

not go through the committee allowing us the opportunity to strike this provision. Sunsetting the bill is simply bad policy. There is no serious medical or public health argument that it would enhance the health of American children to repeal this law in 5 years. Certainly no one makes the argument that the rules regarding testing of drugs in adults need to be reassessed every 5 years.

Since the sunset provision is not based on improving the public health, why is it in the bill? I have been told that the law giving companies financial incentives for conducting pediatric studies sunsets every 5 years, so this bill should too. But the financial incentives bill raises very different concerns. Those incentives extend drug company monopolies on popular drugs, which in turn raises the price of those drugs for all Americans.

The Congress has an obligation to reassess the size of the incentives periodically to make sure that the cost in higher drug prices is worth the benefit being gained.

There is no similar reason to reassess the Pediatric Rule, and I am very concerned that by sunsetting the two bills together, the Congress will be put in a position where reauthorization of the Pediatric Rule is held hostage to reauthorization of the incentives.

The fact that we have been denied the opportunity to strike the sunset is unfortunate. Similarly, I regret that the gentleman from Michigan (Mr. STUPAK) was denied the opportunity to offer his amendment which addresses an extremely serious issue. I strongly support his amendment and would have liked to have voted for it in committee.

Nevertheless, despite my concern with the process, I will vote for this bill. It is urgent that we pass this legislation as quickly as possible. Every day that we do not act to put the Pediatric Rule back into effect, we run an additional risk that the health of American children will be compromised.

For more than 40 years, the Food and Drug Act has offered a guarantee to adult Americans that their drugs will be safe and effective. It is time we assured our children of the same guarantee.

This bill will also assure that all contact lens care products will be regulated as device accessories.

Mr. DINGELL. Mr. Speaker, I support S. 650, the "Pediatric Research Equity Act of 2003." This bill will make clear that the Food and Drug Administration (FDA) has the authority to require testing for drugs that are administered to children in appropriate cases. This legislation will effectively moot pending litigation. Last year, a Federal district court held that FDA lacked statutory authority to promulgate the pediatric rule. While appeals are pending, this bill will provide a speedy and certain resolution of that question.

Mr. Speaker, I do want to express my concerns with a provision in this bill which sunsets FDA's authority on October 1, 2007. Why on earth should a regulatory authority to protect

the health of children be time limited? There are reasons, none of them good. This date just happens to coincide with the expiration of a provision of existing law which provides a financially powerful incentive to drug makers to test drugs for children. Whatever the perceived merits of the incentive, it costs consumers a lot of money because it delays generic drug entry into the market for six months beyond what would normally be the case. The rule is being tied to the incentive and that, in my view, is just plain wrong.

We should have had an opportunity to debate and offer amendments to improve S. 650, but this bill is being brought to the floor without being reported or otherwise considered by the Committee on Energy and Commerce. This is an unnecessary and unwise bypass of the committee of jurisdiction. The health of America's children is too important for us to avoid careful consideration of matters that affect them. For us to merely adopt the work product of the Senate is to shirk our duty for our children. We can do better, and the fact that we did not do better is unfortunate.

Mr. BROWN of Ohio. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. OSE). The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the Senate bill, S. 650.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 2420, by the yeas and nays;  
House Resolution 427, by the yeas and nays;

House Concurrent Resolution 83, by the yeas and nays.

The first electronic vote in this series will be conducted as a 15-minute vote. The remaining votes in this series will be 5-minute votes.

#### MUTUAL FUNDS INTEGRITY AND FEE TRANSPARENCY ACT OF 2003

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2420, as amended.

The Clerk read the title of the bill. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. OXLEY) that the House suspend the rules and pass the bill, H.R. 2420, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 418, nays 2, not voting 14, as follows:

Abercrombie	Deutsch	Jones (NC)
Ackerman	Diaz-Balart, L.	Jones (OH)
Aderholt	Diaz-Balart, M.	Kanjorski
Akin	Dicks	Kaptur
Alexander	Dingell	Keller
Allen	Doggett	Kelly
Baca	Dooley (CA)	Kennedy (MN)
Bachus	Doolittle	Kennedy (RI)
Baird	Doyle	Kildee
Baker	Dreier	Kilpatrick
Baldwin	Duncan	Kind
Ballance	Dunn	King (IA)
Ballenger	Edwards	King (NY)
Barrett (SC)	Ehlers	Kingston
Bartlett (MD)	Emanuel	Kirk
Barton (TX)	Emerson	Kleccka
Bass	Engel	Kline
Beauprez	English	Knollenberg
Becerra	Eshoo	Kolbe
Bell	Etheridge	Kucinich
Bereuter	Evans	LaHood
Berkley	Everett	Lampson
Berman	Farr	Langevin
Berry	Fattah	Lantos
Biggart	Feeney	Larsen (WA)
Bilirakis	Ferguson	Larson (CT)
Bishop (GA)	Filner	Latham
Bishop (UT)	Foley	LaTourette
Blackburn	Forbes	Leach
Blumenauer	Ford	Lee
Blunt	Fossella	Levin
Boehlert	Frank (MA)	Lewis (CA)
Boehner	Franks (AZ)	Lewis (GA)
Bonilla	Frelinghuysen	Lewis (KY)
Bonner	Frost	Linder
Bono	Gallegly	Lipinski
Boozman	Garrett (NJ)	LoBiondo
Boswell	Gerlach	Loftgren
Boucher	Gibbons	Lowe
Boyd	Gilchrest	Lucas (KY)
Bradley (NH)	Gillmor	Lucas (OK)
Brady (PA)	Gingrey	Lynch
Brady (TX)	Gonzalez	Majette
Brown (OH)	Goode	Maloney
Brown (SC)	Goodlatte	Manzullo
Brown, Corrine	Gordon	Markey
Brown-Waite,	Goss	Marshall
Ginny	Granger	Matheson
Burgess	Graves	Matsui
Burns	Green (TX)	McCarthy (MO)
Burr	Green (WI)	McCarthy (NY)
Burton (IN)	Greenwood	McCollum
Buyer	Grijalva	McCotter
Calvert	Gutierrez	McDermott
Camp	Gutknecht	McGovern
Cannon	Hall	McHugh
Cantor	Harman	McInnis
Capito	Harris	McIntyre
Capps	Hart	McKeon
Capuano	Hastings (FL)	McNulty
Cardin	Hastings (WA)	Meehan
Cardoza	Hayes	Meek (FL)
Carson (IN)	Hayworth	Meeks (NY)
Carson (OK)	Hefley	Menendez
Carter	Hensarling	Mica
Case	Hergert	Michaud
Castle	Hill	Millender-
Chabot	Hinchee	McDonald
Chocola	Hinojosa	Miller (FL)
Clay	Hobson	Miller (MI)
Clyburn	Hoefel	Miller (NC)
Coble	Hoekstra	Miller, Gary
Cole	Holden	Miller, George
Cooper	Holt	Mollohan
Costello	Honda	Moore
Cox	Hoolley (OR)	Moran (KS)
Cramer	Hostettler	Moran (VA)
Crane	Houghton	Murphy
Crenshaw	Hoyer	Murtha
Crowley	Hulshof	Musgrave
Culberson	Hunter	Myrick
Cummings	Hyde	Nadler
Cunningham	Inslee	Napolitano
Davis (AL)	Israel	Neal (MA)
Davis (CA)	Issa	Nethercutt
Davis (FL)	Jackson (IL)	Neugebauer
Davis (IL)	Jackson-Lee	Ney
Davis (TN)	(TX)	Northup
Davis, Jo Ann	Janklow	Norwood
Davis, Tom	Jefferson	Nunes
Deal (GA)	Jenkins	Nussle
DeFazio	John	Oberstar
DeGette	Johnson (CT)	Obey
Delahunt	Johnson (IL)	Olver
DeLauro	Johnson, E. B.	Ortiz
DeLay	Johnson, Sam	Osborne

[Roll No. 638]

YEAS—418

Ose  
Otter  
Owens  
Oxley  
Pallone  
Pascrell  
Pastor  
Payne  
Pearce  
Pelosi  
Pence  
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  
Reyes  
Reynolds  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Ross  
Rothman  
Roybal-Allard  
Royce  
Ruppersberger

Rush  
Ryan (OH)  
Ryan (WI)  
Ryun (KS)  
Sabo  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Sandlin  
Saxton  
Schakowsky  
Schiff  
Schrock  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Sessions  
Shadegg  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shuster  
Simmons  
Simpson  
Skelton  
Slaughter  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Snyder  
Solis  
Souder  
Spratt  
Stark  
Stearns  
Stenholm  
Strickland  
Stupak  
Sweeney  
Tancredo  
Tanner

Tauscher  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Terry  
Thomas  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Tiahrt  
Tiberi  
Tierney  
Towns  
Turner (OH)  
Turner (TX)  
Udall (CO)  
Udall (NM)  
Upton  
Van Hollen  
Velazquez  
Visclosky  
Vitter  
Walden (OR)  
Walsh  
Wamp  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Weldon (FL)  
Weldon (PA)  
Weller  
Wexler  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Woolsey  
Wu  
Wynn  
Young (AK)  
Young (FL)

NAYS—2

Flake

Paul

NOT VOTING—14

Andrews  
Bishop (NY)  
Collins  
Conyers  
Cubin

DeMint  
Fletcher  
Gephardt  
Isakson  
Istook

McCrery  
Smith (WA)  
Sullivan  
Toomey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SWEENEY) (during the vote). Members are advised there are 2 minutes remaining on this vote.

□ 1620

Mr. GILLMOR changed his vote from "nay" to "yea."  
So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the remainder of this series of votes will be conducted as 5-minute votes.

EXPRESSING SENSE OF HOUSE REGARDING COURAGEOUS LEADERSHIP OF UNIFIED BUDDHIST CHURCH OF VIETNAM

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 427, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa (Mr. LEACH) that the House suspend the rules and agree to the resolution, H. Res. 427, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 13, not voting 12, as follows:

[Roll No. 639]

YEAS—409

Abercrombie  
Ackerman  
Aderholt  
Akin  
Alexander  
Allen  
Baca  
Bachus  
Baird  
Baldwin  
Ballance  
Ballenger  
Barrett (SC)  
Barton (TX)  
Bass  
Beauprez  
Becerra  
Bell  
Bereuter  
Berkeley  
Berman  
Berry  
Biggert  
Bilirakis  
Bishop (GA)  
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  
Burton (IN)  
Buyer  
Calvert  
Camp  
Cannon  
Cantor  
Capito  
Capps  
Capuano  
Cardin  
Cardoza  
Carson (IN)  
Carson (OK)  
Carter  
Case  
Castle  
Chabot  
Chocola  
Clay  
Clyburn  
Coble  
Cole  
Conyers  
Cooper  
Costello  
Cox  
Cramer  
Crane  
Crenshaw  
Crowley

Culberson  
Cummings  
Cunningham  
Davis (AL)  
Davis (CA)  
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  
Doggett  
Dooley (CA)  
Doolittle  
Doyle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Emanuel  
Emerson  
Engel  
English  
Eshoo  
Etheridge  
Farr  
Fattah  
Feeney  
Ferguson  
Filner  
Flake  
Foley  
Forbes  
Ford  
Fossella  
Frank (MA)  
Franks (AZ)  
Frelinghuysen  
Frost  
Gallagher  
Garrett (NJ)  
Gerlach  
Gibbons  
Gilchrest  
Gillmor  
Gingrey  
Gonzalez  
Goode  
Goodlatte  
Goss  
Granger  
Graves  
Green (TX)  
Green (WI)  
Greenwood  
Grijalva  
Gutierrez  
Hall  
Harman  
Harris  
Hart  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hensarling  
Henger  
Hill

Hinchey  
Hinojosa  
Hobson  
Hoefel  
Hoekstra  
Holden  
Holt  
Honda  
Hooley (OR)  
Hostettler  
Houghton  
Hoyer  
Hulshof  
Hunter  
Hyde  
Inslie  
Israel  
Issa  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Janklow  
Jefferson  
Jenkins  
John  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Jones (NC)  
Jones (OH)  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kildee  
Kilpatrick  
Kind  
King (IA)  
King (NY)  
Kingston  
Kirk  
Klecza  
Kline  
Knollenberg  
Kolbe  
Kucinich  
LaHood  
Lampson  
Langevin  
Lantos  
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  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (MO)

McCarthy (NY)  
McCollum  
McCotter  
McCrery  
McGovern  
McHugh  
McInnis  
McIntyre  
McKeon  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Mica  
Michaud  
Millender-  
McDonald  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Mollohan  
Moore  
Moran (KS)  
Moran (VA)  
Murphy  
Murtha  
Musgrave  
Myrick  
Nadler  
Napolitano  
Neal (MA)  
Nethercutt  
Ney  
Northup  
Norwood  
Nunes  
Nussle  
Oberstar  
Obey  
Olver  
Ortiz  
Osborne  
Ose  
Otter  
Owens  
Oxley  
Pallone  
Pascrell  
Pastor  
Payne  
Pearce  
Pelosi  
Pence  
Peterson (MN)  
Peterson (PA)  
Petri

Pickering  
Platts  
Pombo  
Pomeroy  
Porter  
Portman  
Price (NC)  
Pryce (OH)  
Putnam  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Renzi  
Reyes  
Reynolds  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Ross  
Rothman  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Ryun (KS)  
Sabo  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Sandlin  
Saxton  
Schakowsky  
Schiff  
Schrock  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Sessions  
Shadegg  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shuster  
Simmons  
Simpson  
Skelton  
Smith (MI)

Smith (NJ)  
Smith (TX)  
Snyder  
Solis  
Souder  
Spratt  
Stark  
Stearns  
Stenholm  
Strickland  
Stupak  
Sweeney  
Tancredo  
Tanner  
Tauscher  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Terry  
Thomas  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Tiahrt  
Tierney  
Towns  
Turner (OH)  
Turner (TX)  
Udall (CO)  
Udall (NM)  
Upton  
Van Hollen  
Velazquez  
Visclosky  
Vitter  
Walden (OR)  
Walsh  
Wamp  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Weldon (FL)  
Weldon (PA)  
Weller  
Wexler  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Woolsey  
Wu  
Wynn  
Young (AK)  
Young (FL)

NAYS—13

Bartlett (MD)  
Evans  
Everett  
Gordon  
Gutknecht

Hastings (FL)  
Johnson, Sam  
McDermott  
Neugebauer  
Paul

NOT VOTING—12

Andrews  
Baker  
Bishop (NY)  
Collins

Cubin  
DeMint  
Fletcher  
Gephardt

Isakson  
Smith (WA)  
Sullivan  
Toomey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1630

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HONORING VICTIMS OF CAMBODIAN GENOCIDE THAT TOOK PLACE FROM APRIL 1975 TO JANUARY 1979

The SPEAKER pro tempore (Mr. SWEENEY). The pending business is the