

promised the American people. It is the right thing to do. And I set forth, over a number of years now, principles and respect for minority rights. And we intend to implement them."

This statement was made almost a year ago at a press conference on November 20, 2006. Now, let's contrast those statements that were made and with what took place last night in the Rules Committee.

Seven Republican amendments were offered to the bill that we are about to debate, none made in order, including a bipartisan amendment offered by Mr. GARRETT of New Jersey; 13 Democrat amendments were made in order.

Now, the last time the flood insurance bill was on the floor of the House, which was in the 109th Congress, six Democrat amendments were made in order, one bipartisan amendment was made in order, and nine Republican amendments were made in order.

And if this isn't bad enough that the Republicans were denied any amendments in the bill that we have before us today, the majority also, in its rule, has waived the earmark reform rule again.

Now, yesterday when we had the SCHIP bill on the floor, there were earmarks in the bill. They weren't disclosed, they weren't outlined, and there was no way for Members to get at a debate or an amendment on those earmarks that were in this bill.

What assurances do American taxpayers have that there isn't some earmark in this bill that we have today? Because there is no list. But yet, the Rules Committee felt obliged to waive the earmark reform bill that was put in place earlier this year.

Now, the problem we have with the underlying rule is really part of the bigger problem. Last night, our Rules Committee Republicans put together a report outlining the number of closed rules that we have had in this House.

I was here in the early 1990s demanding that the minority ought to be treated more fairly. And clearly, when Republicans took majority control of this House, it may not have been everything everybody wanted, but there was more democracy in the House than what we have seen this year. And I just want to implore all of my colleagues that the American people sent us here to work together to solve the problems of this country. And yet, all year, as I have put my hand out to try to find a way to work in a bipartisan manner, it gets slapped away. That is not what the American people want of us. It is not what they deserve. And I would ask my colleagues to understand, many of you were here in the minority; you know exactly what I am talking about. It is time to be treating the minority the way you asked to be treated when you were in the minority.

I would ask my colleagues to defeat this rule, send it back to the committee, and let's do this in the fair, bipartisan way that the American people expect.

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

I want to point out, Mr. Speaker, the earmark rule is not waived in this rule despite the claims of my colleagues. I urge them to read page 2, lines 6 and 7, that the earmark rule specifically excludes the earmark rule from the waiver. Any suggestion otherwise is simply untrue.

Additionally, the Rules Committee took testimony yesterday on this bill. Unfortunately, some of the Members who spoke today didn't even come to testify on their amendments.

Mr. Speaker, this bill takes the National Flood Insurance Program in a positive direction. This bill takes important steps to modernize the flood insurance program. This bill has bipartisan support. It raises maximum coverage limits to keep up with inflation; it provides new coverage for living expenses if you have to vacate your home; and, moving forward, Congress is making the flood insurance program sustainable in the long run.

Mr. Speaker, these are all positive steps that allow the program to continue to provide peace of mind to those impacted when a flood event occurs.

I urge a "yes" vote on the previous question and on the rule.

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

AMENDMENT TO H. RES. 683 OFFERED BY MR. SESSIONS OF TEXAS

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 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 de-

mand 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.

Ms. MATSUI. 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 noes appeared to have it.

RECORDED VOTE

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

A recorded vote was ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

ordering the previous question on House Resolution 682; adopting House Resolution 682, if ordered; ordering the previous question on House Resolution 683; and adopting House Resolution 683, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 3567, SMALL BUSINESS INVESTMENT EXPANSION ACT OF 2007

The SPEAKER pro tempore. The unfinished business is on the vote on ordering the previous question on House Resolution 682, 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.

The vote was taken by electronic device, and there were—yeas 222, nays 190, not voting 20, as follows:

[Roll No. 915]

YEAS—222

Abercrombie Dingell Larson (CT)
 Ackerman Doggett Lee
 Allen Donnelly Levin
 Altmore Edwards Lewis (GA)
 Andrews Ellison Lipinski
 Arcuri Ellsworth Loeb sack
 Baca Emanuel Lofgren, Zoe
 Baird Engel Lowey
 Baldwin Eshoo Lynch
 Bean Etheridge Mahoney (FL)
 Becerra Farr Maloney (NY)
 Berkley Fattah Markey
 Berman Filner Marshall
 Berry Frank (MA) Matheson
 Bishop (GA) Giffords Matsui
 Bishop (NY) Gillibrand McCarthy (NY)
 Blumenauer Gonzalez McCollum (MN)
 Boren Gordon McDermott
 Boswell Green, Al McGovern
 Boucher Green, Gene McIntyre
 Boyd (FL) Grijalva McNeerney
 Boyda (KS) Gutierrez McNulty
 Brady (PA) Hall (NY) Meek (FL)
 Braley (IA) Hare Melancon
 Brown, Corrine Harman Michaud
 Butterfield Hastings (FL) Miller (NC)
 Capps Herse th Sandlin Miller, George
 Capuano Higgins Mitchell
 Cardoza Hinchey Mollohan
 Carnahan Hirono Moore (KS)
 Carney Hodes Moore (WI)
 Castor Holden Moran (VA)
 Chandler Holt Murphy (CT)
 Clarke Honda Murphy, Patrick
 Clay Hoo ley Murtha
 Cleaver Hoyer Nadler
 Clyburn Insee Napolitano
 Cohen Israel Neal (MA)
 Conyers Jackson (IL) Oberstar
 Cooper Jackson-Lee Obey
 Costa (TX) Olver
 Costello Jefferson Ortiz
 Courtney Johnson (GA) Pallone
 Cramer Jones (OH) Pascrell
 Crowley Kagen Pastor
 Cuellar Kanjorski Payne
 Cummings Kaptur Perlmutter
 Davis (AL) Kildee Peterson (MN)
 Davis (CA) Kilpatrick Pomeroy
 Davis (IL) Kind Price (NC)
 Davis, Lincoln Klein (FL) Rahall
 DeFazio Kucinich Rangel
 DeGette Lampson Richardson
 Delahunt Langevin Rodriguez
 DeLauro Lantos Ross
 Dicks Larsen (WA) Rothman

Roybal-Allard Sires
 Ruppertsberger Skelton
 Rush Slaughter
 Ryan (OH) Smith (WA)
 Salazar Snyder
 Sanchez, Linda Solis
 T. Space
 Sanchez, Loretta Spratt
 Sarbanes Stark
 Schakowsky Stupak
 Schiff Sutton
 Schwartz Tanner
 Scott (GA) Tauscher
 Scott (VA) Taylor
 Serrano Thompson (CA)
 Sestak Thompson (MS)
 Shea-Porter Tierney
 Sherman Towns
 Shuler Udall (CO)

NAYS—190

Aderholt Frelinghuysen Pence
 Akin Gallegly Peterson (PA)
 Alexander Garrett (NJ) Petri
 Bachmann Gerlach Pickering
 Baker Gilchrest Pitts
 Barrett (SC) Gingrey Platts
 Barrow Goode Poe
 Bartlett (MD) Goodlatte Porter
 Barton (TX) Granger Price (GA)
 Biggart Graves Pryce (OH)
 Bilbray Hall (TX) Putnam
 Bilirakis Hastert Radanovich
 Bishop (UT) Hastings (WA) Ramstad
 Blackburn Hayes Regula
 Blunt Heller Rehberg
 Boehner Hensarling Reichert
 Bonner Hill Renzi
 Bono Hobson Reynolds
 Boozman Hoekstra Rogers (AL)
 Boustany Hulshof Rogers (KY)
 Brady (TX) Hunter Rogers (MI)
 Broun (GA) Inglis (SC) Rohrabacher
 Brown (SC) Issa Ros-Lehtinen
 Brown-Waite, Johnson (IL) Roskam
 Ginny Johnson, Sam Royce
 Buchanan Jones (NC) Ryan (WI)
 Burgess Jordan Sali
 Burton (IN) King (IA) Saxton
 Buyer King (NY) Schmidt
 Calvert Kingston Sensenbrenner
 Camp (MI) Kirk Sessions
 Campbell (CA) Knollenberg Shadegg
 Cannon Kuhl (NY) Shays
 Cantor Lamborn Shimkus
 Capito Latham Shuster
 Carter McCarty (NY) Simpson
 Castle Lewis (CA) Smith (NE)
 Chabot Lewis (KY) Smith (NJ)
 Coble Linder Smith (TX)
 Cole (OK) LoBiondo Souder
 Conaway Lucas Stearns
 Crenshaw Lungren, Daniel Sullivan
 Culberson E. Tancredo
 Davis (KY) Mack Terry
 Davis, David Manullo Thornberry
 Davis, Tom McCarty (CA) Tiahrt
 Deal (GA) McCaul (TX) Tiberi
 Dent McCotter Turner
 Diaz-Balart, L. McCrery Upton
 Diaz-Balart, M. McHenry Walberg
 Doolittle McHugh Walden (OR)
 Drake McKeon Courtney
 Dreier McMorris Walsh (NY)
 Duncan Rodgers Wamp
 Ehlers Mica Weldon (FL)
 Emerson Miller (FL) Weller
 English (PA) Miller (MI) Westmoreland
 Fallon Miller, Gary Whitfield
 Ferguson Murphy, Tim Wicker
 Flake Musgrave Wilson (NM)
 Forbes Myrick Wilson (SC)
 Fortenberry Neugebauer Wolf
 Fossella Nunes Young (AK)
 Foxx Paul Young (FL)
 Franks (AZ) Pearce

NOT VOTING—20

Bachus Gohmert Kline (MN)
 Carson Herger LaHood
 Cubin Hinojosa Marchant
 Davis, Jo Ann Jindal Meeks (NY)
 Doyle Johnson, E. B. Moran (KS)
 Everett Keller Reyes
 Feeney Kennedy

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1226

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

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.

Mr. HASTINGS of Washington. 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 222, nays 181, not voting 29, as follows:

[Roll No. 916]

YEAS—222

Abercrombie Farr Meek (FL)
 Ackerman Fattah Melancon
 Allen Filner Michaud
 Altmore Frank (MA) Miller (NC)
 Andrews Giffords Miller, George
 Arcuri Gillibrand Mitchell
 Baca Gonzalez Mollohan
 Baird Moore, Al Moore (KS)
 Baldwin Green, Gene Moore (WI)
 Barrow Grijalva Moran (VA)
 Bean Gutierrez Murphy (CT)
 Becerra Hall (NY) Murphy, Patrick
 Berkley Hare Murtha
 Berman Harman Nadler
 Berry Hastings (FL) Napolitano
 Bishop (GA) Herse th Sandlin Neal (MA)
 Bishop (NY) Higgins Oberstar
 Blumenauer Hinchey Obey
 Boren Hirono Ortiz
 Boswell Hodes Pallone
 Boucher Holden Pascrell
 Boyd (FL) Holt Pastor
 Boyda (KS) Honda Payne
 Brady (PA) Hoyer Perlmutter
 Braley (IA) Hoyer Peterson (MN)
 Brown, Corrine Insee Pomeroy
 Butterfield Israel Price (NC)
 Capps Jackson (IL) Rahall
 Capuano Capuano Jackson-Lee Rangel
 Cardoza (TX) Reyes
 Carnahan Jefferson Richardson
 Carney Johnson (GA) Rodriguez
 Castor Jones (OH) Ross
 Chandler Kagen Rothman
 Clarke Kanjorski Roybal-Allard
 Clay Kaptur Ruppertsberger
 Cleaver Kildee Rush
 Clyburn Kilpatrick Ryan (OH)
 Cohen Kind Salazar
 Conyers Klein (FL) Sanchez, Linda
 Cooper Kucinich T.
 Costa Lampson Sanchez, Loretta
 Costello Langevin Sarbanes
 Courtney Lantos Schakowsky
 Cramer Larsen (WA) Schiff
 Crowley Larson (CT) Schwartz
 Cuellar Lee Scott (GA)
 Cummings Levin Scott (VA)
 Davis (AL) Lewis (GA) Serrano
 Davis (CA) Lipinski Sestak
 Davis (IL) Loeb sack Shea-Porter
 DeFazio Lofgren, Zoe Sherman
 DeGette Lowey Shuler
 Delahunt Lynch Sires
 DeLauro Mahoney (FL) Skelton
 Dicks Maloney (NY) Slaughter
 Dingell Markey Smith (WA)
 Doggett Marshall Snyder
 Donnelly Matheson Solis
 Edwards Matsui Space
 Ellison McCarthy (NY) Spratt
 Ellsworth McCollum (MN) Stark
 Emanuel McDermott Stupak
 DeFazio McGovern Sutton
 DeGette McIntyre Tanner
 Delahunt McNeerney Tauscher
 DeLauro Eshoo Taylor
 Dicks Etheridge