

opportunity to again pass meaningful reform to not only promote personal accountability but also to strengthen the opportunities for legitimate claims to be heard and adjudicated. Let us take one more step to turn back the tide of so-called "jackpot justice."

While runaway juries and frivolous lawsuits might make a few individuals and certain ambulance-chasing lawyers rich, the American people ultimately pay the price both economically and socially.

Mr. Speaker, discouraging individuals from taking personal responsibility does not help anyone. In fact, it will only make matters worse. Encouraging healthy lifestyles and wise dietary choices should always trump rewarding poor decisions by shifting the blame to innocent bystanders.

The Personal Responsibility in Food Consumption Act of 2005 is a good bill, and I look forward to further discussing its merits on the House floor today.

Mr. Speaker, as I mentioned earlier, a strong bipartisan majority passed this bill in the last Congress; and I have no reason to doubt that we should be able to pass it again by a similar, maybe even a stronger, margin; and I urge my colleagues to support this rule and the underlying bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to join many of my colleagues in strongly opposing the restrictive rule set forth on H.R. 554, the "The Personal Responsibility In Food Consumption Act of 2005." As you know, in light of the world we live and the importance of nutrition, this is a very important piece of legislation. Having such a restrictive rule truly goes too far and limits the protections of the American people. It goes without saying; this bill is drafted so broadly, it would immunize defendants for negligent and reckless behavior, including mislabeling of food products. I also object to the fact that the legislation applies retroactively, and is written for the benefit of a single special interest—the fast food industry. Third, I believe the legislation constitutes an unwarranted and hastily considered affront on our system of federalism. Finally, I oppose the bill because there are far preferable ways to respond to this issue than by rushing to judgment to pass a one-size-fits-all Federal law preempting all 50 states. Despite my concerns, I am pleased to see that a few very important amendments were ruled into order. If adopted, I believe these amendments will make major improvements to the bill.

In closing, let me note that while this issue may be important, there are far more urgent issues we need to be focusing on at this time. The aftermath of hurricanes Katrina and Rita, where thousands lost their homes and hundreds lost their lives. Unfortunately, those who were impacted the most were children. For example, many children lost 1 or both parents or a guardian as a result of Hurricane Katrina and Rita. This is where our thoughts and legislative actions need to be. In addition, the earthquake registering 7.6 in magnitude that struck Pakistan has caused major devastation in the region. While the numbers are still coming in, it has been estimated that 23,000 have died and at least 47,000 have been injured. There have also been a historical number of

children impacted by this massive earthquake. Those impacted have no access to clean drinking water, making them more vulnerable to disease and other infections.

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

The previous question was ordered.

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.

Mr. GINGREY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 54 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1730

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LATOURETTE) at 5 o'clock and 30 minutes p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on H. Res. 494 and on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H. Res. 494, by the yeas and nays;

H.R. 1409, by the yeas and nays;

H. Res. 492, by the yeas and nays;

H.R. 3549, by the yeas and nays;

H.R. 3853, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

#### PROVIDING FOR CONSIDERATION OF H.R. 554, PERSONAL RESPONSIBILITY IN FOOD CONSUMPTION ACT OF 2005

The SPEAKER pro tempore. The pending business is the vote on adoption of House Resolution 494 on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 310, nays 114, not voting 9, as follows:

[Roll No. 524]

YEAS—310

Aderholt	Fortenberry	Melancon
Akin	Fossella	Menendez
Alexander	Foxa	Mica
Baca	Frank (MA)	Michaud
Bachus	Franks (AZ)	Miller (FL)
Baker	Frelinghuysen	Miller (MI)
Barrett (SC)	Gallely	Miller, Gary
Barrow	Garrett (NJ)	Moore (KS)
Bartlett (MD)	Gerlach	Moran (KS)
Barton (TX)	Gibbons	Moran (VA)
Bass	Gilchrest	Murphy
Bean	Gillmor	Musgrave
Beauprez	Gingrey	Myrick
Berkley	Gohmert	Neal (MA)
Berry	Gonzalez	Neugebauer
Biggert	Goode	Ney
Bilirakis	Goodlatte	Northup
Bishop (GA)	Gordon	Norwood
Bishop (NY)	Granger	Nunes
Bishop (UT)	Graves	Nussle
Blackburn	Green (WI)	Ortiz
Blunt	Green, Gene	Osborne
Boehlert	Gutierrez	Otter
Boehner	Gutknecht	Oxley
Bonilla	Hall	Paul
Bonner	Harman	Pearce
Bono	Harris	Pelosi
Boozman	Hart	Pence
Boren	Hastings (WA)	Peterson (MN)
Boucher	Hayes	Peterson (PA)
Boustany	Hayworth	Petri
Boyd	Hefley	Pickering
Bradley (NH)	Hensarling	Pitts
Brady (TX)	Herger	Platts
Brown (SC)	Herseth	Poe
Brown-Waite,	Higgins	Pombo
Ginny	Hinojosa	Pomeroy
Burgess	Hobson	Porter
Burton (IN)	Hoekstra	Price (GA)
Buyer	Hoolley	Pryce (OH)
Calvert	Hostettler	Putnam
Camp	Hoyer	Radanovich
Cannon	Hulshof	Ramstad
Cantor	Hunter	Rangel
Capito	Hyde	Regula
Carson	Inglis (SC)	Rehberg
Carter	Israel	Reichert
Case	Issa	Renzi
Castle	Istook	Reyes
Chabot	Jackson-Lee	Reynolds
Chandler	(TX)	Rogers (AL)
Chocola	Jenkins	Rogers (KY)
Coble	Jindal	Rogers (MI)
Cole (OK)	Johnson (CT)	Rohrabacher
Conaway	Johnson (IL)	Ros-Lehtinen
Conyers	Johnson, Sam	Ross
Cooper	Jones (NC)	Royce
Costa	Kelly	Ruppersberger
Cramer	Kennedy (MN)	Ryan (WI)
Crenshaw	Kennedy (RI)	Ryun (KS)
Cubin	Kildee	Salazar
Cuellar	Kind	Sanchez, Linda
Culberson	King (IA)	T.
Cunningham	King (NY)	Sanchez, Loretta
Davis (AL)	Kirk	Sanders
Davis (CA)	Kline	Saxton
Davis (KY)	Knollenberg	Schmidt
Davis (TN)	Kolbe	Schwartz (PA)
Davis, Jo Ann	Kuhl (NY)	Schwarz (MI)
Davis, Tom	LaHood	Scott (GA)
Deal (GA)	Langevin	Scott (VA)
DeFazio	Larsen (WA)	Sensenbrenner
DeGette	Latham	Serrano
DeLay	LaTourette	Sessions
Dent	Leach	Shadegg
Diaz-Balart, L.	Lewis (CA)	Shaw
Diaz-Balart, M.	Lewis (KY)	Shays
Dicks	Linder	Sherwood
Dingell	LoBiondo	Shimkus
Doolittle	Lucas	Shuster
Doyle	Lungren, Daniel	Simmons
Drake	E.	Simpson
Dreier	Lynch	Skelton
Duncan	Mack	Smith (NJ)
Edwards	Manzullo	Smith (TX)
Ehlers	Marchant	Smith (WA)
Emanuel	Marshall	Snyder
Emerson	Matheson	Soderl
English (PA)	McCaul (TX)	Souder
Everett	McCotter	Stearns
Feeney	McCrery	Sullivan
Ferguson	McHenry	Sweeney
Fitzpatrick (PA)	McHugh	Tancredo
Flake	McIntyre	Tanner
Foley	McKeon	Taylor (MS)
Forbes	McMorris	Taylor (NC)

Terry Walden (OR)  
 Thomas Walsh  
 Thompson (CA) Wamp  
 Thornberry Wasserman  
 Tiahrt Schultz  
 Tiberi Weldon (FL)  
 Turner Weldon (PA)  
 Upton Weller  
 Van Hollen Westmoreland

Whitfield  
 Wicker  
 Wilson (NM)  
 Wilson (SC)  
 Wolf  
 Wu  
 Wynn  
 Young (AK)  
 Young (FL)

The vote was taken by electronic device, and there were—yeas 415, nays 9, not voting 9, as follows:

[Roll No. 525]

YEAS—415

NAYS—114

Abercrombie Holt  
 Ackerman Honda  
 Allen Inslee  
 Baird Jackson (IL)  
 Baldwin Jefferson  
 Becerra Johnson, E. B.  
 Berman Jones (OH)  
 Blumenauer Kanjorski  
 Brady (PA) Kaptur  
 Brown (OH) Kilpatrick (MI)  
 Brown, Corrine Kucinich  
 Butterfield Lantos  
 Capps Larson (CT)  
 Capuano Lee  
 Cardin Levin  
 Cardoza Lipinski  
 Carnahan Lofgren, Zoe  
 Clay Lowey  
 Cleaver Maloney  
 Clyburn Markey  
 Costello Matsui  
 Crowley McCarthy  
 Cummings McCollum (MN)  
 Davis (IL) McDermost  
 Delahunt McGovern  
 DeLauro McKinney  
 Doggett McNulty  
 Engel Meehan  
 Eshoo Meek (FL)  
 Etheridge Meeks (NY)  
 Evans Millender  
 Farr McDonald  
 Fattah Miller (NC)  
 Filner Miller, George  
 Ford Mollohan  
 Green, Al Moore (WI)  
 Hastings (FL) Murtha  
 Hinchey Nadler  
 Holden Napolitano

NOT VOTING—9

Andrews Grijalva  
 Boswell Keller  
 Davis (FL) Kingston

□ 1753

Mr. BERMAN, Mr. DAVIS of Illinois, Mrs. LOWEY, Mrs. MCCARTHY, Mr. OWENS, and Mr. WAXMAN changed their vote from “yea” to “nay.”

Messrs. GONZALEZ, THOMPSON of California, KENNEDY of Rhode Island, VAN HOLLEN, and LANGEVIN changed their vote from “nay” to “yea.”

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.

ASSISTANCE FOR ORPHANS AND OTHER VULNERABLE CHILDREN IN DEVELOPING COUNTRIES ACT OF 2005

The SPEAKER pro tempore (Mr. LATOURETTE). The pending business is the question of suspending the rules and passing the bill, H.R. 1409, 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 Illinois (Mr. HYDE) that the House suspend the rules and pass the bill, H.R. 1409, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

Abercrombie Deal (GA)  
 Ackerman DeFazio  
 Aderholt DeGette  
 Akin Delahunt  
 Alexander DeLauro  
 Allen DeLay  
 Baca Dent  
 Bachus Diaz-Balart, L.  
 Baird Diaz-Balart, M.  
 Baker Dicks  
 Baldwin Dingell  
 Barrett (SC) Doggett  
 Barrow Doolittle  
 Bartlett (MD) Doyle  
 Barton (TX) Drake  
 Bass Dreier  
 Bean Duncan  
 Beauprez Edwards  
 Becerra Ehlers  
 Berkley Emanuel  
 Berman Emerson  
 Berry Engel  
 Biggert English (PA)  
 Bilirakis Eshoo  
 Bishop (GA) Etheridge  
 Bishop (NY) Evans  
 Bishop (UT) Everett  
 Blackburn Farr  
 Blumenauer Fattah  
 Blunt Feeney  
 Boehlert Ferguson  
 Boehner Filner  
 Bonilla Fitzpatrick (PA)  
 Bonner Foley  
 Bono Forbes  
 Boozman Ford  
 Boren Fortenberry  
 Boucher Fossella  
 Boustany Foxx  
 Boyd Frank (MA)  
 Bradley (NH) Franks (AZ)  
 Brady (PA) Frelinghuysen  
 Brady (TX) Gallegly  
 Brown (OH) Garrett (NJ)  
 Brown (SC) Gerlach  
 Brown, Corrine Gibbons  
 Burgess Gilchrist  
 Burton (IN) Gillmor  
 Butterfield Gingrey  
 Buyer Gonzalez  
 Calvert Goode  
 Camp Goodlatte  
 Cannon Gordon  
 Cantor Granger  
 Capito Graves  
 Capps Green (WI)  
 Capuano Green, Al  
 Cardin Green, Gene  
 Cardoza Gutierrez  
 Carnahan Gutknecht  
 Carson Hall  
 Carter Harman  
 Case Harris  
 Castle Hart  
 Chabot Hastings (FL)  
 Chandler Hastings (WA)  
 Chocola Hayes  
 Clay Hayworth  
 Cleaver Hefley  
 Clyburn Hensarling  
 Coble Herger  
 Cole (OK) Hersth  
 Conaway Higgins  
 Conyers Hinchey  
 Cooper Hinojosa  
 Costa Hobson  
 Costello Hoekstra  
 Cramer Holden  
 Crenshaw Holt  
 Crowley Honda  
 Cubin Hooley  
 Cuellar Hostettler  
 Culberson Hoyer  
 Cummings Hulshof  
 Cunningham Hunter  
 Davis (AL) Hyde  
 Davis (CA) Inglis (SC)  
 Davis (IL) Inslee  
 Davis (KY) Israel  
 Davis (TN) Issa  
 Davis, Jo Ann Istook  
 Davis, Tom Jackson (IL)

Nadler  
 Napolitano  
 Neal (MA)  
 Neugebauer  
 Ney  
 Northup  
 Norwood  
 Nunes  
 Nussle  
 Oberstar  
 Obey  
 Olver  
 Ortiz  
 Osborne  
 Otter  
 Owens  
 Oxley  
 Pallone  
 Pascrell  
 Pastor  
 Payne  
 Pearce  
 Pelosi  
 Pence  
 Peterson (MN)  
 Peterson (PA)  
 Petri  
 Pickering  
 Pitts  
 Platts  
 Poe  
 Pombo  
 Pomeroy  
 Porter  
 Price (GA)  
 Price (NC)  
 Pryce (OH)  
 Putnam  
 Radanovich  
 Rahall  
 Ramstad  
 Rangel  
 Regula  
 Rehberg  
 Reichert  
 Renzi  
 Reyes  
 Reynolds

Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Ros-Lehtinen  
 Ross  
 Rothman  
 Royce  
 Ruppertsberger  
 Rush  
 Ryan (OH)  
 Ryan (WI)  
 Ryun (KS)  
 Sabo  
 Salazar  
 Sanchez, Linda  
 T.  
 Sanchez, Loretta  
 Sanders  
 Saxton  
 Schakowsky  
 Schmidt  
 Schwartz (PA)  
 Schwarz (MI)  
 Scott (GA)  
 Scott (VA)  
 Sensenbrenner  
 Serrano  
 Sessions  
 Shaw  
 Shays  
 Sherman  
 Sherwood  
 Shimkus  
 Simmons  
 Simpson  
 Skelton  
 Slaughter  
 Smith (NJ)  
 Smith (TX)  
 Smith (WA)  
 Snyder  
 Sodrel  
 Solis  
 Souder  
 Spratt  
 Stark  
 Strickland

Stupak  
 Sullivan  
 Sweeney  
 Tancred  
 Tanner  
 Tauscher  
 Taylor (MS)  
 Taylor (NC)  
 Terry  
 Thomas  
 Thompson (CA)  
 Thompson (MS)  
 Thornberry  
 Tiahrt  
 Tiberi  
 Tierney  
 Towns  
 Turner  
 Udall (CO)  
 Udall (NM)  
 Upton  
 Van Hollen  
 Velázquez  
 Vislosky  
 Walden (OR)  
 Walsh  
 Wamp  
 Wasserman  
 Schultz  
 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—9

Brown-Waite,  
 Ginny  
 Flake  
 Gohmert

Johnson, Sam  
 Paul  
 Shadegg  
 Shuster

NOT VOTING—9

Andrews  
 Boswell  
 Davis (FL)

Grijalva  
 Keller  
 Kingston

Lewis (GA)  
 Roybal-Allard  
 Schiff

□ 1803

Mr. STEARNS changed his vote from “yea” to “nay.”

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.

MOURNING LOSS OF LIFE CAUSED BY EARTHQUAKE THAT OCCURRED ON OCTOBER 8, 2005, IN PAKISTAN AND INDIA

The SPEAKER pro tempore (Mr. LATOURETTE). The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 492.

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. 492, on which the yeas and nays are ordered.

This will be a 5-minute vote.