

Hyde	Myrick	Sensenbrenner
Isakson	Nethercutt	Sessions
Issa	Neugebauer	Shadegg
Istook	Ney	Shaw
Janklow	Northup	Shays
Jenkins	Norwood	Sherwood
Johnson (CT)	Nunes	Shimkus
Johnson (IL)	Nussle	Shuster
Johnson, Sam	Osborne	Simmons
Jones (NC)	Ose	Simpson
Keller	Otter	Smith (MI)
Kennedy (MN)	Oxley	Smith (NJ)
King (IA)	Paul	Smith (TX)
King (NY)	Pearce	Souder
Kingston	Pence	Stearns
Kirk	Peterson (PA)	Sullivan
Kline	Petri	Sweeney
Knollenberg	Pickering	Tancredo
Kolbe	Pitts	Tauzin
LaHood	Platts	Taylor (NC)
Latham	Pombo	Terry
LaTourette	Porter	Thomas
Lewis (CA)	Portman	Thornberry
Lewis (KY)	Pryce (OH)	Tiahrt
Linder	Putnam	Tiberti
LoBiondo	Quinn	Toomey
Lucas (OK)	Radanovich	Turner (OH)
Manzullo	Regula	Upton
McCotter	Rehberg	Walden (OR)
McCrery	Renzi	Walsh
McHugh	Reynolds	Rogers (AL)
McInnis	Rogers (AL)	Rogers (KY)
McKeon	Rogers (KY)	Rogers (MI)
Mica	Rogers (MI)	Rohrabacher
Miller (FL)	Rohrabacher	Ros-Lehtinen
Miller (MI)	Ros-Lehtinen	Royce
Miller, Gary	Royce	Ryan (WI)
Moran (KS)	Ryan (WI)	Ryun (KS)
Murphy	Ryun (KS)	Saxton
Murtha	Saxton	Shrock
Musgrave	Shrock	

NAYS—189

Abercrombie	Ford	McDermott
Ackerman	Frank (MA)	McGovern
Alexander	Frost	McIntyre
Allen	Gonzalez	McNulty
Baca	Gordon	Meehan
Baird	Green (TX)	Meek (FL)
Baldwin	Grijalva	Meeks (NY)
Balance	Gutierrez	Menendez
Becerra	Hall	Michaud
Berkley	Harman	Millender-
Berman	Hastings (FL)	McDonald
Berry	Hill	Miller (NC)
Bishop (GA)	Hinchev	Miller, George
Bishop (NY)	Hinojosa	Mollohan
Blumenauer	Hoeffel	Moore
Boswell	Holden	Moran (VA)
Boucher	Holt	Nadler
Brady (PA)	Honda	Napolitano
Brown (OH)	Hooley (OR)	Neal (MA)
Brown, Corrine	Hoyer	Oberstar
Capps	Insee	Obey
Capuano	Israel	Olver
Cardin	Jackson (IL)	Ortiz
Cardoza	Jackson-Lee	Pallone
Carson (IN)	(TX)	Pascarell
Carson (OK)	Jefferson	Pastor
Clay	John	Payne
Clyburn	Johnson, E. B.	Pelosi
Conyers	Jones (OH)	Peterson (MN)
Cooper	Kanjorski	Pomeroy
Costello	Kaptur	Price (NC)
Cramer	Kennedy (RI)	Rahall
Crowley	Kildee	Rodriguez
Cummings	Kilpatrick	Ross
Davis (AL)	Kind	Rothman
Davis (CA)	Klecuzka	Roybal-Allard
Davis (FL)	Kucinich	Ruppersberger
Davis (IL)	Lampson	Rush
Davis (TN)	Langevin	Ryan (OH)
DeFazio	Lantos	Sabo
DeGette	Larsen (WA)	Sanchez, Linda
Delahunt	Larson (CT)	T.
DeLauro	Lee	Sanders
Deutsch	Levin	Sandlin
Dicks	Lipinski	Schakowsky
Dingell	Lofgren	Schiff
Dooley (CA)	Lowey	Scott (GA)
Doyle	Lucas (KY)	Scott (VA)
Edwards	Lynch	Serrano
Emanuel	Majette	Sherman
Eshoo	Maloney	Skelton
Etheridge	Markey	Smith (WA)
Evans	Matheson	Snyder
Farr	Matsui	Solis
Fattah	McCarthy (MO)	Spratt
Filner	McCarthy (NY)	Stark

Stenholm	Tierney	Waters
Strickland	Towns	Watson
Stupak	Turner (TX)	Watt
Tanner	Udall (CO)	Waxman
Tauscher	Udall (NM)	Weiner
Taylor (MS)	Van Hollen	Woolsey
Thompson (CA)	Velazquez	Wu
Thompson (MS)	Visclosky	Wynn

NOT VOTING—26

Andrews	Gallegly	Rangel
Bell	Gephardt	Reyes
Burton (IN)	Kelly	Sanchez, Loretta
Case	Leach	Slaughter
Coble	Lewis (GA)	Vitter
Cubin	Marshall	Wexler
Doggett	McCollum	Whitfield
Engel	Owens	Young (AK)
Fletcher	Ramstad	

□ 1117

Messrs. ISRAEL, DAVIS of Illinois, CRAMER, HALL, HOLT and JOHN changed their vote from "yea" to "nay."

So the resolution was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1117

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the joint resolution (H.J. Res. 73) making further continuing appropriations for the fiscal year 2004, and for other purposes, and that I may include tabular and extraneous material.

The SPEAKER pro tempore (Mr. GILLMOR). Is there objection to the request of the gentleman from Florida?

There was no objection.

FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2004

Mr. YOUNG of Florida. Mr. Speaker, pursuant to House Resolution 407, I call up the joint resolution (H.J. Res. 73) making further continuing appropriations for the fiscal year 2004, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The text of House Joint Resolution 73 is as follows:

H.J. RES. 73

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That Public Law 108-84 is amended by striking the date specified in section 107(c) and inserting "November 7, 2003".

SEC. 2. Section 8144(b) of the Department of Defense Appropriations Act, 2003 (Public Law 107-248), as amended by Public Law 108-84, is further amended by striking "October 31, 2003" and inserting "November 7, 2003".

SEC. 3. Section 8091(b) of the Department of Defense Appropriations Act, 2004 (Public Law 108-87) is hereby repealed.

SEC. 4. The provisions of the following bills of the 108th Congress are hereby enacted into law:

(1) AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES.—H.R. 2673, as passed by the House of Representatives on July 14, 2003.

(2) COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES.—H.R. 2799,

as passed by the House of Representatives on July 23, 2003.

(3) DISTRICT OF COLUMBIA.—H.R. 2765, as passed by the House of Representatives on September 9, 2003.

(4) FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS.—H.R. 2800, as passed by the House of Representatives on July 24, 2003.

(5) TRANSPORTATION, TREASURY, AND INDEPENDENT AGENCIES.—H.R. 2989, as passed by the House of Representatives on September 9, 2003.

(6) VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES.—H.R. 2861, as passed by the House of Representatives on July 25, 2003.

The SPEAKER pro tempore. Pursuant to House Resolution 407, the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Speaker, I yield myself such time as I may consume.

(Mr. YOUNG of Florida asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Florida. Mr. Speaker, the legislation before the House, H.J. Res. 73, is the second continuing resolution for fiscal year 2004. As you know, the current CR expires on October 31, 2003. This bill will extend the CR through November 7, 2003, but more importantly it will provide a vehicle to address the remaining six appropriations bills that have been passed by the House but that have not been passed by the Senate as of today.

These bills are the following: the Agriculture appropriations bill; the Commerce, Justice, State and Judiciary appropriations bill; the appropriations bill for the District of Columbia; the Foreign Operations appropriations bill; the Transportation and Treasury appropriations bill, and the VA, Housing and Urban Development appropriations bill.

Section 4 of this CR, H.J. Res. 73, will consolidate these six bills for the purpose of finishing the remaining appropriations bills. As you are aware, the House has passed all 13 regular appropriations bills and last week passed a supplemental appropriations for fiscal year 2004.

Three very important bills have already been signed into law, the Defense appropriations bill, the Homeland Security appropriations bill, and the Legislative Branch appropriations bill, which was also the vehicle for a supplemental appropriations for natural disasters and forest fires. We continue to move forward on conferences with the other body on four bills that they have passed.

We hope to have the conference reports for Energy and Water, Military Construction, Interior, and Labor and Health and Human Services ready for House consideration as early as next week.

Mr. Speaker, I believe the CR itself is noncontroversial. I urge the House to

move this legislation through the Senate so the government can continue to operate smoothly and efficiently so that we can come closer to finishing our regular appropriations bills.

Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I think Members need to understand where this CR fits in the scheme of things. As the chairman of the committee, the gentleman from Florida (Mr. YOUNG), has indicated, this continuing resolution when it moves to the Senate will become the vehicle by which the committee deals with the omnibus appropriations bills or the bills that will be included in the omnibus bill.

That will mean that the real CR will have to be brought up next week. And at that time we will see a continuing resolution that keeps the government open to a date somewhere between November 15 and Thanksgiving, I presume. I sincerely hope that by Thanksgiving there will be no need for additional CRs, but I am very skeptical that that will be the case. I am afraid that it is beginning to look a lot like Christmas. I hope that that is not true, but I suspect it may be.

So having already said everything that needs to be said on the CR, I am prepared to yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I want to thank the gentleman from Wisconsin (Mr. OBEY) and the committee for all of the support and the cooperation that we have had. As I have said numerous times on the floor, with the cooperation of the gentleman from Wisconsin (Mr. OBEY) we have managed all of our bills well on time to have concluded by the end of the year. But we are only one House of the Congress.

We will work with our partners in the Senate to conclude this business of appropriations as early as we possibly can.

Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I simply want to observe, as I think the gentleman from Maryland (Mr. HOYER) indicated this morning, that last year when we had so many appropriation bills not passed until the next session of Congress, the cry we frequently heard on the majority side of the aisle was that "The Senate made me do it." And they were all too eager to blame the Senate for the fact that most appropriation bills had gone nowhere.

As the saying goes, this year they do not have Senator DASCHLE to kick around anymore with the Democrats being in the minority. And so I think it will be interesting to see whether or not the majority sooner or later can either end its debate with itself or else on several of these bills reach across

the aisle and try to work out a more bipartisan solution.

I know the gentleman from Florida (Mr. YOUNG) has certainly tried, and I believe I have tried; but sometimes things are settled at a level above our pay grade. That is the way life is, and that is the way this institution is.

Mr. OBEY. Mr. Speaker, I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Speaker, I urge that we pass this CR and get the process moving, and I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

The joint resolution is considered read for amendment, and pursuant to House Resolution 407 the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

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

The SPEAKER pro tempore. The question is on passage of the joint resolution.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

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

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

□ 1130

#### RECESS

The SPEAKER pro tempore (Mr. GILLMOR). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for approximately 5 minutes.

Accordingly (at 11 o'clock and 30 minutes a.m.), the House stood in recess for approximately 5 minutes.

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore at 11 o'clock and 39 minutes a.m.

#### GRADUATE OPPORTUNITIES IN HIGHER EDUCATION ACT OF 2003

Mr. HOEKSTRA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3076) to amend title VII of the Higher Education Act of 1965 to ensure graduate opportunities in postsecondary education, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3076

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

#### SECTION 1. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the "Graduate Opportunities in Higher Education Act of 2003".

(b) REFERENCES.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

#### SEC. 2. JAVITS FELLOWSHIP PROGRAM.

(a) INTERRUPTIONS OF STUDY.—Section 701(c) (20 U.S.C. 1134(c)) is amended by adding at the end the following new sentence: "In the case of other exceptional circumstances, such as active duty military service or personal or family member illness, the institution of higher education may also permit the fellowship recipient to interrupt periods of study for the duration of the tour of duty (in the case of military service) or not more than 12 months (in any other case), but without payment of the stipend."

(b) ALLOCATION OF FELLOWSHIPS.—Section 702(a)(1) (20 U.S.C. 1134a(a)(1)) is amended—

(1) in the first sentence, by inserting "from diverse geographic regions" after "higher education"; and

(2) by adding at the end the following new sentence: "The Secretary shall also assure that at least one representative appointed to the Board represents an institution that is eligible for a grant under title III or V of this Act."

(c) STIPENDS.—Section 703 (20 U.S.C. 1134b(a)) is amended—

(1) in subsection (a)—

(A) by striking "1999-2000" and inserting "2004-2005";

(B) by striking "shall be set" and inserting "may be set"; and

(C) by striking "Foundation graduate fellowships" and inserting "Foundation Graduate Research Fellowship Program"; and

(2) in subsection (b), by amending paragraph (1)(A) to read as follows:

"(1) IN GENERAL.—(A) The Secretary shall (in addition to stipends paid to individuals under this subpart) pay to the institution of higher education, for each individual awarded a fellowship under this subpart at such institution, an institutional allowance. Except as provided in subparagraph (B), such allowance shall be, for 2004-2005 and succeeding academic years, the same amount as the institutional payment made for 2003-2004 adjusted for 2004-2005 and annually thereafter in accordance with inflation as determined by the Department of Labor's Consumer Price Index for the previous calendar year."

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 705 (20 U.S.C. 1134d) is amended by striking "fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years" and inserting "fiscal year 2004 and such sums as may be necessary for each of the 5 succeeding fiscal years".

#### SEC. 3. GRADUATE ASSISTANCE IN AREAS OF NATIONAL NEED.

(a) DESIGNATION OF AREAS OF NATIONAL NEED; PRIORITY.—Section 712 (20 U.S.C. 1135a) is amended—

(1) in the last sentence of subsection (b)—

(A) by striking "and an assessment" and inserting "an assessment"; and

(B) by inserting before the period at the end the following: "and the priority described in subsection (c) of this section"; and

(2) by adding at the end the following new subsection: