

ANSWERED "PRESENT"—1

Sisisky

NOT VOTING—5

Collins (IL)
FurseMcKinney
Mollohan

Stokes

So the amendment was not agreed to.
After some further time,

¶19.22 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. SOLOMON:

Strike title II (page 81, line 5, through page 118, line 17) and insert the following:

TITLE II—DAIRY

SEC. 201. MILK PRICE SUPPORT PROGRAM.

(a) SUPPORT ACTIVITIES.—During the period beginning on the date of the enactment of this Act and ending December 31, 2000, the Secretary of Agriculture shall support the price of milk produced in the 48 contiguous States through the purchase of cheese, butter, and nonfat dry milk produced from the milk.

(b) RATE.—The price of milk shall be supported at the following rates per hundred-weight for milk containing 3.67 percent butterfat:

- (1) During calendar year 1996, \$10.15.
- (2) During calendar year 1997, \$10.05.
- (3) During calendar year 1998, \$9.95.
- (4) During calendar year 1999, \$9.85.
- (5) During calendar year 2000, \$9.75.

(c) BID PRICES.—The support purchase prices under this section for each of the products of milk (butter, cheese, and nonfat dry milk) announced by the Secretary shall be the same for all of that product sold by persons offering to sell the product to the Secretary. The purchase prices shall be sufficient to enable plants of average efficiency to pay producers, on average, a price that is not less than the rate of price support for milk in effect under subsection (b).

(d) SPECIAL RULE FOR BUTTER AND NONFAT DRY MILK.—

(1) ALLOCATION OF PURCHASE PRICES.—The Secretary may allocate the rate of price support between the purchase prices for nonfat dry milk and butter in a manner that will result in the lowest level of expenditures by the Commodity Credit Corporation or achieve such other objectives as the Secretary considers appropriate. The Secretary shall notify the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate of the allocation.

(2) TIMING OF PURCHASE PRICE ADJUSTMENTS.—The Secretary may make any such adjustments in the purchase prices for nonfat dry milk and butter the Secretary considers to be necessary not more than twice in each calendar year.

(e) REFUNDS OF 1995 AND 1996 ASSESSMENTS.—

(1) REFUND REQUIRED.—The Secretary shall provide for a refund of the entire reduction required under section 204(h)(2) of the Agricultural Act of 1949 (7 U.S.C. 1446e(h)(2)), as in effect on the day before the date of the enactment of this Act, in the price of milk received by a producer during calendar year 1995 or 1996, if the producer provides evidence that the producer did not increase marketings in calendar year 1995 or 1996 when compared to calendar year 1994 or 1995, respectively.

(2) EXCEPTION.—This subsection shall not apply with respect to a producer for a particular calendar year if the producer has already received a refund under section 204(h) of the Agricultural Act of 1949 for the same fiscal year before the date of the enactment of this Act.

(3) TREATMENT OF REFUND.—A refund under this subsection shall not be considered as any type of price support or payment for purposes of sections 1211 and 1221 of the Food Security Act of 1985 (16 U.S.C. 3811 and 3821).

(f) COMMODITY CREDIT CORPORATION.—The Secretary shall carry out the program authorized by this section through the Commodity Credit Corporation.

(g) PERIOD OF EFFECTIVENESS.—This section shall be effective only during the period beginning on the date of the enactment of this Act and ending on December 31, 2000. The program authorized by this section shall terminate on December 31, 2000, and shall be considered to have expired notwithstanding section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907).

SEC. 202. CONSOLIDATION AND REFORM OF FEDERAL MILK MARKETING ORDERS.

(a) AMENDMENT OF ORDERS.—As soon as practicable after the date of the enactment of this Act, the Secretary shall amend Federal milk marketing orders issued under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, to—

- (1) limit the number of Federal milk marketing orders to between 10 and 14 orders; and
- (2) provide for multiple basing points for the pricing of milk.

(b) EXPEDITED PROCESS.—Using the rule making procedures provided in section 553 of title 5, United States Code, the Secretary shall—

- (1) announce the amendments required under subsection (a) not later than December 31, 1998; and
- (2) implement the amendments not later than December 31, 2000.

(c) FUNDING.—Effective beginning January 1, 2001, the Secretary shall not use any funds to administer more than 14 Federal milk marketing orders.

(d) STUDY REGARDING FURTHER REFORMS.—Not later than January 1, 1998, the Secretary of Agriculture shall submit to Congress a report—

- (1) reviewing the Federal milk marketing order system established pursuant to section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, in light of the reforms required by subsection (a); and
- (2) containing such recommendations as the Secretary considers appropriate for further improvements and reforms to the Federal milk marketing order system.

SEC. 203. DAIRY EXPORT INCENTIVE PROGRAM.

(a) DURATION.—Section 153(a) of the Food Security Act of 1985 (15 U.S.C. 713a-14) is amended by striking "2001" and inserting "2002".

(b) SOLE DISCRETION.—Section 153(b) of the Food Security Act of 1985 is amended by inserting "sole" before "discretion".

(c) ELEMENTS OF PROGRAM.—Section 153(c) of the Food Security Act of 1985 is amended—

- (1) by striking "and" at the end of paragraph (1);
- (2) by striking the period at the end of paragraph (2) and inserting "; and"; and
- (3) by adding at the end the following:

"(3) the maximum volume of dairy product exports allowable consistent with the obligations of the United States as a member of the World Trade Organization is exported under the program each year (minus the volume sold under section 1163 of the Food Security Act of 1985 (Public Law 99-198; 7 U.S.C. 1731 note) during that year), except to the extent that the export of such a volume under the program would, in the judgment of

the Secretary, exceed the limitations on the value set forth in subsection (f); and

"(4) payments may be made under the program for exports to any destination in the world for the purpose of market development, except a destination in a country with respect to which shipments from the United States are otherwise restricted by law."

(d) MARKET DEVELOPMENT.—Section 153(e)(1) of the Food Security Act of 1985 is amended—

(1) by striking "and" and inserting "the"; and

(2) by inserting before the period the following: " , and any additional amount that may be required to assist in the development of world markets for United States dairy products".

(e) MAXIMUM ALLOWABLE AMOUNTS.—Section 153 of the Food Security Act of 1985 is amended by adding at the end the following:

"(f) REQUIRED FUNDING.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the Commodity Credit Corporation shall in each year use money and commodities for the program under this section in the maximum amount consistent with the obligations of the United States as a member of the World Trade Organization, minus the amount expended under section 1163 of the Food Security Act of 1985 (Public Law 99-198; 7 U.S.C. 1731 note) during that year.

"(2) VOLUME LIMITATIONS.—The Commodity Credit Corporation may not exceed the limitations specified in subsection (c)(3) on the volume of allowable dairy product exports."

SEC. 204. EFFECT ON FLUID MILK STANDARDS IN THE STATE OF CALIFORNIA.

Nothing in this Act or any other provision of law shall be construed to preempt, prohibit or otherwise limit the authority of the State of California, directly or indirectly, to establish or continue in effect any law, regulation or requirement regarding—

- (1) the percentage of milk solids or solids not fat in fluid milk products sold at retail or marketed in the State of California; or
- (2) the labeling of such fluid milk products with regard to milk solids or solids not fat.

SEC. 205. REPEAL OF MILK MANUFACTURING MARKETING ADJUSTMENT.

Section 102 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 1446e-1) is repealed.

SEC. 206. PROMOTION.

(a) CONGRESSIONAL PURPOSE.—Section 1999B(a) of the Fluid Milk Promotion Act of 1990 (7 U.S.C. 6401(a)) is amended—

- (1) by redesignating paragraphs (6), (7) and (8) as paragraphs (7), (8) and (9), respectively; and

(2) by inserting after paragraph (5) the following new paragraph:

"(6) the congressional purpose underlying this subtitle is to maintain and expand markets for fluid milk products, not to maintain or expand any processor's share of those markets and that the subtitle does not prohibit or restrict individual advertising or promotion of fluid milk products since the programs created and funded by this subtitle are not intended to replace individual advertising and promotion efforts;"

(b) CONGRESSIONAL POLICY.—Section 1999B(b) of the Fluid Milk Promotion Act of 1990 (7 U.S.C. 6401(b)) is amended to read as follows:

"(b) POLICY.—It is declared to be the policy of Congress that it is in the public interest to authorize the establishment, through the exercise of powers provided in this subtitle, of an orderly procedure for developing, financing, through adequate assessments on fluid milk products produced in the United States and carrying out an effective, continuous, and coordinated program of promotion, research, and consumer information designed

to strengthen the position of the dairy industry in the marketplace and maintain and expand domestic and foreign markets and uses for fluid milk products, the purpose of which is not to compete with or replace individual advertising or promotion efforts designed to promote individual brand name or trade name fluid milk products, but rather to maintain and expand the markets for all fluid milk products, with the goal and purpose of this subtitle being a national governmental goal that authorizes and funds programs that result in government speech promoting government objectives.”.

(c) RESEARCH.—Section 1999C(6) of the Fluid Milk Promotion Act of 1990 (7 U.S.C. 6402(6)) is amended to read as follows:

“(6) RESEARCH.—The term ‘research’ means market research to support advertising and promotion efforts, including educational activities, research directed to product characteristics, product development, including new products or improved technology in production, manufacturing or processing of milk and the products of milk.”.

(d) VOTING.—(1) Section 1999N(b)(2) of the Fluid Milk Promotion Act of 1990 (7 U.S.C. 6413(b)(2)) is amended by striking “all processors” and inserting “fluid milk processors voting in the referendum”.

(2) Section 1999O(c) of such Act (7 U.S.C. 6414(c)) is amended by striking “all processors” each place it appears and inserting “fluid milk processors voting in the referendum”.

(e) DURATION.—Section 1999O(a) of the Fluid Milk Promotion Act of 1990 (7 U.S.C. 6414(a)) is amended by striking “1996” and inserting “2002”.

It was decided in the affirmative	<table border="0"> <tr> <td>Yeas</td> <td>258</td> </tr> <tr> <td>Nays</td> <td>164</td> </tr> <tr> <td>Answered present</td> <td>1</td> </tr> </table>	Yeas	258	Nays	164	Answered present	1
		Yeas	258				
		Nays	164				
Answered present	1						

¶19.23 [Roll No. 36] AYES—258

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|--------------|---------------|---------------|
| Ackerman | Coyne | Gejdenson |
| Allard | Cramer | Gekas |
| Andrews | Crane | Gilman |
| Bachus | Cremeans | Goodlatte |
| Baker (CA) | Cunningham | Goss |
| Baker (LA) | Davis | Graham |
| Baldacci | Deal | Gutierrez |
| Ballenger | DeLauro | Hall (OH) |
| Barr | Dellums | Hamilton |
| Barton | Deutsch | Hancock |
| Bass | Diaz-Balart | Harman |
| Bateman | Dicks | Hastert |
| Becerra | Dixon | Hastings (FL) |
| Beilenson | Doggett | Hayes |
| Bereuter | Dooley | Hefley |
| Berman | Dornan | Hefner |
| Bevill | Doyle | Heineman |
| Billbray | Dreier | Hilleary |
| Billrakis | Duncan | Hilliard |
| Bishop | Durbin | Hinchesy |
| Bliley | Ehrlich | Holden |
| Blute | Engel | Hostettler |
| Boehlert | English | Houghton |
| Boehner | Ensign | Hutchinson |
| Borski | Eshoo | Hyde |
| Browder | Evans | Inglis |
| Brown (FL) | Everett | Istook |
| Brown (OH) | Farr | Jacobs |
| Burr | Fattah | Jefferson |
| Buyer | Fazio | Johnson, Sam |
| Callahan | Fields (LA) | Jones |
| Campbell | Fields (TX) | Kanjorski |
| Canady | Flake | Kelly |
| Cardin | Flanagan | Kennedy (MA) |
| Castle | Foglietta | Kennedy (RI) |
| Chabot | Foley | Kennelly |
| Christensen | Forbes | King |
| Clay | Fowler | Kingston |
| Clayton | Fox | Klink |
| Clement | Frank (MA) | Knollenberg |
| Clinger | Franks (CT) | LaFalce |
| Clyburn | Franks (NJ) | Lantos |
| Coble | Frelinghuysen | Largent |
| Collins (GA) | Frisa | LaTourette |
| Condit | Funderburk | Lazio |
| Conyers | Gallely | Leach |
| Cox | Ganske | Lewis (GA) |

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|-------------|---------------|-------------|
| Lightfoot | Olver | Skeen |
| Lincoln | Ortiz | Slaughter |
| Linder | Owens | Smith (NJ) |
| Livingston | Packard | Solomon |
| LoBiondo | Pallone | Souder |
| Lofgren | Parker | Spence |
| Longley | Paxon | Spratt |
| Lowey | Payne (NJ) | Stearns |
| Maloney | Payne (VA) | Stockman |
| Manzullo | Peterson (FL) | Talent |
| Martinez | Pickett | Tate |
| Martini | Porter | Tauzin |
| Mascara | Portman | Taylor (MS) |
| Matsui | Pryce | Taylor (NC) |
| McCollum | Quillen | Thomas |
| McCrary | Quinn | Thurman |
| McDermott | Radanovich | Tiahrt |
| McHale | Rangel | Torkildsen |
| McHugh | Reed | Torres |
| McInnis | Richardson | Towns |
| McIntosh | Ros-Lehtinen | Velazquez |
| McNulty | Roukema | Visclosky |
| Meehan | Roybal-Allard | Vucanovich |
| Meek | Rush | Waldholtz |
| Menendez | Salmon | Walker |
| Meyers | Sanford | Walsh |
| Mica | Saxton | Wamp |
| Miller (CA) | Scarborough | Watt (NC) |
| Miller (FL) | Schaefer | Watts (OK) |
| Moakley | Schiff | Waxman |
| Molinari | Schumer | Weldon (FL) |
| Moran | Scott | Weldon (PA) |
| Morella | Seastrand | Weller |
| Murtha | Serrano | White |
| Myrick | Shaw | Wynn |
| Nadler | Shays | Yates |
| Neal | Shuster | Young (FL) |
| Ney | Sisisky | Zeliff |
| Norwood | Skaggs | Zimmer |

NOES—164

- | | | |
|--------------|----------------|---------------|
| Abercrombie | Gillmor | Nussle |
| Archer | Gonzalez | Oberstar |
| Armey | Goodling | Obey |
| Baersler | Gordon | Orton |
| Barcia | Green | Oxley |
| Barrett (NE) | Greenwood | Pastor |
| Barrett (WI) | Gunderson | Pelosi |
| Bartlett | Gutknecht | Peterson (MN) |
| Bentsen | Hall (TX) | Petri |
| Bonilla | Hansen | Pombo |
| Bonior | Hastings (WA) | Pomeroy |
| Bono | Hayworth | Poshard |
| Boucher | Herger | Rahall |
| Brewster | Hobson | Ramstad |
| Brown (CA) | Hoekstra | Regula |
| Brownback | Hoke | Rivers |
| Bryant (TN) | Horn | Roberts |
| Bryant (TX) | Hoyer | Roemer |
| Bunn | Hunter | Rogers |
| Bunning | Jackson (IL) | Rohrabacher |
| Burton | Jackson-Lee | Roth |
| Calvert | (TX) | Royce |
| Camp | Johnson (CT) | Sabo |
| Chambliss | Johnson (SD) | Sanders |
| Chapman | Johnson, E. B. | Sawyer |
| Chenoweth | Johnston | Schroeder |
| Chrysler | Kaptur | Sensenbrenner |
| Coburn | Kasich | Shadegg |
| Coleman | Kildee | Skelton |
| Collins (MI) | Kim | Smith (MI) |
| Combest | Kleczka | Smith (TX) |
| Cooley | Klug | Smith (WA) |
| Costello | Kolbe | Stenholm |
| Crapo | LaHood | Stump |
| Cubin | Latham | Stupak |
| Danner | Laughlin | Tanner |
| de la Garza | Levin | Tejeda |
| DeFazio | Lewis (CA) | Thompson |
| DeLay | Lewis (KY) | Thornberry |
| Dickey | Lipinski | Thornton |
| Dingell | Lucas | Torricelli |
| Doolittle | Luther | Traficant |
| Dunn | Manton | Upton |
| Edwards | McCarthy | Vento |
| Ehlers | McDade | Volkmer |
| Emerson | McKeon | Ward |
| Ewing | Metcalf | Waters |
| Fawell | Minge | Whitfield |
| Filner | Mink | Wicker |
| Ford | Mollohan | Williams |
| Frost | Montgomery | Wilson |
| Gephardt | Moorhead | Wise |
| Gerens | Myers | Wolf |
| Gibbons | Nethercutt | Woolsey |
| Gilchrist | Neumann | Young (AK) |

ANSWERED “PRESENT”—1

Riggs

NOT VOTING—8

- | | | |
|--------------|----------|--------|
| Collins (IL) | McKinney | Stokes |
| Furse | Rose | Studds |
| Markey | Stark | |

So the amendment was agreed to.

After some further time,

The SPEAKER pro tempore, Mr. LAHOOD, assumed the Chair.

When Mr. YOUNG of Florida, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶19.24 HOUR OF MEETING

On motion of Mr. SOLOMON, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 9 o'clock a.m. on Thursday, February 29, 1996.

¶19.25 ORDER OF BUSINESS—

CONSIDERATION OF AMENDMENT—
H.R. 2854

On motion of Mr. TRAFICANT, by unanimous consent,

Ordered, That during the consideration of the bill (H.R. 2854) to modify the operation of certain agricultural programs, pursuant to House Resolution 366, the following amendment may be offered in lieu of the amendment numbered 15 printed in House Report 104-463:

At the end of title V, page 139, after line 17, add the following section: Sense of the Congress regarding purchase of American-made equipment and products requirement regarding notice. Any purchase of American-made equipment and products in the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this act or amendments made by this act, it is the sense of Congress that persons receiving such assistance should in expending the assistance purchase only American-made equipment and products.

B, the notice to recipients of assistance in providing financial assistance under this act or amendments made by this act, the Secretary of Agriculture shall provide to each recipient of the assistance a notice describing the statement made in subsection A by the Congress.

¶19.26 FOREIGN OPERATIONS
AUTHORIZATION

On motion of Mr. GILMAN, by unanimous consent, the bill (H.R. 1561) to consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, and for other purposes, with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. GILMAN, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Thereupon, the SPEAKER pro tempore, Mr. LAHOOD, by unanimous consent, announced the appointment of