

York City Police Department, various churches, universities and the Federal Government, including the IRS. Given the tensions in the world in which we live and not incidentally the fractious body in which we work, Reverend Smith's presence and prayer is much appreciated.

Ms. VELÁZQUEZ. Mr. Speaker, I rise to thank the Reverend Dr. Paul Smith, who led today's Opening Prayer. Reverend Smith is the senior minister of the First Presbyterian Church in Brooklyn, NY, in my district, and I am proud to have him here as a representative of our community.

Reverend Smith has a long career in and out of the ministry. He began as an assistant pastor at the Salem United Church of Christ in Buffalo, New York, in 1960. He has taught at divinity schools at the New York and San Francisco Theological Seminaries and Emory University, in addition to holding administrative positions at Washington University and Morehouse College.

Not content to preach from the pulpit, Reverend Smith applies his ministry to public life. He teaches at the Health Science Center of the State University of New York and provides diversity and sensitivity training to corporations and communities alike.

I hope you will join me today in welcoming Reverend Paul Smith here today.

#### GENERAL LEAVE

Mr. LEACH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of my 1-minute speech.

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

There was no objection.

#### THE JOURNAL

The SPEAKER. Pursuant to clause 8 of rule XX, the pending business is the question of agreeing to the Speaker's approval of the Journal.

The question is on agreeing to the Speaker's approval of the Journal.

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

Mr. McNULTY. 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 329, nays 53, answered "present" 1, not voting 49, as follows:

[Roll No. 396]

YEAS—329

Abercrombie	Ballenger	Becerra
Ackerman	Barcia	Bereuter
Akin	Barr	Berkley
Allen	Barrett	Biggert
Baca	Bartlett	Bilirakis
Baker	Barton	Bishop
Baldacci	Bass	Blumenauer

Boehlert	Hastings (FL)	Obey
Boehner	Hastings (WA)	Ortiz
Bonilla	Hayes	Osborne
Boniior	Hayworth	Ose
Bono	Herger	Otter
Boozman	Hill	Owens
Boswell	Hinojosa	Pallone
Boucher	Hobson	Pascarell
Boyd	Hoeffel	Pastor
Brady (TX)	Hoekstra	Paul
Brown (FL)	Holden	Payne
Brown (OH)	Honda	Pelosi
Brown (SC)	Horn	Pence
Burton	Hostettler	Peterson (PA)
Callahan	Houghton	Petri
Calvert	Hoyer	Phelps
Camp	Hunter	Pickering
Cannon	Inslee	Pitts
Cantor	Isakson	Platts
Capito	Israel	Pombo
Capps	Issa	Pomeroy
Cardin	Istook	Portman
Carson (OK)	Jackson (IL)	Price (NC)
Castle	Jackson-Lee	Pryce (OH)
Chambliss	(TX)	Putnam
Clay	John	Quinn
Clayton	Johnson (CT)	Radanovich
Clement	Johnson (IL)	Rahall
Clyburn	Johnson, E. B.	Rangel
Coble	Johnson, Sam	Regula
Collins	Jones (NC)	Rehberg
Combest	Jones (OH)	Reynolds
Condit	Kanjorski	Rivers
Cox	Kaptur	Rodriguez
Cramer	Kelly	Roemer
Crenshaw	Kennedy (RI)	Rogers (KY)
Crowley	Kerns	Rogers (MI)
Cubin	Kildee	Rohrabacher
Culberson	Kilpatrick	Ros-Lehtinen
Cummings	Kind (WI)	Ross
Cunningham	King (NY)	Rothman
Davis (CA)	Kingston	Roybal-Allard
Davis (FL)	Klecza	Royce
Davis (IL)	Knollenberg	Rush
Davis, Jo Ann	Kolbe	Ryun (KS)
Davis, Tom	Kucinich	Sanders
Deal	LaHood	Sawyer
DeGette	Lampson	Saxton
DeLauro	Langevin	Schiff
DeLay	Lantos	Schrock
DeMint	Larson (CT)	Scott
Deutsch	LaTourette	Sensenbrenner
Diaz-Balart	Leach	Serrano
Dingell	Lee	Sessions
Doggett	Levin	Shadegg
Dooley	Lewis (GA)	Shaw
Doolittle	Lewis (KY)	Sherman
Doyle	Linder	Sherwood
Dreier	Lofgren	Shimkus
Duncan	Lowey	Shows
Dunn	Lucas (KY)	Shuster
Edwards	Lucas (OK)	Simmons
Ehlers	Luther	Skeen
Emerson	Lynch	Skelton
Engel	Maloney (CT)	Smith (MI)
Eshoo	Maloney (NY)	Smith (NJ)
Etheridge	Manzullo	Smith (TX)
Evans	Mascara	Smith (WA)
Everett	Matheson	Snyder
Farr	McCarthy (MO)	Solis
Fattah	McCarthy (NY)	Souder
Ferguson	McCollum	Spratt
Flake	McCrery	Stark
Fletcher	McGovern	Stearns
Foley	McInnis	Stenholm
Forbes	McIntyre	Sullivan
Frank	McKeon	Sununu
Frelinghuysen	McKinney	Tauscher
Frost	Meehan	Taylor (NC)
Gallely	Meeks (NY)	Terry
Ganske	Menendez	Thomas
Gekas	Mica	Thornberry
Gibbons	Millender-McDonald	Thune
Gilchrest	Miller, Dan	Thurman
Gilman	Miller, Gary	Tiahrt
Gonzalez	Miller, Jeff	Tiberi
Goode	Mollohan	Tierney
Goodlatte	Moran (KS)	Toomey
Goss	Moran (VA)	Towns
Graham	Morella	Turner
Granger	Nadler	Upton
Graves	Napolitano	Velazquez
Green (WI)	Neal	Walden
Greenwood	Nethercutt	Walsh
Grucci	Ney	Wamp
Gutierrez	Northup	Watkins (OK)
Hall (TX)	Norwood	Watson (CA)
Hansen	Nussle	Watt (NC)
Harman		Watts (OK)

Waxman	Whitfield	Woolsey
Weiner	Wicker	Wynn
Weldon (FL)	Wilson (NM)	Young (FL)
Weldon (PA)	Wilson (SC)	
Wexler	Wolf	

#### NAYS—53

Aderholt	Hilliard	Riley
Baird	Hinchey	Sanchez
Baldwin	Holt	Schakowsky
Berry	Hoolley	Slaughter
Borski	Hulshof	Strickland
Brady (PA)	Kennedy (MN)	Stupak
Capuano	Larsen (WA)	Sweeney
Conyers	Latham	Tanner
Costello	Lipinski	Taylor (MS)
Crane	LoBiondo	Thompson (CA)
DeFazio	Markey	Thompson (MS)
English	McDermott	Udall (CO)
Filner	McNulty	Udall (NM)
Fossella	Moore	Visclosky
Green (TX)	Oberstar	Waters
Gutknecht	Olver	Weller
Hart	Peterson (MN)	Wu
Hefley	Ramstad	

#### ANSWERED "PRESENT"—1

Tancredo

#### NOT VOTING—49

Andrews	Ford	Murtha
Army	Gephardt	Myrick
Bachus	Gillmor	Oxley
Bentsen	Gordon	Reyes
Berman	Hilleary	Roukema
Blagojevich	Hyde	Ryan (WI)
Blunt	Jefferson	Sabo
Bryant	Jenkins	Sandlin
Burr	Keller	Schaffer
Buyer	Kirk	Shays
Carson (IN)	LaFalce	Simpson
Chabot	Lewis (CA)	Stump
Cooksey	Matsui	Tauzin
Coyne	McHugh	Vitter
Delahunt	Meek (FL)	
Dicks	Miller, George	Young (AK)
Ehrlich	Mink	

□ 1035

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Mrs. MYRICK. Mr. Speaker, rollcall vote 396, on approving the journal, I would have voted "yea."

PROVIDING FOR CONSIDERATION OF HOUSE RESOLUTION 524, SENSE OF HOUSE THAT CONGRESS SHOULD COMPLETE ACTION ON PERMANENT DEATH TAX REPEAL ACT OF 2002, AND HOUSE RESOLUTION 525, SENSE OF HOUSE THAT CONGRESS SHOULD COMPLETE ACTION ON LEGISLATION EXTENDING AND STRENGTHENING SUCCESSFUL 1996 WELFARE REFORMS

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 527, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 527

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the resolution (H. Res. 524) expressing the sense of the House that Congress should complete action on the Permanent Death Tax Repeal Act of 2002, and for consideration of the resolution. The resolution shall be considered as read for amendment. The resolution shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member

of the Committee on Ways and Means. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion.

SEC. 2. Upon the adoption of this resolution it shall be in order to consider in the House the resolution (H. Res. 525) expressing the sense of the House of Representatives that the 107th Congress should complete action on and present to the President, before September 30, 2002, legislation extending and strengthening the successful 1996 welfare reforms. The resolution shall be considered as read for amendment. The resolution shall be debatable for one hour equally divided among and controlled by the chairmen and ranking minority members of the Committees on Ways and Means and Education and the Workforce. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 527 is a closed rule providing for the consideration of two House resolutions. The rule provides that House Resolution 524 shall be debatable in the House for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The resolution shall be considered as read for amendment.

The rule further provides that House Resolution 525 shall be debatable in the House for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means and the Committee on Education and the Workforce. The resolution shall be considered as read for amendment.

Mr. Speaker, H. Res. 524 is a resolution expressing the sense of the House that Congress should complete action on, and present to the President before adjournment, the Permanent Death Tax Repeal Act of 2002. Although the House passed this legislation more than 3 months ago by a vote of 256-171, the other body has yet to take any action on this important measure.

In fact, this legislation is only needed at all because the internal rules of the Senate limit the Death Tax Repeal Act enacted into law last year to a period of only 10 years. This means that unless we act to make this repeal permanent, in the year 2010 the death tax will be reimposed on thousands of families, farms and small businesses.

Nor can we wait 10 years to provide much-needed assurance that such a massive tax increase will not be imposed. Estate tax planning is, by defini-

tion, a long-term process. Families need to know today, and they are entitled to know today, what taxes the Federal Government plans to impose on them in the not-very-distant future.

For generations now, the death tax has been a leading cause of the dissolution of family-run businesses and farms all across this country. That not only hurts those families and the workers they employ, but in time of economic distress, the death tax also has an adverse effect on our overall economy. Repeal of the death tax will promote job creation and economic growth by allowing family-owned farms and small businesses to invest and reinvest in productive, job-creating expansion with resources they would otherwise spend minimizing and paying Federal death taxes.

Given the large number of bills passed by the House in this session which have not been acted upon by the Senate, it is difficult to explain to our constituents why Congress has failed to complete action on this critically important measure. Today we have an opportunity to send a clear message to the American people about the House's commitment to act and act now to repeal this onerous and unfair tax increase scheduled for 2010.

At the same time, Mr. Speaker, we have an opportunity today to send a similar clear message about the need for immediate action on equally important legislation passed months ago here in the House. On May 16, the House voted to reauthorize the historic welfare reform legislation enacted in the 104th Congress in 1996.

Welfare reform stands as one of the proudest accomplishments of that or any recent Congress. Literally millions of American lives have been changed by landmark legislation which has helped move our most disadvantaged citizens from welfare to work.

The numbers do not tell the whole story, but they are astonishing, nonetheless. In the 5 years since we have enacted those reforms, nearly 3 million children have left poverty; employment by mothers most likely to go on welfare rose by 40 percent; and welfare case loads have fallen by 9 million, from 14 million recipients in 1994 to just 5 million today.

Still, there is much left to do, and these historic reforms simply must be reauthorized. The States have been full partners with the Federal Government in this effort, as they should be, and they are entitled to know whether we will continue working with them to help struggling families help themselves.

As with the Death Tax Repeal, for months the Senate has failed to act on this vitally important measure. Recently, 50 senators, including 40 Democrats, called for action on a 5-year reauthorization of this successful welfare reform program. Still, no action has been taken.

Today we can add our voices to those Senators who are calling for action be-

fore adjournment on two of the most meaningful measures this Congress has had a chance to enact. Accordingly, Mr. Speaker, I urge my colleagues to support both the rule and the two underlying resolutions we will consider later this morning.

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

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

Mr. Speaker, people around the country watching this today, people reading the newspapers, may be scratching their heads and saying, What is going on here? What are these people doing?

I will tell Members what people on the other side are doing: They do not want to work; they do not want to do anything serious. What are the facts?

Congress is charged to pass 13 appropriation bills by October 1. The House of Representatives, controlled by the other party, by the Republican Party, has passed exactly 5 of those 13 bills. Where are the other appropriation bills?

Mr. Speaker, we never did this when we were in charge. We always brought the appropriation bills to the floor so they could then be sent to the Senate and come back in a conference committee and dealt with in an orderly way.

□ 1045

We have an October 1 deadline for the start of the fiscal year. The other side refuses to work, refuses to bring appropriation matters to the floor. Why are they doing this? I can only speculate. Perhaps they are trying to shield some of their vulnerable Members from having to cast some tough votes to cut the budget. These folks on the other side, like they say, they want to cut the budget and they want to keep spending down. If they want to do that, where are the other eight appropriations bills? Bring them up and let us have a series of votes. This is probably as irresponsible as any action by any leadership that I have seen in the 24 years that I have been in Congress.

That brings us to today. They do not want to bring appropriation bills to the floor because they are afraid. They are worried that some of their poor, vulnerable Members might have to actually vote on something, go on the record on some issues, on education spending, on health care spending, on a variety of issues. So what do they do? They bring meaningless resolutions to the floor, sense of the Congress resolutions urging the Senate to take action.

Mr. Speaker, the people who should be acting are the Members of this body. What has happened here? We come in at 6:30 on Tuesday. That is 6:30 p.m., not 6:30 a.m., and we vote on a couple of procedural matters; and then we are on the floor for a few hours on Wednesday and we vote on a few things, again noncontroversial matters; and then we are on the floor for a few hours on Thursday, and we leave at 3 o'clock on Thursday afternoon. Without having

done the people's business. Shame on the other side. Shame on them.

Today, if that is what they want to do, if they do not want to consider appropriation bills, which we ought to be doing, which ought to be the first priority of this Congress, we have another suggestion for them. If they are not willing to take up the appropriation bills, let us take up some legislation that actually tries to help some people. Let us take up some legislation dealing with the cost of prescription drugs. We have legislation that has in fact already passed the Senate dealing with the generic drug issue.

Mr. Speaker, as I said, the underlying resolution made in order under this rule has only one real purpose, and it is not to help pass a responsible welfare reform bill. It is a sham. Let us take a more positive approach. Let us look at legislation that the other body has passed, for example, the Prescription Drug Fair Competition Act. Today the Republican leadership is asking the House to take up meaningless legislation that is not going to go anywhere. The Prescription Drug Fair Competition bill has the potential to help millions of consumers right now. But I do not have to tell you that it has not been considered in the House yet, and I do not see any indication that it is on the schedule in the immediate future.

Right now, millions of seniors pay too much for vital medicines because big drug companies are boosting their own profits by keeping lower-cost generic drugs off the market. The Waxman-Brown-Thurman bill, which we would like the opportunity to bring up for a vote since they are not bringing anything else up for a vote, would stop this abusive practice and reduce the cost of prescription drugs for millions of American senior citizens. In fact, the legislation would reduce total spending on prescription drugs by \$60 billion over 10 years according to the nonpartisan Congressional Budget Office.

We are going to ask for a "no" vote on the previous question, and I will talk about this again a little bit later so that we can actually bring this legislation up, legislation that will help senior citizens right now. But no, the other side, they do not want to do anything. They do not want to do this. They do not want to do appropriation bills. They do not want to be here. They want to go home. We all know there is an election going on and sure we would like to spend some time with our constituents; but our first obligation is to legislate, is to be on the floor of this House working, not to be here for 2½ days starting at 6:30 on a Tuesday and ending at 3 o'clock on a Thursday. Shame. Shame on the other side.

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

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3½ minutes to the gentlewoman from Ohio (Ms. PRYCE), a member of the Committee on Rules.

Ms. PRYCE of Ohio. Mr. Speaker, I rise in strong support of this important rule that will allow for consideration of these timely resolutions. We on this side of the aisle are very proud of all our timely accomplishments, starting with our budget. We went on to pass many, many important items for the American people: corporate responsibility, prescription drugs, historic tax relief, welfare reform, pension reform, and probably most importantly, homeland security.

Mr. Speaker, I am a very strong supporter of all these things, the death tax repeal permanency which this measure includes; but I am here this morning to address an issue that I have been more closely involved with. More than 4 months ago in this very Chamber, the House of Representatives passed comprehensive welfare reform legislation to build on the 1996 historic reforms that changed the culture of our system from one of cyclical dependence across generations to one of personal responsibility. This legislation is a culmination of strong reflection and cooperation between Members of Congress who care passionately about ensuring that all Americans have the opportunity to live successful, productive lives.

Mr. Speaker, much has changed since 1996. We have witnessed welfare rolls drop from 14 million to 5 million nationwide. More single mothers are employed than ever before, and nearly 3 million children have been lifted out of poverty. Prior to 1996 in my own home State of Ohio, we were passing out welfare checks to the tune of \$82 million every month. Post-reforms, the price tag has been reduced to less than \$27 million, and it is going to those who really need the help. In one State alone, that is a savings of \$50 million.

The welfare reform bill we passed in the House some 4 months ago will protect children by increasing child care funding and improving the quality of child care. It will strengthen families and improve child well-being. And it encourages States to implement innovative programs to offer struggling families the tools and resources they need to secure jobs and provide for their independence. Each one of these provisions is unique to the House bill and will not become a reality if the entire Congress does not finish up its work on reauthorizing welfare reform.

As we consider this resolution, only 11 days remain before the 1996 reforms expire on September 30. The House of Representatives has done its work. Failure to deliver this welfare reform reauthorization to the President's desk before the expiration date could send the tremendous progress that we have seen since 1996 spiraling backwards into a sea of dependence.

Over the last 6 years, millions of American men and women have overcome adversity, reversed course and rebuilt their lives. They have taught their children about the dignity of having a job and providing for their families. They have shared their stories with

friends and neighbors. They are proud. We cannot afford to backpedal on the progress that we have made. Too many people have worked too hard to get where they are today.

It is time for the Congress to complete action on this reauthorization. The House has answered the call of the American people and the President is waiting to sign this into law. I strongly encourage my colleagues to support this rule and all the underlying resolutions.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. PALLONE), who is a prime sponsor of legislation that will actually help some people today dealing with the issue of generic drugs.

Mr. PALLONE. Mr. Speaker, I have great respect for the gentlewoman from Ohio, but I could not believe that she would start out by talking about the Republicans passing the budget. She knows very well that unless you pass the appropriation spending bills pursuant to that budget, you have not done anything. As my colleague from Texas mentioned, the Republicans have only brought up five of the 13 appropriation bills. To suggest that they are dealing with the budget and the spending is absurd. They are not. They have not dealt with it. They are not bringing up the bills.

But, more important, this morning, this resolution that we are considering essentially chastises the other body for not bringing up welfare reform or estate tax repeal. The bottom line is that this body, the House, has the opportunity under the Republican leadership to pass a very important piece of legislation which is sponsored by my colleague, the gentleman from Ohio (Mr. BROWN), and another Republican on the other side, the gentlewoman from Missouri (Mrs. EMERSON), that would deal with the cost of prescription drugs. We know that our constituents say that the biggest problem that they face is health care costs and particularly the cost of prescription drugs. The other body has already passed this bill, which is called the Greater Access to Affordable Pharmaceuticals Act, by a 78-21 vote, overwhelmingly, because they know it would save American consumers over \$60 billion in prescription drug costs. Rather than pass sense of Congress resolutions here today that are meaningless, why do the Republicans in the House not simply take up this Senate bill and save American consumers millions of dollars on their drug costs?

This bill, the Senate-passed bill, would close the loophole and restore competition in the pharmaceutical market while protecting an inventor's right to legitimate patent protection. It deals with patents. It deals with bringing generics to the market quicker in order to cut the cost of prescription drugs. Under the bill, once the valid patents on a prescription drug expire, competitors can enter the market and consumers can get lower

prices. The reason the savings from this bill are so substantial is that competition is the best weapon we have against overpriced prescription drugs.

Why is it not happening? It is not happening because the pharmaceutical industry is giving literally millions of dollars to the Republicans and the Republican leadership to not bring this bill up, because they do not want it to happen. Today in Congress Daily are ads, large ads, full page, by the pharmaceutical industry, by PhRMA, the brand-name drug lobby, saying, don't pass this generic bill. In Roll Call there is another full-page ad: Don't pass this generic drug bill. Because the pharmaceuticals are concerned that they are going to lose money, that the American consumer is going to save money and they are going to lose money if we bring up this bill. In fact, it has gotten so bad that they are actually pressuring some of the companies that have been lobbying and asking that the generic bill come up; they have been pressuring them to withdraw their support for the generic bill.

There was another thing today in Congress Daily where they are trying to get some of the Republicans who support this bill to not support the discharge petition to bring it up. It is an outrage what the pharmaceutical industry is doing. Let the House Republicans bring this bill up rather than the nonsense that they are proposing this morning.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH. Mr. Speaker, while I congratulate the other side on their valiant, but unsuccessful, partisan attempt to change the subject, I rise on behalf of this rule as an opportunity to put the House on notice and put the House on record that we need to move right now on welfare reform. This reform is the most important social reform that Congress has achieved since I came here in 1994, and right now it is at risk. Welfare caseloads under our initiative have fallen by 60 percent to their lowest levels since 1965. Nine million recipients have gone from welfare to work, from dependency to independence. We have learned from this success that we can help people bootstrap themselves and become self-reliant and proud. We have reaffirmed that the welfare system is supposed to provide a safety net, not a hammock.

Mr. Speaker, it has been 4 months since the House passed the Personal Responsibility, Work, and Family Protection Act reauthorizing these reforms. We passed this bipartisan bill which would build upon the success of the past 6 years by improving day care and increasing opportunity. We strengthened the welfare system by making it less permissive, but at the same time providing real incentives to work. Sadly, some on the left would rather go back to the days of welfare dependency, limited opportunity, and

stunted hope for some of our most underprivileged Americans. These reactionaries want to run out the clock on welfare reform here today so that they can turn back the clock and repeal those critical welfare reforms. We cannot allow that to happen. My answer to them is that we need to move forward.

Congress has a narrow opportunity to do something real for our neighbors in need. Congress must pass a 5-year welfare reauthorization bill now, before this program expires.

Mr. FROST. Mr. Speaker, I yield myself 1 minute.

The previous speaker mentioned running out the clock. The Republican leadership announced we are not going to be in session tomorrow and we are not going to be in session Monday. They have lots of time for this. They just do not have time to actually legislate.

□ 1100

Now, the Republican leadership has announced that we will not be in session on Friday, we will not be in session on the next Monday, and we will not come back until 6:30 on Tuesday. Meanwhile, time is ticking away and all Federal agencies are going to run out of money because appropriation bills have not been passed by this body on September 30. So I would urge them, if they are very concerned about time, that they bring those appropriation bills to the floor so our Federal agencies did not run out of money on October 1.

Mr. Speaker, I yield 3½ minutes to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Speaker, I thank my friend from Texas for yielding me time.

Mr. Speaker, rather than acting on bills that actually help the American people in some way, Republican leadership is focusing on meaningless resolutions that chastise the other body for not taking action on measures the House has passed. If we had sent the other body decent legislation, rather than bad ideas, the situation might be different. I am thinking of the Republican crown jewel, a Medicare drug coverage bill so grossly inadequate, written by the drug companies, that it is an insult to Medicare beneficiaries and to their families. But that is another story.

Fair is fair, Mr. Speaker. Before Republican leadership demonizes the other body, they might want to rid the skeletons from their own closet. The other body, for instance, passed legislation that finally does something about out-of-control prescription drug prices, and did so in a responsible, bipartisan manner. But Republican leadership in this House has blocked even a vote on that legislation, which will save American consumers, mostly the elderly, \$60 billion.

Brand and generic drug companies alike exploit loopholes in the laws to block competition in the marketplace.

The Federal Trade Commission has acknowledged it, the Patent and Trademark Office has acknowledged it, the President has acknowledged it. But House leadership and the prescription drug industry are virtually the only ones who have not acknowledged it.

Why is that? Could it be the millions of dollars the drug industry gives to Republican Members of Congress? Could it be that the drug industry, using drug industry money through phony ads run through a group called 60-Plus and run through a group called USA Seniors, that they are running ads in support of the drug plan that they wrote, the drug industry wrote on behalf of Republican Members of Congress?

Could it be, in the most cynical move I have seen in my 10 years in this body, the drug industry wrote a bill, a prescription drug bill that really was not worth very much, pushed it through Congress, gave money to Republican Members of Congress, then ran ads, in the most cynical move imaginable, thanking those Republican Members of Congress for voting for it and saying that it was an ad written by United Seniors Association, but it is actually funded by the drug industry, which they will not tell you?

The Senate-passed bill, Mr. Speaker, closes the loopholes the FTC has identified and would deliver more competitive prescription drug prices to the American people. There are 3 companion measures in the House, any of which would restore competition in the prescription drug marketplace, saving consumers \$60 billion. Some of those are sponsored by Republicans, but Republican leadership will not let those bills come to a vote. Instead, we are passing meaningless resolutions today.

If the House squanders this opportunity, we will likely go home without providing any kind of prescription drug relief to seniors and others who desperately need that help.

Mr. Speaker, I urge the House to permit consideration. I urge Republican leadership to allow us to vote and to take House action now on legislation to stop the brand name and generic drug industry from blocking this legislation and stop their shenanigans, to bring prescription drug prices down, something we could do today in this body. The other body passed this legislation. If it dies in the House, the Republican leadership can congratulate themselves for successfully catering to the drug industry again and again and again at the expense of the American public.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Kansas (Mr. RYUN).

Mr. RYUN of Kansas. Mr. Speaker, in 1996 Congress set out on an ambitious plan to transform welfare from a program that kept people dependent upon government handouts to a structure that empowers people on their own to be self-sufficient.

Today, I believe we can declare welfare reform a huge success. Consider these facts: The poverty gap for families with children has decreased by over \$4 billion since 1996. Hunger among children has been cut in half, and the poverty rate for African American children is at its lowest point in U.S. history.

Success stories abound. One of my constituents, Dorothy, reports that when she was hit hard several years ago, she participated in an innovative program designed to help people become more self-sufficient. Once on the verge of bankruptcy, she is now employed and regularly contributes to a savings account in hopes that one day, one day, she will be owning a home.

The House passed H.R. 4737 to reauthorize the welfare reform program last May. The Senate has not acted on it. All of us on Capitol Hill must continue on the path of reform by working together to send a welfare reform authorization to the President this month.

Support the rule and give our constituents the well-deserved opportunity to have a hand up, not a handout.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK. Mr. Speaker, first of all, I would be more impressed with my colleagues on the other side and their commitment to a full deliberation of the welfare bill if they had not used their power in the rules to shut off adequate effort in this House when we debated welfare to address one of its great defects, child care. They would not allow an amendment which I think would have passed if they had given us a chance to vote on it, which is why they would not, which would have expanded child care as part of welfare.

But we are not just talking about welfare. As I listen to the Members on the other side complaining that a legislative body is not doing its work, this is the end of September. We have not passed an appropriations bill for the Department of Health and Human Services or Education or Labor or Transportation or Housing and Urban Development or the Environmental Protection Administration.

The gentleman from Ohio talked about September 30 being the date when the welfare bill expires. The whole Government expires on September 30 and they have not passed any bill for the domestic agencies. Listening to people who have that record of nonfeasance complain that somebody else is not getting its work done, I feel like I kind of wandered into a nudist colony and somebody complained that I was not wearing a tie. I have never seen a more bizarre example of people trying to object to a fault that they are themselves guilty of.

We all understand, by the way, why we do not have appropriations bills. We have a split in the Republican Party. We voted in 2001 a very large tax cut. Since we voted that tax cut, this ad-

ministration has committed to spending more than half a trillion dollars over the next 10 years between the war in Afghanistan, the war they want to have in Iraq, running Iraq, running Afghanistan, homeland security, and a lot of other things. The result is that there is not enough money to fund the Government even at what I would consider the minimal level that many of the Republicans want. So here is the problem. We have the intellectually consistent Republicans who, having voted for a tax cut, are prepared to make substantial reductions in the appropriations bills. We have many of us on the Democratic side who thought the tax cut went too far and we do not support such drastic restrictions as shutting down efforts to clean up Superfund sites or taking away funds from public housing or reducing other important funds, but then we have the bulk of the Republican Party. They voted for a tax cut which reduced revenues, but they will not support appropriations bills that reflect the revenue reductions. So what do they do? They do not pass anything. There is a split between the Republican party, between the intellectually honest conservatives who voted for a tax cut and are prepared to reduce spending, and the rest of the Republicans who said, wait a minute, you must be kidding. We cannot reduce spending to that level. We cannot let the American people know what the true consequences of our tax cut are. So how do we deal with this? We do not vote on an appropriations bill for the Department of Health and Human Services. We do not vote on an education bill. They are going to give us a big CR, a big continuing resolution.

I can remember Ronald Reagan standing here waving a continuing resolution and decrying it. I guess this is the birthday present that Ronald Reagan gets this year, a complete repudiation of his denunciation of continuing resolutions by a Republican Party incapable of appropriating.

Mr. FROST. Mr. Speaker, I yield 5 minutes to the gentlewoman from Florida (Mrs. THURMAN).

Mrs. THURMAN. Mr. Speaker, I thank the gentleman from Texas (Mr. FROST) for yielding me this time.

This debate today is on a rule that is to bring a sense of Congress on two issues that in fact this House has passed, the estate tax and the welfare reform. I do not know that we would be having this debate on the sense of Congress if in fact there could have been an opportunity for us to sit down and compromise on the estate tax. We could have looked at the \$6 million that we tried to offer as an alternative on this floor at 99.7 percent of the debate which was about small businesses and farmers, and the numbers show that in fact that \$6 million would have done that. No. Instead, we have got to worry about how we are going to cover for Ken Lay and his wealthy friends. And I have got to say that just does not get it with me.

On top of that, you talk about welfare reform. It is in the Senate. Today it is my understanding that the Senate was going to be talking about homeland security, which you have also criticized them for. There are only so many hours in a day. I think they are going to get to welfare reform, but while they are getting to all these issues that you are talking about, there ought to be a debate on them, which is what the Senate is trying to do. So in saying all of that, here we are, that was just mentioned by the previous speaker. We have got a situation here in the House where we cannot get the Health and Human Services bill up. So any welfare reform that is done on paper is meaningless unless we have the money to back it up. And right now we have nothing because we have no HHS bill that would provide those dollars.

So what are we trying to do on this side? We are trying to talk about another piece of legislation that has passed the Senate. We cannot have a blame game. You criticize them for not passing something. Then you come over here and we will say to you, guess what, there is a piece of legislation that every one of us would be best to be able to go home and talk about, and that is the generic drug bill. And by the way, that does not cost us anything but it saves \$60 billion over the next 10 years on making sure that we have generic drugs coming to our constituents.

So what is happening here is that we have a bill that has been prepared and passed on a bipartisan vote in the Senate on generic drugs that now could be over here, picked up, passed. We could go home and not talking about it costing the Federal Government anything. But, no, we are not doing that.

I was home in August. I was out there every day, and I talked to the people in my district, and I just want to talk about a couple of people that see people every day. We had Rick Limehouse, who is a pharmacist at the Pill Box Pharmacy in Clermont, and he said he is appalled at the escalating cost of medication just in the 2 years he has been in business. Because of the public outcry against these rising costs, he said that some drug companies have started to offer discount cards that discount what the pharmacy can charge but not what the pharmacy pays for the medication. At the same time, the manufacturers continue to raise the price of their medication at a rate beyond anything that can be attributed to inflation. The generic bill, getting these drugs to the market, would be helpful.

Pharmacist Ken Norfleet of Brooksville said, "Every day," and we just do not happen to see this every day, "we see people coming into the pharmacy who decide not to buy their prescriptions," or that they are cutting their dosages in half because they cannot afford the high cost. And what are they doing? They are jeopardizing their health and their well-being.

I would call upon my colleagues from the other side. There is a discharge petition down here that does not say only Democrats can sign. It says House Members can sign, Members of Congress. How about if we cannot take home the appropriations bill and we have to talk about continuing resolutions? How about at least let us take home one present to them. Let us at least show them that we are concerned about their cost of medications. Let us at least have the stomach to stand here, sign that petition that says we are willing to cost not only to seniors but to all families on generic drugs. That would be a gift to them. And as we go through the tax cuts and talk about these things, I hope we all will remember what Mr. Lindsey said about the war, that it is \$100 billion. We are already into deficit spending. Do you not think we should be talking to our constituents about not leaving this debt to our children and our grandchildren?

□ 1115

Mr. HASTINGS of Washington. Mr. Speaker, I want to advise my friend, the gentleman from Texas (Mr. FROST), that I just have one speaker to close, so I will reserve my time.

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

Mr. HINCHEY. Mr. Speaker, I just wanted to remind us all that it is interesting to have resolutions on the floor that recommend action by the other body, but the important thing is for us to do our work here.

I am a member of the Committee on Appropriations. We have eight of the 13 appropriations bills which have been dealt with by the committee, but which have not been put out here on the floor to be dealt with by the full body. Why is that? The main reason is because the leadership of this House has taken an approach to fiscal policy which is totally unreasonable and unrealistic. This is not anything new; it has been going on now for a couple of years. My Republican colleagues have taken us from a situation within the Federal budget of growing surpluses to now deepening deficits, and they do not know how to deal with it. They do not know how to solve the problem that they have created for the people of this country with growing deficits in the Federal budget. They cannot fund the necessary things that need to be done.

In addition to that, there is a whole host of issues that are crying out for attention; most notably, a prescription drug program which will allow the senior citizens of this country to get the medication they need to restore themselves to health and to maintain their health. We have a good bill.

If we want to talk about something the Senate has done, they have passed a good bill. Their bill provides for a prescription drug program as an entitlement under Medicare. That is what the AARP wants, that is what all of

the associations that represent senior citizens want, and it is what the older people of our country want. They want an entitlement program under Medicare for prescription drugs. You refuse to bring that bill out. Why? Because you are the great beneficiaries of the largesse of the pharmaceutical companies. They have made enormous contributions to the Republican Party in this House in order to keep this bill from getting to the floor.

So instead of telling the Senate what they need to do, let us deal with our own business right here in this House.

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

It is with deep regret that I observe the timidity on the other side. We have two great political parties in this country. We want to join the issues. We want to enter into debate on this floor. We want to cast votes. We know that we do not necessarily have the votes here; they are in the majority, they probably can pass anything they want to, but we want the opportunity to debate and consider legislation. They are denying us this opportunity, not just with this generic drug legislation that we would like to bring up today, but the legislation that funds the Government of the United States.

Mr. Speaker, it is a sad day for the country, quite frankly, that the Republican Party has become so timid that they want to show up at 6:30 on Tuesday and leave at 3 o'clock on Thursday because they do not want their Members to have to vote on tough issues. We are paid, hired by the American people, and paid to show up here, to work a full week, and to take tough votes, and if they are not willing to take tough votes, if they are not willing to bring matters to the floor, then perhaps it is time for someone else to be in charge.

Mr. Speaker, if the previous question is defeated, I will offer an amendment to the rule. My amendment will provide that immediately after the House passes these do-nothing resolutions, it will take up the Prescription Drug Fair Competition Act of 2002, H.R. 5272. My amendment provides that the bill will be considered under an open amendment process so that all Members will be able to fully debate and offer amendments to this critical bill. It is time for the House to do its work and pass legislation to help the American people, not simply play blame games.

A "no" vote on the previous question will allow the House to take up this bill and provide much-needed relief for the high cost of prescription drugs. However, a "yes" vote on the previous question will prevent the House from taking up a bill that actually makes a difference.

Mr. Speaker, I ask unanimous consent that the text of the amendment be printed in the RECORD immediately before the vote on the previous question.

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

There was no objection.

Mr. FROST. Mr. Speaker, I urge a "no" vote on the previous question, and I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield such time as he may consume to the distinguished gentleman from California (Mr. DREIER), the chairman of the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, I thank my friend, the gentleman from Washington (Mr. HASTINGS), for yielding me this time, and I congratulate him on his management on what clearly is a very important measure here. It has been mischaracterized by my friends on the other side of the aisle, but we are very proud of what we have been able to accomplish in this 107th Congress. It is clear that Republicans are in the majority, but we have what is today a six-vote majority. It is extraordinarily narrow, but we have been able to work in a bipartisan way to address the issues that we are going to be bringing up once we pass this rule.

It was with bipartisan support that we brought about reform of the welfare system. It is with bipartisan support that we passed repeal of the death tax. It is with bipartisan support, Mr. Speaker, that we were able to bring about pension reform. These are measures that Democrats and Republicans alike supported in this body, and we are very proud that we were able to provide, under the leadership of Speaker HASTERT, the encouragement and the direction and the momentum to get these measures through.

Now, we have done this along with our work on the appropriations bills. Mr. Speaker, I think that it is important for us to note that in the past when our friends on the other side of the aisle controlled this body, we had, in fact, continuing resolutions. We have always gone through challenges when we have dealt with the appropriations process. Where are we today? Well, this House has passed five appropriations bills, appropriations bills that deal with both domestic and international issues and our national security issues as well. We have passed the Interior appropriations. We have passed the Treasury-Postal appropriations bill, both of which have measures that deal with domestic issues here. We have passed the Military Construction appropriations bill. We have passed the Department of Defense appropriations bill, and we have passed the Legislative Branch appropriations bill, obviously dealing with this institution, dealing with the very important security here in the Capitol.

So we are very proud of the fact that we have been able to pass these appropriations bills, and we know, Mr. Speaker, that we have even more work that the committee has done, the Committee on Appropriations, dealing with



the Energy and Water appropriations bill, the Foreign Operations appropriations bill. As we sit here debating these issues, our colleagues should know, Mr. Speaker, that the members of the Committee on Appropriations and the leadership is working together on these issues. So we hope very much that we are going to be able to complete as many of these measures as possible.

The resolution that we are dealing with today, in fact, is focused on the accomplishments, the accomplishments of the 107th Congress. We have passed a prescription drug bill from the United States House of Representatives. We have been able to provide tax relief to middle income wage-earners in this country providing child care benefits and repeal of the marriage tax penalty. We have been able to deal with a wide range of issues in a bipartisan way again, Mr. Speaker, since the tragedy of a year ago on September 11. We have been able to pass a supplemental appropriations bill that has helped us deal with our national security. We have been able to come together and work on a wide range of issues to combat this war on terrorism. Those things have been done in a bipartisan way.

So that is why it is very troubling, Mr. Speaker, to hear my colleagues on the other side of the aisle talk about the fact that we have not acted. Yes, there continues to be more work to do. But we have been able, as I said, to get these measures out of the House of Representatives and, unfortunately, the Senate has not taken up a number of these measures.

Mr. FRANK. Mr. Speaker, will the gentleman yield?

Mr. DREIER. I yield to the gentleman from Massachusetts.

Mr. FRANK. Mr. Speaker, the gentleman said with regard to the appropriations bills, well, the committee has done them. Why would we be taking 5 days off now if the committee has, as he said, passed these appropriations bills? Why are they not on the floor? Why do we not get those appropriations bills that the committee has already voted on?

Mr. DREIER. If I could reclaim my time, Mr. Speaker, I would say that we have been able to pass these five appropriations bills and we are working to move these measures forward. These measures that we have, and I have yielded and I am going to close the debate here now, we have had, in fact, these other very important measures that need to be reaffirmed here with this measure that we have, and we are going to continue to work on this appropriations process, and that is our job and we are going to continue to do it.

So let me say, Mr. Speaker, I have already yielded, I am going to close the debate now so that we can move ahead with the vote on the previous question and so that we can then move ahead with these very important measures. Let me say, Mr. Speaker, that I believe that it is the right thing for us to do to

reaffirm our support for permanent repeal of the death tax, which has been pointed out by my colleagues, again, in a bipartisan way, how punitive this is, how it hurts economic growth and it stifles the progress that small businesses and family farms have been able to make.

I also believe that when we look at the benefits with 7 million people having, since 1996, come off of the welfare rolls, the ability that we are going to have to strengthen that. We need to reaffirm our support from this institution for that very important welfare reform.

So, Mr. Speaker, I urge strong support of this rule and for these resolutions so that we can, in fact, move ahead with our very important work.

The amendment previously referred to by Mr. FROST is as follows:

At the end of the resolution add the following new sections:

SEC. . Notwithstanding any other provision in this resolution, immediately after disposition of resolution H. Res. 525, the Speaker shall declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5272) to amend the Federal Food, Drug, and Cosmetic Act to provide greater access to affordable pharmaceuticals. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. . If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third day order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of that bill.

Mr. HASTINGS of Washington. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. 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. FROST. 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.

Following the vote on the previous question, pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adop-

tion of the resolution, and then on the motion to suspend the rules and pass House Resolution 523 postponed from yesterday.

The vote was taken by electronic device, and there were—yeas 214, nays 202, not voting 16, as follows:

[Roll No. 397]

YEAS—214

Aderholt	Graham	Pickering
Akin	Granger	Pitts
Armey	Graves	Platts
Baker	Green (WI)	Pombo
Ballenger	Greenwood	Portman
Barr	Grucci	Pryce (OH)
Bartlett	Gutknecht	Putnam
Barton	Hansen	Quinn
Bass	Hart	Radanovich
Bereuter	Hastings (WA)	Ramstad
Biggert	Hayes	Regula
Billirakis	Hayworth	Rehberg
Blunt	Hefley	Reynolds
Boehlert	Herger	Riley
Boehner	Hobson	Rogers (KY)
Bonilla	Hoekstra	Rogers (MI)
Bono	Holt	Rohrabacher
Boozman	Horn	Roh-Lehtinen
Brady (TX)	Hostettler	Royce
Brown (SC)	Houghton	Ryan (WI)
Burr	Hulshof	Ryun (KS)
Burton	Hunter	Saxton
Buyer	Hyde	Schaffer
Callahan	Isakson	Schrock
Calvert	Issa	Sensenbrenner
Camp	Istook	Sessions
Cannon	Johnson (CT)	Shadegg
Cantor	Johnson (IL)	Shaw
Capito	Johnson, Sam	Shays
Castle	Jones (NC)	Sherwood
Chabot	Keller	Shimkus
Chambliss	Kelly	Shuster
Coble	Kennedy (MN)	Simmons
Collins	Kerns	Simpson
Combest	King (NY)	Skeen
Cox	Kingston	Smith (MI)
Crane	Kirk	Smith (NJ)
Crenshaw	Knollenberg	Smith (TX)
Cubin	Kolbe	Souder
Culberson	LaHood	Stearns
Cunningham	Latham	Sullivan
Davis, Jo Ann	LaTourette	Sununu
Davis, Tom	Leach	Sweeney
Deal	Lewis (CA)	Tancredo
DeLay	Lewis (KY)	Tauzin
DeMint	Linder	Taylor (NC)
Diaz-Balart	LoBiondo	Terry
Doolittle	Lucas (OK)	Thomas
Dreier	Manzullo	Thornberry
Duncan	McCrery	Thune
Dunn	McHugh	Tiahrt
Ehlers	McInnis	Tiberi
Ehrlich	McKeon	Toomey
Emerson	Mica	Upton
English	Miller, Dan	Vitter
Everett	Miller, Gary	Walden
Ferguson	Miller, Jeff	Walsh
Flake	Moran (KS)	Wamp
Fletcher	Morella	Watkins (OK)
Foley	Myrick	Watts (OK)
Forbes	Nethercutt	Weldon (FL)
Fossella	Ney	Weldon (PA)
Frelinghuysen	Northup	Weller
Gallegly	Norwood	Whitfield
Ganske	Nussle	Wicker
Gekas	Osborne	Wilson (NM)
Gibbons	Ose	Wilson (SC)
Gilchrest	Otter	Wolf
Gilman	Paul	Young (AK)
Goode	Pence	Young (FL)
Goodlatte	Peterson (PA)	
Goss	Petri	

NAYS—202

Abercrombie	Berman	Capuano
Ackerman	Berry	Cardin
Allen	Bishop	Carson (OK)
Andrews	Blumenauer	Clay
Baca	Boniore	Clayton
Baird	Borski	Clement
Baldacci	Boswell	Clyburn
Baldwin	Boucher	Condit
Barcia	Boyd	Conyers
Barrett	Brady (PA)	Costello
Becerra	Brown (FL)	Coyne
Bentsen	Brown (OH)	Cramer
Berkley	Capps	Crowley

Cummings Kind (WI)  
 Davis (CA) Kleczka  
 Davis (FL) Kucinich  
 Davis (IL) LaFalce  
 DeFazio Lampson  
 DeGette Langevin  
 Delahunt Lantos  
 DeLauro Larsen (WA)  
 Deutsch Larson (CT)  
 Dicks Lee  
 Dingell Levin  
 Doggett Lewis (GA)  
 Dooley Lipinski  
 Doyle Lofgren  
 Edwards Lowey  
 Engel Lucas (KY)  
 Eshoo Luther  
 Etheridge Lynch  
 Evans Maloney (CT)  
 Farr Maloney (NY)  
 Fattah Markey  
 Filner Mascara  
 Ford Matheson  
 Frank Matsui  
 Frost McCarthy (MO)  
 Gonzalez McCarthy (NY)  
 Gordon McCollum  
 Green (TX) McDermott  
 Gutierrez McGovern  
 Hall (TX) McIntyre  
 Harman McNulty  
 Hastings (FL) Meehan  
 Hill Meek (FL)  
 Hilliard Meeks (NY)  
 Hinchey Menendez  
 Hinojosa Millender-  
 Hoeffel McDonald  
 Holden Mollohan  
 Honda Moore  
 Hooley Moran (VA)  
 Hoyer Murtha  
 Inslee Nadler  
 Israel Napolitano  
 Jackson (IL) Neal  
 Jackson-Lee Oberstar  
 (TX) Obey  
 Jefferson Oliver  
 John Ortiz  
 Johnson, E. B. Owens  
 Jones (OH) Pallone  
 Kanjorski Pascrell  
 Kaptur Pastor  
 Kennedy (RI) Payne  
 Kildee Pelosi  
 Kilpatrick Peterson (MN)

## NOT VOTING—16

Bachus Gillmor  
 Blagojevich Hilleary  
 Bryant Jenkins  
 Carson (IN) McKinney  
 Cooksey Miller, George  
 Gephardt Mink

□ 1150

Ms. LEE and Messrs. HONDA, SPRATT, RAHALL, EVANS, HILLIARD and FORD changed their vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

## RECORDED VOTE

Mr. FROST. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote, followed by a 5-minute vote on the motion to suspend the rules on H. Res. 523.

The vote was taken by electronic device, and there were—ayes 213, noes 200, not voting 19, as follows:

Phelps Pomeroy  
 Price (NC) Rahall  
 Rangel Aderholt  
 Reyes Armey  
 Rivers Baker  
 Rodriguez Ballenger  
 Roemer Barr  
 Ross Bartlett  
 Rothman Barton  
 Roybal-Allard Bass  
 Rush Bereuter  
 Sabo Biggert  
 Sanchez Bilirakis  
 Sanders Blunt  
 Sandlin Boehlert  
 Sawyer Boehner  
 Schakowsky Bonilla  
 Schiff Bono  
 Scott Boozman  
 Serrano Brady (TX)  
 Sherman Brown (SC)  
 Shows Burr  
 Skelton Burton  
 Slaughter Buyer  
 Smith (WA) Callahan  
 Snyder Calvert  
 Solis Camp  
 Spratt Cannon  
 Stark Cantor  
 Stenholm Capito  
 Strickland Castle  
 Stupak Chabot  
 Tanner Chambliss  
 Tauscher Coble  
 Taylor (MS) Collins  
 Thompson (CA) Combest  
 Thompson (MS) Cox  
 Thurman Crane  
 Tierney Crenshaw  
 Towns Cubin  
 Turner Culberson  
 Udall (CO) Cunningham  
 Udall (NM) Latham  
 Velazquez Davis, Jo Ann  
 Visclosky Leach  
 Watson (CA) Deal  
 Watt (NC) DeLay  
 Waxman DeMint  
 Weiner Diaz-Balart  
 Wexler Doolittle  
 Woolsey Dreier  
 Wu Duncan  
 Wynn Dunn  
 Ehlers Ehlrich  
 Emerson Emerson  
 English  
 Everett  
 Ferguson  
 Flake  
 Fletcher  
 Foley  
 Forbes  
 Fossella  
 Frelinghuysen  
 Gallegly  
 Ganske  
 Gekas  
 Gibbons  
 Gilchrest  
 Gilman  
 Goode  
 Goodlatte

Abercrombie  
 Ackerman  
 Allen  
 Andrews  
 Baca  
 Baird  
 Baldacci  
 Baldwin  
 Barcia  
 Barrett  
 Becerra  
 Bentsen  
 Berkley  
 Berman  
 Berry  
 Bishop  
 Blumenauer  
 Bonior  
 Borski  
 Boswell  
 Boucher  
 Boyd  
 Brady (PA)

[Roll No. 398]

## AYES—213

Goss Petri  
 Graham Pickering  
 Granger Pitts  
 Graves Platts  
 Green (WI) Pombo  
 Greenwood Portman  
 Grucci Pryce (OH)  
 Gutknecht Putnam  
 Hansen Quinn  
 Harman Radanovich  
 Hart Ramstad  
 Hastings (WA) Regula  
 Hayes Rehberg  
 Hayworth Reynolds  
 Hefley Riley  
 Herger Rogers (KY)  
 Hobson Rogers (MI)  
 Hoekstra Rohrabacher  
 Horn Ros-Lehtinen  
 Hostettler Royce  
 Houghton Ryan (WI)  
 Hulshof Ryun (KS)  
 Hyde Saxton  
 Isakson Schaffer  
 Issa Schrock  
 Istook Sensenbrenner  
 Johnson (CT) Sessions  
 Johnson (IL) Shadegg  
 Johnson, Sam Shaw  
 Jones (NC) Shays  
 Keller Sherwood  
 Kelly Shimkus  
 Kennedy (MN) Shuster  
 Kerns Simmons  
 King (NY) Simpson  
 Kingston Skeen  
 Kirk Smith (MI)  
 Knollenberg Smith (NJ)  
 Kolbe Smith (TX)  
 LaHood Souder  
 Latham Stearns  
 LaTourette Sullivan  
 Leach Sununu  
 Lewis (CA) Sweeney  
 Lewis (KY) Tancredo  
 Linder Tauzin  
 LoBiondo Taylor (NC)  
 Lucas (OK) Terry  
 Manzullo Thomas  
 McCrery Thornberry  
 McHugh Thune  
 McInnis Tiahrt  
 McKeon Tiberi  
 Mica Toomey  
 Miller, Dan Upton  
 Miller, Gary Vitter  
 Miller, Jeff Walden  
 Moran (KS) Walsh  
 Morella Wamp  
 Myrick Watkins (OK)  
 Nethercutt Watts (OK)  
 Ney Weldon (FL)  
 Northup Weldon (PA)  
 Norwood Weller  
 Nussle Whitfield  
 Osborne Wicker  
 Ose Wilson (NM)  
 Otter Wilson (SC)  
 Paul Wolf  
 Pence Young (AK)  
 Peterson (PA) Young (FL)

## NOES—200

Brown (FL)  
 Brown (OH)  
 Capps  
 Capuano  
 Cardin  
 Carson (OK)  
 Clay  
 Clayton  
 Clement  
 Clyburn  
 Condit  
 Conyers  
 Costello  
 Coyne  
 Cramer  
 Crowley  
 Cummings  
 Davis (CA)  
 Davis (FL)  
 Davis (IL)  
 DeFazio  
 DeGette  
 Delahunt

DeLauro  
 Deutsch  
 Dicks  
 Dingell  
 Doggett  
 Dooley  
 Doyle  
 Edwards  
 Engel  
 Eshoo  
 Etheridge  
 Evans  
 Farr  
 Fattah  
 Filner  
 Ford  
 Frank  
 Frost  
 Gonzalez  
 Gordon  
 Green (TX)  
 Gutierrez  
 Hall (TX)

Hastings (FL)  
 Hill  
 Hilliard  
 Hinchey  
 Hinojosa  
 Hoeffel  
 Holden  
 Holt  
 Honda  
 Hooley  
 Hoyer  
 Israel  
 Jackson (IL)  
 Jackson-Lee  
 (TX)  
 Jefferson  
 John  
 Johnson, E. B.  
 Jones (OH)  
 Kanjorski  
 Kaptur  
 Kennedy (RI)  
 Kildee  
 Kilpatrick  
 Kind (WI)  
 Kleczka  
 Kucinich  
 LaFalce  
 Lampson  
 Langevin  
 Lantos  
 Larsen (WA)  
 Larson (CT)  
 Lee  
 Levin  
 Lewis (GA)  
 Lipinski  
 Lofgren  
 Lowey  
 Lucas (KY)  
 Luther  
 Lynch  
 Maloney (CT)  
 Maloney (NY)  
 Markey

Bachus  
 Blagojevich  
 Bryant  
 Carson (IN)  
 Cooksey  
 Gephardt  
 Gillmor

Mascara  
 Matheson  
 Matsui  
 McCarthy (MO)  
 McCarthy (NY)  
 McCollum  
 McDermott  
 McGovern  
 McIntyre  
 McKinney  
 McNulty  
 Meehan  
 Meek (FL)  
 Meeks (NY)  
 Menendez  
 Millender-  
 McDonald  
 Mollohan  
 Moore  
 Moran (VA)  
 Murtha  
 Nadler  
 Napolitano  
 Neal  
 Oberstar  
 Obey  
 Oliver  
 Ortiz  
 Owens  
 Pallone  
 Pascrell  
 Pastor  
 Pelosi  
 Peterson (MN)  
 Phelps  
 Pomeroy  
 Price (NC)  
 Rahall  
 Rangel  
 Reyes  
 Rivers  
 Rodriguez  
 Roemer  
 Ross  
 Rothman

Hilleary  
 Hunter  
 Inslee  
 Jenkins  
 Miller, George  
 Mink  
 Oxley

## NOT VOTING—19

□ 1200

Mr. CRAMER changed his vote from “aye” to “no.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. BACHUS. Mr. Speaker, on Thursday September 19th I missed rollcall vote Nos. 396, 397 and 398 due to chairing a hearing on terrorism with FBI Director Mueller testifying. If I had been present, I would have voted “aye” on each of these votes.

## RECOGNIZING CONTRIBUTIONS OF HISTORICALLY BLACK COLLEGES AND UNIVERSITIES

The SPEAKER pro tempore (Mr. LATOURETTE). The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 523.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. BOEHNER) that the House suspend the rules and agree to the resolution, H. Res. 523, on which the yeas and nays are ordered.