

\$80,000,000: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES COAST GUARD  
OPERATING EXPENSES

For an additional amount for "Operating Expenses", \$23,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

ACQUISITION, CONSTRUCTION AND  
IMPROVEMENTS

For an additional amount for "Acquisition, Construction, and Improvements" for acquisition, construction, renovation, and improvement of vessels, aircraft, and equipment, \$600,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OFFICE FOR DOMESTIC PREPAREDNESS  
STATE AND LOCAL PROGRAMS

For an additional amount for "State and Local Programs", \$227,000,000: *Provided*, That the entire amount shall be for port security grants pursuant to the purposes of 46 United States Code 70107 (a) through (h), which shall be awarded based on risk and threat notwithstanding subsection (a), for eligible costs as defined in subsections (b) (2)-(4): *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SCIENCE AND TECHNOLOGY

RESEARCH, DEVELOPMENT, ACQUISITION, AND  
OPERATIONS

For an additional amount for "Research, Development, Acquisition, and Operations" for the Domestic Nuclear Detection Office, \$132,000,000, to remain available until expended for the purchase and deployment of ration portal monitors for United States seaports: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FEDERAL LAW ENFORCEMENT TRAINING  
CENTER

ACQUISITION, CONSTRUCTION, IMPROVEMENTS,  
AND RELATED EXPENSES

For an additional amount for "Acquisition, Construction, Improvements, and Related Expenses," for construction of the language training facility referenced in the Mater Plan and information technology infrastructure improvements, \$18,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006."

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) de-

scribes 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. COLE of Oklahoma. 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. 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 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 until approximately 6:30 p.m. today.

Accordingly (at 6 o'clock and 5 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BRADLEY of New Hampshire) at 6 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:

- H. Res. 794, by the yeas and nays;
- H. Res. 804, by the yeas and nays;
- H. Res. 608, by the yeas and nays;
- H. Con. Res. 338, by the yeas and nays; ordering the previous question on H. Res. 857, by the yeas and nays.

Proceedings on H. Con. Res. 408 will resume tomorrow.

The first electronic vote will be conducted as a 15-minute vote. The other votes in this series will be 5-minute votes.

RECOGNIZING THE 17TH ANNIVERSARY  
OF THE MASSACRE IN  
TIANANMEN SQUARE

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 794, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 794, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 362, nays 1, not voting 68, as follows:

[Roll No. 251]

YEAS—362

Abercrombie	Bilirakis	Brown-Waite,
Aderholt	Bishop (GA)	Ginny
Akin	Bishop (NY)	Burgess
Alexander	Blackburn	Burton (IN)
Allen	Blumenauer	Butterfield
Andrews	Boehert	Buyer
Baca	Boehner	Camp (MI)
Baker	Bonilla	Campbell (CA)
Baldwin	Bonner	Cannon
Barrett (SC)	Bono	Cantor
Barrow	Boozman	Capito
Bartlett (MD)	Boren	Capps
Bass	Boswell	Cardin
Bean	Boucher	Carnahan
Beauprez	Boustany	Carson
Becerra	Boyd	Carter
Berman	Bradley (NH)	Castle
Berry	Brady (TX)	Chandler
Biggert	Brown (SC)	Chocola

Cleaver	Jackson-Lee	Pallone	Weiner	Whitfield	Wu	Boehlert	Green, Gene	McMorris
Clyburn	(TX)	Pascarell	Weldon (FL)	Wicker	Wynn	Boehner	Grijalva	McNulty
Cole (OK)	Jefferson	Pastor	Weldon (PA)	Wilson (NM)	Young (FL)	Bonilla	Gutknecht	Meehan
Conaway	Jindal	Pearce	Weller	Wolf		Bonner	Hall	Meeks (NY)
Conyers	Johnson (CT)	Pelosi	Westmoreland	Woolsey		Bono	Harman	Melancon
Cooper	Johnson, E. B.	Pence				Boozman	Harris	Mica
Costello	Johnson, Sam	Petri				Boren	Hart	Michaud
Cramer	Jones (NC)	Pickering				Boswell	Hastings (WA)	Miller (FL)
Crenshaw	Jones (OH)	Pitts				Boucher	Hayes	Miller (NC)
Crowley	Kanjorski	Platts				Boustany	Hayworth	Miller, George
Cubin	Kaptur	Poe	Ackerman	Engel	Oxley	Boyd	Hefley	Mollohan
Cuellar	Keller	Pombo	Bachus	Evans	Payne	Bradley (NH)	Hensarling	Moore (KS)
Culberson	Kelly	Pomeroy	Baird	Ford	Peterson (MN)	Brady (TX)	Herger	Moore (WI)
Cummings	Kennedy (MN)	Porter	Barton (TX)	Gallegly	Peterson (PA)	Brown (SC)	Herseth	Moran (KS)
Davis (AL)	Kennedy (RI)	Price (GA)	Berkley	Gibbons	Pryce (OH)	Brown-Waite,	Higgins	Murphy
Davis (CA)	Kildee	Price (NC)	Bishop (UT)	Gillmor	Roybal-Allard	Ginny	Hinojosa	Murtha
Davis, Jo Ann	Kilpatrick (MI)	Putnam	Blunt	Gingrey	Rush	Burgess	Hobson	Myrick
Davis, Tom	Kind	Radanovich	Brady (PA)	Green (WI)	Sánchez, Linda	Burton (IN)	Hoekstra	Nadler
DeFazio	King (IA)	Rahall	Brown (OH)	Gutierrez	T.	Butterfield	Holden	Napolitano
DeGette	King (NY)	Ramstad	Brown, Corrine	Hastings (FL)	Sánchez, Loretta	Buyer	Holt	Neal (MA)
Delahunt	Kingston	Rangel	Calvert	Hinchee	Schwarz (MI)	Camp (MI)	Honda	Neugebauer
Dent	Kirk	Regula	Capuano	Istook	Sessions	Campbell (CA)	Hookey	Ney
Diaz-Balart, L.	Kline	Rehberg	Cardoza	Jenkins	Shays	Cannon	Hostettler	Northup
Diaz-Balart, M.	Knollenberg	Reichert	Case	Johnson (IL)	Snyder	Cantor	Hoyer	Norwood
Dicks	Kolbe	Renzi	Chabot	Manullo	Strickland	Capito	Hulshof	Nunes
Dingell	Kucinich	Reyes	Clay	Matsui	Sweeney	Capps	Hunter	Oberstar
Doggett	Kuhl (NY)	Reynolds	Coble	Meek (FL)	Taylor (NC)	Cardin	Hyde	Obey
Doolittle	LaHood	Rogers (AL)	Costa	Millender-	Waters	Carnahan	Inglis (SC)	Olver
Doyle	Langevin	Rogers (KY)	Davis (FL)	McDonald	Watson	Carson	Insee	Ortiz
Drake	Lantos	Rogers (MI)	Davis (IL)	Miller (MI)	Wexler	Carter	Israel	Osborne
Dreier	Larsen (WA)	Rohrabacher	Davis (KY)	Miller, Gary	Wilson (SC)	Castle	Issa	Otter
Duncan	Larson (CT)	Ros-Lehtinen	Davis (TN)	Moran (VA)	Young (AK)	Chandler	Jackson (IL)	Owens
Edwards	Latham	Ross	Deal (GA)	Musgrave		Choccola	Jackson-Lee	Pallone
Ehlers	LaTourrette	Rothman	DeLauro	Nussle		Cleaver	(TX)	Pascarell
Emanuel	Leach	Royce				Clyburn	Jefferson	Pastor
Emerson	Lee	Ruppersberger				Cole (OK)	Jindal	Pearce
English (PA)	Levin	Ryan (OH)				Conaway	Johnson (CT)	Pelosi
Eshoo	Lewis (CA)	Ryan (WI)				Conyers	Johnson, E. B.	Pence
Etheridge	Lewis (GA)	Ryun (KS)				Cooper	Johnson, Sam	Petri
Everett	Lewis (KY)	Sabo				Costello	Jones (NC)	Pickering
Farr	Linder	Salazar				Cramer	Jones (OH)	Pitts
Fattah	Lipinski	Sanders				Crenshaw	Kanjorski	Platts
Feeney	LoBiondo	Saxton				Crowley	Kaptur	Poe
Ferguson	Lofgren, Zoe	Schakowsky				Cubin	Keller	Pombo
Filner	Lowey	Schiff				Cuellar	Kelly	Pomeroy
Fitzpatrick (PA)	Lucas	Schmidt				Culberson	Kennedy (MN)	Porter
Flake	Lungren, Daniel	Schwartz (PA)				Cummings	Kennedy (RI)	Price (GA)
Foley	E.	Scott (GA)				Davis (AL)	Kildee	Price (NC)
Forbes	Lynch	Scott (VA)				Davis (CA)	Kilpatrick (MI)	Putnam
Fortenberry	Mack	Sensenbrenner				Davis, Jo Ann	Kind	Radanovich
Fossella	Maloney	Serrano				Davis, Tom	King (IA)	Rahall
Fox	Marchant	Shadegg				DeFazio	King (NY)	Ramstad
Frank (MA)	Markey	Shaw				DeGette	Kingston	Rangel
Franks (AZ)	Marshall	Sherman				Delahunt	Kirk	Regula
Frelinghuysen	Matheson	Sherwood				Dent	Kline	Rehberg
Garrett (NJ)	McCarthy	Shimkus				Diaz-Balart, L.	Knollenberg	Reichert
Gerlach	McCaul (TX)	Shuster				Diaz-Balart, M.	Kolbe	Renzi
Gilchrest	McCollum (MN)	Simmons				Dicks	Kucinich	Reyes
Gohmert	McCotter	Simpson				Dingell	Kuhl (NY)	Reynolds
Gonzalez	McCrery	Skelton				Doggett	LaHood	Rogers (AL)
Goode	McDermott	Slaughter				Doolittle	Langevin	Rogers (KY)
Goodlatte	McGovern	Smith (NJ)				Doyle	Lantos	Rogers (MI)
Gordon	McHenry	Smith (TX)				Drake	Larsen (WA)	Rohrabacher
Granger	McHugh	Smith (WA)				Dreier	Larson (CT)	Ros-Lehtinen
Graves	McIntyre	Sodrel				Duncan	Latham	Ross
Green, Al	McKeon	Solis				Edwards	LaTourrette	Rothman
Green, Gene	McKinney	Souder				Ehlers	Leach	Royce
Grijalva	McMorris	Spratt				Emanuel	Lee	Ruppersberger
Gutknecht	McNulty	Stark				Emerson	Levin	Ryan (OH)
Hall	Meehan	Stearns				English (PA)	Lewis (CA)	Ryan (WI)
Harman	Meeks (NY)	Stupak				Eshoo	Lewis (GA)	Ryun (KS)
Harris	Melancon	Sullivan				Etheridge	Lewis (KY)	Sabo
Hart	Mica	Tancred				Everett	Linder	Salazar
Hastings (WA)	Michaud	Tanner				Farr	Lipinski	Sanders
Hayes	Miller (FL)	Tauscher				Fattah	LoBiondo	Saxton
Hayworth	Miller (NC)	Taylor (MS)				Feeney	Lofgren, Zoe	Schakowsky
Hefley	Miller, George	Terry				Ferguson	Lowey	Schiff
Hensarling	Mollohan	Thomas				Filner	Lucas	Schmidt
Herger	Moore (KS)	Thompson (CA)				Fitzpatrick (PA)	Lungren, Daniel	Schwartz (PA)
Herseth	Moore (WI)	Thompson (MS)				Flake	E.	Scott (GA)
Higgins	Moran (KS)	Thornberry				Foley	Lynch	Scott (VA)
Hinojosa	Murphy	Tiaht				Forbes	Mack	Sensenbrenner
Hobson	Tiberi	Tierney				Fortenberry	Maloney	Serrano
Hoekstra	Myrick	Townes				Fossella	Marchant	Shadegg
Holden	Nadler	Turner				Fox	Markey	Shaw
Holt	Napolitano	Udall (CO)				Frank (MA)	Matheson	Sherman
Honda	Neal (MA)	Udall (NM)				Franks (AZ)	Matheson	Sherwood
Hooley	Neugebauer	Upton				Frelinghuysen	McCarthy	Shimkus
Hostettler	Ney	Van Hollen				Garrett (NJ)	McCaul (TX)	Shuster
Hoyer	Northup	Velázquez				Gerlach	McCollum (MN)	Simmons
Hulshof	Norwood	Vislosky				Gilchrest	McCotter	Simpson
Hunter	Nunes	Walden (OR)				Gohmert	McCrery	Skelton
Hyde	Oberstar	Walsh				Gonzalez	McDermott	Slaughter
Inglis (SC)	Obey	Wamp				Goode	McGovern	Smith (NJ)
Insee	Olver	Wasserman				Goodlatte	McHenry	Smith (TX)
Israel	Ortiz	Schultz				Gordon	McHugh	Smith (WA)
Issa	Osborne	Watt				Granger	McIntyre	Sodrel
Issa	Otter	Waxman				Graves	McKeon	Solis
Jackson (IL)	Owens					Green, Al	McKinney	Souder

NAYS—1

NOT VOTING—68

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1858

Mr. ROTHMAN changed his vote from “nay” to “yea.”

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONDEMNING THE UNAUTHORIZED, INAPPROPRIATE, AND COERCED ORDINATION OF CATHOLIC BISHOPS BY THE PEOPLE'S REPUBLIC OF CHINA

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 804, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH of New Jersey) that the House suspend the rules and agree to the resolution, H. Res. 804, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 362, nays 1, not voting 68, as follows:

[Roll No. 252]

YEAS—362

Abercrombie	Baldwin	Berman
Aderholt	Barrett (SC)	Berry
Akin	Barrow	Biggart
Alexander	Bartlett (MD)	Bilirakis
Allen	Bass	Bishop (GA)
Andrews	Bean	Bishop (NY)
Baca	Beauprez	Blackburn
Baker	Becerra	Blumenauer