

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

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

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

Mr. MCGOVERN. 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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 2 p.m. today.

Accordingly (at 1 o’clock and 32 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of New York) at 2 p.m.

PROVIDING FOR CONSIDERATION OF H.R. 644, FIGHTING HUNGER INCENTIVE ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF H.R. 636, AMERICA’S SMALL BUSINESS TAX RELIEF ACT OF 2015

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on ordering the previous question on the resolution

(H. Res. 101) providing for consideration of the bill (H.R. 644) to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory, and providing for consideration of the bill (H.R. 636) to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes, 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.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of the adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 232, nays 164, not voting 36, as follows:

[Roll No. 77]

YEAS—232

Aderholt	Franks (AZ)	Massie
Allen	Frelinghuysen	McCarthy
Amash	Garrett	McCaul
Amodei	Gibbs	McClintock
Babin	Gohmert	McHenry
Barletta	Goodlatte	McKinley
Barr	Gosar	McMorris
Barton	Gowdy	Rodgers
Benishek	Granger	McSally
Bilirakis	Graves (GA)	Meadows
Bishop (MI)	Graves (LA)	Meehan
Bishop (UT)	Graves (MO)	Messer
Black	Griffith	Mica
Blackburn	Grothman	Miller (MI)
Blum	Guinta	Moolenaar
Bost	Guthrie	Mooney (WV)
Boustany	Hanna	Mullin
Brady (TX)	Hardy	Mulvaney
Brat	Harper	Murphy (PA)
Bridenstine	Harris	Neugebauer
Brooks (AL)	Hartzer	Newhouse
Brooks (IN)	Heck (NV)	Noem
Buchanan	Hensarling	Nugent
Buck	Herrera Beutler	Nunes
Bucshon	Hice (GA)	Olson
Burgess	Hill	Palazzo
Byrne	Holding	Palmer
Calvert	Hudson	Perry
Carter (GA)	Huizenga (MI)	Pittenger
Carter (TX)	Hultgren	Pitts
Chabot	Hunter	Poe (TX)
Chaffetz	Hurd (TX)	Poliquin
Clawson (FL)	Hurt (VA)	Pompeo
Coffman	Issa	Posey
Cole	Jenkins (KS)	Price (GA)
Collins (GA)	Jenkins (WV)	Ratcliffe
Collins (NY)	Johnson (OH)	Reed
Comstock	Johnson, Sam	Reichert
Conaway	Jolly	Renacci
Cook	Jones	Ribble
Costello (PA)	Jordan	Rice (SC)
Crawford	Joyce	Rigell
Crenshaw	Katko	Roby
Culberson	Kelly (PA)	Rogers (AL)
Curbelo (FL)	King (IA)	Rogers (KY)
Davis, Rodney	King (NY)	Rohrabacher
Denham	Kinzinger (IL)	Rokita
Dent	Kline	Rooney (FL)
DeSantis	Knight	Ros-Lehtinen
DesJarlais	Labrador	Roskam
Diaz-Balart	LaMalfa	Ross
Dold	Lamborn	Rothfus
Duffy	Lance	Rouzer
Duncan (SC)	Latta	Royce
Duncan (TN)	LoBiondo	Russell
Ellmers	Long	Ryan (WI)
Emmer	Loudermilk	Salmon
Farenthold	Love	Sanford
Fincher	Lucas	Scalise
Fleischmann	Luetkemeyer	Schock
Fleming	Lummis	Schweikert
Flores	MacArthur	Scott, Austin
Forbes	Marchant	Sensenbrenner
Fox	Marino	Sessions

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

NAYS—164

Adams	Gabbard	Murphy (FL)
Aguilar	Gallego	Nadler
Ashford	Graham	Napolitano
Bass	Grayson	Neal
Beatty	Green, Al	Nolan
Becerra	Green, Gene	Norcross
Bera	Grijalva	Pallone
Beyer	Gutiérrez	Pascarell
Bishop (GA)	Hahn	Payne
Blumenauer	Hastings	Perlmutter
Bonamici	Heck (WA)	Peterson
Boyle (PA)	Higgins	Pingree
Brady (PA)	Himes	Pocan
Butterfield	Honda	Polis
Capps	Hoyer	Quigley
Capuano	Huffman	Rangel
Cárdenas	Israel	Rice (NY)
Carney	Jackson Lee	Richmond
Carson (IN)	Jeffries	Royal-Allard
Castor (FL)	Johnson (GA)	Ruppersberger
Castro (TX)	Johnson, E. B.	Rush
Chu (CA)	Keating	Sánchez, Linda
Ciçilline	Kelly (IL)	T.
Clark (MA)	Kennedy	Sanchez, Loretta
Clarke (NY)	Kildee	Sarbanes
Clay	Kilmer	Schakowsky
Cleaver	Kind	Schiff
Clyburn	Kirkpatrick	Schrader
Cohen	Kuster	Scott (VA)
Connolly	Langevin	Scott, David
Conyers	Larsen (WA)	Serrano
Cooper	Larson (CT)	Sewell (AL)
Costa	Lawrence	Sherman
Crowley	Lee	Sires
Cuellar	Levin	Slaughter
Cummings	Lewis	Smith (WA)
Davis (CA)	Lieu (CA)	Speier
Davis, Danny	Lipinski	Takai
DeFazio	Loeb	Takano
DeGette	Lowenthal	Thompson (CA)
Delaney	Lowe	Thompson (MS)
DeLauro	Luján, Ben Ray	Tonko
DelBene	(NM)	Torres
DeSaulnier	Lynch	Tsongas
Deutch	Maloney,	Van Hollen
Dingell	Carolyn	Vargas
Doggett	Maloney, Sean	Veasey
Doyle (PA)	Matsui	Vela
Edwards	McCollum	Velázquez
Ellison	McDermott	Vislousky
Engel	McGovern	Wasserman
Farr	McNerney	Schultz
Fattah	Meeks	Waters, Maxine
Foster	Meng	Watson Coleman
Frankel (FL)	Moore	Wilson (FL)
Fudge	Moulton	Yarmuth

NOT VOTING—36

Abraham	Gibson	Price (NC)
Brown (FL)	Hinojosa	Roe (TN)
Brownley (CA)	Huelskamp	Ruiz
Bustos	Kaptur	Ryan (OH)
Cartwright	Loftgren	Sinema
Courtney	Lujan Grisham	Swalwell (CA)
Cramer	(NM)	Titus
Duckworth	Miller (FL)	Walorski
Eshoo	O’Rourke	Walters, Mimi
Esty	Paulsen	Walz
Fitzpatrick	Pearce	Welch
Fortenberry	Pelosi	
Garamendi	Peters	

□ 1428

Mr. POCAN changed his vote from “yea” to “nay.”

Mr. FARENTHOLD changed his vote from “nay” to “yea.”

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

Stated for: