

manufacturing base of this country, now the intellectual technology base of this country. They say it is good to outsource jobs, although they are trying to change the word there, that is, U.S. jobs sent overseas are good for American consumers. The problem is Americans need jobs to be able to consume, and under this administration, those jobs are not available here because they are being shipped to China, but this is good news, says the Bush administration.

WINNING IN THE WAR ON TERROR

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, America was thrust into war on September 11, 2001, when our Nation was viciously attacked by terrorists who seek to destroy American freedoms. Since that event, the U.S. military has been winning the war on terrorism, guided by the courageous leadership of President George W. Bush.

Recognizing the true threat posed by the global network of terrorism who work closely with outlaw regimes, President Bush laid out a bold and decisive plan. America will not wait for another September 11 to occur before we take action to defend the American people.

In the past 2½ years, our men and women in uniform, backed by dozens of coalition allies, have ended the oppressive terrorist supporting regimes of the Taliban in Afghanistan and Saddam Hussein in Iraq. This protects American families.

Americans can be assured that, thanks to the commitment of President Bush and the valor of American military, that we will continue to win the war on terrorism, despite more attacks worldwide.

In conclusion, may God bless our troops, and we will never forget September 11.

ANOTHER RULING FOR MEDICAL PRIVACY

(Mr. EMANUEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EMANUEL. Mr. Speaker, last year Congress created a zone of privacy that blacks out the transfer of personal medical information. There should be a sign above one's medical information that reads, "Do not enter." It has been a bipartisan effort.

On Monday, a Federal judge interpreted that law to mean that the Justice Department's demands for medical records from university hospitals, like Northwestern University in Chicago, was an undue intrusion on patients' rights.

Federal and State laws already on the books prevent that kind of intrusive breach. Congressional action last

year to black out sharing confidential health records further solidified bipartisan support for medical privacy for all Americans, and I am pleased that in the last 48 hours, the Justice Department has decided to withdraw their subpoena and information request from the hospitals who have stood strong in the face of this intrusion of privacy by the Federal Government.

As William Safire of The New York Times this morning noted, "a balance must be struck between protecting all of us and protecting each one of us."

Mr. Speaker, guaranteeing Americans their medical privacy is a critical first step toward that goal.

NORTH KOREA AND CHINA

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, on the issue of human rights, today there are between 200- and 300,000 North Korean refugees in China. Half are women, and while the men can find jobs as cheap laborers, most of the women are sold into forced labor or the sex trade.

Despite promises, China so far has refused to grant the North Koreans official refugee status, claiming it would invite a flood of new refugees. That is a faulty argument, and China did not make it when Vietnamese refugees sought refuge in their borders.

Refugee protection does not cause refugee crises. Horrifying human rights abuses, mass starvation, prison camps, brutal torture, forced abortion, and a ruler who believes that he is God causes refugee crises.

It is time for China and the UNHCR to live up to their obligations, and it is time for Kim Jong Il to stop brutalizing his people and to step aside.

PERSONAL RESPONSIBILITY IN FOOD CONSUMPTION ACT OF 2003

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today in opposition to H.R. 339, the Personal Responsibility in Food Consumption Act of 2003.

According to a report released yesterday by the CDC, poor diet and a lack of physical activity are among the leading causes of death in the United States. In fact, obesity is fast approaching to be the number one cause of death in our country. Unless our families become healthier, the CDC estimates that one in three children, or in the Hispanic community, one in two children, will become diabetic.

This year, California State University at Fullerton is proposing a Center for the Prevention of Childhood Obesity, which would work with schools and other organizations to arm teachers and parents with the tools that they need to prevent obesity in their children.

It is also heartening to see some food companies such as McDonald's and Kellogg making positive changes in the way that they produce food, and I would argue that these changes are due in large part to some of those lawsuits brought against certain food companies regarding nutritional value, content information, or long-term consequences of eating high fatty foods.

REMEMBERING THE LIFE OF LILLIAN R. BARCIO

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, I rise to remember the life of the devoted wife, courageous mother, publisher and journalist Lillian Rose Barcio.

Lillian Barcio died February 29, 2004, in Indianapolis where she was born in July of 1931. She is survived by her loving husband of 31 years, Bernard; her daughters, Marsha Louzon, Sheryl Donnell, Karen Pence, Cyndi Barcio; and her son, Phillip Barcio. In addition, she is survived by eight grandchildren and two great-grandchildren.

Through many hardships, Lillian Barcio kept her faith in Christ and her humor and optimism about life. The Bible says that charm is deceptive and beauty is fleeting but the woman who fears the Lord is to be praised.

Lillian Barcio, my mother-in-law, was such a woman whose life would merit remembrance in this Congress even if she had not raised the most wonderful woman I have ever known. May God rest the soul of Lillian Barcio and bring rest and comfort to her loving husband Bernie and all those who mourn her passing.

THE ECONOMY

(Ms. SOLIS asked and was given permission to address the House for 1 minute.)

Ms. SOLIS. Mr. Speaker, good morning. I rise this morning to talk about the economy. President Bush keeps telling us the economy is turning the corner and that jobs are coming. Well, Mr. President, where are the jobs you keep promising?

Last Friday brought more disappointing news to our country. Twenty-one thousand new jobs were created last month. That is 285,000 fewer jobs than President Bush promised his tax cut would provide. The unemployment rate among Latinos rose by 7.4 percent last month, 28 percent higher than when President Bush took office.

Twenty thousand plus people in my District alone, 8 million nationwide, are out of work. These people are looking for jobs.

This coming weekend we are helping to sponsor a job fair at the Los Angeles Dodgers stadium. Hundreds of out-of-work southern Californians are eager to return to work. They, too, want to know where the jobs are.

The Bush policies have failed. It is time to take a different approach. Let us provide tax incentives for companies to keep jobs in the U.S. and pass the highway bill and create well-paid and meaningful jobs here in the U.S.

THE ADMINISTRATION'S NEW MATH

(Mr. McDERMOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McDERMOTT. Mr. Speaker, I would like to ask everybody in the House to get a pencil and paper and take down this number. We are getting close to tax time. Ready. Here it is. One, one, two, nine, two, five. That number again one, one, two, nine, two, five.

Now, here is another number, six, seven, six. These are not phone numbers, but six, seven, six ought to be a call for help.

The first number, \$112,925, that is the average tax cut that millionaires will see in their 2003 return. The second number is \$676. That is the average tax cut for the average American.

This is the administration's new math, obscene tax cuts for the wealthy, crumbs for the average American. This administration did not create a single job in the last month in the private sector. That is not recovery. Where are the unemployment benefits, Mr. Speaker?

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the pending business is the question of the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

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

Mr. McNULTY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 of rule XX, this 15-minute vote on approving the Journal will be followed by 5-minute votes on the two motions to suspend the rules postponed yesterday.

The vote was taken by electronic device, and there were—yeas 353, nays 41, answered “present” 1, not voting 38, as follows:

[Roll No. 45]
YEAS—353

| | | |
|-------------|----------|---------------|
| Abercrombie | Andrews | Ballenger |
| Ackerman | Baca | Barrett (SC) |
| Akin | Bachus | Bartlett (MD) |
| Alexander | Baker | Bass |
| Allen | Ballance | Beauprez |

| | | |
|-----------------|----------------|------------------|
| Becerra | Frank (MA) | McInnis |
| Bereuter | Franks (AZ) | McIntyre |
| Berkley | Frelinghuysen | McKeon |
| Berman | Frost | Meehan |
| Berry | Galleghy | Meek (FL) |
| Biggert | Garrett (NJ) | Meeks (NY) |
| Bilirakis | Gerlach | Menendez |
| Bishop (GA) | Gibbons | Mica |
| Bishop (NY) | Gilchrest | Michaud |
| Bishop (UT) | Gingrey | Millender- |
| Blumenauer | Goode | McDonald |
| Blunt | Goodlatte | Miller (MI) |
| Boehlert | Gordon | Miller (NC) |
| Boehner | Goss | Miller, Gary |
| Bonilla | Green (WI) | Mollohan |
| Bonner | Grijalva | Moore |
| Bono | Gutierrez | Murphy |
| Boozman | Gutknecht | Murtha |
| Boswell | Harman | Musgrave |
| Boucher | Harris | Myrick |
| Boyd | Hart | Nadler |
| Bradley (NH) | Hastings (FL) | Napolitano |
| Brady (TX) | Hastings (WA) | Neal (MA) |
| Brown (OH) | Hayes | Nethercutt |
| Brown (SC) | Hayworth | Neugebauer |
| Brown, Corrine | Hensarling | Ney |
| Brown-Waite, | Herger | Northup |
| Ginny | Hill | Norwood |
| Burgess | Hobson | Nunes |
| Burns | Hoeffel | Nussle |
| Burr | Hoekstra | Obey |
| Burton (IN) | Holden | Osborne |
| Buyer | Honda | Ose |
| Calvert | Hooley (OR) | Oxley |
| Camp | Hostettler | Pallone |
| Cannon | Houghton | Pascarell |
| Cantor | Hoyer | Pastor |
| Capito | Hunter | Paul |
| Capps | Hyde | Payne |
| Cardin | Inslee | Pearce |
| Cardoza | Isakson | Pelosi |
| Carson (IN) | Israel | Pence |
| Carson (OK) | Issa | Peterson (PA) |
| Case | Istook | Petri |
| Castle | Jackson (IL) | Pickering |
| Chabot | Jefferson | Pitts |
| Chandler | Jenkins | Platts |
| Chocola | John | Pombo |
| Clyburn | Johnson (CT) | Pomeroy |
| Coble | Johnson (IL) | Porter |
| Cole | Johnson, E. B. | Portman |
| Collins | Jones (NC) | Price (NC) |
| Conyers | Jones (OH) | Pryce (OH) |
| Cooper | Kanjorski | Putnam |
| Cramer | Kaptur | Quinn |
| Crenshaw | Keller | Radanovich |
| Crowley | Kelly | Rahall |
| Cubin | Kennedy (MN) | Rangel |
| Culberson | Kildee | Regula |
| Cunningham | Kilpatrick | Rehberg |
| Davis (AL) | Kind | Renzi |
| Davis (CA) | King (IA) | Reynolds |
| Davis (FL) | King (NY) | Rogers (AL) |
| Davis (TN) | Kingston | Rogers (KY) |
| Davis, Jo Ann | Kirk | Rogers (MI) |
| Davis, Tom | Klecza | Rohrabacher |
| Deal (GA) | Kline | Ros-Lehtinen |
| DeGette | Knollenberg | Ross |
| Delahunt | Kolbe | Rothman |
| DeLauro | LaHood | Roybal-Allard |
| DeLay | Lampson | Royce |
| DeMint | Langevin | Ruppersberger |
| Deutsch | Lantos | Rush |
| Diaz-Balart, L. | Larson (CT) | Ryan (OH) |
| Dicks | Leach | Ryan (WI) |
| Dingell | Lee | Ryun (KS) |
| Dooley (CA) | Levin | Sanchez, Linda |
| Doolittle | Lewis (CA) | T. |
| Doyle | Lewis (KY) | Sanchez, Loretta |
| Dreier | Linder | Sanders |
| Duncan | Lipinski | Sandlin |
| Dunn | Lowey | Saxton |
| Edwards | Lucas (KY) | Schrock |
| Ehlers | Lucas (OK) | Scott (GA) |
| Emanuel | Lynch | Scott (VA) |
| Emerson | Majette | Sensenbrenner |
| Engel | Maloney | Serrano |
| Eshoo | Manzullo | Sessions |
| Etheridge | Markey | Shadeegg |
| Evans | Marshall | Shaw |
| Everett | Matheson | Shays |
| Farr | Matsui | Sherman |
| Fattah | McCarthy (MO) | Sherwood |
| Feeney | McCarthy (NY) | Shimkus |
| Ferguson | McCollum | Shuster |
| Flake | McCotter | Simmons |
| Foley | McCrery | Simpson |
| Forbes | McGovern | Skelton |
| Ford | McHugh | Slaughter |

| | |
|-------------|-------------|
| Smith (MI) | Thornberry |
| Smith (NJ) | Tiahrt |
| Smith (TX) | Tiberi |
| Smith (WA) | Tierney |
| Snyder | Towns |
| Solis | Turner (OH) |
| Souder | Turner (TX) |
| Stark | Upton |
| Stearns | Van Hollen |
| Stenholm | Vitter |
| Sullivan | Walden (OR) |
| Tanner | Walsh |
| Taylor (NC) | Wamp |
| Terry | Watson |
| Thomas | Watt |

| |
|-------------|
| Waxman |
| Weiner |
| Weldon (FL) |
| Weldon (PA) |
| Wexler |
| Whitfield |
| Wilson (NM) |
| Wilson (SC) |
| Wolf |
| Woolsey |
| Wu |
| Wynn |
| Young (AK) |
| Young (FL) |

NAYS—41

| | | |
|------------|----------------|---------------|
| Aderholt | Hulshof | Sabo |
| Baird | Larsen (WA) | Schakowsky |
| Baldwin | Latham | Strickland |
| Brady (PA) | Lewis (GA) | Stupak |
| Capuano | LoBiondo | Tauscher |
| Costello | McDermott | Taylor (MS) |
| DeFazio | McNulty | Thompson (CA) |
| English | Miller, George | Thompson (MS) |
| Filner | Moran (KS) | Udall (NM) |
| Gillmor | Oberstar | Valázquez |
| Graves | Olver | Visclosky |
| Green (TX) | Otter | Waters |
| Hefley | Peterson (MN) | Weller |
| Holt | Ramstad | |

ANSWERED “PRESENT”—1

Tancredo

NOT VOTING—38

| | | |
|-----------------|--------------|-------------|
| Barton (TX) | Gonzalez | Miller (FL) |
| Bell | Granger | Moran (VA) |
| Blackburn | Greenwood | Ortiz |
| Carter | Hall | Owens |
| Clay | Hinchey | Reyes |
| Cox | Hinojosa | Rodriguez |
| Crane | Jackson-Lee | Schiff |
| Cummings | (TX) | Spratt |
| Davis (IL) | Johnson, Sam | Sweeney |
| Diaz-Balart, M. | Kennedy (RI) | Tauzin |
| Doggett | Kucinich | Toomey |
| Fossella | LaTourette | Udall (CO) |
| Gephardt | Lofgren | Wicker |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1040

So the Journal was approved.

The result of the vote was announced as above recorded.

MEDICAL DEVICES TECHNICAL CORRECTIONS ACT

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the Senate bill, S. 1881, 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 Pennsylvania (Mr. GREENWOOD) that the House suspend the rules and pass the Senate bill, S. 1881, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 396, nays 0, not voting 37, as follows:

[Roll No. 46]
YEAS—396

| | | |
|-------------|---------|---------------|
| Abercrombie | Andrews | Ballance |
| Ackerman | Baca | Ballenger |
| Aderholt | Bachus | Barrett (SC) |
| Akin | Baird | Bartlett (MD) |
| Alexander | Baker | Bass |
| Allen | Baldwin | Beauprez |