

Udall (CO)	Wasserman	Welch (VT)
Udall (NM)	Schultz	Wexler
Van Hollen	Waters	Woolsey
Velázquez	Watson	Wu
Visclosky	Watt	Wynn
Walz (MN)	Waxman	Yarmuth
	Weiner	

NAYS—196

Aderholt	Franks (AZ)	Nunes
Akin	Frelinghuysen	Paul
Alexander	Gallogly	Pearce
Bachmann	Garrett (NJ)	Pence
Bachus	Gerlach	Peterson (PA)
Baker	Gilchrest	Petri
Barrett (SC)	Gingrey	Pickering
Bartlett (MD)	Gohmert	Pitts
Barton (TX)	Goode	Platts
Biggert	Goodlatte	Poe
Bilbray	Granger	Porter
Bilirakis	Graves	Price (GA)
Bishop (UT)	Hall (TX)	Pryce (OH)
Blackburn	Hastert	Putnam
Blunt	Hastings (WA)	Radanovich
Boehner	Hayes	Ramstad
Bonner	Heller	Regula
Bono	Hensarling	Rehberg
Boozman	Herger	Reichert
Boustany	Hill	Renzl
Brady (TX)	Hobson	Reynolds
Brown (GA)	Hoekstra	Rogers (AL)
Brown (SC)	Hulshof	Rogers (KY)
Brown-Waite,	Hunter	Rogers (MI)
Ginny	Inglis (SC)	Rohrabacher
Buchanan	Issa	Ros-Lehtinen
Burgess	Johnson (IL)	Roskam
Burton (IN)	Johnson, Sam	Roskam
Buyer	Jones (NC)	Royce
Calvert	Jordan	Ryan (WI)
Camp (MI)	Keller	Sali
Campbell (CA)	King (IA)	Saxton
Cannon	King (NY)	Schmidt
Cantor	Kingston	Sensenbrenner
Capito	Kline (MN)	Sessions
Carter	Knollenberg	Shadegg
Castle	Kuhl (NY)	Shays
Chabot	LaHood	Shimkus
Coble	Lamborn	Shuler
Cole (OK)	Lampson	Smith (GA)
Conaway	Latham	Smith (IA)
Crenshaw	Simpson	Smith (NE)
Cubin	LaTourette	Smith (NJ)
Culberson	Lewis (CA)	Smith (TX)
Davis (KY)	Lewis (KY)	Smith (TX)
Davis, David	Linder	Souder
Davis, David	LoBiondo	Souder
Davis, Tom	Lucas	Sullivan
Deal (GA)	Lungren, Daniel	Terry
Dent	E.	
Diaz-Balart, L.	Mack	Thornberry
Diaz-Balart, M.	Manzullo	Tiabrt
Doolittle	McCarthy (CA)	Tiberi
Drake	McCaul (TX)	Turner
Dreier	McCotter	Upton
Duncan	McCrery	Walberg
Ehlers	McHenry	Walden (OR)
Emerson	McHugh	Walsh (NY)
English (PA)	McMorris	Wamp
Everett	Rodgers	Weldon (FL)
Fallin	Mica	Weller
Feeney	Miller (FL)	Westmoreland
Ferguson	Miller (MI)	Whitfield
Flake	Miller, Gary	Wicker
Forbes	Moran (KS)	Wilson (NM)
Fortenberry	Murphy, Tim	Wilson (SC)
Fossella	Myrick	Wolf
Foxx	Neugebauer	Young (FL)

NOT VOTING—12

Carson	Jindal	McKeon
Castor	Johnson, E. B.	Tancredo
Delahunt	Kirk	Wilson (OH)
Holt	Marchant	Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1218

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.
Stated against:

Mrs. MUSGRAVE. Mr. Speaker, on rollcall No. 975, I inadvertently voted "yea" and intended to vote "nay."

RECOGNIZING THE IMPORTANCE OF AMERICA'S WATERWAY WATCH PROGRAM

The SPEAKER pro tempore (Mr. PASTOR). The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 549, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. CUMMINGS) that the House suspend the rules and agree to the resolution, H. Res. 549.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 420, nays 0, not voting 11, as follows:

[Roll No. 976]

YEAS—420

Abercrombie	Capuano	Everett	Lee
Ackerman	Cardoza	Fallin	Pitts
Akin	Carnahan	Farr	Platts
Alexander	Carney	Fattah	Poe
Allen	Carter	Feeney	Pomeroy
Altire	Castle	Ferguson	Linder
Andrews	Chabot	Filner	Lipinski
Arcuri	Chandler	Flake	LoBiondo
Baca	Clarke	Forbes	Loebssack
Bachmann	Clay	Fortenberry	Pryce (OH)
Bachus	Cleaver	Fossella	Lofgren, Zoe
Baird	Clyburn	Foxx	Lowey
Baker	Coble	Frank (MA)	Lucas
Baldwin	Cohen	Franks (AZ)	Lungren, Daniel
Barrett (SC)	Cole (OK)	Frelinghuysen	E.
Barrow	Conaway	Gallegly	Rangel
Bartlett (MD)	Conyers	Garrett (NJ)	Regula
Barton (TX)	Cooper	Gahoney (FL)	Mack
Bauer	Costa	Gerlach	Reichert
Becerra	Costello	Giffords	Renzl
Berkley	Courtney	Gillibrand	Ricardson
Berman	Cramer	Gingrey	Rodriguez
Berry	Crenshaw	Gohmert	Matsui
Biggert	Crowley	Gonzalez	McCarthy (CA)
Bilbray	Cubin	Goode	McCarthy (NY)
Bilirakis	Cuellar	Goodlatte	McCaul (TX)
Bishop (GA)	Culberson	Gordon	McCullom (MN)
Bishop (NY)	Cummings	Granger	Ros-Lehtinen
Bishop (UT)	Davis (AL)	Graves	Roskam
Blackburn	Davis (CA)	Green, Al	Ross
Blumenauer	Davis (IL)	Green, Gene	McDermott
Blunt	Davis (KY)	Grijalva	Rothman
Boehner	Davis, David	McHenry	Royal-Allard
Bonner	Davis, Lincoln	Gutierrez	Wexler
Bono	Davis, Tom	Hall (NY)	Ruppertsberger
Boozman	Deal (GA)	Hall (TX)	Whitfield
Boren	DeFazio	Hastert	Wick
Boswell	DeGette	Hastings (FL)	Rush
Boucher	Delahunt	Hastings (WA)	McMorris
Boustany	DeLauro	Hastings (WA)	Ryan (OH)
Boyd (FL)	Dent	Hayes	Rodgers
Boysda (KS)	Diaz-Balart, L.	Heller	Ryan (WI)
Brady (PA)	Diaz-Balart, M.	Hensarling	Salazar
Brady (TX)	Dicks	Herger	Sali
Braley (IA)	Dingell	Herseth Sandlin	Sánchez, Linda
Brown (GA)	Doggett	Higgins	T.
Brown (SC)	Donnelly	Hill	Woolsey
Brown, Corrine	Doolittle	Hinchey	Yarmuth
Brown-Waite,	Doyle	Hinojosa	
Ginny	Drake	Hirono	Sanchez, Loretta
Buchanan	Dreier	Hobson	Barbanes
Burgess	Duncan	Hodes	Young (FL)
Burton (IN)	Edwards	Hoekstra	
Butterfield	Ehlers	Holden	
Buyer	Ellison	Holt	
Calvert	Ellsworth	Honda	
Camp (MI)	Emanuel	Hooley	
Campbell (CA)	Emerson	Hoyer	
Cannon	Engel	Hulshof	
Cantor	English (PA)	Hunter	
Capito	Eshoo	Inglis (SC)	
Capps	Etheridge	Inslee	

Israel	Michaud
Issa	Miller (FL)
Jackson (IL)	Miller (MI)
Jackson-Lee	Miller (NC)
(TX)	Miller, Gary
Jefferson	Miller, George
Johnson (GA)	Mitchell
Johnson (IL)	Mollohan
Johnson, Sam	Moore (KS)
Jones (NC)	Moore (WI)
Jones (OH)	Moran (KS)
Jordan	Moran (VA)
Kagen	Murphy (CT)
Kanjorski	Murphy, Patrick
Kaptur	Murphy, Tim
Keller	Murtha
Kennedy	Musgrave
Kildee	Myrick
Kilpatrick	Nadler
Kind	Napolitano
King (IA)	Neal (MA)
King (NY)	Neugebauer
Kingston	Nunes
Kirk	Oberstar
Klein (FL)	Olver
Knollenberg	Ortiz
Kucinich	Pallone
Kuhl (NY)	Pascrell
Lamborn	Pastor
Lampson	Paul
Langevin	Payne
Lantos	Pence
Larsen (WA)	Perlmutter
Larson (CT)	Peterson (MN)
Latham	Peterson (PA)
LaTourette	Petri
	Pickering
	Pitts
	Platts
	Poe
	Pomeroy
	Thornberry

Saxton	Tauscher
Schakowsky	Taylor
Schiff	Terry
Schmidt	Thompson (CA)
Schwartz	Thompson (MS)
Scott (GA)	Tanner
Scott (VA)	Tauscher
Sensenbrenner	Taylor
Sessions	Terry
Sestak	Velázquez
Shadegg	Visclosky
Shays	Walberg
Shea-Porter	Walder (OR)
Sherman	Walsh (NY)
Shimkus	Walz (MN)
Shuler	Watson
Shuster	Watson
Simpson	Watson
Sires	Watson
Skelton	Watson
Slaughter	Watson
Smith (NE)	Watson
Smith (NJ)	Watson
Smith (TX)	Watson
Smith (WA)	Watson
Solis	Watson
Souder	Watson
Space	Watson
Stearns	Watson
Stupak	Watson
Sullivan	Watson
Sutton	Watson
Tanner	Watson
Tauscher	Watson
Taylor	Watson
Terry	Watson
Thompson (CA)	Watson
Thompson (MS)	Watson
Tiberti	Watson
Tierney	Watson
Towns	Watson
Turner	Watson
Upton	Watson
Van Hollen	Watson
Velázquez	Watson
Visclosky	Watson
Walberg	Watson
Walder (OR)	Watson
Walsh (NY)	Watson
Walz (MN)	Watson
Wamp	Watson
Wasserman	Watson
Waxman	Watson
Weiner	Watson
Welch (VT)	Watson
Weldon (FL)	Watson
Wilson (NM)	Watson
Wilson (SC)	Watson
Whitfield	Watson
Wick	Watson
Wicker	Watson
Wolff	Watson
Woolsey	Watson
Wynn	Watson

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The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. UDALL of Colorado. Mr. Speaker, as a member of the Air Force Academy's Board of Visitors, I have been participating in a meeting of that board here in Washington, DC.

Earlier today, I left the floor to return to that meeting and as a result was not present to vote on rollcall No. 976, on the motion to suspend the rules and pass H. Res. 549, recognizing the importance of America's Waterway Watch program.

Had I been present for that vote, I would have voted "yea."

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate had agreed to a resolution of the House of the following title.

H. Con. Res. 193. Concurrent resolution recognizing all hunters across the United States for their continued commitment to safety.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 106.

Mr. LARSEN of Washington. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H. Res. 106.

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

There was no objection.

RESTORE ACT OF 2007

Mr. CONYERS. Mr. Speaker, pursuant to House Resolution 746, I call up the bill (H.R. 3773) to amend the Foreign Intelligence Surveillance Act of 1978 to establish a procedure for authorizing certain acquisitions of foreign intelligence, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3773

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Responsible Electronic Surveillance That is Overseen, Reviewed, and Effective Act of 2007" or "RESTORE Act of 2007".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Clarification of electronic surveillance of non-United States persons outside the United States.
Sec. 3. Procedure for authorizing acquisitions of communications of non-United States persons located outside the United States.
Sec. 4. Emergency authorization of acquisitions of communications of non-United States persons located outside the United States.
Sec. 5. Oversight of acquisitions of communications of non-United States persons located outside of the United States.

Sec. 6. Foreign Intelligence Surveillance Court en banc.

Sec. 7. Audit of warrantless surveillance programs.

Sec. 8. Record-keeping system on acquisition of communications of United States persons.

Sec. 9. Authorization for increased resources relating to foreign intelligence surveillance.

Sec. 10. Reiteration of FISA as the exclusive means by which electronic surveillance may be conducted for gathering foreign intelligence information.

Sec. 11. Technical and conforming amendments.

Sec. 12. Sunset; transition procedures.

SEC. 2. CLARIFICATION OF ELECTRONIC SURVEILLANCE OF NON-UNITED STATES PERSONS OUTSIDE THE UNITED STATES.

Section 105A of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended to read as follows:

"CLARIFICATION OF ELECTRONIC SURVEILLANCE OF NON-UNITED STATES PERSONS OUTSIDE THE UNITED STATES

"SEC. 105A. (a) FOREIGN TO FOREIGN COMMUNICATIONS.—Notwithstanding any other provision of this Act, a court order is not required for the acquisition of the contents of any communication between persons that are not United States persons and are not located within the United States for the purpose of collecting foreign intelligence information, without respect to whether the communication passes through the United States or the surveillance device is located within the United States.

"(b) COMMUNICATIONS OF NON-UNITED STATES PERSONS OUTSIDE OF THE UNITED STATES.—Notwithstanding any other provision of this Act other than subsection (a), electronic surveillance that is directed at the acquisition of the communications of a person that is reasonably believed to be located outside the United States and not a United States person for the purpose of collecting foreign intelligence information (as defined in paragraph (1) or (2)(A) of section 101(e)) by targeting that person shall be conducted pursuant to—

"(1) an order approved in accordance with section 105 or 105B; or

"(2) an emergency authorization in accordance with section 105 or 105C."

SEC. 3. PROCEDURE FOR AUTHORIZING ACQUISITIONS OF COMMUNICATIONS OF NON-UNITED STATES PERSONS LOCATED OUTSIDE THE UNITED STATES.

Section 105B of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended to read as follows:

"PROCEDURE FOR AUTHORIZING ACQUISITIONS OF COMMUNICATIONS OF NON-UNITED STATES PERSONS LOCATED OUTSIDE THE UNITED STATES

"SEC. 105B. (a) IN GENERAL.—Notwithstanding any other provision of this Act, the Director of National Intelligence and the Attorney General may jointly apply to a judge of the court established under section 103(a) for an ex parte order, or the extension of an order, authorizing for a period of up to one year the acquisition of communications of persons that are reasonably believed to be located outside the United States and not United States persons for the purpose of collecting foreign intelligence information (as defined in paragraph (1) or (2)(A) of section 101(e)) by targeting those persons.

"(b) APPLICATION INCLUSIONS.—An application under subsection (a) shall include—

"(1) a certification by the Director of National Intelligence and the Attorney General that—

"(A) the targets of the acquisition of foreign intelligence information under this section are persons reasonably believed to be located outside the United States;

"(B) the targets of the acquisition are reasonably believed to be persons that are not United States persons;

"(C) the acquisition involves obtaining the foreign intelligence information from, or with the assistance of, a communications service provider or custodian, or an officer, employee, or agent of such service provider or custodian, who has authorized access to the communications to be acquired, either as they are transmitted or while they are stored, or equipment that is being or may be used to transmit or store such communications; and

"(D) a significant purpose of the acquisition is to obtain foreign intelligence information (as defined in paragraph (1) or (2)(A) of section 101(e)); and

"(2) a description of—

"(A) the procedures that will be used by the Director of National Intelligence and the Attorney General during the duration of the order to determine that there is a reasonable belief that the targets of the acquisition are persons that are located outside the United States and not United States persons;

"(B) the nature of the information sought, including the identity of any foreign power against whom the acquisition will be directed;

"(C) minimization procedures that meet the definition of minimization procedures under section 101(h) to be used with respect to such acquisition; and

"(D) the guidelines that will be used to ensure that an application is filed under section 104, if otherwise required by this Act, when the Federal Government seeks to conduct electronic surveillance of a person reasonably believed to be located in the United States.

"(c) SPECIFIC PLACE NOT REQUIRED.—An application under subsection (a) is not required to identify the specific facilities, places, premises, or property at which the acquisition of foreign intelligence information will be directed.

"(d) REVIEW OF APPLICATION.—Not later than 15 days after a judge receives an application under subsection (a), the judge shall review such application and shall approve the application if the judge finds that—

"(1) the proposed procedures referred to in subsection (b)(2)(A) are reasonably designed to determine whether the targets of the acquisition are located outside the United States and not United States persons;

"(2) the proposed minimization procedures referred to in subsection (b)(2)(C) meet the definition of minimization procedures under section 101(h); and

"(3) the guidelines referred to in subsection (b)(2)(D) are reasonably designed to ensure that an application is filed under section 104, if otherwise required by this Act, when the Federal Government seeks to conduct electronic surveillance of a person reasonably believed to be located in the United States.

"(e) ORDER.—

"(1) IN GENERAL.—A judge approving an application under subsection (d) shall issue an order—

"(A) authorizing the acquisition of the contents of the communications as requested, or as modified by the judge;

"(B) requiring the communications service provider or custodian, or officer, employee, or agent of such service provider or custodian, who has authorized access to the information, facilities, or technical assistance necessary to accomplish the acquisition to provide such information, facilities, or technical assistance necessary to accomplish the