agree—but this isn't up for debate when it leaves here.

So pass whatever you want to pass. Will San Francisco enforce it? I don't know—maybe, maybe not—but when they released and when other sanctuary cities release them and say: We are not going to hold. We are not going to do these things, then they have made a choice. Unfortunately, in this case, they made a life choice, and that beautiful life is gone.

This rule simply says enforce the law. This rule—this bill—says we have law. It is what we have got right now. It is not your aspirational goal. It is the law. Simply enforce it.

Mr. Speaker, 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.

Mr. POLIS. 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.

SAFE AND ACCURATE FOOD LABELING ACT OF 2015

GENERAL LEAVE

Mr. POMPEO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill, H.R. 1599.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 369 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1599.

The Chair appoints the gentleman from Idaho (Mr. SIMPSON) to preside over the Committee of the Whole.

□ 1111

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1599) to amend the Federal Food, Drug, and Cosmetic Act with respect to food produced from, containing, or consisting of a bioengineered organism, the labeling of natural foods, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

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

The gentleman from Kansas (Mr. POMPEO) and the gentleman from Vermont (Mr. WELCH) each will control 30 minutes.

The Chair recognizes the gentleman from Kansas.

Mr. POMPEO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 1599, the Safe and Accurate Food Labeling Act, is the product of diligent and bipartisan work by the Energy and Commerce Committee and the Agriculture Committee.

Over the past year and a half that we have been working on this legislation, we have solicited input from Members and from relevant agencies like the FDA and the USDA. We have also met with the organic community, conventional farmers and ranchers, seed producers, scientists, and supply chain specialists.

Throughout this process, we have sought to address every legitimate concern and provide whatever clarification might be necessary.

The fact is that the scientific consensus on the safety of genetically engineered products is utterly overwhelming. Precisely zero pieces of credible evidence have been presented that foods produced with biotechnology pose any risk to our health and safety.

Given this fact, it is not the place of government—government at any level—to arbitrarily step in and mandate that one plant product should be labeled based solely on how it was bred while another identical product is free of a government warning label because that producer chose a different breeding technology. That is unscientific, and that is bad public policy.

The mandatory labeling of genetically engineered products has no basis in legitimate health or safety concerns, but is a naked attempt to impose the preferences of a small segment of the populace on the rest of us and make the constituents whom I serve in Kansas pay more for their food.

A recent study shows that the proposed State GE labeling laws could raise the cost of the average family's food bill by, roughly, $500 per year. Many, many families in Kansas simply cannot afford that.

Antibiotechnology interest groups are attempting to use State laws to force mandatory GE labeling on safe products and interfere with interstate commerce.

To ensure that families in Kansas and all across the country have access to nutritious and affordable food, H.R. 1599 accomplishes three primary objectives.

First, we ensure that every new GE plant destined to enter the food supply goes in for an FDA safety review.

Second, we prevent the creation of what would be the unworkable patchwork of State-by-State—or even county-by-county or city-by-city—mandatory GE labeling laws.

□ 1115

Finally, in order to provide clarity to those who prefer not to eat GE products, our bill authorizes a voluntary, user-fee-based non-GE labeling program at the USDA to provide even greater transparency and more options so that consumers, by ensuring a common definition for non-GMO for all foods, whether they are sold at the retail level or served in restaurants.

Members of Congress need to realize that allowing activists to create a patchwork State-by-State set of rules will have a real effect on our families and our districts. Those who support mandatory GE products must admit they are willing to increase the cost of food for families in Wichita and Dallas and Grand Rapids and in Vermont and in Boston and all across our Nation based on unscientific demands of a handful of antibiotechnology activists.

Congress' goal must be to ensure that people in those places have access to safe, nutritious, and affordable food to feed their families. A patchwork of laws will not accomplish that.

The reality is that biotechnologies, time and time again, have proven safe. It is simply not debatable. U.S. policies should reflect that. We should not raise prices on consumers based on the wishes of a handful of activists. I ask for everyone to support H.R. 1599.

Mr Chairman, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, July 15, 2015.

Hon. MICHAEL K. CONAWAY,
Chairman, Committee on Agriculture, Washington, DC.

DEAR CHAIRMAN CONAWAY: I write in regard to H.R. 1599, Safe and Accurate Food Labeling Act of 2015, which was ordered reported by the Committee on Agriculture on July 14, 2015. As you are aware, the bill also was referred to the Committee on Energy and Commerce. I wanted to notify you that the Committee on Energy and Commerce will forgo action on H.R. 1599 so that it may proceed expeditiously to the House floor for consideration.

This is done with the understanding that the Committee on Energy and Commerce's jurisdictional interests over this and similar legislation are in no way diminished or altered. In addition, the Committee reserves the right to seek conferees on H.R. 1599 and requests your support when such a request is made.

I would appreciate your response confirming this understanding with respect to H.R. 1599 and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of the bill on the House floor.

Sincerely,

FRED UPTON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, June 15, 2015.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR CHAIRMAN UPTON: Thank you for your letter regarding H.R. 1599, ''Safe and Accurate Food Labeling Act of 2015.'' I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Energy and Commerce will forego action on the bill.

The Committee on Agriculture concurs in the mutual understanding that by foregoing consideration of the bill at this time, the Committee on Energy and Commerce does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a

conference on this bill be necessary, I would support your request to have the Committee on the Energy and Commerce represented on the conference committee.

I will insert copies of this exchange in the Congressional Record during Floor consideration. I appreciate your cooperation regarding this legislation and look forward to continuing to work the Committee on Energy and Commerce as this bill moves through the legislative process.

Sincerely,

K. MICHAEL CONAWAY,
Chairman.

Mr. WELCH. I yield myself such time as I may consume.

Mr. Chairman, I want to address this issue that Mr. POMPEO and this bill present to this House. This question of GMO labeling and biotechnology is a good thing. Biotechnology has done a lot of good things for this country and for consumers. This is not a question about whether the science says that GMO foods cause medical issues. That is not the issue.

The question is whether consumers, when they purchase food, have a right to know what is in it. What Mr. POMPEO and this legislation are suggesting is that, regardless of what consumers want, they won't be told.

This bill does two fundamental things. One, it says to those States that this is not about a small group of activists. This is States like Vermont, Maine, and Connecticut with massive bipartisan votes, Republicans and Democrats saying that they wanted the right to have these products labeled, and then the consumer can decide whether he or she wants to purchase that product. It is the market that ultimately decides.

This legislation would basically block all State laws that require mandatory GMO labeling; so if the State of Idaho, with its Republicans and Democrats in the legislature responding to the demands of its constituents, wanted to label it, they wouldn't be able to do it. It effectively blocks the FDA from creating a national labeling standard. That is the irony here.

If you are talking preemption, you at least have to talk about a national standard that has credibility and provides information that consumers want. In this case, we strip from the States the right to do what they believe is in the interest of their citizens and don't substitute any serious label that would apply across the board. This claim that this would create a patchwork of different State laws is not addressed when you don't even offer a national standard.

Next, it would allow ''natural'' claims on GMO foods and block State laws that prevent such claims. This legislation fundamentally takes away from your State and mine the ability to do what they believe is in the interest of their consumers: let them know what they are buying.

By the way, what is the problem with letting consumers know what they are buying? They are the ones that decide what products they want to consume. The issue here, again, to repeat, is not about the science of whether GMOs cause health problems, but there is a significant issue about GMO products requiring significantly more herbicides in order to produce, and the use of herbicides—glyphosate has gone from 16 million pounds to about 280 million pounds since the introduction. Those farming practices do have an effect, and a lot of consumers are really concerned about that.

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

Mr. POMPEO. Mr. Chairman, I yield 2 minutes to the gentlewoman from the great State of Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. Mr. Chairman, today, I rise to lend my support to H.R. 1599, the Safe and Accurate Food Labeling Act. As a mother, farmer, and former nutrition education teacher, I understand the importance of providing valuable information to consumers about where their food comes from and how it is grown.

If we are going to face the growing challenges of obesity in this country and increasing demand for food worldwide, each and every American is going to have to engage in an honest dialogue about our food production and distribution systems.

It is important that these systems are based on sound science, with a strong set of food labeling guidelines that are consistent across State lines, affordable for all Americans, and provide accurate and easy to understand information on the package for those consumers wanting to know more.

H.R. 1599 is a mirror image of the successful USDA organic program that many of my constituents have come to appreciate and trust. This voluntary, commonsense option program is a compromise that balances the needs of both consumers and producers while providing a national path to getting consumers information that they may want.

I thank the chairman for bringing this timely bill to the floor. I ask all my colleagues to support H.R. 1599.

Mr. WELCH. I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I have stated at our two Energy and Commerce Committee hearings on this issue that I am sympathetic to the need for Federal legislation.

It does not make sense to have a patchwork of food labeling requirements in different States. I also do not believe that genetically engineered foods are unsafe. If they were unsafe, they would not be allowed on the market.

However, I acknowledge that the majority of consumers want foods made with genetically engineered ingredients to be labeled as such. They view this as a right-to-know issue. While I don't know of any scientific reason to require GE foods to be labeled differently than non-GE foods, I do not believe we will be engendering confidence in these foods if we pass H.R. 1599.

I feel that by preempting State right-to-know laws without creating any national labeling requirement, this legislation will be seen by most consumers as an attempt by Congress and Washington to prevent them from knowing which foods have GE ingredients, and therefore, I intend to vote against the bill.

However, I also understand why others think this bill is important and will vote for it. Obviously, it is up to any Member to decide for him or herself how this affects constituents in their own districts and vote accordingly.

Mr. POMPEO. I yield 1 minute to the gentleman from New York (Mr. COLLINS).

Mr. COLLINS of New York. Mr. Chairman, I rise today in support of H.R. 1599, the Safe and Accurate Food Labeling Act.

As today's global food chain expands, consumers deserve to know what is in their food. H.R. 1599 eliminates confusion and saves taxpayers from shouldering the costs associated with a patchwork of State labeling laws.

Additionally, H.R. 1599 ensures that our food supply is safe by clearly establishing the FDA as the preeminent authority to make science-based decisions concerning food safety. Currently, a patchwork of GMO labeling has emerged across our country, with some States having completely different food labeling requirements than others.

This hodgepodge of regulation increases the cost of food for families and negatively impacts food producers. By increasing transparency, reducing the cost of regulations, and improving food safety, H.R. 1599 will bring our Nation's food labeling into the 21st century.

Mr. WELCH. I yield 2 minutes to the gentleman from Minnesota (Mr. PETERSON).

Mr. PETERSON. Mr. Chairman, I rise to support H.R. 1599.

This bill establishes a voluntary nationwide USDA-administered certification program for labeling genetically engineered food products, and we believe that this is a reasonable, workable solution that balances consumer demand to know more about their food with what we know about the safety of the foods that we produce.

I didn't sign on to this bill initially because I thought we needed to make some changes, which were eventually made and made the bill supportable, from my perspective.

This is a very important point. The bill ensures that every new genetically engineered plant destined to enter the market has to go through an FDA safety review. This change means that foods from genetically engineered plants will only be able to enter the marketplace after this happens, and that is a change from the current situation.

H.R. 1599 prevents the unworkable scenario of a State-by-State, county-

by-county, or even city-by-city labeling law. This patchwork of laws would only create confusion for consumers, farmers, and food companies and would also drive up consumer grocery bills.

I acknowledge that consumers want to know what they are eating, and in my opinion, H.R. 1599 provides them with that information. Before we can do anything in this area, we have to define what this means, and if you talk to five different people about what genetically engineered or genetically modified means, you are going to get five different answers.

One of the things that will happen with this bill if it becomes law is that the USDA will go through a process, talking to all the stakeholders, and come up with a definition of what this means, which I think is one of the most important things because, right now, I think there is a real disconnect between the science on this issue and the consumers.

What this bill does is allows companies like companies in my district to go and work with the Secretary to create a non-GMO label, nongenetically engineered label.

The CHAIR. The time of the gentleman has expired.

Mr. WELCH. I yield an additional 30 seconds to the gentleman.

Mr. PETERSON. Then consumers can find out. If they want to purchase nongenetically engineered products, there are companies out there that are going to provide them.

I think this doesn't get to where a lot of people want to get, but it gets us a long ways down the road. It will be able to define what this means and put in place a workable solution that I think people should support.

I urge my colleagues to support H.R. 1599.

Mr. POMPEO. Mr. Chairman, I yield myself such time as I may consume to engage in a colloquy with the gentleman from Texas (Mr. CONAWAY).

When considering the substitute reported by the Committee on Agriculture, I would like to confirm that the committee was aware that many ingredients derived from genetically engineered crops have been so highly refined that they contain no genetically engineered material and that finished food products produced with such ingredients, likewise, would contain no genetically engineered material.

Mr. CONAWAY. Will the gentleman yield?

Mr. POMPEO. I yield to the gentleman from Texas.

Mr. CONAWAY. I thank the gentleman for yielding. It certainly is our understanding that products—and sugar is a good example of those—may come from a GE crop, but the finished product has no genetic material in it.

Mr. POMPEO. This fact exemplifies why labeling as to whether or not food has been produced through genetic engineering is appropriately voluntary, not mandatory, as it seems unnecessary to require labeling about the use of genetic engineering if the labeled food contains no genetically engineered material.

I would just add—and hope that the gentleman from Texas would concur—that this approach is consistent with the exemption from the labeling requirements for major food allergens that Congress has established for highly refined oils as part of the Food Allergen Labeling and Consumer Protection Act of 2004.

While the eight major food allergens—milk, egg, fish, crustacean shellfish, tree nuts, wheat, peanuts, and soybeans—must be listed on food labels where they or ingredients containing protein derived from these allergens are added to food, the definition of ''major food allergen'' excludes any highly refined oil derived from a major food allergen and ''any ingredient derived from such highly refined oil.''

Mr. CONAWAY. Will the gentleman yield?

Mr. POMPEO. I yield to the gentleman from Texas.

Mr. CONAWAY. I thank the gentleman for yielding. The gentleman is correct. This is a perfect example of why passage of this legislation is so important.

Mr. POMPEO. I thank the gentleman.

I yield 3 minutes to the gentleman from Texas (Mr. CONAWAY).

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

Mr. CONAWAY. Mr. Chairman, I rise in support of H.R. 1599. Mankind has used biological technologies for more than 10,000 years to improve crops and livestock and to make useful food products, such as bread, cheese, and to preserve dairy products.

When applied to plant breeding, these technologies have led to evolution of nearly every food product we consume. These and other advances have enabled us to proudly boast that we enjoy the safest, highest quality, most abundant, diverse, and affordable food supply and fiber mankind has ever known.

As our knowledge has increased, so has the speed and precision in which we are able to harness natural capabilities to improve the plants that we cultivate. These new applications of biotechnology have been available to American and international consumers for some three decades.

The safety of technology has been documented and confirmed by the world's leading scientific and public health organizations, including the World Health Organization, the National Academies of Science, the American Association for the Advancement of Sciences, the American Medical Association, and the Royal Society of Great Britain.

□ 1130

The House Agriculture Committee has frequently reviewed these technologies. We have reviewed the regulatory mechanism that has been in place since the Reagan administration and have been regularly assured by the absence of any valid concerns regarding the safety or quality of products derived from these production technologies.

Biotechnology is an essential tool for farmers and our food supply to have in the toolbox. If we plan to feed the estimated 10 billion people in the year 2050 in an environmentally sound, sustainable, affordable way, they must be used.

Unfortunately, threats exist to our ability to fully utilize this technology in the form of proposed Federal and State laws as well as some new State laws that will be implemented soon if we don't act. Passage of any new antibiotech laws and amendments or implementation of those already passed will likely have far-reaching negative consequences, which we will debate today.

The legislation before the House today addresses this threat in a manner that pays tribute to the successful voluntary, market-driven programs administered by the Department of Agriculture. These programs have not only enabled farmers to receive premiums in the marketplace for their efforts to distinguish their products, they have appealed to the growing desire of many food-conscious consumers. One such example is the highly successful National Organic Program, many aspects of which we have replicated in this legislation.

The structure and coverage of this legislation, like that of the National Organic Program, will assure consumers are given reliable, accurate, and consistent information related to the genetic engineering, whether it is at the retail level or at a restaurant.

In developing this legislation, we worked in a bipartisan fashion between the Agriculture and the Energy and Commerce Committees, receiving and integrating the ideas and suggestions of Federal agencies, organic interests, conventional producers and handlers, and more.

Mr. Chairman, mandatory labels are used as a warning or a caution. Even our opponents to this legislation have said there is no safety issue here that we are talking about to ''scare'' potential consumers. We believe this voluntary program meets that need of letting consumers know, and I urge support of the bill.

Mr. WELCH. I yield 2 minutes to the gentlewoman from Hawaii (Ms. GABBARD).

Ms. GABBARD. Mr. Chairman, I am rising today in strong opposition to H.R. 1599, which actually stands in direct contradiction to the wishes of almost 90 percent of Americans across the country. It is no wonder that this legislation has more commonly become known to people who are very concerned about this issue as the DARK Act, or the Deny Americans the Right to Know Act. And that is really what is at issue here.

This legislation makes a mockery of transparency and leaves U.S. consumers in the dark. What are they so afraid of? Why deprive Americans of the ability to make educated choices about whether they want food with genetically modified ingredients? Why make the labeling of such food just voluntary? Why not require it as you require basic nutrition information on processed foods now? Why not join the 64 other countries, including the EU, Japan, Australia, Brazil, and China, in empowering our constituents with information, making mandatory labeling?

My State of Hawaii is the number one State for experimental genetically engineered plant field trials, according to the USDA. Many of my constituents are very concerned about GE crop field testing because of the lack of information about these trials and the pesticides that are being applied to the fields.

On the island of Kauai, in my district, residents organized and passed an ordinance requiring large agrochemical companies to disclose the pesticides they are spraying and observe buffer zones around schools, homes, and hospitals to prevent chemical spray drifts.

The DARK Act could overrule the rights of these local communities to make such decisions to protect their health and safety and guide the growth of their agricultural industries.

This legislation could overturn a ban on the cultivation of genetically engineered coffee passed by Hawaii Island constituents, potentially damaging the global reputation of Hawaii's famous and unique Kona coffee, the only domestic coffee industry in our country. It could negate a ban on the cultivation of genetically engineered taro, endangering a main staple and culturally significant plant for indigenous Native Hawaiians.

This is why I am calling on my colleagues to adopt the Genetically Engineered Food Right-to-Know-Act. I urge my colleagues today to vote against the DARK Act and support commonsense labeling as we move forward.

Mr. POMPEO. Mr. Chairman, it is clear that there is some misinformation here. This legislation has literally nothing to do with rules about cultivation. State laws will be able to continue to govern that. That is simply about labeling. I think it is important every one know that.

I yield 1½ minutes to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. Mr. Chairman, I rise today in support of H.R. 1599, the Safe and Accurate Food Labeling Act.

When any Federal agency mandates what used to be a voluntary process, it can only add to a bureaucratic headache. A mandatory process for FDA food labeling approvals would create increased costs for businesses and consumers, invite potential litigation, and burden our Nation's farmers and small businesses.

I am pleased to see that this bill streamlines the voluntary FDA labeling process, with the help of the USDA, to make a combined, joint effort to label food headed to the market. Having uniform rules for foods with a GMO-free label will benefit consumers and alleviate struggles with interstate commerce in response to a patchwork of State and local labeling standards. H.R. 1599 will help give consumers an opportunity to make an informed choice at the supermarket, while also advancing food safety and consistency in our food labels.

I thank my colleagues in the Agriculture Committee as well as the Energy and Commerce Committee for finding a way to make this change in a simple and most effective way.

Mr. WELCH. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. Mr. Chairman, I thank the gentleman from Vermont for yielding.

I rise in opposition to H.R. 1599. This legislation, which should be called the Deny Americans the Right to Know Act, or DARK Act, represents a major threat to consumer information. States have the right to determine their own local laws relating to GMO labeling, and the Federal Government shouldn't interfere.

I frequently hear Republicans talk about states' rights and talk about the big, bad Federal Government; but when it comes down to it, here they want to take away the rights of States and counties and the voice of people, instead to support huge corporations and companies.

Polls prove again and again Americans want to know what is in their food. Nine out of ten Americans support genetically engineered labeling, including majorities of Democrats, Republicans, Independents, Whites, Latinos, Blacks. What else can bring everybody together? This isn't a ''handful of activists'' we are talking about here. We are talking about 90 percent of the American people.

It is the right of States to be able to determine how they label their food. States are doing it as we speak, just as they do with many other things: sell-by requirements; labels on bottled water around deposit requirements; States requiring origin of seafood and catfish, whether it is farm raised or wild caught.

It is a vibrant discussion across the States that we should not preempt here in Washington at the behest of a couple major world corporations. We are talking about the rights of hundreds of counties and States and tribes to talk about how close to schools and hospitals pesticides can be used that relate to genetically modified organisms. Do we really want pesticides used to kill superbugs sprayed across your 5-year-old child's playground?

These are the States that we are talking about, not a handful of activists. It includes States like Texas, where legislation has been introduced.

This bill will remove everything that has the right to know for people and for States. We need to stand up to fight for the right to allow States and consumers to make these kinds of choices for themselves. That is why I cosponsored my colleague from Maine's substitute amendment, which will remove the preemption language from the bill.

I urge my colleagues to oppose the DARK Act and to support consumer transparency.

Mr. POMPEO. Mr. Chairman, I yield myself such time as I may consume.

We have heard on multiple occasions about this 90 percent number in some poll about folks who want to have this labeling. This doesn't even pass the smell test.

When consumers were asked to list the items they would like to see labeled, exactly 7 percent of respondents to a 2013 Rutgers University study volunteered GMOs. Frankly, the most reliable survey, the ballot box, has been 100 percent consistent. Every time a GMO labeling bill has been presented to voters in any State in the United States of America, they have rejected it.

There is most certainly not 90 percent of the folks wanting to know that. This bill will not deny those handful that do the right to do that. It is disingenuous to offer up anything to the contrary.

I yield 3 minutes to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, I rise in support of H.R. 1599.

There are real sensitivities around GMOs and all issues regarding the food we eat and feed our children and grandchildren. It is our job as policymakers, particularly as it relates to the public health, to establish a factually and scientifically sound foundation prior to taking any action that would impact consumers in our economy.

The bill before us today, H.R. 1599, does just that by ensuring national uniformity regarding labeling of foods derived from genetically engineered plants by preventing a patchwork of conflicting State or local labeling laws which inherently interfere with interstate and foreign commerce.

Genetic engineering in agriculture has occurred for centuries. Ingredients from genetically engineered plants have been a part of the U.S. food supply for decades. In fact, as much as 90 percent of our corn, sugar beet, and soybean crops are now genetically engineered, and more than 70 percent of processed foods contain ingredients derived from such crops.

The FDA oversees the safety of all food products from plant sources, including those from genetically engineered crops. These products must meet the same safety requirements as foods from traditionally bred crops.

The FDA currently has a consultation process in place in which developers of the underlying technologies address any outstanding safety or other regulatory issues with the agency prior to marketing their products. The FDA has completed approximately

100 of such consultations. No products have gone to market until FDA safety-related questions have been resolved.

FDA officials have repeatedly stated that the agency has no basis for concluding that bioengineered foods are different from other foods in a meaningful way, and the World Health Organization has confirmed that ''no effects on human health have been shown as a result of consumption of such foods.'' In fact, they can grow faster, resist diseases and drought, cost less, and prove more nutritious.

Nonetheless, there recently have been a number of State initiatives calling for mandatory labeling of food products that contain GMOs. I am concerned that a patchwork of State labeling schemes would be impractical and unworkable. Such a system would create confusion among consumers and result in higher prices and fewer options.

Mr. Chairman, I commend Representatives POMPEO and BUTTERFIELD for their leadership on this legislation. I thank my colleagues on the Agriculture Committee for working through any issues and reaching consensus between the sponsors, committees of jurisdiction, implementing agencies, and impacted stakeholders. I commend the legislation to the House and urge its adoption.

Mr. WELCH. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Mr. Chairman, I thank Mr. WELCH and Mr. MCGOVERN for their work on this issue.

Ladies and gentlemen, one of the most important lessons I have learned in the years I have been in this great body is that we have got to be aware of unintended consequences.

While some claim genetically modified organisms are safe beyond a reasonable doubt, the simple fact is that there is a great deal that we do not know about a technology that alters the basic building blocks of nature.

We have more to learn about how the widespread use of GMOs could hurt the resilience of our food system by reducing the diversity of plant species, and there is much research to undertake on how the chemicals that are used concurrently with GMOs threaten human health.

Just this year, the World Health Organization found the herbicide glyphosate to be a probable cause of cancer. GMOs are designed specially to be used with great quantities of this chemical, and the herbicide is being used in increasing quantities around the world.

This is why Pope Francis, himself, recently spoke of the need to exercise greater caution with regard to genetical manipulation by biotechnology. This is why more than 90 percent of Americans want GMO labeling, according to recent polling.

Mr. Chairman, H.R. 1599 would make it impossible for people to even be mindful of unintended consequences. It makes it impossible for people to know what they are purchasing and eating. It prevents States from taking prudent actions to protect consumers and farmworkers.

Our Nation's leading legal organizations, environmental groups, consumer groups, and food safety groups all oppose H.R. 1599 because it is an attack on transparency and a dangerous attack on our great tradition of federalism.

Mr. POMPEO. Mr. Chairman, it is my pleasure to yield 5 minutes to the distinguished gentleman from North Carolina (Mr. BUTTERFIELD), an original cosponsor, who is responsible for getting this bill to the state it is in today.

□ 1145

Mr. BUTTERFIELD. Mr. Chairman, I thank Mr. POMPEO for yielding time and thank him for his leadership on this issue. I thank Mr. WELCH for his very thoughtful debate.

Mr. Chairman, I rise in support of H.R. 1599 and urge my colleagues to vote ''yes'' on final passage. This bipartisan bill, cosponsored by 106 of our colleagues, creates a science-based nationwide labeling standard for plant-based foods.

It establishes a national GMO-free certification program administered by USDA that will provide a government-issued label to qualifying products which will provide a market advantage.

It requires the FDA to conduct premarket safety reviews of all new GM plant varieties before they can be used to produce food, and it requires the FDA to define the term ''natural'' through a rulemaking process allowing for public input and discussion.

Despite the downright false claims made by the opponents of what it will or won't do, H.R. 1599 is a measured approach. It gives consumers certainty, while taking into account the delicate balance and sheer size and complexity of the food supply chain that employs tens of millions of Americans and is responsible for feeding the country.

My opinion is shared by the bill's 106 sponsors and by 475 agriculture, science, hunger, and nutrition organizations from all 50 States.

The alternative to H.R. 1599, already beginning to play out in some States across the country, is a complex and unworkable patchwork of differing State laws that create an uneven playing field that only can cause confusion among consumers and do little to provide transparency.

Depending on what State regulations require, farmers and manufacturers would be forced to set up separate supply chains in order to comply with as many as 50 different State laws. Wholesale changes to growing, packaging, and shipping foods would have to be made, beginning at the farm and all the way to the supermarket shelf, in order to comply.

The new infrastructure requirements are as daunting as they are costly. You can bet that all of these costs will be passed on to our constituents, with a recent study showing the average cost topping $500 a year. For many of my constituents and others across the country, that will not work.

Despite going in with knowledge of the consequences that would result from upending a highly integrated and interconnected system, several States have already moved forward with proposals that would require foods containing these ingredients to be labeled. This is in response to an unsubstantiated claim that foods containing GM ingredients are in some way dangerous; they are not.

Foods containing GM ingredients are safe. Don't take my word for it. The science regarding the safety of bioengineered foods is not murky—the opposite, in fact. There have been over 2,000 studies worldwide that shows foods grown from these plants are safe.

The FDA, USDA, the U.N. Food and Agriculture Organization, the American Medical Association, National Academy of Sciences, the American Association for the Advancement of Science, the World Health Organization, and nearly every major scientific organization agrees that foods produced with bioengineered products are as safe as their non-GMO counterparts.

Even opponents of GM foods admit they ''have failed to produce any untoward health effects,'' but the demonization of GM foods continue, despite objective science proving the contrary. Those opposed to these foods simply reject science. That is tremendously disappointing. Along with the bill's bipartisan cosponsors—again, 106—I stand with the science.

That is why I have worked with my friend, Mr. POMPEO, and the bill's cosponsors, in advocating for a Federal framework, a Federal framework that puts the FDA and USDA—our Nation's foremost food safety authorities—in the driver's seat.

H.R. 1599 is a balanced approach that reduces confusion by providing consumers with labeling uniformity across State lines. It also addresses the concerns of those opposed to GM foods by establishing a program at USDA that will provide a Federal certification for GMO-free foods, while not neglecting the fact that our Nation's farmers and manufacturers grow and produce foods that are sold far and wide.

Without a Federal standard, those farmers and manufacturers will be forced to comply with uneven, costly, potentially misleading, onerous State-by-State mandates.

Compliance will require a new, costly supply chain infrastructure that will disrupt our food supply. It will cause confusion, Mr. Chairman, and uncertainty among consumers and, ultimately, will result in the consumer shouldering the increased costs associated with production.

In that regard, I thank Chairman CONAWAY for his commitment to work with livestock and meat producers, many of whom operate farms and processing facilities in North Carolina, to

address concerns about the definition of those products in the bill.

I share Mr. CONAWAY's commitment to getting the language right on those products and ensuring fair and accurate labeling, and I thank him for working so diligently with Mr. PETERSON on these amendments.

In conclusion, H.R. 1599 is reasonable and, Mr. Chairman, it is workable.

Mr. WELCH. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Chairman, I have an idea. It is a radical idea. It is something that is unprecedented for this Congress, something that would genuinely surprise the American people. That idea is simple; let's give the American people what they want.

Poll after poll shows that an overwhelming majority of the American people favor mandatory GMO labeling. People want to know what is in their food that they eat, and they want to know how it is grown. We should give them what they want; yet the bill before us goes in the opposite direction. It keeps the American people in the dark about whether their food contains GMOs. It is no wonder why Congress is so unpopular.

To the supporters of this ''keep Americans in the dark'' bill, I would ask one simple question: What are you afraid of?

This debate is not about whether GMOs are good or bad. I consume GMOs; my kids consume GMOs. This is about consumers' rights to know what is in the food that they eat, plain and simple.

As many of my colleagues know, I am passionate about ending hunger, both here in this country and around the world. If I thought for one second that GMO labeling would cause food prices to rise, I wouldn't be calling for GMO labeling.

This is a scare tactic being used by opponents of GMOs labeling. The fact is companies change their labels all the time, for all kinds of reasons. Transportation and commodity prices are drivers of food prices, not labeling.

If you are worried about 50 States requiring 50 different labels, then support mandatory GMO labeling. Do not override States that have already embraced GMO labeling or consumers who want them. Sixty-four countries already have GMO labeling. Why can't we?

American food companies already have to label their foods as containing GMOs in those countries. Why can't American consumers have access to the same information? Keeping consumers in the dark about what is in their food is the wrong approach.

It is a ''Washington knows best'' approach from politicians inside the beltway who think they know better than the American people.

I urge my colleagues to vote ''no'' on H.R. 1599.

Mr. POMPEO. Mr. Chairman, may I inquire as to the amount of time remaining on each side?

The CHAIR. The gentleman from Kansas has 10 minutes remaining. The gentleman from Vermont has 15½ minutes remaining.

Mr. POMPEO. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. Mr. Chairman, I rise today in strong support of H.R. 1599, the Safe and Accurate Food Labeling Act.

I also have great appreciation for the effort by Mr. POMPEO for a thoughtful and bipartisan bill that will be successful.

Some of the opponents of this bill, based off clear speculation and fear-mongering, are again trying to deny America's first industry—farming—the necessary technology it needs to grow more food to meet consumer demand in this generation and the next.

In what other industry do we discourage innovation? Why is it that farming technology meets such scorn perpetuated by activist groups that stand to gain financially by tearing down modern agricultural practices?

Across numerous States, including my home State of California, voters resoundingly rejected State-mandated GMO labeling. The facts are clear. Biotechs have facilitated the growth of more nutritious crops, all the while reducing pesticide spraying by an estimated 975 million pounds.

Biotech crops have also increased crops produced, saved over 300 million acres of land, and helped alleviate poverty for 16.5 million small farmers and farm families, while reducing agriculture's—wait for it—greenhouse gases.

While some of the colleagues across the aisle have advocated consumers have a right to know—and I agree—but mandated labeling will only cause more consumer confusion, while drastically increasing the cost of foods for families at the store shelf across the entire Nation. This bill allows consumers to have a choice by establishing a voluntary non-GMO labeling program, much like the successful national organic program.

It is about common sense and delivering consumers what they want, choice and confidence while buying their foods without unnecessary confusion and high costs. A uniform, 50-State standard helps achieve that goal.

Mr. WELCH. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my colleague for yielding.

Mr. Chairman, I rise in strong opposition to H.R. 1599. This misguided legislation would limit consumers' access to information about the food they eat by preempting State laws and codifying the current failed system.

I want to be clear. This is not a debate about whether or not genetically-engineered foods are safe. It is a debate about whether or not consumers have a right to know what is in their food is the point I hope we can all agree upon.

Unfortunately, consumers currently do not have access to the information they are looking for when it comes to genetically engineered foods. Current labeling standards are so ineffective that consumers are often confused by the information that they do find.

Consumers should be able to trust that the labeling on food is both accurate and truthful. Consumers should not be confused about something as basic and fundamental as the food they eat, but rather than fix this problem, H.R. 1599 simply perpetuates the status quo of confusion.

The food industry claims the current voluntary system is adequate and consumers do have information they need; yet despite the fact that there are great numbers of genetically engineered foods on the market, very few of them have been labeled as such.

Our constituents want to know how their food is made, and they are calling on us to help make this information more accessible, but instead of responding to this call, this flawed legislation ignores the problem and makes it even harder to require labeling in the future. It removes FDA's authority to craft a national labeling solution yet also prevents States from acting on their own.

Simply put, this bill prioritizes profits over consumer choice and keeps consumers in the dark. That is why I strongly oppose this bill, and I urge my colleagues to join me in voting ''no.''

Mr. POMPEO. Mr. Chairman, I yield 3 minutes to the gentleman from Washington State (Mr. NEWHOUSE).

Mr. NEWHOUSE. Mr. Chairman, I thank the gentleman from Kansas.

As a third-generation farmer and a former director of my State's Department of Agriculture, I cannot stress enough the importance of this legislation for our Nation and our world's food supply.

Yesterday, I spoke on the merits of preventing a patchwork of conflicting State and local GMO labeling laws which would require producers to sell under potentially hundreds of different labels, and I still believe that is a very important element to this debate.

However, there is another aspect I would like to address on why I believe this mandatory labeling law, which some of my colleagues have called for, is a very poor idea.

Mr. Chairman, I question the motives behind some of these arguments. They say they ''want consumers to have information'' but that can't actually be their concern because this legislation gives consumers information. It is disingenuous to claim it doesn't.

If you want to go to a store and buy a ''non-GMO'' product, much like ''organic'' or ''cage-free,'' you can do that under this legislation. It will provide consumers all the information they need to purchase food they think is right for their families.

So what is their motive?

Is it they want to try to scare consumers, to demonize this technology?

POINT OF ORDER

Mr. WELCH. Mr. Chairman, I make a point of order.

The CHAIR. The gentleman will state his point of order.

Mr. WELCH. The point of order is the speaker is questioning motives of those on the other side of this argument.

The CHAIR. Is the gentleman asking that the gentleman's words be taken down?

Mr. WELCH. No, but I would suggest that the——

The CHAIR. The Chair would generally advise Members to avoid engaging in personalities.

Mr. NEWHOUSE. Mr. Chairman, antiscience, fear-mongering strategies cannot be left unanswered. I believe there are a few things people should know about biotechnology.

First, I appreciate anyone's safety concerns. That is why it is important to note that the USDA and the FDA rigorously test every biotech crop for human safety for years before anything can be brought to the market.

To be clear, no peer-reviewed study—and there have been hundreds—has ever found GMO foods have caused health concerns, ever.

□ 1200

Individuals have concerns about environmental impacts. I appreciate that, too. But what many people don't know is that, by turning on just one gene in corn, we now have a corn that is significantly more pest-resistant, which means huge reductions in the use of pesticides. We can do this with other crops as well. To be probiotech is to be proenvironment.

There is a type of rice that is vitamin A-enriched and has the ability to prevent hundreds of thousands of cases of blindness and death from vitamin A deficiency around the world.

There is a really nasty type of wheat rot called UG–99 spreading from Africa and the Middle East that has the ability to kill 90 percent of the world's wheat supply.

To be clear, this would cause a global famine. Scientists are looking at a way to create rot-resistant wheat through biotechnology and gene sequencing, which would save millions and millions of lives.

Mr. Chair, this technology is good proenvironment, lifesaving technology. And while I agree we need to have a system to give consumers the freedom to use it or not, which this bill does, we cannot allow antiscience opponents of biotechnology to use scare tactics that would cost millions of lives in the end.

Mr. WELCH. Mr. Chair, I yield 2 minutes to the gentleman from Oregon (Mr. SCHRADER).

Mr. SCHRADER. Mr. Chair, as a veterinarian and an organic farmer, having spent 6 years in the House Ag Committee, including 2 as ranking member of the Biotechnology, Horticulture, and Research Subcommittee, I have studied GMOs very closely, and it is something I take very seriously. In fact, back in the eighties, I helped write our State organic standards in Oregon.

For thousands of years, humans have grown or bred plants and animals to choose the most desirable traits for breeding the next generations in an effort to help them to be able to resist pests, disease, and increase yields.

Through biotechnology, we have been able to increase productivity and efficiency while reducing the number of inputs, like water and pesticides, resulting in higher crop yields. Higher crop yields per acre allow for better land management and the conservation of marginal lands.

GMOs, in combination with good agricultural practices, also improve soil quality and reduce pollution by allowing farmers to till, work the ground, less often or not at all, reducing soil erosion and reducing the carbon footprint of agriculture.

If you are worried about climate change and want good science, you should be for this bill. GM crops flourish in challenging environments without the aid of expensive pesticides or equipment that play an important role in alleviating hunger and food stress in the developing world.

This is precisely why I am very concerned about the demonization of biotechnology and the rejection by many of the supporting science behind it.

Food labeling should be about health and safety. The reason we have USDA and FDA is to provide uniform protection to consumers across this country, to avoid a patchwork of politically motivated, nonscientific, mythological regulations by activists, not scientists. And right to know is protected in this bill.

We have heard from many on polls. I would like to cite one. The Pew Research Center conducted a poll recently and found that nearly 90 percent—yes, 90 percent—of the scientific community found genetically engineered food is safe and poses no health threat to the environment or humans.

H.R. 1599 provides a uniform standard for non-GMO products through a USDA-administered program and ensures national uniformity for non-GE claims, providing consistency in the marketplace while ensuring consumer confidence in the integrity of the label.

Mr. POMPEO. Mr. Chair, I yield 3 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I thank my colleague from Kansas (Mr. POMPEO). I know this hasn't been an easy path to get to where we are today, to allow for consumers in all 50 States to be able to know what is in their food.

I congratulate my colleague from Kansas (Mr. POMPEO) on the hard work he and his staff and those on the House Energy and Commerce Committee and House Ag Committee have put forth to make this bill a reality today.

I am proud, as a subcommittee chairman on the House Ag Committee for Biotechnology, Horticulture, and Research, to put my name on an amendment to this bill.

I am proud to stand here today to support this bill as a member of that committee and, also, as a dad who is responsible for shopping for many of the products that we are going to see this label put on in the grocery stores when I go home every weekend.

Biotechnology is crucial to our ability to feed the world. It is a critical technology, so much so in my district in central Illinois that earlier this month I went on a biotech tour in my district.

I visited plants and research facilities from Litchfield, Illinois, to Clinton, Illinois. I met with workers and scientists who are committed to developing better seed products that will help us feed a growing world.

Mr. Chairman, it will help us feed a growing world. So many people that don't live in this great country, where we take for granted our ability to have access to the safest food supply on this globe, don't have access to food.

Biotechnology allows us to grow that food in countries where people need food. They need to eat. They don't know where their next meal is coming from. Without biotechnology, we are not going to be able to feed the billions that are going to be required in the coming years.

I want to tell you about Pioneer technology in Litchfield, Illinois, who is developing a soybean seed that won't have transfats. I thought that was good, Mr. Chairman. But this is the type of technology that we are talking about here.

Science is on our side. Science shows that GMOs and biotechnology are safe. As a matter of fact, just earlier today I was at a panel discussion with Alexis Taylor, the Deputy Under Secretary for Farm and Foreign Agricultural Services right here at our USDA.

She even made a comment that GMOs are good for climate change. That should make many of my colleagues in this Chamber happy. But, unfortunately, I don't think that will get them to ''yes'' on this vote.

We are hearing a lot about motives, Mr. Chairman. Our motives are to make sure that every single American in all 50 States has access, has the transparency, knows what is in their food.

This is exactly what H.R. 1599 is going to do for every single one of them. Every mom and dad in this country is going to know what is in their food.

That is exactly why we are doing this. That is exactly why I am here to support this bill. That is exactly why I am proud of my colleague from Kansas (Mr. POMPEO) for doing exactly what we are going to do today.

Mr. WELCH. Mr. Chair, I will now enter into the RECORD two articles, ''Mandatory GMO Labeling'' and ''NFU Union Reiterates Support for Mandatory GMO Labeling.''

[From the Huffington Post, July 23, 2015]

MANDATORY GMO LABELING—IT'S YOUR RIGHT TO KNOW

(By Gary Hirshberg)

The crossfire on whether or not to require mandatory labeling of GMOs has become so heated and partisan that it's hard to discern the facts from rhetoric. The latest volley was last week's Slate essay that challenged labeling proponents' lack of substantive proof that GMOs are unsafe or unhealthy. Author William Saletan raises many valid points, but equally fails to address the hyperbole and enormous gaps between the promise and actual performance of agricultural biotechnology. But beyond this imbalance, he entirely misses the fact that there is a long history of government-enacted labeling disclosures that have nothing to do with safety concerns. There are no unique risks associated with orange juice ''from concentrate'' compared to fresh juice, or from ''wild caught'' vs. farmed fish, but both require labeling so that consumers can choose. Most content on food labels is government mandated, marketing oriented, or intended to inform consumers about information that people just want to know.

And that is the fact that trumps all the others. Despite years of heated and often exaggerated rhetoric on both sides of the GMO labeling debate, poll after poll reveals that the public's skepticism has remained unchanged and that people just want to know. The latest Mellman polls show the same results as polls taken three years ago—nine in every 10 of Americans want labels on foods containing GMOs so they can make up their own minds. Here are the three reasons why this choice makes sense:

INADEQUATE SCIENTIFIC RESEARCH

There have been essentially no studies by the government or independent researchers designed to assess the long-term public health impacts of growing and consuming GMO crops. FDA approvals are essentially based on studies conducted by industry. GMO technology developers design and conduct all of the studies carried out on their own inventions, interpret the results (almost always finding ''no new or novel risk''), and report their conclusion to the Food and Drug Administration (FDA) as part of a ''voluntary consultation.'' The FDA then performs a cursory appraisal of the submitted data, and rarely asks for additional information. It does not verify the data's reliability, nor attempt to independently confirm the conclusions drawn from it by the companies. This is why the FDA is always careful to say, in closing out a ''voluntary consultation'' that ''you [the company] have concluded . . .''

The lack of credible, independent research on GMO safety, performance, and economics is the root cause of lingering controversies over GMO crops like papaya and golden rice, as well as confusion over whether Integrated Pest Management, organic systems, or GMOs are the best way to deal with pests.

In order for us to be able to trust the science, both the public and private sectors need to invest more heavily in the work and careers of independent scientists willing to develop and apply improved tools to monitor the impacts of GMO technology and alternatives. Until then, skepticism will not diminish, in spite of the propaganda.

DRASTICALLY INCREASED HERBICIDE USE DESPITE CLAIMS TO THE CONTRARY

While proponents promised that GMO crops would reduce pesticide use, they have, in fact, locked farmers into unilateral, chemical and toxin-based pest management systems that are bad for farmers, the environment, and consumers. However, the use of herbicides, a category of pesticides that kill weeds, has explosively increased, according to USDA survey data. Where GMO soybeans and cotton are grown in 2015, overall per acre herbicide plus insecticide use will be close to double the level in 1996 at the dawn of the GMO era.

Since the mid-1990s, when biotech companies introduced genetically engineered crops that are not adversely impacted by the herbicide glyphosate, its use has increased 16-fold to the point where the USGS has found glyphosate in 60–100 percent of Iowa rainwater. Over-use of this formerly effective weed control has led to the rapid spread of over a dozen serious glyphosate-resistant weeds, so now farmers must now spray three, four, or five herbicides. This includes older products with greater potential to cause damage. Farmers also now apply herbicides throughout the growing season instead of a single application at the beginning with greater potential to damage the soil, harm wildlife, and increase collateral damage, particularly among those living in farming areas and drinking water with multiple herbicide residues in it.

Thanks in large part to to GMO crop technology, glyphosate is now by far the most heavily used pesticide in history, both in the U.S. and worldwide. Glyphosate is now showing-up in the drinking water, air and breast milk of mothers in areas where these herbicides are in concentrated use. Most people on the planet are exposed to glyphosate on a near-daily basis. And this past spring, the world's most respected cancer research group—the World Health Organization's International Agency for Research on Cancer (IARC) classified glyphosate as ''probably carcinogenic.''

So to summarize, regardless of whether GMOs are ultimately found to be safe to eat, the WHO IARC findings raise serious questions about whether they are safe to grow. As resistance continues to escalate due to over-use, farmers will have no choice but to continue increasing their use of these toxic herbicides. This is surely material to us all.

IT'S SIMPLY OUR RIGHT TO KNOW

Responsible advocates are not demanding mandatory GMO labeling because they are unsafe; we are demanding labeling because people want, and have a right to know how our foods are grown. Just Label It and other responsible labeling proponents have never argued that science has proven GMOs to be unsafe, although we have and will continue to make the case for more in-depth, independent science using state-of-the-art methods to be as sure as possible that they are safe. But while scientific questions persist over the safety of today's GMO crops, the now sharply upward trajectory in the amount of herbicide needed to bring most GMO crops to harvest on every continent on which GMO, herbicide-tolerant crops have been planted, is deeply worrisome.

People have dozens of valid reasons for wanting to know whether their food is from genetically engineered crops. Some are grounded in religious or ethical views. Others reflect concern over the long-term consequences of corporate control over both seeds and the food supply. Yet others legitimately believe that there has been inadequate independent testing of GMOs for health and safety.

Whatever the reason, it is clear that facts and rhetoric will continue to be debated for years to come. In the interim, mandatory labeling of GMO foods will give consumers another option to steer clear of uncertainty and support farming systems and technology more closely aligned with personal values and concerns. This Thursday, Congress will vote on H.R. 1599 the so-called Safe and Accurate Food Labeling Act (colloquially called the ''DARK Act'' for Denying Americans the Right to Know), which deceptively purports to support federal labeling disclosures. But in fact, this bill would effectively block any hopes of American joining the other 64 nations around the world who have instituted mandatory GMO labeling. This bill needs to be stopped so that all interested parties—food companies, farmers, regulators and consumers can sit down at a table and forge a mutually acceptable and responsible mandatory labeling protocol free of hyperbole and judgment that simply allows consumers to vote in the marketplace for the kind of food system we want.

Please contact your congressperson and tell them to stop the DARK Act and vote against H.R. 1599.

[From the National Farmers Union, July 21, 2015]

NFU REITERATES SUPPORT FOR MANDATORY GMO LABELING, OPPOSES POMPEO BILL BUT NOTES PROGRESS

WASHINGTON.—In light of the U.S. House of Representatives' consideration of the Safe and Accurate Food Labeling Act (H.R. 1599), National Farmers Union (NFU) President Roger Johnson again highlighted NFU policy on Genetically Modified Organism (GMO) labeling. The policy supports conspicuous, mandatory, uniform and federal labeling for food products throughout the processing chain to include all ingredients, additives and processes, including genetically altered or engineered food products.

''NFU appreciates efforts by Representatives Pompeo, R–Kansas, and Davis, R–Illinois, to reduce consumer confusion and standardize a GMO label,'' said Johnson. ''The bill passed out of committee makes significant improvements over previous versions of this bill. Absent a mandatory labeling framework, however, NFU cannot support this bill.''

Johnson noted that the bill has changed several times from the one introduced during the last Congress. Improvements include additional authority for the U.S. Department of Agriculture (USDA), a labeling framework that if utilized could reduce consumer confusion, greater emphasis on the Food and Drug Administration's role in safety reviews, and a GMO label that works in conjunction with USDA's organic seal instead of counter to it.

''Consumers increasingly want to know more information about their food, and producers want to share that information with them,'' said Johnson. ''It is time to find common ground that includes some form of mandatory disclosure for the benefit of all aspects of the value chain, but this bill is not that common ground.''

Mr. WELCH. Mr. Chair, at this time I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Chairman, I was pleased to hear the gentleman who preceded me in the well acknowledge climate change and say that GMOs are the solution.

I do think climate change is a problem. I don't think GMOs are the solution.

Let's go to some of the arguments we have just heard: This is what we have been doing for millennia, hybridization, you know, where you graft the plant onto another plant.

I am not quite sure when the last time was when a flounder mated with a tomato plant, but we now have tomatoes that have injected into them

flounder genes in order to enhance production, or the last time an eel mated with a salmon. They are putting eel genes into genetically modified salmon—Frankenfish—so they will grow twice as fast as other fish, twice as fast.

Now, they say: Don't worry. They won't get out. And, besides that, most of them are sterile. Yes. Right. Okay. So what happens when they do get out and they begin to cross-breed with real salmon as opposed to eel salmon or whatever these things are?

This bill would prohibit any labeling. You catch a real salmon, it is a salmon. You present someone with a GMO eel salmon, it is a salmon. You can't distinguish. You don't have to disclose. So that is not exactly hybridization, folks.

You know this thing about being politically motivated, nonscientific, and scare tactics because we want to have it disclosed that GMOs are contained in the product. Well, I didn't hear those arguments when they required red dye number two or cellulose or xanthan gum. Why not GMOs?

Sixty-four countries require the labeling of products that contain GMOs, not the United States of America. Bastions of democracy like China, Russia, Saudi Arabia, require it for their consumers. But, no, we are not going to allow that in the United States of America.

Proliferation of labels. Yes. That is happening at the State level. And that is states' rights, which Republicans normally are for, except when a State does something they don't like, and then they are against it.

But there is a solution to that, my bill, which would require a uniform national label which just simply discloses ''contains GMOs.'' It won't cost any additional money, since they are having to change the nutritional labels anyway.

The CHAIR. The time of the gentleman has expired.

Mr. WELCH. I yield the gentleman an additional 1 minute.

Mr. DEFAZIO. Now, we heard a lot about pesticides. This is great. Let's talk about Monsanto and glyphosate-resistant corn.

They are using more pesticides today on cornfields than they did historically, more, and they had glyphosate-resistant corn.

They dumped the glyphosate on the corn: Don't worry. There will never be a glyphosate-resistant weed. Oops. They were wrong. Weeds everywhere now taking over the cornfield.

Let's change that up. We are now going to have 2,4–D—remember Agent Orange? Pretty darn close—resistant corn. They are going to dump thousands, millions, of tons of 2,4–D over this corn.

That is the net result of this sort of forward movement that they are touting as helping us deal with pesticide and herbicide issues: Oh. Don't worry. There will never be a 2,4–D resistant weed. If there is, don't worry. They will get an even more toxic chemical.

They are addicting farmers to their products and addicting farmers to buying more and more of their pesticides.

We have now seen milkweed wiped out in the Midwest, causing a crisis with monarch butterflies, who are actually a pretty critical pollinator. Most people don't know that, apparently. And that is the result of all this glyphosate and the coming of 2,4–D.

I thank the gentleman for the time.

Mr. POMPEO. Mr. Chair, I reserve the balance of my time.

Mr. WELCH. Mr. Chair, I yield 1½ minutes to the gentlewoman from New York (Ms. CLARKE).

Ms. CLARKE of New York. Mr. Chairman, I rise in opposition to H.R. 1599, the Safe and Accurate Food Labeling Act, also known as ''the DARK Act.'' One of my concerns is that this bill blocks the FDA from creating a national mandatory GMO labeling system.

The current voluntary labeling system is not providing consumers with the information they need because only 2 percent of the products on the shelves have voluntarily submitted to the non-GMO labeling process.

It is apparent that mandatory labeling is sorely needed, such as the kind required by Mr. DEFAZIO, the gentleman from Oregon's bill, the Genetically Engineered Food Right to Know Act.

In addition, what has happened to the outcry for states' rights from the other side of the aisle? This bill preempts States from passing their own GMO labeling laws.

This would essentially invalidate the will of the people and, in so doing, limit a State's ability to respond to the individual needs of its constituents.

There have been many discussions and conversations surrounding this bill. One such discussion has been extremely troubling, debasing, and scornful. Specifically, there are some who say that poor people don't care what is in their food, nor do they care what they eat.

Let me be clear: I don't care whether you are wealthy or poor. All Americans deserve to know what is in their food. Poor people are, first and foremost, human beings. They are not marginal subordinates in a democratic civil society.

Poor people deserve the same respect and consideration as the wealthy. Despite what some may think, poor people do care about what food they eat, and they should be able to choose what they put in their bodies.

I will say it again. All Americans deserve to know what is in their food. I ask my colleagues to join me in opposing H.R. 1599, the DARK Act.

Mr. POMPEO. Mr. Chair, I reserve the balance of my time.

Mr. WELCH. Mr. Chair, I yield 1 minute to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Chair, I rise to urge my colleagues to support the Safe and Accurate Food Labeling measure before us.

This legislation, I understand, creates a great deal of angst among various supporters and opponents. We have heard that. But it also creates a uniform, science-based labeling standard. I think that is a move forward.

It also creates Federal regulations for the Food and Drug Administration and the United States Department of Agriculture to remain preeminent authorities in food safety and labeling, just as it has been for decades.

Additionally, it creates a national GMO-free certification program so consumers who choose to buy non-GMO foods have the ability to do so without the higher prices or the misleading labeling.

This legislation does not reject consumers' rights to choose. While the opponents of this measure wish it would do other things, it does not. I think it is a balanced attempt.

Furthermore, the voters of California, as many of you may know, recently, in proposition 37, had an opportunity to put in GMO labeling. Mr. Chairman, 42 percent said ''yes,'' and 58 percent of the voters of California said ''no.''

I urge we support this legislation.

Mr. POMPEO. Mr. Chair, I reserve the balance of my time.

Mr. WELCH. Mr. Chair, I yield myself the balance of my time to close.

I thank the gentleman from Kansas (Mr. POMPEO), my colleague on the Energy and Commerce Committee. He is a good man. Sometimes he is misguided, but he likes Ben & Jerry's ice cream. I appreciate that. And it is GMO-free.

But I do want to address seriously the arguments the gentleman has made because, number one, this is a serious issue. It is a serious issue, first of all, because this legislation puts handcuffs on all of our State legislatures from doing whatever it is they deem in the best interest of their people.

□ 1215

Secondly, it puts handcuffs on voters. Mr. POMPEO said that voters have rejected this. In some ballot initiatives, that is the case. He is right. Why pass a law that takes that power from the voters and invest it here?

This is a very serious policy question where the United States House of Representatives is intruding into the efforts of States to represent the people that they serve.

By the way, three States have passed laws by overwhelming margins. In Vermont, the Vermont Senate bipartisan body, it was a 26–2 vote; the Vermont House bipartisan body, it was 114–30 vote. In Connecticut, it was 143–3 in the House and 35–1 in the Senate. In Maine, it was 114–4, and it was unanimously passed in the Senate 35–0.

What we are doing in the House of Representatives right now is saying to the Vermont legislature, saying to the Maine legislature, and saying to the Connecticut legislature: Drop dead. What you passed, we are taking away.

I don't think that is right.

I will make an acknowledgement. Sometimes, it is the right thing for the Federal Government or the Congress to preempt State action so that it can have a uniform, across-the-board standard. That is what the DeFazio bill does. It acknowledges that so you don't have this patchwork.

This bill, with voluntary labeling, in effect, creates a patchwork. Does it mean that company A decides they do want to label and they write the label they want and company B writes another label or doesn't? What does that mean for consumers?

First of all, in all likelihood, there will be no labels. Secondly, there will be the patchwork produced by this legislation that is what the critics of the State-by-State approach say they want to avoid.

Next, there was an assertion by my friend from Texas, Mr. CONAWAY, that a label is a warning. I think that really goes to the heart of what the dispute here is. Is a label a warning?

In fact, the proponents of the DeFazio bill and the opponents of this bill are not asserting that the purpose of the label is to suggest there is scientific evidence indicating GMOs cause health problems. What a label is, is information; and the consumer then decides. Your consumers and my consumers, they decide. Whatever their reason is, they have a right to decide to buy product A or B, depending on what is in it or what is not in it.

What is the big fear about letting consumers know? A lot of the big advocates that are pushing this are, in fact, some of these manufacturers that create products that they sell to farmers, and Mr. DEFAZIO outlined that in his argument. They fear that the label will reduce the saleability of that product.

Here is the irony: If what they are producing and selling is so good and so nutritious and so tasty and so yummy, why not let the consumer know what is in it? That would be something you would want to advertise.

This really is a very profound decision by this Congress. Number one, it is telling States that have been taking initiative on the basis of their citizens' desires that they can't do it anymore. Number two, in the name of avoiding a patchwork set of regulations, it is creating the inevitability of a patchwork. Then, three, in a very basic way, it is telling American consumers that it is really none of their business what is in their product, no matter how much they really want to know what is in their product.

I urge that we vote ''no'' and defeat this measure and stand for State rights and consumer rights to know.

I yield back the balance of my time.

Mr. POMPEO. Mr. Chairman, I yield myself the balance of my time to close.

As I close, I would like to offer my thanks first to Mr. WELCH for the respectful debate today and for the ice cream. I would like to thank my lead cosponsor, Mr. BUTTERFIELD, for his hard work all along the way; as well as being the chairman of the Congressional Black Caucus, he has leaned into this and really made us able to get where we are today

I would like to thank Chairman UPTON, Chairman CONAWAY, and Ranking Member PETERSON for their support and effort in getting this legislation to the floor as well. I would like to thank all the staff on the Energy and Commerce and Agriculture Committees for their hard work, too.

I would be remiss if I didn't thank Blake Hollander on my staff, who put in long hours making sure this commonsense bipartisan bill was ready for the floor.

Mr. Chairman, it is really very simple. H.R. 1599 has two very simple goals. First, it is to ensure families in Kansas and across the country have access to nutritious and affordable food; and, second, it is to make sure that those who wish to avoid food products that contain GMOs will be able to do so, that they will not be denied the right to know.

In place of a convoluted patchwork of loophole-filled State or local labeling laws, we will ensure that our food policy is science based and transparent to consumers.

Let's be very clear. Consumers who wish to avoid foods containing GMOs are able to do so today, and they will be able to do so after this bill becomes law—except it is better now. There will now be a clear standard about what that term really means.

Mr. Chairman, this is a commonsense, proconsumer, profarmer bill that brings clarity to food labeling and keeps affordable food for our constituents.

I encourage all my colleagues to support H.R. 1599, and I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Chair, on June 23, 2015, the House considered H.R. 1599, the Safe and Accurate Food Labeling Act. It is my intention to vote against this legislation. For the past four decades I have fought tirelessly for one of the finest products in the world, wild Alaskan salmon. The multi-billion dollar seafood industry in Alaska is the largest private sector employer in my state. Yet the approval of a genetically engineered (GE) salmon, or ''Frankenfish'' as I call it, could put our thriving and iconic fishing sector in jeopardy.

Frankenfish could pose a grave threat to our wild salmon stocks in Alaska, and the Food and Drug Administration's (FDA) support for approving GE salmon is disturbing. Equally disturbing is the fact that, if approved, the FDA has said that it would not require GE salmon to be labeled.

In today's global marketplace, a consumer's access to accurate ingredient information is paramount. Clear and accurate GE labeling requirements attempt to mitigate the risk of market confusion or rejection by countries that have no interest in purchasing the hybrid organism. Consumer confusion about what types of salmon or seafood are genetically engineered may deter shoppers from purchasing these products altogether. If GE salmon is approved despite opposition from Congress and nearly two million people who wrote in to the FDA, it should be clearly labeled to avoid the potential market rejection of all salmon.

In an effort to ensure that Alaskan consumers have this essential information, Alaska enacted legislation in 2005 that requires the labeling of all products containing GE fish and shellfish. However, the so-called Safe and Accurate Food Labeling Act (H.R. 1599), recently referred out of the House Agriculture Committee, would block states like Alaska from requiring mandatory labeling of GE fish while also curtailing FDA's ability to craft a true, national GE labeling system. Rather, its proponents would suggest that Alaskan fishermen should go through a costly non-GMO certification if they want consumers to know that their salmon is not genetically engineered. Why should all U.S. salmon fishermen have to prove their salmon are non-GMO when farmed GE salmon coming into the U.S. from other countries would not. It is insufficient for consumers and it is insufficient for Alaska's thriving fishing industry.

For these reasons, I oppose H.R. 1599 in defense of states' rights to decide these important matters for themselves. All consumers should be able to see whether their salmon is Frankenfish or not.

Mr. VAN HOLLEN. Mr. Chair, I rise in opposition to this legislation, which would preempt the ability of states to require GMO labeling laws.

Numerous studies have shown that Americans want to know what's in their food. As states respond to this trend, we should not restrict their ability to keep consumers informed about the food they eat. GMO labeling laws are widely supported by consumers in over 60 countries including China, Russia and the European Union. We should not deny states the ability to make this decision for their residents.

While I understand the concerns about the potential for a patchwork of state labeling laws, companies, can, of course, voluntarily choose to provide GMO information on their labeling. In fact, many of those opposing this legislation provide information on GMO products in Europe and other countries.

Mr. Chair, this bill was rushed through the Agriculture Committee and came too quickly to the House floor before we could have a serious discussion about GMO labeling and consumer rights. We must closely study the merits of the bill and find common ground between labeling and a consumer's right to know before we vote on this far-reaching legislation.

Mr. MCGOVERN. Mr. Chair, I rise today to highlight an editorial that my good friend and colleague, Congresswoman CHELLIE PINGREE of Maine and I recently wrote expressing our opposition to H.R. 1599, the Safe and Accurate Food Labeling Act. It appeared in the July 21, 2015 online edition of The Boston Globe.

[From the Boston Globe, July 21, 2015]

LET AMERICANS DECIDE FOR THEMSELVES ON GMOS

(By Jim McGovern and Chellie Pingree)

America has a proud tradition of empowering consumers. You can walk into any grocery store in the country, pick up a product from the shelf, and immediately learn the calorie count, the amount of protein per serving, and the full list of ingredients.

So it's alarming that Congress could soon pass a bill that aims to keep consumers in the dark when it comes to foods with genetically modified organisms, or GMOs.

This week, the House of Representative will consider the Safe and Accurate Food Labeling Act. Unfortunately, the bill does nothing to support safe and accurate food labeling. Instead, it protects the status quo by preventing states from requiring labels on foods containing GMO ingredients and locks in the current and inadequate voluntary GMO labeling system.

As more of the foods we eat contain GMOs, consumers naturally want to know which foods contain them. All they are asking for are the facts. This bill ignores that.

Congress needs to pass a law that puts consumers first by requiring mandatory GMO labeling across the country, eliminating confusion and establishing one national standard.

Polls consistently show that there is overwhelming support for clearly labeling foods that have been genetically modified or contain GMO ingredients. In a 2012 survey by the Mellman Group, 89 percent were in favor of labeling with 77 percent saying they ''strongly'' prefer GMO labeling. That same survey also showed strong bipartisan support for GMO labeling with huge majorities of Democrats (85 percent), independents (93 percent), and Republicans (88 percent) all in favor.

While Congress has been stuck in neutral, states have stepped up and passed laws that give the power back to consumers. In 2014, Vermont became the first state to require mandatory GMO labeling. Connecticut and Maine have both passed laws to require labeling and more than a dozen other states are considering similar oversight, including Massachusetts. What's more, 64 other countries have GMO labeling, including Brazil whose consumption patterns are similar to those in the United States.

Supporters of the bill claim that GMO labeling will increase food prices. While plenty of things impact the prices we pay at the grocery store—including transportation costs and ingredient costs—GMO labeling is not one of them. In study after study, we have seen that a simple GMO disclaimer on food packaging will not increase prices.

Food companies change their labels all the time to make new claims, and all food companies will soon have to change their labels to make important changes to the Nutrition Fact Panel. Adding a few words to the back of the food package about genetic engineering will not have any impact of the cost of making food.

Opponents of updating food labeling made the same bogus arguments when they fought nutrition labeling in the 1980s. Back then, they claimed that disclosing the presence of calories, salt, fat, and sugar would require costly reformulations. But those much more significant changes to foods labels—adding the Nutrition Facts Panel and including more information about ingredients—didn't change the price of food at all.

Americans want more information, not less. What we need is one law that makes GMO labeling mandatory across the country and establishes a single national standard that eliminates confusion and puts consumers in charge.

This debate isn't about the safety of GMOs. It's about consumers' right to know what's in the food they put on their tables. We ought to give them that right.

Mr. BLUM. Mr. Chair, I rise today to offer my strong support of the bipartisan Safe and Accurate Food Labeling Act of 2015. I want to recognize the hard work my colleague of Mr. POMPEO, as well as the efforts of both the Committee on Energy and Commerce and the Committee on Agriculture into this legislation.

As a representative from the great State of Iowa, I am extremely sensitive and aware of the issues facing agriculture—from farm to fork—and I am aware of the challenges my constituents face while producing the delicious and nutritious food the rest of us consume. On an annual basis, Iowa grows $12B worth of corn and $5.7B worth of soybeans, of which 95% and 97%, respectively, are Genetically Modified Organisms—or GMOs. Recently, states began to enact laws that required labeling of these GMO products, often with exemptions for local products, would increase compliance costs for producers and create confusion for consumers.

This bill addresses the current patchwork of state biotechnology labeling requirements—compliance with which would be a daunting task for the producers in my district that distribute food throughout the United States—by providing a mechanism for uniform labeling requirements. No one benefits—not farmers, nor food manufacturers and processors, nor retailers, and most of all, not consumers—from a confusing collection of state laws—each different, with different requirements—creating great confusion among consumers in the marketplace.

It does so by establishing a voluntary non-GMO labeling program at USDA modeled after the highly successful National Organic Program. Today, when consumers go into a grocery store, they may see a wide variety of products that may have a non-GMO label on it. However, there isn't a standard that defines what a non-GMO product is or is not. The language of the bill directs the USDA to establish standards and certification process for producers in order to put a non-GMO label on their products.

Mr. Chair, a number of constituents along with some of my colleagues, are advocating for mandatory labeling for GMO products because consumers have a right to know what is in their food. I agree—consumers have a right to know—and the standards set by the USDA under this legislation will provide consumers with all the information necessary to make informed decisions and choices on their grocery stores purchases. This bill protects and enhances consumer choice by establishing a voluntary non-GMO labeling program—without costing them an extra $500 a year per family that economists at Cornell University estimate mandatory labeling would.

Mr. Chair, I urge all my colleagues to support H.R. 1599—over 470 agricultural and food organizations that represent the entire food chain have already done so. The legislation enhances consumer choice, clears up confusion in the marketplace, and enhances consumer confidence in the food we eat.

Vote ''Yes'' on H.R. 1599.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Agriculture, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee print 114–24, modified by the amendment printed in part A of House Report 114–216. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1599

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Safe and Accurate Food Labeling Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Savings clause.

TITLE I—FOOD SAFETY AFFIRMATION FOR CERTAIN PLANT PRODUCTS

Subtitle A—Food and Drug Administration

Sec. 101. Consultation process.

Subtitle B—Department of Agriculture

Sec. 111. Regulation.
Sec. 112. Regulations.
Sec. 113. Preemption.
Sec. 114. Rule of construction.
Sec. 115. Implementation report.

TITLE II—GENETIC ENGINEERING CERTIFICATION

Sec. 201. Genetic engineering certification.
Sec. 202. Regulations.
Sec. 203. Preemption.
Sec. 204. Applicability.

TITLE III—NATURAL FOODS

Sec. 301. Labeling of natural foods.
Sec. 302. Regulations.
Sec. 303. Preemption.
Sec. 304. Effective date.

SEC. 2. SAVINGS CLAUSE.

Nothing in this Act (or the amendments made by this Act) is intended to alter or affect the authorities or regulatory programs, policies, and procedures otherwise available to, or the definitions used by, the Food and Drug Administration under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) or the Animal and Plant Health Inspection Service under the Plant Protection Act (7 U.S.C. 7701 et seq.), to ensure the safety of the food supply and the protection of plant health.

TITLE I—FOOD SAFETY AFFIRMATION FOR CERTAIN PLANT PRODUCTS

Subtitle A—Food and Drug Administration

SEC. 101. CONSULTATION PROCESS.

Chapter IV of the Federal Food, Drug, and Cosmetic Act is amended by inserting after section 423 of such Act (21 U.S.C. 350l) the following:

''SEC. 424. FOOD DERIVED FROM NEW PLANT VARIETIES.

''(a) IN GENERAL.—The Secretary shall continue to administer the consultation process established under the Food and Drug Administration's policy statement entitled 'Statement of Policy: Food Derived from New Plant Varieties' published in the Federal Register on May 29, 1992 (57 Fed. Reg. 22,984).

''(b) DETERMINATION OF MATERIAL DIFFERENCE BETWEEN FOOD FROM GENETICALLY ENGINEERED PLANTS AND COMPARABLE FOODS.—

''(1) IN GENERAL.—For purposes of subsection (a), the use of genetic engineering does not, by itself, constitute information that is material for purposes of determining whether there is a difference between a food produced from, containing, or consisting of a genetically engineered plant and a comparable food.

''(2) LABELING REQUIRED.—The Secretary may require that the labeling of a food produced from, containing, or consisting of a genetically engineered plant contain a statement to adequately inform consumers of a difference between the food so produced and its comparable food if the Secretary determines that—

''(A) there is a material difference in the functional, nutritional, or compositional characteristics, allergenicity, or other attributes between

the food so produced and its comparable food; and

''(B) the disclosure of such material difference is necessary to protect public health and safety or to prevent the label or labeling of the food so produced from being false or misleading in any particular.''.

Subtitle B—Department of Agriculture

SEC. 111. REGULATION.

The Plant Protection Act (7 U.S.C. 7701 et seq.) is amended by adding at the end the following new subtitle:

''Subtitle F—Coordination of Food Safety and Agriculture Programs

''SEC. 461. NOTIFICATION RELATING TO CERTAIN GENETICALLY ENGINEERED PLANTS.

''(a) IN GENERAL.—Subject to subsection (b), it shall be unlawful to sell or offer for sale in interstate commerce a nonregulated genetically engineered plant for use or application in food or a food produced from, containing, or consisting of a nonregulated genetically engineered plant unless—

''(1)(A) the Secretary of Health and Human Services notified the entity seeking evaluation of a food produced from, containing, or consisting of the genetically engineered plant in writing that the Secretary of Health and Human Services, in evaluating the food from the genetically engineered plant through the consultation process referred to in section 424(a) of the Federal Food, Drug, and Cosmetic Act, has no objections to the entity's determination that food produced from, containing, or consisting of the genetically engineered plant that is the subject of the notification is safe for use by humans or animals, as applicable, and lawful under the Federal Food, Drug, and Cosmetic Act, and

''(B) the entity seeking evaluation of a food produced from, containing, or consisting of the genetically engineered plant submits to the Secretary of Agriculture the notification of the finding of the Secretary of Health and Human Services under subparagraph (A); or

''(2) before the date of the enactment of the Safe and Accurate Food Labeling Act of 2015, the Secretary of Health and Human Services—

''(A) considered the consultation process referred to in section 424(a) of the Federal Food, Drug, and Cosmetic Act with respect to such genetically engineered plant to be complete;

''(B) notified the consulting party in writing that all questions with respect to the safety of food produced from, containing, or consisting of the genetically engineered plant have been resolved; and

''(C) published such notification on the public Internet website of the Food and Drug Administration.

''(b) EXCEPTIONS.—Notwithstanding subsection (a), this section does not apply with respect to the sale or offering for sale in interstate commerce of a genetically engineered plant—

''(1) for the purpose of research or development testing, including—

''(A) testing conducted to generate data and information that could be used in a submission to the Secretary under this title or other regulatory submission; or

''(B) multiplication of seed or hybrid and variety development conducted before submitting a notification under subsection (a)(1)(B);

''(2) solely because a processing aid or enzyme produced from the genetically engineered plant is intended to be used to produce food; or

''(3) solely because the genetically engineered plant is used as a nutrient source for microorganisms.

''(c) RULE OF CONSTRUCTION.—Nothing in subsection (b)(1) may be construed as authorizing the sale or offering for sale in interstate commerce of a nonregulated genetically engineered plant for use or application in food or a food produced from, containing, or consisting of a nonregulated genetically engineered plant.

''(d) PUBLIC DISCLOSURE.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary of Agriculture shall publish on the public Internet website of the Department of Agriculture, and update as necessary, a registry that includes—

''(A) a list of each nonregulated genetically engineered plant intended for a use or application in food that may be sold or offered for sale in interstate commerce, in accordance with subsection (a);

''(B) the petitions submitted to, and determinations made by, the Secretary of Agriculture with respect to such a plant; and

''(C) the notifications of findings issued by the Secretary of Health and Human Services with respect to such a plant or the use or application of such a plant in food.

''(2) TRADE SECRETS AND CONFIDENTIAL INFORMATION.—Notwithstanding paragraph (1), nothing in this section shall be construed to alter the protections offered by laws, regulations, and policies governing disclosure of confidential commercial or trade secret information, and any other information exempt from disclosure pursuant to section 552(b) of title 5, United States Code, as such provisions would be applied to the documents and information referred to in subparagraphs (A) through (C) of paragraph (1).

''(e) IMPORTED FOOD.—In the case of food imported into the United States that is food produced from, containing, or consisting of a plant that meets the definition of a nonregulated genetically engineered plant or a plant that, if sold in interstate commerce, would be subject to regulation under part 340 of title 7, Code of Federal Regulations (or any successor regulations), the provisions of this section shall apply to such food in the same manner and to the same extent as such provisions apply to a food that is not so imported.

''SEC. 462. DEFINITIONS.

''In this subtitle:

''(1) FOOD.—The term 'food' has the meaning given such term in section 201(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(f)).

''(2) NONREGULATED GENETICALLY ENGINEERED PLANT.—The term 'nonregulated genetically engineered plant' means a genetically engineered plant—

''(A) for which the Secretary of Agriculture has approved a petition under section 340.6 of title 7, Code of Federal Regulations (or any successor regulations), for a determination that the genetically engineered plant should not be regulated under this Act; or

''(B) that—

''(i) is not subject to regulation as a plant pest under this Act;

''(ii) contains genetic material from a different species; and

''(iii) has been modified through in vitro recombinant deoxyribonucleic acid (DNA) techniques.''.

SEC. 112. REGULATIONS.

Not later than one year after the date of the enactment of this Act, the Secretary of Agriculture shall promulgate interim final regulations to carry out the amendments made by section 111.

SEC. 113. PREEMPTION.

Regardless of whether regulations have been promulgated under section 112, beginning on the date of the enactment of this Act, no State or political subdivision of a State may directly or indirectly establish under any authority or continue in effect as to any food in interstate commerce any requirement with respect to the sale or offering for sale in interstate commerce of a genetically engineered plant for use or application in food that is not identical to the requirement of section 461 of the Plant Protection Act (as added by section 111 of this Act).

SEC. 114. RULE OF CONSTRUCTION.

Nothing in the amendments made by this subtitle is intended to alter or affect the ability of—

(1) the Secretary of Health and Human Services to take enforcement actions with respect to a violation of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), including section 301 of such Act (21 U.S.C. 331); or

(2) the Secretary of Agriculture to take enforcement actions with respect to a violation of the Plant Protection Act (7 U.S.C. 7701 et seq.), including section 411 of such Act (7 U.S.C. 7711).

SEC. 115. IMPLEMENTATION REPORT.

(a) STUDY.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Agriculture and the Secretary of Health and Human Services shall jointly submit to Congress a report evaluating the progress made in the implementation of subtitle F of the Plant Protection Act, as added by section 111. Such report shall include—

(1) an analysis of plants over which regulatory oversight under such subtitle is required;

(2) an analysis of the extent to which the provisions of such subtitle establish an appropriate scope of regulatory oversight for the Animal and Plant Health Inspection Service and the Food and Drug Administration, including their oversight of public research programs; and

(3) any potential changes to the Plant Protection Act that would better facilitate implementation of a coordinated, predictable, and efficient science-based regulatory process.

(b) COORDINATION WITH OTHER EFFORTS TO MODERNIZE REGULATION.—The report under subsection (a) shall be prepared, to the greatest extent practicable, in accordance with the process described in the memorandum issued by the Executive Office of the President on July 2, 2015, entitled ''Modernizing the Regulatory System for Biotechnology Products'', including the directive specified in such memorandum to update the ''Coordinated Framework for Regulation of Biotechnology'' published by the Executive Office of the President, Office of Science and Technology Policy, in the Federal Register on June 26, 1986 (51 Fed.Reg. 23302).

TITLE II—GENETIC ENGINEERING CERTIFICATION

SEC. 201. GENETIC ENGINEERING CERTIFICATION.

The Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) is amended by adding at the end the following new subtitle:

''Subtitle E—Genetic Engineering Certification

''SEC. 291. DEFINITIONS.

''In this subtitle:

''(1) The term 'certifying agent' means the chief executive officer of a State or, in the case of a State that provides for the statewide election of an official to be responsible solely for the administration of the agricultural operations of the State, such official, and any person (including a private entity) who is accredited by the Secretary as a certifying agent for the purpose of certifying a covered product as a product, the labeling of which may indicate whether the product is produced with or without the use of genetic engineering.

''(2) The term 'covered product' means—

''(A) an agricultural product, whether raw or processed (including any product derived from livestock that is marketed in the United States for consumption by humans or other animals);

''(B) any other food (as defined in section 201 of the Federal Food, Drug, and Cosmetic Act) not derived from an agricultural product; and

''(C) seed or other propagative material.

''(3) The term 'genetically engineered plant' refers to a plant or plant product (as those terms are defined in section 403 of the Plant Protection Act (7 U.S.C. 7702)), if—

''(A) it contains genetic material that has been modified through in vitro recombinant deoxyribonucleic acid (DNA) techniques; and

''(B) the modification could not otherwise be obtained using conventional breeding techniques.

''(4) The term 'comparable food' means, with respect to a covered product produced from, containing, or consisting of a genetically engineered plant—

''(A) the parental variety of the plant;

''(B) another commonly consumed variety of the plant; or

''(C) a commonly consumed covered product with properties comparable to the covered product produced from, containing, or consisting of the genetically engineered plant.

''(5) The term 'handle' means to sell, process or package covered products.

''(6) The term 'producer' means a person who engages in the business of growing or producing covered products.

''(7) The term 'Secretary' means the Secretary of Agriculture, acting through the Agricultural Marketing Service.

''SEC. 291A. NATIONAL GENETICALLY ENGINEERED FOOD CERTIFICATION PROGRAM.

''(a) IN GENERAL.—The Secretary shall establish a voluntary genetically engineered food certification program for covered products with respect to the use of genetic engineering in the production of such products, as provided for in this subtitle. The Secretary shall establish the requirements and procedures as the Secretary determines are necessary to carry out such program.

''(b) CONSULTATION.—In developing the program under subsection (a), the Secretary shall consult with such other parties as are necessary to develop such program to ensure that producers or handlers seeking to make claims under section 291B or 291C are certified to make such claims.

''(c) CERTIFICATION.—The Secretary shall implement the program established under subsection (a) through certifying agents. Such certifying agents may certify that covered products were or were not produced with the use of genetic engineering or a genetically engineered plant, in accordance with this subtitle.

''(d) SEAL.—The Secretary shall establish a seal to identify covered products in interstate commerce using terminology the Secretary considers appropriate for covered products certified under this title, including terminology commonly used in interstate commerce or established by the Secretary in regulations.

''SEC. 291B. NATIONAL STANDARDS FOR LABELING NONGENETICALLY ENGINEERED FOOD.

''(a) IN GENERAL.—To be sold or labeled as a covered product produced without the use of genetic engineering—

''(1) the covered product shall—

''(A) be subject to supply chain process controls that address—

''(i) the producer planting seed that is not genetically engineered;

''(ii) the producer keeping the crop separated during growth, harvesting, storage, and transportation; and

''(iii) persons in direct contact with such crop or products derived from such crop during transportation, storage, or processing keeping the product separated from other products that are or are derived from genetically engineered plants; and

''(B) be produced and handled in compliance with a nongenetically engineered food plan developed and approved in accordance with subsection (c);

''(2) in the case of a covered product derived from livestock that is marketed in the United States for human consumption, the covered product and the livestock, products consumed by such livestock, and products used in processing the products consumed by such livestock shall be produced without the use of products derived from genetic engineering; and

''(3) labeling or advertising material on, or in conjunction with, such covered product shall not suggest either expressly or by implication that covered products developed without the use of genetic engineering are safer or of higher quality than covered products produced from, containing, or consisting of a genetically engineered plant.

''(b) EXCEPTIONS.—A covered product shall not be considered as not meeting the criteria specified in subsection (a) solely because the covered product—

''(1) is manufactured or processed using a genetically engineered microorganism or a processing aid or enzyme;

''(2) is derived from microorganisms that consumed a nutrient source produced from, containing, or consisting of a genetically engineered plant; or

''(3) is an approved substance on the National List established under section 2118 of the Organic Foods Production Act of 1990 (7 U.S.C. 6517).

''(c) NONGENETICALLY ENGINEERED FOOD PLAN.—

''(1) IN GENERAL.—A producer or handler seeking certification under this section shall submit a nongenetically engineered food plan to the certifying agent and such plan shall be reviewed by the certifying agent who shall determine if such plan meets the requirements of this section.

''(2) CONTENTS.—A nongenetically engineered food plan shall contain a description of—

''(A) the procedures that will be followed to assure compliance with this section;

''(B) a description of the monitoring records that will be maintained; and

''(C) any corrective actions that will be implemented in the event there is a deviation from the plan.

''(3) AVAILABILITY.—The nongenetically engineered food plan and the records maintained under the plan shall be available for review and copying by the Secretary or a certifying agent.

''(d) TREATMENT OF LIVESTOCK.—In the case of a covered product derived from livestock that is marketed in the United States for human consumption, the covered product shall not be considered to be genetically engineered solely because the livestock consumed feed produced from containing, or consisting of a genetically engineered plant.''.

''SEC. 291C. NATIONAL STANDARDS FOR LABELING GENETICALLY ENGINEERED FOOD.

''(a) IN GENERAL.—To be sold or labeled as a covered product produced with the use of genetic engineering—

''(1) the covered product shall be produced and handled in compliance with a genetically engineered food plan developed and approved in accordance with subsection (b); and

''(2) the labeling of or advertising material on, or in conjunction with, such covered product shall—

''(A) not expressly or impliedly claim that a covered product developed with the use of genetic engineering is safer or of higher quality solely because the covered product is a product developed with the use of genetic engineering;

''(B) not make any claims that are false or misleading; and

''(C) contain such information as the Secretary considers appropriate.

''(b) GENETICALLY ENGINEERED FOOD PLAN.—

''(1) IN GENERAL.—A producer or handler seeking certification under this section shall submit a genetically engineered food plan to the certifying agent and such plan shall be reviewed by the certifying agent who shall determine if such plan meets the requirements of this section.

''(2) CONTENTS.—A genetically engineered food plan shall contain a description of—

''(A) the procedures that will be followed to assure compliance with this section;

''(B) a description of the monitoring records that will be maintained; and

''(C) any corrective actions that will be implemented in the event there is a deviation from the plan.

''(3) AVAILABILITY.—The genetically engineered food plan and the records maintained under the plan shall be available for review and copying by the Secretary or a certifying agent.

''(c) PROHIBITION AGAINST RESTRICTING CERTAIN DISCLOSURES.—With respect to a covered product that otherwise meets the criteria specified in subsection (a), the Secretary may not prevent a person—

''(1) from disclosing voluntarily on the labeling of such a covered product developed with the use of genetic engineering the manner in which the product has been modified to express traits or characteristics that differ from its comparable food; or

''(2) from disclosing in advertisements, on the Internet, in response to consumer inquiries, or on other communications, other than in the labeling, that a covered product was developed with the use of genetic engineering.

''SEC. 291D. IMPORTED PRODUCTS.

''Imported covered products may be sold or labeled as produced with or without the use of genetic engineering if the Secretary determines that such products have been produced and handled under a genetic engineering certification program that provides safeguards and guidelines governing the production and handling of such products that are at least equivalent to the requirements of this subtitle.

''SEC. 291E. ACCREDITATION PROGRAM.

''(a) IN GENERAL.—The Secretary shall establish and implement a program to accredit a governing State official, and any private person, that meets the requirements of this section as a certifying agent for the purpose of certifying a covered product as having been produced with or without the use of genetic engineering or a genetically engineered plant, in accordance with this subtitle.

''(b) REQUIREMENTS.—To be accredited as a certifying agent under this section, a governing State official or private person shall—

''(1) prepare and submit to the Secretary an application for such accreditation;

''(2) have sufficient expertise in agricultural production and handling techniques as determined by the Secretary; and

''(3) comply with the requirements of this section.

''(c) DURATION OF ACCREDITATION.—An accreditation made under this section shall be for a period of not to exceed 5 years, as determined appropriate by the Secretary, and may be renewed.

''(d) COORDINATION WITH EXISTING ORGANIC PROGRAM ACCREDITATION.—A governing State official or private person who is accredited to certify a farm or handling operation as a certified organic farm or handling operation pursuant to section 2115 of the Organic Foods Production Act of 1990 (7 U.S.C. 6415) (and such accreditation is in effect) shall be deemed to be accredited to certify covered products under this subtitle.

''SEC. 291F. RECORDKEEPING, INVESTIGATIONS, AND ENFORCEMENT.

''(a) RECORDKEEPING.—

''(1) IN GENERAL.—Except as otherwise provided in this title, each person who sells, labels, or represents any covered product as having been produced with or without the use of genetic engineering or a genetically engineered plant shall—

''(A) maintain records in a manner prescribed by the Secretary; and

''(B) make available to the Secretary, on request by the Secretary, all records associated with the covered product.

''(2) CERTIFYING AGENTS.—

''(A) IN GENERAL.—A certifying agent shall—

''(i) maintain all records concerning the activities of the certifying agent with respect to the certification of covered products under this subtitle in a manner prescribed by the Secretary; and

''(ii) make available to the Secretary, on request by the Secretary, all records associated with such activities.

''(B) TRANSFERENCE OF RECORDS.—If a private person that was certified under this subtitle is dissolved or loses accreditation, all records and copies of records concerning the activities of the person under this subtitle shall be transferred to the Secretary.

''(b) INVESTIGATIONS.—

''(1) IN GENERAL.—The Secretary may take such investigative actions as the Secretary considers to be necessary—

''(A) to verify the accuracy of any information reported or made available under this subtitle; and

''(B) to determine whether a person covered by this subtitle has committed a violation of any provision of this subtitle, including an order or regulation promulgated by the Secretary pursuant to this subtitle.

''(2) SPECIFIC INVESTIGATIVE POWERS.—In carrying out this subtitle, the Secretary may—

''(A) administer oaths and affirmations;

''(B) subpoena witnesses;

''(C) compel attendance of witnesses;

''(D) take evidence; and

''(E) require the production of any records required to be maintained under this subtitle that are relevant to an investigation.

''(c) VIOLATIONS OF SUBTITLE.—

''(1) FAILURE TO PROVIDE INFORMATION.—Any person covered by this subtitle who, after notice and an opportunity to be heard, has been found by the Secretary to have failed or refused to provide accurate information (including a delay in the timely delivery of such information) required by the Secretary under this subtitle, shall be assessed a civil penalty of not more than $10,000.

''(2) MISUSE OF LABEL.—

''(A) IN GENERAL.—Any person who, after notice and an opportunity to be heard, is found by the Secretary to have knowingly sold or labeled any covered product as having been produced with or without the use of genetic engineering or a genetically engineered plant, except in accordance with this subtitle, shall be assessed to a civil penalty of not more than $10,000.

''(B) CONTINUING VIOLATION.—Each day during which a violation described in subparagraph (A) occurs shall be considered to be a separate violation.

''(3) INELIGIBILITY.—

''(A) IN GENERAL.—Except as provided in subparagraph (C), any person that carries out an activity described in subparagraph (B), after notice and an opportunity to be heard, shall not be eligible, for the 5-year period beginning on the date of the occurrence, to receive a certification under this subtitle with respect to any covered product.

''(B) DESCRIPTION OF ACTIVITIES.—An activity referred to in subparagraph (A) is—

''(i) making a false statement;

''(ii) a violation described in paragraph (2)(A);

''(iii) attempting to have a label indicating that a covered product has been produced with or without the use of genetic engineering or a genetically engineered plant affixed to a covered product that a person knows, or should have reason to know, to have been produced in a manner that is not in accordance with this subtitle; or

''(iv) otherwise violating the purposes of the genetically engineered food certification program established under section 291A, as determined by the Secretary.

''(C) WAIVER.—Notwithstanding subparagraph (A), the Secretary may modify or waive a period of ineligibility under this paragraph if the Secretary determines that the modification or waiver is in the best interests of the genetically engineered food certification program established under section 291A.

''(4) REPORTING OF VIOLATIONS.—A certifying agent shall immediately report any violation of this subtitle to the Secretary.

''(5) CEASE-AND-DESIST ORDERS.—

''(A) IN GENERAL.—The Secretary may, after providing notice and an opportunity to be heard, issue an order, require any person who the Secretary reasonably believes is selling or labeling a covered product in violation of this subtitle to cease and desist from selling or labeling such covered product as having been produced with or without the use of genetic engineering or a genetically engineered plant.

''(B) FINAL AND CONCLUSIVE.—The order of the Secretary imposing a cease-and-desist order under this paragraph shall be final and conclusive unless the affected person files an appeal from the Secretary's order with the appropriate district court of the United States not later than 30 days after the date of the issuance of the order.

''(6) VIOLATIONS BY CERTIFYING AGENT.—A certifying agent that is a private person that violates the provisions of this subtitle or falsely or negligently certifies any covered product that does not meet the terms and conditions of the genetically engineered food certification program established under section 291A, as determined by the Secretary, shall, after notice and an opportunity to be heard—

''(A) lose accreditation as a certifying agent under this subtitle; and

''(B) be ineligible to be accredited as a certifying agent under this subtitle for a period of not less than 3 years, beginning on the date of the determination.

''(7) SUSPENSION.—

''(A) IN GENERAL.—The Secretary may, after first providing the certifying agent notice and an opportunity to be heard, suspend the accreditation of the certifying agent for a period specified in subparagraph (B) for a violation of this subtitle.

''(B) PERIOD OF SUSPENSION.—The period of a suspension under subparagraph (A) shall terminate on the date the Secretary makes a final determination with respect to the violation that is the subject of the suspension.

''(8) ENFORCEMENT BY ATTORNEY GENERAL.—On request of the Secretary, the Attorney General may bring a civil action against a person in a district court of the United States to enforce this subtitle or a requirement or regulation prescribed, or an order issued, under this subtitle. The action may be brought in the judicial district in which the person does business or in which the violation occurred.

"SEC. 291G. AUTHORIZATION OF APPROPRIATIONS; FEES.

''(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to establish the genetically engineered food certification program under section 291A, $2,000,000, to remain available until expended.

''(b) FEES.—

''(1) IN GENERAL.—Upon establishment of the genetically engineered food certification program under section 291A, the Secretary shall establish by notice, charge, and collect fees to cover the estimated costs to the Secretary of carrying out this subtitle.

''(2) AVAILABILITY.—Fees collected under paragraph (1) shall be deposited into a fund in the Treasury of the United States and shall remain available until expended, subject to appropriation, to carry out this subtitle.''.

SEC. 202. REGULATIONS.

In promulgating regulations to carry out the amendments made by section 201, the Secretary of Agriculture shall—

(1) provide a process to account for certified nongenetically engineered covered products containing material from genetically engineered plants due to the inadvertent presence of such material;

(2) to the greatest extent practicable, establish consistency between the certification programs established under subtitle E of the Agricultural Marketing Act of 1946 (as added by section 201 of this Act), the organic certification program established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.), and other voluntary labeling programs administered by the Secretary;

(3) with respect to regulations for covered products intended for consumption by non-food animals, take into account the inherent differences between food intended for animal and human consumption, including the essential vitamins, minerals, and micronutrients required to be added to animal food to formulate a complete and balanced diet; and

(4) provide a process for requesting and granting exemptions from the requirements of subtitle E of the Agricultural Marketing Act of 1946 (as added by section 201 of this Act) under conditions established by the Secretary.

SEC. 203. EFFECTIVE DATE; PREEMPTION.

(a) EFFECTIVE DATE.—Regardless of whether regulations have been promulgated under section 202 of this Act, the amendments made by section 201 shall take effect beginning on the date of the enactment of this Act.

(b) PROHIBITIONS AGAINST MANDATORY LABELING OF FOOD DEVELOPED USING GENETIC ENGINEERING.—

(1) IN GENERAL.—Subject to paragraph (2), no State or political subdivision of a State may directly or indirectly establish under any authority or continue in effect as to any covered product (as defined in section 291 of the Agricultural Marketing Act of 1946, as added by section 201 of this Act) in interstate commerce, any requirement for the labeling of a covered product indicating the product as having been produced from, containing, or consisting of a genetically engineered plant, including any requirements for claims that a covered product is or contains an ingredient that was produced from, contains, or consists of a genetically engineered plant.

(2) EXCEPTION.—Notwithstanding paragraph (1), a State (or a political subdivision thereof) may establish either of the following voluntary programs for the regulation of claims described in such paragraph:

(A) A program that relates to voluntary claims to which paragraph (1) of section 204(a) of this Act applies.

(B) A program that—

(i) is voluntary;

(ii) is accredited by the Secretary pursuant to section 291E of the Agricultural Marketing Act of 1946 (as added by section 201 of this Act); and

(iii) establishes standards that are identical to the standards established under section 291B or 291C of the Agricultural Marketing Act of 1946, as applicable (as added by section 201 of this Act).

(c) RULE OF CONSTRUCTION.—For the sole purpose of subsection (b)(1), a covered product derived from livestock that consumed genetically engineered plants shall be deemed as having been produced from, containing, or consisting of a genetically engineered plant.

SEC. 204. APPLICABILITY.

(a) EXISTING CLAIMS.—A voluntary claim made with respect to whether a covered product (as defined in section 291 of the Agricultural Marketing Act of 1946, as added by section 201 of this Act) was produced with or without the use of genetic engineering or genetically engineered plants before the date of the enactment of this Act—

(1) may be made for such a product during the 36-month period that begins on the date of the enactment of this Act; and

(2) after the expiration of such 36-month period, may be made so long as the labels associated with such a claim meet the standards specified in section 291B or 291C of the Agricultural Marketing Act of 1946, as applicable (as added by section 201 of this Act).

(b) ORGANIC CERTIFICATION.—In the case of a covered product (as defined in section 291 of the Agricultural Marketing Act of 1946, as added by section 201 of this Act) produced by a farm or handling operation that is certified as an organic farm or handling operation under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.), such product is deemed to be certified as a product produced without the use of genetic engineering under the genetically engineered food certification program established under section 291A of the Agricultural Marketing Act of 1946 (as added by section 201 of this Act).

TITLE III—NATURAL FOODS

SEC. 301. LABELING OF NATURAL FOODS.

Section 403 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 343) is amended by adding at the end the following:

''(z)(1) If its labeling contains an express or implied claim that the food is 'natural' unless the claim is made in accordance with subparagraph (2).

''(2) A claim described in subparagraph (1) may be made only if the claim uses terms that have been defined by, and the food meets the requirements that have been established in, regulations promulgated to carry out this paragraph.

''(3) Notwithstanding subparagraph (2), prior to the finalization of regulations to carry out this paragraph, the use of any claim that a food is 'natural' shall be allowed if consistent with the Secretary's existing policy for such claims.

''(4) In promulgating regulations to carry out this paragraph, the Secretary shall differentiate between food for human consumption and food intended for consumption by animals other than humans.

''(5) For purposes of subparagraph (1), a natural claim includes the use of—

''(A) the terms 'natural', '100% natural', 'naturally grown', 'all natural', and 'made with natural ingredients'; and

''(B) any other terms specified by the Secretary.''.

SEC. 302. REGULATIONS.

(a) PROPOSED REGULATIONS.—Not later than 18 months after the date of enactment of this Act, the Secretary of Health and Human Services shall issue proposed regulations to implement section 403(z) of the Federal Food, Drug, and Cosmetic Act, as added by section 301 of this Act.

(b) FINAL REGULATIONS.—Not later than 30 months after the date of enactment of this Act, the Secretary of Health and Human Services shall issue final regulations to implement such section 403(z).

SEC. 303. PREEMPTION.

Section 403A(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 343–1(a)) is amended—

(1) in paragraph (4), by striking ''or'' at the end;

(2) in paragraph (5), by striking the period and inserting a comma; and

(3) by inserting after paragraph (5) the following:

''(6) any requirement for the labeling of food of the type required by section 403(z) that is not identical to the requirement of such section.''.

SEC. 304. EFFECTIVE DATE.

The labeling requirements of section 403(z) of the Federal Food, Drug, and Cosmetic Act, as added by section 301 of this Act, shall take effect on the effective date of final regulations promulgated under section 302(b) of this Act. The provisions of section 403A(a)(6) of the Federal Food, Drug, and Cosmetic Act, as added by section 303 of this Act, take effect on the date of enactment of this Act.

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of House Report 114–216. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. DEFAZIO

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 114–216.

Mr. DEFAZIO. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, after line 5, insert the following:

''(3) LABELING OF PRODUCTS THAT ARE REQUIRED TO BE LABELED ABROAD.—

''(A) REQUIREMENT.—The Secretary shall require that food produced from, containing, or consisting of a genetically engineered plant and intended for sale in interstate commerce be labeled as such if—

''(i) the person producing or manufacturing the food, or any affiliate thereof, produces or manufactures an equivalent food intended for consumption in a foreign country; and

''(ii) the person or affiliate is required by such foreign country to indicate in the labeling of such food that it is produced from, contains, or consists of a genetically engineered plant.

''(B) DEFINITION.—In this paragraph, the term 'affiliate' means any entity that controls, is controlled by, or is under common control with another entity.''.

The CHAIR. Pursuant to House Resolution 369, the gentleman from Oregon (Mr. DEFAZIO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chair, there was a time when Monsanto supported labeling. Of course, 64 countries have adopted labeling, including the United Kingdom.

Here is what Monsanto said back then: Monsanto fully supports U.K. food manufacturers and retailers in their introduction to these labels. We believe you should be aware of all the facts before making a purchase. We encourage you to look out for these labels.

That was then; this is now. Now, Monsanto and Monsanto's allies say such labeling is impossible, impractical, and unnecessary. There was a time when Monsanto was proud of their genetically modified organisms. Why not now?

We have heard all of these arguments, some of which aren't exactly accurate, about the great benefits of GMOs. Why not put on there, ''GMOs solve global warming.'' Put it right there on the label. For all the people who are concerned about climate change, that would be something.

Now, 64 countries around the world require labeling; and many, many large U.S. firms actually do label in those countries. The countries are all the European Union—that is a pretty big slice of the world economy—China, Japan, Australia, South Korea, Brazil, India, New Zealand, Russia, Ukraine, Kazakhstan, and Saudi Arabia. Now, all of those countries require it; U.S. manufacturers ship products to those countries, and they put it on the label.

Now, Hershey's is not the only company that does this. This is a Hershey's label, and it is ''made in the USA.'' We like that. We like exporting things around the world, so we are very proud of the exports of Hershey's and other food manufacturers, but because of laws in Sweden, they have to say ''contains genetically modified organisms.''

Now, somehow, they can do that there. I mean, the EU has consistent rules, and my bill would have rules consistent with the EU. They could make one label, which would go to about half the world's economy. If it really costs money to print different labels, that would actually save them money, and it would do away with this argument about a proliferation of various different labels across the U.S.

There are some other countries that have different requirements, and they do still export to those countries, too. They can't have a uniform overseas label, but they could get darn close with all of the European Union, United States; and New Zealand and Australia are virtually identical.

Now, it isn't just Hershey's. These large companies go into—at least—50 of the 64 countries that require labeling: Pepsi, Tyson, Nestle, Coke, Mars, Hershey, Kellogg, and Heinz.

Now, I was contacted by Hershey, and they said: We can't deal with the proliferation in the States.

Then they should support my bill. Get a uniform national label. Let consumers know it contains GMOs. Monsanto can go out and tout the benefits or others can tout the benefits of GMOs, and then they could have one label for the EU and the United States.

I reserve the balance of my time.

Mr. POMPEO. Mr. Chair, I rise in opposition to the amendment.

The CHAIR. The gentleman from Kansas is recognized for 5 minutes.

Mr. POMPEO. Mr. Chairman, the United States should not let other countries dictate U.S. food policy. This would be absurd. It is exactly what this amendment does.

The proponents of this amendment seemingly wish to scare the public with unjustified warning labels on all products produced with any technology or, short of that, punish companies that have the audacity to engage in foreign commerce.

Just because European policy has been driven by fear-mongering, we should not allow it to be so here in the United States. We should not succumb to this angry rhetoric. We should lead the world in getting this policy right.

Now, let's just say, for sake of argument, we were to pass this amendment. I would like to ask: Who would be responsible for enforcement of such a quagmire? What agency licenses exports of food? What agency would be responsible for monitoring where in the world those products went and what specific requirements were placed on them by the countries receiving those products?

Assuming such information is actually obtained, that information is likely proprietary business information, exempted from disclosure between agencies by the Freedom of Information Act.

Here in the United States, we rely on the FDA for responsibility for food inspection, but as many proponents of

mandatory warning labels are quick to point out, the FDA inspects less than 1 percent of the products.

Are the proponents just doing this for show? Or do they actually expect an agency to fulfill its enforcement obligation? If so, has this amendment been scored?

I can only imagine what the cost will be to the agency to ensure that labels mandated by this amendment's sponsors are accurate.

Mr. Chairman, this amendment would take us backwards. It would require an even more patchwork set of rules. I urge that we get to uniformity. The logistics of enforcing every product label and their counterpart in 1 of 195 other countries in the world would be costly and a waste of taxpayer dollars.

I urge the defeat of this ill-conceived effort to punish American businessmen and -women who are doing their best to grow our economy.

I reserve the balance of my time

Mr. DEFAZIO. Mr. Chair, 64 countries require labeling, including the European Union. This would give companies an opportunity to have a consistent label across the United States and into the European Union.

Consumers want this. The polls are consistently 88 percent. Monsanto spends $20 million, $30 million like they did in Oregon convincing people it would drive up food costs; and then they won by one one-hundredths of 1 percent in that election, after spending a record amount of money.

Americans want to know what is in their food; don't put them in the dark.

I yield back the balance of my time.

Mr. POMPEO. Mr. Chairman, we should not create a system whereby U.S. food producers are at the complete mercy of global actors all around the world. Goodness knows what the requirements would be for their labels here.

I urge my colleagues to vote against this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. DEFAZIO. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. HUFFMAN

The CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 114–216.

Mr. HUFFMAN. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 10, line 12, at the end of section 113 of the bill insert the following: ''Nothing in this title or the amendments made thereby shall be construed to limit the authority of a State or tribe (or a political subdivision thereof) to prohibit or restrict the cultivation of genetically engineered plants on or near tribal lands.''.

The CHAIR. Pursuant to House Resolution 369, the gentleman from California (Mr. HUFFMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HUFFMAN. Mr. Chairman, I rise to offer an amendment to ensure tribal sovereignty is not inadvertently harmed by this legislation, the DARK Act.

I am joined by several colleagues in support of this amendment, including cosponsors Representatives POLIS, MCCOLLUM, GRIJALVA, and RUIZ.

Now, much of the debate this morning has focused on how and if this bill will preempt State and local laws, which would include ordinances in my district that have been adopted by Marin, Mendocino, Humboldt, and Trinity Counties.

□ 1230

I agree with my colleagues: we deserve to know what is in our food, and this bill prevents local and State governments from providing consumers with that information, the information they want.

But in today's debate, little has been said about the need to protect the principle of tribal self-governance. I recognize that some of my colleagues believe the manager's amendment addresses any concerns regarding preemption and tribal sovereignty. I disagree. That is why I am offering this amendment to address any potential ambiguity in the bill, and to ensure that tribes can continue to take action on GMOs, as many of them have sought to do. If the underlying bill is supposed to protect tribal sovereignty, I would hope that the bill supporters wouldn't mind making that protection explicit by passing this amendment.

In 2013, the National Congress of American Indians, which supports my amendment today, passed a resolution calling on Congress and the Federal Government to ''preserve, protect, and maintain the integrity of traditional native foods, seeds, and agricultural systems . . . support the labeling of seeds or products containing GE technology and ingredients . . . create GE and transgenic crop-free zones; and oppose the use and cultivation of GE seeds in the United States.'' But this bill would preempt the creation of a national standard for GMOs that NCAI has asked for.

Now, this is not just about crops, Mr. Chairman. The Affiliated Tribes of Northwest Indians, which includes several tribes in my district, are strongly opposed to the FDA approval of genetically engineered salmon due to the potential for harmful impacts on wild salmon that are so important to the tribes and to, frankly, the commercial economy in my district. Under this legislation, it is hard to see how FDA could ever require the labeling of genetically engineered salmon.

With the significant concerns over GE foods and the proactive steps that tribes are taking on their lands and resources, we ought to make clear that this bill will not affect tribes' authorities to prohibit or restrict the cultivation of GE plants on or near tribal lands.

The Congressional Research Service has taken a look at this bill's new preemption section, and they have said that the effects of the preemption language are ambiguous. In the case of impacts to tribes, we ought to leave no ambiguity.

I urge support of this amendment. No matter how we feel about the legislation as a whole, I would hope, at the very least, we could clarify that tribes should retain the authority to restrict GE plants on their own lands, if they so choose.

I reserve the balance of my time.

Mr. POMPEO. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Kansas is recognized for 5 minutes.

Mr. POMPEO. Mr. Chairman, simply put, H.R. 1599 does not prohibit local governments from passing and enforcing bans on cultivation of genetically engineered crops. Similarly, it does not do that with respect to tribal sovereignty either.

The bill before us applies only to the food use and labels. There is nothing in this legislation that any opponent can point to that suggests or implies interference with State or local ordinances related to plant cultivation, period.

Likewise, the preemption provision that the amendment seeks to modify only applies to States and political subdivisions thereof. Tribal lands are sovereign. They are not affected.

If the amendment sponsor wishes only to clarify sovereign rights of tribal governments on their land, then we would be happy to work with him, but the structure of this amendment appears to provide tribal governments with some level of authority over land outside of their boundaries. This may or may not have been the intended purpose of the amendment, but it has serious unintended consequences.

I urge the sponsor to withdraw this amendment and allow us the opportunity to work together to address their concerns.

I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chairman, if the intent is not to prohibit or restrict or preempt tribal sovereignty, why not make it clear, why not pass this amendment?

I yield 1 minute to the distinguished gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Chairman, there are three preemption sections in this bill: one prohibits States from labeling GMOs; another establishes something for a label called ''natural,'' which will contain GMOs and can contain GMOs and still be labeled ''natural''; and then

finally, a very poorly written big section that seems to preempt all State regulations and tribal regulations.

The Navajo Nation has a ban on the cultivation of genetically modified crops. They are trying to preserve their indigenous crops.

States have provided for buffer zones in 30 States. This bill, I believe, will preempt those 30 States from establishing buffer zones to protect conventional crops.

We had conventional wheat in Oregon that was banned from export because of GMO pollution—conventional wheat, let alone organic wheat, which would be worthless if it had GMO pollution.

So in this bill I had an amendment to clarify this section and say, no, no, no, not preempting State Departments of Agriculture establishing reasonable rules to protect conventional and organic farmers from preemption. They say they fixed it. I don't believe they have. That part of the bill is very vague. This, I believe, could both preempt tribal sovereign entity, State sovereign entity, and reasonable regulations to protect other farmers.

Mr. POMPEO. Mr. Chairman, the language is very clear. It says that ''no State or political subdivision of a State may directly or indirectly establish under any authority or continue in effect as to any food in interstate commerce any requirement with respect to genetically engineered plants for a use or application of food that is not identical to the requirement of section 461 of the Plant Protection Act.''

I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chairman, I respectfully disagree that that language is clear, but I would note that that language says nothing about tribal sovereignty.

Mr. Chairman, colleagues, this is a bill that is deeply flawed. It should be opposed for all sorts of reasons. But here is an amendment that would at least make it a little better for those of us that represent Indian Country, for those of us that care about tribal sovereignty.

For those of us that want to protect the tribes who have taken action on their land, who have in some cases partnered with States for buffer zones near tribal land, we ought to at least take this additional step to make it clear that they can do that, that we are not running roughshod over their tribal sovereignty.

With that, I request an ''aye'' vote, and I yield back the balance of my time.

Mr. POMPEO. Mr. Chairman, nothing in this amendment will impact tribal sovereignty one iota. It talks about States and political subdivisions. That doesn't apply in any way to tribal land.

Mr. Chairman, I urge my colleagues to vote against this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. HUFFMAN).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. HUFFMAN. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 3 OFFERED BY MS. DELAURO

The CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 114–216.

Ms. DELAURO. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 33, lines 13 through 17, amend paragraph (2) to read as follows:

''(2) A claim described in subparagraph (1) may be made only if—

''(A) the claim uses terms that have been defined by, and the food meets the requirements that have been established in, regulations promulgated to carry out this paragraph; and

''(B) the food is not produced using, does not contain, and does not consist of a genetically engineered plant.''.

The CHAIR. Pursuant to House Resolution 369, the gentlewoman from Connecticut (Ms. DELAURO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, my amendment would make clear that foods labeled ''natural'' cannot contain genetically modified material.

I want to emphasize right from the outset it is about our basic right to know what we are eating and what we are feeding to our children.

FDA already requires clear labeling of over 3,000 ingredients, additives, and food processes. One example: fruit juice must indicate whether or not it is from concentrate. Clearly, that is not a judgment on food safety; it is a simple matter of transparency.

Calling GMO foods ''natural'' is not transparent. It is confusing, and we have the data to back that up.

As Members can see from the chart behind me, almost two-thirds of American adults believe that ''natural'' already means GMO-free, and 84 percent agree that that is what it should mean.

We need to make sure that food labels reflect that commonsense understanding. As drafted, this bill would do the opposite. It would codify the status quo, being that food companies can put ''natural'' on a product, even if it was genetically engineered, which allows misleading labels. It would perpetuate misunderstandings and confusion. It would keep American families in the dark.

This is not what the American public wants. More than 90 percent of us want clear GMO labeling. In response to this overwhelming demand, three States—Vermont, Maine, and my home State of Connecticut—have passed laws restricting the ''natural'' label to foods that do not contain GMOs. Several other States are considering similar laws.

Without my amendment, this bill would nullify those State laws. This would represent a serious setback for the right to know in these States around the country.

Mr. Chairman, American families want clear information about GMOs. They deserve that information. I urge my colleagues to support the amendment, and I reserve the balance of my time.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I wish to rise in opposition.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I reserve the balance of my time.

Ms. DELAURO. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO), my colleague.

Mr. DEFAZIO. Mr. Chairman, this bill would deceive consumers. It would say that there will now be an FDA definition of ''natural.'' The FDA has never, ever wanted to try and define ''natural'' and that it would include GMOs. Something labeled as ''natural''—Cheerios, naturally flavored—if it contained GMOs, they wouldn't have to say that.

So consumers often, in fact, confuse the ''organic'' and the ''natural'' label. In fact, some polls show that consumers more often think ''natural'' is natural and they are not quite sure what ''organic'' is. This bill is going to muddy those waters further, deceive consumers, and have them buy things labeled ''natural'' that contain genetically modified organisms.

Why is that in this bill? We can fight over the labeling standards for disclosure. Why are you going to muddy the waters and confuse things and create a new mandatory Federal definition and label for ''natural'' that contains GMOs?

Again, here we have all natural vodka creamy marinara. Wow, that is something. And again, this has a number of things in it that very likely contain GMOs that wouldn't be disclosed. But they do have to disclose, and she does, cellulose, sorbic acid, whey, xanthan gum, vodka—of course, it is vodka sauce. But in the future, natural, contains GMOs, no disclosure.

This is really, really I think probably the most egregious part of a very egregious bill—preempting states' rights. Remember, this is the party of states' rights. Until a State does something they don't like, then we have got to preempt it.

Then they say, well, we can't have proliferation of labels. Well, there is a very simple solution, my bill, one mandatory standard Federal label that would say, ''contains GMOs.'' Then that label could be sold into the European Union. You would be able to sell to about half of the world's economy with one label; whereas, today, you have got to have one label for the EU, one label for the U.S., and then a multiple of other countries where 50 major corporations sell their products.

This is so disingenuous. It is very discouraging.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I continue to reserve the balance of my time.

Ms. DELAURO. Mr. Chairman, how much time remains?

The CHAIR. The gentlewoman from Connecticut has 1 minute remaining.

Ms. DELAURO. Mr. Chairman, as I said at the beginning, this is not a question of safety or otherwise of GMO foods. We need to ask ourselves a simple question: Does the word ''natural'' really mean to a salmon engineered to grow at double the normal rate? a cereal created in a laboratory to be resistant to herbicide? a tomato with fish genes? Are these things natural? Our common sense says no. A clear majority of Americans agree. By overwhelming margins, we want to know when our food contains GMOs.

We are what we eat, and whether it is the number of calories in our kids' Happy Meals, the country where our beef was raised, or the GMO content of the food we buy at the supermarket, as consumers, as parents, as Americans, we have a right to know.

As drafted, this bill would fly in the face of that broad consensus and keep us in the dark. For the sake of transparency and for commonsense, I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, it is interesting; this whole entire debate we have talked about science. The science clearly shows that genetically modified seeds, genetically modified foods, are safe for every single American family.

It is also interesting that my colleague brought a box of Honey Nut Cheerios to the floor. My colleague talked about claims made on that box. Well, it is interesting that my colleague didn't bring a box of regular Cheerios that sometimes contain a label of non-GMO.

Well, it is a marketing ploy, and that is what we are trying to correct here, because there is no GMO oat. It is all to convince consumers that it is somehow safer, even though there is no distinction between that Cheerios that has that label and the other Cheerios box that doesn't.

□ 1245

It is interesting to see those specific points brought to the floor to try and make this case. It is just clearly not resonating with the American people.

There are no clear and consistent standards for the term ''natural,'' which is why we are trying to correct this in this bill.

We need to make sure that consistent litigation that has come about because of the very definitions of what the term ''natural'' means can stop. Let's put a clear standard in place.

H.R. 1599 also requires the FDA to file a notice and comment rulemaking process to define and set standards for the term ''natural.'' I thought this was exactly what the rulemaking process was supposed to be used for.

This will allow for an open, transparent, public process so that the FDA can establish such standards based on the facts, the science, and the input received.

This amendment would predetermine that outcome and not allow for a science-based, fact-driven process—that is open to the public—to continue to move forward.

I urge my colleagues to reject this amendment. Let's get on the path of passing H.R. 1599 in this House.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Connecticut (Ms. DELAURO).

The question was taken; and the Chair announced that the noes appeared to have it.

Ms. DELAURO. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Connecticut will be postponed.

AMENDMENT NO. 4 OFFERED BY MS. PINGREE

The CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 114–216.

Ms. PINGREE. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, strike line 1 and all that follows through the end of the bill, and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Non-GMO Disclosure Act of 2015''.

SEC. 2. NON-GMO FOOD CERTIFICATION PROGRAM.

The Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) is amended by adding at the end the following new subtitle:

''Subtitle E—Non-GMO Food Certification Program

''SEC. 291. CERTIFICATION OF NON-GMO FOODS.

''(a) IN GENERAL.—The Secretary shall establish a voluntary certification program for food produced without the use of genetic engineering to be known as the Non-GMO Food Certification Program.

''(b) CONSULTATION.—The Secretary shall consult with other relevant parties to develop the Non-GMO Food Certification Program.

''(c) CERTIFICATION.—The Secretary shall implement the Non-GMO Food Certification Program through certifying agents. Certifying agents may certify that products were not produced with the use of genetic engineering or a genetically engineered plant, in accordance with this subtitle.

''(d) SEAL.—The Secretary shall establish a seal to identify products that were not produced with the use of genetic engineering or a genetically engineered plant in interstate commerce using terminology the Secretary considers appropriate, including terminology commonly used in interstate commerce or established by the Secretary in regulations.

''SEC. 292. DEFINITIONS.

''In this subtitle:

''(1) GENETICALLY ENGINEERED.—The term 'genetically engineered', used with respect to a food, means a material intended for human consumption that is—

''(A) an organism that is produced through the intentional use of genetic engineering; or

''(B) the progeny of intended sexual or asexual reproduction (or both) of 1 or more organisms that is the product of genetic engineering.

''(2) GENETIC ENGINEERING.—The term 'genetic engineering' means a process—

''(A) involving the application of in vitro nucleic acid techniques, including recombinant deoxyribonucleic acid (DNA) and direct injection of nucleic acid into cells or organelles;

''(B) involving the application of fusion of cells beyond the taxonomic family; or

''(C) that overcomes natural physiological, reproductive, or recombinant barriers and that is not a process used in traditional breeding and selection.''.

SEC. 3. REGULATIONS.

Not later than 1 year after the date of the enactment of this Act, the Secretary shall promulgate regulations to implement the Non-GMO Food Certification Program in accordance with section 291 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.), as added by section 2.

SEC. 4. SAVINGS CLAUSE.

Nothing in this Act (or the amendments made by this Act) is intended to alter or affect the authorities or regulatory programs, policies, and procedures otherwise available to, or the definitions used by, the Food and Drug Administration under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) or the Animal and Plant Health Inspection Service under the Plant Protection Act (7 U.S.C. 7701 et seq.).

Ms. PINGREE (during the reading). Mr. Chairman, I ask unanimous consent to dispense with the reading.

The CHAIR. Is there objection to the request of the gentlewoman from Maine?

There was no objection.

The CHAIR. Pursuant to House Resolution 369, the gentlewoman from Maine (Ms. PINGREE) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from Maine.

Ms. PINGREE. Mr. Chairman, I yield myself such time as I may consume.

I appreciate the lively debate that has gone on today, and I want to speak in favor of this particular amendment.

This is the Pingree-DeFazio-Polis amendment in the nature of a substitute, which strikes all of the anticonsumer and antifarmer provisions of the underlying bill.

This comes down to a very simple proposition: Do consumers have a right to know what is in the food they buy and that they feed to their families?

As we have heard many times today, 9 out of 10 consumers say, yes, they support GMO labeling. The public wants to know, as more and more people care about what is in their food and where it comes from. People want to know more, not less, about what they eat.

We already know a lot about our food. We know how many calories are in it, thanks to the labels. We know how much vitamin C we get per serving. We know if a fish is farm raised or wild caught.

We want to know those things. We actually know if our orange juice is made from concentrate or not. Maybe not everybody wants to know that, but it is right there on the label. Shouldn't we also be able to know if the food we are buying has GMO ingredients?

I know some of the opponents of labeling have suggested that consumers might be frightened by GMO ingredients if they were to see them on the labels.

Do we really think that consumers are not smart enough to handle this information? Do we really think that 90 percent of Americans are wrong to want GMO products labeled?

Not only does this bill make it very unlikely that we would ever see the labeling of GMO products on a national basis, but it goes after the laws that have already been passed at the State level, just like in my State of Maine.

Our law was passed by a Democratic legislature, was signed by a conservative Republican Governor, and it has a huge amount of public support.

Now Congress wants to tell the consumers of my State and my State legislators that they cannot have this basic piece of information.

I guarantee you, if Congress passes this law, my State legislature and my constituents will not be happy. They do not want to see their ability to make those decisions taken away.

Not only does this bill go after State labeling laws, but it may also preempt laws and regulations at a local level that protect farmers from contamination by drift from GMO crops.

In my State and in many others, local organic farms are contributing to the economy by growing high-value, high-demand crops.

Some local and county governments have created buffer zones to protect those farms from contamination from GMO crops, and we have heard from experts who say this bill would preempt these laws.

Why would we want to do that? Why would we want to undercut one of the fastest growing sectors in our farm economy that has been very beneficial to rural States like mine—that has revitalized many communities and that has provided economic opportunities for our farmers? What reason would we have to go in the opposite direction?

I urge my colleagues to support this amendment. It would strike the dangerous parts of this bill.

I reserve the balance of my time.

Mr. POMPEO. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Kansas is recognized for 10 minutes.

Mr. POMPEO. Mr. Chairman, this amendment would completely gut the primary purpose of the legislation before us today.

In order to prevent a patchwork of 50 different labeling laws for genetically engineered ingredients, preemption is necessary to protect interstate commerce.

Of course, we have heard a lot today about states' rights, but the Founders understood what was important about interstate commerce.

They knew that local governments were at risk of trying to put in place rules that favored local activities; so they accounted for this. They created what is called the Interstate Commerce Clause.

It is right there in the Constitution, and it is pretty darned clear. It was about trade between the States. It said that the Federal Government shall have the authority to regulate this trade. It is important that we do this today, but this amendment would deny us the capacity to do that.

Current State labeling initiatives include a number of varying exemptions, loopholes, and caveats, making it very confusing for not only food producers, but for consumers to understand what it is they are truly consuming.

H.R. 1599 builds on this idea of a uniform standard to provide clarity and consistency to consumers that they can depend upon, regardless of where they shop for food.

I reserve the balance of my time.

Ms. PINGREE. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. FARR), my good friend and the ranking member of the Appropriations Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies.

Mr. FARR. Mr. Chairman, I rise in strong support of this amendment. The author is an organic grower. She knows how people care about what is in their food.

I represent one of the most successful agricultural counties in the United States—Monterey County. I challenge anybody to find a county in this country that makes $4.5 billion a year by growing over 100 different crops in one county.

Food is just like politics—it is all local. What the underlying bill does is strike local control—local control where people care about the methodology of growing.

My area is the area that blossomed into creating the California Organic Standards Act, which I authored in the California State Legislature, which became the model for the Federal Organic Standards Act. This preempts some of the regulations in there. That is not a good thing to do.

Although the Federal Government may have the authority on interstate commerce, I don't think that people want the Federal Government to preempt the ability for them to know their farmers, to know their food, and to have it be labeled as they so choose in a local area.

Labeling is really important, but what you do is change the definition of labels here to one size fits all. That is not the way this country works. That is not the way farming works. And it is certainly not the way that consumers want it to be.

It is too early for the Federal Government, for Congress, to jump in and try to mix up this field. Allow local politics to exist. Allow people to choose to know what is in their food by allowing it to be labeled locally.

Let's support American agriculture so that we can sell it abroad. This bill does everything but gain confidence. The amendment is to be supported.

Mr. POMPEO. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I am honored to follow my colleague from California. Less than a year ago I was in his fine district, and I saw the benefits of the agricultural industry in Monterey, California.

I actually toured an organic food processing facility in and around my colleague's district, and I saw firsthand the impact of California agriculture.

I want my colleagues to be assured that the organic labeling program is exactly what this bill is modeled after.

The words that may have been developed in the California State Senate and in the California State Assembly are part of our national organic standards because they work. Organic is a voluntary program just like we are trying to put forth.

This is exactly what we are trying to do, Mr. Chairman—address the concerns of many Americans who want a label and who have contacted our offices.

Americans also want standards; so, when we hear words like ''contamination,'' unfortunately, it connotates negativity to consumers that somehow GMOs are bad for them. The science, though, clearly shows they are not.

As a matter of fact, I just walked over to the Senate side and sat down with some of my colleagues who probably will not vote for this bill. We didn't know, because there was no label, whether or not that sandwich we ate contained genetically modified organisms—seeds—if it were produced with GMOs.

We are trying to fix that. We would allow that sandwich shop to actually meet a set of standards, just like how our organic growers do today, to determine what a GMO product means.

When we hear about trade, earlier today, I was with a member of the European Parliament, Julie Girling. We were talking about some of the impacts of the GMO rules and regulations in the EU on their ability to get cheap food into their supermarkets.

I would urge my colleagues to talk to those who are experiencing the exact same thing right now in our European countries that are our allies. Talk with Ms. Girling. Talk to her about the problems that Europe is experiencing.

We are trying to stop those problems from happening here in America. I want to make sure that we use science—that we use the facts—and that we use a model of a very successful organic labeling program to write this bill.

Therefore, my colleagues should be in favor of this if they are so in favor of the existing program today.

Ms. PINGREE. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE), the ranking member of the Energy and Commerce Committee, who cares deeply about issues surrounding our environment and public health.

Mr. PALLONE. Mr. Chairman, the amendment offered to H.R. 1599 by Congresswoman PINGREE and Congressman DEFAZIO would replace the underlying bill with a voluntary certification program for non-genetically engineered foods, enabling companies that elect to go through this process to certify that their food is non-GE and share this information with consumers through a seal established by the USDA, similar to the organic program.

This amendment is a step forward in providing consumers with the information they want. While this amendment would preserve the ability of States and localities to act in regards to the labeling of non-GE and GE foods, it unfortunately does not address the problem many of us have heard about today, and that is a patchwork of food labeling requirements across the country.

As I have said previously, I can't support preempting State labeling laws without establishing a national mandatory labeling standard in its place. Moving forward, I hope that we can work with the Senate to strike a balance that will address concerns we have heard on both sides of this issue.

Mr. POMPEO. Mr. Chairman, I reserve the balance of my time.

Ms. PINGREE. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER), a hard-working Congressman who cares deeply, as well, about agriculture issues and about the consumers in his State.

Mr. BLUMENAUER. I thank the gentlewoman who represents the other Portland. I deeply appreciated her leadership and insight in this area.

Mr. Chairman, these are areas that touch Americans on a whole host of levels, but one of the things that is important to note is that the extreme provisions of the preemption bill, of the underlying bill that we are discussing, actually have significant negative consequences on hard-working farmers in our State.

There are vast world markets that we export to, and most of the world markets care about whether or not the product is genetically engineered or not. You can argue the merits, but the world market has made a judgment.

We had some cross contamination in wheat for the genetically engineered strain, which set off alarm bells. Oregon farmers lost business as a result of that.

The underlying bill would undercut the efforts of 40 States in working with their local communities to try and provide protections.

Whether or not you are going to label it, there is no reason that you can't provide reasonable buffers around crops that are genetically modified so that you can help provide some protection.

□ 1300

Why would we want to strip away the ability of State and local governments to provide those sort of protections?

Now, in the long run, Mr. Chairman, what we need to do is just have a uniform national policy that labels these, that gets rid of all the problems of multiplicity of labels and the costs and the confusion. My good friend from Oregon (Mr. DEFAZIO) has legislation that would do precisely that. But in the meantime, I deeply appreciate my friend from Maine stepping up to get rid of the most egregious part of the underlying bill, create a program that they can label their products GE free, and get rid of these egregious preemption provisions.

Mr. POMPEO. I reserve the balance of my time.

Ms. PINGREE. Would the Chair please inform how much time I have remaining.

The CHAIR. The gentlewoman from Maine has 2 minutes remaining. The gentleman from Kansas has 6½ minutes remaining.

Ms. PINGREE. Mr. Chair, I yield myself such time as I may consume.

We have heard a lot of arguments about this bill today and the various components of it, why the bill is not a good idea, and why my amendment, which would strike most of the egregious parts of the bill, would be a beneficial way to change this.

Just to go back to my favorite example about labeling, the next time you go into a grocery store, take a look at the carton of orange juice. Right there on the front of the label you will see the words ''from concentrate'' on most of the juice boxes. By law, those words have to appear right there on the front of the label in letters at least half as tall as the name of the brand. We are that specific.

Now, the fact that we need to know the difference in that carton between fresh squeezed and made from concentrate or any other process that might have been used shows me that we have decided to have labels for almost everything you can think of except GMO ingredients.

If it is so important for Americans to know whether or not their orange juice is made from a concentrate, don't you think it is reasonable to put a label somewhere on the back of a package of food telling consumers whether or not it contains GMO ingredients?

This bill, if it is passed by the House, will effectively guarantee that consumers won't have access to that information when they go to the grocery store. This bill will take away the rights of States like mine in Maine to pass laws that protect our consumers. States like Maine and Vermont, who have already passed laws like this, will not have the right to proceed. The Pingree-DeFazio-Polis amendment will strike the worst parts of this bill. I urge all of my colleagues to support this amendment.

I yield back the balance of my time.

Mr. POMPEO. I yield myself the balance of my time.

Mr. Chairman, this amendment would put us right back where we are today, with a patchwork of laws confusing consumers and making it difficult on American food companies to compete around the world to feed the next billion people.

This amendment would drive up the cost of food for every consumer in the United States of America by relegating them to the set of patchwork rules, which would drive costs throughout the food safety and supply chain.

We have heard today that this puts farmers at risk, it makes life for farmers difficult. We have heard from Representatives from Maine who said that, and yet the Maine Beverage Association and the Maine Potato Board both endorsed this legislation.

We have heard that this will hurt Oregon farmers and Oregon consumers, and yet the Oregon Farm Bureau, the Oregon Feed and Grain Association, the Oregon Potato Commission, the Oregon Retail Council, the Oregon Seed Association, the Oregon Wheat Growers League, and Oregonians for Food & Shelter endorsed this bill.

Mr. Chairman, this amendment will gut this entire legislation. It takes away the important balance that has been struck in order to make sure that, in fact, consumers do have the right to know.

We have heard these vague epithets trying to rename this bill the DARK Act, Denying Americans the Right to Know, but as a good conservative, I can promise you, this bill doesn't deny any consumer any right to know what is in their food product.

If a consumer, like my cousin, who likes her non-GMO food, wants to continue to feed that to herself and her family, when this bill becomes law, she will still be able to do so. I would never deny any American the right to know what is in their food.

This is about freedom and consumer choice and affordability. Our bill will achieve that, and this amendment would destroy that. I urge my colleagues to vote against this amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Maine (Ms. PINGREE).

The amendment was rejected.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 114–216 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. DEFAZIO of Oregon.

Amendment No. 2 by Mr. HUFFMAN of California.

Amendment No. 3 by Ms. DELAURO of Connecticut.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. DEFAZIO

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 123, noes 303, not voting 7, as follows:

[Roll No. 459]

AYES—123

Adams
Aguilar
Bass
Beatty
Becerra
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brown (FL)
Brownley (CA)
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Cohen
Connolly
Conyers
Courtney
Cummings
Davis, Danny
DeFazio
DeGette
DeLauro
DeSaulnier
Doggett
Edwards
Ellison
Eshoo
Esty
Farr
Fattah
Gabbard
Gallego
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Higgins
Honda
Huffman
Jackson Lee
Johnson (GA)
Johnson, E. B.
Kennedy
Kuster
Langevin
Larson (CT)
Lee
Levin
Lewis
Lieu, Ted
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
Meng
Moore
Moulton
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Rangel
Rice (NY)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Schakowsky
Schiff
Scott (VA)
Serrano
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vela
Velázquez
Visclosky
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—303

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bera
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Carney
Carter (GA)
Castor (FL)
Chabot
Chaffetz
Clay
Clyburn
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Curbelo (FL)
Davis (CA)
Davis, Rodney
Delaney
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Engel
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Himes
Hinojosa
Holding
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Larsen (WA)
Latta
Lawrence
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Pallone
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Russell
Ryan (WI)
Salmon
Sarbanes
Scalise
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Takano
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Vargas
Veasey
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—7

Brady (PA)
Carter (TX)
Clawson (FL)
Israel
Kaptur
Keating
Lujan Grisham (NM)

□ 1332

Ms. KELLY of Illinois, Messrs. DONOVAN, AUSTIN SCOTT of Georgia, CLAY, Ms. WASSERMAN SCHULTZ, Messrs. BUTTERFIELD and LAWRENCE changed their vote from ''aye'' to ''no.''

Ms. LORETTA SANCHEZ of California changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. HUFFMAN

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. HUFFMAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 196, noes 227, not voting 10, as follows:

[Roll No. 460]

AYES—196

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Blum
Blumenauer
Bonamici
Boyle, Brendan F.
Brooks (AL)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Byrne
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Huizenga (MI)
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McCollum
McDermott
McGovern
McNerney
McSally
Meeks
Meng
Miller (MI)
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Noem
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Posey
Price (NC)
Quigley
Rangel
Reed
Rice (NY)
Richmond
Rokita
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Serrano
Sherman
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Young (AK)
Zinke

NOES—227

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Garamendi
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Price, Tom
Ratcliffe
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin

NOT VOTING—10

Bishop (MI)
Brady (PA)
Carter (TX)
Clawson (FL)
Israel
Kaptur
Keating
Lujan Grisham (NM)
Pearce
Royce

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining.

□ 1338

Mr. FLEISCHMANN changed his vote from ''aye'' to ''no.''

Mr. VEASEY changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MS. DELAURO

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Connecticut (Ms. DELAURO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 163, noes 262, not voting 8, as follows:

[Roll No. 461]

AYES—163

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brooks (AL)
Brown (FL)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly
Conyers
Costa
Courtney
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fudge
Gabbard
Gallego
Garamendi
Gibson
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Huizenga (MI)
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Loudermilk
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peterson
Pingree
Pocan
Poliquin
Polis
Quigley
Rangel
Rice (NY)
Rohrabacher
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Scott (VA)
Serrano
Sherman
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takai
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Velázquez
Visclosky
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Zeldin

NOES—262

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bera
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Butterfield
Byrne
Calvert
Carter (GA)
Castor (FL)
Chabot
Chaffetz
Clyburn
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Hinojosa
Holding
Hudson
Huelskamp
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
Lofgren
Long
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Perry
Peters
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (NC)
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Scalise
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Takano
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zinke

NOT VOTING—8

Brady (PA)
Carter (TX)
Clawson (FL)
Israel
Kaptur
Keating
Lujan Grisham (NM)
Pearce

□ 1342

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIR. The question is on the amendment in the nature of a substitute.

The amendment was agreed to.

The CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. SIMPSON, Chair of the Committee

of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1599) to amend the Federal Food, Drug, and Cosmetic Act with respect to food produced from, containing, or consisting of a bioengineered organism, the labeling of natural foods, and for other purposes, and, pursuant to House Resolution 369, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

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

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

RECORDED VOTE

Mr. PALLONE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 275, noes 150, not voting 8, as follows:

[Roll No. 462]

AYES—275

Abraham
Adams
Aderholt
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bera
Bilirakis
Bishop (GA)
Bishop (MI)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Carney
Carter (GA)
Castor (FL)
Chabot
Chaffetz
Clay
Cleaver
Clyburn
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Danny
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duckworth
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frelinghuysen
Fudge
Garamendi
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jackson Lee
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaMalfa
Lamborn
Latta
Lawrence
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
McCarthy
McCaul
McClintock
McCollum
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
Olson
Palazzo
Palmer
Pascrell
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Pompeo
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruppersberger
Russell
Ryan (WI)
Salmon
Scalise
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Veasey
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zinke

NOES—150

Aguilar
Amash
Bass
Beatty
Becerra
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brownley (CA)
Buchanan
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Cohen
Connolly
Conyers
Courtney
Crowley
Cummings
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Frankel (FL)
Franks (AZ)
Gabbard
Gallego
Gibson
Grayson
Grijalva
Gutiérrez
Hahn
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Jeffries
Johnson (GA)
Kennedy
Kildee
Kilmer
Kind
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis
Lieu, Ted
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
O'Rourke
Pallone
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Poliquin
Polis
Posey
Price (NC)
Quigley
Rangel
Rice (NY)
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Scott (VA)
Serrano
Sherman
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Zeldin

NOT VOTING—8

Bishop (UT)
Brady (PA)
Carter (TX)
Clawson (FL)
Israel
Kaptur
Keating
Lujan Grisham (NM)

□ 1350

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENT OFFERED BY MR. POLIS

Mr. POLIS. Mr. Speaker, I have an amendment at the desk to change the title of the bill to the ''Deny Americans the Right to Know Act.''

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Mr. Polis moves to amend the title of H.R. 1599 to read as follows: ''A bill to enact the 'Deny Americans the Right to Know Act' or the 'DARK Act'.''.

The SPEAKER pro tempore. Under clause 6 of rule XVI, the amendment is not debatable.

The question is on the amendment.

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

Mr. POLIS. 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 amendment to the title will be followed by a 5-minute vote on adoption of House Resolution 370.

The vote was taken by electronic device, and there were—yeas 87, nays 337, not voting 9, as follows:

[Roll No. 463]

YEAS—87

Aguilar
Bass
Becerra
Blumenauer
Bonamici
Boyle, Brendan F.
Capps
Cárdenas
Carson (IN)
Cartwright
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Connolly
Conyers
Cummings
DeFazio
DeGette
Delaney
DeLauro
DeSaulnier
Deutch
Edwards
Ellison
Fattah
Gabbard
Gallego
Grayson
Grijalva
Gutiérrez
Hahn
Higgins
Honda
Huffman
Johnson (GA)
Johnson, E. B.
Kennedy
Kuster
Lee
Levin
Lewis
Lieu, Ted
Lofgren
Lowenthal
Maloney, Carolyn
Massie
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Nolan
O'Rourke
Payne
Pelosi
Perlmutter
Pingree
Polis
Rangel
Rice (NY)
Roybal-Allard
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Schiff
Serrano
Sherman
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Titus
Tonko
Torres
Tsongas
Van Hollen
Velázquez
Visclosky
Waters, Maxine
Watson Coleman
Welch

NAYS—337

Abraham
Adams
Aderholt
Allen
Amash
Amodei

Ashford
Babin
Barletta
Barr
Barton
Beatty
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carney
Carter (GA)
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Himes
Hinojosa
Holding
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray (NM)
Lummis
MacArthur
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Meeks
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Napolitano
Neal
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (WI)
Salmon
Sanford
Sarbanes
Scalise
Schakowsky
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Vargas
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—9

Brady (PA)
Carter (TX)
Clawson (FL)
Israel
Kaptur
Keating
Lujan Grisham (NM)
Lynch
Woodall

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1407

Mr. RUIZ and Ms. WASSERMAN SCHULTZ changed their vote from ''yea'' to ''nay.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 3009, ENFORCE THE LAW FOR SANCTUARY CITIES ACT

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 370) providing for consideration of the bill (H.R. 3009) to amend section 241(i) of the Immigration and Nationality Act to deny assistance under such section to a State or political subdivision of a State that prohibits its officials from taking certain actions with respect to immigration, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 243, nays 174, not voting 16, as follows:

[Roll No. 464]

YEAS—243

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—174

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross