

end-run around the Foreign Intelligence Surveillance Court, FISC, by allowing the government to conduct surveillance without a FISC warrant. Such a broad exercise of power undermines our system of checks and balances and has grave implications for the protection of our constitutional rights. We should be enhancing the role of the FISC to ensure that the rights of American citizens are protected while the government collects intelligence to help defend our nation.

Additionally, the five-year extension provided by this legislation will ensure that regardless of which candidate wins the presidency on November 6, their administration will have these powers for the length of their term. A shorter extension would allow Congress to conduct the proper oversight over the use of these authorities and to better examine whether such authorities are still necessary to ensure the protection of our citizens.

Regardless of who is in the White House, it is the duty of this body to ensure that the power of the executive branch is not unfettered and that proper oversight is conducted. It is in this spirit that I cast my vote against this legislation today.

Mr. PAUL. Mr. Speaker, I rise in strong opposition to the reauthorization of the 2008 FISA Amendments Act, as it violates the Fourth Amendment of our Constitution. Supporters of this reauthorization claim that the United States will be more vulnerable if the government is not allowed to monitor citizens without a warrant. I would argue that we are more vulnerable if we do allow the government to monitor Americans without a warrant. Nothing makes us more vulnerable than allowing the Constitution to be violated.

Passage of this reauthorization will allow the government to listen in to our phone calls, read our personal correspondence, and monitor our activities without obtaining a warrant. Permission for surveillance obtained by a secret FISA court can cover broad categories of targets rather than specific individuals, as the Fourth Amendment requires. Americans who communicate with someone who is suspected of being affiliated with a target group can be monitored without a warrant. The only restriction is that Americans on U.S. soil are not to be the primary targets of the surveillance. That is hardly reassuring. U.S. intelligence agencies are not to target Americans on U.S. soil, but as we all know telephone conversations usually take place between two people. If on the other end of the international conversation is an American, his conversation is monitored, recorded, transcribed, and kept for future use.

According to press reports earlier this summer, the Director of National Intelligence admitted to the Senate that “on at least one occasion” U.S. intelligence collection agencies violated the Constitutional prohibitions on unlawful search and seizure. Without possibility for oversight of the process and with the absence of transparency, we will never know just how many Americans have been wiretapped without warrants.

Creating a big brother surveillance state here is no solution to threats that may exist from abroad. I urge my colleagues to reject these FISA amendments and return to the Constitution.

The SPEAKER pro tempore. All time for debate on the bill has expired.

Pursuant to House Resolution 773, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 4 o'clock and 29 minutes p.m.), the House stood in recess.

□ 1644

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. REED) at 4 o'clock and 44 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: H.R. 5949; and suspending the rules and passing H.R. 3857 and H.R. 5865.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

FISA AMENDMENTS ACT REAUTHORIZATION ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the vote on the passage of the bill (H.R. 5949) to extend the FISA Amendments Act of 2008 for five years, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

The vote was taken by electronic device, and there were—yeas 301, nays 118, not voting 10, as follows:

[Roll No. 569]
YEAS—301

Ackerman
Adams
Aderholt
Alexander
Altmire
Amodei
Austria
Baca
Bachmann

Bachus
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg

Berkley
Berman
Biggert
Bilbray
Billirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black

Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Buchanan
Buchshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carnahan
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Cicilline
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Farenthold
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa

Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Hochul
Holden
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kaptur
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Loeb
Loeb
Long
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCauley
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pelosi
Pence

Perlmutter
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Royce
Runyan
Ruppersberger
Ryan (OH)
Scalise
Schiff
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (FL)
Young (IN)

NAYS—118

Amash
Andrews
Baldwin
Bass (CA)
Becerra

Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Capps

Capuano
Carney
Carson (IN)
Chu
Clarke (MI)