

the Senate amendments to the bill, H.R. 3940.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### COMMUNICATION FROM THE REPUBLICAN LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN A. BOEHNER, Republican Leader:

SEPTEMBER 28, 2010.

Hon. NANCY PELOSI,  
*Speaker of the House,*  
H-232, U.S. Capitol,  
Washington, DC.

DEAR SPEAKER PELOSI: Pursuant to Section 214(a) of the Help America Vote Act of 2002 (42 U.S.C. 15344), I am pleased to reappoint Mr. Thomas A. Fuentes of Lake Forest, California to the Election Assistance Commission Board of Advisors.

Mr. Fuentes has expressed interest in continuing to serve in this capacity and I am pleased to fulfill his request.

Sincerely,

JOHN A. BOEHNER,  
*Republican Leader.*

#### APPOINTMENT AS MEMBER TO BOARD OF DIRECTORS OF THE NATIONAL URBAN AIR TOXICS RESEARCH CENTER

The SPEAKER pro tempore. Pursuant to section 112 of the Clean Air Act (42 U.S.C. 7412), and the order of the House of January 6, 2009, the Chair announces the Speaker's appointment of the following member on the part of the House to the board of directors of the National Urban Air Toxics Research Center:

Ms. Jane Luxton, McLean, Virginia.

#### REAPPOINTMENT AS MEMBER TO SOCIAL SECURITY ADVISORY BOARD

The SPEAKER pro tempore. Pursuant to section 703 of the Social Security Act (42 U.S.C. 903), and the order of the House of January 6, 2009, and upon the recommendation of the minority leader, the Chair announces the Speaker's reappointment, effective October 9, 2010, of the following member on the part of the House to the Social Security Advisory Board for a term of 6 years:

Mrs. Dorcas R. Hardy, Spotsylvania, Virginia.

#### PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 3081, DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS AP- PROPRIATIONS ACT, 2010

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1682 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1682

*Resolved*, That upon adoption of this resolution, it shall be in order to take from the Speaker's table the bill (H.R. 3081) making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2010, and for other purposes, with the Senate amendments thereto, and to consider in the House, without intervention of any point of order except those arising under clause 10 of rule XXI, a single motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendments. The Senate amendments and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the motion to final adoption without intervening motion or demand for division of the question.

□ 2210

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

Ms. SLAUGHTER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California (Mr. DREIER). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Ms. SLAUGHTER. I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1682.

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

There was no objection.

Ms. SLAUGHTER. I yield myself such time as I may consume.

Mr. Speaker, H. Res. 1682 provides for consideration of the Senate amendments to H.R. 3081, the Continuing Appropriations Act of 2011. The rule makes in order a motion offered by the chair of the Committee on Appropriations, or his designee, that the House concur in the Senate amendments to H.R. 3081. The rule provides 1 hour of debate on the motion, equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the motion, except those arising under clause 10 of rule XXI. And finally, the rule provides the Senate amendments and the motion shall be considered as read.

Mr. Speaker, we are here tonight to approve the continuing resolution to maintain a level and consistent fund-

ing stream for the government. It is an easy issue to demagogue, and it is my hope that everybody will work together now and quickly move this bill to passage and to the President's desk. The Senate voted earlier this evening on the same straightforward bill that keeps funding even for the fiscal year that begins on Friday. As you know, the CR before us will fund government agencies until December 3, and Congress will revisit the issue in November.

There are some on the other side who question why we are considering a CR. They want us to stay here in Washington instead of getting this done and heading back to our districts. If you ask me, we've been here long enough. It has been an historic, groundbreaking session of Congress that will improve the quality of life for millions of Americans and has exceeded all of our expectations.

Generations from now, history will show that Speaker PELOSI and our majority helped usher in far-reaching health care reform that had been tried for 100 years and put curbs on insurance companies, restructured Wall Street rules, reformed student aid, increased small business assistance, added new regulations on tobacco, curbed credit card abuses, and protected Social Security. It has been one of the most productive sessions of Congress that I have ever been associated with, and I am proud of all the work that we have behind us. But now it's time to approve the CR and go home.

No one should be surprised with the CR. With the exception of fiscal years 1989, 1995 and 1997, one continuing resolution at least has been enacted for each fiscal year since 1955. In the 12 years that Republicans controlled the House, CRs were enacted 84 separate times. As in previous years, we are extending funding with a CR but are making no changes in policy. And I hope all of my colleagues would join me in voting "yes" on this rule.

Mr. Speaker, before we spend more time on conversations about budgets and currency, I want to pause to pay tribute to a very special person who is retiring from Congress in November. Katharine Hayford, known to the world as Sophie, is more than just a dedicated member of the Rules Committee staff. She is an icon in the House, a symbol of the best attributes of the dedicated staff that keeps this place humming. She is a deep and irreplaceable reservoir of institutional knowledge, and to say she will be missed is a critical understatement.

Sophie is one of those rare people in Congress who has always been content to work quietly and professionally in the background. She never sought or wanted attention. Her pride was in being prepared for any scenario that could unfold in the hearing room or on the House floor. And as someone with more than a little experience on the Rules Committee, I can vouch for that. Almost anything can and does happen

here every day, and that is one of the things that makes the place so wonderful to work in.

It's common knowledge to those of us on Rules that the tiny cubby holes and shelves behind her desk have more yellowed and dog-eared records than the National Archives and more paper and reports than a Presidential library. Sophie saved everything. Whenever the members were on the floor to manage a rule, Sophie was ready and waiting with a massive, double-phonebook-sized binder filled with House precedents, statistics, talking points, and even items that she had culled from the many blogs and Web sites she de-voured.

My first email from her every morning came between 5:35 and 6 a.m. But she is much more than a mini research factory. Sophie has a smile for everyone and went out of her way to provide cookies, raisins, almonds, crackers, chips, and even doughnuts on a regular basis to our hardworking staff. She did that on her own because she knew it was needed and appreciated. She bakes cakes, even vegan ones, out of deference to our staff that don't eat dairy. Her birthday celebrations are a familiar and comforting routine.

Before we had the privilege of working with Sophie, she worked in the personal office of Congressman Joe Moakley, who was a friend to all of us. Sophie spent 10 years on Congressman Moakley's staff before coming to the Rules Committee in 1986, the year that I was elected to Congress, and some of my staff had not yet been born. More recently, she has discovered the pleasures of France and is a frequent visitor to Paris, where she is learning the language and discovering sites.

And now, as she prepares to leave the Hill and spend more time with Brad, her quiet and extremely talented musician husband, it is time for us to say goodbye to Sophie and thank her for all this work over these many years.

Mr. DREIER. Mr. Speaker, will the gentlewoman yield?

Ms. SLAUGHTER. I yield to the gentleman from California (Mr. DREIER).

Mr. DREIER. I thank my friend for yielding.

Mr. Speaker, before I begin my formal remarks, I want to join in expressing both appreciation and congratulations to Sophie Hayford for her 34 years of dedicated service to this institution. It is true, I think, that the thing that struck me—I mean, I have never analyzed the National Archives hidden behind her desk. I have been able to benefit from some of the wonderful things that she has cooked. But I will say, Mr. Speaker, the most important thing from my perspective is that Sophie Hayford has always, always, always offered a smile and encouragement, which doesn't always take place from side to side in this institution. And that's the thing that I will miss the most.

I just want to wish her well. I know that her first action is going to be to

jet off to Paris. And I will say, mine is going to be to jet off to Los Angeles, California. And while I am looking forward enthusiastically to that, I will say that the idea of going to Paris is very appealing. So after 34 years of great service, having worked with our Rules Committee colleague Mr. MCGOVERN on the staff of Mr. Moakley, and having worked so closely with that great man, our former chairman, it is something that obviously taught Sophie a great deal, Mr. Speaker, because Joe Moakley was a man from whom I learned a lot, and I know others in this body who had the opportunity to serve with him and staff members who had the opportunity to work for and with him learned as well. So I would say that those 10 years of service in Mr. Moakley's personal office obviously played a big role in creating the kind of spectacular public servant that Sophie has been. And I want to join in wishing her well, Mr. Speaker.

Ms. SLAUGHTER. I reserve the balance of my time.

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

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

Mr. DREIER. Mr. Speaker, I want to begin by expressing appreciation to my very good friend from Rochester for yielding me the customary 30 minutes, and to say that, not surprisingly, I believe that based on the facts, the American people have a slightly different take on what it is that has gotten us to where we are and what it is that we are doing here this evening. Apparently, the House is wrapping up its business tonight, adjourning early for the campaign season. Our final act will be the passage of this continuing resolution, made necessary by this majority's many, many failures.

Our friends on the other side of the aisle like to remind us over and over again that they have completed their agenda. We just heard that from the distinguished chairwoman. That completed agenda is, Mr. Speaker, the failed stimulus bill, the unsuccessful cap-and-trade legislation, and the ever-more unpopular government takeover of our health care system.

What they will not mention, Mr. Speaker, what they will not mention is the work that they did not do. They did not pass a budget for the first time since the implementation of the 1974 Budget and Empowerment Act. They did not complete work on a single appropriations bill. And to make matters worse, they are leaving town with a tax hike looming for the American people.

□ 2220

Mr. Speaker, this is not a record of which to be proud.

But that is not all. The 111th Congress is departing with another dubious distinction. Not a single bill was considered under an open amendment process, not one. Not a single bill in

this entire Congress considered under an open amendment process. This fact alone makes this Congress the most closed Congress in history.

Let me say that again. Sadly for the American people who have been denied the opportunity to be heard in this institution, the action of not allowing one bill to be considered under an open rule has made this the single most closed Congress in the 221-year history of our Republic.

How did we end up here?

Wasn't it just 4 short years ago that we were promised a new direction?

Didn't Speaker PELOSI assure the American people that their business would be conducted in the most open, honest, ethical way possible?

Those promises are still available on the Speaker's Web site. It is almost eerie, as we look at the past 4 years, Mr. Speaker. It is almost eerie to read the words that appear on the Speaker's Web site. They read, in part: with integrity, civility and fiscal discipline, our new direction for America will use commonsense principles to address the aspirations and fulfill the hopes and dreams of all Americans. That is our promise to the American people.

Mr. Speaker, those are the words that at this moment are still on the Speaker's Web site: with integrity, civility and fiscal discipline, our new direction for America will use commonsense principles to address the aspirations and fulfill the hopes and dreams of all Americans. That is our promise to the American people.

Mr. Speaker, 4 years later, the hopes and dreams of the American people are being crushed by a tragically high unemployment rate and rising debt. They are clamoring to understand how and why legislation they pleaded with the Congress not to pass could be forced through with procedural games. They are wondering why, when they are being forced to tighten their own belts, the Congress refused to consider a budget for our Nation's spending priorities.

The American people know that this is not the new direction they were promised. They know that this majority has led our country the wrong way.

Today, my Republican colleagues on the Rules Committee and I released a new report that I have right here; and I would commend to my colleagues, and our colleagues who don't have a hard copy of it can get it by going to our site, which is [house-rulesrepublicans.house.gov](http://house-rulesrepublicans.house.gov). So I would commend this to our colleagues: "The Wrong Way Congress: How the Democratic majority took America in the wrong direction with the wrong bills in the wrong way at the wrong time."

And we have right inside here, Mr. Speaker, symbolic of what it is that we have gotten, the sign that many people across this country have seen: "Putting America to Work Project funded by the American Recovery and Reinvestment Act." That is what we have right here. And we all know that this

sign, in and of itself, is an indication of the failure.

This report outlines the procedural abuses and the failures of the 111th Congress and the role that the House Rules Committee has played in executing them. Rather than focusing on job creation, as the American people wanted, the Democratic majority pursued a job-killing agenda based on reckless spending, over-regulation and, tragically, tax increases. The details are all too familiar by now.

It all started, Mr. Speaker, with the failed stimulus bill. There were no hearings, and well after midnight the bill was rushed through the Rules Committee at warp speed. We continue to hear that everything is done in the light of day, and the stimulus bill was passed out of the Rules Committee after midnight.

We were told that this lack of regular order, Mr. Speaker, was necessary to keep the unemployment rate below 8 percent. That is why we had to rush the stimulus through so we could make sure that the unemployment rate that at that point was at 7.7 percent would not exceed 8 percent.

Well, we all know today how painful it is that we across the country are suffering with a 9.6 percent unemployment rate, and in my State of California, a nearly 12½ percent unemployment rate.

Next up was the unsuccessful cap-and-trade legislation. Now, I don't need to remind any of my Rules Committee colleagues about our meeting on that bill. Think back to the cap-and-trade legislation. It wasn't considered in the light of day. Mr. Speaker, it was 3 o'clock in the morning—not 10 o'clock, 11 o'clock, 12 o'clock—3 o'clock in the morning, just hours before we voted here on the House floor, that my friend Mr. MCGOVERN was in the process of reading the motion to report out the special rule. He had already begun reading the motion to move this bill to the floor. And at that time, at 3 o'clock in the morning, we had dumped onto our places a very warm, 300-page amendment, a 300-page amendment that completely rewrote the bill.

It was that hearing, and that manager's amendment, that launched the hue and cry across this country when the American people said, read the bill. And the next day, Republican leader JOHN BOEHNER stood right where I am, and he took his privilege, as leader, to explain to our colleagues and the American people what was in that 300-page amendment.

Then, next up was the health care reform legislation. Who can forget the town hall meeting, the public outrage, the long hard slog that they went through, Mr. Speaker, to find the votes for its passage?

Things got so bad that the majority searched for ways to pass the bill without actually voting on it. It was dubbed the Slaughter Solution, named for our very distinguished committee chair. The public outrage was so in-

tense that they eventually abandoned the so-called Slaughter Solution strategy.

Again, Mr. Speaker, that bill was reported from the Rules Committee in the middle of the night, not in the light of the day, in the middle of the night. The bill was unpopular when it was passed. And as we all know from public opinion polls today that we see from virtually every source, Democrat and Republican alike, that health care bill is even more unpopular now than it was then.

Mr. Speaker, as they pursued this job-killing agenda, the wrong-way Congress abandoned their constitutional responsibilities of budgeting and appropriations work. As I said earlier, for the first time since 1974, when the Budget Act was put into place, the House did not even consider a budget resolution. This failure was part and parcel of their strategy to shut down the appropriations process and restrict the amendment debate. It began in the summer of 2009, a year ago this past summer; and it became complete this year. We considered only two of the 12 spending bills and both with a hand-picked list of amendments.

Mr. Speaker, this crackdown was not without consequence. Listen to this number, Mr. Speaker. As the number of amendments declined, the rate of non-defense discretionary spending actually increased an astounding 91 percent. Nondefense discretionary spending since we put into place the crackdown on the opportunity for 435 Members, Democrat and Republican alike, to offer amendments, we have seen that increase take place since we saw the process for the first time ever completely shut down. This was not a coincidence.

So here we are on the final day of the legislative session before the election. The House is operating under unrestricted martial-law authority, giving the majority the ability to call up any bill at any time with just an hour's notice.

In the event that any of my colleagues are wondering when that happened, let me remind them that they voted for it last week when the House approved a rule providing for consideration of small business legislation. It is not surprising that most Members wouldn't notice. It was tucked into the rule, just as it has been for every single week that we have been in session, but one, since the month of May.

□ 2230

This is the new normal. The majority can do whatever it wants whenever they want to do it.

But let's remember, Mr. Speaker, what they won't do. They won't pass a budget. They won't vote to prevent the coming tax hikes that are crippling our economy with uncertainty. They won't allow a vote to get spending under control. They won't allow the House to debate a bill under an open rule.

Now, Mr. Speaker, I am an eternal optimist. I was privileged to be elected

the day Ronald Reagan was elected President, and I believe in that Reagan sense of optimism. I believe that there is still a chance for the majority to do what was promised in a new direction for America, and that is to truly offer a new direction. I believe that the "Wrong Way Congress" can in fact make a U-turn and remove the uncertainty that is hurting our economy.

We can have a vote to prevent tax hikes on all Americans, including small businesses and job creators. We can have a vote on a responsible level of spending, sending a powerful signal that we will work together to get our fiscal house in order, as was promised and as can be still read on the Speaker's Web page. I believe, Mr. Speaker, that that would be the right thing to do for all of us and, most importantly, for the American people who have entrusted us with dealing with these very, very serious challenges and problems that we as a Nation face.

I urge my colleagues to defeat this rule, and I am going to urge my colleagues also to defeat the previous question first. And if we are successful in defeating the previous question, we will offer a motion to go to the spending levels that were before the failed stimulus and before the bailouts, to the 2008 spending levels.

Mr. Speaker, with that, I am going to urge a "no" vote on the previous question, and, if we are not successful on that, a "no" vote on the rule. And I will say let's work together in a bipartisan way to deal with these very important issues.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 30 seconds.

I just want to say to my friend, the eternal optimist, that I have served here for 22 years. I served in the State legislature in Albany, and I served in the county legislature. I have been a student of legislatures, Mr. Speaker, believe it or not, and I have never heard of, seen, or even contemplated any legislature anywhere where one party simply opted out and voted "no" on every single thing for political gain.

They did have plenty of opportunity at the hearings and all the committee meetings to make their input there and had a lot of effect, I think, with quite a bit of legislation that we passed. But we had to pass it, Mr. Speaker, the hard way.

I am pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), from the Rules Committee.

Mr. MCGOVERN. I thank the chairwoman for yielding to me.

Mr. Speaker, I support the rule and I support the CR, and I hope that we will promptly act on it.

Mr. Speaker, rather than taking my time to talk about how the disgraceful policies of my Republican friends drove this economy into a ditch nearly bankrupting us and how we have had to spend all this time trying to clean up their awful mess, and rather than talk

about the Republicans' new pledge that they all just took that would drive this economy deeper into debt by, get this, passing tax cuts for millionaires and billionaires—not about middle-class tax cuts, but millionaires and billionaires; and that will be debt on the backs of our kids, and we will have to borrow that money from China and other countries—and, Mr. Speaker, rather than talking about how my Republican friends opposed all of our Democratic efforts to try to close corporate tax loopholes that eliminated tax incentives that allowed companies to ship jobs overseas, losing American jobs; and rather than talking about a number of the policies that they have stood for that I think have brought this country right to the edge of a cliff, I want to take my time instead to join with the distinguished chairwoman to praise my colleague and my friend, Sophie Hayford, who I am going to miss very much, not only because I think she represents the civility that desperately needs to come back to this House, but because she has been an incredible public servant.

At a time when we hear people denigrate those who work for the government, she is an example of what a government worker is all about—somebody who dedicates her entire life to trying to make the lives of others in this country better.

I have learned an awful lot from Sophie.

I first met her back in 1982, when I came to work here for Congressman Joe Moakley of South Boston, and Sophie was already a seasoned staffer when I arrived.

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

Ms. SLAUGHTER. I yield the gentleman an additional 1 minute.

Mr. DREIER. I yield my friend an additional 30 seconds.

Mr. MCGOVERN. I thank the gentleman.

I learned a great deal from Sophie, and I admired her dedication and her loyalty to Joe Moakley. He treasured her as one of his most valued staff members and he truly loved her, because Sophie gave that job her all.

I got to work with Sophie in a new capacity when I got elected to Congress and she was already on the Rules Committee, and she taught me a lot about the Rules Committee, even more than I got to know when I worked for Joe Moakley. I think she is an incredible human being, and everybody who has had the honor and the privilege of working with her I think knows what I am talking about.

So, Mr. Speaker, I would like to just say that I think Sophie is a model for all of us, not just members of the staff, but Members of Congress, about what public service is all about. She has had her fingerprints on every major piece of legislation that has impacted the lives of millions of people. I will always admire her for that.

But most importantly and most personally, I admire her for being an in-

credible friend. She has been a wonderful friend for many, many years, and I am going to miss her a lot, and I think I speak for everybody when I say I love her a lot.

Mr. DREIER. I reserve the balance of my time.

Ms. SLAUGHTER. I am pleased to yield 2 minutes to the gentlewoman from Ohio (Ms. SUTTON), a former member of the Rules Committee.

Ms. SUTTON. Mr. Speaker, I rise today to speak to the underlying legislation. In particular, I rise in strong support of the provision that extends the period for filing stop loss compensation claims to December 3 of this year.

Under the stop loss measure that I originally introduced in 2008, servicemen and -women, including members of the Reserve, who had their service extended due to stop loss after September 11, 2001, are eligible for stop loss pay of \$500 per month.

Our brave service men and women must know that we honor and respect their dedication and sacrifices to protect us and our country.

I received emails from servicemembers describing the effects of stop loss on their lives and the lives of their families. They share the hardship of being stop-lossed. They share some of the things that it has caused—financial problems and depression, family strife, and even divorce.

I am pleased that this bill will give our soldiers more time to file for the stop loss compensation that they deserve for all of their extended service in Iraq and Afghanistan.

I want my colleagues to know that these payments do not go unappreciated and urge all of you to help get the word out about the stop loss pay that some may be eligible for.

Yesterday, a posting online on VetVoice illustrates the importance of getting the word out about this pay. A Vietnam veteran tells us of an account of telling a few veterans about the stop loss pay, and he says:

“One, the big guy—I am over 6 feet and 200 pounds. If I call him a big guy, he is a big guy—had tears streaming down his face.

“I was stop-lossed 11 months ago,” he said. ‘I’ve used up all of my unemployment. You mean I can get \$5,500?’ he sputtered through the tears. ‘Sure,’ I answered. ‘It’s as easy as going to the Web site and following the links.’

“He grabbed me in a bear hug as he told me that his wife hadn’t had a new thing in many months. His kids didn’t even get new clothes for school, yet alone supplies. They’d been subsisting on food stamps and the occasional visit to the food bank. His gratitude was more crushing than his considerable strength.”

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

Ms. SLAUGHTER. I yield 30 seconds more to Ms. SUTTON.

□ 2240

Ms. SUTTON. The other veteran said he hadn’t quite sunk that low finan-

cially but he sure could use the money. They offered me their thanks, and we parted ways.

That is what this Vietnam veteran relayed in relation to an account that he had to share the news about stop loss pay that they were potentially entitled to. I hope that we will all get the word out. I am glad that we are extending the deadline. Our servicemembers deserve it and have earned it.

Mr. DREIER. Mr. Speaker, I would ask if my friend is prepared to close.

Ms. SLAUGHTER. I am.

Mr. DREIER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, let me say that it is very troubling that we are here at this late hour having not passed a budget for the first time since the Budget Act was put into place in 1974, having not completed a single appropriations bill, and having passed legislation which has dramatically exacerbated the debt that is going to be shouldered by future generations.

We can do better, Mr. Speaker. I have no doubt that we can do better. We can do better right now. I and my colleagues are prepared to stay here so that we can ensure that Americans don’t face the uncertainty of a tax increase, which will clearly impinge the potential for economic growth as we are struggling to get out of this recession. I am convinced that if we stay here, we can in fact get that done; I am convinced that if we stay, we could complete a budget; and I am convinced we could even complete the appropriations work.

Now, I know the writing is on the wall. We have passed an adjournment resolution. It is up to the majority leader to determine whether or not we can do this. But things have moved so quickly, things have moved out of the Rules Committee so quickly, I think that we should make an attempt to try and address our constitutionally mandated items, like passing a budget, like completing our appropriations work.

So I urge my colleagues to do that. It is very sad that this has become the wrong-way Congress. But as I said, I believe, Mr. Speaker, that we do have the chance to turn things around, make a U-turn.

This wrong-way Congress document is not filled with lots of hyperbole. It is filled with facts. It is filled with the very sad facts about what we have seen over the past 4 years, and I would commend it to my colleagues.

I am going to ask my colleagues to join me now in defeating the previous question. If the previous question is defeated, I will offer an amendment to the rule that will change the budget enforcement “deemer” resolution to reduce our discretionary spending levels to pre-bailout and pre-stimulus levels, 2008 levels.

Mr. Speaker, I ask unanimous consent that the text of the amendment appear in the CONGRESSIONAL 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.

Mr. DREIER. Mr. Speaker, this House, as I said, has failed to budget and failed to appropriate. The majority leadership of this House has actively denied Democrats and Republicans the opportunity to make spending decisions, particularly when it comes to cutting its Federal deficit. We can see the result, as I have been saying: A 91 percent increase in nondefense discretionary spending.

This amendment we have would restore some sanity to our fiscal outlook, and I urge my colleagues to join me in voting "no" on the previous question.

I yield back the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, let me talk about some of the consequences if we were to, and I pray we do not, vote "no" on the previous question.

My colleagues say they are going to extend the Bush tax cuts permanently, with a price tag of \$4 trillion over the next 10 years, more than doubling the deficit, while cutting the domestic discretionary Federal budget back to 2008 levels, which they say will save \$340 billion over the next decade.

Choosing once again to disinvest in America would save less than 10 percent of the increased deficits their policy would cause, but it would result in significant reductions to existing State and local law enforcement and crime-fighting programs.

It would slash and burn JAG grants, which help communities to fight crime, by \$260 million. It would gut the STOP grant funding that helps States prevent and respond to violent crimes against women. Overall, the Department of Justice would be cut by \$2.4 billion. That would result in thousands of law enforcement personnel being laid off.

The plan would slash \$700 million from new law enforcement initiatives, including \$210 million from DOJ and the FBI's cybersecurity, WMD, and counterterrorism programs, and 137 members from DEA, ATF and other agencies, all trying to fight the Mexican drug cartels that are threatening the communities along our borders.

The price is really much too great, Mr. Speaker. I urge a "yes" vote on the previous question.

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

AMENDMENT TO H. RES. 1682

OFFERED BY MR. DREIER OF CALIFORNIA

At the end of the resolution add the following new section:

BUDGET ENFORCEMENT

SEC. 2. In lieu of the budget enforcement levels established by paragraphs (a)(1)(B)(i) and (a)(1)(B)(ii) of House Resolution 1493:

(1) the new discretionary budget authority established by paragraph (a)(1)(B)(i) for fiscal year 2011 shall be \$1,028,893,000,000; and

(2) the discretionary outlays established by paragraph (a)(1)(B)(ii) for fiscal year 2011 shall be \$1,262,152,000,000.

(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.

Ms. SLAUGHTER. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

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

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

Mr. DREIER. 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.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2010

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, proceedings will resume on the bill (H.R. 2701) to authorize appropriations for fiscal year 2010 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1674, the previous question is ordered.

The question is on the motion offered by the gentleman from Texas (Mr. REYES).

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

Mr. REYES. 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, this 15-minute vote on the motion to concur will be followed by 5-minute votes on the previous question on House Resolution 1682; adoption of House Resolution 1682, if ordered; and motions to suspend the rules on S. 3729, Senate amendment to H.R. 946, and H.R. 512.

The vote was taken by electronic device, and there were—yeas 244, nays 181, not voting 7, as follows:

[Roll No. 558]

YEAS—244

Ackerman	Cardoza	DeGette
Adler (NJ)	Carnahan	DeLauro
Altmire	Carson (IN)	Deutch
Andrews	Castor (FL)	Dicks
Arcuri	Chandler	Dingell
Baca	Childers	Djou
Baird	Chu	Doggett
Baldwin	Clarke	Donnelly (IN)
Barrow	Clay	Doyle
Bean	Cleaver	Driehaus
Becerra	Clyburn	Edwards (MD)
Berkley	Cohen	Edwards (TX)
Berman	Connolly (VA)	Ellison
Berry	Conyers	Ellsworth
Bishop (GA)	Cooper	Engel
Bishop (NY)	Costa	Eshoo
Blumenauer	Costello	Etheridge
Bocchieri	Courtney	Farr
Boren	Critz	Fattah
Boswell	Crowley	Filner
Boucher	Cuellar	Foster
Boyd	Cummings	Frank (MA)
Brady (PA)	Dahlkemper	Fudge
Bralley (IA)	Davis (AL)	Garamendi
Bright	Davis (CA)	Giffords
Brown, Corrine	Davis (IL)	Gonzalez
Butterfield	Davis (TN)	Gordon (TN)
Capps	DeFazio	Grayson