

Nunes  
Paul  
Pearce  
Pence  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Platts  
Poe  
Porter  
Price (GA)  
Pryce (OH)  
Putnam  
Radanovich  
Ramstad  
Regula  
Rehberg  
Reichert  
Renzi  
Reynolds  
Rogers (AL)

NOT VOTING—18

Baird  
Baker  
Berman  
Costello  
Davis (IL)  
Hinojosa

□ 1235

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mrs. NAPOLITANO. Madam Speaker, on Wednesday, January 23, 2008, I was absent during rollcall vote No. 21. Had I been present, I would have voted “yea” on ordering the previous question to H.R. 3963—to amend title XXI of the Social Security Act to extend and improve the Children’s Health Insurance Program.

Ms. SOLIS. Madam Speaker, during rollcall vote No. 21 on ordering the previous question on the veto override of the Children’s Health Insurance bill, I was unavoidably detained. Had I been present, I would have voted “yea”.

The SPEAKER pro tempore. The question is, will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

Under the Constitution, the vote must be by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 260, nays 152, not voting 19, as follows:

[Roll No. 22]

YEAS—260

Abercrombie  
Ackerman  
Allen  
Altmire  
Andrews  
Arcuri  
Baca  
Baldwin  
Barrow  
Bean  
Becerra  
Berkley  
Berry  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bono Mack  
Boren  
Boswell  
Boucher  
Boyd (FL)  
Boyd (KS)  
Brady (PA)  
Braley (IA)  
Brown, Corrine

Buchanan  
Butterfield  
Capito  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Castle  
Castor  
Chandler  
Berkley  
Clarke  
Berry  
Cleaver  
Clyburn  
Cohen  
Conyers  
Cooper  
Costa  
Courtney  
Cramer  
Crowley  
Cuellar  
Cummings  
Davis (AL)

Sullivan  
Tancred  
Terry  
Thornberry  
Tiahrt  
Tiberi  
Turner  
Upton  
Walberg  
Walden (OR)  
Walsh (NY)  
Wamp  
Weldon (FL)  
Weller  
Westmoreland  
Whitfield (KY)  
Wilson (NM)  
Wilson (SC)  
Wittman (VA)  
Wolf  
Young (AK)  
Young (FL)

Rahall  
Rush  
Sanchez, Loretta  
Sherman  
Solis  
Wilson (OH)

Filner  
Fossella  
Frank (MA)  
Gerlach  
Giffords  
Gilchrest  
Gillibrand  
Gonzalez  
Gordon  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hall (NY)  
Hare  
Harman  
Hastings (FL)  
Herseth Sandlin  
Higgins  
Hill  
Hinchey  
Hirono  
Hobson  
Hodes  
Holden  
Holt  
Honda  
Hooley  
Hoyer  
Inslee  
Israel  
Jackson (IL)  
Jackson-Lee (TX)  
Jefferson  
Johnson (GA)  
Johnson, E. B.  
Jones (OH)  
Kagen  
Kanjorski  
Kaptur  
Kennedy  
Kildee  
Kilpatrick  
Kind  
King (NY)  
Kirk  
Klein (FL)  
Kucinich  
Lampson  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Lee  
Levin  
Lewis (GA)  
Lipinski  
LoBiondo  
Loebsock  
Lofgren, Zoe  
Lowey

Adersholt  
Akin  
Alexander  
Bachmann  
Bachus  
Barrett (SC)  
Bartlett (MD)  
Barton (TX)  
Biggart  
Bilbray  
Bilirakis  
Bishop (UT)  
Blackburn  
Blunt  
Boehner  
Bonner  
Boozman  
Boustany  
Brady (TX)  
Broun (GA)  
Brown (SC)  
Brown-Waite, Ginny  
Burgess  
Burton (IN)  
Buyer  
Calvert  
Camp (MI)  
Campbell (CA)  
Cannon

Lynch  
Mahoney (FL)  
Maloney (NY)  
Markey  
Matheson  
Matsui  
McCarthy (NY)  
McCollum (MN)  
McDermott  
McGovern  
McHugh  
McIntyre  
McMorris  
Rodgers  
McNerney  
McNulty  
Meek (FL)  
Meeks (NY)  
Melancon  
Michaud  
Miller (MI)  
Miller (NC)  
Miller, George  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (VA)  
Murphy (CT)  
Murphy, Patrick  
Murphy, Tim  
Murtha  
Nadler  
Neal (MA)  
Oberstar  
Obey  
Olver  
Ortiz  
Pallone  
Pascrell  
Kaptur  
Payne  
Pelosi  
Perlmutter  
Peterson (MN)  
Petri  
Platts  
Pomeroy  
Porter  
Price (NC)  
Pryce (OH)  
Ramstad  
Larson (CT)  
Regula  
Rehberg  
Reichert  
Renzi  
Reyes  
Richardson  
Rodriguez  
Ross  
Rothman  
Roybal-Allard

Miller, George  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (VA)  
Murphy (CT)  
Murphy, Patrick  
Murphy, Tim  
Murtha  
Nadler  
Neal (MA)  
Oberstar  
Obey  
Olver  
Ortiz  
Pallone  
Pascrell  
Kaptur  
Payne  
Pelosi  
Perlmutter  
Peterson (MN)  
Petri  
Platts  
Pomeroy  
Porter  
Price (NC)  
Pryce (OH)  
Ramstad  
Larson (CT)  
Regula  
Rehberg  
Reichert  
Renzi  
Reyes  
Richardson  
Rodriguez  
Ross  
Rothman  
Roybal-Allard

NAYS—152

Aderholt  
Akin  
Alexander  
Bachmann  
Bachus  
Barrett (SC)  
Bartlett (MD)  
Barton (TX)  
Biggart  
Bilbray  
Bilirakis  
Bishop (UT)  
Blackburn  
Blunt  
Boehner  
Bonner  
Boozman  
Boustany  
Brady (TX)  
Broun (GA)  
Brown (SC)  
Brown-Waite, Ginny  
Burgess  
Burton (IN)  
Buyer  
Calvert  
Camp (MI)  
Campbell (CA)  
Cannon

Ruppersberger  
Ryan (OH)  
Salazar  
Sánchez, Linda T.  
Sarbanes  
Schakowsky  
Schiff  
Schwartz  
Scott (GA)  
Scott (VA)  
Serrano  
Sestak  
Shays  
Shea-Porter  
Shuler  
Simpson  
Sires  
Skelton  
Slaughter  
Smith (NJ)  
Smith (WA)  
Snyder  
Space  
Spratt  
Stark  
Stupak  
Sutton  
Tanner  
Tauscher  
Taylor  
Thompson (CA)  
Thompson (MS)  
Tiberi  
Tierney  
Towns  
Tsongas  
Turner  
Udall (CO)  
Udall (NM)  
Upton  
Van Hollen  
Velázquez  
Visclosky  
Walsh (NY)  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Welch (VT)  
Wexler  
Wilson (NM)  
Wolf  
Woolsey  
Wu  
Wynn  
Yarmuth  
Young (AK)  
Young (FL)

Cantor  
Carter  
Chabot  
Goodlatte  
Granger  
Graves  
Hall (TX)  
Hastings (WA)  
Hayes  
Heller  
Hensarling  
Heger  
Hoekstra  
Hulshof  
Hunter  
Inglis (SC)  
Issa  
Johnson (IL)  
Johnson, Sam  
Jones (NC)  
Jordan  
Keller  
King (IA)  
Kingston  
Kline (MN)  
Knollenberg  
Kuhl (NY)  
Lamborn  
Latta  
Lewis (CA)  
Lewis (KY)

Linder  
Lungren, Daniel E.  
Mack  
Manzullo  
Marchant  
Marshall  
McCarthy (CA)  
McCaul (TX)  
McCotter  
McCrery  
McHenry  
McKeon  
Mica  
Miller (FL)  
Musgrave  
Myrick  
Neugebauer  
Nunes  
Paul  
Pearce  
Pence

Baird  
Baker  
Berman  
Costello  
Davis (IL)  
Everett  
Hinojosa

Peterson (PA)  
Pickering  
Pitts  
Poe  
Price (GA)  
Putnam  
Radanovich  
Reynolds  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Roskam  
Royce  
Ryan (WI)  
Sali  
Saxton  
Schmidt  
Sensenbrenner  
Sessions  
Shadegg

NOT VOTING—19

LaHood  
Lantos  
Lucas  
Miller, Gary  
Moran (KS)  
Napolitano  
Rahall

□ 1252

So (two thirds not being in the affirmative) the veto of the President was sustained and the bill was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NAPOLITANO. Madam Speaker, on Wednesday, January 23, 2008, I was absent during rollcall vote No. 22. Had I been present, I would have voted “yea” on passage, the objections of the President to the contrary notwithstanding, of H.R. 3963—to amend title XXI of the Social Security Act to extend and improve the Children’s Health Insurance Program.

Ms. SOLIS. Madam Speaker, during rollcall vote No. 22 on overriding the President’s veto of H.R. 3963, Children’s Health Insurance Program Reauthorization Act, I was unavoidably detained. Had I been present, I would have voted “yea.”

The SPEAKER pro tempore. The veto message and the bill will be referred to the Committees on Energy and Commerce and Ways and Means.

The Clerk will notify the Senate of the action of the House.

PERSONAL EXPLANATION

Mr. WILSON of Ohio. Madam Speaker, on Wednesday, January 23, 2008, I was unable to vote on rollcall 21 and 22 due to unavoidable circumstances. Had I been present, I would have voted “yea” for both votes.

APPOINTMENT OF HON. STENY H. HOYER AND HON. CHRIS VAN HOLLEN TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH FEBRUARY 6, 2008

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
January 23, 2008.

I hereby appoint the Honorable STENY H. HOYER and the Honorable CHRIS VAN HOLLEN

to act as Speaker pro tempore to sign enrolled bills and joint resolutions through February 6, 2008.

NANCY PELOSI,

*Speaker of the House of Representatives.*

The SPEAKER pro tempore. Without objection, the appointment is approved.

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 friend from Maryland, the majority leader, for the purpose of inquiring about next week's schedule.

Mr. HOYER. I thank the distinguished Republican whip.

On Monday the House will meet at 2 p.m. for legislative business. Votes will be postponed until 5 p.m., and that evening we will receive the State of the Union address from the President.

On Tuesday the House will meet at 10:30 a.m. for morning-hour debate and 12 noon for legislative business. We will consider several bills under suspension of the rules. A list of those bills will be announced by the close of business this week.

In addition, we will consider H.R. 1528, a bill to designate the New England National Scenic Trail.

The House will not be in session for the balance of the week in order to accommodate the Democratic Caucus Issues Conference.

I yield back.

Mr. BLUNT. I thank the gentleman for that information. As he and I discussed last week, the FISA legislation that passed with, obviously, a bipartisan majority in early August expires on February 1. I think the Senate intends to bring that up on Thursday, and Senator REID has suggested a commitment from the Speaker to bring a bill up next week. I wonder if we have any information on that.

I yield.

Mr. HOYER. I thank the gentleman for yielding.

I have not talked to Senator REID nor the Speaker about any commitment about bringing that bill up on Thursday. First of all, of course, next Thursday we won't be here, if they bring it up Thursday.

Mr. BLUNT. I think he's going to bring it up this Thursday on the Senate side is what I meant.

Mr. HOYER. Well, as you know, he may do that. As you know, Leader REID asked for unanimous consent yesterday for a 30-day extension of the present act which expires on the 1st of the month. Mr. MCCONNELL, the minority leader, objected to that extension.

Furthermore, obviously, the Senate has not completed its work so that we are unable to go to conference at this point in time on the bill that we passed

now some months ago, or over a month ago.

When the present Protect America Act, which we passed in August, time frame comes to an end the 1st of the month, of course the intelligence community will not go dark. The authorizations issued under the Protect America Act are in effect for up to, as you well know, a full year, so that those matters that have been approved for interception will not terminate. Those authorizations do not terminate on the 1st of February; so that hopefully the administration has requested authorization for any and all targets that it believes are important for us to be intercepting at this point in time. And certainly, if they know of any, they ought to be requesting such authorization in contemplation of the possibility. If the Senate doesn't act, we won't have a bill to pass.

I want to tell my friend that, according to a New York Times story today, Kenneth Wainstein, who's the Assistant Attorney General for National Security, he said that if PAA, the Protect America Act, were allowed to expire, intelligence officials would still be able to continue intercepting, he said eavesdropping, on already approved targets for another 12 months. That is what I was asserting, and that's the basis on which I make that assertion.

The Protect America Act only requires that the AG adopt guidelines for surveillance, as you know, rather than the individualized warrants to get 1-year authorization. These authorizations do not require the NSA to specify the name, number or location of the people they want to listen to, so that the situation we will find ourselves in, should the Senate not act or be able to act on Thursday either passing legislation or sending it to us, would be simply that the NSA and the administration would be relying on the authorizations they already have.

I would hope that if the Senate cannot act and that we could not go to conference, that we could agree on this side to a 30-day extension and send that over to the Senate. They failed to do that on unanimous consent, so it would give us time to go to conference, because, as my friend knows, there is obviously substantial controversy in the other body with reference to how the immunity issue is addressed. There is substantial controversy in this House about how that question should be addressed. And very frankly, I was hopeful that the Senate would act long before this, I know you've been in a similar situation, and that we would be in conference and try to resolve those differences. We haven't been able to do that.

Under no circumstances do we think, however, that the fact that February 1 comes and goes without the passing of either an extension or new legislation will undermine the ability of the NSA

and the administration to continue to eavesdrop on those targets that it believes are important to focus on for the protection of our people and our country.

□ 1300

Mr. BLUNT. I thank the gentleman for his views on that, and I would hope that the Protect America Act is not allowed to lapse. I'm not as comfortable as the article that my good friend referred to or this article may have created comfort for him and other information, particularly about any new targets that might fit some past definition that arose. We've debated this before; we will debate it again.

I would think that allowing this act to expire on the basis that somehow we have a 12-month window would not be something that either I would be comfortable with or the intelligence community would be comfortable with. And we would have another day to debate that.

I do hope we continue to work both to resolve this issue permanently. The issue of immunity is an issue that's been out there long enough now that we should be able to bring it to some resolution, and I hope we can find a way to do that; and I would hope we could find a way to do that before February 1, which would almost require action next week. I understand that if the Senate doesn't bring their debate that would be initiated this week to some conclusion, it's hard for us to get that permanent solution at that time frame.

But I do think a permanent solution is important here, and I don't have the confidence that my good friend does that we would have a lot of time beyond February 1 where there is no harm by not having the ability to look quickly in those areas involving foreign individuals in foreign countries who come to our attention that are not to our attention today, but I would yield.

Mr. HOYER. I thank the gentleman for yielding. I understand his concern.

Obviously what concerns me is the proposition, as the gentleman puts forward, that we make sure we have the authorization to intercept those communications which may pose a danger to the United States and to our people.

I would hope and urge this administration if they know of any such targets, that they immediately request authorization under that, and they have another week essentially to do so. We believe those could be approved within, as some previous Justice Department official said, hours of application.

So in the first instance, I would hope that they would make efforts to preclude the possibility that we would have targets that aren't authorized.

Secondly, my concern is that the other body likes to put us in a position