

UNITING AND STRENGTHENING AMERICA BY PROVIDING APPROPRIATE TOOLS REQUIRED TO INTERCEPT AND OBSTRUCT TERRORISM (USA PATRIOT) ACT OF 2001

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 3162.

The Clerk read the title of the bill. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the house suspend the rules and pass the bill, H.R. 3162, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 357, nays 66, not voting 9, as follows:

[Roll No. 398]
YEAS—357

Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bishop
Blagojevich
Blunt
Boehrlert
Boehner
Bonilla
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Culberson
Cunningham

Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeLahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Fattah
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gillman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley

Herger
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourrette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)

Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, Jeff
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Murray
Napolitano
Neal
Nethercutt
Northup
Norwood
Nussle
Obey
Ortiz
Osborne
Ose
Oxley
Pallone
Pascarell
Pelosi
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo

NAYS—66

Baldwin
Barrett
Blumenauer
Bonior
Boucher
Brown (OH)
Capuano
Clayton
Conyers
Coyne
Cummings
Davis (IL)
DeFazio
DeGette
Dingell
Farr
Finer
Frank
Hastings (FL)
Hilliard
Honda
Jackson (IL)

NOT VOTING—9

Abercrombie
Bilirakis
Burton

□ 1105

Mrs. MEEK of Florida and Messrs. OWENS, MOLLOHAN and SABO changed their vote from “yea” to “nay.”

Ms. CARSON of Indiana, Mr. STUPAK, and Mr. COSTELLO changed their vote from “nay” to “yea.”

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

Smith (WA)
Snyder
Solis
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Towns
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (FL)

Jackson-Lee (TX)
Johnson, E. B.
Jones (OH)
Kucinich
Lee
Lewis (GA)
McDermott
McGovern
McKinney
Meek (FL)
Miller, George
Mink
Mollohan
Nadler
Ney
Oberstar
Olver
Otter
Owens
Pastor
Paul
Payne

Hill
Kilpatrick
Young (AK)

A motion to reconsider was laid on the table.

Stated for: Mr. BEREUTER. Mr. Speaker, on rollcall No. 398 I was inadvertently detained. Had I been present, I would have voted “yea.”

Mr. HANSEN. Mr. Speaker, on rollcall No. 398 I was inadvertently detained. Had I been present, I would have voted “yea.”

PERSONAL EXPLANATION

Mr. CLAY. Mr. Speaker, due to unforeseen circumstances, I missed this morning’s vote on the Journal and the vote on H.R. 3162, the PATRIOT Act of 2001. Had I voted, I would have voted “yes” on the Journal and “yes” on H.R. 3162.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to the provisions of clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on the additional question on which the Chair has postponed further proceedings.

THE JOURNAL

The SPEAKER pro tempore. The pending business is the question of agreeing to the Speaker’s approval of the Journal of the last day’s proceedings.

The question is on the Speaker’s approval of the Journal.

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

Mr. MCNULTY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered. The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 367, nays 48, not voting 17, as follows:

[Roll No. 399]
YEAS—367

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bishop
Blagojevich
Blumenauer
Boehrlert

Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
DeLahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell

Doggett Kind (WI)
 Dooley King (NY)
 Doolittle Kingston
 Doyle Kirk
 Dreier Kleczka
 Duncan Knollenberg
 Dunn Kolbe
 Edwards LaHood
 Ehlers Lampson
 Ehrlich Langevin
 Emerson Lantos
 Engel Largent
 Eshoo Larson (CT)
 Etheridge Latham
 Evans LaTourette
 Everett Leach
 Farr Lee
 Ferguson Levin
 Flake Lewis (CA)
 Fletcher Lewis (KY)
 Foley Linder
 Forbes Lipinski
 Ford Lofgren
 Fossella Lowey
 Frank Lucas (KY)
 Frelinghuysen Lucas (OK)
 Frost Luther
 Gallegly Lynch
 Ganske Maloney (CT)
 Gekas Maloney (NY)
 Gephardt Manzullo
 Gibbons Markey
 Gilchrest Mascara
 Gillmor Matheson
 Gilman Matsui
 Gonzalez McCarthy (MO)
 Goode McCarthy (NY)
 Goodlatte McCrery
 Gordon McHugh
 Graham McClinnis
 Granger McIntyre
 Graves McKeon
 Green (TX) McKinney
 Green (WI) Meehan
 Greenwood Meek (FL)
 Crucci Meeks (NY)
 Gutierrez Menendez
 Hall (OH) Mica
 Hall (TX) Millender
 Hansen McDonald
 Hart Miller, Dan
 Hastings (WA) Miller, Gary
 Hayes Miller, Jeff
 Hayworth Mink
 Herger Mollohan
 Hilleary Moore
 Hinojosa Morella
 Hobson Murtha
 Hoeffel Myrick
 Hoekstra Nadler
 Holden Napolitano
 Holt Neal
 Honda Nethercutt
 Hooley Ney
 Horn Northup
 Hostettler Norwood
 Houghton Nussle
 Hoyer Obey
 Hunter Ortiz
 Hyde Osborne
 Inslee Ose
 Isakson Otter
 Israel Owens
 Issa Oxley
 Istook Pallone
 Jackson (IL) Pascrell
 Jefferson Pastor
 Jenkins Paul
 John Payne
 Johnson (CT) Pelosi
 Johnson (IL) Pence
 Johnson, E. B. Peterson (PA)
 Johnson, Sam Petri
 Jones (NC) Phelps
 Jones (OH) Pitts
 Kanjorski Platts
 Kaptur Pombo
 Keller Pomeroy
 Kelly Portman
 Kennedy (MN) Price (NC)
 Kennedy (RI) Pryce (OH)
 Kerns Putnam
 Kildee Quinn

NAYS—48

Baird Crane
 Borski DeFazio
 Brady (PA) English
 Capuano Fattah
 Filner
 Gutknecht
 Hastings (FL)
 Hefley

Radanovich
 Rangel
 Regula
 Rehberg
 Reyes
 Reynolds
 Riley
 Rivers
 Rodriguez
 Roemer
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Ros-Lehtinen
 Ross
 Rothman
 Roukema
 Roybal-Allard
 Royce
 Rush
 Ryan (WI)
 Ryun (KS)
 Sanchez
 Sanders
 Sandlin
 Sawyer
 Saxton
 Schakowsky
 Schiff
 Schrock
 Sensenbrenner
 Serrano
 Sessions
 Shadegg
 Shaw
 Shays
 Sherman
 Sherwood
 Shimkus
 Shows
 Shuster
 Simmons
 Simpson
 Skeen
 Smith (MI)
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Snyder
 Solis
 Souder
 Spratt
 Stearns
 Stenholm
 Sununu
 Tanner
 Tauscher
 Tauzin
 Taylor (NC)
 Terry
 Thomas
 Thornberry
 Thune
 Thurman
 Tiahrt
 Tiberi
 Tierney
 Toomey
 Traficant
 Turner
 Udall (NM)
 Upton
 Velazquez
 Vitter
 Walden
 Walsh
 Wamp
 Watkins (OK)
 Watson (CA)
 Watt (NC)
 Watts (OK)
 Waxman
 Weiner
 Weldon (FL)
 Weldon (PA)
 Wexler
 Wilson
 Wolf
 Woolsey
 Wynn
 Young (AK)
 Young (FL)

NOT VOTING—17

Bilirakis
 Blunt
 Burton
 Clay
 Cubin
 Goss
 Harman
 Hill
 Kilpatrick
 McCollum
 Moran (VA)
 Pickering
 Schaffer
 Skelton
 Stump
 Tancredo
 Udall (CO)

□ 1117

So the Journal was approved.
 The result of the vote was announced as above recorded.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 3162, UNTING AND STRENGTHENING AMERICA BY PROVIDING APPROPRIATE TOOLS REQUIRED TO INTERCEPT AND OBSTRUCT TERRORISM (USA PATRIOT) ACT OF 2001

Mr. LINDER. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 3162, the Clerk be authorized to make technical corrections and conforming changes to the bill.

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

There was no objection.

ECONOMIC SECURITY AND RECOVERY ACT OF 2001

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 270 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 270

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 3090) to provide tax incentives for economic recovery. The bill shall be considered as read for amendment. The amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. All points of order against the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) One hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; (2) the further amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Rangel of New York or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and

an opponent; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

H. Res. 270 is a modified closed rule, waiving all points of order against consideration of H.R. 3090, the Economic Security and Recovery Act of 2001.

The rule provides for 1 hour of general debate in the House, equally divided and controlled by the ranking minority member and the chairman of the Committee on Ways and Means. It also provides that the amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted.

H. Res. 270 provides for the consideration of only the amendment in the nature of a substitute printed in the Committee on Rules' report accompanying the resolution, if offered by the gentleman from New York (Mr. RANGEL) or his designee, which shall be considered as read and shall be separately debatable for 1 hour, equally divided and controlled by the proponent and an opponent.

The rule waives all points of order against the amendment in the nature of a substitute. Finally, it provides one motion to recommit with or without instructions.

Mr. Speaker, I urge my colleagues in the House to join me in approving this resolution so the House can move on to consideration of this stimulus package, arguably one of the most important legislative measures we will debate this year.

In light of the tragic events of September 11, 2001, along with more recent developments here in Washington, D.C., New York, New Jersey and Florida, observers are increasingly concerned about our Nation's economy going into a recession. Indeed, President Bush has called upon the Congress to quickly send him legislation that he can sign into law to avoid such a scenario. With all of these events in mind, it is imperative for the House of Representatives to take prompt action on legislation that will provide our economy with a jump-start, and H.R. 3090 does just that.

I wanted to commend the chairman of the Committee on Ways and Means, the gentleman from California (Mr. THOMAS), for bringing this package to the floor and doing so in a fiscally responsible fashion. As approved by the committee, H.R. 3090 provides hard-working American workers and businesses with roughly \$99 billion in tax relief to help stimulate the economy in the first year, and only \$159 billion over the next 10 years. Constructing the bill in this fashion will hopefully