

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
Bocciari	Courtney	Farr
Boren	Critz	Fattah
Boswell	Crowley	Filner
Boucher	Cuellar	Foster
Boyd	Cummings	Frank (MA)
Brady (PA)	Dahlkemper	Fudge
Braley (IA)	Davis (AL)	Garamendi
Bright	Davis (CA)	Giffords
Brown, Corrine	Davis (IL)	Gonzalez
Butterfield	Davis (TN)	Gordon (TN)
Capps	DeFazio	Grayson

Green, Al	Markey (CO)	Roybal-Allard	Nunes	Ros-Lehtinen	Thompson (PA)	Hirono	McMahon	Sanchez, Loretta
Green, Gene	Markey (MA)	Ruppersberger	Olson	Roskam	Thornberry	Hodes	McNerney	Sarbanes
Grijalva	Marshall	Rush	Paul	Royce	Tiahrt	Holden	Meek (FL)	Schakowsky
Gutierrez	Matheson	Ryan (OH)	Paulsen	Ryan (WI)	Tiberi	Holt	Meeks (NY)	Schauer
Hall (NY)	Matsui	Salazar	Pence	Scalise	Turner	Honda	Melancon	Schiff
Halvorson	McCarthy (NY)	Sánchez, Linda	Petri	Schmidt	Upton	Hoyer	Michaud	Schrader
Hare	McCollum	T.	Pitts	Schock	Walden	Inslee	Miller (NC)	Schwartz
Harman	McDermott	Sanchez, Loretta	Platts	Sensenbrenner	Wamp	Israel	Miller, George	Scott (GA)
Hastings (FL)	McGovern	Sarbanes	Poe (TX)	Sessions	Watson	Jackson (IL)	Mollohan	Scott (VA)
Heinrich	McIntyre	Schakowsky	Posey	Shadegg	Waxman	Jackson Lee	Moore (KS)	Serrano
Hereth Sandlin	McMahon	Schauer	Price (GA)	Shimkus	Welch	(TX)	Moore (WI)	Sestak
Higgins	McNerney	Schiff	Putnam	Shuster	Westmoreland	Johnson (GA)	Moran (VA)	Shea-Porter
Hill	Meek (FL)	Schrader	Rehberg	Simpson	Whitfield	Johnson, E. B.	Murphy (CT)	Sherman
Himes	Meeks (NY)	Schwartz	Reichert	Smith (NE)	Wilson (SC)	Kagen	Murphy (NY)	Shuler
Hinche	Melancon	Scott (GA)	Roe (TN)	Smith (NJ)	Wittman	Kanjorski	Murphy, Patrick	Sires
Hinojosa	Michaud	Scott (VA)	Rogers (AL)	Smith (TX)	Wolf	Kaptur	Nadler (NY)	Skelton
Hirono	Miller (NC)	Serrano	Rogers (KY)	Stark	Wu	Kennedy	Napolitano	Slaughter
Hodes	Miller, George	Sestak	Rogers (MI)	Stearns	Young (AK)	Kildee	Neal (MA)	Smith (WA)
Holden	Minnick	Shea-Porter	Rohrabacher	Sullivan		Kilpatrick (MI)	Oberstar	Snyder
Holt	Mitchell	Sherman	Rooney	Terry		Kilroy	Obey	Speier
Honda	Mollohan	Shuler				Kind	Olver	Spratt
Hoyer	Moore (KS)	Sires				Kissell	Ortiz	Stark
Inslee	Moore (WI)	Skelton				Klein (FL)	Owens	Stupak
Israel	Moran (VA)	Slaughter	Blunt	Graves (MO)	Young (FL)	Kosmas	Pallone	Sutton
Jackson (IL)	Murphy (CT)	Slaughter	Delahunt	Radanovich		Kucinich	Pascrell	Tanner
Jackson Lee	Murphy (NY)	Smith (WA)	Fallin	Richardson		Langevin	Pastor (AZ)	Teague
(TX)	Murphy, Patrick	Snyder				Larsen (WA)	Payne	Thompson (CA)
Johnson (GA)	Nadler (NY)	Space				Larson (CT)	Perlmutter	Thompson (MS)
Johnson, E. B.	Napolitano	Speier				Lee (CA)	Peters	Tierney
Kagen	Neal (MA)	Spratt				Levin	Peterson	Titus
Kanjorski	Nye	Stupak				Lewis (GA)	Pingree (ME)	Tonko
Kaptur	Oberstar	Sutton				Lipinski	Polis (CO)	Townes
Kennedy	Obey	Tanner				Loeb sack	Pomeroy	Tsongas
Kildee	Oliver	Taylor				Lofgren, Zoe	Price (NC)	Van Hollen
Kilpatrick (MI)	Ortiz	Teague				Lowe	Quigley	Velázquez
Kilroy	Owens	Thompson (CA)				Lujan	Rahall	Visclosky
Kind	Pallone	Thompson (MS)				Lynch	Rangel	Walz
Kirkpatrick (AZ)	Pascrell	Tierney				Maffei	Reyes	Wasserman
Kissell	Pastor (AZ)	Titus				Maloney	Richardson	Schultz
Klein (FL)	Payne	Tonko				Markey (CO)	Rodriguez	Waters
Kosmas	Perlmutter	Towns				Markey (MA)	Ross	Watson
Kratovil	Perriello	Tsongas				Marshall	Rothman (NJ)	Watt
Langevin	Peters	Van Hollen				Matheson	Roybal-Allard	Waxman
Larsen (WA)	Peterson	Velázquez				Matsui	Ruppersberger	Weiner
Larson (CT)	Pingree (ME)	Visclosky				McCarthy (NY)	Rush	Welch
Levin	Polis (CO)	Walz				McCollum	Ryan (OH)	Wilson (OH)
Lewis (GA)	Pomeroy	Wasserman				McDermott	Salazar	Woolsey
Lipinski	Price (NC)	Schultz				McGovern	Sánchez, Linda	Wu
Loeb sack	Quigley	Waters				McIntyre	T.	Yarmuth
Lofgren, Zoe	Rahall	Watt						
Lowe	Rangel	Weiner						
Lujan	Reyes	Wilson (OH)						
Lynch	Rodriguez	Woolsey						
Maffei	Ross	Yarmuth						
Maloney	Rothman (NJ)							

## NOT VOTING—7

□ 2315

Messrs. JOHNSON of Illinois, KIRK, and SHUSTER changed their vote from “yea” to “nay.”

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 3081, CONTINUING APPROPRIATIONS ACT, 2011

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1682, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 240, nays 186, not voting 6, as follows:

[Roll No. 559]

## YEAS—240

Aderholt	Cole	Jones	Ackerman	Chandler	Edwards (MD)	Aderholt	Dent	Kratovil
Akin	Conaway	Jordan (OH)	Altmire	Chu	Edwards (TX)	Adler (NJ)	Diaz-Balart, L.	Lamborn
Alexander	Crenshaw	King (IA)	Andrews	Clarke	Ellison	Akin	Diaz-Balart, M.	Lance
Austria	Culberson	King (NY)	Arcuri	Clay	Ellsworth	Alexander	Djou	Latham
Bachmann	Davis (KY)	Kingston	Baca	Cleaver	Engel	Austria	Dreier	LaTourette
Bachus	Dent	Kirk	Baird	Clyburn	Eshoo	Bachmann	Duncan	Latta
Barrett (SC)	Diaz-Balart, L.	Kline (MN)	Baldwin	Cohen	Etheridge	Bachus	Ehlers	Lee (NY)
Bartlett	Diaz-Balart, M.	Kucinich	Barrow	Connolly (VA)	Farr	Barrett (SC)	Emerson	Lewis (CA)
Barton (TX)	Dreier	Lamborn	Bean	Conyers	Fattah	Bartlett	Flake	Linder
Biggert	Duncan	Lance	Becerra	Cooper	Filner	Barton (TX)	Flake	LoBiondo
Bilbray	Ehlers	Latham	Berkley	Costa	Foster	Biggert	Fleming	Lucas
Bilirakis	Emerson	LaTourette	Berman	Costello	Frank (MA)	Bilbray	Forbes	Luetkemeyer
Bishop (UT)	Flake	Latta	Berry	Courtney	Fudge	Bilirakis	Fortenberry	Lummis
Blackburn	Fleming	Lee (CA)	Bishop (GA)	Critz	Garamendi	Bishop (UT)	Fox	Lungren, Daniel
Boehner	Forbes	Lee (NY)	Bishop (NY)	Crowley	Gonzalez	Bishop (UT)	Franks (AZ)	E.
Bonner	Fortenberry	Lewis (CA)	Blumenauer	Cuellar	Gordon (TN)	Blackburn	Frelinghuysen	Mack
Bono Mack	Fox	Linder	Boccieri	Cummings	Grayson	Boehner	Gallely	Manzullo
Boozman	Franks (AZ)	LoBiondo	Boren	Davis (AL)	Green, Al	Bonner	Garrett (NJ)	Marchant
Boustany	Franks (AZ)	Lucas	Boswell	Davis (CA)	Green, Gene	Boozman	Giffords	McCarthy (CA)
Brady (TX)	Frelinghuysen	Luetkemeyer	Boucher	Davis (IL)	Grijalva	Boustany	Gingrey (GA)	McCauley
Broun (GA)	Gallely	Lummis	Boyd	Davis (TN)	Gutierrez	Brady (TX)	Gohmert	McClintock
Brown (SC)	Garrett (NJ)	Lungren, Daniel	Brady (PA)	DeFazio	Hale	Broun (GA)	Goodlatte	McCotter
Brown-Waite,	Gerlach	E.	Brown, Corrine	DeGette	Hare	Brown (SC)	Granger	McHenry
Ginny	Gingrey (GA)	Mack	Butterfield	DeLauro	Harman	Brown-Waite,	Graves (GA)	McKeon
Buchanan	Gohmert	Manzullo	Capps	Deutch	Hastings (FL)	Brown-Waite,	Griffith	McMorris
Burgess	Goodlatte	Marchant	Capuano	Dicks	Heinrich	Ginny	Guthrie	Rodgers
Burton (IN)	Granger	McCarthy (CA)	Carter	Dingell	Herseth Sandlin	Buchanan	Hall (TX)	Mica
Buyer	Graves (GA)	McCauley	Cassidy	Dogett	Higgins	Burgess	Harper	Miller (FL)
Calvert	Griffith	McClintock	Castle	Donnelly (IN)	Himes	Burton (IN)	Hastings (WA)	Miller (MI)
Camp	Guthrie	McCotter	Cantor	Doyle	Hinojosa	Buyer	Heller	Miller, Gary
Campbell	Hall (TX)	McHenry	Cao	Drieaus		Camp	Hensarling	Minnick
Cantor	Harper	McKeon	Capuano			Campbell	Herger	Mitchell
Cao	Hastings (WA)	McMorris	Carter			Cantor	Hill	Moran (KS)
Capito	Heller	Rodgers	Chaffetz			Cao	Hoekstra	Murphy, Tim
Capuano	Herger	Mica	Chaffetz			Capito	Hunter	Myrick
Carney	Hoekstra	Miller (FL)	Chaffetz			Capito	Inglis	Neugebauer
Carter	Hunter	Miller (MI)	Chaffetz			Carter	Issa	Nunes
Cassidy	Inglis	Miller, Gary	Chaffetz			Carter	Jenkins	Nye
Castle	Issa	Moran (KS)	Chaffetz			Cassidy	Johnson (IL)	Olson
Chaffetz	Jenkins	Myrick	Chaffetz			Castle	Johnson, Sam	Paul
Coble	Johnson (IL)	Neugebauer	Chaffetz			Chaffetz	Childers	Paulsen
Coffman (CO)	Johnson, Sam		Chaffetz			Coble	Jordan (OH)	Pence
			Chaffetz			Coffman (CO)	King (IA)	Perriello
			Chaffetz			Cole	King (NY)	Petri
			Chaffetz			Conaway	Kingston	Pitts
			Chaffetz			Crenshaw	Kirk	Platts
			Chaffetz			Culberson	Kirkpatrick (AZ)	Poe (TX)
			Chaffetz			Davis (KY)	Kline (MN)	Posey