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No. 124—Book II

House of Representatives

PROVIDING FOR CONSIDERATION OF H.R. 5825, ELECTRONIC SURVEILLANCE MODERNIZATION ACT—Continued

(By unanimous consent, Mr. BOEHNER was allowed to speak out of order.)

LEGISLATIVE SCHEDULE

Mr. BOEHNER. Mr. Speaker, I want to give all Members an update on where we are so Members can make their travel arrangements if they would like to.

I believe that we are going to be able to complete all of our work by the end of tomorrow. I would like to be able to tell you it is going to be 4 o'clock or 6 o'clock or 8 o'clock or midnight. I can't do that, so don't ask. But here is what I would expect our schedule is for tomorrow.

We are completing the action on the terrorist surveillance bill tonight.

Tomorrow we expect a same-day rule, and Private Property Rights Implementation will be considered tomorrow. We believe the Department of Homeland Security appropriations conference report will be up tomorrow. The terrorist tribunal bill that we passed yesterday, the identical bill passed the Senate today; but under the rules we will likely take up the terrorist tribunal bill here tomorrow. And we have in conference the SAFE Ports Act which is moving along and could be considered tomorrow. We also have the DOD authorization bill which could be considered tomorrow.

So I am trying to do my best in giving all the Members, and I see my friend Mr. MILLER over there smiling at me, I am trying to give Members as much notice as I can. But I do expect that I will meet the commitment that I have made to all of you over the last couple of months that we will be finished tomorrow, and I hope tomorrow doesn't last any longer than it has to.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection. 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. HASTINGS of Florida. Mr. 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 220, noes 199, not voting 13, as follows:

[Roll No. 499]

AYES—220

Aderholt	Carter	Gilchrest
Akin	Chocola	Gillmor
Alexander	Coble	Gingrey
Bachus	Cole (OK)	Gohmert
Baker	Conaway	Goode
Barrett (SC)	Crenshaw	Goodlatte
Barrow	Cubin	Granger
Bartlett (MD)	Culberson	Graves
Barton (TX)	Davis (KY)	Gutknecht
Bass	Davis, Jo Ann	Hall
Beauprez	Davis, Tom	Harris
Biggert	Deal (GA)	Hart
Bilirakis	Dent	Hastings (WA)
Bishop (UT)	Diaz-Balart, L.	Hayes
Blackburn	Diaz-Balart, M.	Hayworth
Blunt	Doolittle	Hefley
Boehlert	Drake	Hensarling
Boehner	Dreier	Herger
Bonilla	Duncan	Hobson
Bonner	Ehlers	Hoekstra
Bono	Emerson	Hostettler
Boozman	English (PA)	Hulshof
Boustany	Everett	Hyde
Bradley (NH)	Feeney	Inglis (SC)
Brady (TX)	Ferguson	Issa
Brown (SC)	Fitzpatrick (PA)	Istook
Brown-Waite,	Foley	Jenkins
Ginny	Forbes	Jindal
Burgess	Fortenberry	Johnson (CT)
Burton (IN)	Fossella	Johnson (IL)
Buyer	Fox	Johnson, Sam
Calvert	Franks (AZ)	Keller
Camp (MI)	Frelinghuysen	Kelly
Campbell (CA)	Gallegly	Kennedy (MN)
Cannon	Garrett (NJ)	King (IA)
Cantor	Gerlach	King (NY)
Capito	Gibbons	Kingston

Kirk	Nussle	Shaw
Kline	Osborne	Sherwood
Knollenberg	Otter	Shimkus
Kolbe	Oxley	Shuster
Kuhl (NY)	Pearce	Simmons
LaHood	Pence	Simpson
Latham	Peterson (PA)	Smith (NJ)
LaTourette	Petri	Smith (TX)
Lewis (CA)	Pickering	Sodrel
Lewis (KY)	Pitts	Souder
Linder	Platts	Stearns
LoBiondo	Poe	Sullivan
Lucas	Pombo	Sweeney
Lungren, Daniel	Porter	Tancredo
E.	Price (GA)	Taylor (NC)
Mack	Pryce (OH)	Terry
Manzullo	Putnam	Thomas
Marchant	Radanovich	Thornberry
McCaul (TX)	Ramstad	Tiahrt
McCotter	Regula	Tiberi
McCrery	Rehberg	Turner
McHenry	Reichert	Upton
McHugh	Renzi	Walden (OR)
McKeon	Reynolds	Walsh
McMorris	Rogers (AL)	Wamp
Rodgers	Rogers (KY)	Weldon (FL)
Mica	Rogers (MI)	Weldon (PA)
Miller (FL)	Rohrabacher	Weller
Miller (MI)	Ros-Lehtinen	Westmoreland
Miller, Gary	Royce	Whitfield
Moran (KS)	Ryan (WI)	Wicker
Murphy	Ryun (KS)	Wilson (NM)
Musgrave	Saxton	Wilson (SC)
Myrick	Schmidt	Wolf
Neugebauer	Schwarz (MI)	Young (AK)
Northup	Sensenbrenner	Young (FL)
Norwood	Sessions	
Nunes	Shadegg	

NOES—199

Abercrombie	Cardoza	Dicks
Allen	Carnahan	Dingell
Andrews	Carson	Doggett
Baca	Case	Doyle
Baird	Chandler	Edwards
Baldwin	Clay	Emanuel
Bean	Cleaver	Engel
Becerra	Clyburn	Eshoo
Berkley	Conyers	Etheridge
Berman	Cooper	Farr
Berry	Costa	Fattah
Bishop (GA)	Costello	Fiener
Bishop (NY)	Cramer	Flake
Blumenauer	Crowley	Ford
Boren	Cuellar	Frank (MA)
Boswell	Cummings	Gonzalez
Boucher	Davis (AL)	Gordon
Boyd	Davis (CA)	Green, Al
Brady (PA)	Davis (FL)	Green, Gene
Brown (OH)	Davis (IL)	Grijalva
Brown, Corrine	Davis (TN)	Gutiérrez
Butterfield	DeFazio	Hastings (FL)
Capps	DeGette	Herseth
Capuano	Delahunt	Higgins
Cardin	DeLauro	Hinche

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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Hinojosa	McKinney	Sánchez, Linda	Blumenauer	Herseth	Owens	Chocola	Jindal	Pitts
Holden	McNulty	T.	Boehlert	Higgins	Pallone	Coble	Johnson, Sam	Price (GA)
Holt	Meek (FL)	Sanchez, Loretta	Bono	Hinchey	Pascarell	Cole (OK)	King (IA)	Putnam
Honda	Meeks (NY)	Sanders	Boren	Hinojosa	Pastor	Conaway	King (NY)	Radanovich
Hooley	Melancon	Schakowsky	Boswell	Holden	Payne	Crenshaw	Kline	Regula
Hoyer	Michaud	Schiff	Boucher	Holt	Pelosi	Cubin	Knollenberg	Rehberg
Insole	Millender-	Schwartz (PA)	Boyd	Honda	Peterson (MN)	Culberson	Kolbe	Reichert
Israel	McDonald	Scott (GA)	Bradley (NH)	Hooley	Platts	Deal (GA)	Latham	Rogers (AL)
Jackson (IL)	Miller (NC)	Scott (VA)	Brady (PA)	Hostettler	Poe	Doolittle	Lewis (CA)	Rogers (KY)
Jackson-Lee	Miller, George	Serrano	Hoyer	Brown (OH)	Pombo	Drake	Linder	Rogers (MI)
(TX)	Mollohan	Shays	Hulshof	Brown (SC)	Pomeroy	Dreier	Lucas	Rohrabacher
Jefferson	Moore (KS)	Sherman	Insole	Brown, Corrine	Porter	Duncan	Lungren, Daniel	Royce
Johnson, E. B.	Moore (WI)	Skelton	Butterfield	Israel	Price (NC)	Ehlers	E.	Ryan (WI)
Jones (NC)	Moran (VA)	Slaughter	Capito	Jackson (IL)	Pryce (OH)	Everett	Mack	Ryan (KS)
Jones (OH)	Murtha	Smith (WA)	Capps	Jackson-Lee	Rahall	Feeney	Manzullo	Schmidt
Kanjorski	Nadler	Snyder	Capuano	(TX)	Ramstad	Flake	McCaul (TX)	Schwarz (MI)
Kaptur	Napolitano	Solis	Cardin	Jefferson	Rangel	Forbes	McCrery	Sensenbrenner
Kennedy (RI)	Neal (MA)	Spratt	Cardoza	Johnson (CT)	Renzi	Fortenberry	McHenry	Sessions
Kildee	Oberstar	Stark	Carmanah	Johnson (IL)	Reyes	Foxx	McKeon	Shadegg
Kilpatrick (MI)	Obey	Tanner	Carson	Johnson, E. B.	Reynolds	Franks (AZ)	McMorris	Shaw
Kind	Olver	Tauscher	Case	Jones (NC)	Ros-Lehtinen	Frelinghuysen	Rodgers	Shuster
Kucinich	Ortiz	Taylor (MS)	Chandler	Jones (OH)	Ross	Gallely	Mica	Simmons
Langevin	Owens	Thompson (CA)	Clay	Kanjorski	Rothman	Gingrey	Miller (FL)	Simpson
Lantos	Pallone	Thompson (MS)	Cleaver	Kaprtur	Roybal-Allard	Goodlatte	Miller, Gary	Sodrel
Larsen (WA)	Pascarell	Tierney	Clyburn	Keller	Ruppersberger	Granger	Moran (KS)	Stearns
Larson (CT)	Pastor	Towns	Conyers	Kelly	Rush	Graves	Myrick	Sullivan
Leach	Paul	Cooper	Cooper	Kennedy (MN)	Ryan (OH)	Hall	Neugebauer	Taylor (NC)
Lee	Payne	Costa	Costa	Kennedy (RI)	Salazar	Hastert	Northup	Terry
Levin	Pelosi	Costello	Costello	Kildee	Sánchez, Linda	Hastings (WA)	Norwood	Thomas
Lipinski	Peterson (MN)	Cramer	Cramer	Kilpatrick (MI)	T.	Hayas	Nunes	Thornberry
Lofgren, Zoe	Pomeroy	Velázquez	Crowley	Kind	Sanchez, Loretta	Hensarling	Nussle	Tiahrt
Lowe	Price (NC)	Visclosky	Cuellar	Kingston	Sanders	Herger	Osborne	Walden (OR)
Lynch	Rahall	Wasserman	Cummings	Kirk	Saxton	Hobson	Otter	Wamp
Maloney	Rangel	Schultz	Davis (AL)	Kucinich	Schakowsky	Hoekstra	Paul	Weldon (FL)
Markey	Reyes	Waters	Davis (CA)	Kuhl (NY)	Schiff	Hyde	Pearce	Westmoreland
Marshall	Ross	Watson	Davis (FL)	LaHood	Schwartz (PA)	Inglis (SC)	Pence	Wicker
Matheson	Rothman	Watt	Davis (IL)	Langevin	Scott (GA)	Issa	Peterson (PA)	Wilson (SC)
Matsui	Roybal-Allard	Waxman	Davis (KY)	Lantos	Scott (VA)	Istook	Petri	Young (AK)
McCarthy	Ruppersberger	Weiner	Davis (TN)	Larsen (WA)	Serrano	Jenkins	Pickering	
McCollum (MN)	Rush	Wexler	Davis, Jo Ann	Larson (CT)	Shays			
McDermott	Ryan (OH)	Woolsey	Davis, Tom	LaTourette	Sherman			
McGovern	Sabo	Wu	DeFazio	Leach	Sherwood	Castle	Hunter	Oxley
McIntyre	Salazar	Wynn	DeGette	Lee	Shimkus	Chabot	Lewis (GA)	Sabo
			Delahunt	Levin	Skelton	Evans	Meehan	Strickland
			DeLauro	Lewis (KY)	Slaughter	Green (WI)	Ney	Stupak
			Dent	Lipinski	Smith (NJ)			
			Diaz-Balart, L.	LoBiondo	Smith (TX)			
			Diaz-Balart, M.	Lofgren, Zoe	Smith (WA)			
			Dicks	Lowe	Snyder			
			Dingell	Lynch	Solis			
			Doggett	Maloney	Souder			
			Doyle	Marchant	Spratt			
			Edwards	Markey	Sweeney			
			Emanuel	Matheson	Tancredo			
			Emerson	Matsui	Tanner			
			Engel	McCarthy	Tauscher			
			English (PA)	McCollum (MN)	Taylor (MS)			
			Eshoo	McCotter	Thompson (CA)			
			Etheridge	McDermott	Thompson (MS)			
			Farr	McGovern	Tiberi			
			Fattah	McHugh	Tierney			
			Ferguson	McIntyre	Towns			
			Filner	McKinney	Turner			
			Fitzpatrick (PA)	McNulty	Udall (CO)			
			Foley	Meek (FL)	Udall (NM)			
			Ford	Meeks (NY)	Upton			
			Fossella	Melancon	Van Hollen			
			Frank (MA)	Michaud	Velázquez			
			Garrett (NJ)	Millender-	Visclosky			
			Gerlach	McDonald	Walsh			
			Gibbons	Miller (MI)	Wasserman			
			Gilchrest	Miller (NC)	Schultz			
			Gillmor	Miller, George	Waters			
			Gohmert	Mollohan	Watson			
			Gonzalez	Moore (KS)	Watt			
			Goode	Moore (WI)	Waxman			
			Gordon	Moran (VA)	Weiner			
			Green, Al	Murphy	Weldon (PA)			
			Green, Gene	Murtha	Weller			
			Grijalva	Musgrave	Wexler			
			Gutierrez	Gutknecht	Whitfield			
			Gutknecht	Harman	Wilson (NM)			
			Harman	Harris	Wolf			
			Hart	Hastings (FL)	Woolsey			
			Hastings (FL)	Obey	Wu			
			Hayworth	Olver	Wynn			
			Hefley	Ortiz	Young (FL)			

NOT VOTING—13

Ackerman	Green (WI)	Ney
Bilbray	Harman	Strickland
Castle	Hunter	Stupak
Chabot	Lewis (GA)	
Evans	Meehan	

□ 1915

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.

APPOINTMENT OF CONFEREES ON H.R. 4954, SECURITY AND ACCOUNTABILITY FOR EVERY PORT ACT

MOTION TO INSTRUCT OFFERED BY MR. THOMPSON OF MISSISSIPPI

The SPEAKER pro tempore. The pending business is the vote on the motion to instruct on H.R. 4954 offered by the gentleman from Mississippi (Mr. THOMPSON) on which the yeas and nays are ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 281, nays 140, not voting 12, as follows:

[Roll No. 500]

YEAS—281

Abercrombie	Barrow	Berman
Ackerman	Bartlett (MD)	Berry
Allen	Bass	Bigert
Andrews	Bean	Billray
Baca	Beauprez	Bilirakis
Baird	Becerra	Bishop (GA)
Baldwin	Berkley	Bishop (NY)

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barton (TX)
Bishop (UT)
Blackburn

NAYS—140

Blunt
Boehner
Bonilla
Bonner
Boozman
Boustany
Brady (TX)
Brown-Waite
Ginny

Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter

Mr. MARKEY changed his vote from “nay” to “yea.”

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. GUTKNECHT). Without objection, the Chair appoints the following conferees:

From the Committee on Homeland Security, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. KING of New York, YOUNG of Alaska, DANIEL E. LUNGRON of California, LINDER, SIMMONS, MCCAUL of Texas, REICHERT, THOMPSON of Mississippi, Ms. LORETTA SANCHEZ of California, Mr. MARKEY, Ms. HARMAN, and Mr. PASCARELL.

From the Committee on Energy and Commerce, for consideration of titles VI and X and section 1104 of the Senate amendment, and modifications committed to conference: Messrs. BARTON of Texas, UPTON, and DINGELL.

From the Committee on Science, for consideration of sections 201 and 401 of the House bill, and sections 111, 121, 302, 303, 305, 513, 607, 608, 706, 801, 802, and 1107 of the Senate amendment, and modifications committed to conference: Messrs. BOEHLERT, SODREL, and MELANCON.

From the Committee on Transportation and Infrastructure, for consideration of sections 101–104, 107–109, and 204 of the House bill, and sections 101–104, 106–108, 111, 202, 232, 234, 235, 503,

NOT VOTING—12

Chabot	Hunter	Oxley
Evans	Lewis (GA)	Sabo
Green (WI)	Meehan	Strickland
	Ney	Stupak

□ 1924