

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."

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 to offer an alternative plan.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

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

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

Ms. MATSUI. 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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 25 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1202

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 12 o'clock and 2 minutes p.m.

PROVIDING FOR CONSIDERATION OF H.R. 4157, HEALTH INFORMATION TECHNOLOGY PROMOTION ACT OF 2006

The SPEAKER pro tempore. The pending business is the vote on ordering the previous question on House Resolution 952, 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.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 223, nays 193, not voting 16, as follows:

[Roll No. 412]

YEAS—223

Aderholt	Conaway	Hastings (WA)
Akin	Crenshaw	Hayes
Alexander	Culberson	Hayworth
Bachus	Davis (KY)	Hefley
Baker	Davis, Tom	Hensarling
Barrett (SC)	Dent	Herger
Bartlett (MD)	Diaz-Balart, L.	Hobson
Barton (TX)	Diaz-Balart, M.	Hoekstra
Bass	Doolittle	Hostettler
Beauprez	Drake	Hulshof
Biggart	Dreier	Hunter
Bilbray	Duncan	Hyde
Bilirakis	Ehlers	Inglis (SC)
Bishop (UT)	Emerson	Inslee
Blackburn	English (PA)	Issa
Blunt	Everett	Jenkins
Boehlert	Feeney	Jindal
Boehner	Ferguson	Johnson (CT)
Bonilla	Fitzpatrick (PA)	Johnson (IL)
Bonner	Flake	Johnson, Sam
Bono	Foley	Jones (NC)
Boozman	Forbes	Keller
Boustany	Fortenberry	Kelly
Bradley (NH)	Fox	Kennedy (MN)
Brady (TX)	Franks (AZ)	King (IA)
Brown (SC)	Frelinghuysen	King (NY)
Brown-Waite,	Galleghy	Kingston
Ginny	Garrett (NJ)	Kirk
Burgess	Gerlach	Kline
Burton (IN)	Gibbons	Knollenberg
Buyer	Gilchrest	Kolbe
Calvert	Gillmor	Kuhl (NY)
Camp (MI)	Gingrey	LaHood
Campbell (CA)	Gohmert	Latham
Cannon	Goode	LaTourette
Cantor	Goodlatte	Leach
Capito	Granger	Lewis (CA)
Carter	Graves	Lewis (KY)
Castle	Green (WI)	Linder
Chabot	Gutknecht	LoBiondo
Chocola	Hall	Lucas
Coble	Harris	Lungren, Daniel
Cole (OK)	Hart	E.

Mack	Poe	Simmons
Marchant	Pombo	Simpson
McCaul (TX)	Porter	Smith (NJ)
McCotter	Price (GA)	Smith (TX)
McCrery	Pryce (OH)	Sodrel
McHugh	Putnam	Souder
McKeon	Radanovich	Stearns
McMorris	Ramstad	Sullivan
Mica	Regula	Sweeney
Miller (FL)	Rehberg	Tancredo
Miller (MI)	Reichert	Taylor (NC)
Miller, Gary	Renzi	Terry
Moran (KS)	Reynolds	Thomas
Murphy	Rogers (AL)	Thornberry
Musgrave	Rogers (KY)	Tiahrt
Myrick	Rogers (MI)	Tiberi
Neugebauer	Rohrabacher	Turner
Ney	Ros-Lehtinen	Upton
Northup	Royce	Walden (OR)
Norwood	Ryan (WI)	Walsh
Nunes	Ryun (KS)	Wamp
Osborne	Saxton	Weldon (FL)
Otter	Schmidt	Weldon (PA)
Oxley	Schwarz (MI)	Weller
Paul	Sensenbrenner	Westmoreland
Pearce	Sessions	Whitfield
Pence	Shadegg	Wicker
Peterson (PA)	Shaw	Wilson (NM)
Petri	Shays	Wilson (SC)
Pickering	Sherwood	Wolf
Pitts	Shimkus	Young (AK)
Platts	Shuster	Young (FL)

NAYS—193

Abercrombie	Gordon	Murtha
Ackerman	Green, Al	Nadler
Allen	Green, Gene	Napolitano
Andrews	Grijalva	Neal (MA)
Baca	Gutierrez	Oberstar
Baird	Harman	Obey
Baldwin	Hastings (FL)	Olver
Barrow	Herseth	Ortiz
Bean	Higgins	Owens
Becerra	Hinchev	Pallone
Berkley	Hinojosa	Pascarell
Berman	Holden	Pastor
Berry	Holt	Payne
Bishop (GA)	Honda	Peterson (MN)
Bishop (NY)	Hookey	Pomeroy
Blumenauer	Hoyer	Price (NC)
Boren	Israel	Rahall
Boswell	Jackson (IL)	Rangel
Boucher	Jackson-Lee	Reyes
Boyd	(TX)	Ross
Brady (PA)	Jefferson	Rothman
Brown (OH)	Johnson, E. B.	Roybal-Allard
Brown, Corrine	Jones (OH)	Ruppersberger
Butterfield	Kanjorski	Rush
Capps	Kaptur	Ryan (OH)
Capuano	Kennedy (RI)	Sabo
Cardin	Kildee	Salazar
Cardoza	Kilpatrick (MI)	Sanchez, Linda
Carnahan	Kind	T.
Carson	Kucinich	Sanchez, Loretta
Crane	Langevin	Sanders
Chandler	Lantos	Schakowsky
Clay	Larsen (WA)	Schiff
Cleaver	Larson (CT)	Schwartz (PA)
Clyburn	Lee	Scott (GA)
Conyers	Levin	Scott (VA)
Cooper	Lipinski	Serrano
Costa	Lofgren, Zoe	Sherman
Costello	Lowey	Skelton
Cramer	Lynch	Slaughter
Cuellar	Maloney	Smith (WA)
Cummings	Markey	Snyder
Davis (AL)	Marshall	Solis
Davis (CA)	Matheson	Spratt
Davis (FL)	Matsui	Stark
Davis (IL)	McCarthy	Strickland
Davis (TN)	McColum (MN)	Stupak
DeFazio	McDermott	Tanner
DeGette	McGovern	Tauscher
Delahunt	McIntyre	Taylor (MS)
DeLauro	McNulty	Thompson (CA)
Dicks	Meehan	Thompson (MS)
Dingell	Meek (FL)	Tierney
Doggett	Meeks (NY)	Towns
Doyle	Melancon	Udall (CO)
Edwards	Michaud	Udall (NM)
Engel	Millender	Van Hollen
Eshoo	McDonald	Velazquez
Etheridge	Miller (NC)	Visclosky
Farr	Miller, George	Wasserman
Filner	Mollohan	Schultz
Ford	Moore (KS)	Waters
Frank (MA)	Moore (WI)	Watson
Gonzalez	Moran (VA)	

Watt	Weiner	Wu	Doolittle	King (NY)	Ramstad	Meeks (NY)	Rahall	Solis
Waxman	Woolsey	Wynn	Drake	Kingston	Regula	Melancon	Rangel	Spratt
			Dreier	Kirk	Rehberg	Michaud	Reyes	Stark
			Duncan	Kline	Reichert	Millender-	Ross	Stupak
			Ehlers	Knollenberg	Renzi	McDonald	Rothman	Tanner
Crowley	Fattah	McKinney	Emerson	Kolbe	Reynolds	Miller (NC)	Roybal-Allard	Tauscher
Cubin	Fossella	Nussle	English (PA)	Kuhl (NY)	Rogers (AL)	Miller, George	Ruppersberger	Taylor (MS)
Davis, Jo Ann	Istook	Pelosi	Everett	LaHood	Rogers (KY)	Mollohan	Rush	Thompson (CA)
Deal (GA)	Lewis (GA)	Wexler	Feeney	LaTham	Rogers (MI)	Moore (KS)	Ryan (OH)	Thompson (MS)
Emanuel	Manzullo		Ferguson	LaTourrette	Moore (WI)	Sabo	Tierney	Towns
Evans	McHenry		Fitzpatrick (PA)	Leach	Moran (VA)	Murtha	Salazar	Udall (CO)

□ 1228

Messrs. TAYLOR of Mississippi, DAVIS of Tennessee, CHANDLER and CLEAVER changed their vote from "yea" to "nay."

Mr. McCAUL of Texas changed his 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.)

LEGISLATIVE PROGRAM

Mr. BOEHNER. Mr. Speaker, I know a lot of Members are interested in what the schedule is. I think all of you know that today we will move to consider the conference report on the Carl Perkins vocational education program. We will then move to the health IT bill. We expect that that will take us to late afternoon/early evening.

The reason I stood up is that it is pretty clear that we are in fact going to have votes tomorrow. There are a number of Members, though, from New York who want to go to former Representative Tom Manton's funeral. We will work with those Members to carve out a window so that those Members who want to go to New York can come back.

But we will have votes tomorrow. I wish I could tell you what those votes would be, but I expect we are going to have votes tomorrow.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will resume. 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.

RECORDED VOTE

Ms. MATSUI. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 224, noes 188, not voting 20, as follows:

[Roll No. 413]

AYES—224

Aderholt	Boehner	Cantor
Akin	Bonilla	Capito
Alexander	Bonner	Carter
Bachus	Bono	Castle
Baker	Boozman	Chabot
Barrett (SC)	Boustany	Choccola
Bartlett (MD)	Bradley (NH)	Coble
Barton (TX)	Brady (TX)	Cole (OK)
Bass	Brown (SC)	Conaway
Beauprez	Brown-Waite,	Crenshaw
Biggert	Ginny	Cuellar
Bilbray	Burgess	Culberson
Bilirakis	Buyer	Davis (KY)
Bishop (UT)	Calvert	Davis, Tom
Blackburn	Camp (MI)	Dent
Blunt	Campbell (CA)	Diaz-Balart, L.
Boehler	Cannon	Diaz-Balart, M.

Drake	King (NY)	Ramstad
Dreier	Kingston	Regula
Duncan	Kirk	Rehberg
Ehlers	Kline	Reichert
Emerson	Knollenberg	Renzi
English (PA)	Kolbe	Reynolds
Everett	Kuhl (NY)	Rogers (AL)
Feeney	LaHood	Rogers (KY)
Ferguson	LaTham	Rogers (MI)
Fitzpatrick (PA)	LaTourrette	Rohrabacher
Flake	Leach	Ros-Lehtinen
Foley	Lewis (CA)	Royce
Forbes	Lewis (KY)	Ryan (WI)
Fortenberry	Linder	Ryan (KS)
Fox	LoBiondo	Saxton
Franks (AZ)	Lucas	Schmidt
Frelinghuysen	Lucas	Schwarz (MI)
	Lungren, Daniel	Sensenbrenner
	E.	Sessions
	Mack	Shadegg
	Marchant	Shaw
	McCaul (TX)	Shays
	McCotter	Sherwood
	McCrery	Shimkus
	McHenry	Shuster
	McHugh	Simmons
	McKeon	Simpson
	McMorris	Smith (NJ)
	Mica	Smith (TX)
	Miller (FL)	Sodrel
	Miller (MI)	Souder
	Miller, Gary	Stearns
	Moran (KS)	Musgrave
	Murphy	Myrick
	Murphy	Neugebauer
	Musgrave	Ney
	Myrick	Northup
	Neugebauer	Norwood
	Ney	Nunes
	Northup	Nussle
	Norwood	Osborne
	Nunes	Otter
	Nussle	Oxley
	Osborne	Paul
	Otter	Pearce
	Oxley	Pence
	Pearce	Peterson (PA)
	Pence	Petri
	Peterson (PA)	Pickering
	Petri	Pitts
	Pickering	Platts
	Pitts	Johnson (IL)
	Platts	Pombo
	Johnson (CT)	Porter
	Johnson (IL)	Price (GA)
	Johnson, Sam	Pryce (OH)
	Jones (NC)	Putnam
	Keller	Radanovich
	Kelly	
	Kennedy (MN)	
	King (IA)	

NOES—188

Abercrombie	Cramer	Inslee
Ackerman	Cummings	Israel
Allen	Davis (AL)	Jackson (IL)
Andrews	Davis (CA)	Jackson-Lee
Baca	Davis (FL)	(TX)
Baird	Davis (IL)	Jefferson
Baldwin	DeFazio	Johnson, E. B.
Barrow	DeGette	Jones (OH)
Bean	Delahunt	Kanjorski
Becerra	DeLauro	Kaptur
Berkley	Dicks	Kennedy (RI)
Berman	Dingell	Kildee
Berry	Doggett	Kilpatrick (MI)
Bishop (GA)	Doyle	Kind
Bishop (NY)	Edwards	Kucinich
Blumenauer	Engel	Langevin
Boren	Eshoo	Lantos
Boswell	Etheridge	Larsen (WA)
Boucher	Farr	Larson (CT)
Boyd	Filner	Lee
Brady (PA)	Ford	Levin
Brown (OH)	Frank (MA)	Lipinski
Brown, Corrine	Gonzalez	Lofgren, Zoe
Butterfield	Gordon	Lowe
Capps	Green, Al	Lynch
Capuano	Grijalva	Maloney
Cardin	Gutierrez	Markey
Carnahan	Harman	Marshall
Carson	Hastings (FL)	Matheson
Case	Herseth	Matsui
Chandler	Higgins	McCarthy
Clay	Hinche	McCollum (MN)
Cleaver	Hinojosa	McDermott
Clyburn	Holden	McGovern
Conyers	Holt	McIntyre
Cooper	Honda	McNulty
Costa	Hooley	Meehan
Costello	Hoyer	Meek (FL)

Miller, George	Ryan (OH)	Thompson (MS)
Mollohan	Sabo	Tierney
Moore (KS)	Moran (VA)	Towns
Moore (WI)	Murtha	Udall (CO)
Moran (VA)	Nadler	Udall (NM)
Murtha	Neal (MA)	Van Hollen
Nadler	Oberstar	Velázquez
Neal (MA)	Obey	Vislowsky
Oberstar	Olver	Wasserman
Obey	Ortiz	Schultz
Olver	Owens	Scott (GA)
Schultz	Pallone	Scott (VA)
Schwartz (MI)	Pascarell	Serrano
Sensenbrenner	Shaw	Sherman
Sessions	Shays	Skelton
Shadegg	Sherwood	Slaughter
Shaw	Shimkus	Smith (WA)
Shays	Shuster	Snyder
Sherwood	Simmons	
Shimkus	Simpson	
Shuster	Smith (NJ)	
Simmons	Smith (TX)	
Simpson	Sodrel	
Smith (NJ)	Souder	
Smith (TX)	Stearns	
Sodrel	Musgrave	
Souder	Myrick	
Stearns	Neugebauer	
Musgrave	Ney	
Myrick	Northup	
Neugebauer	Norwood	
Ney	Nunes	
Northup	Nussle	
Norwood	Osborne	
Nunes	Otter	
Nussle	Oxley	
Osborne	Paul	
Otter	Pearce	
Oxley	Pence	
Paul	Peterson (PA)	
Pearce	Petri	
Pence	Pickering	
Peterson (PA)	Pitts	
Petri	Platts	
Pickering	Johnson (IL)	
Pitts	Pombo	
Platts	Porter	
Johnson (IL)	Price (GA)	
Pombo	Pryce (OH)	
Porter	Putnam	
Price (GA)	Radanovich	
Pryce (OH)		
Putnam		
Radanovich		

NOT VOTING—20

Burton (IN)	Emanuel	Manzullo
Cardoza	Evans	McKinney
Crowley	Fattah	Napolitano
Cubin	Fossella	Pelosi
Davis (TN)	Green, Gene	Strickland
Davis, Jo Ann	Istook	Wexler
Deal (GA)	Lewis (GA)	

□ 1238

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.

CONFERENCE REPORT ON S. 250, CARL D. PERKINS CAREER AND TECHNICAL EDUCATION IMPROVEMENT ACT OF 2006

Mr. McKEON. Mr. Speaker, pursuant to House Resolution 946, I call up the conference report to accompany the Senate bill (S. 250) to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to improve the Act.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Pursuant to House Resolution 946, the conference report is considered read.

(For conference report and statement, see proceedings of the House of July 25, 2006, at page H5773.)

The SPEAKER pro tempore. The gentleman from California (Mr. McKEON) and the gentleman from California (Mr. GEORGE MILLER) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. McKEON).

GENERAL LEAVE

Mr. McKEON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the conference report to accompany S. 250.

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

There was no objection.

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

Mr. Speaker, I rise in support of this conference report and ask my colleagues to join me in doing the same.