

Act, fails to meet that high bar set by the original House bill. Because the version that is now before us has abandoned its original scientific base, I must sadly oppose this legislation.

Let me be clear: I understand the need for food safety reform all too well. The safety of America's supply of fresh fruits, vegetables and nuts will always be my highest priority. I know firsthand the impact an outbreak can have on an industry, and for that reason, understand the strong need for far reaching regulations based on the best science available.

The Center for Disease Control estimates, released December 15th, state that 48 million people in America—that's 1 in every 6—get sick every year from contaminated food. Furthermore, 128,000 are hospitalized and 3,000 die being exposed to this contaminated food. These are staggering numbers considering the United States still has the safest food supply in the world.

I also know each time any fruit or vegetable is implicated in an outbreak of food borne illness, the industry as a whole suffers from devastating losses in consumer confidence. In the long run, this is simply not sustainable, and it's certainly not acceptable for growers or consumers.

At the very least, our nation needs a minimum food safety standard that applies to every producer. And we need to help all growers small or large, comply with the regulations that will be promulgated from this legislation. Anything less falls short of true food safety reform, and could be a dangerous disservice to the American public.

The region I represent, California's Central Coast, is the top producing specialty crop region in the world. As such, I am proud to say that food safety is our region's industry's top priority. The men and women who grow, pack, and market fresh produce are committed to providing consumers with safe and wholesome foods from field to fork. Our local industry is constantly working to enhance and improve their performance in growing crops, harvesting and handling for distribution, packaging and processing into convenient ready-to-eat products. In addition to following all protocols to maintain the safest possible delivery chain—all the way to the consumer's table.

Mr. Speaker, Food Safety knows no price point—Salmonella, e. Coli and Listeria don't care if the food is grown conventionally or organically—or if the produce is grown on a large ranch or small farm. That's why provisions in this bill that exempt small producers from oversight are simply unacceptable and dangerous. We need policy based on sound science, and exempting certain sectors of the industry is not sound policy. Instead, we should be providing those small producers with the tools and incentives they need to meet the food safety standards we are voting on today.

Food producers are dedicated to continuously improving on-farm food safety practices—inclusion of exemptions from food safety laws is a huge step backward, and will send the wrong message to the food industry. Even worse, it will send the wrong message to the American consumer.

Congress needs to understand—just as my growers understand—that any fruit or vegetable implicated in an outbreak taints the entire agricultural industry. And those isolated instances are cumulative. If we allow small pro-

ducers to avoid oversight, the outbreaks that are likely to occur will result in the harm of all growers, handlers, processors, and shippers.

I'm committed to ensuring that when food safety regulation does come to fruition, it is developed and implemented with industry input. And that it provides pragmatic food safety guidelines that are both feasible and effective for growers, processors, handlers, and consumers.

Mr. Speaker, this legislation does offer a step forward, but be certain that today we could have taken a leap forward.

I look forward to working with my colleagues, constituents and the agencies to developing meaningful scientifically based food safety standards. But unfortunately, I can not support this bill as it is presented to us from the Senate.

Mr. VAN HOLLEN. Mr. Speaker, I rise in support of this legislation that will provide the Food and Drug Administration, FDA, much-needed enhanced authorities to protect the American public from unsafe foods.

Serious gaps have been exposed in the FDA's ability to protect the American public from outbreaks of food-borne diseases. These outbreaks have shaken consumer confidence in the industry that produces one of our most basic and important commodities that Americans depend on daily—the food we eat.

While I prefer the stronger food safety bill that the House passed last year, the Senate-passed FDA Food Safety Modernization Act will make substantial improvements to our food safety system. It includes critical reforms that will improve the FDA's ability to better prevent outbreaks and protect the safety of our food supply and it will allow the FDA to conduct increased inspections, enhance surveillance and traceability of food products, and give the FDA the authority to issue mandatory recalls.

Mr. Speaker, we must ensure that the FDA has the necessary tools and resources to fulfill its vital mission of helping protect the American public from unsafe products. This food safety bill is an important part of that effort. I urge my colleagues to support this legislation.

Mr. DINGELL. I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1781, the previous question is ordered.

The question is on the motion by the gentleman from Michigan (Mr. DINGELL).

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the order of the House of today, further proceedings on this question will be postponed.

#### AMERICA COMPETES REAUTHORIZATION ACT OF 2010

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, proceedings will now resume on the motion to concur in the Senate amendment to the bill (H.R. 5116) to invest in innovation through research and devel-

opment, to improve the competitiveness of the United States, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion by the gentleman from Tennessee (Mr. GORDON).

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

Mr. BROUN of Georgia. 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, this 15-minute vote on the motion to concur in the Senate amendment to H.R. 5116 will be followed by 5-minute votes on motions to concur with respect to H.R. 2142 and H.R. 2751 and the motion to suspend on S. 3243.

The vote was taken by electronic device, and there were—yeas 228, nays 130, not voting 75, as follows:

[Roll No. 659]

YEAS—228

Ackerman	Ellison	Maloney
Altmire	Ellsworth	Markey (CO)
Andrews	Engel	Markey (MA)
Arcuri	Eshoo	Marshall
Baldwin	Etheridge	Matheson
Barrow	Farr	Matsui
Bartlett	Fattah	McCaul
Bean	Filner	McCollum
Becerra	Foster	McDermott
Berkley	Frank (MA)	McGovern
Berman	Fudge	McIntyre
Biggert	Gerlach	McNerney
Blibray	Giffords	Meek (FL)
Bishop (GA)	Gonzalez	Meeks (NY)
Bishop (NY)	Gordon (TN)	Michaud
Bocchieri	Grayson	Miller (NC)
Boren	Green, Al	Miller, George
Boswell	Green, Gene	Minnick
Boucher	Grijalva	Mollohan
Boyd	Hall (NY)	Moore (KS)
Brady (PA)	Halvorson	Moore (WI)
Braley (IA)	Hare	Moran (VA)
Brown, Corrine	Harman	Murphy (CT)
Butterfield	Hastings (FL)	Murphy (NY)
Capito	Heinrich	Murphy, Patrick
Capps	Higgins	Nadler (NY)
Capuano	Hill	Napolitano
Cardoza	Himes	Nye
Carnahan	Hinchey	Oberstar
Carney	Hinojosa	Obey
Carson (IN)	Hirono	Olver
Cassidy	Holden	Owens
Castle	Holt	Pallone
Castor (FL)	Inslee	Pascarell
Chandler	Israel	Payne
Childers	Jackson (IL)	Perlmutter
Clarke	Jackson Lee	Perriello
Clay	(TX)	Peters
Cleaver	Johnson (GA)	Peterson
Clyburn	Johnson (IL)	Pingree (ME)
Cohen	Johnson, E. B.	Polis (CO)
Connolly (VA)	Kagen	Pomeroy
Conyers	Kanjorski	Price (NC)
Cooper	Kaptur	Quigley
Costa	Kildee	Rahall
Courtney	Kilroy	Rangel
Critz	Kind	Reed
Crowley	Kirkpatrick (AZ)	Reichert
Cuellar	Kissell	Richardson
Cummings	Klein (FL)	Rodriguez
Dahlkemper	Kosmas	Ross
Davis (CA)	Kratovil	Rothman (NJ)
Davis (TN)	Kucinich	Roybal-Allard
DeFazio	Langevin	Ruppersberger
DeGette	Larsen (WA)	Ryan (OH)
DeLauro	Larson (CT)	Sánchez, Linda
Dent	Lee (NY)	T.
Dicks	Levin	Sarbanes
Dingell	Lewis (GA)	Schakowsky
Doggett	Lipinski	Schauer
Donnelly (IN)	Loebach	Schiff
Driehaus	Lowey	Schrader
Edwards (MD)	Lujan	Schwartz
Edwards (TX)	Lynch	Scott (GA)
Ehlers	Maffei	Scott (VA)

Serrano  
Sestak  
Shea-Porter  
Sherman  
Shuler  
Skelton  
Slaughter  
Smith (NJ)  
Snyder  
Space  
Speier  
Spratt

## NAYS—130

Aderholt  
Akin  
Alexander  
Austria  
Bachmann  
Bachus  
Bilirakis  
Bishop (UT)  
Blackburn  
Blunt  
Bonner  
Bono Mack  
Boozman  
Boustany  
Brady (TX)  
Broun (GA)  
Brown (SC)  
Buchanan  
Burgess  
Cantor  
Carter  
Chaffetz  
Coffman (CO)  
Cole  
Conaway  
Davis (KY)  
Diaz-Balart, M.  
Djou  
Dreier  
Duncan  
Emerson  
Flake  
Fleming  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Garrett (NJ)  
Gingrey (GA)  
Gohmert  
Goodlatte  
Graves (GA)

## NOT VOTING—75

Adler (NJ)  
Baca  
Baird  
Barrett (SC)  
Barton (TX)  
Berry  
Blumenauer  
Boehner  
Bright  
Brown-Waite,  
Ginny  
Burton (IN)  
Buyer  
Calvert  
Camp  
Campbell  
Cao  
Chu  
Coble  
Costello  
Crenshaw  
Culberson  
Davis (AL)  
Davis (IL)  
Delahunt  
Deutch  
Diaz-Balart, L.

□ 1631

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

Messrs. CHANDLER and BARTLETT changed their vote from “nay” to “yea.”

So the motion was agreed to.

The result of the vote was announced as above recorded.

Walz  
Waters  
Watt  
Waxman  
Weiner  
Welch  
Wilson (OH)  
Wolf  
Woolsey  
Wu  
Yarmuth

Petri  
Pitts  
Platts  
Poe (TX)  
Posey  
Price (GA)  
Putnam  
Rehberg  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rooney  
Ros-Lehtinen  
Roskam  
Royce  
Ryan (WI)  
Scalise  
Schmidt  
Sensenbrenner  
Sessions  
Shadegg  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (TX)  
Stearns  
Stutzman  
Sullivan  
Terry  
Thompson (PA)  
Thornberry  
Tiahrt  
Tiberi  
Turner  
Upton  
Walden  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman

Miller, Gary  
Mitchell  
Neal (MA)  
Nunes  
Ortiz  
Pastor (AZ)  
Radanovich  
Reyes  
Rush  
Salazar  
Sanchez, Loretta  
Schock  
Sires  
Smith (WA)  
Stark  
Sutton  
Tanner  
Tonko  
Wamp  
Wasserman  
Schultz  
Watson  
Young (AK)  
Young (FL)

A motion to reconsider was laid on the table.

Stated for:

Mr. TONKO. Mr. Speaker, on rollcall No. 659, had I been present, I would have voted “yea.”

Mr. GARAMENDI. I voice my strong support for the America COMPETES Reauthorization Act of 2010, H.R. 5116. Unfortunately during a busy legislative day, I missed the rollcall for this important bill, which passed the House of Representatives today. Had I been present on the House Floor, I would have cast an “aye” vote in favor of H.R. 5116.

## GPRA MODERNIZATION ACT OF 2010

The SPEAKER pro tempore (Mr. OBEY). The unfinished business is the vote on adoption of the motion to concur in the Senate amendment to the bill (H.R. 2142) to require the review of Government programs at least once every 5 years for purposes of assessing their performance and improving their operations, and to establish the Performance Improvement Council, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 216, nays 139, not voting 78, as follows:

[Roll No. 660]

## YEAS—216

Ackerman  
Altmire  
Andrews  
Arcuri  
Baldwin  
Barrow  
Bean  
Becerra  
Berkley  
Berman  
Bishop (GA)  
Bishop (NY)  
Bocieri  
Boren  
Boswell  
Boucher  
Boyd  
Braley (IA)  
Brown, Corrine  
Butterfield  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Castle  
Castor (FL)  
Chandler  
Childers  
Clarke  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Cooper  
Costa  
Courtney  
Critz  
Crowley  
Cuellar  
Cummings  
Dahlkemper  
Davis (AL)  
Davis (CA)  
Davis (TN)  
DeFazio

Johnson, E. B.  
Kagen  
Kanjorski  
Kaptur  
Kildee  
Kilroy  
Kind  
Kirkpatrick (AZ)  
Kissell  
Klein (FL)  
Kosmas  
Kratovil  
Kucinich  
Langevin  
Larsen (WA)  
Levin  
Lewis (GA)  
Lipinski  
Loeb sack  
Lowey  
Lujan  
Lynch  
Maffei  
Maloney  
Markey (CO)  
Markey (MA)  
Marshall  
Matheson  
Matsui  
McCaul  
McCollum  
McDermott  
McGovern  
McIntyre  
McNerney  
Meek (FL)  
Meeks (NY)  
Michaud  
Miller, George  
Minnick  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (VA)  
Murphy (CT)  
Murphy (NY)  
Murphy, Patrick  
Nadler (NY)  
Nye

Oberstar  
Obey  
Olver  
Pallone  
Pascarella  
Payne  
Perlmutter  
Perriello  
Peters  
Pingree (ME)  
Platts  
Polis (CO)  
Pomeroy  
Price (NC)  
Quigley  
Rahall  
Rangel  
Richardson  
Rodriguez  
Rogers (AL)  
Ross  
Rothman (NJ)  
Roybal-Allard  
Ruppersberger

Ryan (OH)  
Sánchez, Linda  
T.  
Sarbanes  
Schakowsky  
Schauer  
Schiff  
Schrader  
Schwartz  
Scott (GA)  
Scott (VA)  
Serrano  
Sestak  
Shea-Porter  
Sherman  
Shuler  
Skelton  
Slaughter  
Smith (TX)  
Snyder  
Space  
Speier  
Spratt  
Stupak

## NAYS—139

Aderholt  
Akin  
Alexander  
Austria  
Bachmann  
Bachus  
Bartlett  
Biggert  
Bilbray  
Bishop (UT)  
Blackburn  
Blunt  
Boehner  
Bonner  
Bono Mack  
Boozman  
Boustany  
Brady (TX)  
Broun (GA)  
Brown (SC)  
Buchanan  
Burgess  
Cantor  
Capito  
Carter  
Cassidy  
Chaffetz  
Coffman (CO)  
Cole  
Conaway  
Davis (KY)  
Djou  
Dreier  
Duncan  
Ehlers  
Emerson  
Flake  
Fleming  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Garrett (NJ)  
Gerlach  
Gingrey (GA)

## NOT VOTING—78

Adler (NJ)  
Baca  
Baird  
Barrett (SC)  
Barton (TX)  
Berry  
Bilirakis  
Blumenauer  
Brady (PA)  
Bright  
Brown-Waite,  
Ginny  
Burton (IN)  
Buyer  
Calvert  
Camp  
Campbell  
Cao  
Chu  
Coble  
Costello  
Crenshaw  
Culberson  
Davis (IL)

Delahunt  
Deutch  
Diaz-Balart, L.  
Doyle  
Edwards (TX)  
Fallin  
Gordon (TN)  
Granger  
Griffith  
Gutierrez  
Heller  
Herseth Sandlin  
Hinojosa  
Hodes  
Honda  
Ingalls  
Johnson, Sam  
Jones  
Kennedy  
Kilpatrick (MI)  
King (NY)  
Larson (CT)  
Lee (CA)  
Linder

Sutton  
Taylor  
Teague  
Thompson (CA)  
Thompson (MS)  
Tierney  
Titus  
Tonko  
Towns  
Tsongas  
Van Hollen  
Velázquez  
Visclosky  
Walz  
Waters  
Watt  
Waxman  
Weiner  
Welch  
Wilson (OH)  
Woolsey  
Wu  
Yarmuth

Paulsen  
Pence  
Petri  
Pitts  
Poe (TX)  
Posey  
Price (GA)  
Putnam  
Reed  
Rehberg  
Hoekstra  
Reichert  
Roe (TN)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rooney  
Ros-Lehtinen  
Roskam  
Royce  
Ryan (WI)  
Scalise  
Schmidt  
Sensenbrenner  
Sessions  
Shadegg  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Stearns  
Stutzman  
Sullivan  
Terry  
Thompson (PA)  
Thornberry  
Tiahrt  
Tiberi  
Turner  
Upton  
Walden  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf

Lofgren, Zoe  
Marchant  
McCarthy (CA)  
McCarthy (NY)  
McMahon  
McMorris  
Rodgers  
Melancon  
Miller (NC)  
Miller, Gary  
Mitchell  
Napolitano  
Neal (MA)  
Nunes  
Ortiz  
Pastor (AZ)  
Peterson  
Radanovich  
Reyes  
Rush  
Salazar  
Sanchez, Loretta  
Schock  
Sires