

Emerson  
Engel  
English  
Etheridge  
Evans  
Everett  
Farr  
Fattah  
Feeny  
Ferguson  
Filner  
Fletcher  
Foley  
Forbes  
Fossella  
Frank (MA)  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Garrett (NJ)  
Gerlach  
Gibbons  
Gilchrest  
Gillmor  
Gingrey  
Gonzalez  
Goode  
Goodlatte  
Gordon  
Goss  
Granger  
Graves  
Green (TX)  
Green (WI)  
Greenwood  
Grijalva  
Gutierrez  
Gutknecht  
Hall  
Harman  
Harris  
Hart  
Hastings (FL)  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hensarling  
Herger  
Hill  
Hinchee  
Hinojosa  
Hobson  
Hoeffel  
Hoekstra  
Holden  
Holt  
Honda  
Hooley (OR)  
Hostettler  
Houghton  
Hoyer  
Hulshof  
Hunter  
Hyde  
Inslee  
Isakson  
Israel  
Issa  
Jackson (IL)  
Jackson-Lee  
(TX)  
Janklow  
Jefferson  
Jenkins  
John  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones (NC)  
Jones (OH)  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kildee  
Kilpatrick  
Kind  
King (IA)  
King (NY)  
Kingston  
Kirk  
Klecza  
Kline  
Knollenberg  
Kolbe

LaHood  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Latham  
LaTourette  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lofgren  
Lowe  
Lucas (KY)  
Lucas (OK)  
Lynch  
Majette  
Maloney  
Manzullo  
Markey  
Matheson  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCotter  
McCrery  
McDermott  
McGovern  
McHugh  
McInnis  
McIntyre  
McKeon  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Mica  
Michaud  
Millender-  
McDonald  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Mollohan  
Moore  
Moran (KS)  
Moran (VA)  
Murphy  
Murtha  
Musgrave  
Myrick  
Nadler  
Napolitano  
Neal (MA)  
Nethercutt  
Neugebauer  
Ney  
Northup  
Norwood  
Nunes  
Obey  
Olver  
Ortiz  
Osborne  
Ose  
Otter  
Owens  
Oxley  
Pallone  
Pascarell  
Payne  
Pearce  
Pelosi  
Pence  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Platts  
Pombo  
Pomeroy  
Porter  
Portman  
Price (NC)  
Pryce (OH)  
Putnam  
Quinn  
Radanovich  
Rahall  
Ramstad

Rangel  
Regula  
Rehberg  
Renzi  
Reynolds  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Ross  
Rothman  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Ryun (KS)  
Sabo  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Sandlin  
Saxton  
Schakowsky  
Schiff  
Schrock  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Sessions  
Shadegg  
Shaw  
Sherman  
Sherwood  
Shimkus  
Shuster  
Simmons  
Simpson  
Skelton  
Slaughter  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Souder  
Spratt  
Stark  
Stearns  
Stenholm  
Strickland  
Stupak  
Sullivan  
Sweeney  
Tancredo  
Tanner  
Tauscher  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Terry  
Thomas  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Tiahrt  
Tiberi  
Tierney  
Toomey  
Turner (OH)  
Turner (TX)  
Udall (CO)  
Udall (NM)  
Upton  
Van Hollen  
Velazquez  
Visclosky  
Vitter  
Walden (OR)  
Walsh  
Wamp  
Waters  
Watson  
Waxman  
Weiner  
Weldon (FL)  
Weller  
Wexler  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)

Wolf  
Woolsey

Wu  
Wynn

Young (AK)  
Young (FL)

NAYS—8

DeFazio  
Duncan  
Flake

Ford  
Nussle  
Paul

Royce  
Smith (MI)

NOT VOTING—19

Bishop (GA)  
Davis (FL)  
Delahunt  
Edwards  
Eshoo  
Frost  
Gephardt

Istook  
Kucinich  
Larson (CT)  
Lewis (GA)  
Marshall  
Oberstar  
Pastor

Reyes  
Shays  
Towns  
Watt  
Weldon (PA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATOURETTE) (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1134

Mr. FRANKS of Arizona and Mr. PEARCE changed their vote from "nay" to "yea."

So the joint resolution was passed. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1078

Mr. KLINE. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1078.

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

There was no objection.

#### RATIFYING AUTHORITY OF FTC TO ESTABLISH A DO-NOT-CALL REGISTRY

Mr. TAUZIN. Mr. Speaker, pursuant to the previous order of the House, I call up the bill (H.R. 3161) to ratify the authority of the Federal Trade Commission to establish a do-not-call registry, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of H.R. 3161 is as follows:

H.R. 3161

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

#### SECTION 1. NATIONAL DO-NOT-CALL REGISTRY.

(a) AUTHORITY.—The Federal Trade Commission is authorized under section 3(a)(3)(A) of the Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6102(a)(3)(A)) to implement and enforce a national do-not-call registry.

(b) RATIFICATION.—The do-not-call registry provision of the Telemarketing Sales Rule (16 C.F.R. 310.4(b)(1)(iii)), which was promulgated by the Federal Trade Commission, effective March 31, 2003, is ratified.

The SPEAKER pro tempore. Pursuant to the order of the House, Wednesday, September 24, 2003, the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from Michigan (Mr. DINGELL) each will control 30 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. TAUZIN).

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 to insert extraneous material on the bill.

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

There was no objection.

Mr. TAUZIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, welcome to Groundhog Day, courtesy of a misguided court decision, soon to be overthrown, I believe, were we not acting today, but one that jeopardizes one of the most consumer-friendly regulations ever to come out of Washington in a long time. Just several months ago, President Bush signed the Do-Not-Call Implementation Act into law. That law authorized the funding of the Federal Trade Commission's National Do-Not-Call registry, a concept so embraced by consumers in America that 50 million Americans have now signed up to be on that list since then. And, Mr. Speaker, Congress passes a law, and an agency then implements it. Nothing wrong, right? Wrong. One can imagine our surprise when we found out yesterday morning that a Federal court in Oklahoma, not California, Oklahoma, invalidated the FTC's do-not-call registry. And even more surprising was the judge's basis for the decision. He found the FTC did not have the statutory authority to create a national do-not-call list.

Nothing could be further from the truth. As I mentioned in February of this year, Congress passed the Do-Not-Call Implementation Act. Obviously, Congress would not have funded something that it thought was unauthorized. Indeed, back in 1994, Congress passed the Telemarketing Fraud and Abuse Prevention Act, which gave the FTC power to regulate abusive telemarketing practices. Certainly, allowing consumers to sign up for a do-not-call list, to essentially opt out of an abusive telemarketing practice, is well within the mandate given to the FTC.

Make no mistake. The judge in this case is dead wrong, and I am sure his decision will, in turn, be overturned. In an abundance of caution, however, and I make perfectly clear to any and all who may have doubts, today we consider H.R. 3161. This bill specifically authorizes the FTC to create a national do-not-call list and explicitly ratifies the FTC's actions over the past year to implement that list. We should probably call the bill "This Time We Really Mean It Act" to cure any myopia in the judicial branch.

The bill leaves no doubt as to the intent of Congress. The FTC wants this list. The President of the United States wants this list, and more importantly, 50 million Americans, who are growing impatient about being interrupted at mealtime by unwanted and unnecessary harassing telemarketing calls,