

Hoekstra	McInnis	Sanchez, Linda
Holden	McKeon	T.
Holt	Meehan	Sanders
Honda	Meek (FL)	Saxton
Hooley (OR)	Meeks (NY)	Schiff
Hostettler	Menendez	Schrock
Hoyer	Mica	Scott (GA)
Hulshof	Michaud	Scott (VA)
Hunter	Millender-	Sensenbrenner
Hyde	McDonald	Serrano
Inslee	Miller (FL)	Sessions
Isakson	Miller (MI)	Shadegg
Israel	Miller, Gary	Shaw
Issa	Mollohan	Shays
Istook	Moore	Sherman
Jackson (IL)	Moran (KS)	Sherwood
Jackson-Lee	Moran (VA)	Shimkus
(TX)	Murphy	Shuster
Janklow	Musgrave	Simmons
Jefferson	Myrick	Simpson
Jenkins	Nadler	Skelton
Johnson (CT)	Napolitano	Slaughter
Johnson (IL)	Neal (MA)	Smith (MI)
Johnson, Sam	Nethercutt	Smith (NJ)
Jones (NC)	Neugebauer	Smith (TX)
Kaptur	Ney	Smith (WA)
Keller	Northup	Snyder
Kelly	Norwood	Solis
Kennedy (MN)	Nunes	Spratt
Kennedy (RI)	Oberstar	Stark
Kildee	Obey	Stearns
Kilpatrick	Ortiz	Stenholm
Kind	Osborne	Strickland
King (IA)	Ose	Stupak
King (NY)	Otter	Sweeney
Kirk	Owens	Tancredo
Klecza	Oxley	Tanner
Kline	Pascrell	Tauscher
Knollenberg	Paul	Tauzin
Kolbe	Payne	Taylor (NC)
Kucinich	Pearce	Terry
LaHood	Pence	Thomas
Lampson	Peterson (MN)	Thornberry
Langevin	Peterson (PA)	Tiahrt
Lantos	Petri	Tiberi
Larsen (WA)	Pickering	Tierney
Latham	Pitts	Toomey
LaTourette	Platts	Turner (OH)
Leach	Pombo	Turner (TX)
Lee	Porter	Udall (CO)
Levin	Portman	Udall (NM)
Lewis (CA)	Pryce (OH)	Upton
Lewis (GA)	Putnam	Van Hollen
Lewis (KY)	Quinn	Viscosky
Linder	Rahall	Vitter
Lipinski	Ramstad	Walden (OR)
LoBiondo	Regula	Walsh
Lofgren	Rehberg	Wamp
Lucas (KY)	Renzi	Watson
Lucas (OK)	Reynolds	Watt
Lynch	Rodriguez	Weiner
Majette	Rogers (AL)	Weldon (FL)
Maloney	Rogers (KY)	Weldon (PA)
Manzullo	Rogers (MI)	Weller
Markey	Rohrabacher	Wexler
Marshall	Ros-Lehtinen	Whitfield
Matheson	Ross	Wicker
Matsui	Rothman	Wilson (NM)
McCarthy (MO)	Roybal-Allard	Wilson (SC)
McCarthy (NY)	Royce	Wolf
McCollum	Ruppersberger	Wu
McCotter	Rush	Wynn
McCrery	Ryan (OH)	Young (AK)
McDermott	Ryan (WI)	Young (FL)
McHugh	Sabo	

## ANSWERED "PRESENT"—1

Reyes

## NOT VOTING—22

Baird	Hinojosa	Pomeroy
Bishop (UT)	Houghton	Price (NC)
Burr	John	Ryan (KS)
Cannon	Johnson, E. B.	Souder
Conyers	Kingston	Sullivan
Eshoo	Lowey	Waxman
Fossella	Nussle	
Gephardt	Pastor	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1931

Ms. LOFGREN, Mr. MEEHAN, and Mr. MORAN of Kansas changed their vote from "yea" to "nay."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF H.R. 2427, PHARMACEUTICAL MARKET ACCESS ACT OF 2003

The SPEAKER pro tempore (Mr. LAHOOD). The time remaining on the rule, the gentleman from Texas (Mr. SESSIONS) has 4½ minutes remaining, and the gentlewoman from New York (Ms. SLAUGHTER) has 1½ minutes remaining.

Ms. SLAUGHTER. Mr. Speaker, before I start I would like to clarify with the gentleman from Texas (Mr. SESSIONS), we had a conversation, and he has one more speaker for the remainder of the time; is that correct?

Mr. SESSIONS. Mr. Speaker, to answer the gentlewoman, I have 4½ minutes remaining. I will use 4 minutes for a speaker to close, and then I will end the debate.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 20 seconds.

Mr. Speaker, I simply wanted to remind the House that this is probably one of the most important votes that they are going to take because their constituents are waiting to see where we fall. Are we with the pharmaceutical companies, or are we with them? The safety issue absolutely will hold no water anywhere, and they know it. And I think that there will be a lot to answer to if we do not support this tonight.

Mr. Speaker, I yield the remainder of my time to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Mr. Speaker, I have been here for 21 years in this body. I know I look a lot younger, but I have been here 21 years. And I have never seen the kind of pressure exerted on Members of this body like I have seen on this bill.

They say it is about safety. It is not about safety; it is about money. They say it is about health, the health of the seniors who might be taken in by counterfeit drugs. It is not about that. It is about money, the money that the pharmaceutical companies are making on the backs of the American people.

Talk to a lady who has got a child who is suffering from some very serious disease and she finds out, to buy her pharmaceutical products here, it costs four or five times here than what it costs in Canada or Germany or France. What do we say to her? It is about money. What do we say to a woman who has breast cancer, who is going to die, who needs Tamoxifen to survive? Her life depends on it. How do we tell her it is going to cost six or seven times what it costs in Canada or Germany for the very same thing? Is her

life worth that much less? Tell me, is her life worth that much less?

And if the profits are so great here and they are not as great elsewhere, then why not spread it around? Why should all these profits be loaded on the backs of the American people?

When the Members vote, I want them to think about this. Think about this. And I approach this from a personal standpoint. There is a woman who is dying of breast cancer. This is one example. How do we tell her when she goes to buy Tamoxifen and she cannot afford it that she could go right across the border to Canada and get it for one-sixth or one-seventh what it costs here? How do we tell her that? We cannot.

We need to pass this bill to send a message to the pharmaceutical companies that the American people deserve the same rights and privileges as anybody else in this world, especially those who really need it because of their health.

Mr. SESSIONS. Mr. Speaker, I yield 4 minutes to the gentleman from Louisiana (Mr. MCCREY).

Mr. MCCREY. Mr. Speaker, one thing I agree with the last speaker about, and that is that Americans pay an unfair share of the research and development costs for pharmaceuticals in the world; but the proper way to address that is not by abandoning our free market principles and importing price controls, and that is what this bill would do.

I have heard it several times here this evening, there is no safety issue. That is a ruse. Do not believe PhRMA. Do not even believe FDA. But how about the Secretary of HHS for two different administrations, one Democratic and one Republican? A previous speaker said, well, I personally talked to Secretary Shalala not long ago and she assured me that that is not what she really said. What she really said is that if the FDA had the appropriate resources, then we could certify the safety of these drugs.

I would ask the gentleman who spoke with Donna Shalala, did he ask her does the FDA have the appropriate resources? The answer would be no. Does this bill give them the appropriate resources? The answer is no. When would they get the appropriate resources? We do not know. But you want to pass this bill tonight. If the FDA got the appropriate resources, how long would it take them to put those safety devices in place?

So you can say there is not a safety issue, but that is all it is, is words. The people who have researched this, the people in positions of responsibility in government, both Democratic and Republican, have said there is a safety issue. So think about that before voting for this bill.

There is a chart to my left here. This side of the chart shows a chart that was put up on this floor earlier by one of the proponents of the bill. The other side shows the rest of the story. Germany imposes price controls, called

“reference prices” on most drugs. Seven out of the 10 drugs on this chart that was shown have price controls. Most of the drugs on this list are also available as generics in Germany. Seven out of 10, in fact, are available as generics. Nine out of 10 are either subject to price controls or are available in generic form. What happens when a generic form comes on market? The price comes down of the patented drug.

In addition, all drugs in Germany are subject to the threat of compulsory licensing, that is, the drug company can lose its patent in Germany if they refuse to sell the drugs there. I do not know where the United States prices on the supporters’ charts came from. The difference is not 300 percent, as they would advertise, but 31 percent. That is reality. Vote against this bill if we want better wonder drugs in the future for better health.

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

These proposed changes will prevent the greatest scientific research and development organization in the world from continuing to solve the medical problems of tomorrow. We need to pass a prescription drug plan that reduces the cost of drugs, not one that ruins those that make drugs that solves problems, that takes care of the real-life problems that we face, moms, dads, brothers, and sisters. We need to make sure that we vote “yes” on the rule and that we vote “no” on Gutknecht to make sure that the prescription drug people who do the hard work are alive and well and provide those things that are necessary and pass a prescription drug plan that takes care of the problems with the cost of high prescription drugs.

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.

RECORDED VOTE

Ms. SLAUGHTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the vote on adoption of the resolution, if ordered, and on any other votes arising in this series.

The vote was taken by electronic device, and there were—ayes 417, noes 10, not voting 7, as follows:

[Roll No. 439]

AYES—417

Abercrombie	Baldwin	Bereuter
Ackerman	Ballance	Berkley
Aderholt	Ballenger	Berman
Akin	Barrett (SC)	Berry
Alexander	Bartlett (MD)	Biggert
Allen	Barton (TX)	Bilirakis
Andrews	Bass	Bishop (GA)
Baca	Beauprez	Bishop (NY)
Bachus	Becerra	Blackburn
Baker	Bell	Blumenauer

Blunt	Frank (MA)	Lipinski
Boehkert	Franks (AZ)	LoBiondo
Boehner	Frelinghuysen	Lofgren
Bonilla	Frost	Lowe
Bonner	Galleghy	Lucas (KY)
Bono	Garrett (NJ)	Lucas (OK)
Boozman	Gerlach	Lynch
Boswell	Gibbons	Majette
Boucher	Gilchrest	Maloney
Boyd	Gillmor	Manzullo
Bradley (NH)	Gingrey	Markey
Brady (PA)	Gonzalez	Marshall
Brady (TX)	Goode	Matheson
Brown (OH)	Goodlatte	Matsui
Brown (SC)	Gordon	McCarthy (MO)
Brown, Corrine	Goss	McCarthy (NY)
Brown-Waite,	Granger	McCollum
Ginny	Graves	McCotter
Burgess	Green (TX)	McCrery
Burns	Green (WI)	McDermott
Burr	Greenwood	McGovern
Burton (IN)	Grijalva	McHugh
Buyer	Gutierrez	McInnis
Calvert	Gutknecht	McIntyre
Camp	Hall	McKeon
Cannon	Harman	McNulty
Cantor	Harris	Meehan
Capito	Hart	Meek (FL)
Capps	Hastings (FL)	Meeks (NY)
Capuano	Hastings (WA)	Mica
Cardin	Hayes	Michaud
Cardoza	Hayworth	Millender-
Carson (IN)	Hefley	McDonald
Carson (OK)	Hensarling	Miller (FL)
Carter	Herger	Miller (MI)
Case	Hill	Miller (NC)
Castle	Hinche	Miller, Gary
Chabot	Hinojosa	Miller, George
Chocola	Hobson	Mollohan
Clay	Hoefel	Moore
Coble	Hoekstra	Moran (KS)
Cole	Holden	Moran (VA)
Collins	Holt	Murphy
Conyers	Honda	Murtha
Cooper	Hooley (OR)	Musgrave
Cox	Hostettler	Myrick
Cramer	Hoyer	Nadler
Crane	Hulshof	Napolitano
Crenshaw	Hunter	Neal (MA)
Crowley	Hyde	Nethercutt
Cubin	Inslee	Neugebauer
Culberson	Isakson	Ney
Cummings	Israel	Northup
Cunningham	Issa	Norwood
Davis (AL)	Jackson (IL)	Nunes
Davis (CA)	Jackson-Lee	Nussle
Davis (FL)	(TX)	Oberstar
Davis (IL)	Janklow	Obey
Davis (TN)	Jefferson	Olver
Davis, Jo Ann	Jenkins	Ortiz
Davis, Tom	John	Osborne
Deal (GA)	Johnson (CT)	Ose
DeGette	Johnson (IL)	Otter
DeLauro	Johnson, Sam	Owens
DeLay	Jones (NC)	Oxley
DeMint	Jones (OH)	Pallone
Deutsch	Kanjorski	Paul
Diaz-Balart, L.	Kaptur	Payne
Diaz-Balart, M.	Keller	Pearce
Dingell	Kelly	Pelosi
Doggett	Kennedy (MN)	Pence
Dooley (CA)	Kennedy (RI)	Peterson (MN)
Doolittle	Kildee	Peterson (PA)
Doyle	Kilpatrick	Petri
Dreier	Kind	Pickering
Duncan	King (IA)	Pitts
Dunn	King (NY)	Platts
Edwards	Kingston	Pombo
Ehlers	Kirk	Pomeroy
Emanuel	Klecza	Porter
Emerson	Kline	Portman
Engel	Knollenberg	Price (NC)
English	Kolbe	Pryce (OH)
Eshoo	Kucinich	Putnam
Etheridge	LaHood	Quinn
Evans	Lampson	Radanovich
Everett	Langevin	Rahall
Farr	Lantos	Ramstad
Fattah	Larsen (WA)	Rangel
Feeney	Larson (CT)	Regula
Ferguson	Latham	Rehberg
Filner	LaTourette	Renzi
Flake	Leach	Reyes
Fletcher	Lee	Reynolds
Foley	Levin	Rodriguez
Forbes	Lewis (CA)	Rogers (AL)
Ford	Lewis (GA)	Rogers (KY)
Fossella	Lewis (KY)	Rogers (MI)
	Linder	Rohrabacher

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

NOES—10

Clyburn	Johnson, E. B.	Stupak
Costello	Menendez	Towns
DeFazio	Pascrell	
Dicks	Rothman	

NOT VOTING—7

Baird	Houghton	Sullivan
Bishop (UT)	Istook	
Gephardt	Pastor	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD) (during the vote). Members are reminded there are 2 minutes remaining in this vote.

□ 1959

Messrs. OLVER, COOPER, and NADLER changed their vote from “no” to “aye.”

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to. A motion to reconsider was laid on the table.

MOTION TO ADJOURN

Ms. SLAUGHTER. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentlewoman from New York (Ms. SLAUGHTER).

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

RECORDED VOTE

Ms. SLAUGHTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this vote will followed by a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 35, noes 393, not voting 6, as follows: