

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
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Hersteth Sandlin
Higgins
Hill
Himes
Hinchee
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Insole
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Langevin
Larsen (WA)
Larson (CT)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maffei
Maloney

Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Oliver
Ortiz
Owens
Pallone
Pascarell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman (NJ)

NAYS—181

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Billray
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capuano
Carney
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)

Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schradler
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Weiner
Wilson (OH)
Woolsey
Yarmuth

Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kucinich
Lamborn
Lance
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Carnahan
Carney
Myrick
Neugebauer

Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Rehberg
Schradler
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney

Blunt
Delahunt
Fallin

Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Stark
Stearns
Sullivan
Terry

NOT VOTING—7

Graves (MO)
Radanovich
Richardson

□ 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

Ackerman
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccheri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brady (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cassidy
Carnahan
Carney
Carson (IN)
Castor (FL)

Chandler
Chu
Clarke
Clay
Clever
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus

Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Watson
Waxman
Welch
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Wu
Young (AK)

Young (FL)

McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Oliver
Ortiz
Owens
Pallone
Pascarell
Pastor (AZ)
Payne
Perlmutter
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sanchez, Linda
T.

NAYS—186

Dent
Diaz-Balart, L.
Diaz-Balart, M.
Djou
Dreier
Duncan
Ehlers
Emerson
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves (GA)
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hill
Hoekstra
Hunter
Ingalls
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Childers
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)

Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mittell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Pence
Perriello
Petri
Pitts
Platts
Poe (TX)
Posey