

Rogers (KY)	Shimkus	Tiberi	Dicks	Larsen (WA)	Rothman	Nunes	Rohrabacher	Stearns
Rogers (MI)	Shuler	Turner	Dingell	Larson (CT)	Roybal-Allard	Pearce	Ros-Lehtinen	Sullivan
Rohrabacher	Shuster	Udall (CO)	Doggett	Lee	Ryan (OH)	Pence	Roskam	Tancredo
Ros-Lehtinen	Simpson	Upton	Donnelly	Levin	Salazar	Petri	Royce	Terry
Roskam	Smith (NE)	Walberg	Doyle	Lewis (GA)	Sánchez, Linda	Pickering	Ryan (WI)	Thornberry
Royce	Smith (NJ)	Walden (OR)	Edwards (MD)	Lipinski	T.	Pitts	Sali	Tiberi
Ryan (WI)	Smith (TX)	Walsh (NY)	Edwards (TX)	Loeb	Sanchez, Loretta	Platts	Saxton	Turner
Sali	Souder	Wamp	Ellison	Lofgren, Zoe	Sarbanes	Poe	Scalise	Upton
Saxton	Stearns	Weldon (FL)	Ellsworth	Lowey	Schakowsky	Porter	Schmidt	Walberg
Scalise	Stupak	Westmoreland	Emanuel	Lynch	Schiff	Price (GA)	Sensenbrenner	Walden (OR)
Schmidt	Sullivan	Wilson (SC)	Engel	Mahoney (FL)	Schwartz	Pryce (OH)	Sessions	Walsh (NY)
Sensenbrenner	Tancredo	Wittman (VA)	Eshoo	Maloney (NY)	Scott (GA)	Putnam	Shadegg	Wamp
Sessions	Terry	Wolf	Etheridge	Markey	Scott (VA)	Ramstad	Shays	Weldon (FL)
Shadegg	Thompson (CA)	Young (FL)	Everett	Marshall	Serrano	Regula	Shimkus	Westmoreland
Shays	Thornberry		Farr	Matheson	Sestak	Rehberg	Shuster	Wilson (SC)

NOT VOTING—36

Bartlett (MD)	Fortenberry	Radanovich	Frank (MA)	McCarthy (NY)	Bartlett (MD)	Gilchrest	Radanovich
Barton (TX)	Gerlach	Reynolds	Giffords	McCollum (MN)	Barton (TX)	Gohmert	Reynolds
Bilbray	Gilchrest	Ruppersberger	Gillibrand	McDermott	Bilbray	Gordon	Ruppersberger
Blunt	Gingrey	Rush	Gonzalez	McGovern	Brown-Waite,	Hall (NY)	Rush
Boustany	Gohmert	Stark	Green, Al	McIntyre	Ginny	Hereth Sandlin	Stark
Brown-Waite,	Gordon	Tiahrt	Green, Gene	McNulty	Cannon	Jones (NC)	Tiahrt
Ginny	Jones (NC)	Towns	Grijalva	Meek (FL)	Cubin	Kagen	Towns
Cannon	Kennedy	Visclosky	Gutierrez	Melancon	Davis, Lincoln	Langevin	Visclosky
Cubin	Langevin	Weller	Hare	Michaud	Fattah	Meeks (NY)	Weller
Culberson	Meeks (NY)	Wilson (NM)	Harman	Miller (NC)	Ferguson	Oberstar	Whitfield (KY)
Davis, Lincoln	Oberstar	Young (AK)	Hastings (FL)	Miller, George	Fortenberry	Paul	Wilson (NM)
Fattah	Paul		Higgins	Mitchell	Gerlach	Peterson (PA)	Young (AK)
Ferguson	Peterson (PA)		Hinchev	Mollohan			

□ 1029

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

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

Philner	Frank (MA)	McCarthy (NY)
Foster	Giffords	McCollum (MN)
Frank (MA)	Gillibrand	McDermott
Giffords	Gonzalez	McGovern
Gillibrand	Green, Al	McIntyre
Gonzalez	Green, Gene	McNulty
Green, Al	Grijalva	Meek (FL)
Green, Gene	Gutierrez	Melancon
Grijalva	Hare	Michaud
Gutierrez	Harman	Miller (NC)
Hare	Hastings (FL)	Miller, George
Harman	Higgins	Mitchell
Hastings (FL)	Hinchev	Mollohan
Higgins	Hinojosa	Moore (KS)
Hinchev	Hirono	Moore (WI)
Hinojosa	Hodes	Moran (VA)
Hirono	Holden	Murphy (CT)
Hodes	Holt	Murphy, Patrick
Holden	Honda	Murtha
Holt	Hoolley	Nadler
Honda	Hoyer	Napolitano
Hoolley	Inslee	Neal (MA)
Hoyer	Israel	Obey
Inslee	Jackson (IL)	Oliver
Israel	Jackson-Lee	Ortiz
Jackson (IL)	(TX)	Pallone
Jackson-Lee	Jefferson	Pascrell
(TX)	Johnson (GA)	Pastor
Jefferson	Johnson, E. B.	Payne
Johnson (GA)	Jones (OH)	Perlmutter
Johnson, E. B.	Kanjorski	Peterson (MN)
Jones (OH)	Kaptur	Pomeroy
Kanjorski	Kennedy	Price (NC)
Kaptur	Kildee	Rahall
Kennedy	Kilpatrick	Rangel
Kildee	Kind	Reyes
Kilpatrick	Klein (FL)	Richardson
Kind	Kucinich	Rodriguez
Klein (FL)	Lampson	Ross

NAYS—179

Aderholt	Dent	Keller
Akin	Diaz-Balart, L.	King (IA)
Alexander	Diaz-Balart, M.	King (NY)
Bachmann	Doolittle	Kingston
Bachus	Drake	Kirk
Barrett (SC)	Dreier	Kline (MN)
Biggert	Duncan	Knollenberg
Bilirakis	Ehlers	Kuhl (IA)
Bishop (UT)	Emerson	LaHood
Blackburn	English (PA)	Lamborn
Blunt	Fallin	Latham
Boehner	Feeney	LaTourette
Bonner	Flake	Latta
Bono Mack	Forbes	Lewis (CA)
Boozman	Fossella	Lewis (KY)
Boustany	Fox	Linder
Brady (TX)	Franks (AZ)	LoBiondo
Broun (GA)	Frelinghuysen	Lucas
Brown (SC)	Gallegly	Lungren, Daniel
Buchanan	Garrett (NJ)	E.
Burgess	Gingrey	Mack
Burton (IN)	Goode	Manzullo
Buyer	Goodlatte	Marchant
Calvert	Granger	McCarthy (CA)
Camp (MI)	Graves	McCaul (TX)
Campbell (CA)	Hall (TX)	McCotter
Cantor	Hastings (WA)	McCreery
Capito	Hayes	McHenry
Carter	Heller	McHugh
Castle	Hensarling	McKeon
Cazayoux	Herger	McMorris
Chabot	Hill	Rodgers
Coble	Hobson	Mica
Cole (OK)	Hoekstra	Miller (FL)
Conaway	Hulshof	Miller (MI)
Crenshaw	Hunter	Miller, Gary
Culberson	Inglis (SC)	Moran (KS)
Davis (KY)	Issa	Murphy, Tim
Davis (IL)	Johnson (IL)	Musgrave
Davis (KY)	Johnson, Sam	Myrick
Davis, David	Jordan	Neugebauer

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 "yea."

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—aye 223, noes 185, not voting 26, as follows:

[Roll No. 436]

AYES—223

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

Clarke Jackson (IL) Peterson (MN) Lewis (CA) Pence Shadegg
 Clay Jackson-Lee Pomeroy Lewis (KY) Petri Shays
 Cleaver (TX) Price (NC) Linder Pickering Shimkus
 Clyburn Jefferson Rahall LoBiondo Pitts Shuster
 Cohen Johnson (GA) Rangel Lucas Platts Simpson
 Conyers Johnson, E. B. Reyes Lungren, Daniel Poe Smith (NE)
 Cooper Jones (OH) Richardson E. Porter Smith (NJ)
 Costa Kagen Rodriguez Mack Price (GA) Smith (TX)
 Costello Kanjorski Ross Manzullo Pryce (OH) Souder
 Courtney Kaptur Rothman Marchant Putnam Radanovich Stearns
 Cramer Kennedy Roybal-Allard McCarthy (CA) Ramstad Sullivan
 Crowley Kildee Ryan (OH) McCotter Regula Terry
 Cuellar Kilpatrick Kind McCrery Rehberg Reichert Thornberry
 Cummings Kind Salazar Sánchez, Linda T. Tiberi
 Davis (AL) Klein (FL) McHenry McHugh Renzi Turner
 Davis (CA) Kucinich Sarbanes McKeon Rogers (AL) Rogers (KY)
 Davis (IL) Lampson Larsen (WA) McMorris Rogers (MI) Walberg
 DeFazio Larson (CT) Lee Schiff Mica Rohrabacher Walden (OR)
 DeGette Larson (CT) Lee Schwartz Miller (FL) Ros-Lehtinen Walsh (NY)
 Delahunt Lee Levin Lewis (VA) Scott (VA) Roskam Wamp
 DeLauro Levin Lipinski Serrano Miller, Gary Royce Weldon (FL)
 Dicks Lewis (GA) Sestak Moran (KS) Ryan (WI) Westmoreland
 Dingell Lipinski Serrano Miller, Gary Royce Whitfield (KY)
 Doggett Loeb sack Shea-Porter Murphy, Tim Sali Wilson (SC)
 Donnelly Lofgren, Zoe Sherman Musgrave Saxton Wittman (VA)
 Doyle Lowey Shuler Shuler Scahise Schmidt Wolf
 Edwards (MD) Lynch Sires Neugebauer Nunes Sensenbrenner Young (FL)
 Edwards (TX) Mahoney (FL) Skelton Pearce Sessions
 Ellison Maloney (NY) Skelton Pearce Sessions
 Ellsworth Markey Slaughter
 Emanuel Marshall Smith (WA) Snyder
 Engel Matheson
 Eshoo Matsui
 Etheridge McCarthy (NY) Solis
 Farr McCollum (MN) Space
 Fattah McDermott Speier
 Filner McGovern Spratt
 Foster McIntyre Stupak
 Frank (MA) McNerney Sutton
 Giffords McNulty Tanner
 Gillibrand Meek (FL) Tauscher
 Gonzalez Melancon Taylor
 Gordon Michaud Thompson (CA)
 Green, Al Miller (NC) Thompson (MS)
 Green, Gene Miller, George Tierney
 Grijalva Grijalva Mitchell Tsongas
 Gutierrez Mollohan Udall (CO)
 Hall (NY) Moore (KS) Udall (NM)
 Hare Moore (WI) Van Hollen
 Harman Moran (VA) Velázquez
 Hastings (FL) Murphy (CT) Walz (MN)
 Herseth Sandlin Murphy, Patrick Wasserman
 Higgins Murtha Schultz
 Hinchey Nadler Waters
 Hinojosa Napolitano Watson
 Hirono Neal (MA) Watt
 Hodes Obey Waxman
 Holden Olver Weiner
 Holt Ortiz Welch (VT)
 Honda Pallone Wexler
 Hooley Pascrell Wilson (OH)
 Hoyer Pastor Woolsey
 Inslee Payne Wu
 Israel Perlmutter Yarmuth

NOES—185

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) Heger
 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

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

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 COMMITTEES.—The term ‘congressional intelligence committees’ means—

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

“(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);

NOT VOTING—26

Bartlett (MD) Granger Rush
 Bilbray Jones (NC) Scott (GA)
 Brown-Waite, Langevin Stark
 Ginny Meeks (NY) Tiahrt
 Cannon Oberstar Towns
 Davis, Lincoln Paul Visclosky
 Ferguson Peterson (PA) Weller
 Gilchrist 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.