

Weldon (FL)	Wicker	Wu
Weldon (PA)	Wilson (NM)	Wynn
Weller	Wilson (SC)	Young (AK)
Wexler	Wolf	Young (FL)
Whitfield	Woolsey	

NOT VOTING—10

Allen	Ferguson	Smith (MI)
Baca	Gephardt	Tiberi
Cubin	Kilpatrick	
Dingell	Simpson	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded there is less than 2 minutes remaining on the clock.

□ 1710

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. BACA. Mr. Speaker, on rollcall No. 25, I was detained in the Chamber when the time elapsed on the vote. Had I not been detained and as a veteran, I would have voted "yea."

DO-NOT-CALL IMPLEMENTATION ACT

The SPEAKER pro tempore. The pending business is the question on the passage of the bill, H.R. 395, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 418, nays 7, not voting 9, as follows:

[Roll No. 26]

YEAS—418

Abercrombie	Brady (TX)	Cummings
Ackerman	Brown (OH)	Cunningham
Aderholt	Brown (SC)	Davis (AL)
Akin	Brown, Corrine	Davis (CA)
Alexander	Brown-Waite,	Davis (FL)
Andrews	Ginny	Davis (IL)
Baca	Burgess	Davis (TN)
Bachus	Burns	Davis, Jo Ann
Baird	Burr	Davis, Tom
Baker	Burton (IN)	Deal (GA)
Baldwin	Buyer	DeFazio
Ballance	Calvert	DeGette
Ballenger	Camp	Delahunt
Barrett (SC)	Cannon	DeLauro
Bartlett (MD)	Cantor	DeLay
Barton (TX)	Capito	DeMint
Bass	Capps	Deutsch
Beauprez	Capuano	Diaz-Balart, L.
Becerra	Cardin	Diaz-Balart, M.
Bell	Cardoza	Dicks
Bereuter	Carson (IN)	Doggett
Berkley	Carson (OK)	Dooley (CA)
Berman	Carter	Doolittle
Berry	Case	Doyle
Biggart	Castle	Dreier
Bilirakis	Chabot	Duncan
Bishop (GA)	Chocola	Dunn
Bishop (NY)	Clay	Edwards
Blackburn	Clyburn	Ehlers
Blumenauer	Coble	Emanuel
Blunt	Cole	Emerson
Boehrlert	Collins	Engel
Boehner	Combest	English
Bonilla	Conyers	Eshoo
Bonner	Cooper	Etheridge
Bono	Costello	Evans
Boozman	Cox	Everett
Boswell	Cramer	Farr
Boucher	Crane	Fattah
Boyd	Crenshaw	Feeney
Bradley (NH)	Crowley	Filner
Brady (PA)	Culberson	Fletcher

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

NAYS—7

Bishop (UT)	Ryan (OH)	Terry
Flake	Strickland	
Paul	Tancredo	

NOT VOTING—9

Allen	Ferguson	Larson (CT)
Cubin	Gephardt	Simpson
Dingell	Kilpatrick	Tiberi

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT) (during the vote). Members are reminded that 2 minutes are remaining on the vote clock.

□ 1717

Mr. TANCREDO changed his vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. LARSON of Connecticut. Mr. Speaker, on rollcall No. 26, on final passage of H.R. 395, had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, unfortunately, personal business required me to return to the district this evening before the House considered votes on legislative business for which the "yeas and nays" were ordered. Had I been present, I would have cast my votes as follows: Rollcall No. 24 (H.R. 346), The American Spirit Fraud Prevention Act, "yea"; rollcall No. 25 (H. Res. 62), A resolution recognizing Vietnam prisoners of war, "yea"; and on rollcall No. 26, H.R. 395, The Do-Not-Call Implementation Act, "yea."

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4, PERSONAL RESPONSIBILITY, WORK, AND FAMILY PROMOTION ACT OF 2003

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 108-9) on the resolution (H. Res. 69) providing for consideration of the bill (H.R. 4) to reauthorize and improve the program of block grants to States for temporary assistance for needy families, improve access to quality child care, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ELECTION OF MEMBER TO COMMITTEE ON EDUCATION AND THE WORKFORCE

Mr. DOOLITTLE. Madam Speaker, I offer a resolution (H. Res. 70) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 70

Resolved, That the following Member be and is hereby elected to the following standing committee of the House of Representatives: Education and the Workforce: Mr. Burns.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 1-minute requests.

CONFIRM MIGUEL ESTRADA AS
FEDERAL JURIST

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

Mr. DREIER. Madam Speaker, I have taken this time during 1-minute to simply rise in strong support of some very important work that is taking place, and that is the prospect of confirming Miguel Estrada.

I do not personally know this man, but I wanted to say, Madam Speaker, that I have read about his record and I have talked to many people who know him very well; and I happen to believe that he would be a superb jurist. And having spoken with people of both political parties, I have heard very good things about him. And I would simply like for the record to make it clear that I believe that he would be a phenomenally good jurist, and I hope very much that will take place.

APPOINT MIGUEL ESTRADA AS
FEDERAL JUDGE

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

Mr. DOOLITTLE. Madam Speaker, I too join my colleague from California (Mr. DREIER). I do not know personally Mr. Estrada, but I understand he is considered to be quite outstanding by all those who have known him. It is remarkable. It is also my understanding that at the age of 17 he came from Honduras and had very limited English abilities, and then he ended up going to a university and graduating from Harvard Law School magna cum laude and served as an editor of the Harvard Law Review. He was, I understand, an official in the Clinton administration, actually in the Solicitor General's office and has support from former Clinton administration people and has support from, I believe, the past six or seven Solicitors General of the United States. Truly a premiere candidate to serve in this important U.S. Court of Appeals for the D.C. circuit.

I just wanted to register my support for this individual, someone who is very outstanding, a great American, the first Hispanic to be appointed to the court of appeals. It would be outstanding, Madam Speaker, and I appreciate the opportunity to voice my support for him today.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. PEARCE). Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

SUPPORTING MIGUEL ESTRADA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FRANKS) is recognized for 5 minutes.

Mr. FRANKS of Arizona. Mr. Speaker, Thomas Jefferson said, "The great object of my fear is the Federal Judiciary. That body, step by step, holding what it gains, is engulfing insidiously the special governments into the jaws of that which feeds them."

And today, Mr. Speaker, the object of my fear is an unrestrained judiciary, a judiciary too quick to abandon the ideals of our forefathers and the tenets of our Constitution, a judiciary swelling with unchecked authority.

The heart of a republic rests on its judiciary, Mr. Speaker, and the confirmation of Miguel Estrada is vital to this Republic. He is a brilliant attorney who has repeatedly upheld and has been upheld repeatedly and will continue to be upheld. He also upholds the virtues of this Nation's sacred Constitution.

Arriving from Honduras at age 18, speaking no English, this man has become the personification of the American dream. And I urge the President to stand strong in his support of Miguel Estrada and to stand strong in his support of making sure that we maintain a judiciary in this country that reads the law for what it is.

For if our judiciary continues on the path that it is, Mr. Speaker, I think perhaps the rest of us can go home. I just call upon the President to be encouraged and to recognize that there are Americans that are very grateful to him for the courage that he shows and for the clarity that he shows in his appointments.

Mr. Speaker, I hope that this appointment and this confirmation can go forward unfettered.

□ 1730

EXPLORING SPACE MORE
EFFICIENTLY

The SPEAKER pro tempore (Mr. PEARCE). Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, now, some more than 7 days after the fateful return of the Columbia seven, those of us from Texas and around the Nation are quick to understand the headline in a local newspaper that says, Astronauts, the hero next door. For those of us in Texas, these were, in fact, our neighbors, our friends, certainly those who many wor-

shipped with. But today, now more than ever, we recognize that these individuals were willing to give the ultimate sacrifice, and that was their lives, for the betterment of humanity.

Unfortunately, what tragedy causes us to do is to reflect, to understand that what we often take for granted is, in fact, precious and unique. It is unique to send man, woman, humanity into space. It is unique what the United States has been able to do now for almost 40 years.

I want to applaud the NASA employees' commitment that they have as a unified group. I know that they are hurting because of this tragedy.

I have always said over the last 7 days that it is important for us to heal and to be able to acknowledge the pain that the families are feeling, but today was appropriate for the first congressional hearing to be held; and I thank the Members of the other body and the chairman of the House Committee on Science and the ranking member for convening us today to begin the process of reality.

The words that I often say are that we find fault without blame, that we are not afraid to acknowledge mistakes and that we make it better. For example, it is important to note that there is now some interest in an orbital plane, a very good vehicle, but we must be reminded that what the space shuttle meant was not just a transportation vehicle, but it was a floating laboratory where scientists, medical professionals and others were able to engage in science and research that helped to create better lives for all of us, research in diabetes, research in HIV/AIDS, heart disease, cancer, stroke, research in prostate cancer and breast cancer.

So we cannot fail to understand the mission and out of fear or expeditiousness move to another vehicle because we are concerned about this tragedy. Be concerned and get the facts.

We understand that the shuttle cost \$450 million. The fatality rate is about 1 in 57. On the other hand, we realize that there are better ways of enhancing the safety. One of them, of course, is finding the facts and being able to provide the resources for putting the United States at the cutting edge of science. I cannot imagine that because of where we are that we will not listen to the families who issued the statement, "The human space flight must continue." That should be the legacy.

Yet we must not fall away from the fact that in 1994 a commissioned NASA study by Stanford and Carnegie-Mellon said that 15 percent of tiles could cause 85 percent of failure, or of the observations of a NASA engineer in 1997 that said debris striking the tile would cause damage. Let us not run away from facts or the mistakes.

I believe that we have seen a considerable imbalance of funding. I am gratified by the increase that we see coming in the 2004 fiscal year proposal, and I hope the Congress will recognize