

House has been notified that the President has signed a bill to extend for one year certain expired or expiring tax provisions that apply to middle-income taxpayers with income below \$250,000 for married couples filing jointly, and below \$200,000 for single filers, including, but not limited to, marginal rate reductions, capital gains and dividend rate preferences, alternative minimum tax relief, marriage penalty relief, and expanded tax relief for working families with children and college students.

(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 Mem-

ber 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.

Ms. FOXX. 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 on the resolution.

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

Mr. HASTINGS of Florida. 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 for a period of less than 15 minutes.

Accordingly (at 2 o'clock and 17 minutes p.m.), the House stood in recess.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 2 o'clock and 30 minutes p.m.

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 738, and adopting House Resolution 738, if ordered.

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

The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 738) providing for consideration of the bill (H.R. 4078) to provide that no agency may take any significant regulatory action until the unemployment rate is equal to or less than 6.0 percent; and providing for consideration of the bill (H.R. 6082) to officially replace, within the 60-day Congressional review period under the Outer Continental Shelf Lands Act, President Obama's Proposed Final Outer Continental Shelf Oil & Gas Leasing Program (2012-2017) with a congressional plan that will conduct additional oil and natural gas lease sales to promote offshore energy development, job creation, and increased domestic energy production to ensure a more secure energy future in the United States, 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.

The vote was taken by electronic device, and there were—yeas 238, nays 177, not voting 16, as follows:

[Roll No. 502]

YEAS—238

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

NAYS—177

Ackerman	Baldwin	Berkley
Altmire	Barber	Berman
Andrews	Barrow	Bishop (GA)
Baca	Becerra	Bishop (NY)