

opportunity to again pass meaningful reform to not only promote personal accountability but also to strengthen the opportunities for legitimate claims to be heard and adjudicated. Let us take one more step to turn back the tide of so-called "jackpot justice."

While runaway juries and frivolous lawsuits might make a few individuals and certain ambulance-chasing lawyers rich, the American people ultimately pay the price both economically and socially.

Mr. Speaker, discouraging individuals from taking personal responsibility does not help anyone. In fact, it will only make matters worse. Encouraging healthy lifestyles and wise dietary choices should always trump rewarding poor decisions by shifting the blame to innocent bystanders.

The Personal Responsibility in Food Consumption Act of 2005 is a good bill, and I look forward to further discussing its merits on the House floor today.

Mr. Speaker, as I mentioned earlier, a strong bipartisan majority passed this bill in the last Congress; and I have no reason to doubt that we should be able to pass it again by a similar, maybe even a stronger, margin; and I urge my colleagues to support this rule and the underlying bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to join many of my colleagues in strongly opposing the restrictive rule set forth on H.R. 554, the "The Personal Responsibility In Food Consumption Act of 2005." As you know, in light of the world we live and the importance of nutrition, this is a very important piece of legislation. Having such a restrictive rule truly goes too far and limits the protections of the American people. It goes without saying; this bill is drafted so broadly, it would immunize defendants for negligent and reckless behavior, including mislabeling of food products. I also object to the fact that the legislation applies retroactively, and is written for the benefit of a single special interest—the fast food industry. Third, I believe the legislation constitutes an unwarranted and hastily considered affront on our system of federalism. Finally, I oppose the bill because there are far preferable ways to respond to this issue than by rushing to judgment to pass a one-size-fits-all Federal law preempting all 50 states. Despite my concerns, I am pleased to see that a few very important amendments were ruled into order. If adopted, I believe these amendments will make major improvements to the bill.

In closing, let me note that while this issue may be important, there are far more urgent issues we need to be focusing on at this time. The aftermath of hurricanes Katrina and Rita, where thousands lost their homes and hundreds lost their lives. Unfortunately, those who were impacted the most were children. For example, many children lost 1 or both parents or a guardian as a result of Hurricane Katrina and Rita. This is where our thoughts and legislative actions need to be. In addition, the earthquake registering 7.6 in magnitude that struck Pakistan has caused major devastation in the region. While the numbers are still coming in, it has been estimated that 23,000 have died and at least 47,000 have been injured. There have also been a historical number of

children impacted by this massive earthquake. Those impacted have no access to clean drinking water, making them more vulnerable to disease and other infections.

Mr. GINGREY. 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 (Mr. LATOURETTE). The question is on the resolution.

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

Mr. GINGREY. 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 and the Chair's prior announcement, further proceedings on this question will be postponed.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 54 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1730

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LATOURETTE) at 5 o'clock and 30 minutes p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on H. Res. 494 and on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

- H. Res. 494, by the yeas and nays;
- H.R. 1409, by the yeas and nays;
- H. Res. 492, by the yeas and nays;
- H.R. 3549, by the yeas and nays;
- H.R. 3853, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

#### PROVIDING FOR CONSIDERATION OF H.R. 554, PERSONAL RESPONSIBILITY IN FOOD CONSUMPTION ACT OF 2005

The SPEAKER pro tempore. The pending business is the vote on adoption of House Resolution 494 on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 310, nays 114, not voting 9, as follows:

[Roll No. 524]

YEAS—310

Aderholt	Fortenberry	Melancon
Akin	Fossella	Menendez
Alexander	Foxa	Mica
Baca	Frank (MA)	Michaud
Bachus	Franks (AZ)	Miller (FL)
Baker	Frelinghuysen	Miller (MI)
Barrett (SC)	Gallely	Miller, Gary
Barrow	Garrett (NJ)	Moore (KS)
Bartlett (MD)	Gerlach	Moran (KS)
Barton (TX)	Gibbons	Moran (VA)
Bass	Gilchrest	Murphy
Bean	Gillmor	Musgrave
Beauprez	Gingrey	Myrick
Berkley	Gohmert	Neal (MA)
Berry	Gonzalez	Neugebauer
Biggert	Goode	Ney
Bilirakis	Goodlatte	Northup
Bishop (GA)	Gordon	Norwood
Bishop (NY)	Granger	Nunes
Bishop (UT)	Graves	Nussle
Blackburn	Green (WI)	Ortiz
Blunt	Green, Gene	Osborne
Boehlert	Gutierrez	Otter
Boehner	Gutknecht	Oxley
Bonilla	Hall	Paul
Bonner	Harman	Pearce
Bono	Harris	Pelosi
Boozman	Hart	Pence
Boren	Hastings (WA)	Peterson (MN)
Boucher	Hayes	Peterson (PA)
Boustany	Hayworth	Petri
Boyd	Hefley	Pickering
Bradley (NH)	Hensarling	Pitts
Brady (TX)	Herger	Platts
Brown (SC)	Herseth	Poe
Brown-Waite,	Higgins	Pombo
Ginny	Hinojosa	Pomeroy
Burgess	Hobson	Porter
Burton (IN)	Hoekstra	Price (GA)
Buyer	Hoolley	Pryce (OH)
Calvert	Hostettler	Putnam
Camp	Hoyer	Radanovich
Cannon	Hulshof	Ramstad
Cantor	Hunter	Rangel
Capito	Hyde	Regula
Carson	Inglis (SC)	Rehberg
Carter	Israel	Reichert
Case	Issa	Renzi
Castle	Istook	Reyes
Chabot	Jackson-Lee	Reynolds
Chandler	(TX)	Rogers (AL)
Chocola	Jenkins	Rogers (KY)
Coble	Jindal	Rogers (MI)
Cole (OK)	Johnson (CT)	Rohrabacher
Conaway	Johnson (IL)	Ros-Lehtinen
Conyers	Johnson, Sam	Ross
Cooper	Jones (NC)	Royce
Costa	Kelly	Ruppersberger
Cramer	Kennedy (MN)	Ryan (WI)
Crenshaw	Kennedy (RI)	Ryun (KS)
Cubin	Kildee	Salazar
Cuellar	Kind	Sanchez, Linda
Culberson	King (IA)	T.
Cunningham	King (NY)	Sanchez, Loretta
Davis (AL)	Kirk	Sanders
Davis (CA)	Kline	Saxton
Davis (KY)	Knollenberg	Schmidt
Davis (TN)	Kolbe	Schwartz (PA)
Davis, Jo Ann	Kuhl (NY)	Schwarz (MI)
Davis, Tom	LaHood	Scott (GA)
Deal (GA)	Langevin	Scott (VA)
DeFazio	Larsen (WA)	Sensenbrenner
DeGette	Latham	Serrano
DeLay	LaTourette	Sessions
Dent	Leach	Shadegg
Diaz-Balart, L.	Lewis (CA)	Shaw
Diaz-Balart, M.	Lewis (KY)	Shays
Dicks	Linder	Sherwood
Dingell	LoBiondo	Shimkus
Doolittle	Lucas	Shuster
Doyle	Lungren, Daniel	Simmons
Drake	E.	Simpson
Dreier	Lynch	Skelton
Duncan	Mack	Smith (NJ)
Edwards	Manzullo	Smith (TX)
Ehlers	Marchant	Smith (WA)
Emanuel	Marshall	Snyder
Emerson	Matheson	Soderl
English (PA)	McCaul (TX)	Souder
Everett	McCotter	Stearns
Feeney	McCrery	Sullivan
Ferguson	McHenry	Sweeney
Fitzpatrick (PA)	McHugh	Tancredo
Flake	McIntyre	Tanner
Foley	McKeon	Taylor (MS)
Forbes	McMorris	Taylor (NC)