

the policemen and women who experience up close the misuse of guns by both kids and adults every day? No. Supporters of this amendment are only supporting the National Rifle Association.

We're not living in the 1700s, when governmental police forces were nonexistent and state militias were a constant threat to central government. Supporters of Mr. CHILDERS' amendment need to pull their heads out of the past and face the present: gun violence is an ugly reality, and we're not doing the people of the District of Columbia any favors by considering legislation that will endanger lives under the guise of protecting constitutional rights. The people who make up this country are entitled to life, liberty, and the pursuit of happiness, and they certainly can't claim their right to the last two if they lose their lives. That's what guns do—they kill people.

I strongly urge my colleagues to stand with me in opposing this bill.

The material previously referred to by Mr. SESSIONS is as follows:

AMENDMENT TO H. RES. 1434 OFFERED BY MR. SESSIONS OF TEXAS

At the end of the resolution, add the following:

SEC. 3. Immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider in the House the bill (H.R. 6566) to bring down energy prices by increasing safe, domestic production, encouraging the development of alternative and renewable energy, and promoting conservation. All points of order against the bill are waived. The bill shall be considered as read. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the majority and minority leader, and (2) an amendment in the nature of a substitute if offered by the Majority Leader or his designee, which shall be considered as read and shall be separately debatable for 40 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

(The information contained herein was provided by Democratic minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the

opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. MCGOVERN. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

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

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

Mr. SESSIONS. 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.

□ 1600

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: ordering the previous question on House Resolution 1433; adopting House Resolution 1433, if ordered; ordering the previous question on House Resolution 1434; adopting House Resolution 1434, if ordered.

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

#### PROVIDING FOR CONSIDERATION OF H.R. 6899, COMPREHENSIVE AMERICAN ENERGY SECURITY AND CONSUMER PROTECTION ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1433, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 238, nays 185, not voting 10, as follows:

[Roll No. 595]

YEAS—238

Abercrombie	Ellison	Markey
Ackerman	Ellsworth	Marshall
Allen	Emanuel	Matheson
Altmire	Engel	Matsui
Andrews	Eshoo	McCarthy (NY)
Arcuri	Etheridge	McCollum (MN)
Baca	Farr	McDermott
Baird	Fattah	McGovern
Baldwin	Filner	McIntyre
Barrow	Foster	McNerney
Bean	Frank (MA)	McNulty
Becerra	Giffords	Meek (FL)
Berkley	Gillibrand	Meeks (NY)
Berman	Gonzalez	Melancon
Berry	Gordon	Miller (NC)
Bishop (GA)	Green, Al	Miller, George
Bishop (NY)	Green, Gene	Mitchell
Blumenauer	Grijalva	Mollohan
Boren	Gutierrez	Moore (KS)
Boswell	Hall (NY)	Moore (WI)
Boucher	Hare	Moran (VA)
Boyd (FL)	Harman	Murphy (CT)
Boyda (KS)	Hastings (FL)	Murphy, Patrick
Brady (PA)	Heller	Murtha
Bralley (IA)	Herseth Sandlin	Nadler
Brown, Corrine	Higgins	Napolitano
Butterfield	Hill	Neal (MA)
Capps	Hinchey	Oberstar
Capuano	Hinojosa	Obey
Cardoza	Hirono	Olver
Carnahan	Hodes	Ortiz
Carney	Holden	Pallone
Carson	Holt	Pascarell
Castor	Honda	Pastor
Chandler	Hoolley	Payne
Childers	Hoyer	Perlmutter
Clarke	Inslee	Peterson (MN)
Clay	Israel	Pomeroy
Cleaver	Jackson (IL)	Porter
Clyburn	Jefferson	Price (NC)
Cohen	Johnson (GA)	Rahall
Conyers	Johnson, E. B.	Ramstad
Cooper	Kagen	Rangel
Costa	Kanjorski	Reichert
Costello	Kaptur	Reyes
Courtney	Kennedy	Richardson
Cramer	Kildee	Rodriguez
Crowley	Kilpatrick	Ros-Lehtinen
Cuellar	Kind	Ross
Cummings	Klein (FL)	Rothman
Davis (AL)	Kucinich	Roybal-Allard
Davis (CA)	Langevin	Ruppersberger
Davis (IL)	Larsen (WA)	Rush
Davis, Lincoln	Larson (CT)	Ryan (OH)
DeFazio	Lee	Salazar
DeGette	Levin	Sanchez, Linda
Delahunt	Lewis (GA)	T.
DeLauro	Lipinski	Sanchez, Loretta
Dicks	LoBiondo	Sarbanes
Dingell	Loeback	Schakowsky
Doggett	Lofgren, Zoe	Schiff
Donnelly	Lowey	Schwartz
Doyle	Lynch	Scott (GA)
Edwards (MD)	Mahoney (FL)	Scott (VA)
Edwards (TX)	Maloney (NY)	Serrano