

Platts	Schakowsky	Thompson (MS)
Poe	Schiff	Thornberry
Pomeroy	Schmidt	Tiahrt
Porter	Schwartz	Tiberi
Price (GA)	Scott (GA)	Tierney
Price (NC)	Scott (VA)	Towns
Pryce (OH)	Sensenbrenner	Tsongas
Putnam	Serrano	Turner
Radanovich	Sessions	Udall (NM)
Rahall	Sestak	Upton
Ramstad	Shadegg	Van Hollen
Rangel	Shays	Velázquez
Regula	Shea-Porter	Visclosky
Rehberg	Sherman	Walberg
Reichert	Shimkus	Walden (OR)
Renzi	Shuler	Walsh (NY)
Reyes	Shuster	Walz (MN)
Reynolds	Simpson	Wamp
Richardson	Sires	Wasserman
Rodriguez	Skelton	Schultz
Rogers (AL)	Slaughter	Waters
Rogers (KY)	Smith (NE)	Watson
Rogers (MI)	Smith (NJ)	Watt
Rohrabacher	Smith (TX)	Waxman
Ros-Lehtinen	Smith (WA)	Weiner
Roskam	Snyder	Welch (VT)
Ross	Solis	Weldon (FL)
Rothman	Souder	Weller
Roybal-Allard	Space	Westmoreland
Royce	Spratt	Wexler
Ruppersberger	Stark	Whitfield (KY)
Ryan (OH)	Stearns	Wilson (NM)
Ryan (WI)	Stupak	Wilson (OH)
Salazar	Sullivan	Wilson (SC)
Sali	Sutton	Wittman (VA)
Sánchez, Linda	Tanner	Wolf
T.	Tauscher	Wu
Sanchez, Loretta	Taylor	Yarmuth
Sarbanes	Terry	Young (AK)
Saxton	Thompson (CA)	Young (FL)

## NOT VOTING—24

Aderholt	Gallegly	Manzullo
Brown, Corrine	Gilchrest	Miller, Gary
Brown-Waite,	Gingrey	Peterson (PA)
Ginny	Jackson-Lee	Rush
Burgess	(TX)	Tancredo
Carter	Keller	Udall (CO)
Conaway	LaHood	Woolsey
Cubin	Langevin	Wynn
Everett	Lewis (KY)	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1154

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. GINGREY. Mr. Speaker, on rollcall No. 85 on S. 2272, I am not recorded because I was absent on the account of the birth of my granddaughter. Had I been present, I would have voted "yea." On rollcall No. 86 on H.R. 3936, had I been present, I would have voted "yea." On rollcall No. 87 on H.R. 4454, had I been present, I would have voted "yea."

## PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 840

Ms. MOORE of Wisconsin. Mr. Speaker, I ask unanimous consent that I may hereafter be considered the first sponsor of H.R. 840, a bill originally introduced by Representative Julia Carson of Indiana, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

The SPEAKER pro tempore (Mr. COHEN). Is there objection to the request of the gentlewoman from Wisconsin?

There was no objection.

## APPOINTMENT AS MEMBERS TO NATIONAL COMMISSION ON CHILDREN AND DISASTERS

The SPEAKER pro tempore. Pursuant to section 605(a) of the Consolidated Appropriations Act, 2008 (P.L. 110-161), and the order of the House of January 4, 2007, the Chair announces the Speaker's appointment of the following Members on the part of the House to the National Commission on Children and Disasters:

Dr. Irwin Redliner, New York, New York

Mr. Bruce A. Lockwood, Canton, Connecticut

## APPOINTMENT OF MEMBERS TO JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES

The SPEAKER pro tempore. Pursuant to Senate Concurrent Resolution 67, 110th Congress, and the order of the House of January 4, 2007, the Chair announces the Speaker's appointment of the following Members of the House to the Joint Congressional Committee on Inaugural Ceremonies:

Ms. PELOSI, California

Mr. HOYER, Maryland

Mr. BOEHNER of Ohio

## LEGISLATIVE PROGRAM

(Mr. BLUNT asked and was given permission to address the House for 1 minute.)

Mr. BLUNT. Mr. Speaker, I yield to my friend from Maryland, the majority leader, for information about the schedule for next week.

Mr. HOYER. I thank the Republican Whip.

On Monday, the House will meet in pro forma session at 2 p.m. On Tuesday, the House will meet at 12:30 p.m. for morning hour and 2 p.m. for legislative business, with votes postponed until 6:30 p.m. On Wednesday and Thursday the House will meet at 10 a.m. On Friday there will be no votes in the House.

We will consider several bills under suspension of the rules. A list of those bills will be announced by the close of business tomorrow. We will consider H.R. 1424, the Paul Wellstone Mental Health and Addiction Equity Act of 2007. In addition, we hope to consider legislation regarding the Foreign Intelligence Surveillance Act. There may well be other legislation as well.

Mr. BLUNT. I thank the leader for that information.

On the Foreign Intelligence Surveillance Act, I'm certainly hopeful we can do whatever is necessary to get that bill to the floor. I know that a major-

ity of Members of the House, at least I believe a majority of the Members of the House, based on what I believe to be the case on this side and on the letter sent to the Speaker by Members from your side, a majority would be ready to pass a bill that met the standards of the Senate, in fact, the Senate bill.

I'm wondering if the gentleman has any idea if we would have that legislation or previous House-passed legislation, or what kind of product you think we may be moving toward as it relates to the Foreign Intelligence Surveillance Act.

I would yield.

Mr. HOYER. I thank the gentleman for yielding. As the gentleman knows, this bill was passed in the Senate a little over 2 weeks ago. Since that time we have had an extensive number of meetings, discussions. I'm hopeful, as you know, to have discussions with the whip, with the distinguished Republican whip, my friend, on this issue as well. I think both of us are going to be here tomorrow. We'll take that time perhaps to do that.

□ 1200

As I said, and I've said repeatedly, I think every Member of this House wants to pass legislation which will facilitate the interception of particularly foreign-to-foreign communications which may pose a danger to this country.

All of us are aware of the fact that technological changes have resulted in some questions being raised because of the fact that we have many of the communications coming through the United States. I frankly think, as the gentleman knows, there is really not a great deal of controversy or difference between the two Houses or between our two sides of the aisle on this issue. There's some differences, but they're not major differences. I think they can be addressed.

There are major differences with respect to the second title of the Foreign Intelligence Surveillance Act bill which comes from the Senate which deals with retroactive immunity, which has nothing about prospective security but is obviously important for us to consider. We're also working on that as well, but I will tell the gentleman that we don't have agreement. But, as I said, I'm very hopeful that we will have legislation on the floor next week. I do not expect it to be, as the gentleman asked, the same bill that passed the House.

Mr. BLUNT. Well, I would thank the gentleman for that. I hope we can work to resolve this. I do think the foreign individuals making calls in a foreign country, for that to work the way it needs to work, voluntary compliance is extremely important; and that's why working out this liability issue is, in my view, critical to that foreign-to-foreign, the only area where we say a foreign person in a foreign country, the only area where we don't believe a warrant would be required but that to not

have a warrant you have to have voluntary compliance. And the liability issue, I think, continues to endanger future voluntary compliance, and I hope we can work together in that regard to move forward.

I would yield.

Mr. HOYER. I thank my friend for yielding.

As the gentleman knows, both the RESTORE Act, which passed this House, and the Senate bill both are similar in giving prospective immunity to telecoms that voluntarily or pursuant to order cooperate with us in accomplishing that objective. We believe, of course, that FISA was established so that a court review on process would be appropriate to ensure, in fact, that the collection of information is on foreign-to-foreign.

We well understand that, as the DNI has indicated, prospectively you may not know so you need authorization. Our bill provides for that. The Senate bill provides for that. I really don't believe that is a major contention of the bill. That's prospectively.

A major contention is, which we believe has nothing to do with security, on what has been done, and, frankly, I'm not sure we know exactly what has been done. As you know, I've taken the opportunity to be up in the intelligence room, in the secure room, and go through the papers that have been provided. My own view is they're not dispositive of the issue; but irrespective of that, we're working on title II as well, and I look forward to having discussions on that with you as well.

Mr. BLUNT. I do, too. I do think this liability issue is important. We want to continue to have voluntary compliance. We also don't want to put these companies that have voluntarily complied in a situation where the only way to prove that what they did was appropriate is to produce documents that are at this point, we believe, in the national security of the country not producible; but maybe we can work through this.

I hope to see this bill on the floor next week. I think we've had 2 weeks that I and others feel that each day the process gets more cumbersome than the day before because of the way this process builds up, and I look forward to working with you on that.

Mr. HOYER. If I might comment on that, as you know, from our perspective, this is one of the problems. This is a very serious, important bill. It's critical to the defense of our country. I want to see that facilitated. I think every Member on both sides of the aisle wants to see that facilitated, but there are serious issues. There are serious constitutional issues involved here.

That's why FISA was passed in 1978, very frankly, as a result of an administration that intercepted communications here domestically. You will recall that, I know, and a great concern about that. FISA was adopted by the Congress and signed by the President in an attempt to try to ensure that those

kinds of things that happened in the early 1970s were not repeated by the intelligence community.

So these are serious issues. Unfortunately, the Senate which had our bill for 2½ months and had spent a lot of time considering a bill long before we passed our bill did not send us a bill until, as I said, about 14 days ago, and we have since that time, notwithstanding the fact we were on break, staff and Members have been working on that. As you know, we have invited the other side of the aisle, ranking members, to participate in that. Some have chosen not to, but we are hopeful that we can move ahead on this, and we hope there is room for positive resolution.

I thank the gentleman for yielding.

Mr. BLUNT. I thank the gentleman for that. I do know that Senator ROCKEFELLER in the other body has said that our intelligence is being downgraded and has made the case that the people that voluntarily complied don't get paid for it. He said, in fact: "What do they get for this? They get \$40 billion worth of suits, grief, trashing, but they do it." Then he went on to say: "They don't have to do it, because they do have shareholders to respond to, to answer to."

I believe there is a way to address this issue. We need to find it, and I hope we can.

Last night, we had the Andean trade bill on the floor. This is a bill that allows access to our markets by Andean countries, including the country that we currently have a negotiated agreement with; and that country has changed dramatically since we put the first Andean bill in place 17 years ago. I'm wondering if the gentleman has any sense of where we might be on that outstanding agreement with Colombia. Certainly with the vote we took today they can continue to have the same kind of access to our markets that they've had for the last 17 years.

A trade agreement would give us substantially new access to their markets, and I'd like to hear any sense of when we may get to that bill and have a situation where the President would be encouraged to send a bill up to us so we could get to it.

I would yield.

Mr. HOYER. I thank my friend for yielding.

I've had discussions recently with Secretary Gutierrez, with Ambassador Schwab and others, and Secretary Paulson, who have also discussed this issue with me and I know with you and with many others. This is an issue of importance. We think the discussions are ongoing. Hopefully, they will result in some fruitful resolution. That has not been the case at this point in time.

We did have, as you well know, a very significant interface with the administration last year in which I think a very positive result in terms of workers' rights and environmental concerns were addressed by us and by the administration. Unfortunately, we have not

moved forward from that point on the other three agreements that were pending at that time, but I think that we will continue to have those discussions, hopefully positive and hopefully have some result.

Mr. BLUNT. I thank the gentleman. I do think since those discussions began the Colombian Government has made changes in the agreement in those areas, all of which have now been passed by the Colombian legislature, and I look forward to moving forward with that.

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#### ADJOURNMENT TO MONDAY, MARCH 3, 2008

Mr. HOYER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday next, and further, when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, March 4, for morning-hour debate.

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

There was no objection.

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#### RENEWAL OF FISA

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, it is with disappointment that I rise today. It is disappointment over the fact that this body still has not brought to the floor the Foreign Intelligence Surveillance Act, the Protect America Act.

We have heard the colloquy that has taken place on this floor this afternoon. We know that a bipartisan solution to this was passed in the Senate with 68 votes. We also know looking at our calendar that obviously the issue is not about time. The issue is about having the will to pass this bill.

The Protect America Act has expired. We are now under the old surveillance laws that were written in 1978. The intelligence community has expressed their desire to see this passed because they know that they are having to waste valuable time working on bureaucratic red tape and legal paperwork and dealing with trial lawyers, instead of spying on terrorists who seek to do us harm.

I would encourage the majority to bring forward the Foreign Intelligence Surveillance Act. Let's work to keep America safe.

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#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.