

Mr. WESTMORELAND. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 191, nays 108, not voting 134, as follows:

[Roll No. 542]

YEAS—191

Abercrombie	Green, Gene	Pomeroy
Ackerman	Hinchey	Porter
Allen	Holt	Price (NC)
Andrews	Honda	Rahall
Baca	Hoyer	Ramstad
Baird	Hulshof	Rangel
Baldwin	Inslee	Regula
Barrow	Israel	Rehberg
Barton (TX)	Jackson (IL)	Reichert
Bean	Jackson-Lee	Renzi
Becerra	(TX)	Reyes
Berkley	Johnson, E. B.	Ross
Berman	Kanjorski	Rothman
Biggert	Keller	Roybal-Allard
Bishop (GA)	Kennedy (MN)	Ruppersberger
Bishop (NY)	Kennedy (RI)	Sabo
Boehlert	Kildee	Salazar
Boehner	Kind	Sánchez, Linda T.
Boren	King (NY)	Schakowsky
Boswell	Kirk	Schiff
Boustany	Kline	Schmidt
Boyd	Kucinich	Schwartz (PA)
Brady (PA)	LaHood	Scott (GA)
Brady (TX)	Langevin	Scott (VA)
Butterfield	Larsen (WA)	Serrano
Cannon	Latham	Shays
Capito	LaTourette	Sherman
Capps	Lee	Shimkus
Capuano	Levin	Simmons
Cardin	Lewis (GA)	Sires
Carnahan	Lipinski	Skelton
Castle	LoBiondo	Smith (NJ)
Chabot	Lofgren, Zoe	Smith (WA)
Chandler	Lowey	Snyder
Cleaver	Lynch	Spratt
Clyburn	Maloney	Stupak
Cooper	Matheson	Tanner
Crenshaw	Matsui	Tauscher
Crowley	McCarthy	Taylor (MS)
Cuellar	McCaul (TX)	Thomas
Cummings	McCollum (MN)	Thompson (CA)
Davis (CA)	McDermott	Thompson (MS)
Davis (FL)	McGovern	Tiberi
Davis (TN)	McIntyre	Tierney
DeFazio	McNulty	Towns
DeLauro	Meek (FL)	Townsend
Dent	Meeks (NY)	Udall (CO)
Diaz-Balart, M.	Melancon	Udall (NM)
Doggett	Michaud	Upton
Edwards	Miller (MI)	Van Hollen
Ehlers	Miller (NC)	Visclosky
Emanuel	Moore (KS)	Walsh
Engel	Moore (WI)	Wasserman
Eshoo	Murphy	Schultz
Etheridge	Nadler	Watt
Farr	Napolitano	Weiner
Ferguson	Northup	Weldon (FL)
Fitzpatrick (PA)	Oberstar	Weller
Fortenberry	Obey	Wexler
Fossella	Olver	Wilson (NM)
Frank (MA)	Pallone	Wolf
Gilchrest	Payne	Woolsey
Gingrey	Pelosi	Wu
Gonzalez	Peterson (MN)	Wynn
Green, Al	Platts	

NAYS—108

Aderholt	Bradley (NH)	Conaway
Akin	Brown (SC)	Doolittle
Alexander	Brown-Waite,	Drake
Bachus	Ginny	Dreier
Barrett (SC)	Burgess	Duncan
Bartlett (MD)	Buyer	Flake
Bilbray	Calvert	Forbes
Bishop (UT)	Camp (MI)	Foxx
Blackburn	Campbell (CA)	Franks (AZ)
Blunt	Cantor	Garrett (NJ)
Bonner	Carter	Gohmert
Bono	Chocola	Goode
Boozman	Cole (OK)	Goodlatte

Granger	King (IA)	Pombo
Graves	Kingston	Price (GA)
Green (WI)	Knollenberg	Putnam
Gutknecht	Kuhl (NY)	Rogers (AL)
Hall	Lewis (KY)	Rogers (KY)
Harris	Lucas	Rogers (MI)
Hart	Lungren, Daniel E.	Rohrabacher
Hastert		Royce
Hastings (WA)	Mack	Ryan (WI)
Hayes	Manzullo	Sekula Gibbs
Hayworth	Marchant	Sessions
Hensarling	McCotter	Shadegg
Hobson	McHenry	Sherwood
Hoekstra	McHugh	Sodrel
Hostettler	McKeon	Souder
Hunter	Miller (FL)	Sullivan
Inglis (SC)	Moran (KS)	Terry
Issa	Musgrave	Thornberry
Istook	Myrick	Tiahrt
Jenkins	Neugebauer	Turner
Jindal	Osborne	Walden (OR)
Johnson (CT)	Pearce	Westmoreland
Jones (OH)	Pence	Wilson (SC)
Kelly	Poe	

NOT VOTING—134

Baker	Gillmor	Otter
Bass	Gordon	Owens
Beauprez	Grijalva	Oxley
Berry	Gutierrez	Pascrell
Bilirakis	Harman	Pastor
Blumenauer	Hastings (FL)	Paul
Bonilla	Hefley	Peterson (PA)
Boucher	Herger	Petri
Brown (OH)	Hersteth	Pickering
Brown, Corrine	Higgins	Pitts
Burton (IN)	Hinojosa	Pryce (OH)
Cardoza	Holden	Radanovich
Carson	Hooley	Reynolds
Case	Hyde	Ros-Lehtinen
Clay	Jefferson	Rush
Coble	Johnson (IL)	Ryan (OH)
Conyers	Johnson, Sam	Ryun (KS)
Costa	Jones (NC)	Sanchez, Loretta
Costello	Kaptur	Sanders
Cramer	Kilpatrick (MI)	Saxton
Cubin	Kolbe	Schwarz (MI)
Culberson	Lantos	Sensenbrenner
Davis (AL)	Larson (CT)	Shaw
Davis (IL)	Leach	Shuster
Davis (KY)	Lewis (CA)	Simpson
Davis, Jo Ann	Linder	Slaughter
Davis, Tom	Markey	Smith (TX)
Deal (GA)	Marshall	Solis
DeGette	McCrery	Stark
DeLaunt	McKinney	Stearns
Diaz-Balart, L.	McMorris	Strickland
Dicks	Rodgers	Sweeney
Dingell	Meehan	Tancredo
Doyle	Mica	Taylor (NC)
Emerson	Millender-	Velázquez
English (PA)	McDonald	Wamp
Evans	Miller, Gary	Waters
Everett	Miller, George	Watson
Fattah	Mollohan	Waxman
Feeney	Moran (VA)	Weld (PA)
Filner	Murtha	Whitfield
Ford	Neal (MA)	Wicker
Frelinghuysen	Norwood	Young (AK)
Galleghy	Nunes	Young (FL)
Gerlach	Nussle	
Gibbons	Ortiz	

□ 0253

Messrs. LEWIS of Kentucky, AKIN, ISSA, ROGERS of Alabama, CAMP, MARCHANT and BRADLEY of New Hampshire changed their vote from “yea” to “nay.”

Messrs. CANNON, CAPUANO and KANJORSKI changed their vote from “nay” to “yea.”

So (two-thirds of those voting having not responded in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

DIETARY SUPPLEMENT AND NON-PRESCRIPTION DRUG CONSUMER PROTECTION ACT

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

question of suspending the rules and passing the Senate bill, S. 3546.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BARTON) that the House suspend the rules and pass the Senate bill, S. 3546, 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 203, nays 98, not voting 132, as follows:

[Roll No. 543]

YEAS—203

Abercrombie	Green, Al	Osborne
Ackerman	Green, Gene	Pallone
Aderholt	Harris	Payne
Allen	Hastert	Pelosi
Andrews	Hastings (WA)	Pombo
Baca	Hersteth	Pomeroy
Baird	Hinchey	Porter
Baldwin	Hobson	Price (NC)
Barrow	Holt	Rahall
Barton (TX)	Honda	Ramstad
Bean	Hoyer	Rangel
Becerra	Hulshof	Regula
Berkley	Hunter	Reichert
Berman	Inslee	Reyes
Biggert	Israel	Rogers (KY)
Bilbray	Jackson (IL)	Rogers (MI)
Bishop (GA)	Jackson-Lee	Rohrabacher
Bishop (NY)	(TX)	Ross
Boehlert	Johnson (CT)	Rothman
Bono	Johnson, E. B.	Roybal-Allard
Boren	Jones (OH)	Ruppersberger
Boswell	Kanjorski	Rush
Boyd	Keller	Sabo
Brady (PA)	Kelly	Salazar
Burgess	Kennedy (RI)	Sánchez, Linda T.
Butterfield	Kildee	Schakowsky
Buyer	Kind	Schiff
Calvert	King (NY)	Schmidt
Camp (MI)	Kirk	Schwartz (PA)
Cannon	Kucinich	Scott (GA)
Capito	LaHood	Scott (VA)
Capps	Langevin	Serrano
Capuano	Larsen (WA)	Shays
Cardin	Latham	Sherman
Carnahan	Lee	Shimkus
Carson	Levin	Simmons
Castle	Lewis (GA)	Sires
Chabot	Lipinski	Skelton
Chandler	LoBiondo	Smith (NJ)
Cleaver	Lowey	Smith (WA)
Clyburn	Lungren, Daniel E.	Snyder
Cooper	Lynch	Spratt
Crenshaw	Mack	Stupak
Crowley	Maloney	Tanner
Cuellar	Matheson	Tauscher
Cummings	McCarthy	Taylor (MS)
Davis (CA)	McCaul (TX)	Terry
Davis (FL)	McCollum (MN)	Thomas
Davis (TN)	McDermott	Thompson (MS)
DeLauro	McGovern	Tierney
Diaz-Balart, M.	McHugh	Towns
Doggett	McIntyre	Udall (CO)
Doolittle	McKeon	Udall (NM)
Dreier	McNulty	Upton
Edwards	Meek (FL)	Van Hollen
Ehlers	Meeks (NY)	Visclosky
Emanuel	Melancon	Walden (OR)
Engel	Michaud	Walsh
Eshoo	Miller (MI)	Wasserman
Etheridge	Miller (NC)	Schultz
Everett	Moore (KS)	Watt
Ferguson	Moore (WI)	Weiner
Fortenberry	Murphy	Weldon (FL)
Fossella	Nadler	Weller
Frank (MA)	Napolitano	Wolf
Gilchrest	Northup	Woolsey
Gonzalez	Oberstar	Wu
Granger	Obey	Wynn
Green (WI)	Olver	

NAYS—98

Akin	Blunt	Brown (SC)
Alexander	Boehner	Brown-Waite,
Bachus	Bonner	Ginny
Barrett (SC)	Boozman	Campbell (CA)
Bartlett (MD)	Boustany	Cantor
Bishop (UT)	Bradley (NH)	Carter
Blackburn	Brady (TX)	Chocola

Cole (OK)	Istook	Peterson (MN)
Conaway	Jenkins	Platts
DeFazio	Jindal	Poe
Dent	Kennedy (MN)	Price (GA)
Drake	King (IA)	Putnam
Duncan	Kingston	Rehberg
Fitzpatrick (PA)	Kline	Renzi
Flake	Knollenberg	Rogers (AL)
Forbes	Kuhl (NY)	Royce
Fox	LaTourette	Ryan (WI)
Franks (AZ)	Lewis (KY)	Sekula Gibbs
Garrett (NJ)	Lofgren, Zoe	Sessions
Gingrey	Lucas	Shadegg
Gohmert	Manzullo	Sherwood
Goode	Marchant	Sodrel
Goodlatte	McCaul (TX)	Souder
Graves	McCotter	Sullivan
Gutknecht	McHenry	Thornberry
Hall	McMorris	Tiahrt
Hart	Rodgers	Tiahrt
Hayes	Miller (FL)	Tiberi
Hayworth	Moran (KS)	Turner
Hensarling	Musgrave	Westmoreland
Hoekstra	Myrick	Wexler
Hoekstra	Neugebauer	Wilson (NM)
Hogstadler	Pearce	Wilson (SC)
Inglis (SC)	Pence	
Issa		

NOT VOTING—132

Baker	Gillmor	Owens
Bass	Gordon	Oxley
Beauprez	Grijalva	Pascarell
Berry	Gutierrez	Pastor
Bilirakis	Harman	Paul
Blumenauer	Hastings (FL)	Peterson (PA)
Bonilla	Hefley	Petri
Boucher	Herger	Pickering
Brown (OH)	Higgins	Pitts
Brown, Corrine	Hinojosa	Pryce (OH)
Burton (IN)	Holden	Radanovich
Cardoza	Hooley	Reynolds
Case	Hyde	Ros-Lehtinen
Clay	Jefferson	Ryan (OH)
Coble	Johnson (IL)	Ryan (KS)
Conyers	Johnson, Sam	Sanchez, Loretta
Costa	Jones (NC)	Sanders
Costello	Kaptur	Saxton
Cramer	Kilpatrick (MI)	Schwarz (MI)
Cubin	Kolbe	Sensenbrenner
Culberson	Lantos	Shaw
Davis (AL)	Larson (CT)	Shuster
Davis (IL)	Leach	Simpson
Davis (KY)	Lewis (CA)	Slaughter
Davis, Jo Ann	Linder	Smith (TX)
Davis, Tom	Markey	Solis
Deal (GA)	Marshall	Stark
DeGette	Matsui	Stearns
Delahunt	McCrery	Strickland
Diaz-Balart, L.	McKinney	Sweeney
Dicks	Meehan	Tancredo
Dingell	Mica	Taylor (NC)
Doyle	Millender-	Thompson (CA)
Emerson	McDonald	Velázquez
English (PA)	Miller, Gary	Wamp
Evans	Miller, George	Waters
Farr	Mollohan	Watson
Fattah	Moran (VA)	Waxman
Feeney	Murtha	Weldon (PA)
Filner	Neal (MA)	Whitfield
Ford	Norwood	Wicker
Frelinghuysen	Nunes	Young (AK)
Gallely	Nussle	Young (FL)
Gerlach	Ortiz	
Gibbons	Otter	

□ 0306

Mr. FRANK of Massachusetts and Mr. EVERETT changed their vote from “nay” to “yea.”

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PREMATURITY RESEARCH EXPANSION AND EDUCATION FOR MOTHERS WHO DELIVER INFANTS EARLY ACT

Mr. BARTON of Texas. Mr. Speaker, I ask unanimous consent that the Com-

mittee on Energy and Commerce be discharged from further consideration of the Senate bill (S. 707) to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 707

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act” or the “PREEMIE Act”.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Premature birth is a serious and growing problem. The rate of preterm birth increased 27 percent between 1982 and 2002 (from 9.4 percent to 11.9 percent). In 2001, more than 480,000 babies were born prematurely in the United States.

(2) Preterm birth accounts for 24 percent of deaths in the first month of life.

(3) Premature infants are 14 times more likely to die in the first year of life.

(4) Premature babies who survive may suffer lifelong consequences, including cerebral palsy, mental retardation, chronic lung disease, and vision and hearing loss.

(5) Preterm and low birthweight birth is a significant financial burden in health care. The estimated charges for hospital stays for infants with any diagnosis of prematurity/low birthweight were \$15,500,000,000 in 2002. The average lifetime medical costs of a premature baby are conservatively estimated at \$500,000.

(6) The proportion of preterm infants born to African-American mothers (17.3 percent) was significantly higher compared to the rate of infants born to white mothers (10.6 percent). Prematurity or low birthweight is the leading cause of death for African-American infants.

(7) The cause of approximately half of all premature births is unknown.

(8) Women who smoke during pregnancy are twice as likely as nonsmokers to give birth to a low birthweight baby. Babies born to smokers weigh, on average, 200 grams less than nonsmokers’ babies.

(9) To reduce the rates of preterm labor and delivery more research is needed on the underlying causes of preterm delivery, the development of treatments for prevention of preterm birth, and treatments improving outcomes for infants born preterm.

(b) PURPOSES.—It the purpose of this Act to—

(1) reduce rates of preterm labor and delivery;

(2) work toward an evidence-based standard of care for pregnant women at risk of preterm labor or other serious complications, and for infants born preterm and at a low birthweight; and

(3) reduce infant mortality and disabilities caused by prematurity.

SEC. 3. RESEARCH RELATING TO PRETERM LABOR AND DELIVERY AND THE CARE, TREATMENT, AND OUTCOMES OF PRETERM AND LOW BIRTHWEIGHT INFANTS.

(a) GENERAL EXPANSION OF NIH RESEARCH.—Part B of title IV of the Public

Health Service Act (42 U.S.C. 284 et seq.) is amended by adding at the end the following: “**SEC. 409J. EXPANSION AND COORDINATION OF RESEARCH RELATING TO PRETERM LABOR AND DELIVERY AND INFANT MORTALITY.**

“(a) IN GENERAL.—The Director of NIH shall expand, intensify, and coordinate the activities of the National Institutes of Health with respect to research on the causes of preterm labor and delivery, infant mortality, and improving the care and treatment of preterm and low birthweight infants.

“(b) AUTHORIZATION OF RESEARCH NETWORKS.—There shall be established within the National Institutes of Health a Maternal-Fetal Medicine Units Network and a Neonatal Research Units Network. In complying with this subsection, the Director of NIH shall utilize existing networks.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, such sums as may be necessary for each of fiscal years 2005 through 2009.”

(b) GENERAL EXPANSION OF CDC RESEARCH.—Section 301 of the Public Health Service Act (42 U.S.C. 241 et seq.) is amended by adding at the end the following:

“(e) The Director of the Centers for Disease Control and Prevention shall expand, intensify, and coordinate the activities of the Centers for Disease Control and Prevention with respect to preterm labor and delivery and infant mortality.”

(c) STUDY ON ASSISTED REPRODUCTION TECHNOLOGIES.—Section 1004(c) of the Children’s Health Act of 2000 (Public Law 106-310) is amended—

(1) in paragraph (2), by striking “and” at the end;

(2) in paragraph (3), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(4) consider the impact of assisted reproduction technologies on the mother’s and children’s health and development.”

(d) STUDY ON RELATIONSHIP BETWEEN PREMATURITY AND BIRTH DEFECTS.—

(1) IN GENERAL.—The Director of the Centers for Disease Control and Prevention shall conduct a study on the relationship between prematurity, birth defects, and developmental disabilities.

(2) REPORT.—Not later than 2 years after the date of enactment of this Act, the Director of the Centers for Disease Control and Prevention shall submit to the appropriate committees of Congress a report concerning the results of the study conducted under paragraph (1).

(e) REVIEW OF PREGNANCY RISK ASSESSMENT MONITORING SURVEY.—The Director of the Centers for Disease Control and Prevention shall conduct a review of the Pregnancy Risk Assessment Monitoring Survey to ensure that the Survey includes information relative to medical care and intervention received, in order to track pregnancy outcomes and reduce instances of preterm birth.

(f) STUDY ON THE HEALTH AND ECONOMIC CONSEQUENCES OF PRETERM BIRTH.—

(1) IN GENERAL.—The Director of the National Institutes of Health in conjunction with the Director of the Centers for Disease Control and Prevention shall enter into a contract with the Institute of Medicine of the National Academy of Sciences for the conduct of a study to define and address the health and economic consequences of preterm birth. In conducting the study, the Institute of Medicine shall—

(A) review and assess the epidemiology of premature birth and low birthweight, and the associated maternal and child health effects in the United States, with attention