

|                |                |               |
|----------------|----------------|---------------|
| Miller (NC)    | Regula         | Spratt        |
| Miller, Gary   | Rehberg        | Stark         |
| Miller, George | Reichert       | Stearns       |
| Mollohan       | Renzi          | Strickland    |
| Moore (KS)     | Reyes          | Stupak        |
| Moore (WI)     | Reynolds       | Sullivan      |
| Moran (KS)     | Rogers (AL)    | Sweeney       |
| Moran (VA)     | Rogers (KY)    | Tancredo      |
| Murtha         | Rogers (MI)    | Tanner        |
| Musgrave       | Rohrabacher    | Tauscher      |
| Myrick         | Ros-Lehtinen   | Taylor (MS)   |
| Nadler         | Ross           | Taylor (NC)   |
| Napolitano     | Rothman        | Terry         |
| Neal (MA)      | Roybal-Allard  | Thomas        |
| Neugebauer     | Royce          | Thompson (CA) |
| Ney            | Ruppersberger  | Thompson (MS) |
| Northup        | Rush           | Thornberry    |
| Norwood        | Ryan (OH)      | Tiahrt        |
| Nunes          | Ryan (WI)      | Tiberi        |
| Nussle         | Ryun (KS)      | Tierney       |
| Oberstar       | Sabo           | Towns         |
| Obey           | Salazar        | Turner        |
| Olver          | Sánchez, Linda | Udall (CO)    |
| Ortiz          | T.             | Udall (NM)    |
| Osborne        | Sanchez,       | Upton         |
| Otter          | Loretta        | Van Hollen    |
| Owens          | Sanders        | Velázquez     |
| Oxley          | Saxton         | Visclosky     |
| Pallone        | Schakowsky     | Walden (OR)   |
| Pascarella     | Schiff         | Walsh         |
| Pastor         | Schwartz (PA)  | Wamp          |
| Paul           | Schwarz (MI)   | Wasserman     |
| Payne          | Scott (GA)     | Schultz       |
| Pearce         | Scott (VA)     | Waters        |
| Pelosi         | Sensenbrenner  | Watson        |
| Pence          | Serrano        | Watt          |
| Peterson (MN)  | Shadegg        | Waxman        |
| Peterson (PA)  | Shaw           | Weiner        |
| Petri          | Shays          | Weldon (FL)   |
| Pickering      | Sherman        | Weldon (PA)   |
| Pitts          | Sherwood       | Weller        |
| Platts         | Shimkus        | Westmoreland  |
| Poe            | Shuster        | Wexler        |
| Pombo          | Simmons        | Whitfield     |
| Pomeroy        | Simpson        | Wicker        |
| Porter         | Skelton        | Wilson (NM)   |
| Price (GA)     | Slaughter      | Wilson (SC)   |
| Price (NC)     | Smith (NJ)     | Wolf          |
| Pryce (OH)     | Smith (TX)     | Woolsey       |
| Putnam         | Smith (WA)     | Wu            |
| Radanovich     | Snyder         | Wynn          |
| Rahall         | Sodrel         | Young (AK)    |
| Ramstad        | Solis          |               |
| Rangel         | Souder         |               |

## NOT VOTING—8

|           |            |            |
|-----------|------------|------------|
| Carter    | Herseth    | Sessions   |
| Conaway   | Lewis (GA) | Young (FL) |
| Deal (GA) | Murphy     |            |

□ 1705

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. CARTER. Mr. Speaker, on June 21, 2005, I was unavoidably detained on official business in my Congressional District. During rollcall vote No. 288, if present, I would have voted "yea." On rollcall vote No. 289, I would have voted "no." On final passage of H.R. 2475, authorize appropriations for fiscal year 2006 for intelligence and intelligence-related activities, rollcall vote 290, I would have voted "yea." On passage of H.J. Res. 52, rollcall vote 291, I would have voted "yea." On passage of H. Con. Res. 160, rollcall vote 292, I would have voted "yea."

## PERSONAL EXPLANATION

Mr. MURPHY. Mr. Speaker, due to official business relating to the visit of BRAC Commissioner General Lloyd Newton to the 911th

Airlift Wing, Air Force Reserve in my Congressional District, I was not present in the Chamber on Tuesday, June 21, 2005, and was regrettably unable to cast my vote on rollcall No. 288, rollcall No. 289, rollcall No. 290, rollcall No. 291, and rollcall No. 292.

Had I been present, I would have voted "yea" on rollcall No. 288; "no" on rollcall No. 289; "yea" on rollcall No. 290; "yea" on rollcall No. 291; and "yea" on rollcall No. 292.

#### SUPPORTING FIREFIGHTER LIFE SAFETY SUMMIT INITIATIVES AND MISSION OF NATIONAL FALLEN FIREFIGHTERS FOUNDATION AND UNITED STATES FIRE ADMINISTRATION

The SPEAKER pro tempore (Mr. PETRI). The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 180.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. BOEHLERT) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 180.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### REPORT ON H.R. 3010, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

Mr. REGULA, from the Committee on Appropriations, submitted a privileged report (Rept. No. 109-143) on the bill (H.R. 3010) making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

## SPECIAL ORDERS

The SPEAKER pro tempore (Mr. MCCAUL of Texas). Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

## TAKING STEPS TO FIX NICS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

Mrs. MCCARTHY. Mr. Speaker, currently, when someone wants to buy a gun, they are subject to a background

check, and once he or she is cleared, the records of that transaction are destroyed after 24 hours. But 24 hours is simply not enough time to ensure a gun is not sold to someone who should not be buying guns. Why? Because the National Instant Background Check System, or NICS, is not effective enough to warrant such a quick turnaround time on gun purchase records.

NICS is a database to check potential firearm buyers for any criminal record or history of mental illness.

□ 1715

Mr. Speaker, however, the NICS system is only as good as the information States provide. Twenty-five States have automated less than 60 percent of their felony convictions into the NICS system.

In these States, many felons will not be listed on the NICS system and would be able to purchase guns with no questions asked. In 13 States, domestic violence restraining orders are not accessible through the NICS system. Common sense would dictate that you do not sell a gun to someone who has been recently served with a restraining order.

Thirty-three States have not automated or do not share mental health records that would disqualify certain individuals from purchasing a gun under existing law. Also felony convictions in some States will not show up on another State's background check.

I understand the political realities of this Congress when it comes to new gun laws. Many on both sides of the aisle see anything longer than a 24-hour period to hold records as a de facto gun registry.

So we must take measures to fix the NICS system to make sure that our existing laws are enforced. I have introduced legislation with the gentleman from Michigan (Mr. DINGELL), the NICS Improvement Act of 2005, that will give States grants to update their NICS database.

This is the same bill that passed the House by a voice vote in the 107th Congress. No one person was denied his or her second amendment rights because of this bill. Even the National Rifle Association approved the bill in 2002.

It is the States' responsibility to make sure that NICS databases are in order. But if so many States are facing budget problems, many simply cannot afford to dedicate resources to updating their NICS system.

Meanwhile, too many criminals are slipping through the cracks of our background check system. This is unacceptable, especially in the post-9/11 era. Until we fix the NICS system, our law enforcement officers will continue to be within a tight deadline to determine whether or not background checks cover all of the bases.

With my bill, we can ensure that the NICS system does its job at the point of purchase. Mr. Speaker, please bring the NICS Improvement Act up for a vote this summer. It is time that we

close the legal loopholes that make it so easy for criminals to buy guns and so difficult for law enforcement agencies to keep us safe.

Mr. Speaker, this is a bill that can work. This is a bill that has bipartisan support. This is a bill that can save lives, especially those of our police officers.

#### BRING DOWN AMERICA'S DRUG PRICES

The SPEAKER pro tempore (Mr. MCCAUL of Texas). Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

Mr. GUTKNECHT. Mr. Speaker, I rise again tonight to talk about prescription drugs, and more importantly about what Americans pay for prescription drugs compared to consumers in other industrialized countries.

I have this chart, and I know that on television it is a little hard for the Members who are watching their offices to see these numbers, but if you go to my Web site at [gil.house.gov](http://gil.house.gov), you can see this chart and other comparisons that we have, not only with the United States and Germany, as this chart is, but with other countries, because we now have pharmacists literally around the world who regularly share with us what their prices are for prescription drugs.

What you see here are 10 of the most commonly prescribed drugs in the United States. You can buy those drugs in Frankfurt, Germany for \$455.57. Those same 10 drugs here in the United States are \$1,040.04. Americans pay 128 percent more for the same drugs made in the same plants under the same FDA approval.

Let me give you one example we have talked about before: Zocor, an excellent drug. Many heart patients take Zocor. As a matter of fact, some of our colleagues here in Congress take Zocor. And depending on what Federal program you are under, you can be paying a copay of \$30 for that drug. Federal Members of Congress may be paying \$30 when consumers in Germany can walk into the Metropolitan Pharmacy in Frankfurt, Germany, and they can buy that drug for \$23.80.

The copay here in the United States, in many cases, is \$30. The regular price in Rochester, Minnesota, for that drug, \$85.39. And again, these are the same drugs, made in the same plants with the same FDA approval. What is wrong with this picture?

Well, what is wrong with this picture is that American consumers are held hostage. In countries like Germany, they have what is called parallel trade. So a pharmacist in Frankfurt, for example, if they want to buy that Zocor, if they can buy that Zocor in Sweden cheaper than they can buy it from the distributors in Germany, they are allowed to do that.

That creates a competitive marketplace. That is what we are trying to en-

courage with the Pharmaceutical Market Access Act. Now, our Founders understood that the Federal Government is created by the States and not the other way around.

But the States in many cases have been referred to as the laboratory of democracy. And the interesting thing is State governments, and more importantly the Governors of those States, are not standing by idly.

What they are doing is they are creating their own programs. In Illinois, in Kansas, in my own State of Minnesota, Minnesotans now have access to buying drugs from Canada, and they recently added Great Britain.

The I-SaveRx program, now in Illinois, includes Canada, the United Kingdom, and Ireland. Now, many of the people here in Washington, our own FDA says that is not safe. Well, some of these States have now over a year of experience and they have demonstrated that this can be done safely.

The list goes on. Missouri, Nevada, I think was just signed into law either yesterday or today, the law takes effect July 1st, so that people in Nevada will have access to drugs from foreign countries at much more competitive prices. New Hampshire, North Dakota has joined the list. We now have 11 States, and we do not know how many cities have joined this list.

But it really is time for us at the Federal level to do our job to make sure that Americans have access to world-class drugs at world-market prices. Mr. Speaker, this is not a mystery. It can be done. What we know is that the Europeans are not intrinsically smarter than we are.

If they figured out how to do this parallel trade, we can do it as well. Mr. Speaker, it is time for Americans to have access to these drugs at 128 percent cheaper than they can buy them in the United States.

#### BEST GOVERNMENT MONEY CAN BUY

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

Mr. EMANUEL. Mr. Speaker, we often hear that the American people have a negative opinion of the job we do here in Congress. In fact, recent polling indicates that 53 percent of the country disapproves of the way Congress handles its job.

In a recent CNN poll, 71 percent of the American people said Congress fails to share their priorities and values. Some around here may wonder why that is. Could it be because while American families struggle to pay their education bills, their medical bills, save for their retirement, this Congress has come to be handing out special favors, and that is all they see of this Congress?

Could it be because ours has become a government of the special interests, for the special interests? Mr. Speaker,

when your gavel comes down, it is to open the people's House, not the auction house. What have the American people seen of late?

They have seen that when we had a tax bill problem of \$4 billion on the corporate side, we were trying to fix a \$4 billion problem, it ended up costing the taxpayers \$150 billion in special interest favors. Only in this Congress, only in this country could you stick the taxpayers with a \$150 billion bill to bail out corporate interests, when you were trying to fix only a \$4 billion problem.

And rather than creating jobs as the bill was intended, it is creatively named the Jobs Creation Bill, it was nothing more than a multi-billion dollar giveaway to special interests. Or consider last year's prescription drug bill for Medicare.

It is about an \$800 billion handout to the prescription drug industry after having been one of the largest contributors to the campaign committee, both for Democrats and Republicans; and it actually ended up with producing an additional \$153 billion in profits for the pharmaceutical industry.

While we were working on that legislation, a Member of this body was actually negotiating a job to go to work for that industry and represent it. Or now that we are talking about the energy bill, we are talking about a \$14 billion taxpayer giveaway to the energy industry, and oil is now being charged at \$59 a barrel.

If it is not profitable at \$59 a barrel, what more do we have to give them? Neither does it ever reduce our dependence on foreign oil. And the pundits here in Washington wonder why the American people out in the country do not like their Congress?

But it is not just the administration and their congressional allies that have worked to craft legislation benefiting a single industry. In some cases the special interests actually sit at the table drafting the legislation that impacts them.

For instance, recently we were all shocked to learn that Philip Cooney, the former chief of staff for the White House counsel on environmental quality and a former lobbyist at the American Petroleum Institute, consistently changed government reports on global warming.

After leaving the White House, and having been discovered having literally changed government reports on the impacts of global warming, where does he end up with a job? Exxon, a company opposed to any legislation on global warming. Then there is the tobacco lawsuit. The U.S. Government won its case handily against Big Tobacco; but rather than seeking the maximum penalty of \$130 billion, the government suddenly decided to only ask for \$10 billion where Philip Morris' attorney said they were very surprised at this decision.

Nobody seems to know how the decision was made, but in the past weeks it