

Miller, Gary	Rangel	Spratt
Miller, George	Regula	Stearns
Mollohan	Rehberg	Strickland
Moore	Renzi	Stupak
Moran (KS)	Reynolds	Sullivan
Moran (VA)	Rodriguez	Sweeney
Murphy	Rogers (AL)	Tancredo
Murtha	Rogers (MI)	Tanner
Musgrave	Rohrabacher	Tauscher
Myrick	Ros-Lehtinen	Tauzin
Nadler	Ross	Taylor (NC)
Napolitano	Rothman	Terry
Nethercutt	Royce	Thomas
Neugebauer	Rush	Thompson (CA)
Ney	Ryan (OH)	Thompson (MS)
Norwood	Ryan (WI)	Thornberry
Nunes	Ryun (KS)	Tiahrt
Nussle	Sabo	Tiberi
Oberstar	Sanchez, Linda	Tierney
Obey	T.	Toomey
Olver	Sanchez, Loretta	Towns
Ortiz	Sanders	Turner (OH)
Osborne	Sandlin	Turner (TX)
Ose	Saxton	Udall (CO)
Otter	Schakowsky	Udall (NM)
Oxley	Schiff	Upton
Pallone	Schrock	Van Hollen
Pascrell	Scott (GA)	Velazquez
Pastor	Scott (VA)	Walden (OR)
Paul	Sensenbrenner	Walsh
Payne	Serrano	Wamp
Pearce	Shadegg	Waters
Pelosi	Shaw	Watson
Pence	Shays	Watt
Peterson (MN)	Sherman	Waxman
Peterson (PA)	Sherwood	Weldon (FL)
Petri	Shimkus	Weldon (PA)
Pickering	Shuster	Weller
Pitts	Simmons	Wicker
Platts	Simpson	Wilson (NM)
Pombo	Skelton	Wilson (SC)
Pomeroy	Smith (MI)	Wolf
Porter	Smith (NJ)	Woolsey
Portman	Smith (TX)	Wu
Price (NC)	Smith (WA)	Wynn
Quinn	Snyder	Young (AK)
Radanovich	Solis	Young (FL)
Rahall	Souder	

NOT VOTING—52

Ackerman	Fletcher	Putnam
Barton (TX)	Ford	Ramstad
Becerra	Galleghy	Reyes
Bell	Gephardt	Rogers (KY)
Brady (PA)	Gingrey	Roybal-Allard
Brown, Corrine	Gutierrez	Ruppersberger
Burr	Harman	Sessions
Cantor	Hoeffel	Slaughter
Capps	LaHood	Stark
Carson (OK)	Leach	Stenholm
Case	Lewis (GA)	Taylor (MS)
Clay	Lucas (OK)	Visclosky
Coble	Marshall	Vitter
Davis (FL)	McCarthy (NY)	Weiner
Delahunt	Neal (MA)	Wexler
Doggett	Northup	Whitfield
Doolittle	Owens	
Fattah	Pryce (OH)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DUNCAN) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1922

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT AS MEMBER TO COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

The SPEAKER pro tempore. Pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431 Note), amended by section 681(b) of the Foreign Relations Au-

thorization Act, fiscal year 2003 (22 U.S.C. 2651 Note), the order of the House of January 8, 2003, and upon the recommendation of the minority leader, the Speaker appointed the following member on the part of the House to the Commission on International Religious Freedom for a 1-year term ending May 14, 2004, to fill the existing vacancy thereon:

Ms. Patricia W. Chang, San Francisco, California.

MAKING IN ORDER AT ANY TIME CONSIDERATION OF H.R. 2535, ECONOMIC DEVELOPMENT ADMINISTRATION REAUTHORIZATION ACT OF 2003

Mrs. BLACKBURN. Mr. Speaker, I ask unanimous consent that it shall be in order anytime without intervention of any point of order to consider in the House H.R. 2535; the bill shall be considered as read for amendment; the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill, modified by the amendment that I have placed at the desk, shall be considered as adopted; all points of order against the bill, as amended, shall be waived; the previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except, one, 1 hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure; and, two, one motion to recommit, with or without instructions; and the amendment that I have placed at the desk shall be considered as read for purposes of this unanimous consent request.

The text of the amendment is as follows:

Page 15, line 25, strike the closing quotation marks and the final period and insert the following:

“(4) PRESERVATION OF SECURITIES LAWS.—“(A) NOT TREATED AS EXEMPTED SECURITIES.—No securities issued pursuant to paragraph (2)(C) shall be treated as exempted securities for purposes of the Securities Act of 1933 or the Securities Exchange Act of 1934, unless exempted by rule or regulation of the Securities and Exchange Commission.

“(B) PRESERVATION.—Except as provided in subparagraph (A), no provision of this subsection or any regulation issued by the Secretary under this subsection shall supersede or otherwise affect the application of the securities laws (as such term is defined in section 2(a)(47) of the Securities Exchange Act of 1934) or the rules, regulations, or orders of the Securities and Exchange Commission or a self-regulatory organization thereunder.”

Page 24, line 2, strike the period at the end and insert the following:

; except that recipients may use grant funds awarded under this section for the administrative costs of economic development activities.

Page 25, line 15, strike the period at the end and insert the following:

; except that recipients may use grant funds awarded under this section for the adminis-

trative costs of economic development activities.

At the end of the bill, add the following:

TITLE VIII—APPALACHIAN REGIONAL DEVELOPMENT

SEC. 801. ADDITIONS TO APPALACHIAN REGION.

(a) KENTUCKY.—Section 14102(a)(1)(C) of title 40, United States Code, is amended—

(1) by inserting “Nicholas,” after “Morgan,”; and

(2) by inserting “Robertson,” after “Pulaski,”.

(b) OHIO.—Section 14102(a)(1)(H) of such title is amended—

(1) by inserting “Ashtabula,” after “Adams,”;

(2) by inserting “Fayette,” after “Coshocton,”;

(3) by inserting “Mahoning,” after “Lawrence,”; and

(4) by inserting “Trumbull,” after “Scioto,”.

(c) TENNESSEE.—Section 14102(a)(1)(K) of such title is amended—

(1) by inserting “Giles,” after “Franklin,”; and

(2) by inserting “Lawrence, Lewis, Lincoln,” after “Knox,”.

(d) VIRGINIA.—Section 14102(a)(1)(L) of such title is amended—

(1) by inserting “Henry,” after “Grayson,”; and

(2) by inserting “Patrick,” after “Montgomery,”.

SEC. 802. AUTHORIZATION OF APPROPRIATIONS.

Section 14703(a) of title 40, United States Code, is amended by striking paragraphs (1) through (3) and inserting the following:

“(1) \$88,000,000 for each of fiscal years 2002 and 2003.

“(2) \$91,000,000 for fiscal year 2004.

“(3) \$93,000,000 for fiscal year 2005.

“(4) \$95,000,000 for fiscal year 2006.”.

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

There was no objection.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 6, ENERGY POLICY ACT OF 2003.

Mr. MARKEY. Mr. Speaker, subject to rule XXII, clause 7, I hereby announce my intention to offer a motion to instruct on H.R. 6, the Energy Policy Act.

The form of the motion is as follows:

Mr. MARKEY moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 6 be instructed to insist upon the provisions contained in—

(1) section 14011 of the House bill relating to secure transfer of nuclear materials;

(2) section 14012(d) of the House bill relating to nuclear facility threats, directing the Nuclear Regulatory Commission to issue regulations, including changes to the design basis threat, to ensure that nuclear facilities licensed by Commission address the threat of a terrorist attack against such facilities; and

(3) section 14013 of the House bill requiring the Nuclear Regulatory Commission, before entering into any agreement of indemnification with respect to a utilization facility under section 170 of the Atomic Energy Act of 1954, to consult with the Assistant to the President for Homeland Security (or any successor official) with respect to that facility concerning whether the location of the facility and the design of that type of facility ensures that the facility provides for the

adequate protection of public health and safety if subject to a terrorist attack, and that the Nuclear Regulatory Commission also consult with the Secretary of Homeland Security before issuing a license or a license renewal for a sensitive nuclear facility concerning the emergency evacuation plan for the communities living near the sensitive nuclear facility.

The SPEAKER pro tempore. The notice will appear in the RECORD.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.J. RESOLUTION 73, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2004

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 108-323) on the resolution (H. Res. 407) providing for consideration of the joint resolution (H.J. Res. 73), making further continuing appropriations for fiscal year 2004, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003.

Ms. WOOLSEY. Mr. Speaker, subject to rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 1308, Tax Relief, Simplification, and Equity Act of 2003.

The form of the motion is as follows:

Ms. WOOLSEY moves that the managers on the part of the House in the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to H.R. 1308 be instructed as follows:

1. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides immediate payments to taxpayers receiving an additional credit by reason of the bill in the same manner as other taxpayers were entitled to immediate payments under the Jobs and Growth Tax Relief Reconciliation Act of 2003.

2. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides families of military personnel serving in Iraq, Afghanistan, and other combat zones a child credit based on the earnings of the individuals serving in the combat zone.

3. The House conferees shall be instructed to include in the conference report all of the other provisions of the Senate amendment and shall not report back a conference report that includes additional tax benefits not offset by other provisions.

4. To the maximum extent possible within the scope of conference, the House conferees shall be instructed to include in the conference report other tax benefits for military personnel and the families of the astronauts who died in the *Columbia* disaster.

5. The House conferees shall, as soon as practicable after the adoption of this motion, meet in open session with the Senate conferees and the House conferees shall file a conference report consistent with the preceding provisions of this instruction, not later than the second legislative day after adoption of this motion.

The SPEAKER pro tempore. Notice will appear in the RECORD.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 1, MEDICARE PRESCRIPTION DRUG AND MODERNIZATION ACT OF 2003

Mr. BROWN of Ohio. Mr. Speaker, subject to rule XXII, clause 7, I hereby announce my intention to offer a motion to instruct on H.R. 1, Medicare Prescription Drug and Modernization Act of 2003.

The form of the motion is as follows:

Mr. BROWN of Ohio moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 1 be instructed to reject the provisions of subtitle C of title II of the House bill.

The SPEAKER pro tempore. Notice will appear in the RECORD.

□ 1930

RECOGNIZING THE PASSING OF WILLIAM C. CRAMER

(Mr. YOUNG of Florida asked and was given permission to address the House for 1 minute.)

Mr. YOUNG of Florida. Mr. Speaker, I rise to announce to my colleagues the death of one of our former Members of Congress, William C. Cramer of St. Petersburg, Florida. Bill Cramer died on Saturday afternoon. He had served in the State House of Representatives prior to being elected to Congress where he served 16 years until he left after the election of 1970.

Our heartfelt sympathies and condolences go out to his wife Sara and to his three sons Billy, Mark, and Allyn. And I know that not only some of the Members today served with Mr. Cramer, but he continued to be a presence here in Washington and continued to make friends among the membership of the House.

And I would say that, having been a member of his staff in the late 1950s, in his district staff, and our friendship was a long-standing friendship, that I certainly shall miss Mr. Bill Cramer.

RECOGNIZING THE PASSING OF WILLIAM C. CRAMER

(Mr. MICA asked and was given permission to address the House for 1 minute.)

Mr. MICA. Mr. Speaker, it is with sadness that I join my colleague, the gentleman from Florida (Mr. YOUNG), the distinguished chairman of the Committee on Appropriations, in recognizing the passing of one of our former colleagues of the House of Representatives, William C. Cramer.

Bill Cramer served in this Chamber as a representative from Florida's west coast from 1955 to 1970. Over the past decades, Congressman Cramer was more than a former colleague to me. I affectionately referred to him as my

old boss for I had the great honor and privilege also to work with him, and I worked as a campaign aid in his bid for the United States Senate in 1970.

Bill Cramer was a pioneer for the Republican party. He was a Florida State legislator and the first GOP Member from the State of Florida since the post-Civil War reconstruction era. Not only was he one of the true contemporary founders of Florida's Republican majority, Bill Cramer served initially as a minority of one, our State's only GOP Member in Congress in 1955.

In the House of Representatives, Congressman Cramer rose to leadership positions in both the Public Works Committee and also the House GOP conference with his distinguished service. And as part of his legacy, the Republican party of Florida now has 18 of 25 GOP Members of Congress, a Republican Governor, and majorities in both the State Senate and State House.

Our country has lost a great American and an honored veteran. Mr. Speaker, the Congress, the State of Florida, and the Republican party have lost a distinguished leader. With Bill Cramer's passing, I have lost a great mentor and a good friend.

To the Cramer family, Sara his wife, his sons Billy, Jr., Mark, Allyn, and his family, I extend my personal sympathy.

HONORING JUDGE KAY SPAULDING ROBILIO

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, today I wanted to take time to honor one of Tennessee's most accomplished Memphians, Judge Kay Spaulding Robilio of the U.S. Circuit Court, Division 5, 30th Judicial District.

For more than 20 years of dedicated service as a judge and the 2002-2003 president of the Tennessee Lawyers' Association for Women, Judge Robilio has committed her life to the pursuit of justice and equality for all. She has helped open the way for women interested in serving on the bench and in public office. And as a mother and volunteer, her dedication to the community extends beyond her profession. Her dedication to exploring legal issues surrounding emotional abuse claims is helping expand recognition of the problem and establishes her as a true pioneer.

Judge Robilio is an asset to Memphis and a shining light in our legal community. I want to thank Kay for her decades of service and let her know we look forward to many more years of legal excellence and integrity from her court.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. SHERWOOD). Under the Speaker's announced policy of January 7, 2003, and