

Massa	Pence	Shuler
Matheson	Perlmutter	Shuster
Matsui	Perriello	Simpson
McCarthy (CA)	Peters	Sires
McCarthy (NY)	Petri	Skelton
McCaul	Pingree (ME)	Slaughter
McClintock	Pitts	Smith (NE)
McCollum	Platts	Smith (NJ)
McCotter	Poe (TX)	Smith (TX)
McDermott	Polis (CO)	Smith (WA)
McGovern	Pomeroy	Space
McHugh	Posey	Speier
McIntyre	Price (GA)	Spratt
McKeon	Price (NC)	Stearns
McMahon	Putnam	Sutton
McMorris	Quigley	Tanner
Rodgers	Radanovich	Tauscher
McNerney	Rahall	Taylor
Meek (FL)	Rehberg	Teague
Meeks (NY)	Reichert	Terry
Mica	Reyes	Thompson (CA)
Michaud	Richardson	Thompson (MS)
Miller (FL)	Rodriguez	Thompson (PA)
Miller (MI)	Roe (TN)	Thornberry
Miller, Gary	Rogers (AL)	Titus
Miller, George	Rogers (KY)	Tonko
Minnick	Rogers (MI)	Towns
Mitchell	Rohrabacher	Tsongas
Mollohan	Rooney	Turner
Moore (KS)	Roskam	Upton
Moore (WI)	Rothman (NJ)	Van Hollen
Moran (KS)	Roybal-Allard	Velázquez
Murphy (CT)	Royce	Visclosky
Murphy (NY)	Ruppersberger	Walden
Murphy, Patrick	Rush	Walz
Murtha	Ryan (OH)	Wamp
Myrick	Ryan (WI)	Wasserman
Nadler (NY)	Salazar	Schultz
Napolitano	Sanchez, Loretta	Watson
Neal (MA)	Sarbanes	Watt
Neugebauer	Scalise	Waxman
Nunes	Schauer	Weiner
Nye	Schiff	Welch
Oberstar	Schmidt	Wexler
Obey	Schock	Whitfield
Olson	Schrader	Wilson (OH)
Olver	Schwartz	Wilson (SC)
Ortiz	Scott (GA)	Wittman
Pallone	Scott (VA)	Wolf
Pascarell	Serrano	Woolsey
Pastor (AZ)	Sestak	Wu
Paulsen	Sherman	Young (FL)
Payne	Shimkus	

NOT VOTING—42

Baird	Hill	Ross
Bilbray	Hinojosa	Sánchez, Linda
Boehner	Kagen	T.
Boyd	Kennedy	Schakowsky
Braley (IA)	Lewis (GA)	Shea-Porter
Buchanan	Manzullo	Snyder
Campbell	McHenry	Stark
Cao	Melancon	Stupak
Conyers	Miller (NC)	Sullivan
Dingell	Moran (VA)	Tierney
Doyle	Murphy, Tim	Waters
Fleming	Paul	Westmoreland
Grijalva	Peterson	Yarmuth
Gutierrez	Rangel	
Hall (NY)	Ros-Lehtinen	

□ 1302

Ms. VELÁZQUEZ and Messrs. FRANK of Massachusetts and LARSON of Connecticut changed their votes from “yea” to “nay.”

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF H.R. 2892, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2010

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

Mr. PERLMUTTER. Thank you, Madam Speaker.

For purposes of debate only, I yield the customary 30 minutes to my friend

from California (Mr. DREIER). All time yielded is for the purpose of debate only.

I yield myself as much time as I may consume.

GENERAL LEAVE

Mr. PERLMUTTER. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 573.

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

There was no objection.

Mr. PERLMUTTER. Madam Speaker, today the House will debate and vote on the Homeland Security Appropriations Act for fiscal year 2010.

My friend Chairman DAVID PRICE and Ranking Member HAROLD ROGERS have crafted a strong bill which invests in robust border security, attentive and agile emergency management capabilities, helpful to State and local partners, and secures our transportation system. This bill reflects Congress' commitment to protect our Nation from the threats it faces with a bottom line \$2.6 billion increase in Department of Homeland Security funding over last year.

In the area of border security and immigration enforcement, this bill increases funding for Customs and Border Protection by more than \$146 million. This increase will allow the Border Patrol to better address violence and drug smuggling along our southern border, which has become a very serious concern in recent years. For emergency preparedness and response, this bill fully funds the versatile State Homeland Security Grant program, a program for which I have long advocated. This critical program allows for States to address the security threats most pressing to them. After all, the biggest threats to Colorado may not be the same as the biggest threats to New York or California.

This bill also restores funding to the Assistance for Firefighters Grant program to \$800 million. I have presented dozens of Federal grant checks to fire departments across my district during my tenure in Congress; and I can say from experience, FIRE and SAFER Grants mean better training for our firefighters, better equipment and more firefighters on our streets, and safety for our citizens.

On another topic, I have said for years now that our computer networks are essential parts of our Nation's infrastructure; and as such, they need more focus for security. So I am pleased to see this bill increases funding for DHS's National Cybersecurity Division by \$68 million over last year.

In the field of transportation security, this bill takes a large step forward. We increased funding for aviation security by \$511 million over last year, investing a great deal in screening and detection technology for explosives. More important, in my opinion, we more than doubled funding for sur-

face transportation security. This commitment is an essential step to preventing attacks on our rail and mass transit systems which have been the target of attacks in places such as London, Madrid and Mumbai.

Although we increase funding for many activities under DHS, this bill also tightens the belt. The bill terminates 16 programs, many of which have been unsuccessful in meeting their mission. In addition, the bill cuts nearly \$800 million from various programs. In short, this bill puts the taxpayer dollars in the components of DHS which provide real results and real security.

Looking beyond the funding levels of this bill, we must also recognize that DHS is a department which relies heavily on a well-trained workforce. This bill provides the resources the Department of Homeland Security personnel, as well as our State and local partners, need to meet their objectives. I urge my colleagues to support this rule.

I reserve the balance of my time.

Mr. DREIER. Madam Speaker, I want to begin by expressing my appreciation to my very good friend, a new member of the Rules Committee, the gentleman from Colorado (Mr. PERLMUTTER) for yielding me the customary 30 minutes.

I yield myself as much time as I may consume.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Madam Speaker, I am going to begin by doing something that I don't believe I have ever done when managing a rule here in the House. Traditionally when Mr. BOEHNER, our Republican leader, gets up or my Rules Committee colleagues, Messrs. DIAZ-BALART and SESSIONS or Ms. FOXX, would stand up here, we rise to basically make the case for Members of the minority. We're Republicans. We make the Republican case about how important it is for us to ensure the rights of the minority, something that James Madison talked about very eloquently 220 years ago.

Today I rise on behalf of all of my colleagues; and I rise, especially today, for Democrats because it's unprecedented that we would be in the circumstance that we are today. Now I've seen an awful lot in this institution in the years that I've been privileged to serve here. I've observed the way this House is run. In most instances, under both Democrats and Republicans, I have been very proud of the work product that has emerged. But in many of those instances, I have been less than proud of the way the greatest deliberative body known to man—or what has been described as such by people like the distinguished Chair of the Committee on Appropriations, Mr. OBEY, is no longer the greatest deliberative body known to man, or at least we're slipping away from that—because we're undermining the deliberative process.

Usually when we get off-track, which has happened under both Republicans

and Democrats, and put our short-term goals ahead of the long-term interest of the institution, it is not a good thing. It is, we often believe, noble for us to put our short-term goals there because we have an important priority. When my friends in the majority asked the Nation to give them control of this House, they correctly criticized me personally and others within the Republican leadership because we said that we limited their voices in amendment and debate. It didn't happen often, but it did happen. And I will say that without the ability to offer improvements to legislation and ideas, Members of this body could not do the job that they are charged with doing; and that is, pursuing the hopes, dreams and aspirations of their constituents. We all represent a little less than three-quarters of a million people; and we have a responsibility, Democrats and Republicans alike, to do just that. That's why I say again, Madam Speaker, I rise in support of the effort to ensure that my Democratic colleagues are not shut out of this process.

Now as you know very well, Madam Speaker, when our California colleague, Speaker PELOSI, took the gavel, she promised that they would do better than I did as chairman of the Rules Committee, and better than our Republican leadership had done in the past. Unfortunately this rule before us really illustrates just how far we have fallen from those great words that were put forward by Speaker PELOSI.

With this rule, it's very difficult for me to know exactly where to begin with criticism; but let's start with the very nature of the rule itself. We all know that the House has allowed less debate and fewer amendments in its consideration of bills over the last few years. The one great exception to that has been the appropriations process. Why? Because we all know article I, section 9 of the Constitution places the responsibility to spend the people's money in our hands as Members of Congress. We've always taken this responsibility very seriously in a bipartisan way. And we've always—under both Democrats and Republicans—allowed Democrats and Republicans to engage in a free-flowing and rigorous debate.

Everyone is very, very concerned about what happened last week. My Democratic colleagues are concerned with the number of votes that were held and the outrage that we demonstrated. We Republicans are horrified that we began down that route. Unfortunately, last week's act was just the warm-up to what we're seeing today. Today we are beginning what can only be described as the main event. This is because today's rule will become the model for every appropriations bill that we consider in the future. It is very likely that this rule, Madam Speaker, will become the model for every bill that we consider in this Congress.

Rather than any Member, Republican or Democrat, being able to offer any

germane amendment on behalf of their constituents and the Nation, this resolution from the Rules Committee, under the direction of Chairman OBEY and Speaker PELOSI, limits what ideas can be debated on this floor; and as I said, it limits the ideas proposed by my Democratic colleagues. So anyone who wants to say that I'm standing here, Madam Speaker, just whining on behalf of the minority, it is preposterous. Democrats sat in line before the Rules Committee until nearly 11 o'clock last night; and Democrats have been shut out of this process. So unfortunately I, representing the minority, am the only one who can stand here on behalf of our Democratic colleagues. It means, unfortunately, that our constituents—and I say this to my colleagues—our constituents in Democratic districts and Republican districts alike are unfortunately being held hostage by the chairman of the Appropriations Committee. If he's having a bad day, the American people will have no recourse. That means that our constituents' concerns about spending will go unheeded, and we all know that that's what this is about. If you doubt it, look no further than last week's funding bill for this institution alone. We fought for several amendments that could bring about a reduction in the 16.2 percent increase in spending for the Legislative Branch appropriations bill. We had some large cuts, but we had the most modest cut imaginable. The gentleman from Georgia (Mr. BROUN) offered an amendment in the Rules Committee to allow for a one-half of 1 percent reduction in the 16.2 percent increase that we put into place. While the American people are struggling to make ends meet, while people are trying to keep their jobs, their homes, we in this institution allowed for a 16.2 percent increase; and we simply said in the appropriations process that maybe we should debate on the floor whether or not we would have a one-half of 1 percent cut. Unfortunately that was completely denied.

I also want to take a moment to discuss some of the more creative aspects of this rule, as were read by the Reading Clerk. For the first time ever, the rule allows the Chair to impose 2-minute voting. Now previously 2-minute voting was something that was done with a bipartisan agreement. Democrats and Republicans came together and said, We have got so many votes here, rather than having Members sit around with 5-minute voting, we would agree to 2-minute voting. Now I will say that ignoring this process that has existed in the past, including the provision that allows the Chair to actually impose 2-minute voting, we ignore the stress that 2-minute voting places on the nonpartisan professionals who tally our votes. It increases the opportunity for error.

I would commend to my colleagues the report of the Select Committee to Investigate the Voting Irregularities of August 2, 2007; and on page 10 under The Events Surrounding Roll Call

Number 814, it makes very clear that one of the factors involved in this was the fact that there were 11 2-minute votes held leading up to that. I know full well, as I look at the wonderfully dedicated and hardworking rostrum staff, what a litany of 2-minute votes is imposed on them.

□ 1315

And we want to make sure that what happened on August 2 of 2007 never happens again. And allowing the Chair to impose 2-minute voting does create the potential for that.

I also have to say, Madam Speaker, that I'm very concerned about the fact that this rule does create a scenario that puts people in an awkward position. I have a number of very, very close friends with whom I have been privileged to serve here. One of those is my colleague from North Carolina (Mr. PRICE), who works closely with Mr. ROGERS in a bipartisan way dealing with the issue of our Nation's homeland security.

I have already said, Madam Speaker, that I am very troubled with amendment No. 68 that was put forward, and I don't mean to get too far down into the weeds here, but we have another unprecedented action put into place here. Amendment No. 68 simply said, page 93, line 13, "strike 'the.'" This is the amendment that was submitted to the Rules Committee. This amendment was submitted, and a revised version of it was submitted; and now, Madam Speaker, the revised version makes in order seven amendments, one of which actually required waivers to allow it to proceed. Now, this has not been done before and it's unfortunate. It was really sort of a bait and switch. We saw this amendment that said "strike 'the,'" and then it's revised all of a sudden with seven amendments being made in order. Unfortunately, this is not the kind of transparency that we were promised when the new majority came to power.

There are other elements to the rule that I don't want to discuss, but suffice it to say that each and every provision of this rule, Madam Speaker, is designed to restrict and limit the rights of Democrats and Republicans to debate and improve this bill, as has always been done in the 220-year history of this great institution.

Now, why is any of this important? Because, Madam Speaker, process is substance. In committee there were many amendments defeated even though they would have gone a long way to improving the bill and reducing problems like illegal immigration, an issue that Mr. ROGERS has worked very closely on. One of those is the E-Verify program that my California colleague (Mr. CALVERT) has worked on. He made an attempt to offer that amendment. It was defeated. And Mr. KINGSTON similarly offered an amendment to require government contractors to use E-Verify to deal with our Nation's border security. His amendment was also defeated. I supported both of those

amendments up in the Rules Committee.

Now we won't get the opportunity to debate the kinds of things that Mr. ROGERS, Mr. CALVERT, and Mr. KINGSTON wanted us to be able to address. I personally believe that, while I support E-Verify, I believe that the bill that I have worked on, H.R. 98, which would establish a smart counterfeit-proof Social Security card, is the best way to end the magnet that draws people into the country illegally. But I do think that E-Verify is a very important step in the direction of dealing with our security.

Under the traditional process, Madam Speaker, as you know very well, we could address all of these issues. All of these issues from both Democrats and Republicans could have been considered, but, unfortunately, it ain't going to happen.

One of the most senior Members of this institution once said, "We have gotten so far from the regular order that I fear that the House will not have the capacity to return to the precedents and procedures of the House that have given true meaning to the term 'representative democracy.' The reason that we have stuck to regular order as long as we have in this institution is to protect the rights of every Member to participate. And when we lose those rights, we lose the right to be called the greatest deliberative body left in the world."

Now, that Member was DAVID OBEY. He said that in the fall of 2000. While he was concerned about how the House was handling an appropriations conference report, those were the words of Chairman OBEY at that time. His words have never been truer than they are right now. The problem is that now the shoe is on the other foot. Today Chairman OBEY is the one who is circumventing regular order.

What we have here is, Madam Speaker, what tragically is becoming the new normal. And it's all being done in the name of dramatically increasing spending because we have seen over the last 2 years an 85 percent increase in non-defense spending, an 85 percent increase in nondefense spending. And now we're denied any opportunity to bring about the kinds of reductions that we need to utilize.

Madam Speaker, I know that we have schedules to keep. That's the argument that is regularly propounded by the Chair of the Rules Committee and others in the Democratic leadership. We understand the exigencies of that schedule. But throwing aside the quaint notion of democracy and debate is something that I believe would lead, as Republican leader JOHN BOEHNER said earlier today, Thomas Jefferson to be spinning in his grave. It would lead James Madison to be horrified, the notion of casting aside democracy and debate because we have to maintain our schedules.

And I will say again on this scheduling notion, Madam Speaker, last

week, rather than 127 amendments, we would have had, I believe, 30 amendments, and before we had gotten to consideration of the legislative branch bill, I am sure that hours and hours and hours ahead of that we would have been completed with the work of the Commerce-Justice-Science Appropriations bill.

I urge my colleagues on the other side of the aisle to stand up for the rights of Democratic Members of this institution who are being denied this. Reject this rule. Let's come back with what has been the case for 220 years under both political parties, that being an open process.

With that, Madam Speaker, I reserve the balance of my time.

Mr. PERLMUTTER. Madam Speaker, I would like to inquire of my friend how many speakers he has on his side.

Mr. DREIER. Will the gentleman yield?

Mr. PERLMUTTER. Certainly.

Mr. DREIER. I thank my friend for yielding. Well, I would first inquire of my friend if he has any speakers before I respond.

Mr. PERLMUTTER. I do not.

Mr. DREIER. Let me just say at this juncture we do have several speakers, and I would ask my friend if he might want to yield some of his time because I know we have several speakers who would gladly utilize the time.

I will say to my friend that it does seem to me rather unfortunate that, with the exception of our very brave and courageous friend from Colorado, there is no one on the majority side who wants to stand up and defend the notion of denying Democrats—

Mr. PERLMUTTER. Reclaiming my time, I thank my friend from California for commending me.

But what I want to talk about, and I will be brief and then reserve the balance of my time, is I appreciate some of the comments that the gentleman has made about the need for debate and speech and the opportunity for each of us to have a say as to the legislation that proceeds from this Chamber. But on the other hand, this country, the people of this country are demanding that we act, that we not completely just shut down and sit on our hands, twiddle our thumbs and say, woe is me, but it is time to act both on appropriations bills as well as other bills.

And I'd say to my friend, and I know that it was a way to protest what was happening on the floor, but the delay that was exhibited last week simply frustrates the will of the electorate to change the direction of this Nation. And I would also remind my friend that, Madam Speaker, the pressure that is placed on our staff at the rostrum by changing votes time and time again simply really is the problem and really redoubles the effort that they have to put forward.

So I appreciate his comments about the pressure that's placed on the staff by 2-minute voting. I would remind my friend the same kind of pressure, if not

a lot more, is placed on the staff by changing votes for, in my opinion, only reasons of delay.

With that, Madam Speaker, I reserve the balance of my time.

Mr. DREIER. Madam Speaker, I yield myself such time as I may consume.

I will be happy to yield to my friend if he wants to engage on this issue at all.

First, to his last point, as he talked about the challenge that our wonderful rostrum staff before us, who are so dedicated and hard working, have to deal with with repeated votes. So the answer to that is to allow the Chair to impose on this institution 2-minute voting? I know this is all inside baseball stuff, but all one needs to do is go back and look at that report on the August 2, 2007, vote, which I have right here and look at page 10, and the issue of 2-minute votes is raised.

Mr. PERLMUTTER. Will my friend yield?

Mr. DREIER. I am happy to yield to my friend.

Mr. PERLMUTTER. To that point by my friend, on page 10, I have read the report since last night; so I thank you for pointing it out to me. And what page 10 says, and really what has led to this moment, I'd say to my friend, is the fact that at the close of the legislative day of Thursday, August 2, the House had been in session for 51 hours that week and 65 hours the week before. There really is no causal relation, I'd say to my friend, to where it talks about 2-minute votes.

Mr. DREIER. Reclaiming my time, Madam Speaker, let me just say that, again, if you look at the middle paragraph on page 10, the issue of 2-minute voting is raised, and I think common sense would say with the argument just put forward by my friend from Colorado about the challenge of votes, the notion of going from 5-minute to 2-minute votes does not improve the situation that they face.

To my friend's first point, Madam Speaker, I would like to say the following: the American people did send us here to act. They're expecting action. They want us to act. The American people are hurting. I come from Los Angeles, California. We have a 12½ percent unemployment rate in the City of Los Angeles. I represent suburban Los Angeles and part of the Inland Empire, and I will say that we are dealing with very serious economic challenges. People are losing their businesses, people are losing their homes, and people are obviously losing their jobs. They want us to get our economy back on track. And one of the things that they were promised was that if we passed the economic stimulus bill, the unemployment would not exceed 8 percent. Right now we all know that the unemployment rate, as was said by President Obama, is now 9.4 percent; and based on reports we have received in the last few days, it reportedly is probably going to go higher. I hope and pray that that is not the case.

But one of the things that we've found is that over the last couple of years, an 85 percent increase in non-defense spending has not provided what the American people want, and that is some security when it comes to their jobs, getting their jobs back, saving their businesses, and saving their homes. That's the action they want us to take. And the process we are in the midst of right now denies us any opportunity, Democrats or Republicans, the chance to bring about meaningful cuts in expenditures.

At this point, Madam Speaker, I would like to yield 4 minutes to the distinguished ranking member of the Subcommittee on Homeland Security from the Appropriations Committee, my very, very good friend and classmate (Mr. ROGERS).

□ 1330

Mr. ROGERS of Kentucky. I thank the gentleman for yielding.

Madam Speaker, I am sorely disappointed at the rule that has been proposed for the consideration of this Homeland Security Appropriations bill, one of the most important of the bills that the Congress will face. Our constituents are entitled to have us speak for them. That is the reason that they selected us. And yet now we are being denied the opportunity to register the thoughts and opinions of the constituents that we represent.

There were some 70 amendments proffered to be offered on the floor on this bill. Only 14 will be allowed. Never in my experience, and I have been here 28 years, on the Appropriations Committee 26 of those years, have I ever seen a rule this restrictive on allowing members of the committee, as well as the Members of the body, to express their views.

This is a muzzle of the minority. You are muzzling the people that we represent. You say, well, there are so many amendments, it would take us forever, and it would slow down our process of spending. That is what this is all about. The majority is attempting to muzzle the minority to speed up the process of spending, borrowing, and taxing. I regret that. I think it is sad for the institution, not to mention our constituents and the Members of this body.

Well, those 70 amendments we could go through in no time flat. Last year, well, for the 2008 appropriations for this department, there were 178 amendments offered. We didn't shut down the process and deny those people the chance to offer their amendment and to say their piece about what their constituents thought about the bill. We simply went through them, 2 days. After a certain period of time, we were able to work out unanimous consent agreements amongst the Members of the body to reduce the time allotted to each amendment. Or we substituted a colloquy with the other offerer of the amendment instead of offering the amendment, and that satisfied them.

They had their day in court, so to speak. Other amendments were not offered. This is nothing new. This is the practice of this honored institution to allow Members to offer their thoughts and opinions and amendments.

If it takes time, that is what democracy is all about. It may not be pretty. The making of sausage is not pretty. But that is what we are in the process and the business of doing. You are shutting down the Members of this body who have legitimate, in-order amendments, almost in toto. And I resent that. The ranking member of the subcommittee was denied the opportunity to offer his own amendment, a legitimate, in-order amendment.

That has never happened, to my knowledge, before. You are making history, but in a sad, sad way. Give us the chance to speak for our constituents, the people that want to know why you are shutting off their voice in this great deliberative body. Give us an open rule, as we have always had it. We have never had a restrictive rule like this on appropriations bills. Give us a chance to be heard.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. PERLMUTTER. I continue to reserve the balance of my time.

Mr. DREIER. Madam Speaker, at this time, I'm happy to yield 1 minute to the son of a 20-year veteran of the House Rules Committee, the gentleman from Bowling Green, Ohio (Mr. LATTA).

Mr. LATTA. I appreciate the gentleman for yielding.

Madam Speaker, last night we brought, in my opinion, a very important amendment before the Rules Committee dealing with what I called the Homeland Security Administration run amok with their bureaucrats. And what this would do is, this amendment would prevent the Homeland Security Administration from being able to utilize the dollars under the bill to say that over 36 million Americans that have a certain type of pocketknife, I don't care if it is from a hunter or a fisherman or a farmer or a person that works in a factory or a police officer or a firefighter, and make these illegal. And it is sad that we have to do it this way, that instead of bringing them here to the floor that we have to go through the Rules Committee. But I think that the amendment that we offered last night, along with my colleague from Idaho (Mr. MINNICK), that it is an important thing to save jobs in this country. I think he said in his district alone it would be over some 200 hundred jobs. Nationally you are looking at over 4,000 individuals in a time when we are losing jobs in this country; 4,000 jobs could be affected, and ancillary jobs by over 20,000 jobs. So I really stress that this is an important amendment. I appreciate the gentleman for yielding.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. PERLMUTTER. I continue to reserve.

Mr. DREIER. I yield 1 minute to my very good friend from Athens, Georgia, who had an amendment that he would have been allowed to debate if we had an open rule, and unfortunately, he is not (Mr. BROUN of Georgia).

Mr. BROUN of Georgia. I thank the gentleman for yielding.

I rise today in strong opposition to this rule. I submitted six amendments to this bill. And I am outraged that the Democrats have denied my rights to debate and receive a vote on any of them today. And actually they not only denied my right, but they are denying Americans the ability for us to present amendments that will stop this outrageous spending.

One of my amendments would have added funding to the 287(g) program, which provides State law enforcement with the training and subsequent authorization to identify a process and then, when appropriate, detain immigration offenders that they encounter during their regular job as law enforcement. I had many amendments. But the Democrats denied my constituents, denied the American people, the ability to have my voice and others' heard.

They are stealing our grandchildren's future with this outrageous spending. We have got to stop it. The American people need to stand up and say "no" to this steamroller of socialism that is being brought by the Democratic majority and their leadership.

Mr. PERLMUTTER. I still reserve my time. I would ask my friend how many speakers he has.

Mr. DREIER. Madam Speaker, let me say that there were a number of Members who were expected to be joining us, I would say to my friend, and the fact is that they were anticipating a debate taking place on the rule. And very, very courageously, my friend has been the only Member on the Democratic side to stand up, and I am the one standing here defending the rights of Democrats I'm happy to say. So the gentleman might want to talk for a couple of minutes while I wait for some of my colleagues who thought the debate might be taking place later if he wants to.

Mr. PERLMUTTER. I would say my friend from California can speak on his own behalf and take up a few minutes if he likes, but I'm going to reserve the balance of my time.

Mr. DREIER. Madam Speaker, well, I guess then that I will close the debate. I thought we were expecting some other people.

The SPEAKER pro tempore. The gentleman has 5½ minutes remaining.

Mr. DREIER. Madam Speaker, this debate is all about spending. The American people are hurting. Jobs are being lost. Businesses are being lost. Homes are being lost. And the American people are expecting us to put into place policies that will get the economy back on track.

We were promised by President Obama that if we passed the \$787 billion, really \$1 trillion, stimulus bill

that the unemployment rate would not exceed 8 percent. Today the unemployment rate is at 9.4 percent, and tragically it appears to be getting worse. And what is our answer? Well, it is to continue a pattern that has been going on for 2 years now. In nondefense spending, we have had an 85 percent increase in Federal spending, an 85 percent increase.

And what is it we have said? We believe, Madam Speaker, that we can responsibly put into place spending cuts. We have made attempts. My friend, Mr. BROWN, whom I mentioned earlier, wanted to offer a one-half of 1 percent spending cut in the 16.2 percent increase that was put into place for our spending for the legislative branch last week, and he was denied his chance to bring about that modest cut.

As we look at the appropriations process now, bringing about reductions in spending is not an option. They are simply increases in spending time and time again.

Now what is being utilized to make sure that we can continue to increase spending? Well, unfortunately, Madam Speaker, what is being done is we are shutting out the opportunity for both Democrats and Republicans to have a right to offer amendments. Now I will say, having been here for more than a couple of years, one of the most exhilarating experiences that one can have as a Member of Congress is to stand up under an open rule, especially during the appropriations process, ask that they strike the last word, and be recognized for 5 minutes to engage in what can really be a free-flowing debate. We have two members of the Rules Committee who have never served in this institution before, and they have never experienced the opportunity for that free-flowing debate on any legislation. And an open rule has not been an option so far.

But Madam Speaker, I never thought that I would see the day when we would, on the sacrosanct article 1, section 9 power in the Constitution dealing with spending, prevent Democrats and Republicans from having an opportunity to engage in that. I think about my colleagues who want to regularly engage in debate, Democrats like DENNIS KUCINICH and MARCY KAPTUR. I may not agree with them often, but I believe they should be able to participate in the process. We have Republicans like DEVIN NUNES, JEFF FLAKE and others who want to be able to stand up. Mr. BROWN, who just spoke, Mr. ROGERS, Mr. CALVERT and others want to have a chance to stand up. And guess what, Madam Speaker? They unfortunately are denied that in this process.

Justice Felix Frankfurter in 1943 made the following statement. He said, The history of liberty is largely due to the history of procedural safeguards.

Now, Madam Speaker, I believe that the Federal Government is too big and spends too much, as our Leader BOEHNER regularly says. And I believe that we should have a right to bring

about those reductions so that we can get our economy back on track to ensure that Americans aren't going to lose their jobs, their businesses and their homes. And we are denied that chance today.

But I want to say to my Democratic colleagues and my Republican colleagues, Madam Speaker, we have an opportunity. And it is before us right now. All we need to do is vote "no" on the previous question, and what will happen? We will be continuing the 220-year tradition of appropriations under an open amendment process. If we can defeat the previous question, I, Madam Speaker, will offer an amendment that will allow us to do exactly what Chairwoman Obey in the year 2000 said needed to be done. We need to allow for a free-flowing, open debate so that deliberative democracy can, in fact, once again flourish. So I urge my colleagues to vote against the previous question and allow us to have the opportunity to offer an open rule.

And with that, I yield back the balance of my time.

Mr. PERLMUTTER. Madam Speaker, I do want to compliment my friend from California on his debate, his comments, his remarks and his complaints. Some of them are legitimate. But what we are here today to deal with is the security of the United States of America. He is complaining about an 85 percent increase in spending when my friend knows full well that spending came about because of tax cuts, the prosecution of two wars, the collapse of a banking system and an emergency in the United States of America to get us back on track and to change the direction of this Nation.

Now what we are dealing with in this bill, and the reason we need to bring it on the floor and act, not delay, not delay like we saw last week, with Members circling the well, changing their votes time and time again or presenting amendments where they add \$1 million, subtract \$1 million, just to have an amendment. We are here, Madam Speaker, because this is one of our most important responsibilities, and that is to protect this country from terrorist attacks, foreign and domestic, and to ensure that our borders are secure. That is the purpose of the Homeland Security Appropriations bill.

The bill at \$42.6 billion is slightly above last year's level. But it helps with Coast Guard, with border violence, with maritime safety, environmental protection, and assistance for the TSA as people come and go through our airports, as well as cybersecurity.

□ 1345

There are funds in the bill for FEMA, for flood map modernization, and for rebuilding of the gulf coast. This is a sensible investment. This is a sensible rule, and I would ask, Madam Speaker, that because this bill invests in a stronger domestic security both at our borders, throughout our transportation

systems and our communities, I urge a "yes" vote on the previous question and on the rule.

Mr. DREIER. Madam Speaker, I ask unanimous consent that the text of the amendment be printed in the RECORD immediately prior to the vote on the previous question.

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

There was no objection.

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

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H. RES. 573 OFFERED BY MR. DREIER OF CALIFORNIA

Strike the resolved clause and all that follows and insert the following:

Resolved, That immediately upon the 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. 2892) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, 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 the 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. PERLMUTTER. Madam 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. DREIER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on the adoption of H. Res. 573, if ordered, and suspending the rules and passing H.R. 2990.

The vote was taken by electronic device, and there were—yeas 238, nays 174, not voting 21, as follows:

[Roll No. 428]

YEAS—238

Abercrombie	Andrews	Baldwin
Ackerman	Arcuri	Barrow
Adler (NJ)	Baca	Bean
Altmire	Baird	Becerra

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

NAYS—174

Aderholt	Brown (SC)	Crenshaw
Akin	Brown-Waite,	Culberson
Alexander	Ginny	Davis (KY)
Austria	Buchanan	Deal (GA)
Bachmann	Burgess	Dent
Bachus	Burton (IN)	Diaz-Balart, L.
Barrett (SC)	Buyer	Diaz-Balart, M.
Bartlett	Calvert	Dreier
Barton (TX)	Camp	Duncan
Biggart	Cantor	Ehlers
Bilbray	Cao	Emerson
Bilirakis	Capito	Fallin
Bishop (UT)	Carter	Flake
Blackburn	Cassidy	Fleming
Blunt	Castle	Forbes
Boehner	Chaffetz	Fortenberry
Bonner	Coble	Fox
Bono Mack	Coffman (CO)	Franks (AZ)
Boozman	Cole	Frelinghuysen
Brady (TX)	Conaway	Gallegly

Garrett (NJ)	Luetkemeyer	Rogers (AL)
Gerlach	Lummis	Rogers (KY)
Gingrey (GA)	Lungren, Daniel	Rogers (MI)
Gohmert	E.	Rohrabacher
Goodlatte	Mack	Rooney
Granger	Manzullo	Ros-Lehtinen
Graves	Marchant	Roskam
Guthrie	McCarthy (CA)	Royce
Hall (TX)	McCaul	Ryan (WI)
Harper	McClintock	Scalise
Hastings (WA)	McCotter	Schmidt
Heller	McHugh	Schock
Hensarling	McKeon	Sensenbrenner
Herger	McMorris	Sessions
Hill	Rodgers	Shadegg
Hoekstra	Mica	Shimkus
Hunter	Miller (FL)	Shuler
Inglis	Miller (MI)	Shuster
Jenkins	Miller, Gary	Simpson
Johnson (IL)	Moran (KS)	Smith (NE)
Johnson, Sam	Murphy, Tim	Smith (NJ)
Jones	Myrick	Smith (TX)
Jordan (OH)	Neugebauer	Stearns
Kilpatrick (MI)	Nunes	Terry
King (IA)	Olson	Thompson (PA)
King (NY)	Paul	Thornberry
Kingston	Paulsen	Tiahrt
Kirk	Pence	Tiberi
Kline (MN)	Petri	Turner
Lamborn	Pitts	Upton
Lance	Platts	Walden
Latham	Poe (TX)	Wamp
LaTourette	Posey	Westmoreland
Latta	Price (GA)	Whitfield
Lee (NY)	Putnam	Wilson (SC)
Lewis (CA)	Radanovich	Wittman
Linder	Rehberg	Wolf
LoBiondo	Reichert	Young (AK)
Lucas	Roe (TN)	Young (FL)

NOT VOTING—21

Boustany	Lewis (GA)	Snyder
Bright	Markey (CO)	Souder
Campbell	McHenry	Speier
Himes	Miller (NC)	Stupak
Issa	Schauer	Sullivan
Kennedy	Shea-Porter	Watson
Kissell	Sherman	Wu

□ 1410

Messrs. FLEMING and TERRY changed their vote from "yea" to "nay."

Messrs. BLUMENAUER, CARNEY, and MEEKS of New York changed their vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

MOTION TO RECONSIDER

Mr. BROUN of Georgia. Madam Speaker, I move to reconsider the vote.

The SPEAKER pro tempore. The question is on the motion to reconsider.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. BROUN of Georgia. Madam 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—aye 172, noes 238, not voting 23, as follows:

[Roll No. 429]

AYES—172

Aderholt	Bilbray	Brady (TX)
Akin	Bilirakis	Brown (GA)
Alexander	Bishop (UT)	Brown (SC)
Austria	Blackburn	Brown-Waite,
Bachmann	Blunt	Ginny
Bachus	Boehner	Buchanan
Barrett (SC)	Bonner	Burgess
Bartlett	Bono Mack	Burton (IN)
Barton (TX)	Boozman	Buyer
Biggart	Boustany	Calvert

Camp	Johnson (IL)	Posey	Melancon	Price (NC)	Spratt	Edwards (MD)	Larson (CT)	Richardson
Cantor	Johnson, Sam	Price (GA)	Michaud	Quigley	Stark	Edwards (TX)	Lee (CA)	Rodriguez
Capito	Jordan (OH)	Putnam	Miller (NC)	Rahall	Sutton	Ellison	Levin	Ross
Carter	King (IA)	Radanovich	Miller, George	Reyes	Tanner	Ellsworth	Lipinski	Rothman (NJ)
Cassidy	King (NY)	Rehberg	Minnick	Richardson	Tauscher	Engel	Loebsack	Royal-Allard
Castle	Kingston	Reichert	Mitchell	Rodriguez	Taylor	Eshoo	Lofgren, Zoe	Ruppersberger
Chaffetz	Kirk	Roe (TN)	Mollohan	Ross	Teague	Etheridge	Lowe	Rush
Coble	Kline (MN)	Rogers (AL)	Moore (KS)	Rothman (NJ)	Thompson (CA)	Farr	Lujan	Ryan (OH)
Coffman (CO)	Lamborn	Rogers (KY)	Moore (WI)	Roybal-Allard	Thompson (MS)	Fattah	Lynch	Salazar
Cole	Lance	Rogers (MI)	Moran (VA)	Ruppersberger	Tierney	Finler	Maffei	Sánchez, Linda
Conaway	Latham	Rohrabacher	Murphy (CT)	Rush	Titus	Foster	Maloney	T.
Crenshaw	LaTourette	Rooney	Murphy (NY)	Ryan (OH)	Tonko	Frank (MA)	Markey (CO)	Sánchez, Loretta
Culberson	Latta	Ros-Lehtinen	Murphy, Patrick	Salazar	Towns	Fudge	Markey (MA)	Sarbanes
Davis (KY)	Lee (NY)	Roskam	Murtha	Sánchez, Linda	Tsongas	Giffords	Marshall	Schakowsky
Deal (GA)	Lewis (CA)	Royce	Nadler (NY)	T.	Van Hollen	Gonzalez	Massa	Schauer
Dent	Linder	Ryan (WI)	Napolitano	Sanchez, Loretta	Velázquez	Gordon (TN)	Matheson	Schiff
Diaz-Balart, L.	LoBiondo	Scalise	Neal (MA)	Sarbanes	Visclosky	Grayson	Matsui	Schrader
Diaz-Balart, M.	Lucas	Schmidt	Nye	Schakowsky	Walz	Green, Al	McCarthy (NY)	Schwartz
Dreier	Luetkemeyer	Schock	Oberstar	Schauer	Wasserman	Green, Gene	McCollum	Scott (GA)
Duncan	Lummis	Sensenbrenner	Obey	Schiff	Schultz	Griffith	McDermott	Scott (VA)
Ehlers	Lungren, Daniel	Sessions	Oliver	Schrader	Waters	Grijalva	McGovern	Serrano
Emerson	E.	Shadegg	Ortiz	Schwartz	Watson	Gutierrez	McIntyre	Sestak
Fallin	Mack	Shimkus	Pallone	Scott (GA)	Watt	Hall (NY)	McMahon	Sherman
Flake	Manzullo	Shuler	Pascarell	Scott (VA)	Waxman	Halvorson	McNerney	Sires
Fleming	Marchant	Shuster	Pastor (AZ)	Serrano	Weiner	Hare	Meek (FL)	Skelton
Forbes	Markey (MA)	Simpson	Payne	Sestak	Welch	Harman	Meeks (NY)	Smith (WA)
Fortenberry	McCarthy (CA)	Smith (NE)	Perlmutter	Sherman	Wexler	Hastings (FL)	Michaud	Slaughter
Fox	McCaul	Peters	Perriello	Sires	Woolsey	Heinrich	Miller (NC)	Space
Franks (AZ)	McClintock	Peterson	Skelton	Slaughter	Wu	Miller, George	Miller, George	Speier
Frelinghuysen	McCotter	Pingree (ME)	Smith (TX)	Smith (WA)	Yarmuth	Higgins	Mitchell	Spratt
Gallegly	McHugh	Polis (CO)	Souder	Space	Young (AK)	Himes	Mollohan	Stark
Garrett (NJ)	McKeon	Pomeroy	Stearns	Speier		Hinchey	Moore (KS)	Sutton
Gingrey (GA)	McMorris		Terry			Hinojosa	Moore (WI)	Tanner
Gohmert	Rodgers		Thompson (PA)			Hirono	Moran (VA)	Tauscher
Goodlatte	Miller (FL)		Thornberry			Hodes	Murphy (CT)	Teague
Granger	Miller (MI)		Tiahrt			Holden	Murphy, Patrick	Thompson (CA)
Graves	Miller, Gary		Tiberi			Holt	Murtha	Thompson (MS)
Guthrie	Moran (KS)		Turner			Honda	Nadler (NY)	Tierney
Hall (TX)	Murphy, Tim		Upton			Hoyer	Napolitano	Titus
Harper	Myrick		Walden			Inslee	Neal (MA)	Tonko
Hastings (WA)	Neugebauer		Wamp			Israel	Nye	Towns
Heller	Nunes		Westmoreland			Jackson (IL)	Oberstar	Tsongas
Hensarling	Olson		Whitfield			Jackson-Lee	Obey	Van Hollen
Herger	Paulsen		Wilson (OH)			(TX)	Oliver	Velázquez
Hoekstra	Pence		Wilson (SC)			Johnson (GA)	Ortiz	Visclosky
Hunter	Petri		Wittman			Johnson, E. B.	Pallone	Walz
Inglis	Pitts		Wolf			Kagen	Pascarell	Wasserman
Issa	Platts					Kanjorski	Pastor (AZ)	Schultz
Jenkins	Poe (TX)					Kaptur	Payne	Waters
						Kildee	Perlmutter	Watson
						Kilpatrick (MI)	Perriello	Watt
						Kilroy	Peters	Waxman
						Kind	Peterson	Weiner
						Kirkpatrick (AZ)	Pingree (ME)	Welch
						Kissell	Polis (CO)	Westmoreland
						Klein (FL)	Pomeroy	Wexler
						Kosmas	Price (NC)	Wilson (OH)
						Kratovil	Quigley	Woolsey
						Kucinich	Rahall	Wu
						Langevin	Rangel	Yarmuth
						Larsen (WA)	Reyes	

NOT VOTING—23

Abercrombie Giffords
Berkley Himes
Bright Kennedy
Campbell Kissell
Davis (TN) Lewis (GA)
Doyle Markey (CO)
Ellison Matheson
Frank (MA) McHenry

Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Lee (CA)
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowe
Lujan
Lynch
Maffei
Maloney
Marshall
Massa
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)

Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis

NOES—238

Ackerman	Cummings	Holt
Adler (NJ)	Dahlkemper	Honda
Altmire	Davis (AL)	Hoyer
Andrews	Davis (CA)	Inslee
Arcuri	Davis (IL)	Israel
Baca	DeFazio	Jackson (IL)
Baird	DeGette	Jackson-Lee
Baldwin	Delahunt	(TX)
Barrow	DeLauro	Johnson (GA)
Bean	Dicks	Johnson, E. B.
Becerra	Dingell	Jones
Berman	Doggett	Kagen
Berry	Donnelly (IN)	Kanjorski
Bishop (GA)	Drieaus	Kaptur
Bishop (NY)	Edwards (MD)	Kildee
Blumenauer	Edwards (TX)	Kilpatrick (MI)
Bocieri	Ellsworth	Kilroy
Boren	Engel	Kind
Boswell	Eshoo	Kirkpatrick (AZ)
Boucher	Etheridge	Klein (FL)
Boyd	Farr	Kosmas
Brady (PA)	Fattah	Kratovil
Braley (IA)	Finler	Kucinich
Brown, Corrine	Foster	Langevin
Butterfield	Fudge	Larsen (WA)
Cao	Gerlach	Larson (CT)
Capps	Gonzalez	Lee (CA)
Capuano	Gordon (TN)	Levin
Cardoza	Grayson	Lipinski
Carnahan	Green, Al	Loebsack
Carney	Green, Gene	Lofgren, Zoe
Carson (IN)	Griffith	Lowe
Castor (FL)	Grijalva	Lujan
Chandler	Gutierrez	Lynch
Childers	Hall (NY)	Maffei
Clarke	Halvorson	Maloney
Clay	Hare	Marshall
Cleaver	Harman	Massa
Clyburn	Hastings (FL)	Matsui
Cohen	Heinrich	McCarthy (NY)
Connolly (VA)	Herseht Sandlin	McCollum
Conyers	Higgins	McDermott
Cooper	Hill	McGovern
Costa	Hinchey	McIntyre
Costello	Hinojosa	McMahon
Courtney	Hirono	McNerney
Crowley	Hodes	Meek (FL)
Cuellar	Holden	Meeks (NY)

□ 1418

Mr. HINOJOSA changed his vote from “aye” to “no.”

So the motion to reconsider was rejected.

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. DREIER. Madam 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 239, nays 184, not voting 10, as follows:

[Roll No. 430]

YEAS—239

Abercrombie	Brady (PA)	Costa
Ackerman	Braley (IA)	Costello
Adler (NJ)	Brown, Corrine	Courtney
Altmire	Butterfield	Crowley
Andrews	Capps	Cuellar
Arcuri	Capuano	Cummings
Baca	Cardoza	Dahlkemper
Baird	Carnahan	Davis (AL)
Baldwin	Carney	Davis (CA)
Barrow	Carson (IN)	Davis (IL)
Becerra	Castor (FL)	Davis (TN)
Berkley	Chandler	DeFazio
Berman	Clarke	DeGette
Berry	Clay	Delahunt
Bishop (GA)	Cleaver	DeLauro
Bishop (NY)	Clyburn	Dicks
Blumenauer	Cohen	Dingell
Bocieri	Connolly (VA)	Doggett
Boucher	Conyers	Donnelly (IN)
Boyd	Cooper	Drieaus

NAYS—184

Aderholt	Capito	Graves
Akin	Carter	Guthrie
Alexander	Cassidy	Hall (TX)
Austria	Castle	Harper
Bachmann	Chaffetz	Hastings (WA)
Bachus	Childers	Heller
Barrett (SC)	Coble	Hensarling
Bartlett	Coffman (CO)	Herger
Barton (TX)	Cole	Hill
Bean	Conaway	Hoekstra
Biggert	Crenshaw	Hunter
Billray	Culberson	Inglis
Billirakis	Davis (KY)	Issa
Bishop (UT)	Deal (GA)	Jenkins
Blackburn	Dent	Johnson (IL)
Blunt	Diaz-Balart, L.	Johnson, Sam
Boehner	Diaz-Balart, M.	Jones
Bonner	Dreier	Jordan (OH)
Bono Mack	Duncan	King (IA)
Boozman	Ehlers	King (NY)
Boren	Emerson	Kingston
Boustany	Fallin	Kirk
Brady (TX)	Flake	Kline (MN)
Bright	Fleming	Lamborn
Broun (GA)	Forbes	Lance
Brown (SC)	Fortenberry	Latham
Brown-Waite,	Fox	LaTourette
Ginny	Franks (AZ)	Latta
Buchanan	Frelinghuysen	Lee (NY)
Burgess	Gallegly	Lewis (CA)
Burton (IN)	Garrett (NJ)	Linder
Buyer	Gerlach	LoBiondo
Calvert	Gingrey (GA)	Lucas
Camp	Gohmert	Luetkemeyer
Cantor	Goodlatte	Lummis
Cao	Granger	

Lungren, Daniel
E. Pence
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHugh
McKeon
McMorris
Rodgers
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Moran (KS)
Murphy (NY)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul

Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Sensenbrenner
Sessions

Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souders
Stearns
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Boswell
Campbell
Doyle
Kennedy

Lewis (GA)
McHenry
Shea-Porter
Snyder

Stupak
Sullivan

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1426

So the resolution was agreed to.

The result of the vote was announced as above recorded.

MOTION TO RECONSIDER

Mr. WESTMORELAND. Madam Speaker, I move to reconsider the vote. The SPEAKER pro tempore. The question is on the motion to reconsider.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. WESTMORELAND. Madam 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 169, nays 251, not voting 13, as follows:

[Roll No. 431]

YEAS—169

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggart
Billbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Buchanan
Burton (IN)
Buyer
Calvert

Camp
Cantor
Capito
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cohen
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes

Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson, Sam
Jordan (OH)
King (IA)
King (NY)

Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHugh
McKeon
McMorris
Rodgers
Mica
Miller (FL)

Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Royce
Scalise

NAYS—251

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Brown-Waite,
Ginny
Butterfield
Cao
Capps
Capuano
Cardoza
Carney
Carson (IN)
Castor (FL)
Chandler
Clarke
Clay
Cleaver
Clyburn
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)

Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Gerlach
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Hereth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin

Rush
Ryan (OH)
Salazar
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Serrano
Sestak
Sherman
Sires
Skeltan

Slaughter
Smith (WA)
Space
Speier
Spratt
Stark
Sutton
Tanner
Tauscher
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas

NOT VOTING—13

Burgess
Campbell
Carnahan
Conyers
Kennedy

Lewis (GA)
Lujan
McHenry
Ryan (WI)
Shea-Porter

Snyder
Stupak
Sullivan

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remaining on this vote.

□ 1433

So the motion to reconsider was rejected.

The result of the vote was announced as above recorded.

NOTICE OF INTENTION TO OFFER
RESOLUTION RAISING A QUESTION
OF THE PRIVILEGES OF
THE HOUSE

Mr. PRICE of Georgia. Madam Speaker, pursuant to clause 2(a)1 of rule IX, I hereby notify the House of my intention to offer a resolution as a question of the privileges of the House.

The form of my resolution is as follows:

Whereas on January 20, 2009, Barack Obama was inaugurated as President of the United States, and the outstanding public debt of the United States stood at \$10.627 trillion;

Whereas on January 20, 2009, in the President's Inaugural Address, he stated, "[T]hose of us who manage the public's dollars will be held to account, to spend wisely, reform bad habits, and do our business in the light of day, because only then can we restore the vital trust between a people and their government.";

Whereas on February 17, 2009, the President signed into public law H.R. 1, the American Recovery and Reinvestment Act of 2009;

Whereas the American Recovery and Reinvestment Act of 2009 included \$575 billion of new spending and \$212 billion of revenue reductions for a total deficit impact of \$787 billion;

Whereas the borrowing necessary to finance the American Recovery and Reinvestment Act of 2009 will cost an additional \$300 billion;

Whereas on February 26, 2009, the President unveiled his budget blueprint for FY 2010;

Whereas the President's budget for FY 2010 proposes the eleven highest annual deficits in U.S. history;

Whereas the President's budget for FY 2010 proposes to increase the national debt to \$23.1 trillion by FY 2019, more than doubling it from current levels;

Whereas on March 11, 2009, the President signed into public law H.R. 1105, the Omnibus Appropriations Act, 2009;