



The Daily Whip

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WEDNESDAY, MARCH 8, 2006

House Meets At...	Last Vote Predicted At...
10:00 a.m.: Legislative Business Unlimited "One Minutes"	5:00 p.m.

FLOOR SCHEDULE AND BILL SUMMARY

***SIGN BARROW DISCHARGE PETITION (#11).** The Barrow Discharge Petition would force consideration of the Miller (CA)-Owens bill (HR2429) to raise the minimum wage from \$5.15 to \$7.25 an hour over two years.

Suspensions (8 bills):

- 1) **H.R. 2383** – To redesignate the facility of the Bureau of Reclamation located at 19550 Kelso Road in Byron, California, as the "C.W. 'Bill' Jones Pumping Plant" (*Rep. Nunes – Resources*)
- 2) **H.R. 1190** – San Diego Water Storage and Efficiency Act of 2005 (*Rep. Hunter – Resources*)
- 3) **S. 1578** – Upper Colorado and San Juan River Basin Endangered Fish Recovery Programs Reauthorization Act of 2005 (*Sen. Allard – Resources*)
- 4) **H.R. 4192** – To authorize the Secretary of the Interior to designate the President William Jefferson Clinton Birthplace Home in Hope, Arkansas, as a National Historic Site and unit of the National Park System, and for other purposes (*Rep. Ross – Resources*)
- 5) **H.R. 4472** – Children's Safety and Violent Crime Reduction Act of 2005 (*Rep. Sensenbrenner – Judiciary*)
- 6) **H.R. 1053** – To authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Ukraine (*Rep. Gerlach – Ways and Means*)
- 7) **H.Res. 673** – Expressing support for the efforts of the people of the Republic of Belarus to establish a full democracy, the rule of law, and respect for human rights and urging the Government of Belarus to conduct a free and fair presidential election on March 19, 2006 (*Rep. Shimkus – International Relations*)
- 8) **H.R. 3505** – Financial Services Regulatory Relief Act of 2005 (*Rep. Hensarling – Financial Services*)

Motion to go to Conference on H.R. 2830 – Pension Act (*Rep. McKeon – Education and the Workforce*). **Democratic Motion to Instruct.**

H.Res. 710 – Rule providing for consideration of amendments to HR4167 - National Uniformity for Food Act. The 2nd Rule reported for consideration of HR 4167 is a restrictive rule that provides one motion to recommit with or without instructions and makes in order 6 amendments:

- **Barton Manager's Amendment (10 minutes).** To delete section (f) from Section 403B and to insert in Section 403A a new clause clarifying when states may act to implement food adulteration standards in absence of a federal adulteration standard for a particular food. Under the amendment, if the FDA has established a federal adulteration or food tolerance standard the state must enforce that standard; if the FDA has considered and officially rejected a federal standard then states may not enforce requirements rejected by the Secretary. However, if the Secretary has not acted to establish a standard or rejected a standard then a state could establish its own adulteration or tolerance standard without having to petition or seek approval from the FDA.
- **Cardoza Amendment (20 minutes).** To provide for expedited consideration of state petitions that seek adoption of national warning requirements or exemptions from uniformity for state warning requirements in three cases: (1) where the requested warning relates to cancer-causing agents; (2) where the requested warning related to reproductive effects or birth defects; and (3) where the requested warning is intended to provide information that will allow parents or guardians to understand, monitor, or limit a child's exposure to cancer-causing agents or reproductive or developmental toxins.
- **Rogers (MI) Amendment (10 minutes).** To state that the changes of law made by this legislation will not take effect until after the Secretary of Health and Human Services certifies to the Congress, after consultation with the Secretary of Homeland Security, that the implementation of the legislation will pose no additional risk to the public health or safety from terrorist attacks relating to the food supply.
- **Waxman Amendment (10 minutes).** To limit the scope of HR 4167 in order to preserve state authorities that help defend and respond to bioterrorism attacks. Specifically, when a Governor or State legislature certifies that a state authority is useful in establishing or maintaining a food supply that is adequately protected from bioterrorism attack, the state authority is not affected by the Act.

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- **Capps/ Stupak/Waxman/Eshoo Amendment (20 minutes)**. To permit states to maintain or enact food warning laws that require notifications regarding the risks of cancer, birth defects, reproductive health issues, and allergic reactions associated with sulfiting agents in bulk foods. It also permits states to maintain or enact food warning laws notifying parents of the risks of cancer, reproductive or developmental toxins, and food borne pathogens associated with certain foods, as well as laws governing food safety standards and tolerance levels related to limiting children's exposure to these risks.
- **Wasserman-Schultz Amendment (10 minutes)**. To prevent the National Uniformity for Food Act from affecting any State law, regulation, proposition or other action that establishes a notification requirement regarding the presence or potential effects of mercury in fish and shellfish.

H.R. 4167 - National Uniformity for Food Act of 2005 (Rep. Rogers (MI) - Energy and Commerce) (Subject to a Rule - Complete Consideration). This bill enables the Food and Drug Administration (FDA) to establish a national standard for food safety and warning requirements; prohibits states from establishing any food safety labeling notification requirements on food packaging; and prohibits states from continuing any current food safety notification label warning requirements after a grace period of 180 days from enactment. Currently, states have the ability to establish and enforce food safety labeling requirements over and above any standards set by the FDA. HR 4167 would allow states to petition the FDA within the 180-day grace period, for a waiver to allow any labeling requirements that are already in place to remain in place; and to request the establishment of additional federal regulations. This bill was reported out of the Energy and Commerce Committee without a hearing on December 15, 2006 by a vote of 30-18 (with 4 Democrats voting Yes and 17 voting No). Last week, the House completed one hour of general debate on HR4167 and today it will consider amendments to the bill.

TOMORROW'S OUTLOOK

The GOP Leadership has announced the following schedule: on Thursday, the House will meet at 10:00 a.m. for legislative business. The House will consider **H.R. 2829 – Office of National Drug Control Policy Reauthorization Act of 2005 (Rep. Souder – Government Reform) (Subject to a Rule)**.

Daily Quote...

"It still gives me heartburn."

- Sen. Jim DeMint (R-S.C.), on having to vote to raise the debt limit because of record Republican deficits, in a news story in *The Hill* this morning. If this debt limit is approved, the debt limit will have increased by more than \$3 trillion under the Bush Administration and Congressional Republicans.