

Mr. UPTON. Mr. Speaker, I yield 1 minute to the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Mr. Speaker, I rise today in strong support of H.R. 310. Passage of this bill will mark a very important step, in my opinion, toward protecting American children.

I especially do want to thank the committee for their work on this bill, and the gentleman from Texas (Chairman BARTON) and the gentleman from Michigan (Chairman Upton) for their work on this legislation.

The purpose, of course, of the legislation that we are discussing today is to return decent, family-friendly broadcast television and radio to families across America. I should note that this legislation in no way changes the FCC's current definition of obscenity, indecency, or profanity. Rather, it enables the agency to enforce the existing rules.

As has been stated here already on the floor today, it would allow the FCC to impose a fine of half a million dollars against broadcasters for every violation of obscene, indecent, and profane material. Of course, additionally the bill will allow the FCC to fine networks and entertainers for up to half a million dollars if they willfully or intentionally violate indecency standards by airing obscene, indecent, or profane material.

Mr. Speaker, I would urge the passage of H.R. 310 today and would urge my colleagues to wholeheartedly support this legislation.

Mr. MARKEY. Mr. Speaker, I have no further speakers, so I yield back the balance of my time, with thanks to the chairman of the committee for his great work.

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

Mr. Speaker, I just want to thank the staff, Kelly Cole, Will Nordwind and Howard Waltzman. They have been terrific working with staffs on both sides.

I remind my colleagues this passed overwhelmingly in not only the committee, but last year as well, and also in the Senate. I urge my colleagues to support it.

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

The SPEAKER pro tempore. Pursuant to House Resolution 95, the previous question is ordered on the bill and the amendment offered by the gentleman from Michigan (Mr. UPTON).

The question is on the amendment offered by the gentleman from Michigan (Mr. UPTON).

The amendment was agreed to.

The question is on the engrossment and third reading of the bill.

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

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

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

Mr. UPTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 389, nays 38, not voting 6, as follows:

[Roll No. 35]

YEAS—389

Aderholt	Deal (GA)	Johnson (IL)
Akin	DeFazio	Johnson, E. B.
Alexander	DeGette	Johnson, Sam
Allen	DeLauro	Jones (NC)
Andrews	DeLay	Jones (OH)
Baca	Dent	Kanjorski
Bachus	Diaz-Balart, L.	Keller
Baker	Diaz-Balart, M.	Kelly
Baldwin	Dicks	Kennedy (MN)
Barrett (SC)	Dingell	Kennedy (RI)
Barrow	Doggett	Kildee
Bartlett (MD)	Doolittle	Kilpatrick (MI)
Barton (TX)	Doyle	Kind
Bass	Drake	King (IA)
Bean	Dreier	King (NY)
Beauprez	Duncan	Kingston
Becerra	Edwards	Kirk
Berkley	Ehlers	Kline
Berry	Emanuel	Knollenberg
Biggett	Emerson	Kolbe
Bilirakis	Engel	Kuhl (NY)
Bishop (GA)	English (PA)	LaHood
Bishop (NY)	Etheridge	Langevin
Bishop (UT)	Evans	Lantos
Blackburn	Everett	Larsen (WA)
Blumenauer	Feeney	Larson (CT)
Blunt	Ferguson	Latham
Boehlert	Filner	LaTourette
Boehner	Fitzpatrick (PA)	Leach
Bonilla	Flake	Levin
Bonner	Foley	Lewis (CA)
Bono	Forbes	Lewis (KY)
Boozman	Ford	Linder
Boren	Fortenberry	Lipinski
Boswell	Fossella	LoBiondo
Boucher	Fox	Lowe
Boustany	Franks (AZ)	Lucas
Boyd	Frelinghuysen	Lungren, Daniel
Bradley (NH)	Gallegly	E.
Brady (PA)	Garrett (NJ)	Lynch
Brady (TX)	Gerlach	Mack
Brown (OH)	Gibbons	Maloney
Brown (SC)	Gilchrest	Manzullo
Brown (CA)	Gillmor	Marchant
Brown-Waite,	Gingrey	Markey
Ginny	Gohmert	Marshall
Burgess	Gonzalez	Matheson
Burton (IN)	Goode	McCarthy
Butterfield	Goodlatte	McCaul (TX)
Buyer	Gordon	McCollum (MN)
Calvert	Granger	McCotter
Camp	Graves	McCrery
Cannon	Green (WI)	McGovern
Cantor	Green, Al	McHenry
Capito	Green, Gene	McHugh
Capps	Gutierrez	McIntyre
Capuano	Gutknecht	McKeon
Cardin	Hall	McKinney
Cardoza	Harris	McMorris
Carnahan	Hart	McNulty
Carson	Hastings (WA)	Meehan
Carter	Hayes	Meek (FL)
Case	Hayworth	Meeks (NY)
Castle	Hefley	Melancon
Chabot	Hensarling	Menendez
Chandler	Herger	Mica
Chocola	Herseth	Michaud
Cleaver	Higgins	Millender-
Clyburn	Hinojosa	McDonald
Coble	Hobson	Miller (FL)
Conaway	Hoekstra	Miller (MI)
Cooper	Holden	Miller (NC)
Costa	Holt	Miller, Gary
Costello	Hooley	Miller, George
Cox	Hostettler	Mollohan
Cramer	Hoyer	Moore (KS)
Crenshaw	Hulshof	Moore (WI)
Crowley	Hunter	Moran (KS)
Cubin	Hyde	Moran (VA)
Cuellar	Inglis (SC)	Moran
Culberson	Inslee	Murphy
Cummings	Israel	Murtha
Cunningham	Issa	Musgrave
Davis (AL)	Istook	Myrick
Davis (CA)	Jackson (IL)	Napolitano
Davis (FL)	Jackson-Lee	Neal (MA)
Davis (IL)	(TX)	Neugebauer
Davis (KY)	Jefferson	Ney
Davis (TN)	Jenkins	Northup
Davis, Jo Ann	Jindal	Norwood
Davis, Tom	Johnson (CT)	Nunes
		Nussle

Oberstar	Rohrabacher	Sullivan
Obey	Ros-Lehtinen	Sweeney
Olver	Ross	Tancredo
Ortiz	Rothman	Tanner
Osborne	Roybal-Allard	Tauscher
Otter	Royce	Taylor (MS)
Oxley	Ruppersberger	Taylor (NC)
Pallone	Rush	Terry
Pascrell	Ryan (OH)	Thomas
Pastor	Ryan (WI)	Thompson (CA)
Pearce	Ryun (KS)	Thompson (MS)
Pelosi	Salazar	Thornberry
Pence	Sanchez, Loretta	Tiahrt
Peterson (MN)	Saxton	Tiberi
Peterson (PA)	Schiff	Tierney
Petri	Schwartz (PA)	Towns
Pickering	Schwarz (MI)	Turner
Pitts	Scott (GA)	Udall (CO)
Platts	Sensenbrenner	Udall (NM)
Poe	Sessions	Upton
Pombo	Shadegg	Van Hollen
Pomeroy	Shaw	Visclosky
Porter	Shays	Walden (OR)
Portman	Sherwood	Walsh
Price (GA)	Shimkus	Wamp
Price (NC)	Shuster	Watt
Pryce (OH)	Simmons	Weiner
Putnam	Simpson	Weldon (FL)
Radanovich	Skelton	Weldon (PA)
Rahall	Slaughter	Weller
Ramstad	Smith (NJ)	Westmoreland
Rangel	Smith (TX)	Wexler
Regula	Smith (WA)	Whitfield
Rehberg	Snyder	Wicker
Renzi	Sodrel	Wilson (NM)
Reyes	Solis	Wilson (SC)
Reynolds	Souder	Wolf
Rogers (AL)	Spratt	Wu
Rogers (KY)	Stearns	Young (AK)
Rogers (MI)	Strickland	Young (FL)

NAYS—38

Abercrombie	Honda	Schakowsky
Ackerman	Kucinich	Scott (VA)
Baird	Lee	Serrano
Berman	Lewis (GA)	Sherman
Clay	Lofgren, Zoe	Stark
Conyers	McDermott	Velázquez
Delahunt	Nadler	Wasserman
Farr	Owens	Schultz
Fattah	Paul	Waters
Frank (MA)	Payne	Watson
Grijalva	Sabo	Waxman
Harman	Sánchez, Linda	Woolsey
Hastings (FL)	T.	
Hinchey	Sanders	

NOT VOTING—6

Cole (OK)	Kaptur	Stupak
Eshoo	Reichert	Wynn

□ 1400

Mr. HASTINGS of Florida changed his vote from "yea" to "nay."

Mr. ISRAEL and Ms. BERKLEY changed their vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

The motion to reconsider is laid upon the table.

Stated for:

Mr. COLE of Oklahoma. Mr. Speaker, on Wednesday, February 16, 2005, I was unavoidably detained due to a prior obligation.

Had I been present and voting, I would have voted as follows: (1) Rollcall No. 35: "Yes" (Final Passage of H.R. 310).

RESIGNATION AS MEMBER OF COMMITTEE ON SCIENCE

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Science:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 15, 2005.
Hon. DENNIS HASTERT,
Speaker, U.S. House of Representatives, Wash-
ington, DC.

DEAR SPEAKER HASTERT: I respectfully re-
quest that you permit me to vacate my seat
on the House Science Committee as soon as
possible. I am hopeful that I would be able to
retain my seniority position on this com-
mittee should I seek to return in a future
Congress. I have greatly enjoyed my service
on the House Science Committee.

Thank you for your kind consideration of
this request.

Sincerely,

ZOE LOFGREN,
Member of Congress.

The SPEAKER pro tempore (Mr.
LATOURETTE). Without objection, the
resignation is accepted.

There was no objection.

ELECTION OF MEMBERS TO CER- TAIN STANDING COMMITTEES OF THE HOUSE

Mr. MENENDEZ. Mr. Speaker, by di-
rection of the Democratic Caucus, I
offer a privileged resolution (H. Res.
111) and ask for its immediate consider-
ation.

The Clerk read the resolution, as fol-
lows:

H. RES. 111

Resolved, That the following named Mem-
bers be and are hereby elected to the fol-
lowing standing committees of the House of
Representatives:

(1) COMMITTEE ON HOUSE ADMINISTRATION.—
Ms. Zoe Lofgren of California.

(2) COMMITTEE ON SMALL BUSINESS.—Ms.
Moore of Wisconsin.

Mr. MENENDEZ (during the read-
ing.) Mr. Speaker, I ask unanimous
consent that the resolution be consid-
ered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there
objection to the request of the gen-
tleman from New Jersey?

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. Pursu-
ant to the provisions of clause 8 of rule
XX, the Chair announces that he will
postpone further proceedings today on
each motion 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.

Such record votes, if postponed, will
be taken on tomorrow.

RECOGNIZING THE COMMITMENT OF THE UNITED STATES TO THE RECOVERY AND ACCOUNTING FOR AMERICANS WHO ARE PRIS- ONERS OF WAR OR MISSING

Mr. FRANKS of Arizona. Mr. Speak-
er, I move to suspend the rules and
pass the joint resolution (H.J. Res. 18)

recognizing the historic commitment
of the United States to the recovery of
and full accounting for Americans who
are prisoners of war or in a missing
status.

The Clerk read as follows:

H.J. RES. 18

Whereas the surrender during World War II
on the Bataan Peninsula, in the Philippines,
in April 1942 led to the capture of more than
75,000 American and Filipino military pris-
oners of war;

Whereas American, Filipino, and Allied
prisoners of war endured the 65-mile Bataan
Death March through the jungles of the Phil-
ippines and were subjected to brutal abuse
from which many hundreds of Americans and
many thousands of Filipinos died;

Whereas thousands more American and
Filipino civilians were interned across the
region;

Whereas General Douglas MacArthur, the
Allied commander for the Southwest Pacific
area, including the Philippine Islands, com-
mitted forces under his command to make
every effort, as quickly as possible, to lib-
erate prisoner of war camps and internment
camps as Allied forces began retaking terri-
tory;

Whereas in the fulfillment of that commit-
ment, United States Army units, together
with various Filipino guerilla groups, suc-
cessfully conducted several operations that
liberated thousands of innocent civilians,
prisoners of war, and Filipino citizens;

Whereas in February 1945, elements of the
11th Airborne Division, particularly the
511th Parachute Infantry Regiment of that
division, and the 672nd Amphibious Tractor
Battalion conducted a particularly brave and
daring mission behind enemy lines to rescue
over 2,000 people at Los Banos internment
camp; and

Whereas the United States has an historic
commitment to the recovery of and full ac-
counting for Americans who are prisoners of
war or in a missing status: Now, therefore,
be it

*Resolved by the Senate and House of Rep-
resentatives of the United States of America in
Congress assembled*, That Congress—

(1) recognizes the rescue missions carried
out by units of the United States Army, in-
cluding the 11th Airborne Division, 60 years
ago in the Philippines during World War II as
sterling examples of that commitment; and

(2) recognizes the bravery and courage of
the soldiers and the Filipino guerillas who
participated in those rescue missions.

The SPEAKER pro tempore. Pursu-
ant to the rule, the gentleman from Ar-
izona (Mr. FRANKS) and the gentleman
from North Carolina (Mr.
BUTTERFIELD) each will control 20 min-
utes.

The Chair recognizes the gentleman
from Arizona (Mr. FRANKS).

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GENERAL LEAVE

Mr. FRANKS of Arizona. Mr. Speak-
er, I ask unanimous consent that all
Members may have 5 legislative days
within which to revise and extend their
remarks on H.J. Res. 18, the legislation
under consideration.

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

There was no objection.

Mr. FRANKS of Arizona. Mr. Speak-
er, I yield myself such time as I may
consume.

When the Philippines fell in April of
1942, more than 75,000 American and
Filipino servicemen and countless civ-
ilians became prisoners of war. This
number was decimated during the bru-
tal Bataan Death March, which saw the
death of over 16,000 POWs. Many sol-
diers survived the march, only to find
themselves facing murderous treat-
ment in prisoner-of-war camps scat-
tered throughout the island.

When General MacArthur began his
campaign to retake the Philippines in
1945, he made it a priority to liberate
soldiers and civilians who were in-
terned in these camps. This commit-
ment was particularly important, since
it was widely believed that captives
would be killed by their retreating cap-
tors if measures were not undertaken
to liberate them in advance of the
main campaign.

General MacArthur's commitment to
the civilian internees and prisoners of
war on the island manifested itself in a
particularly heroic way in the Allied
raid on the prison camp at Los Banos.
It was here that Filipino guerrilla
forces and the men of the 511th para-
chute infantry regiment of the 11th
Airborne division worked in concert to
organize a multipronged assault with
elements attacking from land, air and
sea to liberate the prisoners of the
camp.

The Allied forces took great risks to
free their fellow soldiers and civilians
who had fallen behind enemy lines.
These truly heroic acts serve not only
as examples of the humanitarian com-
passion of American servicemen and
-women but also as an example of our
Nation's longstanding commitment to
leave no fellow soldier, living or dead,
in enemy hands.

Mr. Speaker, as we have military per-
sonnel spread throughout the world
today, many of whom are daily risking
capture and torture at the hands of
brutal terrorists, it is more important
now than ever to recognize and honor
the heroism and willing sacrifice of
those soldiers who risked their own
safety not to take a strategic objec-
tive, but simply to bring a comrade
home.

Our soldiers, marines, airmen and
sailors must be able to take a small
measure of comfort that whatever hap-
pens to them in battle, that this Na-
tion will always have the will and the
resolve to find and repatriate all of
those who were lost while on duty.

Mr. Speaker, evil has aggressively
manifested itself in many forms
throughout human history, and for the
last 200 years, whether fighting totali-
tarian evil of monarchial, fascist or fa-
natical roots, American servicemen
have made a habit of putting them-
selves squarely in evil's way. They
have done so, secure in the knowledge
that if they fall into the hands of the
enemy, they will not be forgotten. In-
deed, every effort possible will be un-
dertaken to bring them home.

Mr. Speaker, this is the 60th anniver-
sary of the liberation of over 2,000 pris-
oners from the camp at Los Banos, and