

minor drafting error and that, for example, is not caught until it is too late. We saw it last year with an amendment by Mr. BUYER on the Military Construction and Veterans Affairs appropriations bill. So as to not have a repeat of that unfortunate incident, I propose to change the rule to allow Members to make germane changes to their amendments.

I remind Members that by voting "no" on the previous question, Members will not be voting to kill or to delay the underlying Commerce, Justice, Science Appropriations bill. I encourage all of my colleagues on both sides of the aisle to vote "no" on the previous question so that Members will be given the opportunity to make changes to their amendments if necessary.

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. Mr. Speaker, I yield back the balance of my time.

Mr. ARCURI. Mr. Speaker, I would like to thank the gentleman from Florida (Mr. LINCOLN DIAZ-BALART) for his courtesies in this debate and for his very able management of this rule.

Mr. Speaker, on my opening remarks, I chose to focus on the criminal justice programs that are funded under H.R. 2847, but there are many other important areas addressed in this legislation, and we have heard about many of those during the debate. In closing, I would like to take the opportunity to discuss another of these that is of utmost importance to America.

The bill includes \$293 million for the Economic Development Administration, which is \$20 million above the amount enacted in 2009. The EDA administers several economic programs, including public works grants for upgrading infrastructure, planning, and trade adjustment assistance for communities that bear the burden of jobs outsourced to other countries.

H.R. 2847 includes more than \$158 million for the Economic Development Administration's Public Works Program, \$25 million more than last year. H.R. 2847 also makes critical investments in scientific research and NASA's space program. The bill includes \$6.9 billion for the National Science Foundation. This level of funding will support the doubling of NSF's budget over the next 10 years and represents a true commitment to investment in basic research and development which will provide for innovation and future technologies to help the United States be competitive.

H.R. 2847 includes over \$18.2 billion for the National Aeronautics and Space Administration. NASA's unique mission is to pioneer the future in space

exploration, scientific discovery in aeronautics research, and this appropriation enables them to accomplish this mission. This recommendation also provides for the continued efforts of NASA's Mars exploration and provides funds for the completion of the Mars science laboratory to launch in 2011. Exploration has always been critical to mankind. We live in America today because of exploration. We must continue to explore the new frontier for future generations.

In closing, Mr. Speaker, I would remind my colleagues that so far we have discussed only a handful of the important programs that are funded by the fiscal year 2010 Commerce, Justice, Science Appropriations bill. I urge my colleagues to vote in favor of the rule and the underlying bill, H.R. 2847. I urge a "yes" vote on the previous question and on the bill.

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

AMENDMENT TO H. RES. 544 OFFERED BY MR. LINCOLN DIAZ-BALART OF FLORIDA

On page 2, line 21, after "if printed," insert the following new sentence, "The proponent of each such amendment may make germane modifications to such amendment."

(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. ARCURI. 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 yeas appeared to have it.

Mr. LINCOLN DIAZ-BALART. 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.

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:

Adoption of House Resolution 545, by the yeas and nays;

ordering the previous question on House Resolution 544, by the yeas and nays;

adoption of House Resolution 544, 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 CONFERENCE REPORT ON H.R. 2346, SUPPLEMENTAL APPROPRIATIONS ACT, 2009

The SPEAKER pro tempore. The unfinished business is the vote on adoption of House Resolution 545, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 238, nays 183, not voting 12, as follows:

[Roll No. 345]

YEAS—238

Abercrombie Green, Al Oberstar
Ackerman Green, Gene Obey
Adler (NJ) Griffith Olver
Altmire Grijalva Ortiz
Andrews Gutierrez Pallone
Arcuri Hall (NY) Pascarell
Baca Halvorson Pastor (AZ)
Baird Hare Payne
Baldwin Harman Perlmutter
Barrow Hastings (FL) Perriello
Becerra Herseeth Sandlin Peters
Berman Higgins Peterson
Berry Hill Pingree (ME)
Bishop (GA) Himes Polis (CO)
Bishop (NY) Hinchey Pomeroy
Blumenauer Hinojosa Price (NC)
Bocchieri Hirono Quigley
Boren Hodes Rahall
Boswell Holden Rangel
Boucher Holt Reyes
Boyd Honda Richardson
Brady (PA) Hoyer Rodriguez
Braley (IA) Inslee Ross
Bright Israel Rothman (NJ)
Brown, Corrine Jackson (IL) Roybal-Allard
Butterfield Jackson-Lee Ruppberger
Capps (TX) Ryan (OH)
Capuano Johnson (GA) Salazar
Cardoza Johnson, E. B. Sanchez, Loretta
Carnahan Kagen Sarbanes
Carney Kanjorski Schakowsky
Carson (IN) Kildee Schauer
Castor (FL) Kilpatrick (MI) Schiff
Chandler Kilroy Schrader
Childers Kind Schwartz
Clarke Kirkpatrick (AZ) Scott (GA)
Clay Kissell Scott (VA)
Cleaver Klein (FL) Serrano
Clyburn Kosmas Sestak
Cohen Langevin Shea-Porter
Connolly (VA) Larsen (WA) Sherman
Conyers Lee (CA) Shuler
Cooper Levin Sires
Costa Lipinski Skelton
Costello Loeb sack Slaughter
Courtney Lofgren, Zoe Smith (WA)
Crowley Lowey Snyder
Cuellar Lujan Space
Cummings Lynch Speier
Dahlkemper Maffei Spratt
Davis (AL) Maloney Stark
Davis (CA) Markey (CO) Stupak
Davis (IL) Markey (MA) Sutton
Davis (TN) Marshall Tanner
DeFazio Massa Tauscher
DeGette Matheson Taylor
Delahunt Matsui Teague
DeLauro McCarthy (NY) Thompson (CA)
Dicks McCollum Thompson (MS)
Dingell McGovern Tierney
Doggett McIntyre Titus
Donnelly (IN) McMahon Tonko
Doyle McNerney Towns
Driehaus Meek (FL) Tsongas
Edwards (MD) Meeks (NY) Van Hollen
Edwards (TX) Melancon Velázquez
Ellison Miller (NC) Visclosky
Ellsworth Miller, George Walz
Engel Mollohan Wasserman
Eshoo Moore (KS) Schultz
Etheridge Moore (WI) Watson
Farr Moran (VA) Watt
Fattah Murphy (CT) Waxman
Foster Murphy (NY) Weiner
Frank (MA) Murphy, Patrick Welch
Fudge Murtha Wexler
Giffords Nadler (NY) Wilson (OH)
Gonzalez Napolitano Woolsey
Gordon (TN) Neal (MA) Wu
Grayson Nye Yarmuth

NAYS—183

Aderholt Barrett (SC) Bilirakis
Akin Bartlett Bishop (UT)
Austria Barton (TX) Blackburn
Bachmann Biggert Blunt
Bachus Bilbray Boehner

Bonner Hastings (WA) Myrick
Bono Mack Heinrich Neugebauer
Boozman Heller Nunes
Boustany Hensarling Olson
Brady (TX) Herger Paul
Broun (GA) Hoekstra Paulsen
Brown (SC) Hunter Petri
Brown-Waite, Inglis Pitts
Ginny Issa Platts
Buchanan Jenkins Poe (TX)
Burgess Johnson (IL) Posey
Burton (IN) Johnson, Sam Price (GA)
Buyer Jones Putnam
Calvert Jordan (OH) Radanovich
Camp Kaptur Rehberg
Campbell King (IA) Reichert
Cantor King (NY) Roe (TN)
Cao Kingston Rogers (AL)
Carter Kirk Rogers (KY)
Cassidy Kline (MN) Rogers (MI)
Cassidy Kratovil Rohrabacher
Castle Kucinich Rooney
Chaffetz Lamborn Ros-Lehtinen
Coble Lance Roskam
Coffman (CO) Latham Royce
Cole LaTourette Rush
Conaway LaTta Ryan (WI)
Crenshaw Lee (NY) Scalise
Culberson Lewis (CA) Schmidt
Davis (KY) Linder Schock
Deal (GA) LoBiondo Sensenbrenner
Dent Lucas Sessions
Diaz-Balart, L. Luetkemeyer Shadegg
Diaz-Balart, M. Lummis Shimkus
Dreier Lungren, Daniel Shuster
Duncan E. Simpson
Ehlers Mack Smith (NE)
Emerson Manullo Smith (NJ)
Fallin Marchant Smith (TX)
Filner McCarthy (CA) Souder
Flake McCaul Stearns
Fleming McClintock Terry
Forbes McCotter Thompson (PA)
Fortenberry McHenry Thornberry
Foxy McHugh Tiahrt
Franks (AZ) McKeon Tiberi
Frelinghuysen McMorris Turner
Gallegly Rodgers Upton
Garrett (NJ) Mica Walden
Gerlach Michaud Wamp
Gingrey (GA) Miller (FL) Waters
Gohmert Miller (MI) Westmoreland
Goodlatte Miller, Gary Whitfield
Granger Minnick Wilson (SC)
Graves Mitchell Wittman
Guthrie Moran (KS) Wolf
Harper Murphy, Tim Young (AK)

NOT VOTING—12

Alexander Larson (CT) Sánchez, Linda
Bean Lewis (GA) T.
Berkley McDermott Sullivan
Hall (TX) Pence Young (FL)
Kennedy

□ 1648

Messrs. McHUGH, McKEON, KINGSTON, SESSIONS, and RUSH changed their vote from “yea” to “nay.”

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.

Ms. BEAN. Mr. Speaker, on rollcall No. 345, H. Res. 545, had I been present, I would have voted “yea.”

PROVIDING FOR CONSIDERATION OF H.R. 2847, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 544, 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 247, nays 176, not voting 10, as follows:

[Roll No. 346]

YEAS—247

Abercrombie Griffith Neal (MA)
Ackerman Grijalva Nye
Adler (NJ) Gutierrez Oberstar
Altmire Hall (NY) Obey
Andrews Halvorson Olver
Arcuri Hare Ortiz
Baca Harman Pallone
Baird Hastings (FL) Pascarell
Baldwin Heinrich Pastor (AZ)
Barrow Herseeth Sandlin Payne
Bean Higgins Perlmutter
Becerra Hill Perriello
Berman Himes Peters
Berry Hinchey Peterson
Bishop (GA) Hinojosa Pingree (ME)
Bishop (NY) Hirono Polis (CO)
Blumenauer Hodes Pomeroy
Bocchieri Holden Price (NC)
Boren Holt Quigley
Boswell Honda Rahall
Boucher Hoyer Rangel
Boyd Inslee Richardson
Brady (PA) Israel Rodriguez
Braley (IA) Jackson (IL) Ross
Bright Jackson-Lee Rothman (NJ)
Brown, Corrine (TX) Roybal-Allard
Butterfield Johnson (GA) Ruppberger
Capps Johnson, E. B. Rush
Capuano Kagen Ryan (OH)
Cardoza Kanjorski Salazar
Carnahan Kaptur Sanchez, Loretta
Carney Kildee Sarbanes
Carson (IN) Kilpatrick (MI) Schakowsky
Castor (FL) Kilroy Schauer
Chandler Kind Schiff
Childers Kirkpatrick (AZ) Schrader
Clarke Kissell Schwartz
Clay Klein (FL) Scott (GA)
Cleaver Kosmas Scott (VA)
Clyburn Kratovil Serrano
Cohen Kucinich Sestak
Connolly (VA) Langevin Shea-Porter
Conyers Larsen (WA) Sherman
Cooper Lee (CA) Shuler
Costa Levin Sires
Costello Lipinski Skelton
Courtney Loeb sack Slaughter
Crowley Lofgren, Zoe Smith (WA)
Cummings Lowey Snyder
Dahlkemper Lujan Space
Davis (AL) Lynch Speier
Davis (CA) Maffei Spratt
Davis (IL) Maloney Stark
Davis (TN) Markey (CO) Stupak
DeFazio Markey (MA) Sutton
DeGette Marshall Tanner
Delahunt Massa Tauscher
DeLauro Matheson Taylor
Dicks Matsui Teague
Dingell McCarthy (NY) Thompson (CA)
Doggett McCollum Thompson (MS)
Donnelly (IN) McDermott Tierney
Doyle McGovern Titus
Driehaus McIntyre Tonko
Edwards (MD) McMahon Towns
Edwards (TX) McNerney Tsongas
Ellison Meek (FL) Van Hollen
Ellsworth Meeks (NY) Velázquez
Engel Melancon Visclosky
Eshoo Michaud Walz
Etheridge Miller (NC) Wasserman
Farr Miller, George Schultz
Fattah Mitchell Waters
Filner Mollohan Watson
Foster Moore (KS) Watt
Frank (MA) Moore (WI) Waxman
Fudge Moran (VA) Weiner
Giffords Murphy (CT) Welch
Gonzalez Murphy (NY) Wexler
Gordon (TN) Murphy, Patrick Wilson (OH)
Grayson Murtha Woolsey
Green, Al Nadler (NY) Wu
Green, Gene Napolitano Yarmuth

NAYS—176

Aderholt Austria Bachus
Akin Bachmann Barrett (SC)