Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Rohrabacher
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOT VOTING—3

McCarthy (NY) McHugh Shuster

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1432

Ms. BALDWIN changed her vote from ''aye'' to ''no.''

Mr. BURGESS and Mrs. KIRKPATRICK of Arizona changed their vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 400, nays 30, not voting 3, as follows:

[Roll No. 675]

YEAS—400

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (NY)
Levin
Lewis (CA)
Linder
Lipinski
LoBiondo
Loebsack
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McCotter
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Minnick
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Titus
Tonko
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Watson
Waxman
Weiner
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—30

Baldwin
Blumenauer
Campbell
Duncan
Ellison
Filner
Flake
Frank (MA)
Griffith
Johnson (IL)
Kucinich
Lee (CA)
Lewis (GA)
Lofgren, Zoe
McDermott
Miller, George
Moore (WI)
Paul
Payne
Royce
Schakowsky
Sensenbrenner
Serrano
Speier
Stark
Tierney
Towns
Waters
Watt
Welch

NOT VOTING—3

McCarthy (NY) Murphy, Tim Spratt

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining in the vote.

□ 1440

Mr. GRIFFITH changed his vote from ''yea'' to ''nay.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. CONYERS. Madam Speaker, on July 30, 2009, I inadvertently cast a "yea" vote for H.R. 3326. I intended to vote "nay."

## PERSONAL EXPLANATION

Ms. WOOLSEY. Mr. Speaker, I request that the RECORD note that for rollcall No. 661, Murtha of Pennsylvania Part A Amendment No. 1, I voted "no", but would like the RECORD to reflect, I intended to vote "aye."

I request that the RECORD note that for rollcall No. 675, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, I voted "yea", but would like the RECORD to reflect, I intended to vote "nay."

## PERSONAL EXPLANATION

Mr. KUCINICH. Mr. Speaker, on rollcall No. 663 I inadvertently voted ''no.'' I intended to vote ''yes.''

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces a correction to an earlier vote tally. On rollcall vote No. 666, the ayes were 76 and the noes were 350.

## PROVIDING FOR CONSIDERATION OF H.R. 2749, FOOD SAFETY ENHANCEMENT ACT OF 2009

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 691 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 691

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2749) to amend the Federal Food, Drug, and Cosmetic Act to improve the safety of food in the global market, and for other purposes. The first reading

of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, the amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions of the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from New York is recognized for 1 hour.

Ms. SLAUGHTER. Mr. Chairman, for the purpose of debate only, I yield the customary 30 minutes to the gentlelady from North Carolina, Representative FOXX. All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Ms. SLAUGHTER. I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and insert extraneous materials into the RECORD.

The SPEAKER pro tempore (Mr. JACKSON of Illinois). Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, today the House will consider H.R. 2749, the Food Safety Enhancement Act, legislation that will help make our food supply safer and cleaner and provide much-needed peace of mind to American families.

Too often recently, we have watched horrible news reports showing stories of Americans who have become terribly sick or have died from eating the same simple foods that we take for granted and consume every day. Think about that for a minute. Our country, one of the wealthiest in the world with the most bountiful food supply and endless choices for consumers, has been in the grip of a food panic that shows no signs of easing up. Peanut butter, spinach, cookie dough, beef, tomatoes, sprouts, pistachios—every day it seems like it's something new.

We know that every year 76 million Americans are sickened from consuming contaminated food, and 5,000 of those persons die. This issue has probably touched every one of us in some way. In too many cases, they're not random, unpredictable events but widespread and systematic. And sadly, they are also preventable. They come about because of flaws in our food safety system. I am happy to say that these gaps in protection are closed by this legislation.

Under this bill, we give the FDA new authority, new tools, and a new source of funding to carry out its vital mission. Thanks to this bill, the FDA will make more frequent inspections of food processing facilities, develop a food trace-back system to pinpoint the source of food-borne illnesses, and have enhanced powers to ensure that imported foods are safe.

The bill provides the FDA better access to the records of food producers and manufacturers without having to wait for an outbreak of food-borne illness.

The bill provides strong, flexible enforcement tools and, importantly, it strengthens penalties imposed on food facilities that fail to comply with safety requirements.

We require food facilities to have safety plans in place to identify and mitigate hazards, one of the best ways to make an immediate improvement to food safety.

The legislation before us is bipartisan, and I think it is safe to say it will fundamentally change the way we protect the safety of our food supply.

It is worth noting the bill was approved by the Energy and Commerce Committee back on June 17 by voice vote. That is how broad the support was.

□ 1445

We know this bill enjoys a lot of support from all Members. It received 280 votes yesterday, including 50 Republican votes that I'm happy to have and very confident that the bill will enjoy the same level of support today.

I will enter a copy of an editorial from today's New York Times into the RECORD. The page made the following points:

''Under the current system, the FDA can only try to coax a food production facility to voluntarily recall its product after people have grown sick or even died. The legislation, the best in years, would give the agency a great deal more power and responsibility to prevent such outbreaks. The FDA would finally have the authority to set strong science-based safety standards for the growing, harvesting, and transporting of both domestic and imported food. The agency would then require each food production facility to come up with the best safety plan showing how it would meet those standards.

''Right now several years or more can elapse before the FDA does a full onsite inspection of a food facility. Most inspections are done by States and not all plants are visited. Under this bill so-called high-risk facilities, ones where there have been problems in the past or ones that handle easily spoiled items like raw seafood, would have to be inspected by the FDA every 6 to 12 months. Lower-risk facilities, which deal with items like dry packaged products with no history of causing problems, would be inspected every 18 months to 3 years.''

As others have noted, the legislation is supported by a range of organizations including Consumers Union, Consumer Federation of America, American Public Health Association, Association of Schools of Public Health, Center for Science and the Public Interest, The Pew Charitable Trusts, Trust for America's Health, and the Grocery Manufacturers Association.

I was disappointed yesterday that some farm organizations seem unwilling to support the legislation even after the committee negotiated in good faith to address their concerns. That lack of support cost us the two-thirds support needed for passage.

I want to address a few other concerns, including one complaint that every farm has to pay an annual $500 fee. I would like to point out that that requirement does not apply to farms that sell directly to consumers, meaning most if not all small family organic farms would not be covered.

Another concern centered on what this bill would mean to small organic farmers and whether the larger FDA power would interfere with their operations. The bill specifically says the FDA can only issue standards for the riskiest products, and the FDA is also directed to take into consideration the impact on small-scale and diversified farms and on wildlife habitat, conservation practices, watershed protection efforts, and organic production methods.

Yet another issue centered on whether confidential farm records might be disclosed by the FDA to others. In fact, the only new records that the FDA can have access to relate only to fresh produce for which the FDA has issued a safety standard or that is the subject of an active investigation of a food-borne illness outbreak.

It is my hope that the small farmers in my district in upstate New York and elsewhere see this bill as a positive step forward in improving safety. Ultimately, we should feel confident about the quality of our food regardless of whether it comes from a big farm or a small family-run organic farm.

Let me touch on one other issue as well. The legislation does not include strong new language to restrict the current overuse, I would say abuse, of antibiotics by farmers who raise livestock for human consumption. We have legislation that has a strong and growing number of supporters who, like me, worry that the use of nontherapeutic antibiotics in our food supply poses an enormous and growing health risk for all Americans. It is my plan to make a strong push on this legislation later in the year, and I hope all my colleagues who are ready to vote for this food safety bill will be with us when we take up the Preservation of Antibiotics for Medical Treatment Act.

Let's approve this food safety bill right now and start taking steps to make sure that our food supply is as safe as it can be.

[From The New York Times, July 30, 2009]

VOTE FOR SAFER FOOD

Far too many Americans are falling ill after eating foods tainted with salmonella, E. coli and other pathogens. The Food and

Drug Administration, which is charged with protecting much of the nation's food supply, doesn't have the authority or the tools to do its job. The House of Representatives can start to fix that problem if it votes this week to approve the Food Safety Enhancement Act.

Under the current system, the F.D.A. can only try to coax a food production facility to voluntarily recall its product after people have grown sick or even died. The legislation, the best in years, would give the agency a great deal more power and responsibility to prevent such outbreaks.

The F.D.A. would finally have the authority to set strong science-based safety standards for the growing, harvesting and transporting of both domestic and imported food. The agency would then require each food production facility to come up with the best safety plan showing how it would meet those standards.

To investigate possible food problems, the F.D.A. would be able to demand far more information during inspections, and it would be required to set up a process for tagging food to make it easier to trace the source of a food-borne illness. The tomato business was devastated last year when tomatoes were blamed for an outbreak of salmonella that was really caused by tainted jalapeño and other peppers.

Right now, several years or more can elapse before the F.D.A. does a full on-site inspection of a food facility. Most inspections are done by states, and many plants are not visited at all. Under this bill, so-called high-risk facilities—ones where there have been problems in the past or ones that handle easily spoiled items like raw seafood—would have to be inspected by the F.D.A. every 6 to 12 months. Lower-risk facilities, which deal with items like dry packaged products with no history of causing problems, would be inspected every 18 months to three years. For that reason, the F.D.A. will need more inspectors, but it is unclear whether new license fees of $500 a year per food facility will be enough to pay for them.

The bill does not solve all of the problems of food safety, of course. There will still be a patchwork of federal inspection programs done by a variety of different agencies. In the future, one food agency that works for consumers and food producers makes more sense. Right now, the F.D.A. has the responsibility for 80 percent of the nation's food supply, and this bill would give it a lot more of the muscle it needs to do that job.

Mr. Speaker, I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

I want to thank my colleague from New York (Ms. SLAUGHTER), Chair of the Rules Committee, for yielding time. This is a bill I know she feels strongly about.

Mr. Speaker, this bill is being brought to the floor as a rule bill today because it failed to win enough votes to pass under the Suspension Calendar yesterday. It's being brought to the floor under a closed rule. This is yet another closed rule on top of an entire appropriation season filled with closed rules. And I come before you today deeply concerned by the closed rule we have before us.

After promising the American people during campaign season that this would be the most open and honest Congress in history, Speaker PELOSI has gone back on her word by making this the most closed and restrictive Congress in history. Instead of having their ideas heard, the American people are being silenced with Speaker PELOSI's justification that ''we won the election; so we decide.''

Majority Leader HOYER stated this past February his agreement with restoring the House to the regular order process of legislating. He said, ''I think that is a very important pursuit . . . our committees and Members are served on both sides of the aisle by pursuing regular order. Regular order gives to everybody the opportunity to participate in the process in a fashion which will affect, in my opinion, the most consensus and the best product.''

If the majority leader believes this, then why, Mr. Speaker, are we faced with another closed rule today? As my colleagues have expressed time and time again, bringing this number of bills to the floor under closed rules is unprecedented. It does an injustice to both Democrats and Republicans who want to have the opportunity to offer amendments and participate in debate with their colleagues over pressing issues of our time. By choosing to operate in this way, the majority has cut off the minority and their own colleagues from having appropriate input in the legislative process. This is not the way the greatest deliberative body in the world should operate.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I now yield 4 minutes to the gentleman from Kansas (Mr. MORAN).

Mr. MORAN of Kansas. I thank the gentlewoman for yielding.

Mr. Speaker, based upon yesterday's vote on H.R. 2749, the Food Safety Enhancement Act, one would think that the Democrat leadership would say, wait, maybe we have some issues here that need to be taken care of. Maybe we should refer this bill to the Committee on Agriculture and get some of these problems cleaned up. Instead of taking the lesson from yesterday's defeat on this bill on the Suspension Calendar, the Democrat leadership has decided to run this bill through the House under a closed rule with no debate and no amendments.

I would ask: What's the problem with referring this bill to a committee of jurisdiction to make technical, yet necessary, changes? Why not allow an amendment to clean up some of the bill's problems regarding production agriculture and other rural businesses?

All of us want to support a food safety bill. I will say that again: All of us, including me, want to support a food safety bill. I also believe that if the majority would allow a referral to the Committee on Agriculture, this food safety bill would receive wide and bipartisan support. However, the Democrat leadership has taken its my-way-or-the-highway approach that leaves those of us from rural America unable to support this legislation.

Yesterday when H.R. 2749 was on suspension, I raised issues that concern farmers and ranchers. The primary concern is an inadequate exemption for grain farmers and livestock producers. True, the bill exempts grain farmers from performance standards and record-keeping from growing and harvesting activities, but it fails to exempt on-farm grain storage and transportation activities. So while I thank the members of the Energy and Commerce Committee for trying to accommodate us, it's still not right and more needs to be done.

Another problem I would like to raise today involves the grain-handling industry, which affects thousands of small grain elevators across the country where farmers deliver their grain. Many of these facilities are already subject to USDA grain inspections. Many are also subject to State and Federal warehouse licensing fees.

However, this bill gives duplication authority to the FDA to do its inspections. It also imposes a one-size-fits-all registration fee for grain-handling facilities large and small. What's the point of the fee? Grain elevators are already subject to licensing fees; so it must be to impose another revenue-raising tax.

A country-of-origin labeling is included in this bill, but we don't need country-of-origin labeling for grain. Unlike meat, grain is a fungible product, and while it's possible, although difficult, to identify a steak, giving identity to tiny individual kernels of grain, which are blended with billions of other tiny kernels of grain, is next to impossible.

I would like to point out that of the many food safety concerns Members and their constituents have raised, I have yet to hear a complaint about the grain industry. This is because we already have a system that works. Instead of strengthening that system, this bill overlays another system of unnecessary bureaucracy.

Mr. Speaker, I oppose the rule and I oppose the bill and would ask once again that the Committee on Agriculture utilize its jurisdiction to correct the flaws so that all of us can vote ''yes.''

Ms. SLAUGHTER. Mr. Speaker, I continue to reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I would now yield 5 minutes to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. I thank the gentlewoman for yielding.

Mr. Speaker, I rise today in opposition to H.R. 2749, the Food Safety Enhancement Act of 2009.

Let me begin by saying that yesterday Members from both sides of the aisle rejected the bill that was attempted to be rushed through Congress. Yet today we find ourselves considering the same legislation under a closed rule. Once again we are barred

from offering amendments. I simply have to ask: What's the majority leadership afraid of?

We have said before, and I will continue to say again today, this country has the safest food supply in the world. Does that mean that there isn't room for improvement? No. Does that mean that we shouldn't continue to examine our regulatory systems and find ways to make it better? No. I don't think there is a single Member of Congress who wouldn't support reasonable proposals that improve the safety of what is already the safest supply of food in the world. But this legislation is woefully inadequate. It fails to achieve what we are all seeking for our consumers: an improved food safety system.

The biggest challenge that I can point to is the fact that the bill expands the reach and authority of the U.S. Food and Drug Administration but does not require further accountability. This legislation does not require FDA to spend any additional funds on the inspection of food.

Beyond that there are other provisions that are troublesome. One in particular would mandate FDA to set on-farm production performance standards. I'm stunned that more people are not outraged by this concept, that the Federal Government will tell our farmers and ranchers how to do something that they have been doing since the dawn of mankind. Even after changes that will limit the intrusion of the Federal Government on the farm, the bill still goes too far in the direction of trying to produce food from a bureaucrat's chair in Washington, D.C.

There remains a host of other problems with this bill. For example, has anyone considered if it's wise to have the Federal Government grant licenses and charge fees for processing food? This would mean that the Federal Government could arbitrarily withdraw that license for technical violations of the law that ultimately would shut down an operation. Has anyone even considered the consequences of the provisions of this bill? Has anyone thought about how this would increase the cost of food for consumers and force food production out of the country?

□ 1500

Furthermore, the bill's quarantine authority allows FDA to quarantine the entire Nation if there is evidence or just simply justification or information that a food commodity poses a health risk. No consideration is given to economic losses suffered by food producers, processors or distributors. In particular, if the FDA ultimately lifts the quarantine because it was wrong, the agency has no obligation, no authority or means to indemnify producers for their losses.

Mr. Speaker, let me revisit my original point. We have the safest food supply in the world. We need to constantly work to improve our food safety system. But if we are sincere in making those improvements, then we must have a bill before us that is not the product of a rushed legislative process where all the committees of jurisdiction were not allowed to fully participate. Yesterday, with the votes of Members on both sides of the aisle, we rejected that process, and today we find ourselves considering the same legislation under a closed rule, once again, barred from offering amendments.

I repeat, what is the majority afraid of? Food safety should not be a partisan or political issue. This should not be a fight. It should be a constructive process.

Defeat this rule. Bring H.R. 2749 back to the committees. Let all the committees of jurisdiction work their will and work their way so that we can create a bill that serves farmers, ranchers, processors, retailers and, yes, consumers. Tell me what is wrong with that. Tell me what is wrong with that.

Let's defeat the rule. Let's finish the process. Let's do better.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 30 seconds to ask a question: If everybody is doing things so well in the United States, why do 76 million Americans get sick every single year from contaminated food and 5,000 of them die?

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. FARR).

Mr. FARR. Mr. Speaker, I thank the chairwoman for yielding.

Mr. Speaker, I rise with mixed emotions but in support of the rule. I represent the Salinas Valley, which is one of the most productive agricultural regions of the world. We are the ''Salad Bowl Capital'' of the world. And when you produce fresh produce, for example, lettuce, you don't have a kill step. You can't boil it before you eat it, so you have to be very careful about how you grow this material—lettuce, broccoli, brussels sprouts and all of those things—so you don't have contamination coming from the field.

We have had recalls, the E. coli recall, a very serious recall, and the difficulty we have had over the years is that essentially the Federal responsibility for food safety is in the Food and Drug Administration, the FDA. The responsibility for poultry inspection and meat inspection is in the Department of Agriculture. So you have a split responsibility in this country, and it has been that way for a long, long time.

What you hear in this bill is we need to have some national standards. The authority for those standards lies, for other than meat and poultry, with the Food and Drug Administration. So if you are going to get these standards and get some national credibility and an equal playing field, then you are going to have to work on the food safety for agriculture and organic and all of those others in this legislation.

We have been trying to do that, and the author of the bill, JOHN DINGELL, has been a tremendous help in trying to understand the nuances of small farmers, of organic farmers and others that are selling to farmers' markets.

But I hear from all my ag folks that they may not want the FDA, who don't know much about growing practices, to be out there. They do agree we need to have these national standards, that this is the only way we are going to ensure that all food we serve in this country, which has the safest food in the world, is going to be even safer.

So I share the concerns raised by the minority, but I think that the best answer to the problem is to work in a constructive way so that we can develop constructive regulations that benefit everyone, and that is an equal playing field, not a split between the USDA and the FDA.

Ms. FOXX. Mr. Speaker, I yield 3 minutes to my colleague, the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I thank the gentlelady from North Carolina for yielding.

Mr. Speaker, I rise in opposition to the rule and the underlying legislation. This bill was brought to the floor yesterday under an expedited rule in order to push the measure through with minimal debate. The bill failed to pass under a two-thirds vote, and that is why we are considering it again today.

I have three main objections to the bill in its current form: the cost to our farmers, the jurisdictional overreach of FDA, and the process the majority has taken to bring this to the floor today.

Let me begin by saying that food safety is among the highest priorities of our farmers, the USDA and the Agriculture Committee. In my view, having a safe and abundant domestic food supply is a crucial public health matter and it is equally imperative to our national security.

Although America has the safest food supply in the world, there are clearly improvements that need to be made to our system. However, this legislation is not a step in the right direction. The bill would do little, if anything at all, to improve food safety, yet will have a substantial impact upon the Nation's 2.2 million farms, many of which are family owned and operated.

Specifically, I am concerned with the increased costs this bill will charge farms in the form of unnecessary fees and registrations. Farmers will not be able to sell their products without paying expensive annual registration fees. Enacting this legislation could place significant new financial and administrative burdens on the Food and Drug Administration. The bill provides the FDA with more regulatory authority over farming activities, when currently such activities are already regulated by the agriculture experts at USDA.

USDA is doing great outreach work on food safety and has a presence in every county across this country. In other words, USDA already is doing a great deal of work on improving food safety, and therefore food safety does

not need to be additionally regulated by the FDA. I admit that some modest steps were taken to improve the bill, specifically regarding livestock and row crops, but the minor improvements did not go far enough to improve the overall bill.

The United States Department of Agriculture has a strong record. They work hard to partner with industry, they work hard to provide mechanisms for consumer input, and they work hard on consumer education regarding food safety. Frankly, my confidence lies with the USDA rather than the FDA.

I also have substantial concerns with the process taken to bring this measure to the floor. This legislation bypassed regular order and was not considered by the committee of jurisdiction. This legislation has the greatest impact on our farmers, but never received consideration by the committee tasked with agricultural oversight.

I again strongly urge my colleagues to vote ''no'' on the rule.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Michigan (Mr. DINGELL), chairman emeritus of the Energy and Commerce Committee and dean of the House.

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Speaker, we are hearing much fiction and little fact. I want to say what I say with great respect and affection for the gentleman from Oklahoma, but giving an understanding of what it is we are doing and why is very important here.

I represent farmers and I represent consumers. Almost all of us have some farmers, and all of us represent consumers. The safety of both is important.

Understand that Food and Drug has been starved of authority and starved of money for a long time. The last meaningful reform in Food and Drug occurred in 1938. America's food is the safest in the world, but it is not as safe as it should be. It should be known that much of the lack of safety of American food comes because of foreign producers, whose production cannot be traced and checked.

We are going to hear complaints about the tomato pepper problem that we had a few years ago. That occurred because there is no way of tracing or finding how these goods move through commerce. Similar situations have occurred with regard to seafood and shellfish, with regard to berries and grapes, with regard to all manner of leafy vegetables and foods. It occurs because Food and Drug cannot control what enters this country, and it occurs because Food and Drug does not have the authority to properly deal with it.

In the instance of major failures, it has occurred because the Food and Drug Administration does not have sufficient authority to focus on the specific wrongdoers and wrongdoing. So every American producer is hurt. We have enabled Food and Drug and required them to address this by a focused effort.

Now, with regard to the authorities given, first of all, we have assiduously avoided any intrusion into the authority of the Agriculture Committee. Extensive discussions were held between the Commerce Committee members and the Committee on Agriculture; respectful, open, friendly discussions.

If there are troubles inside the Agriculture Committee, that is not a matter that the Commerce Committee can address. But we have achieved the approval of the chairman of the committee, who spoke yesterday, as my colleagues will remember, in favor of the legislation which we now discuss.

What does the legislation do? First of all, it keeps the FDA off the farm. Second of all, it is aimed at seeing to it that we have a responsible program for control. It requires registration of producers and manufacturers. That is very important, because without that, Food and Drug doesn't know who is doing what and has no real control to assure that good manufacturing practices, a word of art, are applied by the industry at every phase.

The Chinese are notoriously sloppy in their handling of food: melamine in milk products, unsafe seafood, unsafe shellfish, unsafe meats, mushrooms that are unsafe.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Ms. SLAUGHTER. I yield the gentleman 2 additional minutes.

Mr. DINGELL. So, if the manufacturer or the processor pays no fee and does not register, he can't bring the food in this country to poison Americans.

Just recently, we had a major peanut scare. Eight people died, that we know of. Large numbers were sickened. We had a similar problem with other nut products, and the result has been that, again, people were sickened. I mentioned the other kinds of problems that we have confronted, including berries. Americans are dying because Food and Drug does not have the authority to protect them, and American producers and American agriculture is being hurt in enormous amounts because of this.

We will shortly be seeing an attempt by my Republican colleagues to come forward with a motion to recommit that will raise money that American manufacturers and producers are contributing to assure that Food and Drug can protect the consuming public and can protect the farmers, manufacturers and producers against unfair competition.

The bill makes it possible for us to track foods from the point where they are grown to the point where they reach the hands of the consumer. That is extremely important, because without that, a disaster impends with regard to the people who are sickened or killed, but it also is going to impact upon the farmers, the producers, and people in the industry.

This is a balanced, honest, fair, and friendly attempt to see to it that everyone gets the protection that Food and Drug can give. The Department of Agriculture, its inspection and its operations, is not impaired by this. And if my good friends on the Agriculture Committee on the minority side have business that they want to do with regard to their concerns on agriculture, I would urge them to do so, but not to raid the funds, not to oppose good legislation, not to prevent the protection of American consumers. The country deserves better.

□ 1515

The SPEAKER pro tempore. The time of the gentleman has again expired.

Ms. SLAUGHTER. I yield an additional 1 minute to the gentleman from Michigan.

Mr. DINGELL. I will use that minute wisely, Madam Chairman, first, to thank you for an excellent rule; second, to thank you for the leadership that you have shown, not only on this matter but many other difficult matters of concern, especially to the American consuming public. The bill is not a new piece of legislation. It has been around and has been the source of a number of investigations by the Commerce Committee, where we find that people are being killed by the inadequacy of authority of Food and Drug, by its inability to protect the American people.

This is a good bill. As I have pointed out, it's old enough to vote. It has gone through many iterations. Now, I hear my friends on the Republican side complaining about the bill. But the harsh fact of the matter is that the changes about which they complain are changes that were made to meet the concerns of the Agriculture Committee as expressed by its chairman, and changes that were made to meet the concerns of producers, manufacturers and growers. I urge my colleagues to support the rule and to support the bill.

Ms. FOXX. Mr. Speaker, I now yield 3 minutes to the former chairman of the Agriculture Committee, Mr. GOODLATTE.

Mr. GOODLATTE. I thank the gentlewoman for yielding. I thank her and the gentleman from Oklahoma for their leadership in attempting to address this issue, even though we bring a bill to the floor under a closed rule, with no opportunity, not only on the floor of the House, but also in the House Agriculture Committee, to mark up a bill that proposes to make food safer. Unfortunately, this bill does little, if anything, to enhance food safety.

The legislation does not require the U.S. Food and Drug Administration to spend one additional penny on the inspection of food; yet the legislation imposes significant regulatory burdens on small businesses without properly holding the regulatory agency accountable. The bill contains an expanded

registration requirement that effectively creates a Federal license to be in the food business.

Like the Democrat stimulus bill, cap-and-trade, and the proposed health care bill, this is another example of broadening the size and scope of government, raising new taxes on small businesses, and intruding in the private lives of Americans.

On-farm performance standards: New language added to the bill would exclude row crop producers from FDA regulatory authority over growing and harvesting of crops. Language was also improved that would relieve livestock producers from some of the burdens of the law. Although these are needed changes, they do not go far enough to make the bill acceptable. This bill still leaves our Nation's fruit and vegetable producers subject to objectionable regulatory burdens. We can still expect to have an agency of the Federal Government telling our farmers how to do their jobs.

Registration of food-processing facilities was originally envisioned as a commonsense way of helping the FDA identify facilities under the bioterrorism act in 2002. This provision turns registration into a Federal license for any food business to operate by charging exorbitant fees, making it unlawful to sell food without a registration license and allowing the FDA to suspend a company's registration.

Traceability is another issue. It does not make food safer. Traceability simply adds enormous regulatory burden without even knowing if it can be done in the first place. There is no requirement that the system developed by the FDA be feasible or affordable.

Recordkeeping: Broad recordkeeping authorities will impose significant regulatory burdens. Minimal consideration is given to risks associated with the product produced at the regulated facility when developing the recordkeeping requirements. The language lacks protections from disclosure of proprietary information.

The issue of quarantine authority. The bill's quarantine authority allows the Food and Drug Administration to quarantine a geographic area if there is credible evidence that food poses a health risk. No consideration is given to economic losses suffered by food producers, processors or distributors in the quarantine area. It's my understanding that the ranking member of the Agriculture Committee will offer something that will help to correct that later on, and I hope everyone will support that measure.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. FOXX. I yield the gentleman an additional 1 minute.

Mr. GOODLATTE. In particular, if the FDA ultimately lifts the quarantine for lack of confirmatory evidence, the agency has no obligation, authority or means to indemnify producers for their losses. Conversely, under the authority of the Animal Health Protection Act and Plant Protection Act, the USDA, which has jurisdiction over other sectors of our food safety and has done an outstanding job, must indemnify producers who have incurred such losses.

The language allows the FDA to act on suspicion to require a producer to cease distribution of food. Once again, no consideration is given in this legislation to indemnification for economic damages, particularly if the FDA was wrong.

From a public health and safety point of view, end product testing offers little protection or assurance. HAACP was introduced as a system whereby the manufacturer evaluates their process and institutes site and process specific controls, rather than attempt to detect problems by testing the finished product. That is the better way to go.

Mr. Speaker, I would urge my colleagues to oppose this rule, this closed rule, and this bad bill.

Ms. SLAUGHTER. I will reserve.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume. The concern about closed rules is not just one expressed by Republicans. Democrats have expressed their own frustrations with the closed manner in which this Congress is being operated, but nothing has changed.

In February, a group of Democrats garnered more than 60 signatures on a letter to Majority Leader HOYER calling for a prompt return to regular order. In the letter, they stated that ''Committees must function thoroughly and inclusively, and cooperation must ensue between the parties and the houses to ensure that our legislative tactics enable rather than impede progress.'' This was written by, as I said, over 60 Democratic Members.

They went on to say, ''In general, we must engender an atmosphere that allows partisan games to cease and collaboration to succeed. We look forward to working with you to restore this institution.'' So not only does the closed rule process hurt and exclude Republican Members, it hurts and excludes Democrat Members as well.

By preferring to stifle debate, the Democrats in charge have denied their colleagues on both sides of the aisle the ability to do the job they've been elected to do, offer ideas that represent and serve their constituents. The Democrats in charge are denying Members the ability to offer improvements to legislation, and this is an injustice to all of their colleagues, and this rule and this bill are prime examples.

The Democrats in charge are limiting what ideas can be debated on the floor and what constituents can be represented in this House. Our constituents, in both Republican and Democrat districts, are struggling to make ends meet, are facing unemployment, and yet are simultaneously being shut out of participating in a debate over how their hard-earned taxpayer dollars are being borrowed and spent by the Federal Government.

Mr. Speaker, it's very concerning to me that the Democrat majority has chosen to silence their colleagues on both sides of the aisle yet again. In doing so, they have chosen to keep the millions of constituents we represent from having a voice on the floor of the people's House.

My colleagues have offered a lot of reasons why this bill underlying this rule is not a good bill and needs to be improved. But I want to make a couple of comments about that, also. This bill actually does very little to enhance food safety. In fact, I want to call attention, again, to the motto of the State of North Carolina, ''To be, rather than to seem.''

We have a bill here called the Food Safety Enhancement Act that does very little to enhance the safety of food. As my colleague from Virginia said just now, the FDA is not being required to spend one extra dime on inspecting food. But it gives unprecedented authority to the Food and Drug Administration by imposing mandatory recall, quarantine authority, recording requirements, warrantless inspection authority and country-of-origin labeling requirements.

By enacting user fees on inspections and licensing requirements on food facilities, this bill essentially places a tax on consumers by increasing the price of food. So much for the promise that taxes would not go up on people who make less than $250,000 a year.

This bill grants the FDA the authority to shut down or inspect businesses and determine what qualifies as a health concern.

This bill leaves our Nation's fruit and vegetable producers subject to regulatory burdens by allowing the FDA to regulate how crops are raised, dictating to farmers how they should farm. We've been farming since our earliest beginnings as a species, and we've done it without the regulatory guidance of the FDA. This bill reminds me of the tactics of the former Soviet Union, and we know how successful that was.

This bill requires the Secretary of Health and Human Services to establish a tracing system for food. Each person who produces, manufactures, processes, packs, transports or holds such food would have to maintain the full pedigree of the origin and pre-use distribution history of the food. This bill does not explain how far foods will have to be traced back, or how it will be done for foods with multiple ingredients. Given these ambiguities, it's unclear how much it will cost farmers and taxpayers.

This bill also creates severe criminal and civil penalties, including prison terms of up to 10 years and/or fines of up to a total of $100,000 for individuals.

The bill would impose an annual registration fee of $500 on any facility that holds, processes or manufactures food. Even though farms are technically exempt, FDA has defined ''farm'' very narrowly. People making foods such as

lacto-fermented vegetables, cheeses or breads would be required to register and pay the fee, which could drive small and start-up producers out of business during difficult economic times.

The bill would empower the FDA to regulate how crops are raised and harvested. It puts the Federal government right on the farm dictating to our farmers. And yet, Mr. Speaker, it never went through the Agriculture Committee. This bill that will directly impact American farmers was never vetted through the established processes in the Agriculture Committee, doing a great disservice to the American people. Why is the Democrat leadership refusing to allow a committee with jurisdiction over this matter to offer their ideas and join in on the legislative process?

This bill will cost taxpayers nearly $2.2 billion over 5 years. Every day I hear from constituents their concerns that the Federal Government in Washington is borrowing and spending too much. The American people know that in these tough times they should save, not spend money. However, the Federal Government does not reflect the common sense I see throughout my district. Instead, the Democrats in charge continue to borrow more and spend more, increasing our Federal deficit on the backs of our children and grandchildren.

This bill will increase the deficit even more by borrowing and spending money we do not have. We can no longer blame the deficit and economic difficulties today on the previous administration. The Democrats in charge have shown they do not care about the deficit by continuing to dig America into a bigger and bigger hole with more reckless spending. This borrowed money is all being spent by Speaker PELOSI and the Obama administration, and as a result, the unemployment rate will continue to rise and the deficit will continue to increase.

I urge my colleagues to vote down the previous question and the rule.

I yield back the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I would like to close by reiterating what I have said before, that in the United States, every single year 76 million Americans get ill from contaminated food, and 5,000 die.

□ 1530

As a scientist, I, for one, would like once more to feel pride and confidence in the FDA.

I urge a ''yes'' vote on the previous question and on the rule.

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. The question is on the resolution.

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

Ms. FOXX. 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, further proceedings on this question will be postponed.

## PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Ms. SLAUGHTER. Mr. Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 172

Resolved by the House of Representatives (the Senate concurring), That, in consonance with section 132(a) of the Legislative Reorganization Act of 1946, when the House adjourns on the legislative day of Friday, July 31, 2009, Saturday, August 1, 2009, or Sunday, August 2, 2009, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, September 8, 2009, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Thursday, August 6, 2009, through Tuesday, August 11, 2009, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Tuesday, September 8, 2009, or such other time on that day as may be specified in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

The SPEAKER pro tempore. The question is on agreeing to the concurrent resolution.

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

Mr. LUCAS. 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 agreeing to House Concurrent Resolution 172 will be followed by 5-minute votes on the adoption of H. Res. 691 and motions to suspend the rules with regard to H.R. 2728, if ordered, and H.R. 2510, if ordered.

The vote was taken by electronic device, and there were—yeas 231, nays 191, not voting 11, as follows:

[Roll No. 676]

YEAS—231

Abercrombie
Ackerman
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Blumenauer
Boccieri
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Cao
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Fudge
Gerlach
Gohmert
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lowey
Luján
Lummis
Lynch
Maloney
Markey (CO)
Markey (MA)
Marshall
Matsui
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Perlmutter
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Salazar
Sánchez, Linda T.
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Scott (GA)
Scott (VA)
Serrano
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Young (AK)

NAYS—191

Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Arcuri
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Carney
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly (IN)
Dreier
Duncan
Ellsworth
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Giffords
Gingrey (GA)
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger