our entire society, and that is the unacceptable price of gasoline, the continuous rise of energy prices. There is no subject, Mr. Speaker, again, that my constituents contact me and urge me to act on more than that issue, that subject, that crisis really. It affects men and women. It affects our entire society. The price of gasoline has become simply unacceptable.

For weeks, we in the minority have pushed efforts to debate comprehensive energy legislation, but the majority consistently blocks our efforts to address one of the clearly most important issues facing the United States today.

□ 1115

It is time for the House to debate ideas for lowering the skyrocketing cost of gasoline. So today, I urge my colleagues to vote with me to defeat the previous question so the House can finally consider real solutions to the rising energy costs facing Americans throughout our society each day.

If the previous question is defeated, I will move to amend the rule to allow for consideration of H.R. 6566, the American Energy Act, which provides a comprehensive approach that will increase the supply of American-made energy, improve conservation and efficiency, and promote renewable and alternative energy technologies.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. SALAZAR). Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. LINCOLN DIAZ-BALART of Florida. By voting no on the previous question, Members can take a stand against these unacceptable prices of gasoline, and we can finally begin a comprehensive energy debate. And I remind all of our colleagues that voting no on the previous question will not preclude consideration of the legislation, the underlying legislation, the Paycheck Fairness Act. And I remind them that the unacceptable price of gasoline affects all of our constituents, men and women. I encourage a ''no'' vote on the previous question.

I yield back the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I feel compelled to explain to the listening persons and those in our galley why we are here today.

The other side has consistently talked as though this is an energy bill, but let me remind all of us that this is an opportunity for the United States to bring into compliance with pay scales, in compliance with the law of 1963 for women who, as my colleague Ms. DELAURO pointed out, comprise 40 percent of the workforce.

This legislation cures a wrong that has cost many women between $400,000 and $2 million, not only in the lost wages they should have been paid had there been equality, but also indirectly their pensions and their Social Security in many cases. This hurts families, Mr. Speaker. This hurts single parents who are trying, oftentimes doing two jobs, to try to keep food on the table.

All the statistics show, which absolutely astonished me, that more women who are single heads of household than men are under the poverty line. One reason for that is they did not get equal pay. We have to right this wrong. We have to do it today. I can't express enough my gratitude for Congresswoman DELAURO and the Women's Caucus for all the work that they have done. But it has been since 1963, 45 years ago, when the law was passed demanding equal pay. And here we are in 2008, Mr. Speaker, and we still don't have it.

I urge all of my colleagues to vote yes on the previous question, yes on the rule, and, by all means, yes on the underlying bill.

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

AMENDMENT TO H. RES. 1388 OFFERED BY MR. LINCOLN DIAZ-BALART OF FLORIDA

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.

Ms. SLAUGHTER. 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. LINCOLN DIAZ-BALART 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.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 5843

Ms. ZOE LOFGREN of California. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 5843.

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

There was no objection.