

House of Representatives

Chamber Action

Measures Introduced: 11 public bills, H.R. 3925–3935; and; 5 resolutions, H. Con. Res. 380–381, and H. Res. 553, 555–556 were introduced. **Page H1010**

Additional Cosponsors: **Page H1010**

Reports Filed: Reports were filed today as follows:
H. Res. 554, providing for consideration of H.R. 3717, to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language (H. Rept. 108–436). **Page H1010**

Speaker: Read a letter from the Speaker wherein he appointed Representative Rehberg to act as Speaker Pro Tempore for today. **Page H929**

Chaplain: The prayer was offered today by Rev. Dr. William J.P. Doubek III, National Chaplain, The American Legion in Washington DC. **Page H929**

Journal: The House agreed to the Speaker's approval of the Journal of Tuesday, March 9, by a ye-and-nay vote of 353 yeas to 41 nays with one voting "present", Roll No. 45. **Page H931**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Medical Devices Technical Corrections Act: Debated on March 9, S. 1881, amended, to amend the Federal Food, Drug, and Cosmetic Act to make technical corrections relating to the amendments by the Medical Device User Fee and Modernization Act of 2002, by a 2/3 ye-and-nay vote of 396 yeas with none voting "nay", Roll No. 46; **Pages H931–32**

Sense of Congress that "Kids Love a Mystery" is a program that works and should be encouraged: Debated on March 9, H. Con. Res. 373, expressing the sense of Congress that Kids Love a Mystery is a program that promotes literacy and should be encouraged, by a ye-and-nay vote of 388 yeas to 11 nays with one voting "present", Roll No. 47; **Pages H932–33**

State Justice Institute Reauthorization Act: H.R. 2714, amended, to reauthorize the State Justice Institute; and **Pages H942–44**

Cooperative Research and Technology Enhancement (CREATE) Act: H.R. 2391, amended, to amend title 35, United States Code, to promote research among universities, the public sector, and private enterprise. **Pages H944–46**

Agreed to amend the title so as to read: to amend title 35, United States Code, to promote cooperative

research involving universities, the public sector, and private enterprises. **Page H946**

Providing for an additional temporary extension of programs under the Small Business Act and Small Business Investment Act of 1958 through May 21, 2004: H.R. 3915, amended, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through May 21, 2004. **Pages H990–91**

Agreed to amend the title so as to read: to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through April 2, 2004. **Page H991**

Personal Responsibility in Food Consumption Act: The House passed H.R. 339, to prevent frivolous lawsuits against the manufacturers, distributors, or sellers of food or non-alcoholic beverage products that comply with applicable statutory and regulatory requirements, by a ye-and-nay vote of 276 yeas to 139 nays, Roll No. 54. **Pages H933–42, H946–82**

Agreed to amend the title so as to read: a bill to prevent legislative and regulatory functions from being usurped by civil liability actions brought or continued against food manufacturers, marketers, distributors, advertisers, sellers, and trade associations for claims of injury relating to a person's weight gain, obesity, or any health condition associated with weight gain or obesity. **Page H981**

The amendment in the nature of a substitute recommended by the Committee on the Judiciary, now printed in the bill, was considered as an original bill for the purpose of amendment. **Page H981**

Agreed to:

Sensenbrenner amendment (no. 5 printed in the Congressional Record of March 9) that makes technical changes to the bill and strikes the section that permits civil liability lawsuits to be brought regarding the sale of adulterated food as defined by the Federal Food, Drug, and Cosmetic Act and clarifies that the definition of qualified civil liability action should not be construed to include an action brought under the Federal Trade Commission Act or the Federal Food, Drug, and Cosmetic Act. **Pages H954–55**

Rejected:

Inslee amendment (no. 3 printed in the Congressional Record of March 9) that sought to permit civil actions against food manufacturers or sellers

who negligently violate federal or state statutes regarding the manufacturing, marketing, distribution, advertisement, labeling, or sale of a food product;

Pages H961–64

Scott of Virginia amendment (no. 6 printed in the Congressional Record of March 9) that sought to provide that the bill would not apply to an action brought by a State agency to enforce a State consumer protection law concerning mislabeling or other unfair and deceptive trade practices (rejected by a recorded vote of 177 ayes to 241 noes, Roll No. 48);

Pages H955–57, H968–69

Watt amendment (no. 7 printed in the Congressional Record of March 9) that sought to apply the provisions of the bill only to cases brought in federal court (rejected by a recorded vote of 158 ayes to 261 noes, Roll No. 49);

Pages H957–59, H969

Andrews amendment (no. 2 printed in the Congressional Record of March 9) that sought to permit civil liability suits to be brought in cases related to a food that contains a genetically engineered material unless the labeling for such food bears a statement providing that the food contains such material and the labeling indicates which of the ingredients of the food are or contain such material (rejected by a recorded vote of 129 ayes to 285 noes, Roll No. 50);

Pages H959–61, H969–70

Ackerman amendment (no. 1 printed in the Congressional Record of March 9) that sought to change the definition in the bill of a “manufacturer” and “seller” so that it does not include any slaughtering, packing, meat canning, rendering, or similar establishment that manufactures or distributes for human consumption any cattle, sheep, swine, goats, or horses, mules, or other equines, that, at the point of inspection, are unable to stand or walk unassisted at such establishment (rejected by a recorded vote of 141 ayes to 276 noes, Roll No. 51);

Pages H964–68, H970–71

Lampson amendment (no. 4 printed in the Congressional Record of March 9) that sought to provide that the bill would not apply to an action brought by, or on behalf of, a child or person injured at or before the age of 8, against a seller that, as part of a chain of outlets at least 20 of which do business under the same trade name, markets qualified products to minors at or under the age of 8;

Pages H971–72

Jackson-Lee amendment (no. 9 printed in the Congressional Record of March 9) that sought to prohibit civil lawsuits by a food manufacturer or seller or trade association against an individual;

Pages H973–74

Jackson-Lee amendment (no. 10 printed in the Congressional Record of March 9) that sought to provide that the bill would not apply to civil actions

alleging that a product claiming to assist in weight loss caused heart disease, heart damage, primary pulmonary hypertension, neuropsychological damage, or any other complication which may also be generally associated with a person’s weight gain or obesity (rejected by a recorded vote of 166 ayes to 250 noes, Roll No. 52); and

Pages H974–76, H979–80

Watt amendment (no. 8 printed in the Congressional Record of March 9) that sought to strike the section of the bill that dismisses all civil liability actions pending at the time of the bill’s enactment (by a recorded vote of 164 ayes to 249 noes, Roll No. 53).

Pages H976–81

H. Res. 552, the rule providing for consideration of the bill was agreed to by a voice vote.

Pages H933–42

Committee Election: The House agreed to H. Res. 553, electing Representatives Tiberi and Harris to the Committee on Government Reform. **Page H982**

Suspensions—Proceedings Postponed: The House completed debate on the following measures to suspend the rules. Further proceedings were postponed until Thursday, March 11.

Commending India on its celebration of Republic Day: H. Con. Res. 15, commending India on its celebration of Republic Day; and **Pages H982–85**

Expressing the condolences of the House for the untimely death of Macedonian President Boris Trajkovski: H. Res. 540, expressing the condolences and deepest sympathies of the House of Representatives for the untimely death of Macedonian President Boris Trajkovski. **Pages H985–90**

National Prison Rape Reduction Commission: The Speaker announced his appointment of Pat Nolan of Leesburg, VA to the National Prison Rape Reduction Commission. **Page H991**

Recess: The House recessed at 6:46 p.m. and reconvened at 7:43 p.m.

Discharge Petition: Representative Turner moved to discharge the Committee on Rules from the consideration of H. Res. 523, providing for consideration of H.R. 594, to amend title II of the Social Security Act to repeal the government pension offset and windfall elimination provisions (Discharge Petition No. 6).

Quorum Calls—Votes: Four yea-and-nay votes and six recorded votes developed during the proceedings today and appear on pages H931, H931–32, H932–33, H968–69, H969, H970, H970–71, H979–80, H980–81, and H981. There were no quorum calls.

Adjournment: The House met at 10:00 a.m. and adjourned at 10:32 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Research, Education and Extension. Testimony was heard from the following officials of the USDA: Joseph J. Jen, Under Secretary, Education and Economics; Edward B. Knipling, Acting Administrator, Agricultural Research Service; Colien Hefferan, Administrator, Cooperative State Research, Education and Extension Service; Susan E. Offutt, Administrator, Economic Research Service; R. Ronald Bosecker, Administrator, National Agricultural Statistics Services; and Stephen B. Dewhurst, Budget Officer.

COMMERCE, JUSTICE, STATE, JUDICIARY AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, State, Judiciary and Related Agencies held a hearing on Department of State, Administration of Foreign Affairs. Testimony was heard from the following officials of the Department of State: Richard L. Armitage, Deputy Secretary; and Grant Green, Under Secretary, Management.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense held a hearing on Army Budget Overview. Testimony was heard from the following officials of the Department of the Army: Les Brownlee, Acting Secretary; and Gen. Peter Schoomaker, USA, Chief of Staff.

The Subcommittee also met in executive session to hold a hearing on Army Acquisition Programs. Testimony was heard from the following officials of the Department of the Army: Gen. Claude M. Boulton, USA, Assistant Secretary Acquisitions, Logistics and Technology; and Brig. Gen. Jeffrey Sorenson, USA, Deputy, Systems Management to the Assistant Secretary of the Army.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development held a hearing on the U.S. Army Corps of Engineers. Testimony was heard from John Paul Woodley, Assistant Secretary of the Army (Civil Works) and the following officials of the U.S. Army Corps of Engineers: LTG. Robert B. Flowers, USA, Chief, Engineers; MG. Carl A. Strock, Director, Civil Works; and Robert F. Vining, Chief, Pro-

grams Management Division, Civil Works Directorate.

FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing and Related Programs held a hearing on the Secretary of State. Testimony was heard from Colin L. Powell, Secretary of State.

INTERIOR AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior and Related Agencies held a hearing on Indian Health Services. Testimony was heard from Charles W. Grim, D.D.S., Director, Indian Health Services, Department of Health and Human Services.

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on the Centers for Medicare and Medicaid Services. Testimony was heard from Dennis Smith, Acting Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services.

The Subcommittee also held a hearing on the Agency for Healthcare Research and Quality. Testimony was heard from Carolyn Clancy, M.D., Director, Agency for Healthcare Research and Quality, Department of Health and Human Services.

MILITARY CONSTRUCTION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction held a hearing on Budget Overview. Testimony was heard from the following officials of the Department of Defense: Dove S. Zakheim, Under Secretary, Comptroller/Chief Financial Officer; and Raymond F. DuBois, Deputy Under Secretary, Installations and Environment.

TRANSPORTATION, TREASURY AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, Treasury and Independent Agencies held a hearing on GSA. Testimony was heard from Stephen A. Perry, Administrator, GSA.

FISCAL YEAR 2005 NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—TOTAL FORCE ADEQUACY

Committee on Armed Services: Subcommittee on Total Force held a hearing on the Fiscal Year 2005 National Defense Authorization Budget Request on the