

Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Kucinich
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Lynch
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCauley (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mitchell

NOT VOTING—59

Ackerman
Baird
Barton (TX)
Biggart
Braley (IA)
Cole (OK)
Cubin
Culberson
Cummings
Davis, Tom
DeFazio
Dicks
Doolittle
Doyle
Engel
Garrett (NJ)
Gilchrest
Gohmert
Goode
Higgins

(1056)

Mrs. BLACKBURN, Messrs. ISRAEL, SHULER, TURNER, McNERNEY, SAM JOHNSON of Texas, HASTINGS of Washington, PUTNAM, CHABOT, SMITH of Washington, SESTAK, BACHUS, SMITH of Texas, SCOTT of Georgia, CARDOZA, FATTAH, BRADY of Pennsylvania, KINGSTON, INGLIS of South Carolina, Ms. KILPATRICK,

Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (TX)
Smith (WA)
Snyder
Solis
Space
Stearns
Stupak
Sutton
Tanner
Tauscher
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman
Schultz
Waters
Watson
Watt
Welch (VT)
Weller
Westmoreland
Wexler
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

and Mrs. MYRICK changed their vote from “yea” to “nay.”

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. COLE of Oklahoma. Mr. Speaker, I was unavoidably detained and missed rollcall vote No. 46. Had I been present, I would have voted “nay” on the motion to adjourn.

PROVIDING FOR CONSIDERATION OF H.R. 5349, PROTECT AMERICA ACT OF 2007 EXTENSION

Mr. ARCURI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 976 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 976

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5349) to extend the Protect America Act of 2007 for 21 days. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The bill shall be considered as read. All points of order against provisions of the bill are waived. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence; and (2) one motion to recommit.

SEC. 2. During consideration of H.R. 5349 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentleman from New York is recognized for 1 hour.

Mr. ARCURI. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Washington (Mr. HASTINGS). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. ARCURI. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and insert extraneous materials into the RECORD.

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

There was no objection.

Mr. ARCURI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 976 provides for further consideration of H.R. 5349, which extends the Protect America Act of 2007 for 21 days under a closed rule.

□ 1100

The rule provides 1 hour of debate, with 40 minutes equally divided and

controlled by the chairman and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chairman and ranking member of the Permanent Select Committee on Intelligence.

Mr. Speaker, I reserve the balance of my time.

MOTION TO ADJOURN

Mr. HASTINGS of Washington. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn.

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

Mr. HASTINGS of Washington. Mr. 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 7, nays 364, not voting 57, as follows:

[Roll No. 47]

YEAS—7

Dicks	Johnson (IL)	Tiahrt
Doolittle	King (IA)	
Hastings (WA)	Shimkus	

NAYS—364

Abercrombie	Capps	Ferguson
Ackerman	Capuano	Filner
Aderholt	Cardoza	Flake
Akin	Carney	Forbes
Alexander	Carter	Fortenberry
Allen	Castle	Fossella
Altmire	Castor	Foxo
Arcuri	Chabot	Franks (AZ)
Baca	Chandler	Frelinghuysen
Bachmann	Clarke	Galleghy
Baird	Clay	Garrett (NJ)
Baldwin	Cleaver	Gerlach
Barrett (SC)	Clyburn	Giffords
Barrow	Coble	Gillibrand
Bartlett (MD)	Cohen	Gingrey
Barton (TX)	Cole (OK)	Gonzalez
Bean	Conaway	Goode
Becerra	Conyers	Goodlatte
Berkley	Cooper	Gordon
Berry	Costello	Granger
Biggart	Courtney	Graves
Billbray	Cramer	Green, Al
Billirakis	Crenshaw	Green, Gene
Bishop (GA)	Crowley	Grijalva
Bishop (NY)	Cuellar	Gutierrez
Bishop (UT)	Culberson	Hall (NY)
Blackburn	Cummings	Hall (TX)
Blumenauer	Davis (AL)	Hare
Blunt	Davis (CA)	Harman
Boehner	Davis (KY)	Hayes
Bonner	Davis, David	Heller
Bono Mack	Davis, Lincoln	Hensarling
Boozman	Deal (GA)	Herger
Boren	DeFazio	Herseth Sandlin
Boswell	DeGette	Higgins
Boucher	Dent	Hill
Boustany	Diaz-Balart, L.	Hinchey
Boyd (FL)	Diaz-Balart, M.	Hirono
Boyd (KS)	Dingell	Hobson
Brady (PA)	Doggett	Hodes
Brady (TX)	Donnelly	Hoekstra
Braley (IA)	Drake	Holden
Broun (GA)	Dreier	Holt
Brown (SC)	Duncan	Hooley
Brown-Waite,	Ehlers	Hoyer
Ginny	Ellison	Hulshof
Buchanan	Ellsworth	Hunter
Burgess	Emanuel	Inglis (SC)
Burton (IN)	Emerson	Inslee
Butterfield	English (PA)	Israel
Buyer	Eshoo	Issa
Calvert	Etheridge	Jackson (IL)
Camp (MI)	Everett	Jackson-Lee
Campbell (CA)	Fallin	(TX)
Cantor	Fattah	Jefferson
Capito	Feeney	Johnson (GA)

Johnson, E. B.	Miller (MI)	Scott (GA)
Jones (NC)	Miller, Gary	Scott (VA)
Jordan	Miller, George	Sensenbrenner
Kagen	Mitchell	Serrano
Kanjorski	Mollohan	Sessions
Kaptur	Moore (KS)	Sestak
Keller	Moore (WI)	Shadegg
Kennedy	Moran (KS)	Shays
Kildee	Murphy (CT)	Shea-Porter
Kilpatrick	Murphy, Patrick	Sherman
Kind	Murphy, Tim	Shuler
King (NY)	Murtha	Shuster
Kingston	Musgrave	Sires
Kirk	Myrick	Slaughter
Kline (MN)	Nadler	Smith (NE)
Kucinich	Napolitano	Smith (NJ)
Kuhl (NY)	Neal (MA)	Smith (TX)
LaHood	Neugebauer	Smith (WA)
Lamborn	Nunes	Snyder
Lampson	Oberstar	Solis
Langevin	Pallone	Space
Larsen (WA)	Pascarella	Spratt
Larson (CT)	Pastor	Stark
Latham	Paul	Stearns
LaTourette	Payne	Stupak
Latta	Pearce	Sullivan
Lee	Pence	Sutton
Levin	Perlmuter	Tancredo
Lewis (CA)	Peterson (MN)	Tanner
Lewis (GA)	Peterson (PA)	Tauscher
Linder	Petri	Terry
Lipinski	Pitts	Thompson (CA)
LoBiondo	Platts	Thompson (MS)
Loebach	Poe	Thornberry
Lofgren, Zoe	Pomeroy	Tiberi
Lucas	Porter	Tsongas
Lungren, Daniel	Price (GA)	Turner
E.	Price (NC)	Udall (CO)
Lynch	Putnam	Udall (NM)
Mack	Rahall	Upton
Mahoney (FL)	Ramstad	Van Hollen
Maloney (NY)	Regula	Velázquez
Manzullo	Rehberg	Visclosky
Markey	Reichert	Walberg
Marshall	Reynolds	Walden (OR)
Matheson	Richardson	Walz (MN)
Matsui	Rodriguez	Wamp
McCarthy (CA)	Rogers (KY)	Wasserman
McCarthy (NY)	Rogers (MI)	Schultz
McCauley (TX)	Rohrabacher	Waters
McCollum (MN)	Ros-Lehtinen	Watson
McCotter	Roskam	Watt
McDermott	Ross	Welch (VT)
McGovern	Rothman	Weller
McHenry	Roybal-Allard	Westmoreland
McHugh	Royce	Wexler
McIntyre	Rush	Whitfield (KY)
McKeon	Ryan (WI)	Wilson (NM)
McMorris	Salazar	Wilson (OH)
Rodgers	Sánchez, Linda	Wilson (SC)
McNerney	T.	Wittman (VA)
McNulty	Sanchez, Loretta	Wolf
Meek (FL)	Sarbanes	Woolsey
Meeks (NY)	Saxton	Wu
Melancon	Schakowsky	Yarmuth
Mica	Schiff	Young (FL)
Michaud	Schmidt	
Miller (FL)	Schwartz	

NOT VOTING—57

Andrews	Hastings (FL)	Rangel
Bachus	Hinojosa	Renzi
Berman	Honda	Reyes
Brown, Corrine	Johnson, Sam	Rogers (AL)
Cannon	Jones (OH)	Ruppersberger
Carnahan	Klein (FL)	Ryan (OH)
Costa	Knollenberg	Sali
Cubin	Lewis (KY)	Simpson
Davis (IL)	Lowey	Skelton
Davis, Tom	Marchant	Souder
DeLauro	McCrery	Taylor
Doyle	Miller (NC)	Tierney
Edwards	Moran (VA)	Towns
Engel	Obey	Walsh (NY)
Farr	Olver	Waxman
Frank (MA)	Ortiz	Weiner
Gilchrest	Pickering	Weldon (FL)
Gohmert	Pryce (OH)	Wynn
	Radanovich	Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1123

Mrs. BIGGERT and Messrs. RUSH and VAN HOLLEN changed their vote from "yea" to "nay."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF H.R. 5349, PROTECT AMERICA ACT OF 2007 EXTENSION

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, I want to thank the gentleman from New York (Mr. ARCURI) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, the intent of the original 1978 FISA law was to enhance Americans' security while at the same time protecting Americans' privacy. Recognizing that no responsibility of the Federal Government is more important than providing for the defense and security of the American people, Congress should be doing all it can to ensure that FISA continues to reflect the intent of the original law.

In the nearly 30 years since FISA became law, we have seen tremendous advances in communications technology, such as the Internet, cell phones, and e-mail. However, under the original FISA law, our intelligence officials are not free to monitor foreign terrorists, Mr. Speaker, in foreign countries, without a court order, because of advances, as I mentioned, in communications technology.

Mr. Speaker, let me repeat again: Because of advances in technology, our intelligence officials are not free to monitor foreign terrorists in foreign countries. It is clear that the law is outdated and must be modernized to reflect changes in communications technology over the past three decades.

In August, Congress, in a bipartisan manner, took an important step to close our Nation's intelligence gap. The Protect America Act passed only after repeated attempts by Republicans to give our Nation's intelligence professionals the tools and authority they need to protect our homeland. This action was long overdue, and this law marked a significant step forward in improving our national security. But, unfortunately, Democrats forced these needed technology tools to expire in 6 months.

In November, the House Democrat leaders brought legislation to the floor that does not go far enough to reform outdated FISA laws. It weakens Americans' privacy protection and fails to permanently close our Nation's intelligence gap. A bipartisan, permanent solution is needed that shows all Amer-

icans and our enemies that the United States is truly committed to closing our Nation's intelligence gap.

Yesterday, the Senate acted in a bipartisan manner by a vote of 68–29 to permanently close the terrorist loophole and ensure that intelligence officials are able to monitor communications of suspected terrorists overseas such as Osama bin Laden and other al Qaeda leaders. This commonsense solution would help keep our country safe from attack and should be acted on immediately and sent to the President to be signed into law.

Mr. Speaker, House Democrat leaders need to stop dragging their feet. They need to end their delaying tactics, indeed, to let the House vote on the Senate-approved measure. Today, I am going to give Members of the House an opportunity to support the bipartisan measure that the Senate passed just yesterday. If the previous question is defeated, I will amend the rule to allow the House an opportunity to concur with the Senate amendments. By approving the Senate amendments, the bill can become law before the current extension expires in just a few days.

We don't need to close the terrorist loophole just temporarily, Mr. Speaker. We need to close it permanently and update our Nation's surveillance laws in order to protect our Nation from another terrorist attack.

Mr. Speaker, I urge my colleagues to vote against the previous question so that we can permanently close the loophole.

Mr. Speaker, I reserve the balance of my time.

Mr. ARCURI. Mr. Speaker, I yield myself such time as I may consume.

I thank my colleague from Washington for his insightful history on the FISA bill. I would submit that I agree with him that the FISA bill is necessary for the security of America. No one questions that. No one on our side of the aisle questions that. The question that we do have is does the Senate bill actually take away some of the liberty that is so necessary to the American people.

All we are asking for is an extension of 21 days. When you think about it in the grand scheme of things, 21 days to make a determination whether or not this bill continues to give the American people the liberty that they have had for over 200 years, that is not a lot to ask for. I would much rather have 21 days, keep the bill in effect but extend it for 21 days, knowing full well that the end product is something that not only ensures our security but guarantees our liberty.

Mr. Speaker, I reserve the balance of my time.

□ 1130

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Michigan (Mr. HOEKSTRA), ranking member of the House Intelligence Committee.

Mr. HOEKSTRA. I thank my colleague for yielding.