Mr. MORAN of Virginia. Mr. Speaker, on rollcall No. 523, I was unavoidably detained. Had I been present, I would have voted ''nay.''

The SPEAKER pro tempore. The Clerk will notify the Senate of the action of the House.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4461, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

Mr. DIAZ-BALART. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 617 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 617

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4461) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentleman from Florida (Mr. DIAZ-BALART) is recognized for 1 hour.

Mr. DIAZ-BALART. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MOAKLEY), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for purposes of debate only.

Mr. Speaker, House Resolution 617 is a rule providing for the consideration of the conference report to accompany H.R. 4461, the agriculture appropriations bill for fiscal year 2001.

The rule waives all points of order against the conference report and its consideration. The rule provides that the conference report shall be considered as read.

I am pleased, Mr. Speaker, to support this rule, which provides for the consideration of the conference report to accompany H.R. 4461, the agriculture appropriations bill. I believe the conference report represents a good overall package. It provides important funds desperately needed by America's farmers.

For instance, the bill includes $3.5 billion in emergency disaster relief funds for farmers. Just last week, I was able to tour severely flooded areas in my district with FEMA Director Witt and saw the extent of the over $200 million worth of crop losses just in agricultural South Florida due to the heavy rains.

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The devastation underscored to me how critically important disaster assistance can be to our farmers. The main bill is a good product from an agricultural perspective. It provides $80 billion in mandatory and discretionary spending while setting aside $5 billion to reduce the public debt.

Mr. Speaker, I am pleased that portions of the Hunger Relief Act are included. As an original cosponsor of that important legislation to help poor families, children and the elderly have adequate access to hunger assistance programs, I believe that the legislation takes an important step in the right direction by including it in the conference report.

Mr. Speaker, I would like to thank several of my colleagues for their tireless efforts in helping negotiate a carefully crafted compromise on the issue of sanctions: the gentleman from New Mexico (Mr. SKEEN), the gentleman from Florida (Chairman YOUNG), the gentlewoman from Missouri (Mrs. EMERSON), the gentleman from Washington (Mr. NETHERCUTT), and the gentleman from Missouri (Mr. BLUNT) worked throughout the process with me, and the gentlewoman from Florida (Ms. ROS-LEHTINEN), my dear friend, to achieve a fair compromise.

Mr. Speaker, I am deeply grateful to the gentleman from Illinois (Speaker HASTERT), the gentleman from Texas (Mr. ARMEY), the majority leader, and the gentleman from Texas (Mr. DELAY), the majority whip, for their support, as well as the Senate majority leader and Senator MACK.

I would also like to take this opportunity to thank some of the staff who contributed to these successful negotiations, especially Scott Palmer, Julianne Carter, Nancy Dorn, Steve Vermillion, Ylem Poblette, and Steve Rademaker.

The compromise authorizes sales of United States agricultural commodities to the Cuban regime; but without American financing, it also makes clear that the President cannot expand travel categories and accompanying revenues to totalitarian Cuba beyond the existing ones.

In other words, the primary objective of the Cuban dictatorship that the United States taxpayers subsidize the regime, in effect taking the place of the former Soviet Union, is not permitted. Nor can the Cuban dictatorship dump its agricultural products on the United States market, to the serious detriment of American farmers. That dumping, by the way, Mr. Speaker, is another fundamental goal of the Cuban regime.

At the same time, the Cuban dictatorship after this legislation will no longer have the excuse with regard to the great food shortages that it has created for the Cuban people while foreign tourists and the regime's hierarchy have access to all the luxuries that dollars can buy. It will no longer have the excuse of a legal inability to purchase American agricultural products.

Mr. Speaker, so while United States farmers look at new markets under this legislation, especially in other countries dealt with by the agreement, key pressure and leverage are maintained for a democratic transition in Cuba.

The agreement takes note of the floor votes regarding Cuba policy by the House and Senate in the recent past: the votes regarding agricultural sales to Cuba; the differing votes in the House and Senate with regard to travel, the Senate having voted against U.S. unrestricted travel to Communist Cuba, and the strong vote against totally dismantling the U.S. embargo on the Cuban dictatorship by this House on July 20 of this year.

The essential framework of the United States policy toward Cuba that sanctions will be maintained until the political prisoners are freed, labor unions and the press are legalized, and free elections are agreed to, is left in place in this legislation.

Mr. Speaker, we need not even look to the myriad lessons of history, though we certainly could, for proof of the wisdom of that policy. As we speak today, sanctions are being lifted against Yugoslavia, including travel restrictions, because, and only after, the dictatorship there held elections and agreed to recognize the winner of those elections.

Sooner or later, but mark my words, inevitably, freedom will come to the long-suffering island of Cuba as well, and the free men and women of the free and democratic republic of Cuba will wish to do business with those who choose to stand alongside them for freedom and did not collaborate with the totalitarian dictatorship.

I hope the House and Senate will pass this legislation to help our farmers. All eyes will then be on the Clinton-Gore administration. Will the President sign this conference report to help American farmers despite the opposition of the Castro dictatorship? I certainly hope that he does.

Mr. Speaker, I will let the appropriators speak to the other issues included in the conference report, but I do wish to strongly urge my colleagues to support this rule and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I thank my colleague, the gentleman from Florida (Mr. DIAZ-BALART), for yielding me the customary time.

Mr. Speaker, once upon a time, not too very long ago, this House passed two very forward-thinking amendments. One would have lifted the American embargo on food and medicine going to Cuba. It passed the House by a vote of 301–116. The other would have allowed American citizens to travel to Cuba. Mr. Speaker, that passed the House 232–186.

Mr. Speaker, nobody has heard about them since. I have been to Cuba. I have seen the pain of the Cuban people. I have seen the children in Cuba suffer

for lack of simple medical devices. Senior citizens in Cuba grow frail far sooner than they should for lack of modern medicine. Meanwhile, we in the United States have the world's best doctors, best hospitals, best researchers.

We should be sharing those discoveries with our Cuban neighbors because it is the right thing to do, not denying them because we oppose Fidel Castro's policies.

But this conference report will not let us do that. Mr. Speaker, this conference report subverts the will of the vast majority of the House, because the Republican leadership disapproves. The Republican leadership also apparently disapproves of allowing American citizens the right to travel freely.

Mr. Speaker the way it stands now, American citizens are allowed to travel to Iran. American citizens can go to North Korea, but they are not allowed to travel just 90 miles away from this country to a country that is no threat to us in any way.

I believe that this is an unjustified denial of Americans' liberty. I believe American citizens are the best kind of diplomats in the world, and our government should get out of the travel agency business and let them go where they want.

But, Mr. Speaker, the Republican leadership disagrees. This conference report codifies travel restrictions on Cuba which will make it harder for future administrations to allow Americans to travel to that island. This, too, despite a vote to the contrary.

So despite the overwhelming votes in the House, the Republican leadership has made sure we continue that effective ban on food and medicine to Cuba and prevent Americans from traveling there.

Mr. Speaker, once again, they put politics before people, and not only in Cuba. Despite the high costs of prescription drugs and the great opportunity before us, this bill will do virtually nothing, nothing to lower drug prices for the people right here in the United States. It is riddled with so many loopholes. Mr. Speaker, I am surprised that there is anything left of it at all.

Today's New York Times directly quotes a drug lobbyist saying, and I quote, ''I doubt anyone will realize a penny of savings from this legislation.''

In fact, this conference report enables drug companies to choke off the supply of low-price foreign drugs to American consumers who are out there looking for that break.

Mr. Speaker, American seniors pay about $1,100 a year for their medicine. In order to pay the bills, some of them have to choose between paying rent, heating their homes, buying food or actually getting their medicine; and that is why I am urging my colleagues to oppose the previous question.

If the previous question is defeated, I will offer an amendment to make in order the Democratic plan to allow access to the supply of lowest-cost medications that meet American safety standards.

Mr. Speaker, drug prices are far too high in the United States, and we need to do something about it. Now is our chance, so I urge my colleagues to oppose the previous question and oppose the rule.

Mr. Speaker, I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Speaker, I yield 5 minutes to the gentlewoman from south Florida (Ms. ROS-LEHTINEN), my very good friend and distinguished colleague.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the gentleman from Florida (Mr. DIAZ-BALART), my colleague, for yielding me the time.

Mr. Speaker, I rise in support of the rule for the agricultural appropriations conference report. The sanctions language in this bill is the result of a long and painstaking process, one which would not have been possible without the participation and support of those in leadership who, from the onset, committed themselves to a final product which would meet the expectations of both sides of this very hot debate.

While the language in this conference report makes changes to existing law, it does so without undermining U.S. foreign policy or national security priorities regarding the Castro regime, nor America's commitment to freedom and democracy for the enslaved Cuban people. By maintaining the licensing requirements and the review process, the provision acknowledges the Cuban dictatorship's support for global terrorism and guerrilla insurgents who seek to overthrow the legitimate, democratically elected governments in the Western Hemisphere.

Mr. Speaker, it underscores the Castro regime's espionage activities against the United States; its coordination of and direct involvement in drug trafficking into the U.S.; and its murder of U.S. citizens.

By prohibiting U.S. financing, credits, guarantees and bartering, the sanctions provisions in this bill acknowledge the lawlessness and the corruption that pervades the Communist system implemented by Fidel Castro and the totalitarian nature of a regime which controls all sectors of the Cuban economy, the government, and society as a whole.

These prohibitions underscore the dictatorship's inability to pay its debt. For example, the regime owes over $11 billion of debt to Western governments and $300 million in back payments owed to oil suppliers. This is just the microcosm of a much larger endemic problem.

As a result, the financing prohibitions in this bill protect the American taxpayers from bailing out Castro. It allows for agricultural trade with the regime, but on a cash-only basis, thereby saving our constituents from loan defaults and failed investments.

Mr. Speaker, by prohibiting imports from Cuba, it protects America's farmers from dumping, from other illegal trading practices, from contamination and infestation, from a regime which repeatedly ignores its commitments under global trade pacts which it has already signed.

More importantly, the sanctions provisions in this bill reiterate the historic and long-standing commitment of the United States Congress in support of freedom and democracy for the long-suffering Cuban people. By denying the Castro regime access to hard currency and U.S. financial institutions, it helps ensure that the U.S. does not become an accomplice to the continued subjugation and enslavement of the Cuban people; that the U.S. does not directly contribute to the coffers of this totalitarian regime.

As a result, the sanctions provision acknowledges that the Castro regime has been repeatedly cited by our own State Department as one of the worst violators of human rights in the world and condemned by both the United Nations Commission on Human Rights and the Inter-American Commission on Human Rights for its systematic, ongoing violations of the basic rights of its citizens.

This is a regime which persecutes and imprisons its citizens. It tortures them. It denies them food and medical attention. It forces them to rot in squalid jail cells, because these people have the courage to demand that their rights be heard, that their rights as human citizens be respected, to demand that their civil liberties be respected and upheld, to demand freedom, to call for free and democratic multiparty elections where they will be able to participate in determining Cuba's future.

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This is a dictatorship which has been condemned by the OAS Special Rapporteur for Freedom of Expression precisely for its blatant disregard for the rights of the Cuban people.

For those of us who have experienced firsthand what it means to live under the brutal Castro regime, the debate about whether to allow agricultural sales to Cuba was a gut-wrenching one.

However, the legislative process is founded upon men and women of principles reaching an agreement on issues, a compromise that will promote American interests here and abroad. This bill, Mr. Speaker, accomplishes this goal.

Mr. Speaker, I urge my colleagues to support the rule, to support the conference report; and reiterating the words of the gentleman from Florida (Mr. DIAZ-BALART), I would also like to thank the people on our side of the aisle who helped in fashioning this agreement: The gentleman from New Mexico (Mr. SKEEN), the gentleman from Florida (Mr. YOUNG), the gentlewoman from Missouri (Mrs. EMERSON), the gentleman from Missouri (Mr. BLUNT) and the gentleman from Washington (Mr. NETHERCUTT).

Mr. Speaker, I hope this bill sends a strong message to the Cuban people that we in the United States Congress stand by their side and not by their regime.

Mr. MOAKLEY. Mr. Speaker, I yield 2½ minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I rise to oppose this rule. Mr. Speaker, today is a very sorry day for the American people. It is a sorry day because a small group opposed to the will of this House and the will of the other body have struck a deal among themselves depriving the American people access to Cuba.

This bill will loosen restrictions on the commercial sale of food and medicines to the governments of North Korea, Libya, Sudan and Iran, but Cuba is treated differently. When it comes to Cuba, our farmers and medical companies will have to find financing, not through American banks, but through third country financial institutions.

This makes it far more likely that Cuba will continue to be forced to purchase food, other agricultural products, medicines and medical devices from other countries. It all but guarantees that small and medium-sized American farmers will not be competitive in a Cuban market.

The Cuba provision in this bill hurts American farmers, it hurts American bankers, and it is an insult to the American people. This bill also codifies current restrictions on travel to Cuba.

Should this President or the next President want to extend travel licenses for universities to set up exchange programs from the current 2-year license to 3 years, he will have to ask Congress.

Should this President or the next one want to allow Cuban-American families to travel to Cuba three times a year instead of the current once-a-year permit, he will have to ask Congress.

Should this President or the next one decide all Americans should have the freedom to travel wherever they choose, he will have to ask Congress.

But wait a minute. Congress has already spoken on these issues. Three hundred one Members of this House voted to lift the restrictions on the sale of food and medicine to Cuba. Two hundred thirty-two Members of this House voted to end the sanctions on travel to Cuba.

So who needs to be asked? Not Congress. Just a handful of Members who still cling to the 40-year-old failed Cold War policy of the past.

Mr. Speaker, the Cuba provision in this bill ensures that the American people, the very best ambassadors of American values and ideals, will be banned by their own Congress from traveling just 90 miles off our shore. That is a disgrace.

I urge my colleagues to oppose this rule and demand that this bill reflect the true will of this House and the will of the American people.

Mr. DIAZ-BALART. Mr. Speaker, I ask the gentleman from Massachusetts (Mr. MOAKLEY) how many speakers he has on his side that wish to speak.

Mr. MOAKLEY. Mr. Speaker, I would like to inform the gentleman from Florida (Mr. DIAZ-BALART) that we have many speakers. We have very many speakers. In fact, all our time is given out.

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the reality of the matter is that, first of all, as I stated in my statement previously, there is a difference of opinion with regard to the travel issue. By the way, the travel issue was brought to the floor here on a limitation amendment, not a substantive amendment, a limitation amendment.

Yet even assuming that that was an amendment wherein or whereby the House spoke, there was not a limitation amendment, but a substantive amendment before the Senate, a different result. So it is important that it be brought out that there is a difference of opinion with regard to that issue in recent votes between the House and Senate.

With regard to the examples brought out about academics and others being able to travel, that is under the current restrictions, under the current regulations permitted. So what is not permitted under this legislation is an expansion of further travel and initiative with the purpose of the most immediate, what would constitute the most immediate generator of hard currency for the regime.

It is estimated that massive American tourism would produce up to $5 billion a year for the Cuban regime. Right now we are in a situation where, if my distinguished colleagues would read the wires, for example, with regard to the very little coverage that there is of the internal situation of Cuba, there is a crackdown as we speak against dissidents and other peaceful pro-democracy activists in Cuba. There are sentences being handed out of 15 years or 10 years as we speak. So is this the moment, then, to expand accepted gestures towards the regime.

Now, we are saying to the farmers, you can go and sell if Castro pays, but the U.S. taxpayer is not going to. The U.S. taxpayer is not going to finance Castro. No, no, no. For that, there is no consensus. There is no majority here, I can assure my colleagues. Mr. Speaker, the U.S. taxpayer financing substituting for the Soviet Union, no. That is not something that American farmers want. They want to be able to go and compete, but they do not want Castro and his regime of thugs to be subsidized by the U.S. taxpayer. No. That is not the issue.

Now, some in this Congress would like that. Some in this Congress would like the U.S. taxpayer to become the new Soviet Union and subsidize Castro, but that is not what the American people want.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Mr. Speaker, I rise today to speak against the rule to consider the Agriculture conference report. My specific concern is with the reimportation language. As it stands, it is nothing more than a Trojan horse.

Seniors in my congressional district have asked me time and time again to do something about the skyrocketing prices of prescription drugs. This has certainly been a priority for me, and it has definitely been a priority for Democrats.

Sadly, there are some for whom this is not a priority such as those who replace the bipartisan reimportation compromise with a watered down version. These people are going to leave seniors to pay the price for their indifference.

The Democratic pharmaceutical reimportation plan is safe, effective, and keeps savings in the pockets of our seniors and out of the pockets of the pharmaceutical industry. The current version does not.

Our plan allows broad access to supply the lowest cost medications that meet U.S. safety standards. The current version does not.

Our plan is designed for a lifetime. The current version is not. I urge my colleagues in the House vote no on the rule to consider the Agriculture conference report. Because of the prescription drug reimportation language is just that, language.

The SPEAKER pro tempore (Mr. NUSSLE). The gentleman from Massachusetts (Mr. MOAKLEY) has 23 minutes remaining. The gentleman from Florida (Mr. DIAZ-BALART) has 16½ minutes remaining.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, the drug reimportation provision in this bill is a sham. The provision the Republicans are now proposing is riddled with loopholes that will render its passage virtually meaningless.

First of all, it includes a sunset clause. After 5 years, the proposal is phased out. Second, under this sham proposal, if manufacturers use foreign language labels or any labels that fail to meet FDA specifications, the drugs will not be eligible for reimportation.

The Republican leadership also included a third loophole for the pharmaceutical industry's protections that allows drug companies to enter into restrictive contracts with foreign distributors that prevent such distributors from reselling pharmaceuticals to American pharmacies and wholesalers.

This is business as usual for our seniors, which means price gouging and price discrimination.

Under the Democratic proposal, every Medicare beneficiary will have the option of enrolling in the prescription drug benefit plan that, not only is affordable, but will guarantee access to

all medically necessary drugs and provide coverage for catastrophic drug costs. These are the types of measures that we should be considering today.

Stop this fraud from being perpetrated on our seniors. Vote no on this rule.

Mr. DIAZ-BALART. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New York (Mr. WALSH).

Mr. WALSH. Mr. Speaker, I thank the gentleman from Florida for yielding me time on this well-constructed rule. I rise in strong support of the rule and of the bill.

The work that the Subcommittee on Agriculture of the Committee on Appropriations has done under the leadership of the gentleman from New Mexico (Chairman SKEEN) I think is a strong work product, and they are to be commended.

This was a very difficult bill, loaded up with a lot of extraneous issues that really are not specifically appropriations issues. But, nonetheless, the committee took on the challenge.

I am very proud, Mr. Speaker, of the fact that we provided $3.5 billion in emergency relief to our farmers, including the farmers in the dairy industry that have suffered for so long with such low prices. This will provide them with some stability in the marketplace and enable them to continue on a very difficult course of producing milk and making profit.

The same goes to our apple producers who have never had the benefit of this sort of support before from the Congress. I think it is landmark legislation in that we have provided these emergency funds. Many of the apple State legislators, the gentleman from New York (Mr. REYNOLDS), the gentleman from Washington (Mr. HASTINGS), and others worked very, very hard to include this hundred million dollars plus funding.

We have also, Mr. Speaker, changed the rules on the Hunger Relief Act, the food stamp requirements. I think this is a very important minor fix to some of the reforms that an earlier Congress had endeavored to pass. To reduce the overall cost of public assistance and food stamps in the country was an absolute success.

Well, welfare reform has been an absolute success, including the fact that we have raised over 2 million young people in this country out of poverty through that Welfare Reform Act.

However, two of the things that needed to be changed on food stamp regulations were the value of an automobile. If one had an automobile worth more than $4,600, one did not qualify for food stamps. We changed that. The States now can set their own value.

Also, we changed the shelter allowance. With oil prices rising and energy costs rising, rental, apartment rents that are attached to those will also rise. We change that to increase the shelter allowance from $280 to $340 which will allow more people to move from welfare to work and yet still have the benefit of food stamps. So I think it is an important reform.

Mr. Speaker, there are many important issues in here. The last that I will mention is the reimportation of drugs. We have done a lot of demagoguery on the other side. Quite frankly, Mr. Speaker, the next President of the United States will determine with this Congress what the prescription drug plan is. We think we have a good one that gives people choices instead of letting HCFA, an agency that everybody despises on all sides of the issue have no use for HCFA, but yet they want to hand this decision over to HCFA. We prefer to let the seniors make those decisions themselves.

But what we have done is given the opportunity for individuals to buy drugs reimported into the United States at reduced prices to try to bring everybody's costs down.

Let the consumers help the consumers to pay for drugs until there is a prescription drug plan in place. I think it is a strong bill. It is a good rule. I urge its adoption.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me this time.

Mr. Speaker, I rise in opposition to this rule. For the last 2 years, Democrats have been fighting to provide America's seniors with a universal, affordable, and guaranteed prescription drug benefit under Medicare. Republicans have fought tooth and nail to resist these attempts.

Now, 1½ months before the election, Republicans have agreed to let pharmacies buy drugs from Canada for sale to U.S. citizens. Unfortunately, what started as a bipartisan compromise has been scrapped.

This legislation allows drug manufacturers to discriminate in pricing against U.S. importers. It allows manufacturers to deny U.S. importers access to FDA approved labels. It allows purchasers to force Canadian wholesalers to sell products at the inflated American price. Reimportation is rendered nearly impossible by this bill.

It is not surprising that a drug industry lobbyist was quoted this morning in The New York Times saying, ''I doubt anyone will realize a penny of savings from this legislation.''

This legislation will not help our seniors. The American people will see through this empty Republican promise.

Mr. MOAKLEY. Mr. Speaker I yield 1 minute to the gentleman from California (Mr. WAXMAN).

(Mr. WAXMAN asked and was given permission to revise and extend his remarks.)

Mr. WAXMAN. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me this time.

Mr. Speaker, I want to follow what the gentleman from Maine (Mr. ALLEN) just had to say. This drug reimportation section is really a sham. It is a partisan ploy by the Republicans to pretend like they are doing something by allowing consumers to bring in lower price drugs sold in Canada and elsewhere into the United States.

But I have a good example. I have two pharmaceutical products. They are the exact same brought. One is Prilosec. It is the number one drug in the United States. The other one is the same drug, it is also made by the same company, but the Canadian version goes by a different name called Losec.

This bill allows the pharmaceutical companies to get the Canadians to agree that they will not allow Losec to come into the United States under the name Prilosec. Under the rules, the consumer would pay the higher price still in the United States because they would not be able to purchase that drug that sold in Canada for a cheaper amount.

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I would urge that we defeat the previous question so we can get a rule to make this drug reimportation section really work for consumers.

Mr. Speaker, I rise to express my opposition to the rule on the Agriculture appropriations bill. This rule does not allow language to close the loopholes in the drug reimportation provisions reported by the conference. I ask my colleagues to defeat the previous question on this rule so that we will have an opportunity to amend the drug provisions.

The legislation we are considering today only pays lip service to a very real problem facing millions of Americans across this country—the high costs of prescription drugs.

The legislation before us today is a sham. Instead of actually solving the problem, it gives America's seniors a placebo and hopes that they won't notice until after the elections.

The reimportation provision is riddled with loopholes. One loophole allows drug manufacturers and their intermediaries to price discriminate against U.S. pharmacies and importers. Under the bill, it would be legal for drug companies to require their foreign distributors to charge U.S. importers more than foreign purchasers.

A second loophole allows drug makers to block importation by denying U.S. importers access to FDA-approved labels.

I have two packages of pills here. One is from the U.S. and one is from Canada. They are the same drug—an ulcer medication made by Merck and called Prilosec in the U.S. Prilosec was No. 1 selling drug in the United States in 1999.

The U.S. version costs much more than the Canadian version. The whole purpose of the bill is to allow the import of the cheaper Canadian version.

But under this bill, the Canadian version of Prilosec can't come in. You see, the label is different. The drug is called Losec in Canada and the label has an entire section of information written in French. So the label isn't FDA-approved.

There's nothing that the U.S. importer can do to fix this. The importer will be barred from using the correct label by U.S. copyright and trademark law.

This isn't an isolated case. My staff has analyzed Canadian labels and found that virtually none of the Canadian labels would meet FDA labeling requirements. I ask unanimous consent that this staff report be printed in the RECORD.

Our seniors deserve better than this. They deserve better than false promises of cheap drugs. They deserve more than false hopes that they will be able to buy the drugs they need.

PRESCRIPTION DRUGS WITH FOREIGN LABELS

The drug importation provisions in the Agriculture Appropriations bill contain several significant loopholes. One major loophole is created by the fact that foreign drug labels generally differ from the FDA-approved labels that must be used in the United States. In effect, the bill creates a labeling ''Catch-22'' for would-be U.S. importers.

As the bill is currently drafted, U.S. importers cannot import foreign drugs with labels that differ from the FDA-approved label. But U.S. importers cannot relabel the drugs with FDA-approved labels because doing so would violate the copyright and trademark protections held by the drug manufacturers. An amendment offered by Rep. DeLauro to give U.S. importers the right to use the FDA-approved labels was voted down on a party line vote (9–6) during the conference.

The following discussion provides more information about this labeling ''Catch 22,'' along with examples of foreign drugs with labels that differ from the FDA-approved labels.

Selling drugs without the FDA-approved label is misbranding. Prescription drug labels provide basic information on the drug, its formulation, the manufacturer and distributor, and how it is used. Every country has different labeling requirements. In the United States, when a company files an application for approval of a new drug, the company submits the label to FDA. Any deviation from the label submitted by the manufacturer without prior FDA approval constitutes misbranding of the drug. The penalties for misbranding under the Federal Food, Drug, and Cosmetic Act include fines and imprisonment.

Some drugs are sold under different names in the different countries. Prilosec, an ulcer medication made by Merck, was the number one selling drug in the United States in 1999. It is much more expensive in the United States ($120.45 for thirty 20 mg pills) than in Canada ($51.60) or Mexico ($34.50). However, in Canada and Mexico, the drug is sold under a different brand name: Losec. Because of this difference in names, the Canadian or Mexican labels are not the FDA-approved label. Bringing Prilosec into the United States with the Canadian or Mexican label is misbranding.

Drug labels can be in different languages. In the United States, approved drug labels are in English (sometimes FDA also approves labels with some information in Spanish). In Mexico, labels are in Spanish; in Italy, labels are in Italian. Canadian drug labels are bilingual, in French and English. Labels that are not in English, or that are bilingual English-French labels, differ from the FDA-approved label. Distributing drugs with these labels is misbranding.

Drug labels can have different identification numbers. In the United States, all approved drugs receive an FDA identification number, known as a National Drug Code number. This number appears on virtually all U.S. labels. In Canada, however, approved drugs have a different number, a Drug Information Number (DIN). The DIN appears on all Canadian labels. Because the U.S. NDC code and the Canadian DIN are different. Canadian labels differ from the FDA-approved label, and selling a drug with a Canadian DIN in the United States constitutes misbranding.

Drugs are often distributed by different entities in different countries. When a manufacturer submits an application for approval of a new drug, the manufacturer must identify all the distributors of the drug. In many cases, the distributors of the drugs in the Unites States are different from the distributors in many countries. For example, the popular diabetes drug Glucophage is distributed in the United States by Bristol-Myers Squibb. However, when sold in Canada, the drug is distributed by Nordic Laboratories. If the Canadian distributor is not approved by FDA, drugs with labels listing this distributor differ from the FDA-approved label and cannot be sold in the United States.

Drugs can have different indications. For some drugs, the indication information provided on labels from other countries is not the same as the U.S. information. For example, Dilantin, an anticonvulsant manufactured by Parke-Davis, contains the following information on the Canadian label: Adults, initially 1 capsule 3 times daily with subsequent doses individualized to a maximum of six doses daily. Usual maintenance dose is 3 to 4 capsules daily. Children over 6 years of age, 1 capsule three times daily or as directed by physician.

The U.S. label contains slightly different information for adults and no dosage information for children. The U.S. label states: ''Adults, 1 capsule three or four times daily or as directed.'' Because the United States and Canadian versions of the drug label contain different dosage information, the drug cannot be sold in the United States with the Canadian label.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Speaker, I urge a ''no'' vote on this rule. I strongly support the concept of reimportation, and helped to introduce the initial legislation with the gentleman from Arkansas (Mr. BERRY) and the gentlewoman from Missouri (Mrs. EMERSON). I support that concept because it is an outrage that the people of this country pay two times, five times, ten times more for the same exact drugs manufactured in the United States and sold in Canada, sold in Mexico, and sold in Europe.

We are the suckers of the world, paying far more to an industry which is the most profitable industry in this country, earning $27 billion in profits, while the pharmaceutical industry fought us from the beginning on this bipartisan effort. They spent $40 million against us. They have 300 paid lobbyists in Washington, D.C. fighting against us; yet we moved forward in a bipartisan way.

Unfortunately, at the very end of the stage, at the end of the process, a nonpartisan effort became partisan. The Republican leadership introduced legislation with significant loopholes which would go a long way to nullify what we tried to do. Let me quote The New York Times today. A lobbyist for one of the Nation's biggest drug companies, which have worked against the measure, said, ''I doubt that anyone will realize a penny of savings from this legislation.''

The existing legislation allows the following loopholes: it allows drug companies and their intermediaries to price discriminate against U.S. pharmacies and importers. In other words, yes, we can import product into this country, but it cannot be sold for a lower price than the existing price. It allows drug manufacturers to block the importation of drugs through labeling. Yes, we can bring drugs in from Italy, but we cannot use labels that the American people can understand that will get FDA approval. It does not guarantee American consumers access to the best world market prices. For a reason that no one can understand, Mexico and other countries are not part of the process.

Let us vote ''no'' on this rule and let us create a strong loophole-free reimportation bill.

Mr. DIAZ-BALART. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER).

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I thank the gentleman from Florida (Mr. DIAZ-BALART) for yielding me this time, and I would like to rise and congratulate my fellow Committee on Rules member for the very important role he has played in bringing about a very balanced compromise.

It is no secret that I have for years stood in the well here and talked about the importance of globalization and global trade and expanding our Western values into repressive societies. I happen to believe that it has had a great deal of success, and I know that there are many here in this House who actually voted to broadly open up Cuba. But we were working on this compromise with the gentleman from Florida (Mr. DIAZ-BALART) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) and several others here. So that is why I believe we have a carefully crafted compromise, and we hope very much the President is going to agree to sign this bill.

I also want to say that I believe when it comes to the issue of prescription drugs, we are pursuing a reasonably balanced approach on that. We all want to make sure that affordable drugs are available to our senior citizens, and a prescription drug plan happens to be a very high priority for this Republican Congress. The fact of the matter is our colleagues on the other side of the aisle are attempting to go to what is clearly a failed policy. It was a failed policy when it was applied here in the United States by a Republican administration, President Nixon, who imposed wage and price controls. It is a failed policy when we look at repressive societies all around the world.

Cost controls do not work. And when we look at the issue which is of prime concern to every single one of us, and that is finding a cure for diseases like Parkinson's, Alzheimer's, cancer, heart disease, it seems to me that we need to do everything that we possibly can to

try to encourage and provide incentives for those individuals and those companies which are attempting to find cures for those so that we can, in fact, have an improved quality of life and we can have an extension of life, which is something that is very near and dear to all of us.

So that is why this bill deserves our strong support. I urge my colleagues to support this rule. Vote against the previous question, or whatever it is they might try to offer, and let us proceed and get a measure to the President's desk which he can sign.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Ms. KAPTUR), the ranking member of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Committee on Appropriations.

Ms. KAPTUR. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MOAKLEY) for yielding me this time.

Mr. Speaker, I rise to oppose this rule and to ask our Members to vote ''no'' on the previous question on the rule. Now, why do I do that, as ranking member of the subcommittee? The base bill is good; however, we want to defeat the previous question in order to offer an amendment that would allow us to have a real prescription drug benefit provision for the American people. And the only way we can get that amendment is by voting no. In fact, this will be the only measure in this Congress where we will be able to help lower prices in prescription drugs for the American public.

In this bill there is a so-called provision for prescription drugs, but I ask my colleagues to read it. What does it do? First of all, it expires after 5 years. So what importer or wholesaler is going to want to get in the business of bringing in drugs from Canada, at Canadian prices, which are lower than U.S. prices, when you know it would not be continuing down the road?

In addition to that, the underlying measure has a provision that would permit the big drug companies to insert contracting provisions that if any drugs are brought back into our country, for example, from Canada, they could only be sold at the higher U.S. prices rather than at Canadian prices. Our amendment says they cannot do that. They cannot have those kinds of restrictive contracts.

In addition, in the base bill, there is a provision that would deny the ability of the importers in our country to use the FDA-approved label so that we have the same name of the drug and we know that it is scientifically approved by FDA. They actually deny that in the underlying amendment. They would not allow us to amend the bill when we were in the conference committee.

So I would urge the membership to please give us our only opportunity in this Congress to vote for a real prescription drug benefit for the American people. Vote ''no'' on the previous question, this rule.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Speaker, I urge the defeat of this rule, not because the underlying bill is poor. It is not. But because this rule does not give us an opportunity to insert within the bill language which would allow for a meaningful reduction in the price of pharmaceuticals for American citizens.

The bill pretends to allow the reimportation of pharmaceuticals from Canada, where they are available at one-half the price or less than that which they are available for here in the United States. It pretends to do that, but it does not really carry out that objective. It makes an omission, knowingly and wittingly, in that it does not provide for the means by which that importation will take place.

For example, the language in the bill leaves open the ability of the pharmaceutical companies in their contracts with the Canadian Government and Canadian distributors to insert contract provisions which will require that the drugs from Canada can only be reimported back into the United States at the highly inflated American price. For example, there is a very popular cholesterol inhibitor which is manufactured by Merck. It is available in Canada for $39. The same amount of exactly the same formulary, from the same company, costs $117 here in the United States.

If we are going to do anything to prevent the continued exploitation of American consumers in the price of pharmaceuticals, we have to defeat this rule. This is the only opportunity we have to deal with this issue in this Congress because the majority party has only given us this one opportunity, and it is a sham opportunity. It is a shell. It is empty. It does not accomplish the objective.

If we want to do something to reduce the price of pharmaceuticals, the only opportunity we will have to do that is by defeating this rule. The rule must be defeated.

Mr. MOAKLEY. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Mrs. MALONEY).

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Mr. Speaker, I rise in opposition to the rule. It is riddled with loopholes and will do little to lower drug costs here in the United States.

I rise in support of this legislation which includes funding for a number of important initiatives to fight invasive species in the United States. I am specifically pleased that this bill includes $540 million for the Animal and Plant Health Inspection Service and $973 million for the Agricultural Research Service.

Both of these programs are essential to ensure that we win our battle against harmful invasive species that are killing our forests and farmlands.

The threat of invasive species outbreaks as a result of recent wildfires across the country have made many Members aware of the incredible threat that invasive species can pose to our natural resources, and I would like to thank the appropriators for including additional funding for APHIS and ARS, two programs which specifically help to control invasive species.

In New York, we are fighting the Asian Longhorned Beetle, which has already destroyed more than 2600 trees. Earlier this year, these beetles were found in several new locations across New York City. Experience has taught us that the only way we can destroy these incredibly destructive pests is to respond immediately and decisively.

The additional resources provided for APHIS and ARS will guarantee that we can accomplish this goal and protect New York City's greenspaces and forests across the country.

I strongly urge my colleagues to support this critically important legislation today.

I would also like to comment on the inclusion of provisions designed to deal with prescription drug imports. Although this bill will allow pharmacies and wholesalers to buy American-made prescription drugs and reimport them into the United States, this bill will do nothing to lower drug costs for people in the United States. It is riddled with loopholes.

In my home State of New York, breast cancer medications can cost over $100 per prescription while they are available in Canada and Mexico to their residents for a tenth of that price. Many women in my home State and, indeed, across the country are forced to dilute their prescriptions that fight breast cancer, to cut their pills in half because they cannot afford their prescription drugs in order to get by financially. And many in my home State get on the bus every weekend to go to Canada to purchase American manufactured drugs because it is cheaper than in their own country.

This situation is completely unacceptable. Sadly, the reimportation provisions included in this bill will likely have little effect on these seniors and many others around the Nation. We need to take stronger action to protect seniors forced to travel abroad to obtain medicines they desperately need. This language fails to achieve this goal.

Finally, this Congress needs to act now to pass real prescription drug legislation to solve this problem once and for all. I strongly support the bill put forward by the gentleman from Maine (Mr. ALLEN) which would make seniors the same preferred customers as HMO's and also the President's plan to expand Medicare to cover prescription drugs.

I urge this Congress to take real action on this issue today and make a difference for America's seniors.

Mr. MOAKLEY. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, the Republican reimportation bill is a scheme that is so full of loopholes you can drive a truck through it. It denies seniors a chance at relief from the skyrocketing costs of prescription drugs. Seniors are being choked to death with the cost of prescription drugs. What we

need to do, and what our goal should be, is to provide a prescription drug benefit through Medicare that is voluntary and covers all of our seniors.

Today, we have this sham pharmaceutical reimportation bill that was made in the dead of night by a very few Members of the Republican leadership behind closed doors. Today, prescription drug manufacturers can import prescription drugs. They are the only ones who can import prescription drugs into the United States. They have unfairly used this to control the distribution of the drugs at the expense of seniors.

Seniors know, and we all know, that people in other countries pay 20 to 50 percent less for the same medications. Zantac, made by Glaxo-Wellcome in the U.K., is marked up by 58 percent in the United States. Our seniors deserve better; they deserve the same medication at the same price.

This reimportation scheme really restricts access to safe, affordable prescription drugs from abroad. It gives drug manufacturers a veto over the imports, and it is set to die just 5 years after the FDA regulations are in place.

Currently, U.S. reimporters cannot bring foreign drugs with labels that are different than the American labels into this country. The Republican leadership scheme traps U.S. reimporters by refusing to let them relabel the drugs, forcing them to violate copyright and trademark laws if they want to bring those affordable drugs to our seniors. Example: Dilantin. Made in Canada with one label; U.S., different label. We cannot bring the Canadian Dilantin into the United States without the same label. The pharmaceutical companies do not want to give permission to relabel Dilantin.

That is what this is about. This is one more attempt by the Republican leadership of this House to work with the pharmaceutical companies to thwart every single opportunity to bring in prescription drugs that seniors need to keep them healthy and to keep them alive. They do not want to, in fact, bring the cost of those drugs down, to bring the prices down so that people can get the medications that they need.

It is wrong and it is unconscionable and it is immoral for us to engage in this kind of trickery here today. Vote against this rule.

Mr. MOAKLEY. Mr. Speaker, may I inquire as to the time remaining for myself and my colleague.

The SPEAKER pro tempore (Mr. NUSSLE). The gentleman from Massachusetts (Mr. MOAKLEY) has 11½ minutes remaining, and the gentleman from Florida has 11 minutes remaining.

Mr. DIAZ-BALART. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, I thank the gentleman for yielding me this time.

I must say, in listening to the rhetoric here and the passion of my colleagues across the aisle, I am a little confused, because they know that the language that is in the House bill is stronger and goes further than the original language offered by the gentleman from Minnesota (Mr. GUTKNECHT), the gentleman from New York (Mr. CROWLEY), the gentlewoman from Missouri (Mrs. EMERSON), the gentleman from Oklahoma (Mr. COBURN), the gentleman from Vermont (Mr. SANDERS), and all the stuff that we passed on the floor.

What we did in the House was we split the difference between the Jeffords language in the Senate and some of our House amendments. But as somebody who has worked for this language, I think this is good, and here is why.

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It brings down the cost of drugs by putting a needed element of competition into it. We, under this bill, say that individuals can buy their drugs on the Internet or go over to Canada or Mexico and buy American-manufactured drugs at a less expensive price and drug stores can reimport this. There are safety concerns, $23 million for the FDA. There are certain kinds of drugs that we cannot reimport.

As far as the sunset provision goes, does anybody believe that in 5 years we are going to retract from this? This just gives time after the FDA works out the safety concerns for the thing to work and for Congress to come back at it.

Now, we were not able to get into some of the contractual issues that the Democrats wanted to, Mr. Speaker, because that overturns a profound, I guess, precedent of case laws that have to do with contractual law in America.

What we did was as close as we could get. Let me add, the Senate Democrats unanimously voted for these provisions because they know for people like Myrlene Free's sister in El Paso, Texas, who takes Zocor that she has to pay $97 for it in El Paso. She knows that, under this legislation, she can go to Juarez, Mexico, and buy that same American-made Zocor for $29; and it is the same dosage, the same amount, and everything.

This is going to help not just seniors but Americans, women with children, families. It is going to help everybody by putting much needed competition. The drug companies are totally against this. They have been running ads in my district against me because I think this is good legislation and I support it, and I urge my colleagues to pass this bill.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me the time.

Mr. Speaker, I rise to oppose the rule.

Mr. Speaker, sometimes I wonder whether the Republican leadership in this Congress reports to the Congress or reports to the prescription drug industry.

The public is sending a clear message that they are sick of unjustifiably high and blatantly discriminatory prescription drug prices.

Democrats offer a proposal featuring an optional Medicare drug benefit. The Democrats offer a proposal to discount drug prices using the collective bargaining power of 39 million Medicare beneficiaries. The Democrats offer a strategy for undercutting international price discrimination with the ability to reimport prescription drugs.

Republicans refuse to even consider price discounts for seniors. They emasculate the reimportation proposal. Then they sunset this phoney bill before the provisions even have a chance to kick in.

A watered down drug reimportation bill is marginally better than no bill at all; But, Mr. Speaker, I do not want a single American to be fooled into thinking the Republican leadership has been responsive to the prescription drug crisis. The only constituency that they have been responsive to is the prescription drug industry.

Vote no on the rule.

Mr. MOAKLEY. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. CROWLEY).

(Mr. CROWLEY asked and was given permission to revise and extend his remarks.)

Mr. CROWLEY. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me the time.

Mr. Speaker, when we passed my amendment here in the House, I have to tell my colleagues it has nothing to do in any way, shape, or form with the language that is before the House today. When my amendment passed this House over the Agriculture appropriations bill, millions of dollars were spent in advertisements against that measure to see that it would not pass in the Senate.

I have not seen one advertisement in opposition to the Republican language here before us today, not one piece of advertisement for the pharmaceutical industry.

Does that not say it all? We try to work in a bipartisan fashion, but, unfortunately, the Republican leadership here killed that because it was too tough. Our compromise was too tough on the drug companies.

The GOP has offered their own plan and it is filled with loopholes. The plan is ineffective. It bans reimportation from a number of countries. It does not require drug companies to provide importers their FDA-approved labeling standards. It sunsets reimportation in 5 years. Who wants to invest in that type of a process?

The GOP has opposed drug coverage under Medicare. They have opposed price fairness legislation. And now they oppose real language that will reduce the cost of prescription drugs between 30 and 50 percent without costing the taxpayers one single cent.

The facts are that seniors in my congressional district pay twice as much for their prescription drugs as their counterparts in Canada and Mexico. And under the language before us under this rule, they will continue to do so even when this legislation is passed.

Just like their prescription drug bill, this legislation, this language is a scam.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri (Mr. GEPHARDT) the leader of the Democratic party.

(Mr. GEPHARDT asked and was given permission to revise and extend his remarks.)

Mr. GEPHARDT. Mr. Speaker, I rise today because once again this Congress has failed the American people and handed the special interests a victory. I am deeply disappointed with this reimportation provision in this bill. There is now widespread agreement that this measure will do next to nothing for the American people.

A lobbyist for a major drug company told The New York Times that he doubted ''that anyone will realize a penny of savings from this legislation.''

Last month, Democrats and Republicans were working hard to craft effective importation legislation that contains strong safety standards. Reimportation was on its way to becoming a real achievement for the American consumer.

To be sure, reimportation was never a substitute for a Medicare prescription benefit that offered a guaranteed benefit and lower medicine prices for all seniors. But it was a step in the right direction, a rare example of what we as a Congress could do when we set aside our differences and come together to help the people of this country.

But a few days ago, just as we were about to move forward, the bipartisan dynamic ran into a brick wall, a brick wall of a leadership unbending to compromise, unwilling to detach itself from special interests to pursue a larger agenda.

Operating behind closed doors, after a bipartisan agreement had almost been reached, the Republican leadership torpedoed a sound reimportation measure that could have resulted in lower prices for millions of consumers.

Looking for political cover after repeatedly blocking a Medicare prescription benefit, the Republican leadership put out a sham reimportation measure that is not worth the government paper that it is printed on. Riddled with loopholes, this measure allows pharmaceutical companies to circumvent the new law and it sunsets in 5 years. So whatever benefits come from the bill the American people can be sure that they will disappear soon. And we are told that the people in the industry that would do this will not even set it up if there is a 5-year sunset provision.

The measure as it now stands is nothing more than a capitulation to the special interests at whose bidding the Republican leadership works.

Listen to what people are saying about the watered down measure. The New York Times today reported that ''doubts are growing about legislation to allow imports of low-priced prescription drugs, and no one in the government or the drug industry can say how it will work or even whether it will work.''

The health policy coordinator at the White House said this measure is now ''unworkable.''

What happened to the bipartisan, sensible measure that we should be voting on today? Why did the leadership torpedo that bill and replace it with a meaningless measure that does nothing for real people?

The answer lies in a leadership that is so tied to special interests that it blocks major initiatives at the expense of the American people.

Congress has wasted 2 years now trying to accomplish something meaningful for the American consumer. But this leadership has been more devoted to the powerful lobbies than to working families.

The leadership blocked campaign finance reform, a Patients' Bill of Rights, a Medicare prescription benefit, gun safety legislation, and a modest increase in the minimum wage as favors to HMOs, insurance companies, pharmaceutical companies, big business, and the NRA.

I and many of my colleagues will support this measure because it contains disaster relief and hunger relief for many in our country. But time is running out on this Congress. We have only a few days to do something meaningful for the American people.

Reimportation is dead. But I believe with all my heart there is time to do something with the people's agenda. We can still pass the bipartisan bills that majorities in Congress have already supported, that the President says he will sign, and that the American people want.

I urge the leadership to stop blocking America's agenda. Let us do what the American people sent us here to do and let us do it in a bipartisan way.

Mr. DIAZ-BALART. Mr. Speaker, I yield 1½ minutes to the gentleman from Washington (Mr. NETHERCUTT) a tough negotiator and a tough advocate, but a friend.

Mr. NETHERCUTT. Mr. Speaker, I thank my dear friend, Mr. DIAZ-BALART for yielding me the time.

Mr. Speaker, too often in this place each of us in our respective positions on an issue seek perfection. We want it only our way. And I think this bill, this measure, this appropriations conference report is a picture of bipartisanship, of compromise, of not everybody getting everything they wanted in particular in the context of this bill.

But, overall, it is a good package. It provides prescription drug assistance. It provides tremendous agriculture research. It gives us a chance to lift sanctions on food and medicine for countries that we have previously sanctioned unilaterally for all these years.

Is it perfect? No, it is not perfect. I wish I had it a different way in some respects for my purposes, but that is not the nature of this legislative system. So I would say to my friends on the other side respectfully, certainly they did not get it all 100 percent the way they want, but it is a great step forward.

This rule should be adopted. Anyone who supported the position that I have taken on limiting sanctions on food and medicine, I urge them on both sides of the aisle to support this rule, support this conference report, and let us get this to the President and get it signed so we can move agriculture forward.

This bill has $100 million in food bank assistance. Try voting against that. That is not advisable. It has prescription drug assistance in it. It has in it agriculture research that will help our farmers compete in a world market.

I urge my colleagues to support this rule.

Mr. DIAZ-BALART. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Georgia (Mr. BISHOP).

Mr. MOAKLEY. Mr. Speaker, I also yield 1 minute to the gentleman from Georgia (Mr. BISHOP).

Mr. BISHOP. Mr. Speaker, I rise today in support of the 2001 conference report on the Agriculture appropriations bill that provide critically needed funding to meet both the short-term and long-term needs of the country's farming community, which is struggling valiantly to survive during this period of increasingly high production costs and persistently low commodity prices.

The bill includes $3.5 billion in new emergency relief that many deserving farmers must have to get through the hard times; funding for crucial research projects that are needed to ensure the future competitiveness and prosperity of U.S. farming; and a wide range of programs to promote land and water conservation, health and nutrition, and the economic well-being of our rural areas.

I fought for these programs, both as a member of the Committee on Agriculture and as a Representative in Congress of an area in Georgia that is deeply rooted in the farming tradition.

In many respects, this is a good bill. In the area of research, for example, it appropriates more than a million dollars for work at the Peanut Research Laboratory in Dawson, thanks to an agreement I secured on this floor with my colleague from Georgia who serves on the Agriculture Appropriations subcommittee; $300,000 for the University of Georgia's National Center of Peanut Competitiveness; $500,000 for addressing peanut food allergy risks; $250,000 for research in Tifton, Georgia, on crop yield losses caused by nematodes; and $78 million for boll weevil eradication

projects, which can ensure a more secure future for our farmers and for our economy in general.

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At the same time, Mr. Speaker, I remain concerned about the level of funding appropriated for emergency relief. The bill authorizes the Secretary of Agriculture to determine the crop loss threshold to qualify for emergency help. I have called on Secretary Glickman to set aside a threshold that is well below 35 percent. With sharply increased fuel costs, many farmers in Georgia and in other areas of the country as well face a crisis even with crop losses that may fall below 35 percent.

One of the challenges confronting the Secretary under this bill is where to set the threshold and still have sufficient funds to provide meaningful levels of relief. I pray that will be enough. While the $3.5 billion is less than I advocated, I would add that this is substantially more than we had.

There are many positive features in this bill. I urge Members to support the bill.

Mr. DIAZ-BALART. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. SANFORD), a friend with whom I have strong disagreement on this issue but he is a friend.

Mr. SANFORD. Mr. Speaker, the debate on the rule has become a debate on reimportation. Therefore, I will be supporting the rule. But the underlying bill I do have objection with both because of the level of cost but predominantly because of the Cuba deal. I think that this Cuba deal is fatally flawed in that it perpetuates basically the dark ages when it comes to Cuba. I know of no business after 40 years of failed policy that would say, ''Let's keep doing the same''; but that is fundamentally what this bill does, and in fact it does more than that.

It threatens democratic rule. I came to the House believing in one man, one vote. If you won it fair and square on the floor, that is the way it stood. We had a vote that would allow Americans to travel to Cuba that is reversed in this Cuba deal. It threatens the idea of engagement. The Republican Party has consistently stood for the idea of engaging with other people. This deal reverses that.

It threatens the power of ideas. I believe if my ideas beat your ideas, I should be able to stand there and debate that. This deal threatens that. Finally, it makes a mockery of the Constitution, which guarantees that all Americans should be allowed the right to travel.

For this reason, I have very strong objections to the Cuba deal that was worked out as a part of the ag bill.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentlewoman from Michigan (Ms. KILPATRICK).

(Ms. KILPATRICK asked and was given permission to revise and extend her remarks.)

Ms. KILPATRICK. Mr. Speaker, I thank the ranking member for yielding me this time.

I come from the State of Michigan, which borders Canada. We know the difference and we know the differentials in prices, and I think it is unfortunate that this conference report puts another sham before the seniors.

Seniors need relief, 39 million seniors and over 20 million Medicaid patients who use prescription drugs on a daily basis. Why can we not address their concern? This reimportation clause, many of my constituents who go to Canada, who get the drugs for anywhere from one-third to two-thirds less than they have to pay in America, why is that? Could we not have come in this bill, as good as the bill is and as poor as it is on the prescription question, done better for our seniors, over 50 million who use, seniors, prescriptions on an annual basis every day? I think it is unfortunate.

Vote against the rule. Let them go back and if we are going to have a reimportation clause, make it work for the over 50 million people who need a reduction in their prices for their medicines.

Mr. DIAZ-BALART. Mr. Speaker, I yield 4 minutes to the gentlewoman from Missouri (Mrs. EMERSON), a distinguished colleague, a tremendous negotiator and advocate.

Mrs. EMERSON. Mr. Speaker, I am going to address specifically the issue of drug reimportation. Let me say from the outset that I do not think that there is any colleague of mine who believes that reimportation is the only way that we bring lower-cost prescription medicine to our senior citizens. As a matter of fact, it is the first of two things that we must do in order to ensure that our seniors have access to lower-cost prices. This deals specifically with the price issue.

Let me say that I am kind of surprised to hear some of my colleagues from the other side use the pharmaceutical industry's own words and agree with them because it was my understanding, it has been my understanding, that most of us did not agree with them at least with regard to the issue of reimportation. And so let me just say that this is something that we have to allow to work.

I want to address specifically the issues that all of my colleagues on the other side raised, issues that we worked long and hard over for hundreds of hours, our staffs and us did, in a very bipartisan way. First of all, the issue of labeling specifically as the gentleman from California (Mr. WAXMAN), the gentleman from Vermont (Mr. SANDERS) and others mentioned it. I will say at the beginning, the Senate passed the Jeffords bill by a wide majority in the Senate. The President said, ''Send me the Jeffords language.'' The labeling language in the Jeffords bill is identical word for word to that which is in our bill today. The President says, ''I urge you to send me the Senate legislation with full funding to let wholesalers and pharmacists bring affordable prescription drugs to neighborhoods where our seniors live.''

In addition to that, let me add that we included language in our conference report that allowed the Secretary to promulgate regulations that would serve as a means to facilitate the importation of such products, so this would allow the Secretary to head off any labeling concerns that would prevent the importation of drugs. Even yesterday, the Supreme Court refused to hear a case that SmithKline Beecham was bringing against a generic drug maker on the whole issue of labeling, and the lower court, the Second Circuit Court's language holds on that and says that the Food and Drug Administration has the discretion to make labeling possible and necessary. So that is a nonissue.

I would like to then turn to the issue of contracts where my colleagues on the other side are saying that there is some sort of a loophole. Our language says that no manufacturer of a covered product may enter into a contract or agreement that includes a provision to prevent the sale or distribution of covered products imported pursuant to subsection whatever. When you look at the language that the gentleman from California (Mr. WAXMAN) provided, which we did have, I admit, in the original bill, there is nothing in his language, either, that actually deals with the issue of price. So by limiting the language to the definition that we had in the Waxman language, quite frankly the industry could find other ways around that language, and so this then becomes, too, a nonissue. For anybody to say that the pharmaceutical companies wrote this language, they know as well as I do that that simply is not true, specifically when we are dealing with the issue of contracting and other things.

I also want to address the issue of sunsetting. All of the bipartisan, bicameral negotiators on this bill agreed to a 5-year sunset with the exception of one person. So to raise this as an issue to me is just simply demagoguery and it will not work. This bill will sunset 5 years after the regulations are put into place.

And so I would just simply urge my colleagues to vote yes on the rule, pass this bill, remembering this is only the first step in giving our senior citizens low-cost prescription drugs.

Mr. MOAKLEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Maine (Mr. BALDACCI).

(Mr. BALDACCI asked and was given permission to revise and extend his remarks.)

Mr. BALDACCI. Mr. Speaker, I rise in support of this legislation, in support of my colleague that has worked across party lines to come up with something that, while not perfect, does move ahead and also is very important for Maine agriculture. These issues are important both for agricultural research and also to be able to help out the disasters in apples and dairy.

Friday's CONGRESSIONAL RECORD listed the Ag conference report. Here's what the reimportation language now contains:

Based on the Senate language;

Allows reimportation by individuals, pharmacists, and wholesalers;

Limited to reimportation from EU, Canada, Japan, Australia, Israel, New Zealand and South Africa. Expansion of list upon FDA approval;

Requires that the process maintains safety and saves consumers money;

Secretary of HHS must work with USTR and Patents and Trademarks;

Importers must give FDA documentation of batch testing;

Requirements stricter when not reimported by original receiver of goods first purchased from U.S.;

Testing in a qualified, FDA-approved laboratory;

Drugs that cannot be reimported: Schedule I, II, and III drugs and any that are supplied for free or donated;

Study by HHS will be conducted to evaluate compliance and effect of reimportation on patent rights;

Individuals can order drugs, but FDA may send notices if the drugs being reimported appear to be misbranded, is restricted for sale in this country, or otherwise is in violation of the law;

Appropriates up to $23 million for the enhanced FDA-authority/responsibility; and

Prohibits manufacturers from entering into a contract to prevent reimportation.

Points that opponents will use against this bill:

The provisions sunset in 5 years—the original compromise contained a 3 year sunset;

Labeling—products meet U.S. labeling requirements. Opponents point out that the U.S. manufacturers control the labels, and all they would have to do to stop reimportation is to not make the FDA-required labels available for those wanting to reimport;

Some countries left out of reimportation—including Mexico; and

HHS Secretary has to certify Americans will save money.

Mr. MOAKLEY. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. FARR), a member of the committee.

Mr. FARR of California. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise on the issue of drug reimportation. I am on the committee. I support the agricultural bill, I think it is a good bill, but I think there is a part of it that we have got to wake up. The question is, when is drug reimportation not an importation? I hope that the Members of this Congress and particularly the press will take a look at the small print in this bill, specifically, the technical amendments to the underlying bill. Take a look at page 41, for example. That bill is the one that talks about reimportation of drugs. On page 41 we see a subsection entitled F which says ''Country Limitation.'' If you go to the language, it reads, ''Drugs may be imported only, only from the countries that are listed in subparagraph A of section 802(b)(1).'' That is not in this bill, so you have got to go someplace else and look it up. Here is the sham.

If you turn to that section in existing law, one finds that it only lists those countries where American drug companies can send unapproved products. That is the title of that section, ''Unapproved Products.'' Here is the trap. American companies can send out but cannot reimport, because we do not allow unapproved products to come back into the United States. I hope the American press can do what the congressional staff has failed to do and that is to tell the truth about this section. The drug provisions are a sham. There is no reimportation. I ask for a no vote on the rule.

Mr. DIAZ-BALART. Mr. Speaker, I yield 30 seconds to the gentlewoman from Missouri (Mrs. EMERSON).

Mrs. EMERSON. Mr. Speaker, I would just like to respond to what my dear friend from California said. Following the section that he read, there is then language that gives the Secretary very broad discretion in adding countries as she, or he in the future, whatever, may desire, subject to safety standards.

Mr. MOAKLEY. Mr. Speaker, I yield myself the balance of my time.

I urge my colleagues to oppose the previous question. If the previous question is defeated, I will offer an amendment to make in order the Democratic plan to allow access to the supply of lowest-cost medications that meet American safety standards.

I urge my colleagues to oppose the previous question and the rule.

Mr. Speaker, I include for the RECORD the text of the amendment that I would offer along with extraneous material, as follows:

PREVIOUS QUESTION AMENDMENT—CONFERENCE REPORT ON AGRICULTURE APPROPRIATIONS ACT, FY 2001

Strike out all after the resolving clause, and insert the following:

''That upon adoption of this resolution, the House shall be considered to have adopted House Concurrent Resolution 420.

SEC. 2. Upon receipt of a message from the Senate informing the House of the adoption of the concurrent resolution, it shall be in order to consider the conference report on the bill (H.R. 4461) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes, and all points of order against the conference report and against its consideration are hereby waived. The conference report shall be considered as having been read when called up for consideration.''

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a role resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual:

''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendments.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2). Section 21.3 continues:

''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

The vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

I urge my colleagues to support the rule and the underlying legislation. It is very important work. It is needed help for America's farmers. It is the product of many, many hours of hard work by multiple Members of this House. I thanked previously my colleagues; I thank them at this point. I do not have enough time to mention them again. It is very important that this legislation be passed.

With regard to the sanctions, it is a compromise. No one is 100 percent happy, but there is no financing for the dictatorship in Cuba, and there is no bartering and there is no financing, whether it is private or public. In addition to that, there is no expansion of

travel dollars for that thug fascist dictatorship.

I urge my colleagues to pass this rule and to pass the underlying legislation.

Mr. LARSON. Mr. Speaker, I rise today in opposition to the Prescription Drug Import plan contained in the Agriculture Appropriations bill for fiscal year 2001 and the rule providing for its consideration. While I applaud any effort to reduce the cost of prescription drugs for seniors. I can say with confidence and sincerity that the plan in this bill is not a solution to the problem. Due to the immense loopholes contained in the legislation and its watered-down content, it will not in any way affect the cost of prescription drugs for seniors in the United States. If the prescription drug import provisions in this legislation were an honest attempt to address this issue, it is possible that they would be effective in reducing the cost of prescription drugs for our citizens. However, they have been written in such a way as to allow the drug companies a way out of having to offer American seniors what they need: quality medications at reduced costs.

Since the provisions are contained in the larger agriculture appropriation bill, I must vote in favor of the overall bill. However, I wish to register my opposition on the content of the reimportation provisions. These provisions are a sham piece of legislation designed to allow drug companies to continue to make outrageous profits off of senior citizens in America. This is why money must be removed from the political process, because as long as drug company money floats freely into it—this is the kind of trickery that will continue to rule the day. The greatest generation of Americans; the same generation that persevered through the Second World War; the same generation that lived through the Great Depression, is now being sold down the river in exchange for advancing the interests of the pharmaceutical companies. This is a campaign year, smoke and mirrors tactic that nearly every credible source has dismissed as useless and not credible. This is a sad day for this Congress, but an even sadder day for the elderly people who thought they might get some relief this year.

I am sorry to say that this plan has been fashioned to appear as if it is part of the answer to the high cost of prescription medicines, but appearances to not solve problems, only legislation that is comprehensive and complete can effectively deal with the financial burden that rests on our seniors. In order to truly keep our promises to the American people, and reduce these costs, we must establish a prescription drug benefit under the Medicare program.

I urge my colleges to vote against the rule so that we can be allowed to offer a real solution to the problem of the high cost of prescription drugs instead of allowing the leadership to attempt to fool our seniors into thinking we are doing something for them.

Mr. DIAZ-BALART. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. NUSSLE). The question is on ordering the previous question.

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

Mr. MOAKLEY. 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.

The vote was taken by electronic device, and there were—yeas 214, nays 201, not voting 17, as follows:

[Roll No. 524]

YEAS—214

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Frelinghuysen
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
Martinez
McCrery
McHugh
McInnis
McKeon
Metcalf
Mica
Miller, Gary
Moran (KS)
Morella
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—201

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frost
Ganske
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Woolsey
Wu
Wynn

NOT VOTING—17

Burr
Campbell
Coble
Danner
Eshoo
Frank (MA)
Franks (NJ)
Klink
McCollum
McIntosh
Meehan
Miller (FL)
Myrick
Neal
Shuster
Spratt
Wise

1516

Messrs. FORD, INSLEE, and OWENS changed their vote from ''yea'' to ''nay.''

Mr. KASICH and Mr. FRELINGHUYSEN changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. NUSSLE). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1824

Mr. THOMPSON of California. Mr. Speaker, I ask unanimous consent to remove my name as cosponsor of H.R. 1824.