

points of order against provisions in the bill are waived. No amendment to the bill shall be in order except any amendment which the proponent asserts, if enacted, would have the effect of lowering the national average price per gallon of regular unleaded gasoline and diesel fuel by increasing the domestic supply of oil by permitting the extraction of oil in the Outer Continental Shelf. Such amendments shall be considered as read, shall be debatable for thirty minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

(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 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. HASTINGS of Florida. 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. HASTINGS of Washington. 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.

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON S. CON. RES. 70, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2009

Mr. MCGOVERN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1214 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1214

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the concurrent resolution (S. Con. Res. 70) setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The conference report shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 1 hour.

Mr. MCGOVERN. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART). All time yielded during consideration of the rule is for debate only.

I yield myself such time as I may consume, and I ask unanimous consent

that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1214.

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, House Resolution 1214 provides for consideration of the conference report to accompany S. Con. Res. 70, the concurrent resolution on the budget for fiscal year 2009.

House resolution 1214 is a traditional conference report rule. It waives all points of order against the conference report and against its consideration and provides that the conference report shall be considered as read. The rule provides for 1 hour of general debate equally divided and controlled by the chairman and the ranking minority member of the Committee on the Budget.

Mr. Speaker, budgets are moral documents. They are more than just an accounting of expenditures and revenue. They are statements of our national values and priorities. For too long Congress passed budgets with the wrong priorities. For too long the budget put the interests of the powerful before the needs of working families and those going through hard times. And for too long the budgets of the past pretended that people who were struggling didn't even exist, let alone matter.

That has changed now. This Congress, the New Direction Congress, is saying that we value our families and their economic future. This Congress will fight to make sure that their hard work is rewarded and that the American Dream is renewed.

This 5-year budget conference agreement charts a new way forward for the country. It makes investments in energy, education, and infrastructure. It provides tax relief for the middle class. It returns the budget to surplus in 2012 and 2013. And it remembers those whose service and sacrifice here at home and abroad provide the rest of us with security and peace of mind. Mr. Speaker, this is a budget with a conscience.

Today, as we move to pass this conference agreement on the budget, our country faces major challenges: an economic recession, a crisis in the credit markets, a plunging housing market, rising unemployment, declining family income, skyrocketing costs in health care, aging infrastructure, and a safety net struggling to keep up with the growing number of Americans unable to meet their most basic needs.

Faced with these challenges, President Bush and his Republican colleagues proposed the same tired, failed economic and fiscal policies. After 7 years the Bush legacy is the highest deficits in our Nation's history. The Bush legacy is the greatest national debt in our Nation's history. Future generations, our children and our grandchildren, will be forced to pay the

price for this unprecedented rise in debt, a legacy of President George Bush and the Republicans' reckless and irresponsible policies.

With this budget resolution, Mr. Speaker, the Democrats are ready to take the necessary steps, as difficult as they may be, to regain our economic health and reclaim our children's future. It is a balanced budget with balanced priorities.

It returns the budget to balance with projected surpluses in 2012 and 2013 by adhering to fiscally responsible policies. It strengthens the U.S. economy over the long term while calling for funds to help Americans struggling in the current economic downturn. It rejects, and I repeat, it rejects the Republicans' harmful cuts to Medicare and Medicaid, the Community Development Block Grant program, and LIHEAP. And it protects priorities like SCHIP, infrastructure needs, homeland security, innovation, energy, education, health care, veterans, and the environment.

This budget agreement does not include any tax increases, despite the overheated claims of the other side. Quite the contrary, it supports significant tax relief, including extension of marriage penalty relief, the child tax credit, the 10 percent bracket, and allowing for estate tax reform. It includes an additional year of relief for the alternative minimum tax that is fully paid for, Mr. Speaker. And it provides for property tax relief, energy and education tax relief, and extenders.

Finally, this budget remembers those who serve at home and abroad. It provides strong and substantial funding for national defense, including quality of life for our troops and their families. It provides more funding for homeland security programs, including first responders, more than the President would. It provides for the care and treatment of all of our veterans but most especially our newest generation of veterans, those returning from Iraq and Afghanistan, many of whom are grievously wounded and thousands who will require treatment for posttraumatic stress and serious depression. Finally, Mr. Speaker, it rejects President Bush's cynical new fees for veterans health care.

In short, Mr. Speaker, this budget charts a new direction for a stronger, safer, more compassionate America.

Mr. Speaker, there are two significant differences between the House and Senate-passed budgets which this conference report resolves. First were the reconciliation revisions to the alternative minimum tax. And the second is the level of nondefense discretionary funding.

On reconciliation, the conference agreement drops the House-passed reconciliation instructions. Instead, it provides for 1 year of AMT relief that is fully paid for. The House will continue to work with the Senate to identify how to pay for permanent relief of the AMT. In the House such a solution

is subject to our PAYGO rules of order and must be fully offset. With the passage of this conference report, any AMT fix offered in the Senate that increases the deficit by \$10 billion in a year will also be subject to a Senate point of order.

On nondefense discretionary spending, the difference between the House and Senate budgets was \$3.6 billion, and the conference agreement splits the difference. By holding most non-security spending to a modest 1 percent above inflation, we are able to move the budget out of deficit and into surplus by the year 2012 while still providing substantially greater investment in education, income security, veterans, and natural resources.

I urge my colleagues, Mr. Speaker, to adopt this rule and to approve the conference agreement on the fiscal year 2009 budget resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MCGOVERN) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

(Mr. LINCOLN DIAZ-BALART of Florida asked and was given permission to revise and extend his remarks.)

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, there are only two ways to balance the budget: You can either spend less or you can increase the amount of money coming in.

The majority, as reflected in their budget, have rejected the first option and instead have chosen higher spending, higher taxes, and a bigger Federal Government.

Republicans have chosen a more responsible approach by committing to spending less and letting workers, families, and small businesses keep more of their hard-earned income to save, invest, and spend as they see fit.

While Republicans have faith in the ability of workers and families to decide how best to use their paychecks, the majority budget reflects the majority's belief that the Federal Government can make better choices at spending money than individual Americans.

□ 1230

That is a fundamental difference between Democrats and Republicans. In order for the majority to fund their government spending, their budget raises taxes by two-thirds of a trillion dollars over the next 5 years. That is almost \$700 billion. I want to repeat that, Mr. Speaker. Two-thirds of a trillion dollars.

At a time of an economic slowdown and increased cost of living, American families everywhere are tightening their belts and carefully budgeting their hard-earned money. This is not the time for the majority to be forcing American families to send more of their hard-earned money to Washington. Instead, we should be passing

pro-growth policies to help create jobs and economic prosperity. Mr. Speaker, tax increases are not a pro-growth policy. They are anti-growth, anti-small business, anti-job creation, and we should reject them.

Now you can call this a tax increase or you can call it letting tax cuts expire, but the reality is that under the majority's budget, every American will pay more of their paycheck to the Federal Government. That includes many middle class families, small business owners, and entrepreneurs.

Although Democrats try to claim otherwise, the numbers in their own budget document show that taxes will increase nearly three times more than when the largest enacted tax hike to date was passed, making this the largest tax increase in American history. While the majority claims their budget will protect middle class families, their budget numbers tell a different story.

Under the massive tax increases in the majority's budget, the average taxpayer in the State of Florida, for example, will see his or her annual bill increase by over \$3,000. The majority's budget lets the current tax cuts expire, and some of those tax cuts are very important to Americans, to our economy.

For example, seniors could see taxes on their investments and savings income double. Forty-eight million married couples could once again face a marriage tax penalty, costing them \$3,000 per year. Young families could see a reduction in the child tax credit. States such as Florida may not get an extension of the State sales tax deduction.

The majority's budget may even manage to resurrect the death tax. This will particularly hurt the small businesses in the district that I'm honored to represent, which provide the majority of the community's jobs. It may even hit 26 million additional middle class taxpayers with the alternative minimum tax. Their budget also assumes that 6 million Americans who currently do not pay any taxes, will once again have to pay taxes.

Mr. Speaker, in order to boost our economy, increase investment in the United States, create jobs, Congress should not be raising taxes by the largest amount in history.

At this time, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I would like to insert in the RECORD a statement by Robert Greenstein, the Executive Director of the Center on Budget and Policy Priorities. The statement calls the claims by my friends on the Republican side that somehow this is a tax increase in this bill, he exposes it as being inaccurate.

CENTER ON BUDGET
AND POLICY PRIORITIES,
Washington, DC, May 20, 2008.

STATEMENT BY ROBERT GREENSTEIN, EXECUTIVE DIRECTOR, ON MISLEADING CLAIMS THAT CONGRESSIONAL BUDGET PLAN CALLS FOR "LARGEST TAX INCREASE IN HISTORY"

Some claim that the budget plan of the conferees—which the House and Senate are

scheduled to consider this week—would constitute “the largest tax increase in history.” This claim is inaccurate, just as the same claim was inaccurate with regard to the budget resolution that Congress adopted last year. This year’s budget plan does not include a tax increase. It actually calls for a \$340 billion reduction in revenues, reflecting its assumption that Congress will extend some parts of the 2001 and 2003 tax cuts without offsetting the costs.

The charge that the conferees’ plan includes a large tax increase arises not from any policy changes that the plan proposes, but instead from policies enacted in 2001 and 2003. Those policies put in place tax cuts that President Bush proposed, but also provided for those tax cuts to expire at the end of 2010. The budget plan assumes that Congress will amend current law to extend some of the expiring tax cuts (especially those affecting middle-class families) and make other changes in tax policy, but it also assumes Congress will partly offset the cost of such changes. The plan does not assume that Congress will increase total revenues above what the federal government expects to collect under current policies—to the contrary, it assumes Congress will reduce total revenues below what is expected under current policies.

The President’s tax cuts expire in 2010 because their supporters deliberately designed them that way, in order to fit the tax cuts within the cost constraints imposed by the budget resolutions that Congress adopted in 2001 and 2003. While acknowledging that their real goal was to make the tax cuts permanent, supporters of those measures opted to “sunset” the tax cuts before the end of the ten-year budget window, partly to avoid recognizing the cost of permanent tax cuts. Now, a few years from the tax cuts’ expiration, some of these same supporters are acting as though the tax cuts are already permanent and that any proposal to offset any portion of the cost of extending them is a “tax increase.”

To extend the tax cuts without paying for them—and to attack those who simply seek to require that Congress at least partially pay for any extension of the tax cuts—further heightens the irresponsible fiscal nature of the original actions.

Mr. Speaker, the fact of the matter is that George Bush and the previous Republican Congresses have created a mess. We are faced with the largest deficits and debt in the history of our country, thanks to their fiscally irresponsible policies. We have more people in this country who are in poverty because of their policies of neglect. We have more people in this country who are hungry because of their policies of neglect. Our veterans are finally, at long last, because of Democratic policies, getting the benefits and the funding that they have earned. But for years, because of Republican policies and because of the misplaced priorities of this White House, they have been short-changed.

We have more people without jobs today because of their neglectful policies. Our infrastructure is falling apart. I come from Massachusetts. We have an aging infrastructure. We have bridges in my State that are older than some of the other States in this country, and the Federal response has been to provide less and less and less funding. The infrastructure is crumbling. It’s a danger to people. But those bur-

dens, the cost burden has fallen on the States and our local communities.

So I can go on and on about their policies, which have literally created a mess, including these high gas and oil prices that we are paying right now because they didn’t think it was important to invest in alternative renewable clean energy sources. So here we are, and thankfully, Mr. Speaker, thankfully, the American people get it, as we have seen in the recent elections where, in traditional hard-core Republican areas of this country, voters have said, Enough. We have had enough. And they have voted for Democrats.

Mr. Speaker, one of the things about this budget that we are talking about here today is that it rejects the President’s harmful cuts in a number of programs that people in this country think are valuable. This conference agreement on the budget rejects the President’s deep cuts affecting a wide range of services and constituencies, including \$479 billion of Medicare cuts and \$94 billion to cuts in Medicaid over 10 years. That was the Presidents’ priorities. That was the Republican’s priorities. This budget, the Democratic budget, rejects those cuts.

It also rejects more than \$18 billion over 5 years in new fees for veterans and military retirees. How in good conscience could anybody propose that, given the fact that our men and women are serving with such great distinction in Afghanistan and Iraq. They deserve better than more fees.

This budget also rejects cuts to services that help our communities, including the community development block grant and the low-income home energy assistance program, which is so important in the Northeast and in other parts of this country.

This budget, the Democratic budget, rejects the President’s call for the elimination of several State and local law enforcement programs, including the State criminal alien assistance program, Byrne Grants, and the COPS program. This Democratic budget also says no to the President’s cuts to EPA grants that help protect public health and maintain environmental quality.

So we have different priorities as Democrats than the Republicans have put forward over the years. The budget that we are proposing strengthens our economy. It provides crucial funding for the Democratic Innovation Agenda and the America Competes Act to enhance our competitive edge. It increases funding for math and science education and research.

We understand, Mr. Speaker, that it is important to invest in our educational institutions. It is important to invest in math, science, and engineering now so that we can be competitive in this global economy, so that we can be the place where the jobs of tomorrow locate.

This budget that we are proposing, Mr. Speaker, increases funding for efficient and renewable energy programs. It rejects the President’s cuts to re-

search, as well as his proposed cuts to weatherization assistance for lower income families, and it invests in renewable clean energy alternatives. This budget invests in education, as I mentioned. It provides significantly more than the President proposed. And it invests in infrastructure, in our highways, water, and other infrastructure by providing sufficient funding in a reserve fund to facilitate new initiatives in a deficit-neutral manner.

On a whole range of issues, Democrats have decided to chart a very different course than what the Republicans have proposed for the previous years. I am proud of the fact that we are moving this country in a different direction, and the sad part is that we have to dig ourselves out of this mess that they created.

This is a budget that I think we can be proud of, and I would urge all my colleagues to support it.

I reserve my time at this point.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Georgia, Dr. GINGREY.

Mr. GINGREY. Mr. Speaker, I thank the gentleman for yielding, and I rise in strong, strong opposition to this budget.

Mr. Speaker, this budget conference report calls for record tax increases and it increases discretionary spending by \$241 billion above the President’s budget over the next 5 years. It does nothing to reform entitlement or earmarks. Even worse, the Democrats have already signaled their intent to put off the appropriations until next January, at the earliest, making this budget an exercise in futility.

Mr. Speaker, I wanted also to say something about the energy crisis that we are in today. On April 24, 2006, Mr. Speaker, that is almost 2 years ago, then-minority leader NANCY PELOSI stated in a press conference that, and I quote, “Democrats have a common-sense plan to help bring down skyrocketing gas prices.” Not only have House Democrats failed to offer any meaningful solutions to address gas prices, they have actually put forward policies that will have exactly the opposite effect. She made this statement April 24, 2006, 6 months before the November elections, when the Democrats did gain the majority.

Since taking control of Congress, Mr. Speaker, gasoline prices have skyrocketed by more than \$1.60 a gallon in my home State of Georgia. In fact, in Georgia’s 11th District, my congressional district, northwest Georgia, working families are now paying as much as \$3.78 for a gallon of regular gasoline.

Every dollar counts, Mr. Speaker, and families should not have to spend them on this “Pelosi premium.” They need to buy school equipment, they need to put shoes on their children’s feet, they need to buy clothes this fall. Every dollar indeed counts, Mr. Speaker. Working families and their budgets

need relief. They do not need more broken promises. Energy prices are rising, cost of living expenses are up, and the Democrats do-nothing leadership has proven that it's content to just sit on the sidelines and do little, other than raise taxes and increase spending.

With gasoline prices skyrocketing, our dependence on foreign oil increasing, and the American peoples' anxiety growing, it is long past time to increase the supply of American-made energy to help lower these prices here at home.

Mr. Speaker, I am not holding my breath for a commonsense plan. Maybe there was a plan, but it sure wasn't common sense, and it definitely didn't lower gas prices. That is what Speaker PELOSI promised the American people 2 years ago. I hope the Democrats will begin working with the Republicans and let's do lower energy prices. Let's have a meaningful energy bill that makes sense.

With that, Mr. Speaker, again, I oppose this rule on the budget resolution, and I ask my colleagues on the other side of the aisle, let's do something meaningful about gas prices.

Mr. MCGOVERN. Mr. Speaker, I would just simply respond to the gentleman by saying we have proposed many meaningful measures to try to deal with not only the current energy prices but also to come up with a long-term plan so that we are not so reliant on foreign oil. Unfortunately, it's difficult to get things done with Republican obstructionism and a President who vetoes everything. Any good idea to invest more in renewable clean alternative energy sources, to further develop second or third generation biofuels, this President objects to. The only thing he likes is if we give more to the oil companies.

We had the DICK CHENEY "secret energy task force," which we don't know all the details because the public was denied access to this information. But we do know this, that the outcome of that was more of the same. More drilling, more drilling, more reliance on oil, more reliance on oil. The same old, same old. We are done with that. We are done with that.

I should remind everybody that when George Bush became President, a gallon of gasoline was \$1.47. Now it's in excess of \$3.79. In some places, over \$4. So that is what has resulted from their policies and their obstructionism. As I said before, and I will say it again, the good news is the American people get it. They are tired of it. That is why we are seeing in hard-core Republican congressional districts Democratic victories. Things are changing.

I reserve my time, Mr. Speaker.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, it is my privilege to yield 3 minutes to the distinguished ranking member of the Appropriations Committee, Mr. LEWIS of California.

(Mr. LEWIS of California asked and was given permission to revise and extend his remarks.)

Mr. LEWIS of California. I thank my colleague from Florida.

Mr. Speaker, I have only one good thing to say about the Democrat majority's budget resolution. Unlike the only other budget-related legislation considered by the House this year, at least this resolution, the budget resolution, follows regular order, not like the Appropriations Committee process this year.

□ 1245

Having looked at this budget in some detail, my advice to working families is simple: Hold on to your wallet. For the first time in history, the proposed discretionary budget will exceed \$1 trillion. Think about that. \$1 trillion. This bloated budget blueprint is a clear demonstration that the Democrat majority in Congress is keenly focused on dipping into your pockets to take more and more of your hard-earned money.

This budget shows that the Democrat majority will raise taxes without hesitation to support its addiction to spending. And it shows that Democrats in Congress are not interested in making difficult choices, setting priorities or rooting out waste in government spending. While our constituents struggle to keep up with their budgets, to fill their automobiles with gasoline, to buy groceries, for example, Democrats want to spend and tax to continue their dance in the majority.

Mr. MCGOVERN. Mr. Speaker, before yielding to the next speaker, I would just respond by saying to my friends on the other side of the aisle, you have had your chance. You were in control of this institution for many years and you had a Republican President, and what you did was create a situation, the one we are in right now, where we have the largest debt in the history of the United States of America.

The American people have rejected very clearly your policies and they are looking for a new direction, and that is what Democrats are going to offer.

Mr. Speaker, I would like to yield 2 minutes to the gentlewoman from Pennsylvania, a member of the Budget Committee, Ms. SCHWARTZ.

Ms. SCHWARTZ. Mr. Speaker, as a member of the Budget Committee, I believe that Congress has an obligation to move our country forward with sound fiscal policy and smart, forward-thinking investments to make America stronger, safer and more secure. I want to thank Chairman SPRATT and the Democratic leadership for their steadfast commitment to a spending blueprint that is fiscally sound and reflects Americans' priorities.

This budget reflects the priorities of Americans while balancing the budget by 2012 without adding to our national debt. It ensures tax relief for middle class American families by committing to an immediate and long-term fix to the alternative minimum tax. And it reflects our commitment to quality health care for all Americans by sustaining and strengthening health bene-

fits for our veterans, our seniors, our children, the disabled, promoting innovation and medical research, and responsibly addressing growing costs, inefficiencies and abuses in the system.

This budget is a first step towards making our economy stronger, our country safer, and guiding us towards a new direction, the right direction for building success for American businesses and for American families, building this country's future.

I urge my colleagues to support passage of this sound and fiscally responsible budget for America.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself the balance of my time.

It has been an interesting debate. Basically I have heard two contradictory arguments. One is that when the Republicans were in the majority, we didn't spend enough on social programs. I remember every year of our majority, for example, increasing veterans spending. As a matter of fact, there has been significant criticism of Republicans when we were in the majority for too much spending globally and in general. I have heard basically two different theories. So I wish that our friends on the other side the aisle would kind of choose which of the two scripts to read. Either we spent too much, or we spent too little.

The reality is that in the Democrats' budget, basically it is a blindfold budget, Mr. Speaker, because the minefields that are laying before the future of this Nation, the needs that we do have to look at and see how we are going to address, the major problems facing this Nation, for example, entitlement reform, all the objective, nonpartisan economists and other experts will tell us that we need to look at such matters in the future of this Nation. But they are not even touched upon, not even mentioned, by the majority in its budget.

Obviously they have a tremendous amount of increased spending. It is evident. They don't call them tax increases, they call them the end of tax cuts. But there are massive tax increases that will be required to fund the Democrats' budget, and then the great problems facing this Nation are simply in blindfold fashion ignored. So it is a very shortsighted budget, it is fiscally irresponsible, and certainly we hope that all Members will oppose it.

Mr. Speaker, this rule provides obviously for consideration of the budget conference report. Budgets inevitably are a very important issue, and especially to many Americans who are taking nowadays a deeper, more careful look into their own budgets, because every day the rising cost of gasoline is taking more and more of their hard-earned income. Part of the reason that we are seeing increasing gas prices is because we have become more and more dependent on foreign oil while avoiding development of domestic energy sources.

I learned the other day how more than 80 percent of the electricity generated in France, for example, is from nuclear power. There is a very strong environmental movement in France, and yet in consensus fashion there they have moved forward with nuclear energy.

Imagine if we had built nuclear power plants. We haven't in about 30 years, nor any refineries. Imagine the amount of oil that we would be saving, how consumption would be reduced, if we also had had the vision and the determination to build nuclear power plants, safe, new nuclear plants in this country to substitute for oil. Well, we haven't. So part of the reason that we are seeing increasing gas prices is because we have become more and more dependent on foreign oil, while avoiding developing domestic energy sources.

Now, one important source of domestic energy is the Arctic National Wildlife Refuge in Alaska. However, efforts to develop just a tiny portion of ANWR have been fought and blocked to the detriment of America's energy independence, even though the people of Alaska, Mr. Speaker, are overwhelmingly in favor of searching for energy there. With the price of gasoline reaching records every day, we should be looking to do all we can to lower the price of gasoline, and that includes domestic exploration, when the people of a State wish to search for energy.

Today I will be asking each of my colleagues to vote "no" on the previous question to this rule. If the previous question is defeated, I will amend the rule to make it in order for the House to consider an amendment that would have the effect of lowering the national average price per gallon of regular unleaded gasoline and diesel fuel by increasing the domestic supply of oil, by permitting the extraction of oil in the Arctic National Wildlife Refuge, as the people of that great State and their Senators and Representative here in Congress wish to do.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

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

There was no objection.

Mr. LINCOLN DIAZ-BALART of Florida. By voting "no" on the previous question, Members can take a stand against high fuel prices and our reliance on foreign energy sources.

I ask for a "no" vote on the previous question.

I yield back the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I am going to urge my colleagues to support this rule and to support the budget. It is amusing to hear my friends on the Republican side try to offer solutions on how to deal with the energy crisis, when they created it. This is their responsibility. This is a direct result of

their failed policies; not investing in clean, renewable alternative energy sources; not building the necessary infrastructure to cultivate these new forms of energy; not investing in second and third generation biofuels. Instead, their policies have been the same old, same old.

My friend from Florida talks about ANWR. Boy, what a creative idea. Let's rely on the oil companies, the same companies that are gouging American taxpayers each and every day, making record profits. Let's do what they want us to do. Maybe the time has come to set a new direction.

With regard to this budget, our budget I think represents responsible governing. Their budgets, when they could ever actually pass budgets—and, by the way, when they were in charge they very rarely did; they especially couldn't muster votes during an election year—represent what I believe is irresponsible governing. They spent a ton of money. They spent too much money, by the way, on oil company subsidies and tax breaks, more and more to the oil companies. They spent too much on the wealthiest Americans, who didn't need any help, who weren't struggling. They spent too much on a misguided war in Iraq that we should never have fought to begin with. And they paid for all of this by passing the costs on to future generations by borrowing from other countries. We are more in debt because of their leadership to China and to India and to other countries.

Enough is enough. Again, that is why you are seeing in these hard-core Republican congressional districts Democrats winning, because the American people, Democrats and Republicans and independents, have had it with the Republican priorities.

Let me just close by reminding my colleagues that within this budget there are important investments, smart energy investments. This conference agreement on the budget provides \$7.7 billion in funding for renewable energy, energy efficiency and other energy programs, which is, by the way, \$2.8 billion more than the 2008 level. This budget, this Democratic budget, rejects President Bush's budget cuts to energy efficiency and renewable energy programs, including his proposed cuts to the solar energy program, and we reject his suggestion that we terminate the weatherization assistance program. Boy, talk about going in the wrong direction.

This budget, Mr. Speaker, invests \$2 billion to create "green collar" jobs in our Nation's communities, because Democrats understand that not only do we need to be better stewards of our environment and become energy independent, but we also realize that there is the potential to create countless jobs in the area of environmental technologies. And this budget, Mr. Speaker, also includes a deficit neutral reserve fund to accommodate legislation that provides tax incentives for renewable energy or energy efficiency.

This is a good budget. If you want to deal not only with the short-term issues involving energy, but the long-term issues, then this is the budget you should vote for.

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

AMENDMENT TO H. RES. 1214 OFFERED BY MR. LINCOLN DIAZ-BALART OF FLORIDA

At the end of the resolution, add the following:

SEC. 2. That upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5984) to amend the Internal Revenue Code of 1986 to provide for the limited continuation of clean energy production incentives and incentives to improve energy efficiency in order to prevent a downturn in these sectors that would result from a lapse in the tax law. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except any amendment which the proponent asserts, if enacted, would have the effect of lowering the national average price per gallon of regular unleaded gasoline and diesel fuel by increasing the domestic supply of oil by permitting the extraction of oil in the Arctic National Wildlife Refuge. Such amendments shall be considered as read, shall be debatable for thirty minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion or consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

(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 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. MCGOVERN. 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.

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.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

□ 1300

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 1212; Adopting the resolution, if ordered; Ordering the previous question on House Resolution 1213; Adopting the resolution, if ordered; Ordering the previous question on House Resolution 1214; Adopting the resolution, 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. 6049, RENEWABLE ENERGY AND JOB CREATION ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1212, 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 223, nays 190, not voting 21, as follows:

[Roll No. 338]

YEAS—223

Abercrombie
Ackerman
Allen
Altmire
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyd (KS)
Brady (PA)
Braley (IA)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Cazayoux
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello

Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Giffords
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hinche

Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebach
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)

McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Ortiz
Pallone
Pascarell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy

Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Smith (WA)
Snyder
Space
Spratt

Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—190

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Blibray
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Cole (OK)
Conaway
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fossella
Fox
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)

Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (NY)
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel
E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Muskgrave
Myrick
Neugebauer

Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (CA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)