As we move forward to enact meaningful health care reform, we must also continue to support the infrastructure that serves many of the uninsured and most vulnerable populations. This bill achieves this goal and lays the groundwork for the comprehensive reform we're working so hard to pass. Community health centers play an essential role in rural and urban areas by addressing unmet primary health care needs. Recognizing this, the funding in this bill will serve 17 million patients, of whom 40 percent are uninsured, in 7,500 service delivery sites.

My district is home to several such community health centers, including Clinica Family Health Service. Clinica's mission is to provide high-quality health care services to low-income and other underserved people in South Boulder County, Broomfield County and West Adams County. Last year, Clinica provided 160,190 medical, dental, behavioral health and health education encounters to 34,257 Coloradans at its four clinics, which are located in Boulder, Lafayette, Thornton and unincorporated Adams County. Half of its patients had no health insurance.

I would like to thank Chairman OBEY for providing Clinica with funds that will be used to help cover the cost of technology upgrades and medical and dental equipment for a new clinic in Boulder and a dental clinic in West Adams County. The new facilities will allow Clinica to serve an additional 1,500 people with medical care and 3,500 people with dental care annually, while the information and communications technology upgrades will significantly improve clinical quality and efficiency.

Finally, this bill also provides funding to the National Institutes of Health for biomedical research to improve health and reduce health care expenditures that will help doctors move away from today's costly and predominantly curative model to a presumptive model, allowing intervention before disease occurs. Further, it increases funding for public health programs administered by the Centers for Disease Control and Prevention and for mental health services, and substance abuse and treatment programs administered by the Substance Abuse and Mental Health Services Administration

Mr. Speaker, by helping people train for jobs, protecting workers, meeting the needs of our nation's most vulnerable populations, laying the groundwork for comprehensive reform of health insurance, and providing historic levels of education funding, this bill represents a responsible, yet bold, step to a more prosperous, healthier, and stronger America.

I urge passage of this rule and the underlying bill.

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

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H. RES. 673 OFFERED BY MR. SESSIONS OF TEXAS

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. 3293) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies 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 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." 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 form Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually

the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. HASTINGS of Florida. 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.

# RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. PRICE of Georgia. Mr. Speaker, I rise to a question of the privileges of the House and offer the resolution previously noticed.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Whereas the gentleman from Georgia, Mr. Price, submitted an amendment to the Committee on Rules to H.R. 3288, the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act. 2010;

Whereas the said gentleman's amendment would have required that none of the funds made available in this Act be used to establish, issue, implement, administer, or enforce any prohibition or restriction on the otherwise lawful possession or use of firearms in federally assisted housing;

Whereas the Second Amendment of the United States constitution guarantees that "the right of the people to keep and bear Arms, shall not be infringed";

Whereas the Second Amendment applies equally to all Americans, regardless of who owns or pays for their housing;

Whereas the gentleman's amendment complied with all applicable Rules of the House for amendments to appropriations measures and would have been in order under an open amendment process, but regrettably the House Democratic leadership has dramatically and historically reduced the opportunity for open debate on this Floor; and

Whereas the Speaker, Ms. Pelosi, the Democrat leadership, and the chairman of the

Committee on Appropriations, Mr. Obey, prevented the House from voting on the amendment by excluding it from the list of amendments made in order under the rule for the bill: Now, therefore, be it

Resolved, That H. Res. 669, the rule to accompany H.R. 3288, be amended to allow the gentleman from Georgia's amendment be considered and voted on in the House

The SPEAKER pro tempore. Does the gentleman from Georgia wish to present an argument on why the resolution qualifies as privileged?

Mr. PRICE of Georgia. I do, Mr. Speaker.

The SPEAKER pro tempore. The gen-

tleman from Georgia may proceed. Mr. PRICE of Georgia. Mr. Speaker, this House operates under rules, or it's supposed to operate under rules, rules that have been longstanding in the House and that are incorporated in written form. And rule IX of those rules of the House states specifically, Members may raise questions "affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings" and those affecting the rights of Members individually in their representative capacitv.

So the question is, Mr. Speaker, what is more fundamental to the rights of the Members of this House than the ability to represent their constituents and to affect the legislation that's brought to the floor?

majority, The Democrat under Speaker Pelosi, has unilaterallysome would say brazenly, some would say repressively—ended a 220-year tradition of allowing any Member to allow a spending bill.

## □ 1045

The SPEAKER pro tempore. The Chair must remind the gentleman that his remarks must be confined to the question of order, to wit: why the resolution has precedence over other questions under rule IX.

Mr. PRICE of Georgia. And that's precisely what I'm attempting to do, Mr. Speaker.

When my constituents sent me here to Congress, they didn't send me here to just push buttons. What they sent me here to do was to exercise every single ability that a Member of the House is granted. And one of the abilities that the Member of the House is granted is the opportunity to affect legislation.

And under rule IX, which states, Mr. Speaker, that the proceedings should not affect the rights of the Members individually in their Representative capacity, so if being denied the ability to offer an amendment doesn't affect the rights of this House, if it doesn't affect the dignity and integrity of its proceedings, if it doesn't affect my rights as a Representative, then I don't know what does, Mr. Speaker.

I don't know what does. If Members are not allowed to offer amendments. then the Member, him or herself, is unable to represent their constituents and consequently is disenfranchising every single American.

So, Mr. Speaker, I would contend respectfully that the inability of Members to offer amendments is an indignity upon the House and makes it so that Members are not able to exercise their representative capacity.

And I appeal to the Chair to see the light of day and allow this privileged resolution to move forward.

The SPEAKER pro tempore. The Chair is prepared to rule.

In evaluating the resolution offered by the gentleman from Georgia under the standards of rule IX, the Chair must be mindful of a fundamental principle illuminated by annotations of precedent in section 706 of the House Rules and Manual, to wit: that a question of the privileges of the House may not be invoked to prescribe a special order of business for the House.

The Chair finds that the resolution offered by the gentleman from Georgia. by proposing directly to amend House Resolution 669, prescribes a special order of business. Under a long and well-settled line of precedent presently culminating in several rulings during this first session of the 111th Congress, such a resolution cannot qualify as a question of the privileges of the House.

The Chair, therefore, holds that the resolution is not privileged under rule IX for consideration ahead of other business. Instead, the resolution may be submitted through the hopper in the regular course.

Mr. PRICE of Georgia. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

## MOTION TO TABLE

Mr. HASTINGS of Florida. Mr. Speaker, I move to table the appeal of the ruling of the Chair.

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

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

Mr. PRICE of Georgia. Mr. 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 the motion to lay the appeal on the table will be followed by 5-minute votes on:

Ordering the previous question on House Resolution 673; adopting House Resolution 673, if ordered; suspending the rules on House Resolution 538, House Resolution 285, and House Resolution 519, if ordered.

The vote was taken by electronic device, and there were—yeas 238, nays 182, not voting 13, as follows:

## [Roll No. 638]

# VEAS-238

	11110	200	
Abercrombie	Baird		Berry
Ackerman	Baldwin		Bishop (GA)
Adler (NJ)	Barrow		Bishop (NY)
Altmire	Bean		Blumenauer
Andrews	Becerra		Boccieri
Arcuri	Berkley		Boswell
Baca	Berman		Boucher

Brady (PA) Braley (IA) Brown, Corrine Butterfield Capps Capuano Cardoza Carnahan Carney Carson (IN) Castor (FL) Chandler Clarke Clay Cleaver Clyburn Cohen Connolly (VA) Convers Cooper Costa Costello Courtney Crowley Cuellar Cummings Davis (AL) Davis (CA) Davis (TN) DeFazio DeGette Delahunt DeLauro Dicks Dingell Doggett Donnelly (IN) Doyle Driehaus Edwards (MD) Edwards (TX) Ellison Ellsworth Eshoo Etheridge Farr Fattah Filner Foster Frank (MA) Fudge Giffords Gonzalez Gordon (TN) Grayson Green, Al Griffith Grijalva Gutierrez Hall (NY) Halvorson Hare Harman Hastings (FL) Heinrich Herseth Sandlin Higgins Himes Hinchey Hinojosa

Perriello Hirono Hodes Peters Holden Holt Honda Hover Inslee Israel Jackson (IL) Jackson-Lee (TX) Johnson E B Kagen Kanjorski Kaptur Kennedy Kildee Kilnatrick (MI) Kilroy Kind Kirknatrick (AZ) Kissell Klein (FL) Kucinich Langevin Larsen (WA) Larson (CT) Lee (CA) Levin Lewis (GA) Lipinski Loebsack Lofgren, Zoe Lowey Luián Lvnch Maffei Maloney Markey (CO) Markey (MA) Marshall Massa Matheson Matsui McCollum McDermott McIntvre McMahon Meek (FL) Meeks (NY) Melancon Michaud Miller (NC) Miller, George Mitchell Mollohan Moore (KS) Moore (WI) Moran (VA) Murphy (CT) Murphy, Patrick Murtha Nadler (NY) Napolitano Neal (MA) Oberstar Obev Olver Ortiz Pallone Pascrell Pastor (AZ) Payne Perlmutter

Peterson Pingree (ME) Polis (CO) Pomeroy Price (NC) Quigley Rahall Rangel Reves Richardson Rodriguez Ross Rothman (NJ) Roybal-Allard Ruppersberger Rush Ryan (OH) Salazar Sánchez, Linda т Sanchez, Loretta Sarbanes Schakowsky Schauer Schiff Schrader Schwartz Scott (GA) Scott (VA) Serrano Sestak Shea-Porter Sherman Simpson Sires Skelton Slaughter Smith (WA) Snyder Space Speier Spratt Stark Stupak Teague Thompson (CA) Thompson (MS) Tierney Titus Tonko Towns Tsongas Van Hollen Velázquez Visclosky Walz Wasserman Schultz Waters Watson Watt Waxman Weiner Welch Wexler Wilson (OH) Woolsey Wu Yarmuth

## NAYS-182

Brown-Waite, Aderholt Akin Ginny Alexander Buchanan Austria Burgess Burton (IN) Bachmann Bachus Buver Calvert Bartlett Barton (TX) Camp Campbell Biggert Bilbrav Cantor Bilirakis Cao Blackburn Capito Blunt Carter Boehner Cassidy Bonner Castle Bono Mack Chaffetz Boozman Childers Boren Coble Boustany Coffman (CO) Brady (TX) Cole Conaway Bright Broun (GA) Crenshaw Brown (SC) Culberson

Davis (KY) Deal (GA) Dent Diaz-Balart, L. Diaz-Balart, M. Dreier Duncan Ehlers Emerson Fallin Flake Fleming Forbes Fortenberry Foxx Franks (AZ) Frelinghuysen Gallegly Garrett (NJ) Gerlach Gingrey (GA) Gohmert

Goodlatte

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

#### NOT VOTING-

Johnson (GA) Barrett (SC) Bishop (UT) Lummis Sutton McCarthy (NY) Dahlkemper Young (FL) McGovern Murphy (NY) Davis (IL) Granger

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

## □ 1113

Messrs. POSEY, GUTHRIE, CARTER, HOEKSTRA, KRATOVIL, HILL and BOREN changed their vote from "yea" to "nay.

HALVORSON Mrs. and Messrs. LARSON of Connecticut and FOSTER changed their vote from "nav" ''yea.'

So the motion to table was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Ms. LUMMIS. Mr. Speaker, on rollcall No. 638. I was in a House Budget Committee hearing questioning Interior Secretary Salazar. Had I been present, I would have voted "no."

MOMENT OF SILENCE IN MEMORY OF OFFICER JACOB B. CHESTNUT AND DETECTIVE JOHN M. GIB-

The SPEAKER pro tempore (Mr. STU-PAK). Pursuant to the Chair's announcement of earlier today, the House will now observe a moment of silence in memory of Officer Jacob J. Chestnut and Detective John M. Gibson.

Will all present please rise for a moment of silence.

Dicks

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 3293, DEPARTMENTS OF LABOR. HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIA-TIONS ACT, 2010

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 673, on which the year 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 239, nays 181, not voting 13, as follows:

## [Roll No. 639]

## YEAS-239

Abercrombie Dingell Kissell Ackerman Doggett Klein (FL) Adler (N.I) Donnelly (IN) Kosmas Altmire Dovle Kucinich Driehaus Langevin Andrews Arcuri Edwards (MD) Larsen (WA) Larson (CT) Ba.ca. Edwards (TX) Baird Ellison Lee (CA) Baldwin Engel Levin Lewis (GA) Barrow Eshoo Etheridge Bean Lipinski Becerra Farr Loebsack Fattah Berkley Lowey Berman Filner Luján Berry Lynch Maffei Foster Bishop (GA) Frank (MA) Blumenauer Fudge Maloney Markey (CO) Boccieri Giffords Markey (MA) Boren Gonzalez Boswell Gordon (TN) Marshall Boucher Gravson Massa. Matheson Green, Al Boyd Brady (PA) Green, Gene Matsui McCollum Bralev (IA) Griffith Bright Grijalva McDermott Brown, Corrine Gutierrez McGovern Butterfield Hall (NY) McIntvre Capps Halvorson McMahon Capuano Hare McNernev Harman Meek (FL) Cardoza Hastings (FL) Carnahan Meeks (NY) Carney Heinrich Michaud Carson (IN) Herseth Sandlin Miller (NC) Miller, George Castor (FL) Higgins Chandler Himes Mollohan Hinchey Moore (KS) Chu Clarke Hinojosa Moore (WI) Clay Hirono Moran (VA) Cleaver Hodes Murphy (CT) Hoekstra Clyburn Murphy, Patrick Cohen Holden Murtha Nadler (NY) Connolly (VA) Holt Honda Napolitano Convers Cooper Hover Neal (MA) Inslee Oberstar Costa Costello Israel Obey Jackson (IL) Courtney Olver Crowley Jackson-Lee Ortiz Cuellar (TX) Pallone Johnson, E. B. Cummings Pascrell. Davis (AL) Kagen Pastor (AZ) Davis (CA) Kanjorski Payne Perlmutter Davis (IL) Kaptur Davis (TN Kennedy Peters Kildee DeFazio Peterson Kilpatrick (MI) Pingree (ME) DeGette Polis (CO) Delahunt Kilroy Pomeroy Price (NC) DeLauro Kind Kirkpatrick (AZ)

Rahall Rangel Reves Richardson Rodriguez Ross Rothman (NJ) Roybal-Allard Ruppersberger Rush Ryan (OH) Salazar Sánchez, Linda т Sanchez, Loretta Sarbanes Schakowsky Schauer Schiff Schrader Schwartz

Aderholt

Quigley

Scott (GA) Tiernev Scott (VA) Titus Serrano Tonko Sestak Towns Shea-Porter Tsongas Sherman Van Hollen Sires Visclosky Skelton Walz Slaughter Wasserman Smith (WA) Schultz Snyder Waters Space Watson Speier Watt Spratt Waxman Stark Weiner Stupak Welch Sutton Wexler Tanner Wilson (OH) Taylor Teague Woolsey Thompson (CA) Wu Thompson (MS) Yarmuth

Murphy, Tim

## NAYS-181 Frelinghuysen

Myrick Akin Gallegly Garrett (NJ) Alexander Neugebauer Austria Gerlach Nunes Gingrey (GA) Bachmann Nye Bachus Gohmert Olson Goodlatte Bartlett Paulsen Barton (TX) Graves Pence Biggert Guthrie Perriello Hall (TX) Bilbray Petri Bilirakis Harper Pitts Bishop (NY) Hastings (WA) Platts Blackburn Heller Poe (TX) Hensarling Blunt Posey Boehner Herger Price (GA) Bonner Bono Mack Hill. Putnam Hunter Radanovich Boozman Inglis Rehberg Boustany Issa Reichert Brady (TX) Jenkins Broun (GA) Johnson (IL) Roe (TN) Rogers (AL) Brown (SC) Johnson, Sam Brown-Waite, Rogers (KY) Jones Ginnv Jordan (OH) Rogers (MI) Buchanan King (IA) Rohrabacher King (NY) Rooney Burgess Burton (IN) Ros-Lehtinen Kingston Buver Kirk Roskam Calvert Kline (MN) Royce Ryan (WI) Kratovil Camp Campbell Lamborn Scalise Cantor Lance Schmidt Latham Cao Schock Capito LaTourette Sensenbrenner Carter Latta Sessions Cassidy Lee (NY) Shadegg Castle Lewis (CA) Shimkus Chaffetz Linder Shuler Childers LoBiondo Shuster Coble Lucas Simpson Coffman (CO) Luetkemeyer Smith (NE) Cole Lummis Smith (NJ) Conaway Lungren, Daniel Smith (TX) Crenshaw E. Souder Culberson Mack Stearns Davis (KY) Manzullo Sullivan Deal (GA) Marchant Terry McCarthy (CA) Dent Thompson (PA) Diaz-Balart, L. McCaul Thornberry Diaz-Balart, M. McClintock Tiahrt Dreier McCotter Tiberi McKeon Duncan Turner Ehlers McMorris Ellsworth Upton Rodgers Walden Melancon Emerson Wamp Fallin Mica Miller (FL) Westmoreland Flake Whitfield Fleming Miller (MI) Wilson (SC) Forbes Miller, Gary Fortenberry Minnick Wittman Mitchell Foxx Franks (AZ) Moran (KS) Young (AK)

## NOT VOTING-

Barrett (SC) Lofgren Zoe Paul McCarthy (NY) Bishop (UT) Velázquez McHenry Dahlkemper Young (FL) Granger McHugh Johnson (GA) Murphy (NY)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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