Rothman

Ryan (OH)

Roybal-Allard

Larsen (WA)

Larson (CT)

Lewis (GA)

Lee

Levin

Rogers (KY) Shimkus Rogers (MI) Shuler Rohrabacher Shuster Ros-Lehtinen Simpson Smith (NE) Roskam Royce Smith (NJ) Ryan (WI) Smith (TX) Sali Souder Saxton Stearns Scalise Stupak Schmidt Sullivan Sensenbrenner Tancredo Sessions Terry Thompson (CA) Shadegg Shays Thornberry

Tiberi Turner Udall (CO) Upton Walberg Walden (OR) Walsh (NY) Wamp Weldon (FL) Westmoreland Wilson (SC) Wittman (VA) Wolf Young (FL)

NOT VOTING-

Bartlett (MD) Fortenberry Radanovich Barton (TX) Gerlach Revnolds Bilbray Gilchrest Ruppersberger Blunt Gingrey Rush Boustany Gohmert Stark Brown-Waite, Gordon Jones (NC) Ginny Towns Cannon Kennedy Visclosky Cubin Langevin Weller Culberson Meeks (NY) Wilson (NM) Davis, Lincoln Oberstar Young (AK) Fattah Ferguson Peterson (PA)

□ 1029

Messrs. EVERETT and SHIMKUS changed their vote from "yea" "nay.

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Mr. RUPPERSBERGER. Madam Speaker, on rollcall No. 434, I was meeting with constituents in my district office. Had I been present, I would have voted "yea."

Mr. VISCLOSKY. Madam Speaker, had I been present for rollcall 434, on approving the Journal, I would have voted "yea."

PROVIDING FOR CONSIDERATION OF H.R. 5876, STOP CHILD ABUSE IN RESIDENTIAL PROGRAMS FOR TEENS ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1276, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 220, nays 179, not voting 35, as follows:

[Roll No. 435]

YEAS-220 Boswell Abercrombie Cleaver Clyburn Ackerman Boucher Boyd (FL) Allen Cohen Altmire Boyda (KS) Convers Brady (PA) Cooper Andrews Braley (IA) Arcuri Costa Brown, Corrine Costello Baca Baird Butterfield Courtney Baldwin Capps Cramer Capuano Barrow Crowley Cardoza Cuellar Bean Becerra Carnahan Cummings Berkley Carney Davis (AL) Carson Davis (CA) Bermar Castor Davis (IL) DeFazio Berry Bishop (GA) Chandler Bishop (NY) Childers DeGette Blumenauer Clarke Delahunt Clay DeLauro Boren

Dingell Doggett Donnelly Dovle Edwards (MD) Edwards (TX) Ellison Ellsworth Emanuel Engel Eshoo Etheridge Everett Farr Filner Foster Frank (MA) Giffords Gillibrand Gonzalez Green, Al Green, Gene Grijalya Gutierrez Hare Harman Hastings (FL) Higgins Hinchey Hinoiosa Hirono Hodes Holden Holt. Honda Hooley Hover Inslee Israel Jackson (IL) Jackson-Lee (TX) Jefferson Johnson (GA) Johnson, E. B Jones (OH) Kanjorski Kaptur Kennedy Kildee Kilpatrick Kind Klein (FL)

Lampson

Akin

Bachus

Biggert

Blunt

Bonner

Burgess

Buver

Calvert

Cantor

Capito

Carter

Castle

Chabot

Coble

Dicks

Lipinski Loebsack Lofgren, Zoe Lowey Lynch Mahoney (FL) Maloney (NY) Markey Marshall Matheson Matsui McCarthy (NY) McCollum (MN) McDermott McIntyre McNerney McNulty Meek (FL) Melancon Michaud Miller (NC) Miller, George Mitchell Mollohan Moore (KS Moore (WI) Moran (VA) Murphy (CT) Murphy, Patrick Murtha. Nadler Napolitano Neal (MA) Obey Olver Ortiz Pallone Pascrell Pastor Payne Perlmutter Peterson (MN) Pomeroy Price (NC) Rahall Rangel Reves Richardson Rodriguez

NAYS-179

Aderholt Dent Keller Diaz-Balart, L. Alexander Diaz-Balart, M. King (NY) Doolittle Bachmann Drake Barrett (SC) Dreier Duncan Bilirakis Ehlers Bishop (UT) Emerson Blackburn English (PA) Fallin Boehner Feenev Flake Bono Mack Forbes Fossella Boozman Boustany Foxx Franks (AZ) Brady (TX) Broun (GA) Frelinghuysen Brown (SC Gallegly Garrett (NJ) Buchanan Gingrev Burton (IN) Goodlatte Granger Graves Hall (TX) Camp (MI) Campbell (CA) Hastings (WA) Heller Hensarling Cazayoux Herger Hill Hobson Cole (OK) HoekstraConaway Hulshof Crenshaw Hunter Culberson Inglis (SC) Davis (KY) Johnson (IL) Davis, David Davis, Tom Deal (GA) Johnson, Sam

Jordan

Salazar Sánchez, Linda Sanchez, Loretta Sarbanes Schakowsky Schiff Schwartz Scott (GA) Scott (VA) Serrano Sestak Shea-Porter Sherman Shuler Sires Skelton Slaughter Smith (WA) Snyder Solis Space Speier Spratt Stupak Sutton Tanner Tauscher Taylor Thompson (CA) Thompson (MS) Tiernev Tsongas Udall (CO) Udall (NM) Van Hollen Velázquez Walz (MN) Wasserman Schultz Waters Watson Watt Waxman Weiner Welch (VT) Wexler Wilson (OH) Woolsev Yarmuth

Kingston Kirk Kline (MN) Knollenberg Kuhl (NY) LaHood Lamborn Latham LaTourette Latta Lewis (CA) Lewis (KY) Linder LoBiondo Lucas

King (IA)

Lungren, Daniel E. Mack Manzullo Marchant McCarthy (CA) McCaul (TX) McCotter McCrery McHenry McHugh McKeon McMorris Rodgers Mica Miller (FL) Miller (MI) Miller, Gary Moran (KS) Murphy, Tim

Musgrave

Neugebauer

Myrick

Rohrabacher Stearns Nunes Pearce Ros-Lehtinen Sullivan Pence Roskam Tancredo Petri Royce Terry Ryan (WI) Pickering Thornberry Pitts Sali Tiberi Platts. Saxton Turner Poe Scalise Upton Porter Schmidt Walberg Price (GA) Sensenbrenner Walden (OR) Pryce (OH) Sessions Walsh (NY) Putnam Shadegg Wamp Ramstad Shavs Weldon (FL) Shimkus Regula Westmoreland Rehberg Shuster Reichert Wilson (SC) Simpson Renzi Smith (NE) Wittman (VA) Rogers (AL) Smith (N.I.) Wolf Young (FL) Rogers (KY) Smith (TX) Rogers (MI) Souder

NOT VOTING-

Bartlett (MD) Gilchrest Radanovich Barton (TX) Gohmert Reynolds Bilbray Gordon Ruppersberger Hall (NY) Brown-Waite, Rush Ginny Herseth Sandlin Stark Cannon Jones (NC) Tiahrt Cubin Kagen Towns Davis, Lincoln Langevin Visclosky Meeks (NY) Fattah Weller Whitfield (KY) Ferguson Oberstar Wilson (NM) Fortenberry Paul Peterson (PA) Gerlach Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE The SPEAKER pro tempore (during the vote). There are 2 minutes remaining on this vote.

□ 1037

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mr. RUPPERSBERGER. Madam Speaker, on rollcall No. 435, I was meeting with constituents in my district office. Had I been present, I would have voted "yea."

Mr. HALL of New York. Madam Speaker, on rollcall No. 435, I was in a classified briefing on H-405. Had I been present, I would have voted "vea.

Mr. VISCLOSKY. Madam Speaker, Had I been present for rollcall No. 435, H.R. 1276, on ordering the previous question for the consideration of H.R. 5876, the Stop Child Abuse in Residential Programs for Teens Act of 2008, I would have voted "yea."

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. ARCURI. 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—aves 223, noes 185, not voting 26, as follows:

[Roll No. 436]

AYES-223

Abercrombie Berkley Braley (IA) Ackerman Brown, Corrine Berman Allen Berry Butterfield Altmire Bishop (GA) Capps Andrews Bishop (NY) Capuano Arcuri Blumenauer Cardoza Carnahan Baca Boren Baird Boswell Carney Baldwin Boucher Carson Barrow Boyd (FL) Castor Bean Boyda (KS) Chandler Childers Becerra Brady (PA)

		_
Clarke	Jackson (IL)	Peterson (MN)
Clay	Jackson-Lee	Pomeroy
Cleaver	(TX)	Price (NC)
Clyburn	Jefferson	Rahall
Cohen	Johnson (GA)	Rangel
Conyers	Johnson, E. B.	Reyes
Cooper	Jones (OH)	Richardson
Costa	Kagen	Rodriguez
Costello	Kanjorski	Ross
Courtney	Kaptur	Rothman
Cramer	Kennedy	Roybal-Allard
Crowley	Kildee	Ryan (OH)
Cuellar	Kilpatrick	Salazar
Cummings	Kind	Sánchez, Linda
Davis (AL)	Klein (FL)	Т.
Davis (CA)	Kucinich	Sanchez, Lorett
Davis (IL)	Lampson	Sarbanes
DeFazio	Larsen (WA)	Schakowsky
DeGette	Larson (CT)	Schiff
Delahunt	Lee	Schwartz
DeLauro	Levin	Scott (VA)
Dicks	Lewis (GA)	Serrano
Dingell Doggott	Lipinski Loebsack	Sestak
Doggett Donnelly	Lofgren, Zoe	Shea-Porter
Donnerry Doyle	Lorgren, Zoe Lowey	Sherman
Edwards (MD)	Lynch	Shuler
Edwards (TX)	Mahoney (FL)	Sires
Ellison	Maloney (NY)	Skelton
Ellsworth	Markey	Slaughter
Emanuel	Marshall	Smith (WA)
Engel	Matheson	Snyder
Eshoo	Matsui	Solis
Etheridge	McCarthy (NY)	Space
Farr	McCollum (MN)	Speier
Fattah	McDermott	Spratt
Filner	McGovern	Stupak
Foster	McIntyre	Sutton
Frank (MA)	McNerney	Tanner
Giffords	McNulty	Tauscher
Gillibrand	Meek (FL)	Taylor
Gonzalez	Melancon	Thompson (CA)
Gordon	Michaud	Thompson (MS)
Green, Al	Miller (NC)	Tierney
Green, Gene	Miller, George	Tsongas
Grijalva	Mitchell	Udall (CO)
Gutierrez	Mollohan	Udall (NM)
Hall (NY)	Moore (KS)	Van Hollen
Hare	Moore (WI)	Velázquez
Harman	Moran (VA)	Walz (MN)
Hastings (FL)	Murphy (CT)	Wasserman
Herseth Sandlin	Murphy, Patrick	Schultz
Higgins	Murtha	Waters
Hinchey	Nadler	Watson
Hinojosa Hirono	Napolitano	Watt
Hodes	Neal (MA) Obey	Waxman
Holden		Weiner
Holt	Olver Ortiz	Welch (VT)
Honda	Pallone	Wexler
Hooley	Pascrell	Wilson (OH)
Hoyer Hoyer	Pastor	Woolsey
Inslee	Payne	Wu
Israel	Perlmutter	Yarmuth
FDT 01.CT	1 CHIHADOEL	1 ai iiiuuli

NOES—185

NOES-180				
Aderholt	Coble	Gingrey		
Akin	Cole (OK)	Goode		
Alexander	Conaway	Goodlatte		
Bachmann	Crenshaw	Graves		
Bachus	Cubin	Hall (TX)		
Barrett (SC)	Culberson	Hastings (WA)		
Barton (TX)	Davis (KY)	Hayes		
Biggert	Davis, David	Heller		
Bilirakis	Davis, Tom	Hensarling		
Bishop (UT)	Deal (GA)	Herger		
Blackburn	Dent	Hill		
Blunt	Diaz-Balart, L.	Hobson		
Boehner	Diaz-Balart, M.	Hoekstra		
Bonner	Doolittle	Hulshof		
Bono Mack	Drake	Hunter		
Boozman	Dreier	Inglis (SC)		
Boustany	Duncan	Issa		
Brady (TX)	Ehlers	Johnson (IL)		
Broun (GA)	Emerson	Johnson, Sam		
Brown (SC)	English (PA)	Jordan		
Buchanan	Everett	Keller		
Burgess	Fallin	King (IA)		
Burton (IN)	Feeney	King (NY)		
Buyer	Flake	Kingston		
Calvert	Forbes	Kirk		
Camp (MI)	Fortenberry	Kline (MN)		
Campbell (CA)	Fossella	Knollenberg		
Cantor	Foxx	Kuhl (NY)		
Capito	Franks (AZ)	LaHood		
Carter	Frelinghuysen	Lamborn		
Castle	Gallegly	Latham		
Cazayoux	Garrett (NJ)	LaTourette		
Chabot	Gerlach	Latta		

Lewis (CA)	Pence	Shadegg
Lewis (KY)	Petri	Shays
Linder	Pickering	Shimkus
LoBiondo	Pitts	Shuster
Lucas	Platts	Simpson
Lungren, Daniel	Poe	Smith (NE)
E.	Porter	Smith (NJ)
Mack	Price (GA)	Smith (TX)
Manzullo	Pryce (OH)	Souder
Marchant	Putnam	Stearns
McCarthy (CA)	Radanovich	Sullivan
McCaul (TX)	Ramstad	
McCotter	Regula	Tancredo
McCrery	Rehberg	Terry
McHenry	Reichert	Thornberry
McHugh	Renzi	Tiberi
McKeon	Rogers (AL)	Turner
McMorris	Rogers (KY)	Upton
Rodgers	Rogers (MI)	Walberg
Mica	Rohrabacher	Walden (OR)
Miller (FL)	Ros-Lehtinen	Walsh (NY)
Miller (MI)	Roskam	Wamp
Miller, Gary	Royce	Weldon (FL)
Moran (KS)	Ryan (WI)	Westmoreland
Murphy, Tim	Sali	Whitfield (KY)
Musgrave	Saxton	Wilson (SC)
Myrick	Scalise	Wittman (VA)
Neugebauer	Schmidt	Wolf
Nunes	Sensenbrenner	
Pearce	Sessions	Young (FL)
	NOT TOTAL	00

NOT VOTING-26

Bartlett (MD) Bilbray	Granger Jones (NC)	Rush Scott (GA)
Brown-Waite,	Langevin	Stark
Ginny	Meeks (NY)	Tiahrt
Cannon	Oberstar	Towns
Davis, Lincoln	Paul	Visclosky
Ferguson	Peterson (PA)	Weller
Gilchrest	Reynolds	Wilson (NM)
Gohmert	Ruppersberger	Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE The SPEAKER pro tempore (during the vote). There are 2 minutes remaining on this vote.

□ 1045

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 for:

Mr. RUPPERSBERGER. Madam Speaker, on rollcall No. 436, I was meeting with constituents in my district office. Had I been present, I would have voted "aye."

Mr. VISCLOSKY. Madam Speaker, had I been present for rollcall 436, H. Res. 1276, on agreeing to the resolution providing for the consideration of H.R. 5876, the Stop Child Abuse in Residential Programs for Teens Act of 2008, I would have voted "aye."

FISA AMENDMENTS ACT OF 2008

Mr. CONYERS. Madam Speaker, pursuant to House Resolution 1285, I call up the bill (H.R. 6304) 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 in the House.

The Clerk read the title of the bill. The text of the bill is as follows:

H.R. 6304

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 "Foreign Intelligence Surveillance Act of 1978 Amendments Act of 2008" or the "FISA Amendments Act of 2008".

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

Sec. 1. Short title; table of contents.

TITLE I—FOREIGN INTELLIGENCE SURVEILLANCE

Sec. 101. Additional procedures regarding certain persons outside the United States.

Sec. 102. Statement of exclusive means by which electronic surveillance and interception of certain communications may be conducted.

Sec. 103. Submittal to Congress of certain court orders under the Foreign Intelligence Surveillance Act of 1978

Sec. 104. Applications for court orders.

Sec. 105. Issuance of an order.

Sec. 106. Use of information.

Sec. 107. Amendments for physical searches. Sec. 108. Amendments for emergency pen registers and trap and trace devices.

Sec. 109. Foreign Intelligence Surveillance Court.

Sec. 110. Weapons of mass destruction.

TITLE II—PROTECTIONS FOR ELECTRONIC COMMUNICATION SERVICE PROVIDERS

Sec. 201. Procedures for implementing statutory defenses under the Foreign Intelligence Surveillance Act of 1978.

Sec. 202. Technical amendments.

TITLE III—REVIEW OF PREVIOUS ACTIONS

Sec. 301. Review of previous actions.

TITLE IV—OTHER PROVISIONS

Sec. 401. Severability.

Sec. 402. Effective date.

Sec. 403. Repeals.

Sec. 404. Transition procedures.

TITLE I—FOREIGN INTELLIGENCE SURVEILLANCE

SEC. 101. ADDITIONAL PROCEDURES REGARDING CERTAIN PERSONS OUTSIDE THE UNITED STATES.

(a) IN GENERAL.—The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended—

(1) by striking title VII; and

(2) by adding at the end the following:

"TITLE VII—ADDITIONAL PROCEDURES REGARDING CERTAIN PERSONS OUTSIDE THE UNITED STATES

"SEC. 701. DEFINITIONS.

"(a) IN GENERAL.—The terms 'agent of a foreign power', 'Attorney General', 'contents', 'electronic surveillance', 'foreign intelligence information', 'foreign power', 'person', 'United States', and 'United States person' have the meanings given such terms in section 101, except as specifically provided in this title.

"(b) Additional Definitions.—

"(1) Congressional intelligence commit-TEES.—The term 'congressional intelligence committees' means—

"(A) the Select Committee on Intelligence of the Senate; and

 $\lq\lq(B)$ the Permanent Select Committee on Intelligence of the House of Representatives.

"(2) FOREIGN INTELLIGENCE SURVEILLANCE COURT; COURT.—The terms 'Foreign Intelligence Surveillance Court' and 'Court' mean the court established under section 103(a).

"(3) FOREIGN INTELLIGENCE SURVEILLANCE COURT OF REVIEW; COURT OF REVIEW.—The terms 'Foreign Intelligence Surveillance Court of Review' and 'Court of Review' mean the court established under section 103(b).

"(4) ELECTRONIC COMMUNICATION SERVICE PROVIDER.—The term 'electronic communication service provider' means—

"(A) a telecommunications carrier, as that term is defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153);