

to protect American citizens, having the ability to collect intelligence responsibly is essential.

While there is no excuse for the delay in bringing this critical bill to the floor, we must now move forward together to pass H.R. 6304 and restore our Nation's intelligence capabilities.

Mr. REYES. Madam Speaker, I yield back the remainder of our time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1285, the bill is considered read and the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

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.

Mr. CONYERS. 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 293, nays 129, not voting 13, as follows:

[Roll No. 437]

YEAS—293

Ackerman	Cleaver	Green, Gene
Aderholt	Clyburn	Gutierrez
Akin	Coble	Hall (TX)
Alexander	Cole (OK)	Harman
Altmire	Conaway	Hastings (FL)
Arcuri	Cooper	Hastings (WA)
Baca	Costa	Hayes
Bachmann	Cramer	Heller
Bachus	Crenshaw	Hensarling
Baird	Crowley	Hergert
Barrett (SC)	Cubin	Herseth Sandlin
Barrow	Cuellar	Higgins
Bartlett (MD)	Culberson	Hinojosa
Barton (TX)	Davis (AL)	Hobson
Bean	Davis (KY)	Hoekstra
Berkley	Davis, David	Holden
Berman	Davis, Lincoln	Hoyer
Berry	Davis, Tom	Hulshof
Biggert	Deal (GA)	Hunter
Bilbray	Dent	Inglis (SC)
Bilirakis	Diaz-Balart, L.	Issa
Bishop (GA)	Diaz-Balart, M.	Johnson, Sam
Bishop (NY)	Dicks	Jordan
Bishop (UT)	Donnelly	Kanjorski
Blackburn	Doolittle	Keller
Blunt	Drake	Kildee
Boehner	Dreier	Kind
Bonner	Duncan	King (IA)
Bono Mack	Edwards (TX)	King (NY)
Boozman	Ehlers	Kingston
Boren	Ellsworth	Kirk
Boswell	Emanuel	Klein (FL)
Boucher	Emerson	Kline (MN)
Boustany	Engel	Knollenberg
Boyd (FL)	English (PA)	Kuhl (NY)
Boyd (KS)	Etheridge	LaHood
Brady (TX)	Everett	Lamborn
Broun (GA)	Fallin	Lampson
Brown (SC)	Feeney	Langevin
Brown, Corrine	Ferguson	Latham
Buchanan	Flake	LaTourette
Burgess	Forbes	Latta
Burton (IN)	Fortenberry	Lewis (CA)
Butterfield	Fossella	Lewis (KY)
Buyer	Fox	Linder
Calvert	Franks (AZ)	Lipinski
Camp (MI)	Frelinghuysen	LoBiondo
Campbell (CA)	Gallely	Lowe
Cantor	Garrett (NJ)	Lucas
Capito	Gerlach	Lungrun, Daniel
Cardoza	Giffords	E.
Carney	Gillibrand	Mack
Carter	Gingrey	Mahoney (FL)
Castle	Goode	Manzullo
Castor	Goodlatte	Marchant
Cazayoux	Gordon	Marshall
Chabot	Granger	Matheson
Chandler	Graves	McCarthy (CA)
Childers	Green, Al	McCarthy (NY)

McCaull (TX)	Pryce (OH)
McCotter	Putnam
McCrery	Radanovich
McHenry	Rahall
McHugh	Ramstad
McIntyre	Regula
McKeon	Rehberg
McMorris	Reichert
Rodgers	Renzi
McNerney	Reyes
Meeks (NY)	Richardson
Melancon	Rodriguez
Mica	Rogers (AL)
Miller (FL)	Rogers (KY)
Miller (MI)	Rogers (MI)
Miller, Gary	Rohrabacher
Mitchell	Ros-Lehtinen
Moore (KS)	Roskam
Moran (KS)	Ross
Murphy, Patrick	Royce
Murphy, Tim	Ruppersberger
Murtha	Ryan (WI)
Musgrave	Salazar
Myrick	Sali
Neugebauer	Saxton
Nunes	Scalise
Ortiz	Schiff
Pearce	Schmidt
Pelosi	Scott (GA)
Pence	Sensenbrenner
Perlmutter	Sessions
Peterson (MN)	Sestak
Petri	Shadegg
Pickering	Shays
Pitts	Sherman
Platts	Shimkus
Poe	Shuler
Pomeroy	Shuster
Porter	Simpson
Price (GA)	Sires

NAYS—129

Abercrombie	Holt	Oberstar
Allen	Honda	Obeys
Andrews	Hooley	Olver
Baldwin	Inslee	Pallone
Becerra	Israel	Pascarella
Blumenauer	Jackson (IL)	Pastor
Brady (PA)	Jackson-Lee	Payne
Braley (IA)	(TX)	Price (NC)
Capps	Jefferson	Rangel
Capuano	Johnson (GA)	Rothman
Carnahan	Johnson (IL)	Roybal-Allard
Carson	Johnson, E. B.	Ryan (OH)
Clarke	Jones (OH)	Sanchez, Linda
Clay	Kagen	T.
Cohen	Kaptur	Sanchez, Loretta
Conyers	Kennedy	Sarbanes
Costello	Kilpatrick	Schakowsky
Courtney	Kucinich	Schwartz
Cummings	Larsen (WA)	Scott (VA)
Davis (CA)	Larson (CT)	Serrano
Davis (IL)	Lee	Shea-Porter
DeFazio	Levin	Slaughter
DeGette	Lewis (GA)	Solis
Delahunt	Loebback	Speier
DeLauro	Lofgren, Zoe	Sutton
Dingell	Lynch	Thompson (CA)
Doggett	Maloney (NY)	Tierney
Doyle	Markey	Towns
Edwards (MD)	Matsui	Tsongas
Ellison	McCollum (MN)	Udall (NM)
Eshoo	McDermott	Van Hollen
Farr	McGovern	Velázquez
Fattah	McNulty	Walz (MN)
Filner	Meek (FL)	Wasserman
Foster	Michaud	Schultz
Frank (MA)	Miller (NC)	Waters
Gonzalez	Miller, George	Watson
Grijalva	Mollohan	Watt
Hall (NY)	Moore (WI)	Waxman
Hare	Moran (VA)	Weiner
Hill	Murphy (CT)	Welch (VT)
Hinchey	Nadler	Wexler
Hirono	Napolitano	Woolsey
Hodes	Neal (MA)	Wu

NOT VOTING—13

Brown-Waite,	Jones (NC)	Stark
Ginny	Paul	Tiahrt
Cannon	Peterson (PA)	Visclosky
Gilchrist	Reynolds	Weller
Gohmert	Rush	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1248

Mr. FRANK of Massachusetts, Mr. JEFFERSON, Mrs. CAPPS and Ms. KAPTUR changed their vote from "yea" to "nay."

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

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 against:

Mr. VISCLOSKEY. Madam Speaker, had I been present for rollcall 437, H.R. 6304, on passage of a measure to amend the Foreign Intelligence Surveillance Act of 1978 to establish a procedure for authorizing certain acquisitions of foreign intelligence, and for other purposes, I would have voted "nay."

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3192

Ms. ZOE LOFGREN of California. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 3192.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 6041

Mr. BRADY of Texas. Mr. Speaker, I seek unanimous consent to remove my name as a cosponsor of H.R. 6041.

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

There was no objection.

LEGISLATIVE PROGRAM

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

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

Mr. HOYER. I thank the Republican whip for yielding.

On Monday, 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 Tuesday, Mr. Speaker, the House will meet at 9 a.m. for morning hour and 10 a.m. for legislative business.

Mr. Speaker, we will consider several bills under suspension of the rules, including a bill to address cuts in Medicare physician rates. I will reiterate that. We will have a suspension bill on Medicare physician rates.

The complete list of suspension bills will be announced by the close of business today.

In addition, we will consider H.R. 5876, the Stop Child Abuse in Residential Programs for Teens Act; H.R. 6275, the Alternative Minimum Tax Relief Act of 2008; H.R. 3195, the Americans with Disabilities Restoration Act; two bills dealing with Michigan Indian Land Claim Settlements, H.R. 4415 and H.R. 2176.

And we also anticipate considering important energy-related legislation including H.R. 6052, the Saving Energy Through Public Transportation Act of 2008.

And I yield.

Mr. BLUNT. I thank my friend for that information.

I'm looking here at what we're going to be talking about. I will have some questions about that.

Before I get to that, I would like to congratulate my friend on the great work he did on the legislation we passed both yesterday and today. Particularly the legislation today took a tremendous amount of effort on the majority leader's part to get that legislation to the floor. I'm hopeful that the Senate, before we leave for the Fourth of July, will pass this and get it to the President's desk.

I'm convinced that the country will be significantly safer because of the tools we've given the intelligence community. But I'm also convinced that we have done a lot to structure this process in a way that not only protects individual rights, but also requires the government to be more forthcoming with its rules and regulations. And both the leader and his staff did a great job on this. And I know personally because we've worked together on it, and spent days, hours and weeks trying to get to a bill that would come to the floor that would have a significant vote from the majority side. And virtually every Republican at the end of the day was able to be there, as we have been on these bills generally.

But I am grateful to you, and I will just point out that while we almost got a majority of the majority voting for this, there wasn't a majority of the majority. And that makes it harder for a leader. And that can be easily overlooked. But this is something where you had to work hard to do what you thought was the right thing for the country. And I'm grateful to you for it.

Mr. HOYER. I want to thank you for your very generous remarks. I also want to thank you for not only working on this particular piece of legislation with me and with others, but also for the spirit that you bring to trying to work together if that's possible within the context of reaching a compromise, again, if that is possible. So I thank you very much.

Also I want to say that while you and I worked very hard together, I think both of us would say that Mariah Sixkiller and Brian Diffell probably worked more together and longer and harder than we did. And I want to thank Brian on your staff for the work that he did, and of course, Mariah

Sixkiller on my staff for the work they did, as we worked with all of the individuals and committees who are involved in the jurisdictional matters here.

So I thank you for your kind words and I thank you for your efforts. I think that the product that we produced is a product that will be good for the country. And I'm hopeful, as you are, that the Senate will pass it next week and send it to the President for his signature.

□ 1300

Mr. BLUNT. Well, I thank the gentleman, and I certainly share his comments on our two principal staffers who have spent so much time on this.

But one of the things in this process that I was deeply appreciative of, and that you mentioned in your remarks today, was how great the entire staff was in coming together on very technical issues where every single word mattered. The staff on both sides of the aisle were in those rooms you and I were in—and many times we were not in the room—when they were working out the last technicalities of which word was the best word. With all of those involved, it made a big difference here as they do so often, but this is one of those moments where exactly what is done makes a big difference in both how we secure our country and in how we secure our liberties. I'm grateful to the staff for that.

On the Medicare bill that would come to the floor under suspension, as I believe I understood your announcement on Medicare physician rates, when would that bill be available? Will it be available?

Mr. HOYER. If the gentleman will yield.

The committee is working on that now. As the gentleman knows, we discuss this problem all the time. Of course, we had passed a Medicare physicians' reimbursement bill which precluded the 10 percent cut from going into effect, and it provided for a modest increase in the reimbursement rates to physicians. We passed that, of course, as you know, approximately, maybe, a little over a year ago. The Senate did not include it in the SCHIP bill, of which the SCHIP was a part of the CHAMP bill. The only thing they passed was SCHIP, and they indicated to us at that point in time that they would certainly pass the Medicare reimbursement. That has not yet happened.

Unfortunately, the failure of that to happen has now put us in a position where we are facing the June 30 expiration date of the authorization and, therefore, the 10 percent reduction.

Late yesterday, it was apparent that the Senate would not be able to reach a compromise or at least it had not with Chairman RANGEL and Chairman DINGELL after discussions—and I don't know how long those discussions took—yesterday with Chairman BACHUS, and I don't know whether Senator

GRASSLEY was involved in those conversations.

In any event, they determined that they needed to come up with legislation for the House to vote on to provide for reimbursement. They're working on that now. I expect it to be filed today, if possible.

Mr. BLUNT. We've known that we were going to face this deadline for about 8 months now or for at least 6 months now.

As to the process there of going through suspension, I would just tell my friend that I think, on a suspension bill, if this has Medicaid cuts that hurt rural communities or that hurt minority seniors, as we believe some of the cuts in the CHAMP bill did, I would be prepared for this bill to fail on suspension. It might pass with a rule. I wouldn't know about that, but I would give some prediction here that a suspension bill that does those things as pay-fors to appropriately see that physicians are reimbursed but then to have a big debate on the House floor as to whether or not seniors—minority seniors and rural seniors—are disproportionately impacted would, in my opinion, lead to at least a veto-sustaining number on our side.

I'd yield.

Mr. HOYER. I thank the gentleman.

Obviously, we realize that there is that possibility. We hope that does not occur, but we are very interested in getting a bill in light of the fact this will not be until probably next Tuesday. I'm sure it will not be until next Tuesday that we vote on this. We need to get that bill to the Senate because we know they've had great difficulty passing a bill. I'm not sure whether they'll be in next Friday as well or on Saturday of next week, but we simply believe that it needs to pass as quickly as possible, but we do realize the risk.

Mr. BLUNT. Well, to make the point, I'm not sure in my statement there that I mentioned a veto-sustaining majority. I'll just point out, if we had that veto-sustaining number, rather, it would also mean that the bill wouldn't pass and that it would fail on suspension.

Mr. HOYER. It would fail on suspension.

Mr. BLUNT. So I'm certainly hoping that we deal with this important issue of physician reimbursement. I wish we could have done it with a bill that would have been developed sometime in the last 6 months, but we have some concern about that and, I think, appropriately so.

We have a number of physicians on our side who understand this process much better than I do, and I think it's very important that we try to involve them in this process. We've actually got a number of proposals on our side, as you very well may have, too, none of which I've seen in any kind of legislative form.

I'd yield.

Mr. HOYER. I thank the gentleman for yielding.

We all agree that this should have been done earlier. At least all of us in this body agree that it should have been done earlier. Frankly, I presume that everybody in the other body agrees that it should have been done earlier.

The problem has been, as you well know, the failure to get agreement and to get 60 votes in the Senate to allow almost any alternative to go forward. Obviously, we passed a bill that had pay-fors in it, which is what you're talking about, some of which were unacceptable to many on your side and to some on our side.

Whatever we offer is going to be paid for. Mr. DINGELL and Mr. RANGEL, in particular, and his committee are working on that as we speak to see what they can fashion, and we hope that the two-thirds majority necessary to pass a suspension bill will be there—we'll see—but we'll be working on this next week.

Mr. BLUNT. My belief is that is largely not going to be dependent on the issue that solves the problem for physicians but on how that problem is solved. Of course, if two-thirds of the Members are not prepared to do it that way, that will not have gained any time. It will actually have lost time. We'll continue to talk, if you want to, on that.

I notice there is also a bill on energy that is potentially to be considered, and I wonder if that bill would be considered under a rule, and I would hope that it would be.

I'd yield.

Mr. HOYER. The answer to your question is we do intend to consider that bill under a rule.

Mr. BLUNT. I thank the gentleman for that.

As for the ADA update on the Americans with Disabilities Act Restoration, I, personally, anticipate I'll be working with you to pass that, and I look forward to seeing that on the House floor.

I'd yield.

Mr. HOYER. I thank the gentleman for mentioning that.

As you know, I was the sponsor and principal manager of the Americans with Disabilities Act when it passed. Some of your Members don't remember him, but he was a great Member of this body: Steve Bartlett, from Texas, who ended up being the Mayor of Dallas and who is a good friend of mine, has been working very hard on this as we attempt to restore it to what we thought it was when we passed it.

The good news is we have worked very hard, and the disability community has worked very hard with the business community, and we have agreement now with employers and with the disability community on a bill that makes sense for both.

I appreciate the distinguished Republican whip for cosponsoring this legislation, and I look forward to working with him to ensure the passage of this bill on Wednesday next.

Mr. BLUNT. I thank the gentleman for that.

Energy will continue to be an important focus of our discussion of what we think should be on the floor. We look forward to seeing an energy bill on the floor with a rule, and I would encourage the majority to bring every energy bill that we're trying to discharge right now to the floor as soon as possible.

ADJOURNMENT TO MONDAY, JUNE 23, 2008

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

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

There was no objection.

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. Is there objection to the request of the gentleman from Maryland?

There was no objection.

GAS PRICES: AN ENERGY AND ECONOMIC CRISIS

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

Mr. BURTON of Indiana. Well, Mr. Speaker, another week has gone by, and the American people are paying over \$4 a gallon for gasoline, and it's going up because we're getting into vacation time. And we're going home. We're leaving this body. This Congress, our majority party, hasn't done one thing or hasn't even made an attempt to lower the gas prices in this country.

We have the oil here in America. We have it off the Outer Continental Shelf and in Alaska at the ANWR. We have coal shale. We can develop it. We can get oil to the market within 2 or 3 years if we could lower the price of oil immediately once we address the issue because competition around the world will see we're going to drill for oil, and they will start lowering the price, and gas prices will come down, but we have to act.

Here we go with one more week. We're going home with nothing having been done, and the people of this country continue to pay these exorbitant prices for gasoline at the pump.

So, if I were talking to the American people, I would just say to them today: Contact your Congressman, contact your Senator, and tell them you want something done quickly because this is not only an energy crisis; it's an economic crisis.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings or other audible conversation is in violation of the rules of the House.

COMMUTER ACT OF 2008

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

Mr. KIRK. As gas prices rise, an effective way to offer relief is to provide incentives for commuter rail. Commuter rail saves America 4 million gallons of gas a day and saves each individual commuter over \$1,600 a year.

Next week, the Speaker will bring up legislation that will offer only Federal employees transit benefits. I support expanding the current Federal transit program, and believe that all Americans should have the opportunity to have this relief at the pumps.

A month ago, I introduced bipartisan legislation, the Creating Opportunities to Motivate Mass-transit Utilization To Encourage Ridership, or the COMMUTER Act of 2008.

Our legislation offers employers a 50 percent tax credit if they provide transit benefits to their employees. According to Forbes Magazine, the average gasoline cost in the 10 worst commuter cities is over \$6 a day. Should businesses take advantage of this, we would lower our gas bills, but it should be offered to more than people with a Federal job.

THE NEED FOR AMERICAN-MADE ENERGY

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

Mr. SHIMKUS. Mr. Speaker, I got a letter from a constituent from Centralia, Illinois. He calls it Operation Drill Bit. He says, "Here's the problem. I'm tired of high gas prices. I'm tired of watching you borrow money from the Chinese to buy oil from the Saudis. Here's the solution. It's time to drill for our own supply of oil no matter where it may lie. It is time to mine our own resources no matter where they may lie." He attaches a drill bit to the letter.

So I'm signing Lynn Westmoreland's pledge. I will join in the petition that I will continue to vote for more supply. The solution is more supply from the Outer Continental Shelf, coal-to-liquid technology, wind and solar, and renewable fuels. We need American-made energy. We need all of the above so that we can lower gas prices for the whole country at the pump. The poor, rural Americans are disproportionately harmed by high gas prices.