

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 Honda
 Baldwin Hooley (OR)
 Ballance Hoyer
 Becerra Inslee
 Bell Israel
 Berkley Jackson (IL)
 Berman Jackson-Lee
 Berry (TX)
 Bishop (GA) Jefferson
 Bishop (NY) John
 Blumenauer Johnson, E. B.
 Boswell Jones (OH)
 Boyd Kanjorski
 Brady (PA) Kaptur
 Brown (OH) Kennedy (RI)
 Brown, Corrine Kildee
 Capps Kilpatrick
 Capuano Kind
 Cardin Kleczka
 Cardoza Kucinich
 Carson (IN) Lampson
 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
 Delahunt 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 Meeks (NY)
 Evans Menendez
 Farr Michaud
 Fattah 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
 Dooley (CA) Meehan
 Everett Moran (KS)
 Fletcher Neal (MA)

□ 0613

Mr. FRANK of Massachusetts changed his vote from “nay” to “yea.”
 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)
 Ackerman Brown (OH) Davis (FL)
 Aderholt Brown (SC) Davis (IL)
 Akin Brown, Corrine Davis, Jo Ann
 Alexander Brown-Waite, Davis, Tom
 Allen Ginny Deal (GA)
 Andrews Burgess Defazio
 Baca Burns DeGette
 Bachus Burr Delahunt
 Baird Burton (IN) DeLauro
 Baker Buyer Deutsch
 Baldwin Calvert Diaz-Balart, L.
 Ballance Camp Diaz-Balart, M.
 Barrett (SC) Cannon Dicks
 Bartlett (MD) Cantor Dingell
 Barton (TX) Capito Doggett
 Bass Capps Doolittle
 Beauprez Cardin Doyle
 Becerra Cardoza Dreier
 Bell Carson (IN) Duncan
 Bereuter Carson (OK) Dunn
 Berkley Carter Edwards
 Berman Case Ehlers
 Berry Castle Emanuel
 Biggert Chabot Emerson
 Bilirakis Chocola Engel
 Bishop (GA) Clyburn English
 Bishop (NY) Coble Eshoo
 Bishop (UT) Cole Etheridge
 Blackburn Collins Evans
 Blumenauer Conyers Farr
 Blunt Cooper Fattah
 Boehlert Costello Feeney
 Boehner Cox Ferguson
 Bonilla Crane Filner
 Bonner Crenshaw Flake
 Bono Crowley Foley
 Boozman Cubin Forbes
 Boswell Culberson Fossella
 Boyd Cummings Frank (MA)
 Bradley (NH) Cunningham Franks (AZ)
 Brady (PA) Davis (AL) Frelinghuysen

Gallegly Lucas (KY) Ros-Lehtinen
 Garrett (NJ) Lucas (OK) Ross
 Gerlach Lynch Rothman
 Gingrey Majette Roybal-Allard
 Gonzalez Maloney Royce
 Goode Manzullo Ruppertsberger
 Goodlatte Markey Rush
 Gordon Marshall Ryan (OH)
 Goss Matheson Ryan (WI)
 Granger Matsui Ryan (KS)
 Graves McCarthy (MO) Sabo
 Green (TX) McCarthy (NY) Sanchez, Linda
 Green (WI) McCollum T.
 Greenwood McCotter Sanchez, Loretta
 Grijalva McCrery Sanders
 Gutierrez McDermott Sandlin
 Gutknecht McGovern Saxton
 Hall McHugh Schakowsky
 Harman McInnis Schiff
 Harris McIntyre Schrock
 Hart McKeon Scott (GA)
 Hastings (FL) McNulty Scott (VA)
 Hastings (WA) Meek (FL) Sensenbrenner
 Hayes Meeks (NY) Serrano
 Hayworth Menendez Sessions
 Hensarling Mica Shadegg
 Herger Michaud Shaw
 Hill Millender-
 Hinchey McDonald Shays
 Hinojosa Miller (FL) Sherman
 Hobson Miller (MI) Sherwood
 Hoeffel Miller (NC) Shimkus
 Hoekstra Miller, Gary Shuster
 Holden Miller, George Simmons
 Holt Mollohan Simpson
 Hooley (OR) Moore Skelton
 Hostettler Moran (VA) Slaughter
 Houghton Murphy Smith (MI)
 Hoyer Murtha Smith (NJ)
 Hulshof Musgrave Snyder
 Hunter Myrick Solis
 Hyde Nadler Souder
 Inslee Napolitano Spratt
 Isakson Nethercutt Stearns
 Israel Neugebauer Stenholm
 Issa Ney Strickland
 Istook Nunes Sullivan
 Jackson (IL) Nussle Sweeney
 Janklow Oberstar Tanner
 Jefferson Olver Tauscher
 Jenkins Ortiz
 John Osborne Tauzin
 Johnson (CT) Ose Taylor (MS)
 Johnson (IL) Otter Taylor (NC)
 Johnson, E. B. Owens Terry
 Johnson, Sam Pallone Thomas
 Jones (OH) Pascrell Thompson (CA)
 Kanjorski Pastor Thompson (MS)
 Kaptur Payne Thornberry
 Keller Pearce Tiberi
 Kelly Pelosi Tierney
 Kennedy (MN) Pence Toomey
 Kennedy (RI) Peterson (MN) Towns
 Kildee Peterson (PA) Turner (OH)
 Kilpatrick Petri Turner (TX)
 Kind Pickering Udall (CO)
 King (IA) Pitts Udall (NM)
 King (NY) Platts Van Hollen
 Kingston Pomo Velazquez
 Kirk Pomeroy Vislosky
 Kleczka Porter Vitter
 Kline Portman Walden (OR)
 Knollenberg Price (NC) Waters
 Kolbe Pryce (OH) Watson
 LaHood Putnam Watt
 Lampson Quinn Waxman
 Langevin Radanovich Weiner
 Larsen (WA) Rahall Weldon (FL)
 Larson (CT) Ramstad Weldon (PA)
 Latham Rangel Weller
 Leach Regula Wexler
 Lee Rehberg Whitfield
 Levin Renzi Wicker
 Lewis (CA) Reyes Wilson (NM)
 Lewis (GA) Reynolds Wilson (SC)
 Lewis (KY) Rodriguez Wolf
 Linder Rogers (AL) Woolsey
 Lipinski Rogers (KY) Wu
 LoBiondo Rogers (MI) Wynn
 Lowey Rohrabacher Young (FL)

NAYS—5

Honda Kucinich
 Jackson-Lee Lofgren
 (TX) Paul

NOT VOTING—37

Ballenger Capuano Cramer
 Boucher Clay Davis (TN)

DeLay	Hefley	Smith (TX)
DeMint	Jones (NC)	Smith (WA)
Dooley (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;