

Schakowsky	Stark	Velázquez
Schiff	Strickland	Visclosky
Schwartz (PA)	Stupak	Wasserman
Scott (GA)	Tanner	Schultz
Scott (VA)	Tauscher	Waters
Serrano	Taylor (MS)	Watson
Sherman	Thompson (CA)	Watt
Skelton	Thompson (MS)	Waxman
Slaughter	Tierney	Weiner
Smith (WA)	Towns	Wexler
Snyder	Udall (CO)	Woolsey
Solis	Udall (NM)	Wu
Spratt	Van Hollen	Wynn

NOT VOTING—19

Bono	Gohmert	Myrick
Burton (IN)	Hinchey	Norwood
Costa	Hinojosa	Roybal-Allard
DeLay	Issa	Sweeney
Diaz-Balart, M.	Istook	Terry
Doggett	Jones (OH)	
Evans	Miller, Gary	

□ 1234

Messrs. RUSH, PETERSON of Minnesota, CRAMER, VISCLOSKY, LARSEN of Washington, MARSHALL, and Ms. KAPTUR changed their vote from "yea" to "nay."

Mr. SAM JOHNSON of Texas changed his vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. NORWOOD. Mr. Speaker, I was absent on Thursday, March 2, 2006, because of a recent death in the family.

Had I been present on rollcall vote No. 18 on the Previous Question on the General Debate Rule for H.R. 4167, I would have voted "yea."

Mr. BURTON of Indiana. Mr. Speaker, due to illness I was regrettably unable to be on the House Floor for rollcall vote No. 18, providing for the consideration of H.R. 4167, the "National Uniformity for Food Act."

Had I been here I would have voted "yea" on rollcall vote No. 18.

Mr. DELAY. Mr. Speaker, I was unavoidably detained and could not be present for rollcall vote No. 18. Had I been present I would have cast the following vote: "yea" on rollcall vote No. 18.

(By unanimous consent, Mr. BUYER was allowed to speak out of order.)

MOMENT OF SILENCE IN MEMORY OF SERGEANT
RICKEY E. JONES

Mr. BUYER. Mr. Speaker, I come to the House to address a national virtue, to address the proper tone and tenor of a Nation. It is outrageous, appalling and indecent for an American citizen to commit crimes and perversions against a family grieving at the loss of their son.

Army Sergeant Rickey Jones, along with three of his comrades, was killed in Baghdad. With his body in transport to Kokomo, Indiana, someone has egged his family's home and left harassing phone calls that said, "I'm glad your son is dead."

My colleagues, a great virtue of the American character is our compassion. It is how we care for each other in good times and in difficult times.

It is our compassion and human decency that represent the very best of our Nation. So to condemn these despicable acts, I ask all of you to rise and join me in a moment of silence to extend to all families who have sacrificed in the name of freedom.

Thank you and Godspeed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BOOZMAN). Without objection, 5-minute voting will continue.

There was no objection.

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

The resolution was agreed to.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I will yield to my friend, Mr. BOEHNER, for the purposes of informing us of the schedule.

Mr. BOEHNER. I thank my colleague for yielding.

Next week, Mr. Speaker, the House will convene on Tuesday at 12:30 for morning hour, and at 2 o'clock for legislative business. We will take up several measures under suspension of the rules. A final list of those bills will be sent to Members' offices by the end of the week. Any votes that are called on those measures will be rolled until 6:30.

On Wednesday and Thursday, the House will finish consideration of H.R. 4167, the National Uniformity for Food Act of 2005.

Finally, we will consider H.R. 2829, the Office of National Drug Control Policy Reauthorization Act of 2005. The committees are continuing their excellent and hard work to develop this bill to reauthorize laws to combat drug trafficking. The Government Reform Committee has completed its action, and we expect the Judiciary Committee will complete its work today.

Mr. HOYER. Reclaiming my time, I thank the gentleman for that information.

Mr. Leader, as you know, we have been considering the rule for the food labeling bill. It is my understanding we are going to be limited to general debate.

It is also my understanding that the reason we are not completing the bill is the Rules Committee has had some issues with reference to exactly the way in which we are going to consider the bill and the amendments.

Mr. Leader, as you know, this bill has had no hearings. None. As you further know, there are States who are very concerned. As a matter of fact, I think I have gotten a letter indicating there are 36 attorneys general around the country, Republican and Democrat, who have concerns with this bill.

Mr. Leader, I would hope that the leadership on your side would convey to the Rules Committee the necessity to have, A, open debate, and hopefully, as well, significant possibility of amendment.

I do not know whether it would be an open rule or certainly, I hesitate to use this word, but a liberal rule which will allow significant amendments to be considered by this House, again, in

light of the fact that it has had no hearings whatsoever as it comes to this floor.

I yield to my friend.

Mr. BOEHNER. Mr. Speaker, as the gentleman is probably aware, this bill has been around for many, many years. There has been lots of discussion and debate about this bill. It did come out of the Energy and Commerce Committee.

The reason for the split rule is because there are a significant number of Members going to the gulf coast this afternoon to review the recovery, and we knew we would only get through the general debate today.

The Rules Committee is expected to meet and to finalize the rule. Those discussions about what the rule will look like and the number of amendments and the type of amendments is continuing.

But I clearly understand the interest of my colleague from Maryland for a more open rather than a more closed process.

Mr. HOYER. That word will do if it becomes reality. We appreciate your comments, Mr. Leader.

The PATRIOT Act, that was supposed to be on the calendar, we thought, this week. It is not on the calendar. I see you have not mentioned it in the work for next week.

Can you tell me whether we expect it to come before us next week as a suspension bill or under a rule?

Mr. BOEHNER. We thought that we would have the bill up yesterday because the Senate was contemplating action yesterday morning. The expiration date of the temporary extension of the PATRIOT Act is soon to expire.

We expect that the Senate will take this bill up tomorrow. If, in fact, that is the case, it will be brought up on Tuesday under the suspension calendar.

Mr. HOYER. I thank the gentleman for that comment. Let me move on, if I can, to the budget resolution.

Can you give us a sense at this point in time of the timing of the budget resolution? We know that there have been some concerns raised in the other body; obviously, some concerns raised here. We understand that it was the intention to bring that up prior to the St. Patrick's Day recess.

Can you tell me whether that is still the intent and when we might expect to see that bill on the floor?

□ 1245

Mr. BOEHNER. That was a rumor that was floating around. We expect that the budget resolution will move sometime soon. Whether it happens next week or the week after is still up for discussion. When we get closer to having a firm plan for moving it, you will be the first to know.

Mr. HOYER. Well, that will be a first, if I am the first to know.

Mr. BOEHNER. Once I know.

Mr. HOYER. This is a new era in which we are moving, and I cannot tell you how excited I am about that.

Mr. BOEHNER. I can tell.

Mr. HOYER. And how I stand here in anticipation of that fact. If the leader does not mind, I will hold him to that.

Mr. BOEHNER. I will do my best.

Mr. HOYER. Thank you, sir.

On the supplemental appropriation, we know that the President has made a request. Can you tell us when the supplemental appropriation might be considered?

Mr. BOEHNER. In discussions with Chairman LEWIS of the Appropriations Committee, there is a lot of work being done, hearings scheduled. Again, I do not think we have a firm timetable for moving the supplemental, but over the next week or so I think we will have a much better idea. And I will be glad to inform you as soon as I know.

Mr. HOYER. I see there is not a representation, however, that I will be the first to know on this one.

Mr. BOEHNER. I am protecting myself.

Mr. HOYER. I appreciate that.

Last, these are all important and while we are being humorous to some degree about when we know about these, clearly we have a lot of important business to do, and we are now going into the third month of the year. Can you tell us what your expectations are on the tax reconciliation conference report? Obviously, that was a very contentious bill as it passed out of the House as you know, Mr. Leader; and we would like to be prepared for that bill when it comes back, when the conference committee comes back to the House.

Mr. BOEHNER. The tax reconciliation bill is in conference. I know there have been some discussions. From my standpoint, I would rather have that conference report sooner rather than later. But I have not had any indication from Chairman THOMAS that it is imminent; and secondly, it is important for the House to go to conference with the Senate on the pension bill. We are approaching a very critical deadline on the interest rate used to calculate the obligations of a defined benefit pension plan that expired at the end of the year. That interest rate needs to be reset in the large pension overhaul bill. I have got to tell you that we are waiting on Senate action. Because there are tax provisions in it, they have to take up the House bill. I suspect they will reject the House bill and go to conference. But it is important for us to get into conference on the pension bill and action is going to be required rather quickly. I do expect the tax reconciliation bill, over the next couple of weeks, I would hope that they will be finished.

Mr. HOYER. I appreciate the leader's information.

Again, in closing, I would ask the leader if he would use his good offices on the food bill because there is substantial controversy around the country, as well as on the House floor, on that bill to provide for as full a consideration and amendatory process as pos-

sible. I appreciate the leader's attention to that.

GENERAL LEAVE

Mr. DEAL of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4167.

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

There was no objection.

NATIONAL UNIFORMITY FOR FOOD ACT OF 2005

The SPEAKER pro tempore. Pursuant to House Resolution 702 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4167.

□ 1250

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4167) to amend the Federal Food, Drug, and Cosmetic Act to provide for uniform food safety warning notification requirements, and for other purposes, with Mr. BOOZMAN in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Georgia (Mr. DEAL) and the gentleman from California (Mr. WAXMAN) each will control 30 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. DEAL of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in support of H.R. 4167, the National Uniformity for Food Act. The manufacturing and distribution of the things we eat and drink is now a national industry. Coca-Cola, which is based in my home State in Atlanta, Georgia, for instance, is shipped to every corner of the country and throughout the world. Many believe that it is just common sense for these types of food manufacturers and distributors to have one labeling standard for the country, not 50 standards for 50 States.

More importantly, in order to make informed choices, consumers need consistent information. When a food warning is supported by science and consumers need to know it, the same warning should be applied to food everywhere. H.R. 4167 achieves that result.

With a mobile society, inconsistent warning requirements are guaranteed to confuse. When it is a matter of health and safety, a little confusion can have catastrophic effects.

A person in North Augusta, South Carolina, for example, can walk into a store and buy a product with no warning label. The same person could walk across the street to a store in Augusta, Georgia, and buy the same product but have a warning label attached. Does this make any sense? Of course not. It does not make any more sense to the shopper than it makes here in the House today.

When people need to be warned that a food product may hurt them, everyone needs to be warned. Uniformity in food regulation and labeling is not without precedent. Meat and poultry are regulated under uniform standards. The Nutrition Labeling and Education Act of 1990 requires uniform nutrition labeling. If consistency in nutrition labeling is warranted, consumers should certainly have the benefit of consistency in warning labels of the food they eat.

Some have rightfully argued that State-specific circumstances might necessitate a warning unique only to their State. This bill acknowledges that fact by inviting States to assert their unique problems and ensure that they will get a fair and fast response from the Food and Drug Administration.

I would also like to dispel some of the misinformation that opponents of the bill have been perpetuating. In no way will this bill hinder the ability of States to respond to public emergencies. If a State feels there is an imminent public health threat that must be protected by requiring manufacturers and distributors to put a warning label on their product, they can do it immediately. All this bill requires is they tell the FDA of the threat. That is something they should be doing anyway and in most cases are already doing.

Additionally, this bill does not affect a State's ability to issue its own notification to the public, to embargo a product, or to issue recalls when they deem that necessary.

Finally, this is mostly a question about food safety, but there is a broad economic aspect to it too. Making consumers deal with 50 different labeling requirements is not without cost. In effect, it divides America into 50 different markets where each of the products cost the consumer just a little more to buy.

The men who wrote our Constitution decided that letting each State wage trade wars with its neighbors was a terrible idea, so they outlawed it by putting the Federal Government in charge of interstate commerce. It is hard to see the Framers changing their minds today so that one big market for American food can revert to 50 little markets where consumers pay more and get less.

Consistent requirements will lead to consistent results for those who make our food, and consistent information will lead to consistently better and safer choice for our consumers.