then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.'

In 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 Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan
Mr. WOODALL. 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 noes appeared to have it.

Mr. WOODALL. 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.

## PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Mr. WOODALL. Mr. Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration.
The Clerk read the concurrent resolution, as follows:

## H. Con. Res. 17

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, February 17, 2011, Friday, February 18, 2011, or Saturday, February 19, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, February 28, 2011, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Thursday, February 17, 2011, through Friday, February 25, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, February 28, 2011, or such other time on that day as may be specified in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first
SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may des-
ignate if, in their opinion, the public interest shall warrant it.

## 1330

The SPEAKER pro tempore. The question is on the concurrent resolution.

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

Mr. WOODALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

The point of no quorum is considered withdrawn.

## 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 92; adopting House Resolution 92; and adopting House Concurrent Resolution 17.

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

PROVIDING FOR CONSIDERATION OF H.R. 1, FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2011, AND WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS
The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 92) providing for consideration of the bill (H.R. 1) making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes, and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the committee on Rules, 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 240, nays 179, not voting 14, as follows:

| [Roll No. 38] |  |
| :--- | :--- |
| YEAS-240 |  |
| Amash | Bartlett |
| Austria | Barton (TX) |
| Bachmann | Bass (NH) |
| Bachus | Benishek |
| Barletta | Berg |

Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw Davis (KY)
Denham
Denh
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carney

| athr | Paulsen |
| :---: | :---: |
| Hall | Pearce |
| Hanna | Pence |
| Harper | Petri |
| Harris | Pitts |
| Hartzler | Platts |
| Hastings (WA) | Poe (TX) |
| Hayworth | Pompeo |
| Heck | Posey |
| Heller | Price (GA) |
| Hensarling | Quayle |
| Herger | Reed |
| Herrera Beutler | Rehberg |
| Huelskamp | Reichert |
| Huizenga (MI) | Renacci |
| Hultgren | Ribble |
| Hunter | Rigell |
| Hurt | Rivera |
| Issa | Roby |
| Jenkins | Roe (TN) |
| Johnson (IL) | Rogers (AL) |
| Johnson ( OH ) | Rogers (KY) |
| Johnson, Sam | Rogers (MI) |
| Jones | Rohrabacher |
| Jordan | Rokita |
| Kelly | Rooney |
| King (IA) | Ros-Lehtinen |
| King (NY) | Roskam |
| Kingston | Ross (FL) |
| Kinzinger (IL) | Royce |
| Kline | Runyan |
| Labrador | Ryan (WI) |
| Lamborn | Scalise |
| Lance | Schilling |
| Landry | Schmidt |
| Lankford | Schock |
| Latham | Schweikert |
| LaTourette | Scott (SC) |
| Latta | Scott, Austin |
| Lewis (CA) | Sensenbrenner |
| Long | Sessions |
| Lucas | Shimkus |
| Luetkemeyer | Shuler |
| Lummis | Shuster |
| Lungren, Daniel | Simpson |
| E. | Smith (NE) |
| Mack | Smith (NJ) |
| Manzullo | Smith (TX) |
| Marchant | Southerland |
| Marino | Stearns |
| McCarthy (CA) | Stivers |
| McCaul | Stutzman |
| McClintock | Sullivan |
| McCotter | Terry |
| McHenry | Thompson (PA) |
| McKeon | Thornberry |
| McKinley | Tiberi |
| McMorris | Tipton |
| Rodgers | Turner |
| Meehan | Upton |
| Mica | Walberg |
| Miller (FL) | Walden |
| Miller (MI) | Walsh (IL) |
| Miller, Gary | Webster |
| Mulvaney | West |
| Murphy (PA) | Westmoreland |
| Myrick | Whitfield |
| Neugebauer | Wilson (SC) |
| Noem | Wittman |
| Nugent | Wolf |
| Nunes | Womack |
| Nunnelee | Woodall |
| Olson | Yoder |
| Palazzo | Young (AK) |
| Paul | Young (IN) |
| NAYS-179 |  |
| Carson (IN) | Davis (IL) |
| Castor (FL) | DeFazio |
| Chandler | DeGette |
| Chu | DeLauro |
| Cicilline | Deutch |
| Clarke (MI) | Dicks |
| Clarke (NY) | Dingell |
| Cleaver | Doggett |
| Clyburn | Donnelly (IN) |
| Cohen | Doyle |
| Connolly (VA) | Edwards |
| Conyers | Ellison |
| Cooper | Engel |
| Costa | Eshoo |
| Costello | Farr |
| Courtney | Fattah |
| Critz | Filner |
| Crowley | Frank (MA) |
| Cuellar | Fudge |
| Cummings <br> Davis (CA) | Garamendi Gonzalez |


| Green, Al | Markey | Ruppersberger |
| :---: | :---: | :---: |
| Green, Gene | Matheson | Ryan (OH) |
| Grijalva | Matsui | Sánchez, Linda |
| Gutierrez | McCarthy (NY) | T. |
| Hanabusa | McCollum | Sanchez, Loretta |
| Harman | McDermott | Sarbanes |
| Hastings (FL) | McGovern | Schakowsky |
| Heinrich | McIntyre | Schiff |
| Higgins | McNerney | Schrader |
| Himes | Meeks | Schwartz |
| Hinchey | Michaud | Scott (VA) |
| Hinojosa | Miller (NC) | Serrano |
| Hirono | Miller, George | Sewell |
| Holden | Moore | Sherman |
| Holt | Moran | Sires |
| Honda | Murphy (CT) | Slaughter |
| Inslee | Napolitano | Smith (WA) |
| Israel | Neal | Speier |
| Jackson (IL) | Olver | Stark |
| Jackson Lee (TX) | Owens <br> Pallone | Sutton |
| Johnson (GA) | Pascrell | Thompson (CA) |
| Johnson, E. B. | Pastor (AZ) | Thompson (MS) |
| Kaptur | Payne | Tonko |
| Keating | Pelosi | Towns |
| Kildee | Perlmutter | Tsongas |
| Kind | Peters | Van Hollen |
| Kissell | Peterson | Velázquez |
| Kucinich | Pingree (ME) | Visclosky |
| Langevin | Polis | Walz (MN) |
| Larsen (WA) | Price (NC) | Wasserman |
| Larson (CT) | Quigley | Schultz |
| Lee (CA) | Rahall | Waters |
| Levin | Rangel | Waxman |
| Lipinski | Reyes | Weiner |
| Loebsack | Richardson | Welch |
| Lofgren, Zoe | Richmond | Wilson (FL) |
| Luján | Ross (AR) | Woolsey |
| Lynch | Rothman (NJ) | Wu |
| Maloney | Roybal-Allard | Yarmuth |
| NOT VOTING-14 |  |  |
| Berkley | Hoyer | Scott, David |
| Carnahan | Lewis (GA) | Tierney |
| Clay | Lowey | Watt |
| Culberson | Nadler | Young (FL) |
| Giffords | Rush |  |
|  | $\square 1355$ |  |

Mr. KUCINICH, Ms. WASSERMAN SCHULTZ, Mr. RUPPERSBERGER, and Mr. ACKERMAN changed their vote from "yea'" to 'nay."
Messrs. PEARCE and YOUNG of Alaska changed their vote from "nay", to "yea."
So the previous question was ordered.
The result of the vote was announced as above recorded.
(By unanimous consent, Mr. Boehner was allowed to speak out of order.)

THE HOUSE WORKS BEST WHEN THE HOUSE IS
ALLOWED TO WORK ITS WILL
Mr. BOEHNER. My colleagues, I think a lot of you know that I have always believed that the House works best when the House is allowed to work its will.
I think all of you know that we are embarking on a more open process in this Congress, and it will start today with the consideration of this continuing resolution.
I take to the well to suggest to the Members that we want all Members to be able to participate in the debate here in the House. We also want to keep our commitment to the Members to meet the schedule that we have outlined for everyone. That means, as we go through the next couple of days, I am going to ask Members on both sides of the aisle to try to bring your amendments together, to try to respect the amount of time that is being taken so that all Members have an opportunity to be heard and to participate in the debate.

We have never had an open process for a continuing resolution in our history; so we are into some uncharted waters. I am ready to expect whatever. But I do believe that this process is important for all the Members, and I want this week for all of us to get started down this road working together so that, as we get into the weeks and months ahead, we can show the American people that the House can work together, the House can work its will. And, at the end of the day, I think the American people will be better served by our service.
ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore. Without objection, 5 -minute voting will continue.

There was no objection.
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. McGOVERN. 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 242, nays 174, answered "present" 2, not voting 15, as follows:

| [Roll No. 39] |  |
| :---: | :---: |
| YEAS-242 |  |
| Diaz-Balart | Huizenga (MI) |
| Dold | Hultgren |
| Dreier | Hunter |
| Duffy | Hurt |
| Duncan (SC) | Issa |
| Duncan (TN) | Jenkins |
| Ellmers | Johnson (IL) |
| Emerson | Johnson (OH) |
| Farenthold | Johnson, Sam |
| Fincher | Jones |
| Fitzpatrick | Jordan |
| Flake | Kelly |
| Fleischmann | King (NY) |
| Fleming | Kingston |
| Flores | Kinzinger (IL) |
| Forbes | Kissell |
| Fortenberry | Kline |
| Foxx | Labrador |
| Franks (AZ) | Lamborn |
| Frelinghuysen | Lance |
| Gallegly | Lankford |
| Gardner | Latham |
| Garrett | LaTourette |
| Gerlach | Latta |
| Gibbs | Lewis (CA) |
| Gibson | LoBiondo |
| Gingrey (GA) | Long |
| Gohmert | Lucas |
| Goodlatte | Luetkemeyer |
| Gosar | Lummis |
| Gowdy | Lungren, Daniel |
| Granger | E. |
| Graves (GA) | Mack |
| Graves (MO) | Manzullo |
| Griffin (AR) | Marchant |
| Griffith (VA) | Marino |
| Grimm | Matheson |
| Guinta | McCarthy (CA) |
| Guthrie | McCaul |
| Hall | McClintock |
| Hanna | McCotter |
| Harper | McHenry |
| Harris | McKeon |
| Hartzler | McKinley |
| Hastings (WA) | McMorris |
| Hayworth | Rodgers |
| Heck | Meehan |
| Heller | Mica |
| Hensarling | Michaud |
| Herger | Miller (FL) |
| Herrera Beutler | Miller (MI) |
| Huelskamp | Miller, Gary |

Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Perlmutter
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell

| Rivera | Smith (TX) |
| :--- | :--- |
| Roby | Southerland |
| Roe (TN) | Stearns |
| Rogers (AL) | Stivers |
| Rogers (KY) | Stutzman |
| Rogers (MI) | Sullivan |
| Rohrabacher | Terry |
| Rokita | Thompson (PA) |
| Rooney | Thornberry |
| Ros-Lehtinen | Tiberi |
| Roskam | Tipton |
| Ross (AR) | Turner |
| Ross (FL) | Upton |
| Royce | Walberg |
| Runyan | Walden |
| Ryan (WI) | Walsh (IL) |
| Scalise | Webster |
| Schilling | West |
| Schmidt | Westmoreland |
| Schock | Whitfield |
| Schweikert | Wilson (SC) |
| Scott (SC) | Wittman |
| Scott, Austin | Wolf |
| Sensenbrenner | Womack |
| Sessions | Woodall |
| Shimkus | Yoder |
| Shuster | Young (AK) |
| Simpson | Young (IN) |
| Smith (NE) |  |
| Smith (NJ) |  |
| NAYS-174 |  |
| Nug | Pallone |


| Ackerman | Fudge | Pallone |
| :---: | :---: | :---: |
| Andrews | Garamendi | Pascrell |
| Baca | Gonzalez | Pastor (AZ) |
| Baldwin | Green, Al | Payne |
| Barrow | Green, Gene | Pelosi |
| Bass (CA) | Grijalva | Peters |
| Becerra | Gutierrez | Peterson |
| Berman | Hanabusa | Pingree (ME) |
| Bishop (GA) | Harman | Polis |
| Bishop (NY) | Hastings (FL) | Price (NC) |
| Blumenauer | Heinrich | Quigley |
| Boswell | Higgins | Rahall |
| Brady (PA) | Himes | Rangel |
| Braley (IA) | Hinchey | Reyes |
| Brown (FL) | Hinojosa | Richardson |
| Butterfield | Hirono | Richmond |
| Capps | Holden | Rothman (NJ) |
| Capuano | Holt | Roybal-Allard |
| Cardoza | Honda | Ruppersberger |
| Carney | Inslee | Ryan (OH) |
| Carson (IN) | Israel | Sánchez, Linda |
| Castor (FL) | Jackson (IL) | T. |
| Chandler | Jackson Lee | Sanchez, Loretta |
| Chu | (TX) | Sarbanes |
| Cicilline | Johnson (GA) | Schakowsky |
| Clarke (MI) | Johnson, E. B. | Schiff |
| Clarke (NY) | Kaptur | Schrader |
| Cleaver | Keating | Schwartz |
| Clyburn | Kildee | Scott (VA) |
| Cohen | Kind | Scott, David |
| Connolly (VA) | Kucinich | Serrano |
| Conyers | Langevin | Sewell |
| Cooper | Larsen (WA) | Sherman |
| Costa | Larson (CT) | Shuler |
| Costello | Lee (CA) | Sires |
| Courtney | Levin | Slaughter |
| Critz | Lipinski | Smith (WA) |
| Crowley | Loebsack | Speier |
| Cuellar | Lofgren, Zoe | Stark |
| Cummings | Lowey | Sutton |
| Davis (CA) | Luján | Thompson (CA) |
| Davis (IL) | Lynch | Thompson (MS) |
| DeFazio | Maloney | Tonko |
| DeGette | Markey | Towns |
| DeLauro | Matsui | Tsongas |
| Deutch | McCarthy (NY) | Van Hollen |
| Dicks | McCollum | Velázquez |
| Dingell | McDermott | Visclosky |
| Doggett | McGovern | Walz (MN) |
| Donnelly (IN) | McIntyre | Wasserman |
| Doyle | McNerney | Schultz |
| Edwards | Meeks | Waters |
| Ellison | Miller (NC) | Waxman |
| Engel | Miller, George | Weiner |
| Eshoo | Moore | Welch |
| Farr | Moran | Wilson (FL) |
| Fattah | Murphy (CT) | Woolsey |
| Filner | Neal | Wu |
| Frank (MA) | Olver | Yarmuth |
| ANSWERED ''PRESENT' ${ }^{\text {( }}$ 2 |  |  |
| Bachmann | King (IA) |  |
| NOT VOTING-15 |  |  |
| Akin | Clay | Hoyer |
| Berkley | Culberson | Landry |
| Carnahan | Giffords | Lewis (GA) |



| Pelosi | Sánchez, Linda |  |
| :--- | :--- | :--- |
| Perlmutter | T. | Thompson (CA) |
| Peters | Sanchez, Loretta | Tonkson (MS) |
| Peterson | Sarbanes | Towns |
| Pingree (ME) | Schakowsky | Tsongas |
| Polis | Schiff | Van Hollen |
| Price (NC) | Schrader | Velázquez |
| Quigley | Schwartz | Visclosky |
| Rahall | Scott (VA) | Walz (MN) |
| Rangel | Scott, David | Wasserman |
| Reyes | Serrano | Schultz |
| Richardson | Sherman | Waters |
| Richmond | Sires | Weiner |
| Ross (AR) | Slaughter | Welch |
| Rothman (NJ) | Smith (WA) | Wilson (FL) |
| Roybal-Allard | Speier | Woolsey |
| Ruppersberger | Stark | Wu |
| Rush | Sutton | Yarmuth |
| Ryan (OH) | Terry |  |
|  | NOT VOTING-14 |  |
| Berkley | Hoyer | Sewell |
| Carnahan | Lewis (GA) | Tierney |
| Clay | Nadler | Watt |
| Giffords | Rehberg | Waxman |
| Honda | Ros-Lehtinen |  |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

1413
So the concurrent resolution was agreed to.
The result of the vote was announced as above recorded.
A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on H.R. 1 and insert extraneous material thereon.
The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?
There was no objection.

## FULL-YEAR CONTINUING

 APPROPRIATIONS ACT, 2011The SPEAKER pro tempore. Pursuant to House Resolution 92 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1.

## 1414

IN THE COMMITTEE OF THE WHOLE
Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1) making appropriations for the Department of Defense and other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes, with Mr. Lucas in the chair.
The Clerk read the title of the bill.
The CHAIR. Pursuant to the rule, the bill is considered read the first time.
The gentleman from Kentucky (Mr. Rogers) and the gentleman from Washington (Mr. DICKS) each will control 30 minutes.
The Chair recognizes the gentleman from Kentucky.

