

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  
DeGette  
Delahunt  
DeLauro  
Dicks  
Dingell  
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  
Hinchev

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  
Foxy  
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  
Muschgrave  
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)

## NOT VOTING—21

Andrews	Gillibrand	Sensenbrenner
Brown, Corrine	Kennedy	Sessions
Castor	King (IA)	Slaughter
Coble	Kingston	Solis
Crenshaw	Oliver	Speier
Cubin	Reynolds	Tiahrt
Fortenberry	Rush	Wexler

□ 1322

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Ms. SPEIER. Mr. Speaker, on rollcall No. 338, I was meeting with Emergency Room Physicians from California on H.R. 882, Access to Emergency Medical Services Act. Had I been present, I would have voted “yea.”

Stated against:

Mr. KING of Iowa. Mr. Speaker, I was detained while attempting to reach the floor to cast my vote on rollcall 338 earlier this afternoon. Had I been able to reach the floor before the vote was closed, I would have voted “no.”

Mr. COBLE. Mr. Speaker, on rollcall No. 338, I was attending the graduation ceremony at the United States Coast Guard Academy. Had I been present, I would have voted “nay.”

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 223, nays 194, not voting 17, as follows:

[Roll No. 339]

## YEAS—223

Abercrombie	Clyburn	Gordon
Ackerman	Cohen	Green, Al
Allen	Conyers	Green, Gene
Altmire	Cooper	Grijalva
Arcuri	Costa	Gutierrez
Baca	Costello	Hall (NY)
Baird	Courtney	Hare
Baldwin	Cramer	Harman
Barrow	Crowley	Hastings (FL)
Bean	Cuellar	Herseth Sandlin
Becerra	Cummings	Higgins
Berkley	Davis (AL)	Hinchey
Berman	Davis (CA)	Hinojosa
Berry	Davis (IL)	Hirono
Bishop (GA)	Davis, Lincoln	Hodes
Bishop (NY)	DeFazio	Holden
Blumenauer	DeGette	Holt
Boren	Delahunt	Honda
Boswell	DeLauro	Hooley
Boucher	Dicks	Hoyer
Boyd (FL)	Dingell	Inslee
Boyd (KS)	Doggett	Israel
Brady (PA)	Donnelly	Jackson (IL)
Braley (IA)	Doyle	Jackson-Lee
Butterfield	Ellison	(TX)
Capps	Ellsworth	Jefferson
Capuano	Emanuel	Johnson (GA)
Cardoza	Engel	Johnson, E. B.
Carnahan	Eshoo	Jones (OH)
Carney	Etheridge	Kagen
Carson	Farr	Kanjorski
Cazayoux	Fattah	Kaptur
Chandler	Filmer	Kildee
Childers	Foster	Kilpatrick
Clarke	Frank (MA)	Kind
Clay	Giffords	Klein (FL)
Cleaver	Gonzalez	Kucinich

Lampson	Napolitano	Sires
Langevin	Neal (MA)	Skelton
Larsen (WA)	Oberstar	Smith (WA)
Larson (CT)	Obey	Snyder
Lee	Oliver	Solis
Levin	Ortiz	Space
Lewis (GA)	Pallone	Speier
Lipinski	Pascrell	Spratt
Loeb sack	Pastor	Stark
Lofgren, Zoe	Payne	Stupak
Lowe	Perlmutter	Sutton
Mahoney (FL)	Peterson (MN)	Tanner
Maloney (NY)	Pomeroy	Tauscher
Markey	Price (NC)	Taylor
Marshall	Rahall	Thompson (CA)
Matheson	Rangel	Thompson (MS)
Matsui	Reyes	Tierney
McCarthy (NY)	Richardson	Towns
McCollum (MN)	Rodriguez	Tsongas
McDermott	Ross	Udall (CO)
McGovern	Rothman	Udall (NM)
McIntyre	Roybal-Allard	Van Hollen
McNerney	Ruppersberger	Velázquez
McNulty	Ryan (OH)	Visclosky
Meek (FL)	Salazar	Walz (MN)
Meeks (NY)	Sánchez, Linda	Wasserman
Melancon	T.	Schultz
Michaud	Sanchez, Loretta	Waters
Miller (NC)	Sarbanes	Watson
Miller, George	Schakowsky	Watt
Mitchell	Schiff	Waxman
Mollohan	Schwartz	Weiner
Moore (KS)	Scott (GA)	Welch (VT)
Moore (WI)	Scott (VA)	Wilson (OH)
Moran (VA)	Serrano	Woolsey
Murphy (CT)	Sestak	Wu
Murphy, Patrick	Shea-Porter	Yarmuth
Murtha	Sherman	
Nadler	Shuler	

## NAYS—194

Aderholt	Flake	McCotter
Akin	Forbes	McCrery
Alexander	Fortenberry	McHenry
Bachmann	Fossella	McHugh
Bachus	Fox	McKeon
Barrett (SC)	Franks (AZ)	McMorris
Bartlett (MD)	Frelinghuysen	Rodgers
Barton (TX)	Gallegly	Mica
Biggert	Garrett (NJ)	Miller (FL)
Bilbray	Gerlach	Miller (MI)
Bilirakis	Gilchrest	Miller, Gary
Bishop (UT)	Gingrey	Moran (KS)
Blackburn	Gohmert	Murphy, Tim
Blunt	Goode	Musgrave
Boehner	Goodlatte	Myrick
Bonner	Granger	Neugebauer
Bono Mack	Graves	Nunes
Boozman	Hall (TX)	Paul
Brady (TX)	Hastings (WA)	Pearce
Broun (GA)	Hayes	Pence
Brown (SC)	Heller	Peterson (PA)
Brown-Waite,	Hensarling	Petri
Ginny	Herger	Pickering
Buchanan	Hill	Pitts
Burgess	Hobson	Platts
Burton (IN)	Hoekstra	Poe
Buyer	Hulshof	Porter
Calvert	Hunter	Price (GA)
Camp (MI)	Inglis (SC)	Pryce (OH)
Campbell (CA)	Issa	Putnam
Cannon	Johnson (IL)	Radanovich
Cantor	Johnson, Sam	Ramstad
Capito	Jones (NC)	Regula
Carter	Jordan	Rehberg
Castle	Keller	Reichert
Chabot	King (IA)	Renzi
Cole (OK)	King (NY)	Reynolds
Conaway	Kirk	Rogers (AL)
Cubin	Kline (MN)	Rogers (KY)
Culberson	Knollenberg	Rogers (MI)
Davis (KY)	Kuhl (NY)	Rohrabacher
Davis, David	LaHood	Ros-Lehtinen
Davis, Tom	Lamborn	Roskam
Deal (GA)	Latham	Royce
Dent	LaTourette	Ryan (WI)
Diaz-Balart, L.	Latta	Sali
Diaz-Balart, M.	Lewis (CA)	Saxton
Doolittle	Lewis (KY)	Scalise
Drake	Linder	Schmidt
Dreier	LoBiondo	Sessions
Duncan	Lucas	Shadegg
Ehlers	Lungren, Daniel	Shays
Emerson	E.	Shimkus
English (PA)	Mack	Shuster
Everett	Manzullo	Simpson
Fallin	Marchant	Smith (NE)
Feeney	McCarthy (CA)	Smith (NJ)
Ferguson	McCaul (TX)	Smith (TX)

Souder	Upton	Whitfield (KY)
Stearns	Walberg	Wilson (NM)
Sullivan	Walden (OR)	Wilson (SC)
Tancredo	Walsh (NY)	Wittman (VA)
Terry	Wamp	Wolf
Thornberry	Weldon (FL)	Young (AK)
Tiberi	Weller	Young (FL)
Turner	Westmoreland	

## NOT VOTING—17

Andrews	Edwards	Sensenbrenner
Boustany	Gillibrand	Slaughter
Brown, Corrine	Kennedy	Tiahrt
Castor	Kingston	Wexler
Coble	Lynch	Wynn
Crenshaw	Rush	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1331

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.

Stated against:

Mr. COBLE. Mr. Speaker, on rollcall No. 339, I was attending the graduation ceremony at the United States Coast Guard Academy. Had I been present, I would have voted “nay.”

# PROVIDING FOR CONSIDERATION OF H.R. 5658, DUNCAN HUNTER NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1213, 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.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 235, nays 186, not voting 13, as follows:

[Roll No. 340]

## YEAS—235

Abercrombie	Cazayoux	Emanuel
Ackerman	Chandler	Engel
Allen	Childers	Eshoo
Altmire	Clarke	Etheridge
Arcuri	Clay	Farr
Baca	Cleaver	Fattah
Baird	Clyburn	Filner
Baldwin	Cohen	Foster
Barrow	Conyers	Frank (MA)
Bean	Cooper	Giffords
Becerra	Costa	Gonzalez
Berkley	Costello	Gordon
Berman	Courtney	Green, Al
Berry	Cramer	Green, Gene
Bilirakis	Crowley	Grijalva
Bishop (GA)	Cuellar	Gutierrez
Bishop (NY)	Cummings	Hall (NY)
Blumenauer	Davis (AL)	Hare
Boren	Davis (CA)	Harman
Boswell	Davis (IL)	Hastings (FL)
Boucher	Davis, Lincoln	Herseth Sandlin
Boyd (FL)	DeFazio	Higgins
Boyd (KS)	DeGette	Hill
Brady (PA)	Delahunt	Hinchey
Braley (IA)	DeLauro	Hinojosa
Butterfield	Dicks	Hirono
Capps	Dingell	Hodes
Capuano	Doggett	Holden
Cardoza	Donnelly	Holt
Carnahan	Doyle	Honda
Carney	Edwards	Hooley
Carson	Ellison	Hoyer
Castle	Ellsworth	Inslee