

Police forces in the nation's capital have beefed up security in response to these perceived threats. But without good intelligence, they will not know when or how we may be attacked—never mind having a chance to thwart any plots. Due to Democrat undermining of our intelligence of our intelligence community and our military for the past couple of years—through leaks and political games—we are less prepared to uncover terrorist plots and prevent such attacks.

We need to fix the Foreign Intelligence Surveillance Act (FISA) so that the intelligence community can do its job. The American people know we need to fix the loopholes in FISA implementation that allow terrorists to bypass our intelligence capabilities. For several months Administration and Republican Leadership have repeatedly asked the Democrats to address this problem, and they have ignored these requests.

As a member of the House Permanent Select Committee on Intelligence I have been very disturbed by what I have seen this past year. The vitriol that Members on the other side of the aisle have for the President has clouded their judgment. In an effort to embarrass him, they have weakened our intelligence gathering capabilities and caused long term damage to the security of this nation. We do not monitor phone conversations, emails or finances of suspected terrorists and terrorist allies as we used to and the enemy knows it. It is time for us to strengthen, not weaken, terrorist surveillance.

Unfortunately this bill does not address the needs of the intelligence community. The Director of National Intelligence Mike McConnell is strongly opposed to this bill:

I have reviewed the proposal that the House of Representatives is expected to vote on this afternoon to modify the Foreign Intelligence Surveillance Act. The House proposal is unacceptable, and I strongly oppose it.

The House proposal would not allow me to carry out my responsibility to provide warning and to protect the Nation, especially in our heightened threat environment.

I urge Members of Congress to support the legislation I provided last evening to modify FISA and to equip our Intelligence Community with the tools we need to protect our Nation.

I trust the DNI far more than the Democrat leadership that has clearly chosen to put politics over security. I urge my colleagues to vote against this bill and encourage the majority to bring a true FISA reform bill before this body so that the intelligence community can have every tool at its disposal to protect the United States of America.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 3356.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SMITH of Texas. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 218, nays 207, not voting 8, as follows:

	[Roll No. 821]	FEENEY	Lewis (KY)	REYNOLDS
	YEAS—218	Ferguson	Linder	Rogers (AL)
Abercrombie	Gordon	Nadler	Filner	Rogers (KY)
Ackerman	Green, Al	Napolitano	Flake	Rohrabacher
Allen	Green, Gene	Neal (MA)	Forbes	Ros-Lehtinen
Altman	Grijalva	Oberstar	Fortenberry	Roskam
Andrews	Gutierrez	Obe	Fossella	Royce
Arcuri	Hall (NY)	Ortiz	Franks (AZ)	Ryan (WI)
Baca	Hare	Pallone	Frelenghuisen	Saxton
Baird	Harman	Pascarel	Garrett (NJ)	McCotter
Baldwin	Hastings (FL)	Pastor	Gerlach	Schmidt
Barrow	Herseth Sandlin	Payne	McCrery	Sensenbrenner
Bartlett (MD)	Higgins	Pelosi	McDermott	Sessions
Bean	Hill	Perlmutter	Gingrey	Shadegg
Becerra	Hinchey	Peterson (MN)	Gohmert	Shays
Berkley	Hinojosa	Pomeroy	Goode	Shimkus
Berman	Hirono	Price (NC)	Goodlatte	Shuster
Berry	Hodes	Rahall	Granger	McMorris
Bishop (GA)	Holden	Rangel	Graves	Simpson
Bishop (NY)	Honda	Reyes	Hall (TX)	Smith (NE)
Boren	Hooley	Rodriguez	Hastert	Smith (NJ)
Boswell	Hoyer	Ross	Hastings (WA)	Smith (TX)
Boucher	Israel	Rothman	Heller	Souder
Boyd (FL)	Jackson (IL)	Royal-Allard	Hensarling	Miller (FL)
Boyd (KS)	Jackson-Lee	Ruppersberger	Herger	Miller (MI)
Brady (PA)	(TX)	Rush	Hobson	Stark
Braley (IA)	Jefferson	Ryan (OH)	Hoekstra	Tancredo
Brown, Corrine	Johnson (GA)	Salazar	Holt	Tiahrt
Butterfield	Johnson, E. B.	Sánchez, Linda	Hulshof	Thornberry
Capps	Jones (NC)	T.	Hunter	Tiberti
Cardoza	Jones (OH)	Sanchez, Loretta	Inglis (SC)	Sullivan
Carnahan	Kagen	Sarbanes	Inslee	Upton
Carney	Kanjorski	Schakowsky	Issa	Pence
Carson	Kaptur	Schiff	Jindal	Peterson (PA)
Castor	Kennedy	Schwartz	Johnson (IL)	Walder (OR)
Chandler	Kildee	Scott (GA)	Jordan	Petri
Clay	Kilpatrick	Scott (VA)	Keller	Pickering
Cleaver	Kind	Serrano	King (IA)	Pitts
Clyburn	Klein (FL)	Sestak	King (NY)	Waters
Cohen	Lampson	Shea-Porter	Kingston	Platts
Conyers	Langevin	Sherman	Kirk	Welch (VT)
Cooper	Lantos	Shuler	Kline (MN)	Weldon (FL)
Costa	Larsen (WA)	Sires	Knollenberg	Weller
Costello	Larson (CT)	Skelton	Kucinich	Walsh (NY)
Courtney	Lee	Slaughter	Kuhl (NY)	Whitfield
Cramer	Levin	Smith (WA)	Lamborn	Wicker
Crowley	Lewis (GA)	Snyder	LaTourette	Wilson (NM)
Cuellar	Lipinski	Solis	Latham	Wilson (SC)
Cummings	Loebback	Space	Rehberg	Wolf
Davis (AL)	Loftgren, Zoe	Spratt	Reichert	Woolsey
Davis (CA)	Lowey	Stupak	Lewis (CA)	Young (AK)
Davis (IL)	Lynch	Sutton	Clarke	Young (FL)
Davis, Lincoln	Mahoney (FL)	Tanner	Hayes	Paul
DeFazio	Maloney (NY)	Tauscher	Crenshaw	
DeGette	Markey	Taylor	Davis, Jo Ann	Waxman
Delahunt	Marshall	Thompson (CA)		
DeLauro	Matheson	Thompson (MS)		
Dicks	Matsui	Tierney		
Dingell	McCarthy (NY)	Towns		
Doggett	McCollum (MN)	Udall (CO)		
Donnelly	McIntyre	Udall (NM)		
Doyle	McNerny	Van Hollen		
Edwards	McNulty	Velázquez		
Ellison	Meek (FL)	Visclosky		
Ellsworth	Meeks (NY)	Walz (MN)		
Emanuel	Melancon	Wasserman		
Engel	Miller (NC)	Schultz		
Eshoo	Miller, George	Watson		
Etheridge	Mitchell	Watson		
Farr	Mollohan	Watt		
Fattah	Moore (KS)	Weiner		
Frank (MA)	Moore (WI)	Wexler		
Giffords	Moran (VA)	Wilson (OH)		
Gilchrest	Murphy (CT)	Wu		
Gillibrand	Murphy, Patrick	Wynn		
Gonzalez	Murtha	Yarmuth		
		NAYS—207		
Aderholt	Brady (TX)	Cole (OK)		
Akin	Brown (GA)	Conaway		
Alexander	Brown (SC)	Cubin		
Bachmann	Brown-Waite,	Culberson		
Bachus	Ginny	Davis (KY)		
Baker	Buchanan	Davis, David		
Barrett (SC)	Burgess	Davis, Tom		
Barton (TX)	Burton (IN)	Deal (GA)		
Biggert	Buyer	Dent		
Bilbray	Calvert	Diaz-Balart, L.		
Bilirakis	Camp (MI)	Diaz-Balart, M.		
Bishop (UT)	Campbell (CA)	Doolittle		
Blackburn	Cannon	Drake		
Blumenauer	Cantor	Dreier		
Blunt	Capito	Duncan		
Boehner	Capuano	Ehlers		
Bonner	Carter	Emerson		
Bono	Castle	English (PA)		
Boozman	Chabot	Everett		
Boustany	Coble	Fallin		

NOT VOTING—8

Clarke Hayes Paul
Crenshaw Johnson, Sam Waxman
Davis, Jo Ann LaHood

□ 2058

Mr. WELCH of Vermont and Mr. JOHNSON of Illinois changed their vote from "yea" to "nay."

Mr. WEINER changed his vote from "nay" to "yea."

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. BOEHNER. Madam Speaker, I have a privileged resolution at the desk.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 612

Whereas clause one of House rule XXIII (Code of Official Conduct) states, "A Member, Delegate, Resident Commissioner, officer or employee of the House shall conduct himself at all times in a manner that shall reflect creditably on the House";

Whereas the House Ethics Manual states that, "The public has a right to expect Members, officers and employees to exercise impartial judgment in performing their duties" and "This Committee has cautioned all Members to avoid situations in which even an inference might be drawn suggesting improper action;

