

the policemen and women who experience up close the misuse of guns by both kids and adults every day? No. Supporters of this amendment are only supporting the National Rifle Association.

We're not living in the 1700s, when governmental police forces were nonexistent and state militias were a constant threat to central government. Supporters of Mr. CHILDERS' amendment need to pull their heads out of the past and face the present: gun violence is an ugly reality, and we're not doing the people of the District of Columbia any favors by considering legislation that will endanger lives under the guise of protecting constitutional rights. The people who make up this country are entitled to life, liberty, and the pursuit of happiness, and they certainly can't claim their right to the last two if they lose their lives. That's what guns do—they kill people.

I strongly urge my colleagues to stand with me in opposing this bill.

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

AMENDMENT TO H. RES. 1434 OFFERED BY MR. SESSIONS OF TEXAS

At the end of the resolution, add the following:

SEC. 3. Immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider in the House the bill (H.R. 6566) to bring down energy prices by increasing safe, domestic production, encouraging the development of alternative and renewable energy, and promoting conservation. All points of order against the bill are waived. The bill shall be considered as read. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the majority and minority leader, and (2) an amendment in the nature of a substitute if offered by the Majority Leader or his designee, which shall be considered as read and shall be separately debatable for 40 minutes equally divided and controlled by the proponent and an opponent; and (3) 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 ayes appeared to have it.

Mr. SESSIONS. 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.

□ 1600

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 1433; adopting House Resolution 1433, if ordered; ordering the previous question on House Resolution 1434; adopting House Resolution 1434, 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. 6899, COMPREHENSIVE AMERICAN ENERGY SECURITY AND CONSUMER PROTECTION ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1433, 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 238, nays 185, not voting 10, as follows:

[Roll No. 595]

YEAS—238

| | | |
|----------------|-----------------|------------------|
| Abercrombie | Ellison | Markey |
| Ackerman | Ellsworth | Marshall |
| Allen | Emanuel | Matheson |
| Altmire | Engel | Matsui |
| Andrews | Eshoo | McCarthy (NY) |
| Arcuri | Etheridge | McCollum (MN) |
| Baca | Farr | McDermott |
| Baird | Fattah | McGovern |
| Baldwin | Filner | McIntyre |
| Barrow | Foster | McNerney |
| Bean | Frank (MA) | McNulty |
| Becerra | Giffords | Meek (FL) |
| Berkley | Gillibrand | Meeks (NY) |
| Berman | Gonzalez | Melancon |
| Berry | Gordon | Miller (NC) |
| Bishop (GA) | Green, Al | Miller, George |
| Bishop (NY) | Green, Gene | Mitchell |
| Blumenauer | Grijalva | Mollohan |
| Boren | Gutierrez | Moore (KS) |
| Boswell | Hall (NY) | Moore (WI) |
| Boucher | Hare | Moran (VA) |
| Boyd (FL) | Harman | Murphy (CT) |
| Boyda (KS) | Hastings (FL) | Murphy, Patrick |
| Brady (PA) | Heller | Murtha |
| Bralley (IA) | Herseth Sandlin | Nadler |
| Brown, Corrine | Higgins | Napolitano |
| Butterfield | Hill | Neal (MA) |
| Capps | Hinchey | Oberstar |
| Capuano | Hinojosa | Obey |
| Cardoza | Hirono | Olver |
| Carnahan | Hodes | Ortiz |
| Carney | Holden | Pallone |
| Carson | Holt | Pascarell |
| Castor | Honda | Pastor |
| Chandler | Hoolley | Payne |
| Childers | Hoyer | Perlmutter |
| Clarke | Inslee | Peterson (MN) |
| Clay | Israel | Pomeroy |
| Cleaver | Jackson (IL) | Porter |
| Clyburn | Jefferson | Price (NC) |
| Cohen | Johnson (GA) | Rahall |
| Conyers | Johnson, E. B. | Ramstad |
| Cooper | Kagen | Rangel |
| Costa | Kanjorski | Reichert |
| Costello | Kaptur | Reyes |
| Courtney | Kennedy | Richardson |
| Cramer | Kildee | Rodriguez |
| Crowley | Kilpatrick | Ros-Lehtinen |
| Cuellar | Kind | Ross |
| Cummings | Klein (FL) | Rothman |
| Davis (AL) | Kucinich | Roybal-Allard |
| Davis (CA) | Langevin | Ruppersberger |
| Davis (IL) | Larsen (WA) | Rush |
| Davis, Lincoln | Larson (CT) | Ryan (OH) |
| DeFazio | Lee | Salazar |
| DeGette | Levin | Sanchez, Linda |
| Delahunt | Lewis (GA) | T. |
| DeLauro | Lipinski | Sanchez, Loretta |
| Dicks | LoBiondo | Sarbanes |
| Dingell | Loeback | Schakowsky |
| Doggett | Lofgren, Zoe | Schiff |
| Donnelly | Lowey | Schwartz |
| Doyle | Lynch | Scott (GA) |
| Edwards (MD) | Mahoney (FL) | Scott (VA) |
| Edwards (TX) | Maloney (NY) | Serrano |

Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Speier
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)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—185

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

NOT VOTING—10

Brady (TX)
Cubin
Dreier
Ehlers

Jackson-Lee
(TX)
Lampson
Neugebauer

□ 1626

Messrs. KINGSTON and CAZAYOUX changed their vote from “yea” to “nay.”

Mr. RAMSTAD, Mrs. MCCARTHY of New York and Mr. STARK changed their vote from “nay” to “yea.”

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 229, nays 194, not voting 10, as follows:

[Roll No. 596]

YEAS—229

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyd (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
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 (MD)
Edwards (TX)
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Giffords
Gillibrand

Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooey
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebuck
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markley
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano

Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascarell
Pastor
Payne
Perlmuter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
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)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—194

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

Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
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
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick

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

NOT VOTING—10

Brady (TX)
Cubin
Dreier
Ehlers

Lampson
Neugebauer
Paul
Pitts

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes left on this vote.

□ 1638

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.

PROVIDING FOR CONSIDERATION OF H.R. 6842, NATIONAL CAPITAL SECURITY AND SAFETY ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1434, on which the yeas and nays were ordered.