

Murtha
Price (NC)
Radanovich
Ramstad

Renzi
Reyes
Thornberry
Tierney

Waters
Young (AK)

□ 1103

Messrs. CARNAHAN, ELLISON, DONNELLY, NEAL of Massachusetts, DOGGETT, FILNER, and MEEK of Florida changed their vote from “yea” to “nay.”

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF H.R. 2881, FAA REAUTHORIZATION ACT OF 2007

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, reiterating our opposition to the previous question and the rule, urging all of our colleagues to vote “no” on the previous question and the rule, I yield back the balance of my time.

Mr. WELCH of Vermont. Madam Speaker, I will just close by saying this is an important bill. It makes significant improvements to the aviation industry. I urge a “yes” vote on the rule, H. Res. 664.

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

AMENDMENT TO H. RES. 664 OFFERED BY MR. LINCOLN DIAZ-BALART OF FLORIDA

At the end of the resolution, add the following:

SEC. 3. That immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider the resolution (H. Res. 479) to amend the Rules of the House of Representatives to provide for enforcement of clause 9 of rule XXI of the Rules of the House of Representatives. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Rules; and (2) one motion to recommit.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

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 Democratic majority agenda and a vote to allow the opposition, at least for the moment, 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 be-

fore 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.”

Because the vote today may look bad for the Democratic majority they will 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 definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here’s how the Rules Committee described the rule using information from Congressional Quarterly’s “American Congressional Dictionary”: “If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.”

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 Democratic majority’s agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WELCH of Vermont. 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. LINCOLN DIAZ-BALART of Florida. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by a 5-minute vote on adoption of H. Res. 664, if ordered.

The vote was taken by electronic device, and there were—yeas 223, nays 189, not voting 20, as follows:

[Roll No. 887]

YEAS—223

Abercrombie	Green, Gene	Oberstar
Ackerman	Grijalva	Obey
Allen	Gutierrez	Olver
Altmire	Hall (NY)	Ortiz
Andrews	Hare	Pallone
Arcuri	Harman	Pascrell
Baca	Hastings (FL)	Pastor
Baird	Hersteth Sandlin	Payne
Baldwin	Higgins	Perlmutter
Bean	Hill	Peterson (MN)
Becerra	Hinchev	Pomeroy
Berkley	Hinojosa	Price (NC)
Berman	Hirono	Rahall
Berry	Hodes	Rangel
Bishop (GA)	Holden	Reyes
Bishop (NY)	Holt	Richardson
Blumenauer	Honda	Rodriguez
Boren	Hooley	Ross
Boswell	Hoyer	Rothman
Boucher	Inslee	Royal-Allard
Boyd (FL)	Israel	Ruppersberger
Boyda (KS)	Jackson (IL)	Rush
Brady (PA)	Johnson, E. B.	Ryan (OH)
Bralley (IA)	Jones (OH)	Salazar
Brown, Corrine	Kagen	Sanchez, Linda
Buchanan	Kanjorski	T.
Butterfield	Kaptur	Sanchez, Loretta
Capps	Kennedy	Sarbanes
Capuano	Kildee	Schakowsky
Cardoza	Kilpatrick	Schiff
Carnahan	Kind	Schwartz
Castor	Klein (FL)	Scott (GA)
Chandler	Kucinich	Scott (VA)
Clarke	Langevin	Serrano
Clay	Lantos	Sestak
Cleaver	Larsen (WA)	Shea-Porter
Clyburn	Larson (CT)	Sherman
Cohen	LaTourette	Shuler
Conyers	Lee	Sires
Cooper	Levin	Skelton
Costa	Lewis (GA)	Slaughter
Costello	Lipinski	Smith (WA)
Courtney	Loeback	Snyder
Cramer	Lofgren, Zoe	Solis
Crowley	Lowe	Space
Cuellar	Lynch	Spratt
Cummings	Mahoney (FL)	Stark
Davis (AL)	Maloney (NY)	Stupak
Davis (CA)	Markey	Sutton
Davis (IL)	Matheson	Tanner
Davis, Lincoln	Matsui	Tauscher
DeFazio	McCarthy (NY)	Taylor
DeGette	McCollum (MN)	Thompson (CA)
DeLahunt	McDermott	Thompson (MS)
DeLauro	McGovern	Tierney
Dicks	McIntyre	Towns
Dingell	McNerney	Udall (CO)
Doggett	McNulty	Udall (NM)
Donnelly	Meek (FL)	Van Hollen
Doyle	Meeks (NY)	Velázquez
Edwards	Melancon	Visclosky
Ellison	Michaud	Walz (MN)
Ellsworth	Miller (NC)	Wasserman
Emanuel	Miller, George	Schultz
Engel	Mitchell	Watson
Eshoo	Mollohan	Watt
Etheridge	Moore (KS)	Waxman
Farr	Moore (WI)	Weiner
Filner	Moran (VA)	Welch (VT)
Frank (MA)	Murphy (CT)	Wexler
Giffords	Murphy, Patrick	Wilson (OH)
Gillibrand	Murtha	Woolsey
Gonzalez	Nadler	Wu
Gordon	Napolitano	Wynn
Green, Al	Neal (MA)	Yarmuth

NAYS—189

Aderholt	Brady (TX)	Conaway
Akin	Broun (GA)	Crenshaw
Alexander	Brown (SC)	Culberson
Bachmann	Brown-Waite,	Davis (KY)
Bachus	Ginny	Davis, David
Baker	Burgess	Davis, Tom
Barrett (SC)	Burton (IN)	Deal (GA)
Barrow	Buyer	Dent
Bartlett (MD)	Calvert	Diaz-Balart, L.
Biggert	Camp (MI)	Diaz-Balart, M.
Bilbray	Campbell (CA)	Doolittle
Bishop (UT)	Cannon	Drake
Blackburn	Cantor	Dreier
Blunt	Capito	Duncan
Boehner	Carter	Ehlers
Bonner	Castle	Emerson
Bono	Chabot	English (PA)
Boozman	Coble	Everett
Boustany	Cole (OK)	Fallin

Ferguson	Latham	Rehberg	Clarke	Kagen	Rangel	Kuhl (NY)	Paul	Shays
Flake	Lewis (CA)	Reichert	Clay	Kanjorski	Reyes	LaHood	Pearce	Shimkus
Forbes	Lewis (KY)	Renzi	Cleaver	Kaptur	Richardson	Lamborn	Pence	Shuler
Fortenberry	Linder	Reynolds	Clyburn	Kennedy	Rodriguez	Lampson	Peterson (PA)	Shuster
Fossella	LoBiondo	Rogers (AL)	Cohen	Kildee	Ross	Latham	Pickering	Simpson
Fox	Lucas	Rogers (KY)	Conyers	Kilpatrick	Rothman	Lewis (CA)	Pitts	Smith (NE)
Franks (AZ)	Lungren, Daniel	Rogers (MI)	Cooper	Kind	Roybal-Allard	Lewis (KY)	Platts	Smith (NJ)
Frelinghuysen	E.	Ros-Lehtinen	Costa	Klein (FL)	Ruppersberger	Linder	Poe	Smith (TX)
Gallegly	Mack	Royce	Costello	Kucinich	Rush	LoBiondo	Porter	Souder
Garrett (NJ)	Manzullo	Ryan (WI)	Courtney	Lugevin	Ryan (OH)	Lucas	Price (GA)	Stearns
Gerlach	Marchant	Sali	Cramer	Lantos	Salazar	Lungren, Daniel	Pryce (OH)	Sullivan
Gilchrest	McCarthy (CA)	Saxton	Crowley	Larsen (WA)	Sánchez, Linda	E.	Putnam	Tancred
Gingrey	McCaul (TX)	Schmidt	Cuellar	LaTourette	T.	Mack	Radanovich	Terry
Gohmert	McCotter	Sensenbrenner	Cummings	Lee	Sanchez, Loretta	Manzullo	Ramstad	Tiahrt
Goode	McCrery	Sessions	Davis (AL)	Levin	Sarbanes	Marchant	Regula	Tiberi
Goodlatte	McHenry	Shadegg	Davis (CA)	Lewis (GA)	Schakowsky	McCarthy (CA)	Rehberg	Turner
Granger	McKeon	Shays	Davis (IL)	Lipinski	Schiff	McCauley (TX)	Reichert	Upton
Graves	McMorris	Shimkus	DeFazio, Lincoln	Loeb	Schwartz	McCotter	Renzi	Walberg
Hall (TX)	Rodgers	Shuster	Davis, Lincoln	Loeb	Scott (GA)	McCrery	Reynolds	Walden (OR)
Hastings (WA)	Mica	Simpson	DeGette	Lowey	Scott (VA)	McHenry	Rogers (AL)	Walsh (NY)
Hayes	Miller (FL)	Smith (NE)	Delahunt	Mahoney (FL)	Serrano	McKeon	Rogers (KY)	Wamp
Heller	Miller (MI)	Smith (NJ)	DeLauro	Maloney (NY)	Sestak	McMorris	Rogers (MI)	Weld
Hensarling	Miller, Gary	Smith (TX)	Dicks	Markey	Shea-Porter	Rodgers	Rohrabacher	Weller
Herger	Moran (KS)	Souder	Dingell	Matheson	Sherman	Mica	Ros-Lehtinen	Westmoreland
Hobson	Murphy, Tim	Stearns	Donnelly	Matsui	Sires	Miller (FL)	Roskam	Whitfield
Hoekstra	Musgrave	Sullivan	Doyle	McCarthy (NY)	Skelton	Miller (MI)	Royce	Wicker
Hulshof	Myrick	Tancred	Edwards	McCollum (MN)	Slaughter	Miller, Gary	Ryan (WI)	Wilson (NM)
Hunter	Neugebauer	Terry	Ellison	McDermott	Smith (WA)	Moran (KS)	Sali	Wilson (SC)
Inglis (SC)	Nunes	Tiahrt	Ellsworth	McGovern	Snyder	Murphy, Tim	Saxton	Wolf
Issa	Paul	Tiberi	Emanuel	McIntyre	Solis	Musgrave	Schmidt	Young (AK)
Johnson (IL)	Pearce	Turner	Engel	McNerney	Space	Myrick	Sensenbrenner	Young (FL)
Johnson, Sam	Pence	Upton	Eshoo	McNulty	Spratt	Neugebauer	Sessions	
Jones (NC)	Peterson (PA)	Walberg	Etheridge	Meeke (FL)	Stupak	Nunes	Shadegg	
Jordan	Petri	Walden (OR)	Farr	Meeke (NY)	Sutton			
Keller	Pickering	Walsh (NY)	Finer	Melancon	Tanner			
King (IA)	Pitts	Wamp	Frank (MA)	Michaud	Tauscher			
King (NY)	Platts	Weld (FL)	Giffords	Miller (NC)	Taylor			
Kingston	Poe	Weller	Gonzalez	Miller, George	Thompson (CA)			
Kirk	Porter	Westmoreland	Gordon	Mitchell	Thompson (MS)			
Kline (MN)	Price (GA)	Whitfield	Green, Al	Mollohan	Tierney			
Knollenberg	Pryce (OH)	Wicker	Green, Gene	Moore (KS)	Towns			
Kuhl (NY)	Putnam	Wilson (NM)	Grijalva	Moore (WI)	Udall (CO)			
LaHood	Radanovich	Wilson (SC)	Gutierrez	Moran (VA)	Udall (NM)			
Lamborn	Ramstad	Wolf	Hall (NY)	Murphy (CT)	Van Hollen			
Lampson	Regula	Young (FL)	Hare	Murphy, Patrick	Velázquez			

NOT VOTING—18

Carney	Inslee	Lynch
Carson	Jackson-Lee	Marshall
Cubin	(TX)	McHugh
Davis, Jo Ann	Jefferson	Thornberry
Doggett	Jindal	Waters
Fattah	Johnson (GA)	
Hastert	Larson (CT)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). The Chair notes a disturbance in the gallery in contravention of the law and rules of the House.

The Sergeant at Arms will remove the persons responsible for the disturbance and restore order to the gallery.

□ 1131

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.

ELECTION OF MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. WELCH of Vermont. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 667) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES 667

Resolved, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

- (1) COMMITTEE ON ARMED SERVICES.—Mr. Langevin.
- (2) COMMITTEE ON HOMELAND SECURITY.—Mr. Pascrell.
- (3) COMMITTEE ON SCIENCE AND TECHNOLOGY.—Ms. Richardson (to rank immediately after Mr. McNerney).
- (4) COMMITTEE ON SMALL BUSINESS.—Mr. Higgins and Ms. Hirono.
- (5) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—Ms. Richardson.

The resolution was agreed to. A motion to reconsider was laid on the table.

NOT VOTING—20

Barton (TX)	Feeney	Marshall
Bilirakis	Hastert	McHugh
Carney	Jackson-Lee	Rohrabacher
Carson	(TX)	Roskam
Cubin	Jefferson	Thornberry
Davis, Jo Ann	Jindal	Waters
Fattah	Johnson (GA)	Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1121

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

The SPEAKER pro tempore (Mr. CUELLAR). The question is on the resolution.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 218, nays 196, not voting 18, as follows:

[Roll No. 888]

YEAS—218

Abercrombie	Becerra	Boyd (KS)	Brown-Waite,
Ackerman	Berkley	Brady (PA)	Ginny
Allen	Berman	Brale (IA)	Buchanan
Altmire	Berry	Brown, Corrine	Burgess
Andrews	Bishop (GA)	Butterfield	Burton (IN)
Arcuri	Bishop (NY)	Capps	Buyer
Baca	Blumenauer	Capuano	Calvert
Baird	Boren	Cardoza	Camp (MI)
Baldwin	Boswell	Carnahan	Campbell (CA)
Barrow	Boucher	Castor	Cannon
Bean	Boyd (FL)	Chandler	Cantor

NAYS—196

Aderholt	Capito	Gallegly
Akin	Carter	Garrett (NJ)
Alexander	Castle	Gerlach
Bachmann	Chabot	Gilchrest
Bachus	Coble	Gillibrand
Baker	Cole (OK)	Gingrey
Barrett (SC)	Conaway	Gohmert
Bartlett (MD)	Crenshaw	Goode
Barton (TX)	Culberson	Goodlatte
Biggart	Davis (KY)	Granger
Bilbray	Davis, David	Graves
Bilirakis	Davis, Tom	Hall (TX)
Bishop (UT)	Deal (GA)	Hastings (WA)
Blackburn	Dent	Hayes
Blunt	Diaz-Balart, L.	Heller
Boehner	Diaz-Balart, M.	Hensarling
Bonner	Doolittle	Herger
Bono	Drake	Hobson
Boozman	Dreier	Hoekstra
Boustany	Duncan	Hulshof
Brady (TX)	Ehlers	Hunter
Broun (GA)	Emerson	Inglis (SC)
Brown (SC)	English (PA)	Issa
	Everett	Johnson (IL)
	Fallin	Johnson, Sam
	Feeney	Jones (NC)
	Ferguson	Jordan
	Flake	Keller
	Forbes	King (IA)
	Fortenberry	King (NY)
	Fossella	Kingston
	Fox	Kirk
	Franks (AZ)	Kline (MN)
	Frelinghuysen	Knollenberg