

Miller, Gary  
 Miller, George  
 Moore  
 Moran (KS)  
 Moran (VA)  
 Murphy  
 Murtha  
 Musgrave  
 Myrick  
 Nadler  
 Neal (MA)  
 Nethercutt  
 Neugebauer  
 Ney  
 Northup  
 Norwood  
 Nunes  
 Nussle  
 Oberstar  
 Obey  
 Olver  
 Osborne  
 Otter  
 Owens  
 Oxley  
 Pallone  
 Pascrell  
 Pastor  
 Paul  
 Payne  
 Pearce  
 Peterson (MN)  
 Peterson (PA)  
 Petri  
 Pickering  
 Pitts  
 Platts  
 Pombo  
 Pomeroy  
 Porter  
 Portman  
 Price (NC)  
 Pryce (OH)  
 Putnam  
 Quinn  
 Radanovich  
 Rahall  
 Ramstad

Rangel  
 Regula  
 Rehberg  
 Renzi  
 Reynolds  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Ros-Lehtinen  
 Ross  
 Rothman  
 Roybal-Allard  
 Ruppertsberger  
 Rush  
 Ryan (OH)  
 Ryan (WI)  
 Ryun (KS)  
 Sabo  
 Sánchez, Linda  
 T.  
 Sanders  
 Saxton  
 Schakowsky  
 Schrock  
 Scott (GA)  
 Scott (VA)  
 Sensenbrenner  
 Serrano  
 Sessions  
 Shadegg  
 Shaw  
 Shays  
 Sherman  
 Sherwood  
 Shimkus  
 Shuster  
 Simmons  
 Simpson  
 Skelton  
 Slaughter  
 Smith (NJ)  
 Smith (TX)  
 Smith (WA)  
 Snyder  
 Solis  
 Souder  
 Spratt

Stark  
 Stearns  
 Stenholm  
 Strickland  
 Stupak  
 Sullivan  
 Sweeney  
 Tancredo  
 Tanner  
 Tauscher  
 Tauzin  
 Taylor (MS)  
 Taylor (NC)  
 Terry  
 Thomas  
 Thompson (CA)  
 Thompson (MS)  
 Thornberry  
 Tiahrt  
 Tiberi  
 Tierney  
 Turner (OH)  
 Turner (TX)  
 Udall (CO)  
 Udall (NM)  
 Upton  
 Van Hollen  
 Velázquez  
 Vislosky  
 Vitter  
 Walden (OR)  
 Walsh  
 Wamp  
 Watson  
 Watt  
 Waxman  
 Weiner  
 Weldon (FL)  
 Weller  
 Waxler  
 Whitfield  
 Wicker  
 Wilson (NM)  
 Wilson (SC)  
 Wolf  
 Wu  
 Young (AK)

NOT VOTING—50

Aderholt  
 Baca  
 Bell  
 Berry  
 Burton (IN)  
 Calvert  
 Castle  
 Chocola  
 Cummings  
 Davis (CA)  
 DeMint  
 Doggett  
 Dooley (CA)  
 Filner  
 Gilchrest  
 Gutierrez  
 Harman

Herger  
 Hinojosa  
 Hooley (OR)  
 Johnson (CT)  
 Jones (OH)  
 King (IA)  
 Kingston  
 Kucinich  
 Lantos  
 Markey  
 McCotter  
 Meeks (NY)  
 Millender  
 McDonald  
 Mollohan  
 Napolitano  
 Ortiz

Ose  
 Pelosi  
 Pence  
 Reyes  
 Rodriguez  
 Royce  
 Sanchez, Loretta  
 Sandlin  
 Schiff  
 Smith (MI)  
 Toomey  
 Towns  
 Waters  
 Weldon (PA)  
 Woolsey  
 Wynn  
 Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BOOZMAN) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1856

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 32, due to urgent constituent support commitments in my Congressional District, I missed the vote. Had I been present, I would have voted "yea."

EXPRESSING SYMPATHY OF HOUSE FOR VICTIMS OF EARTHQUAKE IN IRAN

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 526.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. HYDE) that the House suspend the rules and agree to the resolution, H. Res. 526, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 381, nays 0, not voting 52, as follows:

[Roll No. 33]

YEAS—381

Abercrombie  
 Ackerman  
 Akin  
 Alexander  
 Allen  
 Andrews  
 Bachus  
 Baird  
 Baker  
 Baldwin  
 Ballance  
 Ballenger  
 Barrett (SC)  
 Bartlett (MD)  
 Barton (TX)  
 Bass  
 Beauprez  
 Becerra  
 Bereuter  
 Berkeley  
 Berman  
 Biggart  
 Bilirakis  
 Bishop (GA)  
 Bishop (NY)  
 Bishop (UT)  
 Blackburn  
 Blumenauer  
 Blunt  
 Boehlert  
 Boehner  
 Bonilla  
 Bonner  
 Bono  
 Boozman  
 Boswell  
 Boucher  
 Boyd  
 Bradley (NH)  
 Brady (PA)  
 Brady (TX)  
 Brown (OH)  
 Brown (SC)  
 Brown, Corrine  
 Brown-Waite,  
 Ginny  
 Burgess  
 Burns  
 Burr  
 Buyer  
 Camp  
 Cannon  
 Cantor  
 Capito  
 Capps  
 Capuano  
 Cardin  
 Cardoza  
 Carson (IN)  
 Carson (OK)  
 Carter  
 Case  
 Chabot  
 Chandler  
 Clay  
 Clyburn  
 Coble  
 Cole  
 Collins  
 Conyers  
 Cooper  
 Costello

Cox  
 Cramer  
 Crane  
 Crenshaw  
 Crowley  
 Cubin  
 Cullingham  
 Cunningham  
 Davis (AL)  
 Davis (FL)  
 Davis (IL)  
 Davis (TN)  
 Davis, Jo Ann  
 Davis, Tom  
 Deal (GA)  
 DeFazio  
 DeGette  
 Delahunt  
 DeLauro  
 DeLay  
 Deutsch  
 Diaz-Balart, L.  
 Diaz-Balart, M.  
 Dicks  
 Dingell  
 Doolittle  
 Doyle  
 Dreier  
 Duncan  
 Dunn  
 Edwards  
 Ehlers  
 Emanuel  
 Emerson  
 Engel  
 English  
 Eshoo  
 Etheridge  
 Everett  
 Farr  
 Fattah  
 Feeney  
 Ferguson  
 Flake  
 Foley  
 Forbes  
 Ford  
 Fossella  
 Frank (MA)  
 Franks (AZ)  
 Frelinghuysen  
 Frost  
 Gallegly  
 Garrett (NJ)  
 Gephardt  
 Gerlach  
 Gibbons  
 Gillmor  
 Gingrey  
 Gonzalez  
 Goode  
 Goodlatte  
 Gordon  
 Goss  
 Granger  
 Graves  
 Green (TX)  
 Green (WI)  
 Greenwood  
 Grijalva  
 Gutknecht  
 Hall

Harris  
 Hart  
 Hastings (FL)  
 Hastings (WA)  
 Hayes  
 Hayworth  
 Hefley  
 Hensarling  
 Hill  
 Hinchey  
 Hobson  
 Hoefel  
 Hoekstra  
 Holden  
 Holt  
 Honda  
 Hostettler  
 Houghton  
 Hoyer  
 Hulshof  
 Hunter  
 Hyde  
 Inslee  
 Isakson  
 Israel  
 Issa  
 Istook  
 Jackson (IL)  
 Jackson-Lee  
 (TX)  
 Jefferson  
 Jenkins  
 John  
 Johnson (CT)  
 Johnson (IL)  
 Johnson, E. B.  
 Johnson, Sam  
 Jones (NC)  
 Kanjorski  
 Kaptur  
 Keller  
 Kelly  
 Kennedy (MN)  
 Kennedy (RI)  
 Kildee  
 Kilpatrick  
 Kind  
 King (NY)  
 Kirk  
 Kleczka  
 Kline  
 Knollenberg  
 Kolbe  
 LaHood  
 Lampson  
 Langevin  
 Larsen (WA)  
 Larson (CT)  
 Latham  
 LaTourette  
 Leach  
 Lee  
 Levin  
 Lewis (CA)  
 Lewis (GA)  
 Lewis (KY)  
 Linder  
 Lipinski  
 LoBiondo  
 Lofgren  
 Lowey  
 Lucas (KY)

Lucas (OK)  
 Lynch  
 Majette  
 Maloney  
 Manzullo  
 Matheson  
 Matsui  
 McCarthy (MO)  
 McCarthy (NY)  
 McCollum  
 McCrery  
 McDermott  
 McGovern  
 McHugh  
 McInnis  
 McIntyre  
 McKeon  
 McNulty  
 Meehan  
 Meek (FL)  
 Menendez  
 Mica  
 Michaud  
 Miller (FL)  
 Miller (MI)  
 Miller (NC)  
 Miller, Gary  
 Miller, George  
 Moore  
 Moran (KS)  
 Moran (VA)  
 Murphy  
 Musgrave  
 Myrick  
 Nadler  
 Neal (MA)  
 Nethercutt  
 Neugebauer  
 Ney  
 Northup  
 Norwood  
 Nunes  
 Nussle  
 Oberstar  
 Obey  
 Olver  
 Osborne  
 Otter  
 Owens  
 Oxley  
 Pallone  
 Pascrell  
 Paul  
 Payne  
 Pearce

Peterson (MN)  
 Peterson (PA)  
 Petri  
 Pickering  
 Pitts  
 Platts  
 Pombo  
 Pomeroy  
 Porter  
 Portman  
 Price (NC)  
 Pryce (OH)  
 Putnam  
 Quinn  
 Radanovich  
 Rahall  
 Ramstad  
 Rangel  
 Regula  
 Rehberg  
 Renzi  
 Reynolds  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Ros-Lehtinen  
 Ross  
 Rothman  
 Roybal-Allard  
 Ruppertsberger  
 Rush  
 Ryan (OH)  
 Ryan (WI)  
 Ryun (KS)  
 Sabo  
 Sánchez, Linda  
 T.  
 Sanders  
 Saxton  
 Schakowsky  
 Schrock  
 Scott (GA)  
 Scott (VA)  
 Sensenbrenner  
 Serrano  
 Sessions  
 Shadegg  
 Shaw  
 Shays  
 Sherman  
 Sherwood  
 Shimkus  
 Shuster  
 Simmons  
 Simpson

Skelton  
 Slaughter  
 Smith (NJ)  
 Smith (TX)  
 Smith (WA)  
 Snyder  
 Solis  
 Souder  
 Spratt  
 Stark  
 Stearns  
 Stenholm  
 Strickland  
 Stupak  
 Sullivan  
 Tancredo  
 Tanner  
 Tauscher  
 Tauzin  
 Taylor (MS)  
 Taylor (NC)  
 Terry  
 Thomas  
 Thompson (CA)  
 Thompson (MS)  
 Thornberry  
 Tiahrt  
 Tiberi  
 Tierney  
 Turner (OH)  
 Turner (TX)  
 Udall (CO)  
 Udall (NM)  
 Upton  
 Van Hollen  
 Velázquez  
 Vislosky  
 Vitter  
 Walden (OR)  
 Walsh  
 Wamp  
 Watson  
 Watt  
 Waxman  
 Weiner  
 Weldon (FL)  
 Weller  
 Waxler  
 Whitfield  
 Wicker  
 Wilson (NM)  
 Wilson (SC)  
 Wolf  
 Wu  
 Young (AK)

NOT VOTING—52

Aderholt  
 Baca  
 Bell  
 Berry  
 Burton (IN)  
 Calvert  
 Castle  
 Chocola  
 Cummings  
 Davis (CA)  
 DeMint  
 Doggett  
 Dooley (CA)  
 Filner  
 Gilchrest  
 Gutierrez  
 Harman

Herger  
 Hinojosa  
 Hooley (OR)  
 Jones (OH)  
 King (IA)  
 Kingston  
 Kucinich  
 Lantos  
 Markey  
 Marshall  
 McCotter  
 Meeks (NY)  
 Millender  
 McDonald  
 Mollohan  
 Murtha  
 Napolitano  
 Ortiz

Ose  
 Pelosi  
 Pence  
 Reyes  
 Rodriguez  
 Royce  
 Sanchez, Loretta  
 Sandlin  
 Schiff  
 Smith (MI)  
 Toomey  
 Towns  
 Waters  
 Weldon (PA)  
 Woolsey  
 Wynn  
 Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BOOZMAN) (during the vote). Members are advised that 2 minutes remain in the vote.

□ 1913

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 33, due to urgent constituent support commitments in my Congressional District, I missed

the vote. Had I been present, I would have voted "yea."

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#### PERSONAL EXPLANATION

Mr. DEMINT. Mr. Speaker, I was absent during rollcall votes 32 and 33. Had I been present, I would have voted "yea" on each of those votes.

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#### PERSONAL EXPLANATION

Mr. BACA. Mr. Speaker, on rollcall Nos. 32 and 33, for personal reasons, I was unable to be in the chamber when the time elapsed on the vote.

Had I been able to vote, I would have voted "yea" for both votes.

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#### PERSONAL EXPLANATION

Mr. BURTON of Indiana. Mr. Speaker, I have just returned from leading a Congressional delegation trip to Iraq and due to an unavoidable delay, I was unable to be on the House Floor for rollcall votes 32 and 33. Had I been here I would have voted "yea" for rollcall vote 32, and "yea" for rollcall vote 33.

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#### INVESTIGATE HAITI CLAIMS

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, needless to say, all of our eyes have been focused on a small little nation just south of this great Nation. Small though it may be, Haiti stood alongside Americans in their fight for independence, and Haiti stands this 200th year as an independent democratic nation.

As we read the Nation's headlines, we see Haitians struggle to pull their nation out of chaos, and then the most tragic statement came this weekend when words were stated by President Aristide that someone, this Nation, allegedly forced him to leave his beloved nation, forced him to leave his position as the duly elected president of Haiti.

I believe this Congress cannot sit in silence. So I am asking the Speaker and the leader of the House to convene major congressional investigations that will include a number of committees, and, in particular, the Permanent Select Committee on Intelligence.

We must know the truth of the CIA's involvement, who directed the military, and what occurred on that fateful night. America has the responsibility to take the high moral standard. And even though Haiti is not Iraq, Haiti is still a country that we should feel for. Haiti asked us to come in peace, but it seems as if we came in war. An investigation is necessary and we must do it now.

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#### IN HONOR OF TEXAS INDEPENDENCE DAY

(Mr. LAMPSON asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. LAMPSON. Mr. Speaker, I rise today to recognize Texas' Independence Day, March 2, 1836, the day that Texas declared its independence from Mexico.

On that fateful day, the Texas Declaration of Independence from Mexico was signed by State delegates and began Texans' journey to joining the United States in 1845. As all Texans know, this was not a calm time or serene event. Indeed, as the delegates prepared the very document itself, the Alamo, the famous mission in San Antonio, and our ancestors were literally under siege by the Mexican army. And as all Americans know, the battle of the Alamo was one of the greatest in American history where 189 brave Texans gave their lives, pushing back around 1,600 opposing soldiers in what became the strategic turning point in the ultimate and successful push for Texas independence.

Mr. Speaker, as we pause again to commemorate Texas on its most important anniversary, I also rise to recognize the countless important contributions that Texans have given to our great Nation since those tumultuous times. Thousands of brave Texas men and women, including many from the Ninth District, bravely serve in our armed forces, and Texas continually produces great civic and business leaders, strongly promotes the arts, and proudly serves as an international hub of commerce and culture.

So I ask my colleagues to join me in honoring the great State of Texas on this momentous occasion, to honor all the heroes who gave their lives so that Texas eventually won its hard-fought independence, and to salute Texans who defend our Nation and promote peace and America's interests worldwide.

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#### MARK McCLELLAN: THE WRONG MAN FOR THE JOB

(Mr. BEREUTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include therein extraneous material.)

Mr. BEREUTER. Madam Speaker, Members of this body should be alarmed that Secretary Tommy Thompson, Secretary of Health and Human Services, named Food and Drug Commissioner Dr. Mark McClellan, a vocal opponent of importing drugs from Canada, to lead a government study of reimportation. This decision is a bad one and is a slap in the face of 243 Members of Congress who voted in support of the Pharmaceutical Market Access Act.

As head of the FDA, Dr. McClellan has vehemently opposed the importation of drugs from Canada. Despite the assurance of Secretary Thompson that the study will be balanced and fair, with Dr. McClellan at the helm there is no way this study will be seen as objective. With the proper effort and tech-

nology, it is clearly possible for pharmaceuticals to be safely reimported from Canada and from other countries. American consumers are now asked to subsidize the consumers in the rest of the world by the prices we are charged. This is an issue that will not go away.

Madam Speaker, in closing, no matter what barriers they erect and excuses the FDA or drug companies offer, Americans will continue to search for the much lower drug prices found everywhere else in the world.

[From the Omaha World Herald, Mar. 1, 2004]

#### CHOOSE SOMEONE ELSE

The Bush administration on Wednesday took a step toward establishing a common-sense policy on importing prescription drugs from Canada. Then it took two steps back. That's no way to reach a reasonable policy on a highly significant issue.

Good: Officials announced a year-long study of how drugs could be safely imported from Canada, where the prices can be 60 percent or more lower than U.S. citizens pay. Importation is technically against the law, but many senior citizens, some encouraged and even aided by their local or state governments, do it anyway. The saving is significant for those on fixed incomes and the risks appear minimal.

Bad: U.S. officials appointed Dr. Mark B. McClellan, recently nominated to head the Centers for Medicare and Medicaid Services, to lead the study. McClellan has been a vocal and vehement opponent of any change in the rules that prohibit drug imports, and his agency has threatened legal action against local and state governments that help seniors.

In the Senate, Democrats and some Republicans have objected. "Putting the fox in charge of the chicken house," observed Sen. Byron Dorgan, D-N.D. McClellan has already shown "a personal bias" against drug importation, said a spokeswoman for Sen. John McCain, R-Ariz.

Health and Human Services Department leaders promised a balanced commission and a thorough study of the issue. But Director Tommy Thompson has launched a leaky ship with serious holes in its credibility merely by appointing McClellan to captain it.

Drug importation distresses the pharmaceutical industry for obvious reasons. The Canadian government regulates prescription prices. In the recent Medicare reform bill that would give senior citizens a prescription drug benefit in 2006, Congress forbade the federal government from negotiating for lower drug prices for Americans. That is industry-friendly to the extreme.

So is the appointment of McClellan to such a sensitive post. The administration shouldn't squander the opportunity to settle this contentious issue in a rational manner. And it shouldn't squander its credibility by so blatantly stacking the deck. A more objective professional should be chosen.

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□ 1915

#### SPECIAL ORDERS

The SPEAKER pro tempore (Mr. BOOZMAN). Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.