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November 21, 2003

CONGRESSIONAL RECORD—HOUSE

H12297

Thornberry Walden (OR) Wilson (NM)
Tiberi Weldon (FL) Wilson (SC)
Toomey Weldon (PA) Wolf
Turner (OH) Weller Young (FL)
Upton Whitfield
Vitter Wicker

NAYS- 193

Abercrombie Hill
Ackerman Hinchey
Alexander Hinojosa
Allen Hoeffel
Andrews Holden
Baca Holt
Baird Hoida
Baldwin Hooley (OR)
Ballance Hoyer
Becerra Inslee
Bell Israel
Berkley Jackson (IL)
Berman Jackson-Lee
Berry (TX)
Bishop (GA) Jefferson
Bishop (NY) John
Blumensauer Johnson, E. B.
Bowwell Jones (OH)
Boyd Kanjorski
Brady (PA) Kaptur
Brown (OH) Kennedy (RI)
Brown, Corrine Kilpatrick
Capps Kilpatrick
Capuano Kind
Cardin Kleczka
Cardoza Kucinich
Carson (IN) Lamson
Carson (OK) Langevin
Case Larsen (WA)
Clyburn Larson (CT)
Cooper Lee
Costello Levin
Crowley Lewis (GA)
Cummings Lipinski
Davis (AL) Lofgren
Davis (CA) Lowey
Davis (FL) Lucas (KY)
Davis (IL) Lynch
DeFazio Majette
DeGette Maloney
DeLaunt Markey
DeLauro Marshall
Deutsch Matheson
Dicks Matsui
Dingell McCarthy (MO)
Doggett McCarthy (NY)
Doyle McCollum
Edwards McDermott
Emanuel McGovern
Emerson McIntyre
Engel McNulty
Eshoo Meek (FL)
Etheridge Meeke (NY)
Evans Menendez
Farr Michaud
Farrah Millender
Filner McDonald
Frost Miller (NC)
Gonzalez Miller, George
Gordon Mollohan
Green (TX) Moore
Grijalva Moran (VA)
Gutierrez Murtha
Hall Nadler
Harman Napolitano
Hastings (FL) Oberstar

NOT VOTING- 32

Ballenger Ford
Boucher Gephardt
Clay Gibbons
Coble Gillmor
Conyers Hefley
Cramer Jones (NC)
Davis (TN) Lantos
DeMint LaTourette
Doolley (CA) Methan
Everett Moran (KS)
Fletcher Neal (MA)

□ 613

Mr. FRANK of Massachusetts changed his vote from "nay" to "yea." So the motion to table was agreed to. The result of the vote was announced as above recorded. A motion to reconsider was laid upon the table.

CONTROLLING THE ASSAULT OF NON-SOLICITED PORNOGRAPHY AND MARKETING ACT OF 2003

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent that the motion to suspend the rules and pass the Senate bill S. 877, as amended, which is the spam bill that we have bipartisan agreement on, be modified by the amendment that is at the desk, which has been cleared with the other side.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The Clerk will report the amendment.

The Clerk read as follows: On page 17, line 8 strike "misleading" and insert "falsified."

On page 27, line 9 strike "misleading" and insert "falsified."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the Senate bill, S. 877, as amended.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. TAUZIN) that the House suspend the rules and pass the Senate bill, S. 877, as amended, on which the yeas and nays are ordered.

Without objection, this will be a 5-minute vote.

There was no objection.

The vote was taken by electronic device, and there were yeas 392, nays 5, not voting 37, as follows:

[Roll No. 671]

YEAS- 392

Abercrombie Brady (TX) Davis (CA) Kanjorski
Ackerman Brown (OH) Davis (FL) Kaptur
Aderholt Brown (SC) Davis (IL) Keller
Akin Brown, Corrine Davis, Jo Ann Kennedy (MN)
Alexander Brows-White, Deal (CA) Kennedy (RI)
Allan Cincy DeFazio Kildee
Andrews Burgess DeGette Kilpatrick
Baca Burns DeGette King (IA)
Bachus Burr Delahunt King (NY)
Baird Burton (IN) DeLauro Kingston
Baker Buyer Deutsch Kingston
Baldwin Calvert Diaz-Balart, L. Kirk
Bartlett (MD) Cantor Diaz-Balart, M. Kucinich
Barrett (SC) Carnon Dicks Kline
Bartlett (MD) Capito Dingell Knollenberg
Bass Capito Doggett Kolbe
Beauprez Cardoza Dreier Latham
Becerra Cox Dunham Latham
Bell Carson (IN) Dunn Latham
Bereuter Carson (OK) Edwards Leach
Berkley Carter Ehlert Lee
Berman Case Eshoo Levin
Berry Chabot Emerson Lewis (CA)
Biggart Higgott Engel Lewis (GA)
Billirakis Chocola English Lewis (KY)
Clyburn Coble Eshoo Lewis (KY)
Bishop (GA) Cole Etheridge Linder
Bishop (NY) Collins Evans Lipinski
Bishop (UT) Cole Farr Lipinski
Blackburn Conyers Farr Lofgren
Blumensauer Cooper Fattah Lawry
Blunt Costello Feeney
Boehler Cox Ferguson
Boehner Crane Filner
Bontia Crenshaw Flake
Bonner Bono Foley
Boozman Crowley Forbes
Boswell Culberson Fossella
Boyd Cummings Frank (MA)
Bradley (NH) Cunningham Franks (AZ)
Brady (PA) Davis (AL) Frelinghuysen

Gallagher
Garrett (NJ)
Gerlach
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Haysarling
Heger
Hill
Hinchey
Hinojosa
Hobson
Hoefel
Hoekstra
Hoida
Holt
Hoolley (OR)
Hostetler
Hughson
Hoyer
Hulshof
Hunter
Hyde
Inslie
Isakson
Israel
Issa
Istook
Jackson (IL)
Janklow
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kane
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
Lafont
Lamson
Langevin
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Renzi
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lofgren
Loisondo
Lawry

NAYS- 5
Kucinich
Lofgren
Pau

NOT VOTING- 37
Capuano
Clay
Cramer
Davis (TN)

Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrary
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meek (FL)
Meeke (NY)
Menendez
Mica
Michaud
Millender-
McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (VA)
Murphy
Hoyer
Muggrave
Myrick
Nadler
Napolitano
Nethercutt
Neugebauer
Ney
Nunus
Nussle
Oberstar
Oliver
Ortiz
Osborne
Ouse
Oxley
Oxley
Owens
Pallone
Pascarel
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Pulte
Portman
Pryce (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramsdell
Rangel
Regula
Reber
Reber
Reynolds
Reynolds
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher

Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Linda
T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Sibert
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Snyder
Solis
Souders
Spratt
Stearns
Stenholm
Strickland
Sullivan
Sweeney
Tancrodo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tierney
Toomey
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Udall (OK)
Udall (NM)
Van Hollen
Van Hollen
Velasquez
Velasquez
Vitter
Walden (OR)
Walden (FL)
Watson
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn
Wyn

DeLay	Hefley	Smith (TX)
DeMint	Jones (NC)	Smith (WA)
Doolley (CA)	Lantos	Stark
Everett	LaTourette	Stupak
Fletcher	Meehan	Tiahrt
Ford	Moran (KS)	Upton
Frost	Neal (MA)	Walsh
Gephardt	Northup	Wamp
Gibbons	Norwood	Young (AK)
Gilchrest	Obey	
Gillmor	Oxley	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
 The SPEAKER pro tempore (Mr. HASTINGS of Washington) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 0623

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

ADJOURNMENT TO TUESDAY,
 NOVEMBER 25, 2003

Mr. DELAY. Mr. Speaker, I move that when the House adjourns this legislative day, it adjourn to meet at noon on Tuesday, November 25, 2003.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. DELAY).

The motion was agreed to.

APPOINTING DAY FOR THE CONVENING OF THE SECOND SESSION OF THE 108TH CONGRESS

Mr. DELAY. Mr. Speaker, I offer a joint resolution (H.J. Res. 80), and ask unanimous consent for its immediate consideration.

The SPEAKER pro tempore. The Clerk will report the joint resolution.

The Clerk read as follows:

H. J. RES. 80

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DAY FOR CONVENING OF SECOND REGULAR SESSION OF ONE HUNDRED EIGHTH CONGRESS.

The second regular session of the One Hundred Eighth Congress shall begin at noon on Tuesday, January 20, 2004.

SEC. 2. AUTHORITY FOR CALLING SPECIAL SESSION BEFORE CONVENING OF SECOND REGULAR SESSION.

If the Speaker of the House of Representatives (or the designee of the Speaker) and the Majority Leader of the Senate (or the designee of the Majority Leader), acting jointly

after consultation with the Minority Leader of the House of Representatives and the Minority Leader of the Senate, determine it is in the public interest for Congress to assemble during the period between the end of the first regular session of the One Hundred Eighth Congress at noon on January 3, 2004, and the convening of the second regular session of the One Hundred Eighth Congress as provided in section 1-

(1) the Speaker and Majority Leader, or their respective designees, shall notify the Members of the House and Senate, respectively, of such determination and of the place and time for Congress to so assemble; and

(2) Congress shall assemble in accordance with that notification.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING FOR ADJOURNMENT SINE DIE AFTER COMPLETION OF BUSINESS OF FIRST SESSION OF 108TH CONGRESS

Mr. DELAY. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 339), and ask for its immediate consideration.

The SPEAKER pro tempore. The Clerk will report the concurrent resolution.

The Clerk read as follows:

HOUSE CONCURRENT RESOLUTION 339

Resolved by the House of Representatives (the Senate concurring). That when the House adjourns on any legislative day from Friday, November 21, 2003, through Friday, November 28, 2003, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, December 2, 2003, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first: that when the House adjourns on any legislative day from Tuesday, December 2, 2003, through the remainder of the first session of the One Hundred Eighth Congress, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first: that when the Senate recesses or adjourns at the close of business on any day from Friday, November 21, 2003, through Friday, November 28, 2003, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Tuesday, December 2, 2003, or at such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate adjourns at the close of business on any day from Tuesday, December 2, 2003, through the remainder of the first session of the One Hundred Eighth Congress, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

Sec. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider is laid upon the table.

NATIONAL TRANSPORTATION SAFETY BOARD REAUTHORIZATION ACT OF 2003

Mr. DELAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 579) to reauthorize the National Transportation Safety Board, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 579

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Transportation Safety Board Reauthorization Act of 2003".

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

(a) FISCAL YEARS 2003-2006.- Section 1118(a) of title 49, United States Code, is amended-

(1) by striking "and"; and
 (2) by striking "such sums to" and inserting the following: "\$73,325,000 for fiscal year 2003, \$78,757,000 for fiscal year 2004, \$83,011,000 for fiscal year 2005, and \$87,539,000 for fiscal year 2006. Such sums shall".

(b) EMERGENCY FUND.- Section 1118(b) of such title is amended by striking the second sentence and inserting the following: "In addition, there are authorized to be appropriated such sums as may be necessary to increase the fund to, and maintain the fund at, a level not to exceed \$3,000,000."

(c) NTSB ACADEMY.- Section 1118 of such title is amended by adding at the end the following:

"(c) ACADEMY.-

"(1) AUTHORIZATION.- There are authorized to be appropriated to the Board for necessary expenses of the National Transportation Safety Board Academy, not otherwise provided for, \$3,347,000 for fiscal year 2003, \$4,896,000 for fiscal year 2004, \$4,995,000 for fiscal year 2005, and \$5,200,000 for fiscal year 2006. Such sums shall remain available until expended.

"(2) FEES.- The Board may impose and collect such fees as it determines to be appropriate for services provided by or through the Academy.

"(3) RECEIPTS CREDITED AS OFFSETTING COLLECTIONS.- Notwithstanding section 3302 of title 31, any fee collected under this paragraph-

"(A) shall be credited as offsetting collections to the account that finances the activities and services for which the fee is imposed;

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