford
Bergman	Cammack	Crenshaw

Curtis James Owens  
D'Esposito Johnson (LA)  
Davidson Johnson (OH)  
De La Cruz Johnson (SD)  
DesJarlais Jordan  
Diaz-Balart Joyce (OH)  
Donalds Joyce (PA)  
Duarte Kean (NJ)  
Duncan Kelly (MS)  
Dunn (FL) Kelly (PA)  
Edwards Kiggans (VA)  
Ellzey Kiley  
Emmer Kim (CA)  
Estes Kustoff  
Ezell LaHood  
Fallon LaLota  
Feenstra LaMalfa  
Ferguson Lamborn  
Finstad Langworthy  
Fischbach Latta  
Fitzgerald LaTurner  
Fitzpatrick Lawler  
Fleischmann Lee (FL)  
Flood Lesko  
Foxy Letlow  
Franklin, C. Loudermilk  
Scott Lucas  
Fry Luetkemeyer  
Fulcher Luna  
Gaetz Luttrell  
Gallagher Mace  
Garbarino Malliotakis  
Garcia, Mike Mann  
Gimenez Massie  
Gonzales, Tony Mast  
Good (VA) McCaul  
Gooden (TX) McClain  
Gosar McClintock  
Granger McCormick  
Graves (LA) McHenry  
Graves (MO) Meuser  
Greene (GA) Miller (IL)  
Griffith Miller (OH)  
Grothman Miller (WV)  
Guest Miller-Meeks  
Guthrie Mills  
Hageman Molinaro  
Harris Moolenaar  
Harshbarger Mooney  
Hern Moore (AL)  
Higgins (LA) Moore (UT)  
Hill Moran  
Hinson Murphy  
Houchin Nehls  
Hudson Newhouse  
Huizenga Norman  
Hunt Nunn (IA)  
Issa Obernolte  
Jackson (TX) Ogles

## NOT VOTING—3

Green (TN) Hayes Lynch

## □ 1034

Ms. LETLOW, Messrs. LATURNER, STRONG, RESCHENTHALER, WENSTRUP, and Mrs. MILLER of West Virginia changed their vote from “yea” to “nay.”

Mrs. BEATTY, Messrs. MULLIN, HIMES, and LARSON of Connecticut changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. NADLER. 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 220, nays 211, not voting 2, as follows:

[Roll No. 271]  
YEAS—220

Aderholt Fulcher Miller-Meeks  
Alford Gallagher Mills  
Allen Garbarino Molinaro  
Amodei Garcia, Mike Moolenaar  
Armstrong Gimenez Mooney  
Arrington Gonzales, Tony Moore (AL)  
Babin Good (VA) Moore (UT)  
Bacon Gooden (TX)  
Baird Gosar  
Balderson Granger  
Banks Graves (LA)  
Barr Graves (MO)  
Bean (FL) Greene (GA)  
Bentz Griffith  
Bergman Grothman  
Bice Guest  
Biggs Guthrie  
Bilirakis Hageman  
Bishop (NC) Harris  
Boebert Harshbarger  
Bost Hern  
Brecheen Higgins (LA)  
Buchanan Hill  
Buck Hinson  
Bucshon Houchin  
Burchett Hudson  
Burgess Huizenga  
Burlison Hunt  
Calvert Issa  
Cammack Jackson (TX)  
Carey James  
Carl Johnson (LA)  
Carter (GA) Johnson (OH)  
Carter (TX) Johnson (SD)  
Chavez-DeRemer Jordan  
Ciscomani Joyce (OH)  
Cline Joyce (PA)  
Cloud Kean (NJ)  
Clyde Kelly (MS)  
Cole Kelly (PA)  
Collins Kiggans (VA)  
Comer Kiley  
Crane Kim (CA)  
Kustoff Kustoff  
LaHood LaHood  
LaLota LaMalfa  
Lamborn Lamborn  
Langworthy Langworthy  
Latta Latta  
LaTurner LaTurner  
Lawler Lawler  
Lee (FL) Lee (FL)  
Lesko Lesko  
Letlow Letlow  
Loudermilk Loudermilk  
Lucas Lucas  
Luetkemeyer Luetkemeyer  
Luna Luna  
Luttrell Luttrell  
Mace Mace  
Malliotakis Malliotakis  
Mann Mann  
Massie Massie  
Mast Mast  
McCaul McCaul  
McClain McClain  
McClintock McClintock  
McCormick McCormick  
McHenry McHenry  
Meuser Meuser  
Miller (IL) Miller (IL)  
Miller (OH) Miller (OH)  
Miller (WV) Miller (WV)  
Zinke

## NAYS—211

Adams Carabajal Costa  
Aguilar Cárdenas Courtney  
Alfred Carson Craig  
Auchincloss Carter (LA) Crockett  
Balint Cartwright Crow  
Barragán Casar Davids (KS)  
Beatty Case Davis (IL)  
Bera Casten Davis (NC)  
Beyer Castor (FL) Dean (PA)  
Bishop (GA) Castro (TX) DeGette  
Blumenauer Cherfilus-DeLauro  
Blunt Rochester McCormick DelBene  
Bonamici Chu Deluzio  
Bowman Clark (MA) DeSaulnier  
Boyle (PA) Clarke (NY) Dingell  
Brown Cleaver Doggett  
Brownley Clyburn Escobar  
Budzinski Cohen Eshoo  
Bush Connolly Espallat  
Caraveo Correa Evans

Fletcher Levin Salinas  
Foster Lieu Sánchez  
Foushee Lofgren Sarbanes  
Frankel, Lois Lynch Scanlon  
Frost Magaziner Schakowsky  
Gaetz Manning Schiff  
Gallego Matsui Schneider  
Garamendi McBath Scholten  
Garcia (IL) McClellan Schrier  
Garcia (TX) McCollum Scott (VA)  
Garcia, Robert McGarvey Scott, David  
Golden (ME) McGovern Sewell  
Goldman (NY) Meeks Sherman  
Gomez Menendez Sherrill  
Gonzalez, Meng Slotkin  
Vicente Mfume Smith (WA)  
Gottheimer Moore (WI) Sorensen  
Green, Al (TX) Morelle Soto  
Grijalva Moskowicz Spanberger  
Harder (CA) Moulton Stansbury  
Higgins (NY) Mrvan Stanton  
Himes Mullin Stevens  
Horsford Nadler Strickland  
Houlahan Napolitano Swallow  
Hoyer Neal Sykes  
Hoyle (OR) Neguse Takano  
Huffman Nickel Thanedar  
Ivey Norcross Thompson (CA)  
Jackson (IL) Ocasio-Cortez Thompson (MS)  
Jackson (NC) Omar Titus  
Jackson Lee Pallone Tlaib  
Jacobs Panetta Tokuda  
Jayapal Pappas Tonko  
Jeffries Pascarell  
Johnson (GA) Payne Torres (CA)  
Kamlager-Dove Pelosi Torres (NY)  
Kaptur Peltola Trahan  
Keating Perez Trone  
Kelly (IL) Peters Underwood  
Khanna Pettersen Vargas  
Kildee Phillips Vasquez  
Kilmer Pingree Veasey  
Kim (NJ) Pocan Velázquez  
Krishnamoorthi Porter Wasserman  
Kuster Pressley Schultz  
Landsman Quigley Waters  
Larsen (WA) Ramirez Watson Coleman  
Larson (CT) Raskin Wexton  
Lee (CA) Ross Wild  
Lee (NV) Ruiz Williams (GA)  
Lee (PA) Ruppersberger Wilson (FL)  
Leger Fernandez Ryan

## NOT VOTING—2

Green (TN) Hayes

## □ 1045

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mrs. HAYES. Mr. Speaker, I was unavailable to vote. Had I been present, I would have voted “yea” on rollcall No. 270 and “nay” on rollcall No. 271.

## ADJOURNMENT TO FRIDAY, JUNE 16, 2023; AND ADJOURNMENT FROM FRIDAY, JUNE 16, 2023, TO TUESDAY, JUNE 20, 2023

Mr. FRY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. Friday, June 16, 2023; and further, when the House adjourns on that day, it adjourn to meet on Tuesday, June 20, 2023, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

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

There was no objection.