

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."

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

□ 1215

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:

Approval of the Journal, *de novo*;

Ordering the previous question on H. Res. 1001, by the yeas and nays;

Adoption of H. Res. 1001.

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

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put *de novo*.

The question is on agreeing to the Speaker's approval of the Journal.

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 vote was taken by electronic device, and there were—yeas 217, nays 185, answered "present" 1, not voting 25, as follows:

[Roll No. 79]

YEAS—217

Abercrombie	Davis (IL)	Jackson (IL)	Mollohan	Rothman	Tanner
Ackerman	Davis, Lincoln	Jackson-Lee (TX)	Moore (KS)	Royal-Allard	Tauscher
Allen	DeFazio	Jefferson	Moore (WI)	Ruppersberger	Taylor
Andrews	DeGette	Johnson (GA)	Moran (VA)	Rush	Thompson (MS)
Arcuri	Delahunt	Johnson (IL)	Murphy (CT)	Salazar	Tierney
Baca	DeLauro	Johnson, E. B.	Murphy, Patrick	Sánchez, Linda T.	Towns
Baird	Dent	Kagan	Murtha	Sanchez, Loretta	Tsangas
Baldwin	Dicks	Kanjorski	Nader	Sarbanes	Udall (NM)
Bean	Dingell	Kaptur	Napolitano	Schakowsky	Van Hollen
Becerra	Doggett	Kennedy	Neal (MA)	Schiff	Velázquez
Berkley	Doyle	Kildee	Oberstar	Schwartz	Visclosky
Berman	Edwards	Kilpatrick	Obey	Scott (GA)	Walberg
Berry	Ellison	Kind	Olver	Scott (VA)	Walz (MN)
Bishop (GA)	Emmanuel	Klein (FL)	Pallone	Serrano	Wasserman
Bishop (NY)	Engel	Kucinich	Pascrall	Sestak	Schultz
Blumenauer	Eshoo	Lampson	Pastor	Shea-Porter	Waters
Boren	Etheridge	Langevin	Payne	Sherman	Watson
Boswell	Farr	Larsen (WA)	Perlmutter	Shuster	Watt
Boucher	Fattah	Larson (CT)	Peterson (PA)	Sires	Waxman
Boyd (FL)	Filner	Latham	Pickering	Skelton	Weiner
Boyd (KS)	Fortenberry	Lee	Pomeroy	Smith (WA)	Welch (VT)
Brady (PA)	Gerlach	Levin	Price (NC)	Snyder	Wexler
Brown, Corrine	Gonzalez	Lewis (GA)	Rahall	Solis	Wilson (OH)
Buchanan	Goodlatte	Lipinski	Rangel	Space	Wu
Butterfield	Green, Al	Loebssack	Richardson	Spratt	Wynn
Capps	Green, Gene	Lofgren, Zoe	Rodriguez	Stark	Yarmuth
Capuano	Grijalva	Lynch	Ross	Sutton	
Cardoza	Gutierrez	Mahoney (FL)			
Carnahan	Hall (NY)	Maloney (NY)			
Castle	Hare	Markay			
Castor	Harman	McGovern			
Clarke	Hastings (FL)	McIntyre			
Cleaver	Herschel Sandlin	McNerney			
Clyburn	Higgins	Matsui			
Cohen	Hill	McCarthy (NY)			
Conyers	Hinchey	McCollum (MN)			
Cooper	Hinojosa	McDermott			
Costa	Hirono	McGovern			
Costello	Hodes	McIntyre			
Courtney	Holden	McNerney			
Cramer	Holt	McNulty			
Crowley	Honda	Meek (FL)			
Cuellar	Hooley	Meeks (NY)			
Cummings	Hoyer	Melancon			
Davis (AL)	Inslee	Michaud			
Davis (CA)	Israel	Miller, George			

NAYS—185

Akin	Frelinghuysen	Pence
Alexander	Gallegly	Peterson (MN)
Alttaire	Giffords	Petri
Bachmann	Gilchrest	Pitts
Bachus	Gillibrand	Platts
Barrett (SC)	Goode	Poe
Barrow	Gordon	Porter
Bartlett (MD)	Granger	Price (GA)
Biggert	Graves	Pryce (OH)
Bilbray	Hall (TX)	Putnam
Bilirakis	Hastings (WA)	Radanovich
Bishop (UT)	Hayes	Ramstad
Blackburn	Heller	Regula
Blunt	Hensarling	Rehberg
Boehner	Herger	Reichert
Bonner	Hobson	Reynolds
Bono Mack	Hoekstra	Rogers (AL)
Boozman	Hulshof	Rogers (KY)
Boustany	Inglis (SC)	Rogers (MI)
Brady (TX)	Issa	Rohrabacher
Broun (GA)	Johnson, Sam	Ros-Lehtinen
Brown (SC)	Jones (NC)	Roskam
Burgess	Jordan	Royce
Burton (IN)	King (IA)	Ryan (WI)
Buyer	King (NY)	Sali
Calvert	Kingston	Saxton
Andrews	Camp (MI)	Schmidt
Arcuri	Campbell (CA)	Sensenbrenner
Baca	Cannon	Sessions
Baird	Cantor	Shadegg
Baldwin	Capito	Shays
Bean	Carney	Shimkus
Becerra	Carter	Shuler
Berkley	Chabot	Simpson
Berman	Chandler	Smith (NE)
Berry	Coble	Smith (NJ)
Bishop (GA)	Cole (OK)	Smith (TX)
Bishop (NY)	Crenshaw	Souder
Blumenauer	Diaz-Balart, L.	Stearns
Boren	Donnelly	Stupak
Boswell	Doolittle	Tancredo
Boucher	Drake	Terry
Boyd (FL)	Drerer	Thompson (CA)
Boyd (KS)	Ellsworth	Thornberry
Brady (PA)	Emerson	Tiaht
Brown, Corrine	Everett	Tiberi
Buchanan	Fallin	Turner
Butterfield	Farr	Upton
Capps	Fehley	McKeon
Capuano	Ferguson	Walden (OR)
Cardoza	Flake	Walsh (NY)
Carnahan	Forbes	Wamp
Castle	Fossella	Weldon (FL)
Castor	Fox	Weller
Clarke	Franks (AZ)	Westmoreland
Cleaver	Frances	Whitfield (KY)
Clyburn	Garcia	Wilson (NM)
Cohen	Gebreyes	Wilson (SC)
Conyers	Gibbs	Wittman (VA)
Cooper	Gill	Wolf
Costa	Gilligan	Young (AK)
Costello	Gilligan	Young (FL)
Courtney	Gilligan	
Cramer	Gilligan	
Crowley	Gilligan	
Cuellar	Gilligan	
Cummings	Gilligan	
Davis (AL)	Gilligan	
Davis (CA)	Gilligan	

ANSWERED "PRESENT"—1

Gohmert	
NOT VOTING—25	
Braley (IA)	Brown-Waite, Ginny

