

sentiments that have been expressed today, including those from my friend and colleague from Florida, which are that, should Puerto Rico decide to seek independence, as an individual Member of Congress, I will support that. Should they decide to seek status as an associated republic, I will support that, and should they choose to join us as a State, I will support that.

This recent health care debate, I think, helped to show the people of Puerto Rico some of the advantages that might be attained were they a State. Their Resident Commissioner, PEDRO PIERLUISI, did an excellent job in trying to advocate for the interests of Puerto Rico in this health care debate, but he was but one vote. The people of Puerto Rico, counted and apportioned under a census, should have six Members of Congress, probably Members on both sides of the aisle, advocating for their interests alongside Members of Congress, representing other parts of our country. The current territorial status of Puerto Rico would end under any of the three options. No options would be subject to the territorial clause of the U.S. Constitution. As my colleague from New York has mentioned, this is a topic that is discussed constantly around dinner tables in Puerto Rico.

As a Member of Congress from Colorado, I respect the voice of the Puerto Rican people and of the Resident Commissioner, PEDRO PIERLUISI, who has been elected with this as part of his platform.

Given the current hyperpartisan environment under which Congress works, it is very good to see a bill with such strong bipartisan support. It is important to point out that this bill has over 180 cosponsors and that it was voted out of committee with a strong bipartisan majority. In addition, the highest of Puerto Rico's elected officials from both parties, including its Representative to Congress and Governor Luis Fortuño, along with a sizable majority of both chambers of its legislature, also support this bill. The reason is they understand that this bill upholds the most basic democratic tradition on which our country was founded.

Today, we can offer millions of people the right to self-determination. For too long, we have denied our fellow citizens this right, and we are now faced with an opportunity to fix this grievous injustice and to give the people of Puerto Rico the ability to self-determine. Therefore, I urge my colleagues to uphold this country's commitment to democracy and to vote for the underlying rule, which is a fair rule, and the legislation.

I urge a "yes" vote on the previous question and on the rule.

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

AMENDMENT TO H. RES. 1305 OFFERED BY MR. LINCOLN DIAZ-BALART OF FLORIDA

Strike all after the resolved clause and insert:

That at any time after the adoption of this resolution the Speaker may, 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. 2499) to provide for a federally sanctioned self-determination process for the people of Puerto Rico. 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 and 30 minutes, with one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources and 30 minutes controlled by Representative Velazquez of New York or her designee. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. 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. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives*, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused,

the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the *Floor Procedures Manual* published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from *Congressional Quarterly's* "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

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

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

Mr. POLIS. 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. LINCOLN DIAZ-BALART of Florida. 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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 23 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1215

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro

tempore (Mr. LARSEN of Washington) at 12 o'clock and 15 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 1305, by the yeas and nays;

Agreeing to House Resolution 1305, if ordered.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

PROVIDING FOR CONSIDERATION OF H.R. 2499, PUERTO RICO DEMOCRACY ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1305, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 218, nays 188, not voting 24, as follows:

[Roll No. 231]

YEAS—218

Ackerman	Crowley	Hirono
Adler (NJ)	Cuellar	Hodes
Altmire	Cummings	Holden
Andrews	Dahlkemper	Holt
Arcuri	Davis (CA)	Hoyer
Baca	Davis (IL)	Inslee
Baird	Davis (TN)	Israel
Baldwin	DeFazio	Jackson (IL)
Barrow	Delahunt	Jackson Lee
Bean	DeLauro	(TX)
Becerra	Deutch	Johnson, E. B.
Berkley	Dicks	Kagen
Berman	Dingell	Kanjorski
Berry	Doggett	Kaptur
Bishop (GA)	Doyle	Kennedy
Bishop (NY)	Driehaus	Kildee
Blumenauer	Edwards (MD)	Kilpatrick (MI)
Bocciari	Edwards (TX)	Kind
Boswell	Ellsworth	Kissell
Boucher	Engel	Klein (FL)
Boyd	Eshoo	Kosmas
Brady (PA)	Etheridge	Kucinich
Braley (IA)	Farr	Larsen (WA)
Bright	Fattah	Larson (CT)
Brown, Corrine	Filner	Lee (CA)
Butterfield	Foster	Levin
Capps	Frank (MA)	Lewis (GA)
Capuano	Fudge	Lipinski
Cardoza	Garamendi	Loeb sack
Carnahan	Gonzalez	Lofgren, Zoe
Carney	Grayson	Lowe y
Carson (IN)	Green, Al	Lujan
Castor (FL)	Green, Gene	Lynch
Chandler	Grijalva	Maffei
Chu	Hall (NY)	Maloney
Clarke	Halvorson	Markey (CO)
Clay	Hare	Markey (MA)
Cleaver	Harman	Marshall
Clyburn	Hastings (FL)	Matheson
Cohen	Heinrich	Matsui
Connolly (VA)	Herse th Sandlin	McCarthy (NY)
Cooper	Higgins	McCollum
Costa	Himes	McDermott
Costello	Hinchey	McGovern
Courtney	Hinojosa	McIntyre

McMahon	Price (NC)
McNerney	Quigley
Meek (FL)	Rahall
Michaud	Rangel
Miller (NC)	Reyes
Miller, George	Richardson
Moore (KS)	Rodriguez
Moran (VA)	Ross
Murphy (CT)	Rothman (NJ)
Murphy (NY)	Ruppersberger
Murphy, Patrick	Rush
Nadler (NY)	Ryan (OH)
Napolitano	Salazar
Neal (MA)	Sanchez, Linda
Oberstar	T.
Obey	Sanchez, Loretta
Oliver	Sarbanes
Ortiz	Schakowsky
Owens	Schauer
Pallone	Schiff
Pascarell	Schrader
Pastor (AZ)	Schwartz
Payne	Scott (GA)
Perlmutter	Scott (VA)
Perriello	Serrano
Peters	Sestak
Peterson	Shea-Porter
Polis (CO)	Sherman
Pomeroy	Sires

NAYS—188

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

NOT VOTING—24

Barrett (SC)	Conyers	DeGette
Buchanan	Davis (AL)	Fallin

Gordon (TN)	Melancon	Shuler
Hoekstra	Mollohan	Sutton
Johnson (GA)	Moore (WI)	Teague
Kilroy	Pingree (ME)	Wamp
Langevin	Platts	Waters
Meeks (NY)	Roybal-Allard	Wilson (OH)

□ 1247

Messrs. MCCLINTOCK, BONNER, TOWNS, YOUNG of Alaska, HONDA and Ms. GINNY BROWN-WAITE of Florida changed their vote from “yea” to “nay.”

Mr. THOMPSON of Mississippi and Ms. MARKEY of Colorado changed their vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Ms. ROYBAL-ALLARD. Mr. Speaker, I was unavoidably detained and was not present for the vote on Ordering the Previous Question on H. Res. 1305 (rollcall vote 231). Had I been present, I would have voted “yea.”

Stated against:

Mr. PLATTS. Mr. Speaker, on rollcall No. 231. I was inadvertently detained and missed said vote. Had I been present, I would have voted “no.”

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. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 222, nays 190, not voting 18, as follows:

[Roll No. 232]

YEAS—222

Ackerman	Cooper	Hastings (FL)
Adler (NJ)	Costa	Heinrich
Andrews	Costello	Higgins
Arcuri	Courtney	Himes
Baca	Crowley	Hinchey
Baird	Cuellar	Hinojosa
Baldwin	Cummings	Hirono
Barrow	Dahlkemper	Hodes
Bean	Davis (CA)	Holden
Becerra	Davis (TN)	Holt
Berkley	DeFazio	Hoyer
Berman	Delahunt	Inslee
Berry	DeLauro	Israel
Bishop (GA)	Deutch	Jackson (IL)
Bishop (NY)	Dicks	Jackson Lee
Blumenauer	Dingell	(TX)
Bocciari	Doggett	Johnson (GA)
Boren	Donnelly (IN)	Johnson, E. B.
Boswell	Doyle	Kagen
Boucher	Driehaus	Kanjorski
Boyd	Edwards (MD)	Kennedy
Brady (PA)	Edwards (TX)	Kildee
Braley (IA)	Ellsworth	Kilpatrick (MI)
Bright	Engel	Kind
Brown, Corrine	Eshoo	Kissell
Butterfield	Etheridge	Klein (FL)
Cao	Farr	Kosmas
Capps	Fattah	Langevin
Capuano	Filner	Larsen (WA)
Cardoza	Foster	Larson (CT)
Carnahan	Frank (MA)	Lee (CA)
Carney	Fudge	Levin
Carson (IN)	Garamendi	Lewis (GA)
Castor (FL)	Gonzalez	Lipinski
Chandler	Grayson	Loeb sack
Chu	Green, Al	Lofgren, Zoe
Clarke	Green, Gene	Lowe y
Clay	Grijalva	Lujan
Cleaver	Gutierrez	Lynch
Clyburn	Hall (NY)	Maffei
Cohen	Halvorson	Maloney
Connolly (VA)	Hare	Markey (CO)
Conyers	Harman	Markey (MA)