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The SPEAKER pro tempore. The question is on ordering the previous question 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. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.J. Res. 66, PERMANENT TAX RELIEF FOR FAMILIES AND SMALL BUSINESSES ACT OF 2012, AND PROVIDING FOR CONSIDERATION OF H.R. 6684, SPENDING REDUCTION ACT OF 2012

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 841 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 841

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the joint resolution (H.J. Res. 66) approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Ways and Means or his designee that the House concur in the Senate amendment with the amendment printed in the report of the Committee on Rules accompanying this resolution. The Senate amendment 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 Ways and Means. The previous question shall be considered as ordered on the motion to its adoption without intervening motion.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 6684) to provide for spending reduction. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the Majority Leader and Minority Leader or their respective designees; and (2) one motion to recommit.

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

Mr. DREIER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my very good friend from Rochester, New York, the distinguished ranking minority member of the Committee on Rules, Ms. SLAUGHTER, pending which I yield myself such time as I might consume.

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

Mr. DREIER. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. DREIER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this resolution.

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

There was no objection.

Mr. DREIER. Mr. Speaker, I was just thinking about the fact that there are 26 letters in the alphabet, and we have had the first three letters used in discussion here on the House floor today, A, B, and my friend from Worcester brought up the letter C in talking about this. We have what is so-called letter B. And I'm not doing a Sesame Street skit here, Mr. Speaker. Letter B is what we are talking about, Plan B, and I think about Plan A.

Plan A is what the majority in the House of Representatives has been trying for the last 2 years to implement, and it's, very simply, a plan that is designed to put into place something that, interestingly enough, Democrats and Republicans alike say that they support. That plan is meaningful, strong, bold plans for a simpler, fairer Tax Code.

The President of the United States supports tax reform. I'm pleased that the President of the United States strongly supports the notion of taking the top corporate tax rate from 35 percent to 25 percent. That, again, is a very positive area of agreement that we have. But I will say that we in the majority have been trying to put into place real, meaningful tax reform that can ensure that people will see reduced rates, and we will generate enhanced gross domestic product growth.

Coupled with that, our Plan A, Mr. Speaker, has been designed to bring about a reduction in the size, scope, and reach of the Federal Government. And everyone knows what that means. Everyone knows what has to be done to reduce the size, scope, and reach of the Federal Government, and that is real entitlement reform.

So Plan A consists, Mr. Speaker, of two simple things: pro-growth tax reform that will keep taxes low for individuals, job creators, and small businesses in this country so that we can encourage that kind of job creation to which we all, Democrat and Republican alike, aspire; and a reduction of the mammoth size of this behemoth, which, as we all know, encourages a cycle of dependence which has been generational, and it's essential that we turn the core of it.

So just getting our fiscal house in order dealing with the 16-plus trillion dollar national debt is, again, only part of that. But encouraging individual initiative and responsibility, creating pride in individuals by, again, paring back entitlement spending is the right thing for us to do as a nation. That's what Plan A consists of, Mr. Speaker.

Now, if you look at where we are today, we know 11 days from now we are going over the so-called proverbial fiscal cliff. What does that mean? It means that every single American who pays income taxes will see a tax increase go into effect. We also know there will be a massive sequester, which, as we have just passed the rule, and I guess we're going to have a vote on that, as we've just debated the rule on the National Defense Authorization Act, we know it could have a devastating—devastating—impact on our national security.

We know, I think Democrat and Republican alike—not universally, because I know there are some people who do want to go over that cliff, but very few—I think Democrat and Republican alike by and large recognize that increasing taxes on working Americans, in fact, will create a scenario which will impinge on our ability to encourage the kind of gross domestic product growth that is important for us and for our security as well, economic security and our overall national security.

So I think about my former California colleague, the now-Secretary of Defense Leon Panetta, who said to this institution:

Please do what you can to ensure that we don't have that sequester take effect. Do what you can. Work hard to try and make sure that we can address abuse that's taken place within the Pentagon spending, but have what is necessary for our national security.

So as we look at these issues, we're going through a troubling time. We have divided government, something that those nations that live under a Westminster-type system don't have. We have a Democratic President and a Republican House of Representatives. I happen to believe that that creates an opportunity.

I didn't vote for Barack Obama for President of the United States, Mr. Speaker, but I will say that I do believe that having a President of one party and a United States House of Representatives of another party does create an opportunity for us to work together in a bipartisan way tackling entitlement spending.

We know that if my party had won everything, it would have been tough for us. It would have been tough for us because of the political attacks that would have taken place from the other side of the aisle to take on entitlement reform. But working together now that we have, again, a President of one party and a House of Representatives of another party, I believe that we can tackle this issue, and that's really what we desire. I think it's the right thing to do.

We're in the midst of very tough negotiations that are taking place between two people, as we all know: the President of the United States, Barack Obama, and the Speaker of the House of Representatives, JOHN BOEHNER. And I want to express my appreciation to

my colleagues on the other side of the aisle. I've been in the minority. I've served in the minority up until—from 1980 until 1994, 14 years I served in the minority, and from 2006 until 2010, for 4 years I served in the minority. And it's challenging. It's not easy.

But we are, as I said, 11 days away from going over the fiscal cliff, and we feel strongly about the need for this institution to state its position on this. I know that we've heard that the majority leader in the United States Senate, Mr. REID, has indicated that he doesn't want to bring up, if this bill passes the House of Representatives, this measure, and the President has put out a Statement of Administration Policy that this bill would not gain his signature.

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I don't think that anyone is convinced that the bill that we're going to pass here is one that is going to end up being the agreement, but it's very important in the negotiating process for work to proceed and for institutions to stake their position.

We happen to believe that Mr. BOEHNER has really made some bold steps in working to ensure that we do not go over that fiscal cliff, and I think that we are in a position today where I think that the action that we will take will be a positive step to enhance the chance for a negotiated resolution to this.

I want to say that the process hasn't been perfect, and I'm not claiming that everything that took place upstairs in the Rules Committee last night was perfect. But I will say, look at what it is that we've included: basically a reduction of \$238 billion over 10 years in the reconciliation package that passed this House of Representatives earlier this year. The measure that we have before us that is going to be debated separately is one that is actually pared back from the measure that passed the House of Representatives. The only changes that have been made have been made to accommodate the date change, putting in this month of December in place of the earlier month this year when the debate took place.

We know what this is. And for those who might claim that the so-called "reconciliation package" that we have is imposing draconian cuts which will be devastating for those who are struggling in this country, I remind them of the alternative, which happens to be the sequester. It's our hope that this reconciliation package, Mr. Speaker, will play a role in ensuring that the sequester that would be devastating—I acknowledge it would be devastating—does not take place. This is the alternative to the sequester, Mr. Speaker.

The package that we have will, in fact, see rate increases for those earning in excess of \$1 million. That's .19 percent of the American Federal income taxpayers. That means that all the rest of the Americans, an overwhelming majority, will actually avoid seeing that tax increase go into effect.

I also would like to say that we have to remember that if you look at the '01 and '03 tax cuts that became public law, part of that law, current law, Mr. Speaker, makes it clear that we actually would see those rates with the top rate at 39.6 percent. That's part of the '03 agreement that we had. So any action that we take that is less than that top rate of 39.6 percent, Mr. Speaker, is actually a tax cut, and we need to recognize that.

Mr. Speaker, what we're doing here—and I appreciate again the understanding of the minority—is simply trying to move ahead with this good-faith negotiating process that Speaker BOEHNER and the President of the United States are in the midsts of. I hope that in light of the balanced approach of this package, that we'll be able—by the way, this package has enjoyed at least statements of support from Democrats in the past from both the House and the Senate—I hope that this can be a positive step as we seek to resolve just as quickly as we possibly can this question.

We all know that uncertainty is the enemy of prosperity; and our goal is, Mr. Speaker, to put into place a policy that will have the kind of certainty that will encourage our job creators and encourage those who are out there seeking to get onto the first rung of the economic ladder to have the kind of opportunity that is necessary.

With that, Mr. Speaker, I reserve the balance of my time.

If the measures before us constituted the Republican Plan A, they would be a package of sweeping tax and entitlement reforms. They would provide considerable new revenues through economic growth and a simpler, fairer tax code. They would rein in our ballooning deficit by making our entitlement programs solvent over the long term. Together these critical initiatives would put our economy back on the path toward prosperity and opportunity.

For two years, this Republican Majority has worked tirelessly to enact Plan A. We have passed dozens of bills. Speaker BOEHNER has spent countless hours negotiating with President Obama. All in an effort to advance our Plan A. I still have hope that we will reach an agreement that will substantially achieve the goals that we have outlined: growth and balanced budgets through meaningful tax and entitlement reform.

But the measure before us today is not Plan A. It is Plan B. Time is running out. We are 11 days away from the end of 2012. 11 days away from our last opportunity to avoid the so-called fiscal cliff. 11 days away from significant tax increases on every single tax payer in America and devastating cuts to our military.

The Members of this body may disagree on many things, but we all agree that the across-the-board tax rates that become effective on January 1 will have a very damaging effect on our frail economy. The first of today's underlying bills is a safeguard against the most detrimental aspects of the fiscal cliff. It extends the 2001 and 2003 tax cuts for the 99.81 percent of Americans who make less than \$1 million a year. This action protects the middle class and virtually all small businesses. No other single action would go further to mitigate the crisis that is looming before us.

The second of today's underlying bills makes responsible spending cuts that will help to rein in our deficit without compromising national security. Defense Secretary Panetta has tirelessly exhorted Congress to avoid these draconian cuts to our military at all costs. We are absolutely committed to getting our fiscal house in order. But we must do so in a way that does not sacrifice our security. The underlying spending package makes essential cuts, while ensuring that we do not put our homeland and our troops at grave risk.

We of course want to go much further than simply limiting the worst of the damage of the fiscal cliff. We will continue to strive for a comprehensive solution until the tremendous challenges before us are addressed. These challenges will not be resolved in any sustainable way until we substantially reform our tax code and deal with the fundamental insolvency of our entitlement programs. But we would be utterly derelict in our duty to first do no harm if we failed to implement these critical stopgap measures.

It is essential to recognize that current law raises taxes for every single Federal income tax payer on January 1. Every working American, every small business owner, will face a higher marginal rate 11 days from now. That is the current law of the land. Today's underlying tax bill maintains current law for 0.19 percent of taxpayers, while cutting taxes for 99.81 percent. This is not a tax increase. It is a tax cut for very nearly everyone. Without it, we run the real and serious risk of plunging our economy back into recession.

Today's measures represent neither a comprehensive solution nor the end of our efforts to reach one. It is simply action that must be taken to protect our fragile economy and beleaguered workforce until a long-term solution can be reached.

I urge my colleagues to support this rule and the underlying legislation.

Ms. SLAUGHTER. Mr. Speaker, I thank my colleague for yielding me the time, and I yield myself such time as I may consume.

Mr. Speaker, today we're watching an attempt to perpetuate a hoax. To everybody watching, I want to say to you don't bother to take notes, no need to call the family to see history being made here. Just move along. There's nothing happening here. We've got this plan that doesn't come anywhere close to being a solution to the fiscal cliff. It's a political gimmick, and all of us recognize that it has no chance whatsoever of becoming law.

The process that has brought us here has been equally shameful, more befitting a developing country than the greatest democracy on Earth. It has been absolutely painful to watch the otherwise responsible Members of the majority play their assigned roles, pretending that what we did last night was normal and legitimate. Last night we saw one of the greatest miscarriages of the democratic process in my time on the Rules Committee. Facing the impending fiscal cliff that could devastate our economy and harm millions of Americans, the majority decided to cobble together last-minute legislation on a wing and a prayer.

Last night, the Rules Committee spent most of the evening debating legislation that we've barely seen. We were told that there would be two bills. Two bills actually were filed at midnight on Tuesday. One of them disappeared. And in the waning hours, even while the debate on the rule was taking place, a third was dropped into our laps. It turned out to be a warmed-over bill that went through the House of Representatives in May destroying health care, food stamps, and almost every other possibility of people in the country to survive. That's how the majority wants to solve the greatest economic threat facing our Nation.

With nothing less than millions of jobs on the line, does the majority really believe that passing a bill in less than 24 hours that will do absolutely nothing is responsible governing?

Today we're prepared to vote on this legislation and, I think, possibly adjourn for the final time this year. If this is the majority's final attempt to reach a compromise, then our Nation does indeed face frightening times. If no compromise is reached, we may face the greatest displacement of workers since 1929 as sequestration takes effect and forces countless layoffs. How devastating is that to a recovering economy? Every American knows we cannot let this happen; and, frankly, I believe that every Member of Congress knows that we never would let it happen. But after last night, I'm not so sure.

This is not a serious solution to avoid economic catastrophe. It's just one last attack on the poor and the middle class right before we tumble off together over the fiscal cliff. Today's bill contains many dangerous provisions. I mentioned part C that we got last night, the old warmed-over bill providing an average tax cut of \$50,000 for millionaires and billionaires. Meanwhile, the 25 million working families would pay an average of \$1,000 more on taxes; 11 million families would lose a tax credit that helps to pay for college; drastic cuts would be made to Medicare; and the important provisions of the Affordable Care Act would be no more. They simply could not adjourn this year without one last attempt to destroy the health care bill that will provide health care for millions more Americans, many covered by insurance that they have never been able to have before.

During my last election, which occurred last month, I met more than one person who told me that they had been born—there is one person who sticks out in my mind—she had been born with cerebral palsy, Mr. Speaker. She told me that her whole life, while she brought up a family, lived her life driving a car, cooking, moving, everything that we all do and take for granted in life, she had to do without any health insurance because having been born with cerebral palsy, she had a pre-existing condition that prevented it. It was not until she was 65 and was able

to get Medicare did she have the peace of mind that most of us take for granted that she was eligible to be covered. Why in the world do we keep trying to be the only industrial country that does not take better care of its people than that?

Finally, 2 million Americans would lose their unemployment assistance right here at the holiday time. As I said before, the nutrition assistance program would be gutted. Those unjust cuts would leave millions struggling to pay their bills and put food on the table.

The Americans that we're talking about, those that will be suffering, are not the ones that caused the problem in this country. They had nothing to do with financial services and the shenanigans that were played that brought us to our knees. Yet, continually, this House asks them through the majority side to pay the price.

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Enough already. They're not to blame, and they should not be put on the block.

Sadly, just days ago—Tuesday, in fact—it appeared that President Obama and Speaker BOEHNER were close to a fiscal cliff compromise. President Obama had made concessions, some that, frankly, as I pointed out, our side is not that crazy about, but in the blink of an eye, the House majority decided to walk away in 51 seconds, announcing what they were going to do in a take-it-or-leave-it manner and introduce this political hoax that is before us today.

Mr. Speaker, don't anybody be fooled. The American people know better. They see through this. They know that a compromise means that we must meet in the middle. Unfortunately, the majority continues to think, if they pass extreme legislation and then run for the hills, the rest of us will be forced to give in.

We've seen similar antics from the majority throughout the 112th Congress—from holding the full faith and credit of this Nation hostage for the first time in its history and losing our credit rating to voting 33 times to repeal health care reform. The majority has continually advanced a cynical and partisan agenda at the expense of our Nation's welfare. Given this, there is little surprise that the approval rating for Congress is at an all-time low and that historians have said it is the least productive Congress in our history.

Mr. Speaker, in the election just last month, the American people made their voices heard. When asked to choose between an extreme agenda that took care of the millionaires and billionaires at their expense, they said "no" in that they wanted not to be going over a fiscal cliff, and they have made that very clear.

I think of what we have done to just the economic future of this country by debating this fiscal cliff as long as we have, but I don't believe, as I said, that

we will actually go over it, except I'm not really clear on what we're doing here today unless that is to cut and run. Yet, in the process, the majority has presided over a shameful legislative circus not worthy of this institution. When our Nation is in desperate need of serious solutions, the majority is doing everything in its power to avoid finding the answers.

I strongly oppose this hoax before us. I urge my colleagues on both sides of the aisle to oppose the rule and the underlying legislation.

I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume to associate myself with the remarks that my good friend from Rochester has made as it relates to the sequester. I agree with her completely, Mr. Speaker. It is very important that we not let the sequester take place, and I hope and believe that she is right, that we will not see that happen.

Number two, I'd like to associate myself with her remarks as it relates to ensuring that we do not go over the fiscal cliff. That's something that is very, very desired on our part as well.

I'd also like to respond to just one point very quickly, Mr. Speaker, before I yield to my good friend from Roseville and say that I can provide my friend from Rochester, our distinguished ranking member of the Rules Committee, assurance that we will not be adjourning the Congress today and ending our work. I have said—I said in the Rules Committee, Mr. Speaker—that we are going to continue with our work.

The action that we are going to take relates to these two measures: again, the reconciliation package, which is designed to ensure, as my friend from Rochester has said, that we don't see sequestration, which we all know would be devastating if it were to take effect. It is a package of \$238 billion over a 10-year period of time. It is a very responsible measure that is not going to be gutting programs but is going to responsibly begin to tackle entitlement reform.

Ms. SLAUGHTER. Will the gentleman yield?

Mr. DREIER. I yield to the gentlelady from New York.

Ms. SLAUGHTER. I appreciate your yielding.

I appreciate your giving us your assurance, but I do recall that Mr. MCGOVERN and I, both in our turns, asked last night for assurance that the bill that we were looking at was the bill we were going to vote on, and all we got was doublespeak. So, while I appreciate your giving me your assurance, I think I'll give it back to you.

Mr. DREIER. If I could reclaim my time, I will say again that I have served as long in the minority as JOHN DINGELL. I have served longer in the minority in this House, Mr. Speaker, than the dean of the House, JOHN DINGELL, has served, and I understand. I've served 18 years in the minority, and I

understand that it is challenging, and I respect that fact. To say that as we're dealing with the very end of this session that we're not trying to get to an agreement is a mischaracterization of where we are.

I've associated myself with the remarks of my friend from Rochester as it relates to our quest to ensure that we don't see the sequester take effect or that we go over the fiscal cliff, and to say that the package that we have that deals with the reduction of \$238 billion over a 10-year period of time is, again, virtually identical to what passed this House. It has actually been reduced by 100 pages. It's much smaller than what was passed in May by this House, and I believe that it's a package that is, again, one that can responsibly be a first step towards something that we all know does need to be done. As I talk to Democrats, there is recognition that entitlement reform has to take place, and so I believe that that is the right thing to do.

With that, Mr. Speaker, I would like to yield 2½ minutes to my very good friend, a very, very strong budget hawk, my fellow Californian, Mr. MCCLINTOCK.

Mr. MCCLINTOCK. I thank my friend for yielding.

Mr. Speaker, the debate over the fiscal cliff has become so hyperbolic that I'm afraid we're losing touch with common sense.

Contrary to many press accounts and many statements by Members, there is no bill before the Congress that proposes raising taxes on millionaires or anybody else. There is a law that takes effect on January 1 that will raise taxes on millionaires and small businesses filing as millionaires and on everybody else, and there is a bill to protect everybody else from that law, which is the issue before us today.

The President says he wants to protect everybody except those greedy millionaires and billionaires. Well, that's precisely what this bill does, and yet he has vowed to veto it. The truth is he wants to sock everybody who is making over \$200,000. Now, that includes 1.3 million small businesses filing under subchapter S. That's 84 percent of net small business income. That is precisely the income that they use to produce two-thirds of the jobs in our economy.

The Congressional Budget Office warns us that Mr. Obama's "eat the rich" crusade will actually result in throwing 200,000 middle class families into unemployment. Ernst & Young estimates 700,000 lost jobs.

House Republicans now have a choice in that we can try to save as many Americans from these ruinous tax increases as the President will permit or we can end up at an impasse that assures taxes go up on everyone. So let us pass this bill. If it doesn't work, then let's pass it at whatever level the President will agree to. It's not as if we haven't repeatedly warned him.

Some of my conservative colleagues say that sparing some people these tax

increases is tantamount to raising them on others. For a lifeguard who sees 10 swimmers drowning off his beach, if he can only save nine of them, that doesn't mean he has drowned the 10th one. And no lifeguard would be worth his pay if he said, Well, my principle is that nobody should drown off my beach; therefore, as a matter of principle, if I can't save them all, then I won't save any.

As Americans watch as thousands and thousands of middle class jobs are sacrificed on the ideological altar of Obamanomics next year, I think this country will be a lot sadder and a lot wiser, but until then, let's save who we can.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the distinguished ranking member of the Committee on Ways and Means, the gentleman from Michigan (Mr. LEVIN). (Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. This is an important moment. These bills move the Nation dangerously closer to the cliff with only 11 days before our Nation would go over it. They make finding common ground far more difficult with only 11 days left to find it. These bills are not a plan; they're a ploy. They are bills to nowhere. They undermine trust so essential for agreement. We've just heard it.

The Republicans claim that letting the tax rate go up from 35 to 39.6 percent on income over \$1 million is not a tax hike because it would happen on its own. But then they say that if the tax cut rate would go up on income below \$1 million by happening on its own, it would be the biggest tax increase in history. That is patently inconsistent.

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But far worse than the hypocrisy is the way they design their tax provisions. For those with income over \$1 million, they provide a tax cut of at least \$50,000.

They raise only one-third of the revenue contained in the Speaker's discussions with the White House and far less than proposed by the President. Talk about undermining trust.

It would raise taxes on 11 million middle class taxpayers—11 million—through their failure to continue the education credit, and they hurt millions of other middle class families with their failure to keep the improvements to the child tax credit and the earned income tax credit.

And there is stony silence, indeed stone-hearted silence, on 2 million unemployed workers looking for work who would lose their insurance immediately on December 29. And silence on the 27 percent cut to doctors treating Medicare patients.

And in a deeply cynical move, so cynical, the Republicans have decided to offer another bill to put off some of the sequester in defense. And they pay for it how? By deep and ugly cuts to important programs impacting seniors, kids, and disabled Americans.

The Republicans are tying themselves into knots. But in doing so, they're tying into knots the chances for our Nation not going over the cliff. Vote "no" on these bills that take us backwards, that undercut trust, that increase the chances of going over the cliff. This is not a plan; it's a ploy.

Mr. DREIER. Mr. Speaker, I'd like to inquire of my friend how many speakers she has remaining. It looks like she has a couple at least. I reserve the balance of my time, Mr. Speaker.

Ms. SLAUGHTER. I'd be happy to tell you. We expect four. I yield 3 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), a member of the Rules Committee.

Mr. MCGOVERN. I thank the ranking member for the time.

Mr. Speaker, just when I thought the process in this House couldn't get any worse, last night in the Rules Committee the Republicans reached a new low. We originally were told that we were meeting on the Speaker's so-called "Plan B" tax bill, which continues the proud Republican tradition of protecting tax cuts for the wealthy at the expense of middle class families and poor people.

But then we were told there would be a new bill, some kind of magical mystery bill that was introduced in the middle of the hearing. Now I'm not sure what to call this one, Plan B.2.0 maybe? Plan C? The We-Don't-Really-Have-a-Plan Plan?

It turns out that the magical mystery bill is similar to the reconciliation bill the Republicans brought to the floor a couple of months ago. That bill was a bad idea then, and it's a bad idea now.

It cuts \$36 billion from the SNAP program, taking food off the table of struggling Americans. Millions of households would see a cut in their benefits. Millions of families would have less food tomorrow than they do today. And hundreds of thousands of kids would lose their access to free school meals. That's the Republican idea of a Christmas present. It's enough to make Ebenezer Scrooge embarrassed.

The bill threatens Medicare, children's programs, education, infrastructure. In short, it threatens our economy as a whole. And at the same time, it not only protects the Pentagon budget, it increases it by billions of dollars. Does anyone here really believe there's not a single dollar to be saved anywhere in the Pentagon?

Mr. Speaker, the American people have spoken. They've made it loud and clear that they want a balanced approach. They want an approach that asks the wealthiest, the most fortunate Americans, to pay a little bit more, and that protects our seniors, our children, and our most vulnerable neighbors. But the Republican leadership of this House refuses to listen.

Mr. Speaker, let me say another thing about this process. I would say to my Republican freshman colleagues

that you rode to power on a wave of outrage over the way the House conducts its business. I remember the lectures and the promises and the things that you said would change. I would say to those freshmen: you own this now. You have officially become part of the problem, if not the problem.

A vote for this rule is a vote for an outrageous abuse of power and a vote against transparency and openness, and it's a vote against accountability.

Finally, Mr. Speaker, let me just say this. My Republican friends have made it unfashionable to worry about the poor and the elderly and the vulnerable. That's crystal clear in the text of what we're debating here today. I urge my colleagues not to turn your backs on the most needy. Let's balance our budget in a way that doesn't lower the quality of life or decrease the standard of living for people of this country. We can do so much better. Instead of doing this, you should be negotiating with the President. Go back to the negotiating table and stop the games.

Mr. DREIER. Mr. Speaker, at this time I'm happy to yield 5 minutes to my friend from Lawrenceville, Georgia (Mr. WOODALL), a very hardworking, thoughtful member of the House Rules Committee.

Mr. WOODALL. Mr. Speaker, I thank my chairman for yielding me the time.

I came down here to talk about tax policy and my support for the rule, Mr. Speaker; but I've got to tell you, when folks back home ask me what's wrong with this place, I'm going to start playing them a clip of this debate because there's a serious topic on the floor right now. This fiscal cliff, I don't think there's a man or woman in this room with a voting card who doesn't believe this is a serious issue for our economy, for working families, and for small businesses that we're counting on bringing us out of this recession. I believe every man and woman in this room believes that.

And yet as we're down here trying to have that discussion, in the short 11 days we have left to sort that out, I hear that our tax package, which does exactly what the President has asked, though not the levels that he asked for it, it picks winners and losers. He campaigned on that platform. I think it's wrong. I think we ought to keep tax rates low for everyone, but the President says no. The President says we ought to pick some folks who win and some folks who lose, and this tax bill does that. But it just deals with taxes because, as my friend from Massachusetts reminded me, when I ran as a part of this freshman class, I said let's try to make things more simple here. Because we all know what happens at the end of the year. Anybody who's watched this process in December knows those Christmas tree bills that come rolling to the floor where you handle 100 different unrelated things at one time.

Well, Mr. Speaker, I'd be interested in polling folks who don't have a vot-

ing card. I'd be interested in knowing what folks who've listened to this debate believe is happening in this underlying tax bill, because I've been told by some of the speakers on this floor that this tax bill throws Americans off unemployment; when, in fact, it does no such thing. No such thing.

Do we need to deal with unemployment? Yes, we do—in an unemployment bill.

I've been told that this tax bill cuts payments to doctors. It does no such thing. There's not one line in this bill that does any such thing. Do we need to deal with Medicare and SGR? Of course we do.

Do we need to jumble all of these things together in a straightforward tax bill? The answer's no.

I'm told by my friend it's not just stony silence on these issues; it's stone hearted to be silent.

Who is it, Mr. Speaker, who believes it advances the debate, this hard, complicated debate we have, who believes we advance it by calling the absence of a nongermane provision stone hearted on the part of the authors? Don't tell me about violating trust. Don't tell me about how it is folks ought to work cooperatively together. We have that opportunity right now, and folks are throwing it away line by line by line.

My friend from the Rules Committee comes to the floor, Mr. Speaker, and he says this bill throws folks off food stamps. Nonsense. Nonsense.

Every single time I go to the town hall meeting, Mr. Speaker, folks believe if only we eliminate the fraud in government, we'll balance the budget. Now, due to spending that both sides of the aisle are responsible for, we're way far out of balance. Fraud won't do it, Mr. Speaker. That's not going to be enough.

□ 1410

But what the underlying bill does to request to eliminate the defense sequester cuts that President Obama's Secretary of Defense has called so dangerous, it says the only people who should get food stamps are people who qualify for food stamps. That's right. The underlying bill says the only folks who should get food stamps are those who qualify for food stamps.

Now, it turns out, Mr. Speaker, like every Federal program, there's some fraud, and so some folks are receiving taxpayer-sponsored benefits today who have not earned them, who do not find themselves entitled to them by virtue of their circumstances. And because this underlying bill aims to eliminate that fraud, folks come to the floor and say, Why in the world are Republicans throwing hungry people out during Christmas?

It's outrageous, Mr. Speaker, that we can't have a conversation about serious things in a serious time. The outrages that my colleagues on the Rules Committee point to from last night, I tell you, Mr. Speaker, what happened last night is exactly what I would hope

would happen in a conversation like this.

Almost to a person, every Democratic member in that Rules Committee and those testifying said, All we have in front of us tonight is a tax bill. All we have in front of us is a tax bill, and every American knows the problem isn't taxes. The problem is too much spending. Where are the spending cuts?

And so the Rules Committee staff went to work immediately, Mr. Speaker, and found a package, not that had never been seen before, not that had never been read before, not that had never been vetted before, but one that had passed this body in a bipartisan way.

They said, You know what? The criticism from my colleagues is right. We do need to do this, and we did.

The SPEAKER pro tempore (Mr. WOMACK). The time of the gentleman has expired.

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

Mr. WOODALL. I thank my chairman for the additional time.

There is a sense out there in this country that folks in Washington, D.C., just want to argue about things, that they don't want to solve anything at all.

You all made absolutely accurate criticisms last night that I'm glad we took steps to correct. We have a straightforward tax bill today. We have a straightforward sequester replacement bill today.

Mr. Speaker, this isn't the wrong way to do things; this is the right way to do things. And with only 11 days left to prevent all American families from having an unprecedented tax increase, let's pass these bills. Let's pass this rule. Let's get to debate on the underlying resolutions.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ), the distinguished ranking member of the Committee on Small Business.

Ms. VELÁZQUEZ. I thank the gentle lady for yielding.

Mr. Speaker, I rise in opposition to this rule and the underlying legislation. This measure punishes working families just to deliver more tax breaks for the wealthy.

Under this legislation, those making over \$1 million a year will receive an average tax cut of \$50,000. That is not the 1 percent. It is the top one-third of the 1 percent. Meanwhile, 25 million working families will pay an average of \$1,000 more in taxes.

For those families that are struggling to find work in this difficult economy, this bill is equally bad. Two million Americans will lose unemployment benefits next month, pushing them out into the cold.

Retirees and seniors will also be hurt. With a 27 percent cut in Medicare payments, 50 million seniors will see their health care endangered.

Mr. Speaker, what the American people are watching right here right now

is a tragic comedy, because the other side knows quite well that, even if this legislation passes the House today, it is going nowhere. So here we are, with time running out, rather than coming up with real compromise, we are playing another game of political charades. That is not what the American people want us to do.

I urge my colleagues, reject this bill so we can come up with a solution that becomes law, addresses our fiscal challenges while protecting working families.

Mr. DREIER. Mr. Speaker, may I inquire of the Chair how much time is remaining on each side?

The SPEAKER pro tempore. The gentleman from California has 7 minutes remaining. The gentlewoman from New York has 14½ minutes remaining.

Mr. DREIER. So I think the gentlewoman from New York (Ms. SLAUGHTER) might want to exhaust some of the speakers she has.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I thank the gentlelady, the ranking member from the Rules Committee, and I thank the chairman of the Rules Committee.

Mr. Speaker, when I mention the words Hurricane Sandy and the tragedy in Newtown, Connecticut, many would wonder what do they have in common? The enormous gun tragedy, a loss of 26 lives, and Americans suffering from a devastating storm. Certainly our hearts go out for those babies who were lost. But it really speaks to Americans in need. And I guess that's why I'm so troubled to be on the floor today, because the framework that we have says to America that when you're in need, we will not, as this Congress and as this government, be prepared to help you.

I think what is disappointing—and I know for the Speaker it is probably the same case as I'm speaking, because just about 3 days ago we thought there was a deal between the White House and the framework that was offered and the leadership of this House. It's disappointing that, in the course of a couple of days, we've come to a situation where this plan, Plan B, raises only about \$300 billion from high-income households, and the Center on Budget Priorities suggests that millionaires will get \$108,500 per million, over \$1 million in tax cuts.

But what will the middle class get?

Plan B allows the old pre-Bush—or Bush tax cuts to continue the itemized deductions for the rich, giving them more opportunity to keep their money. In fact, we will lose \$400 billion, under this plan, in high-income revenues. Disappointing.

But at the same time, there is a thought that we should cut Social Security by changing the way Social Security is calculated, so that if a senior buys cheap food, that means they need cheap Social Security, and we cut their

Social Security benefits because we thought there was a deal. I can't agree with that at all, cutting Social Security, and I can't agree with recalculating how a senior gets their check.

But I will tell you that this plan raises taxes rather than reduces it, as the President wants to do, as this House of Democrats wants to do, as the Senate bill, where 180-plus Democrats have signed. This raises taxes \$1,000 on 25 million working families.

And then there is a mysterious bill that, I guess, suggests that we are in the business of making cuts. But you know what that will do?

And by the way, there's no sequester plan in this plan that is here. It cuts education, research, and national security; but it also cuts the hardworking Americans who are yet employed, and it cuts off 2 million of them, unemployment insurance. It cuts out doctors.

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

Ms. SLAUGHTER. I yield the gentlelady another minute.

Ms. JACKSON LEE of Texas. I thank the gentlelady.

Twenty-seven percent.

Mr. DREIER. Mr. Speaker, may I ask my friend to yield? I will yield her an additional 30 seconds.

Ms. JACKSON LEE of Texas. I will be happy to yield to the gentleman.

Mr. DREIER. I just wanted to inquire. I didn't understand this "there is no sequester here." We're dealing with the threat of a sequester, and our idea is \$238 billion in spending reductions within the reconciliation bill that passed the House last May is what we're including. So I just didn't understand, if I could just ask my friend.

And I'm happy to yield her an additional 30 seconds, Mr. Speaker.

Ms. JACKSON LEE of Texas. I thank the gentleman for his inquiry.

When we started out with the Plan B, there was no sequester plan. Obviously, there was a mysterious offering last evening.

Mr. DREIER. If the gentlewoman would further yield, let me just say that there is a plan to respond to the sequester, and that is the \$238 billion reduction over a 10-year period of time that is the reconciliation bill that was passed by the House last May.

Ms. JACKSON LEE of Texas. Reclaiming my time, I thank the gentleman.

In the original Plan B that I assume the Rules Committee was to address last evening through the distinguished chairperson, there was no sequester plan. We were in a posture of cutting education and research.

Yes, you are right. In the creative work of your staff, as you said right here on the floor of the House, late into the night you found the reconciliation that had been addressed in the summer, I believe, and all of us, a lot of us, voted against it.

□ 1420

All of us voted against it, and we understand that that plan will have no

traction in the United States Senate. I thank the gentleman for his work, but what I'm suggesting is there is no sequester plan. There was no sequester plan with the Plan B. And as I was saying, if I can quickly go back, Madam Ranking Member, without this plan, what we leave in place with Plan B, which really troubles me, coming from the Texas Medical Center and meeting with the hospital before I left Houston, it cuts reimbursements for doctors seeing Medicare patients by 27 percent. Fifty million Americans will then have their health care in jeopardy. It cuts nutrition plans, food stamps. There is no plan.

My quiet comment, Mr. Speaker, as I close, it is in disappointment. It is not in shrill debate. It is simply in disappointment. Because we have Americans who are looking to us to work with the President, to work with the Speaker, to go forward on the plan that was offered on Monday—at least for us to debate—and to find a way to be able to respond when people like those victims of Hurricane Sandy and Newtown, Connecticut, call on us. That's all I'm asking my colleagues, is that you work with us.

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

Ms. SLAUGHTER. Mr. Speaker, I yield myself 30 seconds to say that it has been said here before that the bill that mysteriously appeared last night had passed the House in a bipartisan way. Let me point out it was bipartisan opposition. No Democrat voted for it and 16 Republicans voted "no."

I am pleased to yield 1 minute to the gentleman from Michigan (Mr. PETERS).

Mr. PETERS. Mr. Speaker, I rise in opposition to this rule and the underlying bills.

In the dead of night, 5 days before Christmas, House Republicans released legislation that they are rushing to the floor to gut funding for health care, food assistance, and other vital social services. Christmas is a season of giving, but sadly, Republicans are taking—taking food off the table for millions of American families that are struggling in these tough economic times by cutting food assistance by \$36 billion, taking the unemployment lifeline away from more than 2 million Americans who are trying to get back on their feet, and taking funding away from block grants that provide protective services for abused children. Why would Republicans insist on taking so much away from our families during this holiday season? So they can give an average \$50,000 tax break to millionaires.

I urge my colleagues to stand up for millions of children, workers, and families that are facing a real cliff. Vote "no" on the rule and the bills.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 2 minutes to a very thoughtful colleague from the Ways and Means Committee, Mr. TIBERI.

Mr. TIBERI. Let's review real quick here for everybody. We have a fiscal cliff occurring at the beginning of next year—12 short days. That means taxes go up for everybody who pay taxes and across-the-board spending cuts. The Democrat alternative, the Levin bill, was rejected on a bipartisan basis earlier this year. Our preferable bill has been rejected in the Senate. The Speaker and the President have been talking, but the President hasn't been serious. Not a dollar for cuts and a dollar for revenue.

Today is an attempt to try to save most Americans, Mr. Speaker—99.8 percent of Americans—from seeing their taxes go up. Three-quarter of a million small business owners will see their taxes go up if this plan isn't passed versus the Levin bill. Those three-quarter of a million small business owners employ many, many tens of thousands of people in America who are the middle class.

The bill before us is a comprehensive bill. Mr. Speaker, it gives us certainty. In the Ways and Means Committee we've heard testimony after testimony from business owners. Give us certainty. The Democrat alternative is a year. It's not even comprehensive. It doesn't even include the estate tax. We'll be right back here again December of next year for the 1-year patch. This gives us certainty. This gives employers certainty. This gives jobs creators certainty. It gives Americans who pay the alternative minimum tax certainty that they won't ever pay it again.

Mr. Speaker, this is the right medicine for 99.8 percent of Americans to prevent them from seeing their taxes go up on January 1. And it gives us an opportunity the next session of Congress to provide comprehensive tax reform that will simplify our Tax Code, that will give us even more certainty, and more competitiveness to our employers so the middle class can grow and prosper and we can improve our economy.

Ms. SLAUGHTER. Mr. Speaker, I am delighted to yield 3 minutes to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Thank you, and I appreciate the time and the opportunity to speak on this measure.

I'm concerned about the fiscal cliff. And it's important. President Obama has tried to work with the opposition party and has gone from what he was elected on—increasing taxes, for fairness, on families earning over \$250,000—to \$400,000. But no, that wasn't enough. This proposal goes to a million dollars a year. Now \$400,000 is plenty comfortable. The President's gone a long way. The fact is that there's a lot of revenue that's being lost between \$400,000 and \$1 million. We need that revenue to rectify some problems in our society, of which there are still many.

This bill would cut funding for the National Institutes of Health. That is our physical cliff. And I want to talk to

you how this fiscal cliff affects the physical cliff. The National Institutes of Health is the agency that comes up with research dollars that allows our lives to be extended and bettered. At Duke University there is a great lung transplant program, headed by Dr. Robert Davis. Duke needs more money to perfect their lung transplant program that's the best in the country. But still, it's only a 50 percent chance that a person will live 8 years with a lung transplant because the transplanted lung tends to be rejected. They don't know why. They need know find out it. It's National Institutes of Health funds that will find out and give people a chance to breathe and live.

In my hometown of Memphis there's research at the Methodist Hospital. We have Dr. James Eason, one of the finest liver transplant doctors in the country. But throughout the country there are people in places like St. Jude Children's Research Hospital in Memphis finding cures for childhood cancers and childhood catastrophic illnesses. This bill cuts funds to the National Institutes of Health. They should not be cut ever. They should be increased. And some of the funds that they are missing are the funds that will go to people earning over \$400,000 and up to \$1 million that tax relief is being given to. They don't know right now that they might not be the people that need that lung or that liver transplant or some other medical science cure or discovery. But there are people out there in the lottery of life that will. This bill doesn't take that into consideration.

Any bill that cuts funds to the National Institutes of Health will eventually cut people's lives short—and the quality of their life—because it's through research funded at the National Institutes of Health that we find these cures and these new procedures. Doctors need to be paid, hospitals need to be paid, research needs to be undertaken.

I believe the President has gone a great distance on the fiscal cliff to get to \$400,000. He's even talked about cutting some programs that deal with the most vulnerable people, the poorest, on Social Security cost-of-living increases, which I oppose. But the President has tried. I hope that this bill fails and we deal with the President in a responsible way and avoid the fiscal and the physical cliff.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 1 minute to a great member of the Appropriations Committee, our hardworking friend from Savannah, Georgia, Ann's father, Mr. KINGSTON.

Mr. KINGSTON. I thank the gentleman from California.

Mr. Speaker, the President owns this economy. He owns the high unemployment rate—the 23 million Americans who are unemployed or underemployed. He owns the lack of jobs, lack of opportunities. He owns the \$750 billion annual deficit that he has had for the 4 years. It is time for the President to step up.

□ 1430

Now, knowing that this fiscal cliff was going to take place for well over a year now—in fact, people have seen it coming long before then—the President has not acted in good faith and put alternatives on the floor for us to vote on.

What we're doing here today is three things. Number one, we are moving a centralized negotiation back to where it should be, a decentralized basis so that 435 House Members can vote, can speak on it and express their opinion. Now, hopefully, beyond that, the Senate can take it and amend it and change it and do whatever they want, but this debate belongs inside the United States Capitol. What the Speaker is doing today is giving us that opportunity.

Last year, we heard so much about the 99 percenters. This is going to give tax relief to those 99 percent, and it's permanent. I know how long it's taken us to do something with the death tax. That is in this bill.

This is good for the economy. It's good for economic growth, and I urge a "yes" vote on the rule.

Ms. SLAUGHTER. Mr. Speaker, I can't say it enough, today's legislation is a step backwards in the effort to find a fiscal cliff compromise. Plan B, Plan C, neither one of them are serious proposals but a gimmick designed to get headlines. By using the Halls of Congress to play political games, the majority is making it harder to find a commonsense and bipartisan solution to the impending fiscal cliff.

The time for these games is over. It's time that the majority comes to the table with a serious proposal that reflects the wishes of the American people.

Nobody wants to see the taxes raised on 25 million working families. As I said earlier, they seem to be called upon to pay the price for the fiscal irresponsibility of the financial district.

The American people don't want to see hundreds of thousands lose access to nutritional programs, and I sure can tell you that they don't want to see Wall Street reforms repealed and the historic health care law dismantled, but all these things would happen if this bill before us became law.

I strongly urge my colleagues to reject the gimmick proposal before us today and return to the serious work of balancing our budget while protecting the poor and the working class.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to this rule to make in order an amendment which will allow the House to have a chance to vote on the bill passed by the Senate to extend the middle class tax cuts to all persons making less than \$250,000, which has been introduced in the House as H.R. 15. Also, the amendment would prevent the House from adjourning until we have averted the fiscal cliff and the President has signed legislation to prevent tax increases on the middle class.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

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

There was no objection.

Ms. SLAUGHTER. So, Mr. Speaker, I urge my colleagues to vote “no” and defeat the previous question, and vote “no” on the rule and certainly on the underlying bill.

I yield back the balance of my time.

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

Mr. Speaker, let me say that we all know we're 11 days away from going over the proverbial fiscal cliff. We are trying our doggonedest to make sure that a sequester doesn't go into place. We all know that Secretary Panetta has said that that would be a devastating thing for our Nation's security.

I think that discussions taking place between the President of the United States and the Speaker of the House of Representatives are very important. I also think it's important for every Member of the House to have an opportunity to state where they stand on these issues.

The bill before us is one which actually has, again, basically enjoyed bipartisan support. I remember when Senator SCHUMER made it clear that he believed that there should not be any increase for anyone who earns under \$1 million. That was a request that he said. I know there was a lot of discussion within the Democratic Caucus as to exactly what that level should be. Well, this is at the level that Senator SCHUMER had indicated that he supported earlier on.

I've got to say to my friend from Rochester, Mr. Speaker, we are not planning to adjourn. We want to address this issue. We want to do everything that we possibly can, Mr. Speaker, to resolve this just as quickly as we possibly can.

We're just a few days away from Christmas. We are obviously still here working. We're prepared to come back after Christmas. Sadly, many of our colleagues are going to the funeral of Senator Inouye. That service that will take place in Hawaii has created a challenge for us when it relates to the schedule itself.

We understand that this is a difficult time, but we need to work together to put into place pro-growth economic policies. I think that there is, as I said in my opening remarks, a bipartisan quest to do that. I congratulate the President for his call for reduction in the corporate tax rate from 35 percent to 25 percent. Real tax reform is something we've been trying to do for a while and I think can be done in a bipartisan way. Real entitlement reform that does not hurt our fellow Americans is something that can be done in a responsible way.

So I will simply say that this is not a perfect process, but it's an end-of-the-session process that's going on

right now to deal with a tough, tough situation. We don't want our fellow Americans to be hurting, especially at this time of year as we look towards the Christmas holidays. I believe that we can see an agreement which will work to ensure that that does not take place.

So, Mr. Speaker, I urge my colleagues to support the rule, support the underlying legislation, both the tax issue and the effort to ensure that we don't see a sequester take place to bring about \$238 billion, as the House passed it last May, of spending over a 10-year period of time. This is the right thing for us to do to get on a path that can provide certainty, which we all know is necessary.

So I urge support of the rule, and I urge support of the underlying legislation, both bills.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 841 OFFERED BY
MS. SLAUGHTER OF NEW YORK

In section 1, strike “The previous question shall be considered as ordered on the motion to its adoption without intervening motion.” and insert “The previous question shall be considered as ordered on the motion to its adoption without intervening motion except a substitute amendment consisting of the text of H.R. 15, if offered by Representative Levin or his designee, which shall be considered as read, shall not be subject to any point of order, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent.”

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

SEC. 3. It shall not be in order to consider a concurrent resolution providing for adjournment or adjournment sine die unless the House has been notified that the President has signed legislation to prevent a tax increase on the middle class, and to avert the so-called “fiscal cliff.”

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

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 Republican 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 Republican 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 Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: “Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he 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. DREIER. With that, I yield back the balance of my time and move the previous question on the resolution.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question on House Resolution 841 will be followed by 5-minute votes on adoption of House Resolution 841, if ordered; ordering the previous question on House Resolution 840; and adoption of House Resolution 840, if ordered.

The vote was taken by electronic device, and there were—yeas 233, nays 184, not voting 14, as follows:

[Roll No. 639]

YEAS—233

Adams	Amodei	Bartlett
Aderholt	Austria	Bass (NH)
Akin	Bachmann	Benish
Alexander	Bachus	Berg
Amash	Barletta	Biggart

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
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Denham
Dent
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)
Guinta
Guthrie

Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence

Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—184

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Barrow
Barton (TX)
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps

Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar

Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildoe
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lujan
Lynch
Maloney

Culberson
Grimm
Hinchey
Johnson, Sam
Jones

Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Owens
Pallone
Pascarell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger

NOT VOTING—14

Larson (CT)
Lowey
Mica
Reyes
Richardson

□ 1457

Ms. ESHOO, Messrs. GEORGE MILLER of California, HOLT, BRADY of Pennsylvania, and Ms. SCHAKOWSKY changed their vote from “yea” to “nay.”

Messrs. AMASH, JORDAN, and HUNTER changed their vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

Mr. LARSON of Connecticut. Mr. Speaker, on December 20, 2012, I was not present for rollcall vote 639. If I had been present for this vote, I would have voted “nay” on rollcall vote 639.

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.

Ms. SLAUGHTER. 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 219, nays 197, not voting 15, as follows:

[Roll No. 640]

YEAS—219

Adams
Aderholt
Akin
Alexander
Amodei
Austria
Bachmann
Bachus

Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray

Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Townes
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)

Rivera
Shuler
Woolsey
Yarmuth

Brooks
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Schiff
Cantor
Capito
Carter
Cassidy
Chabot
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Hall
Hanna
Harper
Hartzler
Hastings (WA)
Hayworth

Heck
Hensarling
Herger
Herrera Beutler
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lance
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo

NAYS—197

Ackerman
Altmire
Amash
Andrews
Baca
Baldwin
Barber
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Broun (GA)
Brown (FL)
Butterfield
Capps
Capuano
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline

Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Curson (MI)
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
DelBene
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel

Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Eshoo
Farr
Fattah
Frank (MA)
Franks (AZ)
Fudge
Garamendi
Gohmert
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Harris
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Israel
Jackson Lee
(TX)

Johnson (GA)	Miller, George	Schiff
Johnson, E. B.	Moore	Schmidt
Jones	Moran	Schrader
Jordan	Murphy (CT)	Schwartz
Kaptur	Nadler	Scott (VA)
Keating	Napolitano	Scott, David
Kildee	Neal	Serrano
Kind	Oliver	Sewell
Kissell	Owens	Sherman
Kucinich	Pallone	Sires
Landry	Pascrell	Slaughter
Langevin	Pastor (AZ)	Smith (WA)
Larsen (WA)	Paul	Speier
Larson (CT)	Payne	Stark
Lee (CA)	Pelosi	Sutton
Levin	Perlmutter	Thompson (CA)
Lewis (GA)	Peters	Thompson (MS)
Lipinski	Peterson	Tierney
Loebsock	Pingree (ME)	Tonko
Lofgren, Zoe	Polis	Towns
Lowey	Price (NC)	Tsongas
Luján	Quigley	Van Hollen
Maloney	Rahall	Velázquez
Markey	Rangel	Visclosky
Massie	Richmond	Walsh (IL)
Matheson	Ross (AR)	Walz (MN)
Matsui	Rothman (NJ)	Wasserman
McCarthy (NY)	Roybal-Allard	Schultz
McCollum	Ruppersberger	Waters
McDermott	Rush	Watt
McGovern	Ryan (OH)	Waxman
McIntyre	Sánchez, Linda	Welch
McNerney	T.	Wilson (FL)
Meeks	Sanchez, Loretta	Woolsey
Michaud	Sarbanes	Yarmuth
Miller (NC)	Schakowsky	

NOT VOTING—15

Burton (IN)	Grimm	Mica
Carnahan	Hinchey	Reyes
Chaffetz	Johnson, Sam	Richardson
Clay	Lamborn	Rivera
Culberson	Lynch	Shuler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1505

Mr. FRANKS of Arizona changed his vote from “yea” to “nay.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 4310, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 840) providing for consideration of the conference report to accompany the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, 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 is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 233, nays 186, not voting 12, as follows:

[Roll No. 641]

YEAS—233

Adams	Goodlatte	Olson
Aderholt	Gosar	Palazzo
Akin	Gowdy	Paul
Alexander	Granger	Paulsen
Amash	Graves (GA)	Pearce
Amodei	Graves (MO)	Pence
Austria	Griffin (AR)	Petri
Bachmann	Griffith (VA)	Pitts
Bachus	Guinta	Platts
Barletta	Guthrie	Poe (TX)
Bartlett	Hall	Pompeo
Bass (NH)	Hanna	Posey
Benishek	Harper	Price (GA)
Berg	Harris	Quayle
Biggett	Hartzler	Reed
Bilbray	Hastings (WA)	Rehberg
Bilirakis	Hayworth	Reichert
Bishop (UT)	Heck	Renacci
Black	Hensarling	Ribble
Blackburn	Herger	Rigell
Bonner	Herrera Beutler	Roby
Bono Mack	Huelskamp	Roe (TN)
Boustany	Huizenga (MI)	Rogers (AL)
Brady (TX)	Hultgren	Rogers (KY)
Brooks	Hunter	Rogers (MI)
Broun (GA)	Hurt	Rohrabacher
Buchanan	Issa	Rokita
Bucshon	Jenkins	Rooney
Buerkle	Johnson (IL)	Ros-Lehtinen
Burgess	Johnson (OH)	Roskam
Burton (IN)	Jones	Ross (FL)
Calvert	Jordan	Royce
Camp	Kelly	Runyan
Campbell	King (IA)	Ryan (WI)
Canseco	King (NY)	Scalise
Cantor	Kingston	Schilling
Capito	Kinzinger (IL)	Schmidt
Carter	Kline	Schroder
Cassidy	Labrador	Schweikert
Chabot	Lamborn	Scott (SC)
Chaffetz	Lance	Scott, Austin
Coble	Landry	Sensenbrenner
Coffman (CO)	Lankford	Sessions
Cole	Latham	Shimkus
Conaway	LaTourette	Shuster
Cravaack	Latta	Simpson
Crawford	Lewis (CA)	Smith (NE)
Crenshaw	LoBiondo	Smith (NJ)
Denham	Long	Smith (TX)
Dent	Lucas	Southerland
DesJarlais	Luetkemeyer	Stearns
Diaz-Balart	Lummis	Stivers
Dold	Lungren, Daniel	Stutzman
Dreier	E.	Sullivan
Duffy	Mack	Terry
Duncan (SC)	Manzullo	Thompson (PA)
Duncan (TN)	Marchant	Thornberry
Ellmers	Marino	Tiberi
Emerson	Massie	Tipton
Farenthold	McCarthy (CA)	Turner (NY)
Fincher	McCaul	Turner (OH)
Fitzpatrick	McClintock	Upton
Flake	McHenry	Walberg
Fleischmann	McKeon	Walden
Fleming	McKinley	Walsh (IL)
Flores	McMorris	West
Forbes	Rodgers	Westmoreland
Fortenberry	Meehan	Whitfield
Fox	Miller (FL)	Wilson (SC)
Franks (AZ)	Miller (MI)	Wittman
Frelinghuysen	Miller, Gary	Wolf
Gallely	Mulvaney	Womack
Gardner	Murphy (PA)	Woodall
Garrett	Myrick	Yoder
Gerlach	Neugebauer	Young (AK)
Gibbs	Noem	Young (FL)
Gibson	Nugent	Young (IN)
Gingrey (GA)	Nunes	
Gohmert	Nunnelee	

NAYS—186

Ackerman	Barrow	Bishop (GA)
Altmire	Barton (TX)	Bishop (NY)
Andrews	Bass (CA)	Blumenauer
Baca	Becerra	Bonamici
Baldwin	Berkley	Boren
Barber	Berman	Boswell

Brady (PA)	Hanabusa	Pallone
Braley (IA)	Hastings (FL)	Pascrell
Brown (FL)	Heinrich	Pastor (AZ)
Butterfield	Higgins	Payne
Capps	Himes	Pelosi
Capuano	Hinojosa	Perlmutter
Carnahan	Hirono	Peters
Carney	Hochul	Peterson
Carson (IN)	Holden	Pingree (ME)
Castor (FL)	Holt	Polis
Chandler	Honda	Price (NC)
Chu	Hoyer	Quigley
Ciulline	Israel	Rahall
Clarke (MI)	Jackson Lee	Rangel
Clarke (NY)	(TX)	Richmond
Clay	Johnson (GA)	Rothman (NJ)
Cleaver	Johnson, E. B.	Roybal-Allard
Clyburn	Kaptur	Ruppersberger
Cohen	Keating	Rush
Connolly (VA)	Kildee	Ryan (OH)
Conyers	Kind	Sánchez, Linda
Cooper	Kissell	T.
Costa	Kucinich	Sanchez, Loretta
Costello	Langevin	Sarbanes
Courtney	Larsen (WA)	Schakowsky
Critz	Larson (CT)	Schiff
Crowley	Lee (CA)	Schrader
Cuellar	Levin	Schwartz
Cummings	Lewis (GA)	Scott (VA)
Curson (MI)	Lipinski	Scott, David
Davis (CA)	Loebsock	Serrano
Davis (IL)	Lofgren, Zoe	Sewell
DeFazio	Lowey	Sherman
DeGette	Lujan	Sires
DeLauro	Lynch	Slaughter
DelBene	Maloney	Smith (WA)
Deutch	Markey	Speier
Dicks	Matheson	Stark
Dingell	Matsui	Sutton
Doggett	McCarthy (NY)	Thompson (CA)
Donnelly (IN)	McCollum	Thompson (MS)
Doyle	McDermott	Tierney
Edwards	McGovern	Tonko
Ellison	McIntyre	Towns
Engel	McNerney	Tsongas
Eshoo	Meeks	Van Hollen
Farr	Michaud	Velázquez
Fattah	Miller (NC)	Visclosky
Frank (MA)	Miller, George	Walz (MN)
Fudge	Moore	Wasserman
Garamendi	Moran	Schultz
Gonzalez	Murphy (CT)	Watt
Green, Al	Nadler	Waxman
Green, Gene	Napolitano	Welch
Grijalva	Neal	Wilson (FL)
Gutierrez	Oliver	Woolsey
Hahn	Owens	Yarmuth

NOT VOTING—12

Culberson	Mica	Ross (AR)
Grimm	Reyes	Shuler
Hinchey	Richardson	Waters
Johnson, Sam	Rivera	Webster

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1512

So the previous question was ordered. The result of the vote was announced as above recorded.

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.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 243, noes 177, not voting 11, as follows:

[Roll No. 642]

AYES—243

Adams	Alexander	Austria
Aderholt	Amash	Bachmann
Akin	Amodei	Bachus