

Keller  
Lantos  
LaTourette  
Lewis (KY)  
Lipinski  
Marchant  
McCollum (MN)  
McCrery

Miller, Gary  
Pryce (OH)  
Putnam  
Radanovich  
Saxton  
Simpson  
Slaughter  
Tiberi

Udall (CO)  
Wasserman  
Schultz  
Westmoreland  
Wilson (NM)  
Wynn

Kaptur  
Kennedy  
Kildee  
Kilpatrick  
Kind  
King (NY)  
Kirk  
Klein (FL)  
Knollenberg  
Kucinich  
LaHood  
Lampson  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
Lee  
Levin  
Lewis (GA)  
LoBiondo  
Loeb sack  
Lofgren, Zoe  
Lowey  
Lucas  
Lynch  
Mahoney (FL)  
Maloney (NY)  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (NY)  
McDermott  
McGovern  
McIntyre  
McNerney  
McNulty  
Meek (FL)  
Meeks (NY)  
Melancon  
Michaud  
Miller (MI)  
Miller (NC)  
Miller, George  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (VA)  
Murphy (CT)

Murphy, Patrick  
Murphy, Tim  
Murtha  
Nadler  
Napolitano  
Neal (MA)  
Oberstar  
Obey  
Oliver  
Ortiz  
Pallone  
Pascrell  
Pastor  
Payne  
Perlmutter  
Peterson (MN)  
Peterson (PA)  
Pickering  
Pitts  
Platts  
Pomeroy  
Price (NC)  
Rahall  
Ramstad  
Rangel  
Regula  
Reichert  
Reyes  
Richardson  
Rogers (MI)  
Ross  
Rothman  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Salazar  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schmidt  
Schwartz  
Scott (GA)  
Scott (VA)  
Serrano  
Sessions  
Shays

DeFazio  
Diaz-Balart, L.  
Diaz-Balart, M.  
Doyle  
Everett  
Fallin  
Feeney  
Filner  
Fortenberry  
Gilchrest  
Gillibrand  
Hastings (FL)  
Hastings (WA)

Jones (OH)  
Keller  
Lantos  
LaTourette  
Lewis (KY)  
Lipinski  
Marchant  
McCollum (MN)  
McCrery  
Miller, Gary  
Pryce (OH)  
Putnam  
Radanovich

Rodriguez  
Ros-Lehtinen  
Saxton  
Sestak  
Simpson  
Tiberi  
Udall (CO)  
Wasserman  
Schultz  
Weldon (FL)  
Westmoreland  
Wilson (NM)  
Wynn

□ 1829

Ms. HOOLEY, Ms. MOORE of Wisconsin, and Messrs. JACKSON of Illinois, MICHAUD, MAHONEY of Florida, BRALEY of Iowa, KENNEDY, MEEK of Florida, CARDOZA and OBERSTAR changed their vote from “yea” to “nay.”

Messrs. MILLER of Florida, MORAN of Kansas, ALTMIRE and WALSH of New York changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Madam Speaker, on rollcall No. 27, I was away due to a family emergency. Had I been present, I would have voted “nay.”

Ms. SLAUGHTER. Madam Speaker, on rollcall No. 27, had I been present, I would have voted “nay.”

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. GRIJALVA. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 261, noes 122, not voting 47, as follows:

[Roll No. 28]

AYES—261

Abercrombie  
Ackerman  
Allen  
Altmire  
Arcuri  
Baca  
Bachus  
Baird  
Baldwin  
Barrow  
Bean  
Becerra  
Berkley  
Berman  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Blunt  
Boozman  
Boren  
Boswell  
Boucher  
Boyd (FL)  
Brady (PA)  
Brady (TX)  
Braley (IA)  
Brown, Corrine  
Buchanan  
Butterfield  
Capps  
Capuano  
Carnahan  
Carney  
Castle  
Castor  
Chandler  
Clarke  
Clay

Cleaver  
Clyburn  
Cohen  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Cramer  
Crowley  
Cuellar  
Cummings  
Davis (AL)  
Davis (CA)  
Davis (IL)  
Davis, Lincoln  
DeGette  
DeLauro  
Dent  
Dicks  
Dingell  
Doggett  
Donnelly  
Edwards  
Ehlers  
Ellison  
Ellsworth  
Emanuel  
Engel  
English (PA)  
Eshoo  
Etheridge  
Farr  
Fattah  
Ferguson  
Frank (MA)  
Frelinghuysen

Gallegly  
Gerlach  
Giffords  
Gonzalez  
Gordon  
Granger  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hall (NY)  
Hare  
Harman  
Herseth Sandlin  
Higgins  
Hill  
Hinchey  
Hinojosa  
Hirono  
Hobson  
Hodes  
Holden  
Holt  
Honda  
Hooley  
Hoyer  
Inglis (SC)  
Inslie  
Israel  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Johnson (GA)  
Johnson (IL)  
Johnson, E. B.  
Kagen  
Kanjorski

Aderholt  
Akin  
Alexander  
Bachmann  
Barrett (SC)  
Bartlett (MD)  
Barton (TX)  
Biggert  
Bilbray  
Bilirakis  
Bishop (UT)  
Blackburn  
Boehner  
Bonner  
Bono Mack  
Boustany  
Broun (GA)  
Brown (SC)  
Brown-Waite,  
Ginny  
Burgess  
Burton (IN)  
Buyer  
Camp (MI)  
Campbell (CA)  
Cannon  
Cantor  
Capito  
Chabot  
Coble  
Cole (OK)  
Conaway  
Crenshaw  
Cubin  
Culberson  
Davis (KY)  
Davis, David  
Doolittle  
Drake  
Dreier  
Duncan  
Emerson

Andrews  
Baker  
Berry

## NOES—122

Flake  
Forbes  
Fossella  
Fox  
Franks (AZ)  
Garrett (NJ)  
Gingrey  
Gohmert  
Goode  
Goodlatte  
Graves  
Hall (TX)  
Hayes  
Heller  
Hensarling  
Herger  
Hoekstra  
Hulshof  
Hunter  
Issa  
Johnson, Sam  
Jones (NC)  
Jordan  
King (IA)  
Kingston  
Kline (MN)  
Kuhl (NY)  
Lamborn  
Latta  
Lewis (CA)  
Linder  
Lungren, Daniel  
E.  
Mack  
Manzullo  
McCarthy (CA)  
McCaul (TX)  
McCotter  
McHenry  
McHugh  
McKeon

## NOT VOTING—47

Boyd (KS)  
Calvert  
Cardoza

McMorris  
Rodgers  
Mica  
Miller (FL)  
Moran (KS)  
Musgrave  
Myrick  
Neugebauer  
Nunes  
Paul  
Pearce  
Pence  
Petri  
Poe  
Porter  
Price (GA)  
Rehberg  
Renzi  
Reynolds  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Roskam  
Royce  
Ryan (WI)  
Sali  
Sensenbrenner  
Shadegg  
Shimkus  
Shuster  
Smith (NE)  
Souder  
Stearns  
Sullivan  
Tancred  
Thornberry  
Walberg  
Walden (OR)  
Wamp  
Wilson (SC)  
Young (AK)  
Young (FL)

□ 1837

Mr. RAMSTAD changed his vote from “no” to “aye.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Madam Speaker, on rollcall No. 28, I was away due to a family emergency. Had I been present, I would have voted “aye.”

Mr. RODRIGUEZ. Madam Speaker, because I was unavoidably detained, I was unable to cast a vote on rollcall 28. Had I been present, I would have voted “aye” on Final Passage of H.R. 1528.

## PERSONAL EXPLANATION

Mrs. JONES of Ohio. Madam Speaker, due to events scheduled in my district, I will miss votes on January 29, 2008. Please let the RECORD reflect that had I been present, my vote would have reflected the following:

H.R. 5140 Recovery Rebates and Economic Stimulus for the American People Act of 2008—“yea.”

H.R. 1528 New England National Scenic Trail Designation Act—“aye.”

H.R. 933 Commending the Louisiana State University Tigers Football Team—“yea.”

## LEGISLATIVE PROGRAM

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

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

Mr. HOYER. I thank the gentleman for yielding.

The schedule for the week of February 4 is attenuated, to some degree obviously, by the 22 States that have a primary on February 5. Both Democrats and Republicans obviously will be involved in those to one degree or another. Monday and Tuesday the House is not, therefore, in session.

On Wednesday, the House will meet at 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m. On Thursday and Friday, the House will meet at 10 a.m. We will consider several bills under suspension of the rules. A list of those bills will be announced by the close of business this week. In addition, we will consider H.R. 4137, the College Opportunity and Affordability Act.

That is the schedule. Of course, I will tell my friend that we obviously have a couple of bills that we passed today

that we want to see move as quickly as possible, and if we could move those next week, we would certainly try to do so.

Thank you for yielding.

Mr. BLUNT. I thank the gentleman for that information. I am wondering, if those bills don't materialize, is it still an option for Friday, if those bills don't materialize, since we don't have any scheduled work for Thursday and Friday, are we committed for Friday to be a definite day here? Is that still going to be an option as the week develops?

I will yield.

Mr. HOYER. We only have, as you know, essentially 2 days and the evening of Wednesday, because we come in Wednesday at 6:30. So I am reluctant to give away Friday, given on this side we have worked so hard to get done in a relatively quick fashion, I think quick fashion, not relatively, on our stimulus package. So I do not want to speculate on giving that day away at this point in time, nor do I want to speculate that we will give the day away. If we do not have work to do, obviously we will not require Members to be here.

Mr. BLUNT. I appreciate that, and I also appreciate the work we all did this week on the stimulus package, to see that it is sent over on the timeframe that we have all discussed. As you mentioned in your remarks on the floor today, a timely, a targeted, and a temporary bill has to meet all of those things. Timely and temporary both have to mean that we get this done in a quick way. I am hoping that we can work with our friends on the other side of the building and get that done.

The other thing that we worked together on this week was to get an extension until the middle of February on the Foreign Intelligence Surveillance Act as it is currently in place, and has been since the first of August. I am hopeful that we don't run up to the deadline again in this 15-day opportunity that we have. I am wondering if the gentleman has any thoughts as to what we might be able to do even next week on that bill.

I would yield.

Mr. HOYER. I thank the gentleman for yielding.

He and I share that concern, of course. As I indicated, and he well knows, we passed a bill on November 16 of last year, which means that was 2½ months ago that we passed a bill. We have been waiting for the Senate to pass a bill. They have two bills, as you know: one out of their Intelligence Committee, one out of the Judiciary Committee. They have been unable to reach compromise. Two days ago, they had votes on cloture and did not receive that, either for the extension or for essentially the Intelligence bill.

As a result, we are very frankly in, as you well know as well as anybody, we are waiting on the Senate to pass a bill so that either our bill, we can send that to the President; their bill, send it

to conference, or whatever option. But we need them to take some action. We are hopeful they will take some action soon.

I met, along with other members of the leadership on our side of the aisle, just a short time ago, informed them that we had passed by vote an extension of 15 days, urged them to move as quickly as they could. The leader indicated to me that he was hopeful that they would be able to address that this week. I think he is going to be talking to the Republican leader to see what possibly could get 60 votes to move something to the floor and through consideration. But I am unable to tell you what we are going to do until such time as the Senate acts. As you and I have discussed, you have been there.

Mr. BLUNT. I appreciate that. I do hope we can find a permanent solution here. I think that the 2 weeks is important. I also think it's important that that law not be allowed to expire, which made this 2 weeks a significant development. At the same time, the question of immunity hasn't been addressed, and I don't think we can continue to put that question off.

□ 1845

I did notice last week when we discussed this, an article that I hadn't seen yet, and my good friend the majority leader read from that article to me a section that indicated that the work was in progress could keep on in progress for a long time. That was in the New York Times on January 23.

There was another paragraph that I surmised at the time might be there, but was there, that said "There is risk," according to this assistant Attorney General Mr. Weinstein. Weinstein said, "the officials would not be able to use their broadened authority to identify and focus on new suspects and would have to revert to the more restrictive pre-August standards if they wanted to eavesdrop on someone."

Those pre-August standards were, in my view, troublesome. I hope we don't revert to them, but we can't put the immunity issue off forever, and I am going to do everything I can, as I believe the majority leader is inclined to do as well, to encourage the Senate to move this process along so we can bring it to some conclusion.

I yield.

Mr. HOYER. I thank my friend for yielding, and I do want to comment, because our perspectives are somewhat different on the risks that would be created by failure to act or not have an extension, so we would be operating, as you pointed out, under the old FISA statute.

Very frankly, the good news is that the backlog that confronted the court now no longer exists.

Secondly, as you know, under the old law, the 72-hour period in which the Government could take action and then get sanction of the court after the fact is in the law.

So I believe that second paragraph, while I don't disagree with his speculation, I disagree with his conclusion in the sense that I think that the Government, the NSA or another agency, could in fact act within that 72 hours and get approval from the FISA Court for its actions. And, as the gentleman knows, the FISA Court rarely, if ever, and I don't know of an incident off the top of my head where they have disapproved an action that was taken and stopped it at that point in time.

So, I think the risk is minimal, because I think the old law, while, yes, they have to go to the court, and very frankly, this is why it was created, to be a check and balance on what might be, and I don't allege that this is happening, but certainly it was a check on arbitrary and capricious action by those in the Government. I happen to think that check and balance is an appropriate one; although, under the statute we passed, we gave broader authority, blanket authority, as you know.

But we are hopeful, as you are, that the Senate will act, that we be able to go to conference. We need to deal with the immunity issue, which is the difference between the two Houses, although they haven't passed a bill, but the bill that passed out of the Intelligence Committee did give retroactive immunity. That is controversial.

And we have just got, as I told you, the documentation last Friday that we have been asking for an opportunity to review to determine, A, the justification for the action of the telecom companies and the actions for which immunity is being sought. We think that is appropriate for us to know before we act.

But in any event, I did inform, as I told you, the leader that we had acted, and indicated to him I hope that they would act as soon as possible so that we could resolve this in conference.

Mr. BLUNT. I thank the gentleman for those views. I know that the majority is going to have their planning retreat for the rest of this week. Hopefully our staff is already and will continue to go through these documents that we were concerned we hadn't had, or the majority was concerned we hadn't had earlier, and look at those.

I would suggest that the penetrating analysis in one paragraph probably doesn't totally go away from the individual who was given so much credit in the next paragraph.

The only thing I would say about the FISA Court, I would really say two things. I missed some of this debate today, as you might be able to tell, because of another commitment I had to be off the floor as we were debating this.

The FISA Court, I believe, in 1978 was created for domestic cases. That is maybe an underlying difference here in the way we view this. And the backlog I would submit would develop again pretty quickly. It might not be a problem for 2 days; it might not even be a

problem for a week. But that backlog of every case from all over the world that suddenly wound up going to the FISA Court because of changes in technology quickly gets the FISA Court to where a 72-hour problem is a big problem because they just can't deal with it.

I would yield.

Mr. HOYER. I would agree with that. I think we solved the technological problem in the bill we passed. Very frankly, the only problem that I think the administration would have with our bill which we passed through the House would be the immunity issue.

The technological issue I think is addressed by the blanket approval by the court. Although the court has to approve certain objects and processes, it does not, as you know, need to approve specific instances of intercepts or specific targets of intercept.

So, from that standpoint, I think our bill solved that problem. But our bill has not been enacted so the technological issue of where the communication now goes through a U.S. switch, that is the technological difference now, and then goes back out, that needs to be addressed. It was addressed in our legislation, but the legislation needs to pass.

Mr. BLUNT. Well, I agree, and I intend to work to see that it passes so this works in the best possible way. I hope we take maximum advantage of this 15 or 16 days that we have now given ourselves to look at the information to try to do what we can to see that we come up with a permanent solution that deals with both the technological questions and the question of immunity for people who may have helped the government in a way that they now somehow could be held in legal limbo for until we have addressed this. I hope we do, and I pledge myself to work with you and others to see that we get that done.

#### DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. HOYER. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore (Mr. JOHNSON of Georgia). Is there objection to the request of the gentleman from Maryland?

There was no objection.

#### ANNOUNCING THE PASSING OF MARGARET TRUMAN DANIEL

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

Mr. SKELTON. Mr. Speaker, it is with great sadness that I announce to the House that Margaret Truman Daniel, the daughter of our 33rd President, Harry S. Truman, passed away today.

As the daughter of a Jackson County judge, a United States Senator from

Missouri, a Vice President and President, Margaret Truman grew up in politics. She was a good friend, and I know others in this House who knew her considered her a friend as well.

Margaret was an accomplished woman in her own right, but she also revered her father's memory. In this very Chamber in 1984 a Joint Session of Congress was convened to honor the 100th anniversary of President Truman's birth. As chairman of that event, I worked with Margaret closely and was grateful for her participation as a speaker.

I also had the honor of being with Margaret on the first day that the Truman Home in Independence, Missouri, was opened to the public as a museum in the National Park Service system. I will never forget watching her sign the guest book in her own home that day.

Margaret Truman Daniel was a great American and, as an independent-minded woman, was truly her father's daughter.

I know my colleagues join me in expressing this body's deepest condolences to the family of Margaret Truman Daniel, including her three surviving sons, Clifton, Harrison, and Thomas.

#### PROVIDING RELIEF FOR AMERICANS THROUGH THE ECONOMIC STIMULUS PACKAGE

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, today on the floor of the House the Members had to address a number of crises that this Nation is facing. It is interesting that we face delay and, if you will, obstruction on many of the issues that the American people want us to be engaged in.

I am hoping that the economic stimulus package will move as quickly as possible, and when it comes back in its final form from the Senate and conference, that we will be assured that the individuals who are disabled and on Social Security also get a rebate, and that we have the sense of the Congress language that a moratorium should be in place for all of those individuals subject to subprime loans or on the brink of foreclosure and losing their homes. We must forge a pathway for the financial industry to begin to allow people to reconstruct their loans.

Lastly, we voted today to extend FISA. The bill that we passed out of the Judiciary Committee under JOHN CONYERS' leadership is a good bill. I voted reluctantly for the extension, but we must pass a bill that protects civil rights and protects the national security of America.

#### TRIBUTE TO THE LATE MARGARET TRUMAN DANIEL

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

Mr. BLUNT. Mr. Speaker, I want to rise to follow up on the announcement that my good friend Mr. SKELTON from Missouri just made.

Of course, all Missourians are proud of President Truman and his family. He was a man of great humility. In fact, one day recently in Washington I happened to be driving by, on Connecticut Avenue, the small apartment that he and Margaret and Mrs. Truman lived in when he was Vice President and for I think the first 3 days of his Presidency. Not the grandeur that anybody would expect, but something that the Trumans, a family who actually never lived in a house that they owned for most of Margaret Truman's life, appreciated.

I was just sharing with Mr. SKELTON the memory of Margaret Truman when we recommissioned the Battleship *Missouri* when it went back into active duty in 1985 or 1986, and I had the honor at the recommissioning dinner in San Francisco to introduce Margaret Truman, who had been the principal sponsor of the ship the first time when her father was in the Senate.

By that point in the evening, about every speaker had pronounced the name of our State differently. Some said "Missouri," some said "Missoura," and I made a couple of comments about that. And Margaret Truman got up and she said, "It is 'Missoura.' My father always said 'Missoura.' My family always said 'Missoura.' I was there when this ship was commissioned. We commissioned it the 'Battleship Missoura,' and that should settle it."

But she was a lady that led an interesting life, the truly adored daughter of her father, and she saw politics the way that very few people do. I appreciate her life and her family.

#### HONORING SENATOR GWENDOLYN BRITT

(Mr. VAN HOLLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VAN HOLLEN. Mr. Speaker, the civil rights movement was full of heroes whose names we know and many whose names we will never know despite the depth of their sacrifice.

Just recently, this Nation remembered Dr. Martin Luther King, Jr., whose good works are known to our Nation and to the world.

Today I am honored to remember and celebrate the life of another extraordinary civil rights leader who helped stand up against injustice in our Nation.

State Senator Gwendolyn Britt passed away recently, but she left behind an extraordinary legacy. She first stood up against racial segregation not in Montgomery, Alabama, but in Montgomery County, Maryland, at Glen Echo Park, just a 20-minute drive from this Capitol.

It was a hot summer evening in June 1960. Glen Echo Park was segregated at