

Markey	Porter	Stockman
Martinez	Portman	Stokes
Martini	Poshard	Studds
Mascara	Pryce	Stump
Matsui	Quillen	Stupak
McCarthy	Quinn	Talent
McCollum	Radanovich	Tate
McDade	Rahall	Tauzin
McDermott	Ramstad	Taylor (MS)
McHale	Rangel	Taylor (NC)
McHugh	Reed	Tejeda
McInnis	Regula	Thomas
McIntosh	Reynolds	Thompson
McKeon	Richardson	Thornberry
McKinney	Riggs	Thurman
McNulty	Rivers	Tiahrt
Meehan	Roberts	Torkildsen
Meek	Roemer	Torres
Menendez	Rogers	Torricelli
Metcalfe	Rohrabacher	Towns
Meyers	Ros-Lehtinen	Trafiacant
Mfume	Rose	Tucker
Mica	Roybal-Allard	Upton
Miller (CA)	Royce	Velazquez
Miller (FL)	Rush	Vento
Mineta	Sabo	Visclosky
Minge	Sanders	Volkmer
Mink	Sanford	Vucanovich
Moakley	Sawyer	Waldholtz
Molinari	Saxton	Walker
Mollohan	Scarborough	Walsh
Moorhead	Schaefer	Wamp
Morella	Schiff	Ward
Murtha	Schroeder	Waters
Nadler	Schumer	Watt (NC)
Neal	Scott	Watts (OK)
Nethercutt	Seastrand	Waxman
Neumann	Sensenbrenner	Weldon (FL)
Ney	Serrano	Weldon (PA)
Nussle	Shadegg	Weller
Oberstar	Shaw	White
Obey	Shays	Whitfield
Olver	Shuster	Wicker
Ortiz	Sisisky	Williams
Owens	Skaggs	Wilson
Oxley	Skeen	Wise
Packard	Skelton	Wolf
Pallone	Slaughter	Woolsey
Paxon	Smith (MI)	Wyden
Payne (NJ)	Smith (NJ)	Wynn
Peterson (FL)	Smith (TX)	Yates
Peterson (MN)	Solomon	Young (AK)
Petri	Spence	Young (FL)
Pickett	Spratt	Zeliff
Pombo	Stark	Zimmer
Pomeroy	Stearns	

NOT VOTING—4

Clay	Salmon
Roukema	Smith (WA)

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

49.6 RECORDED VOTE

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

In title V of the bill, strike subtitle B and insert the following:

Subtitle B—Consolidating Food Assistance Programs

SEC. 531. FOOD STAMP BLOCK GRANT PROGRAM.

(a) **AUTHORITY TO MAKE BLOCK GRANTS.**—The Secretary of Agriculture shall make grants in accordance with this section to States to provide food assistance to individuals who are economically disadvantaged and to individuals who are members of economically disadvantaged families.

(b) **DISTRIBUTION OF FUNDS.**—The funds appropriated to carry out this section for any fiscal year shall be allotted among the States as follows:

(1) Of the aggregate amount to be distributed under this section, .21 percent shall be reserved for grants to Guam, the Virgin Islands of the United States, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and Palau.

(2) Of the aggregate amount to be distributed under this section, .24 percent shall be

reserved for grants to tribal organizations that have governmental jurisdiction over geographically defined areas and shall be allocated equitably by the Secretary among such organizations.

(3) The remainder of such aggregate amount shall be allocated among the remaining States. The amount allocated to each of the remaining States shall bear the same proportion to such remainder as the number of resident individuals in such State who are economically disadvantaged separately or as members of economically disadvantaged families bears to the aggregate number of resident individuals in all such remaining States who are economically disadvantaged separately or as members of economically disadvantaged families.

(c) **ELIGIBILITY TO RECEIVE GRANTS.**—To be eligible to receive a grant in the amount allotted to a State for a fiscal year, such State shall submit to the Secretary an application in such form, and containing such information and assurances, as the Secretary may require by rule, including—

(1) an assurance that such grant will be expended by the State to provide food assistance to resident individuals in such State who are economically disadvantaged separately or as members of economically disadvantaged families,

(2) an assurance that not more than 5 percent of such grant will be expended by the State for administrative costs incurred to provide assistance under this section, and

(3) an assurance that an individual who has not worked 32 hours in a calendar month shall be ineligible to receive food assistance under this subtitle during the succeeding month unless such individual is—

(A) disabled,

(B) has attained 60 years of age, or

(C) residing with one or more of such individual's children who have not attained 18 years of age, but is not residing with any other parent of any of such children, unless that other parent is disabled.

(d) **ANNUAL REPORT.**—Each State that receives funds appropriated to carry out this section for a fiscal year shall submit the Secretary, not later than May 1 following such fiscal year, a report—

(1) specifying the number of families who received food assistance under this section provided by such State in such fiscal year;

(2) specifying the number of individuals who received food assistance under this section provided by such State in such fiscal year;

(3) the amount of such funds expended in such fiscal year by such State to provide food assistance; and

(4) the administrative costs incurred in such fiscal year by such State to provide food assistance.

(e) **LIMITATION.**—No State or political subdivision of a State that receives funds provided under this title shall replace any employed worker with an individual who is participating in a work program for the purpose of complying with subsection (c)(3). Such an individual may be placed in any position offered by the State or political subdivision that—

(A) is a new position,

(B) is a position that became available in the normal course of conducting the business of the State or political subdivision,

(C) involves performing work that would otherwise be performed on an overtime basis by a worker who is not an individual participating in such program, or

(D) that is a position which became available by shifting a current employee to an alternate position.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—(1) There are authorized to be appropriated to carry out this section \$26,245,000,000 for each

of the fiscal years 1996, 1997, 1998, 1999, and 2000.

(2) For the purpose of affording adequate notice of funding available under this section, an appropriation to carry out this section is authorized to be included in an appropriation Act for the fiscal year preceding the fiscal year for which such appropriation is available for obligation.

SEC. 532. AVAILABILITY OF FEDERAL COUPON SYSTEM TO STATES.

(a) **ISSUANCE, PURCHASE, AND USE OF COUPONS.**—The Secretary shall issue, and make available for purchase by States, coupons for the retail purchase of food from retail food stores that are approved in accordance with subsection (b). Coupons issued, purchased, and used as provided in this section shall be redeemable at face value by the Secretary through the facilities of the Treasury of the United States. The purchase price of each coupon issued under this subsection shall be the face value of such coupon.

(b) **APPROVAL OF RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS.**—(1) Regulations issued pursuant to this section shall provide for the submission of applications for approval by retail food stores and wholesale food concerns which desire to be authorized to accept and redeem coupons under this section. In determining the qualifications of applicants, there shall be considered among such other factors as may be appropriate, the following:

(A) The nature and extent of the food business conducted by the applicant.

(B) The volume of coupon business which may reasonably be expected to be conducted by the applicant food store or wholesale food concern.

(C) The business integrity and reputation of the applicant.

Approval of an applicant shall be evidenced by the issuance to such applicant of a non-transferable certificate of approval. The Secretary is authorized to issue regulations providing for a periodic reauthorization of retail food stores and wholesale food concerns.

(2) A buyer or transferee (other than a bona fide buyer or transferee) of a retail food store or wholesale food concern that has been disqualified under subsection (d) may not accept or redeem coupons until the Secretary receives full payment of any penalty imposed on such store or concern.

(3) Regulations issued pursuant to this section shall require an applicant retail food store or wholesale food concern to submit information which will permit a determination to be made as to whether such applicant qualifies, or continues to qualify, for approval under this section or the regulations issued pursuant to this section. Regulations issued pursuant to this section shall provide for safeguards which limit the use or disclosure of information obtained under the authority granted by this subsection to purposes directly connected with administration and enforcement of this section or the regulations issued pursuant to this section, except that such information may be disclosed to and used by States that purchase such coupons.

(4) Any retail food store or wholesale food concern which has failed upon application to receive approval to participate in the program under this section may obtain a hearing on such refusal as provided in subsection (f).

(c) **REDEMPTION OF COUPONS.**—Regulations issued under this section shall provide for the redemption of coupons accepted by retail food stores through approved wholesale food concerns or through financial institutions which are insured by the Federal Deposit Insurance Corporation, or which are insured under the Federal Credit Union Act (12 U.S.C. 1751 et seq.) and have retail food stores or wholesale food concerns in their

field of membership, with the cooperation of the Treasury Department, except that retail food stores defined in section 533(9)(D) shall be authorized to redeem their members' food coupons prior to receipt by the members of the food so purchased, and publicly operated community mental health centers or private nonprofit organizations or institutions which serve meals to narcotics addicts or alcoholics in drug addiction or alcoholic treatment and rehabilitation programs, public and private nonprofit shelters that prepare and serve meals for battered women and children, public or private nonprofit group living arrangements that serve meals to disabled or blind residents, and public or private nonprofit establishments, or public or private nonprofit shelters that feed individuals who do not reside in permanent dwellings and individuals who have no fixed mailing addresses shall not be authorized to redeem coupons through financial institutions which are insured by the Federal Deposit Insurance Corporation or the Federal Credit Union Act. No financial institution may impose on or collect from a retail food store a fee or other charge for the redemption of coupons that are submitted to the financial institution in a manner consistent with the requirements, other than any requirements relating to cancellation of coupons, for the presentation of coupons by financial institutions to the Federal Reserve banks.

(d) CIVIL MONEY PENALTIES AND DISQUALIFICATION OF RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS.—(1) Any approved retail food store or wholesale food concern may be disqualified for a specified period of time from further participation in the coupon program under this section, or subjected to a civil money penalty of up to \$10,000 for each violation if the Secretary determines that its disqualification would cause hardship to individuals who receive coupons, on a finding, made as specified in the regulations, that such store or concern has violated this section or the regulations issued pursuant to this section.

(2) Disqualification under paragraph (1) shall be—

(A) for a reasonable period of time, of no less than 6 months nor more than 5 years, upon the first occasion of disqualification,

(B) for a reasonable period of time, of no less than 12 months nor more than 10 years, upon the second occasion of disqualification, and

(C) permanent upon—

(i) the third occasion of disqualification,

(ii) the first occasion or any subsequent occasion of a disqualification based on the purchase of coupons or trafficking in coupons by a retail food store or wholesale food concern, except that the Secretary shall have the discretion to impose a civil money penalty of up to \$20,000 for each violation (except that the amount of civil money penalties imposed for violations occurring during a single investigation may not exceed \$40,000) in lieu of disqualification under this subparagraph, for such purchase of coupons or trafficking in coupons that constitutes a violation of this section or the regulations issued pursuant to this section, if the Secretary determines that there is substantial evidence (including evidence that neither the ownership nor management of the store or food concern was aware of, approved, benefited from, or was involved in the conduct or approval of the violation) that such store or food concern had an effective policy and program in effect to prevent violations of this section and such regulations, or

(iii) a finding of the sale of firearms, ammunition, explosives, or controlled substance (as defined in section 802 of title 21, United States Code) for coupons, except that the Secretary shall have the discretion to impose a civil money penalty of up to \$20,000

for each violation (except that the amount of civil money penalties imposed for violations occurring during a single investigation may not exceed \$40,000) in lieu of disqualification under this subparagraph if the Secretary determines that there is substantial evidence (including evidence that neither the ownership nor management of the store or food concern was aware of, approved, benefited from, or was involved in the conduct or approval of the violation) that the store or food concern had an effective policy and program in effect to prevent violations of this section.

(3) The action of disqualification or the imposition of a civil money penalty shall be subject to review as provided in subsection (f).

(4) As a condition of authorization to accept and redeem coupons issued under subsection (a), the Secretary may require a retail food store or wholesale food concern which has been disqualified or subjected to a civil money penalty pursuant to paragraph (1) to furnish a bond to cover the value of coupons which such store or concern may in the future accept and redeem in violation of this section. The Secretary shall, by regulation, prescribe the amount, terms, and conditions of such bond. If the Secretary finds that such store or concern has accepted and redeemed coupons in violation of this section after furnishing such bond, such store or concern shall forfeit to the Secretary an amount of such bond which is equal to the value of coupons accepted and redeemed by such store or concern in violation of this section. Such store or concern may obtain a hearing on such forfeiture pursuant to subsection (f).

(5)(A) In the event any retail food store or wholesale food concern that has been disqualified under paragraph (1) is sold or the ownership thereof is otherwise transferred to a purchaser or transferee, the person or persons who sell or otherwise transfer ownership of the retail food store or wholesale food concern shall be subjected to a civil money penalty in an amount established by the Secretary through regulations to reflect that portion of the disqualification period that has not yet expired. If the retail food store or wholesale food concern has been disqualified permanently, the civil money penalty shall be double the penalty for a 10-year disqualification period, as calculated under regulations issued by the Secretary. The disqualification period imposed under paragraph (2) shall continue in effect as to the person or persons who sell or otherwise transfer ownership of the retail food store or wholesale food concern notwithstanding the imposition of a civil money penalty under this paragraph.

(B) At any time after a civil money penalty imposed under subparagraph (A) has become final under subsection (f)(1), the Secretary may request the Attorney General of the United States to institute a civil action against the person or persons subject to the penalty in a district court of the United States for any district in which such person or persons are found, reside, or transact business to collect the penalty and such court shall have jurisdiction to hear and decide such action. In such action, the validity and amount of such penalty shall not be subject to review.

(C) The Secretary may impose a fine against any retail food store or wholesale food concern that accepts coupons that are not accompanied by the corresponding book cover, other than the denomination of coupons used for making change as specified in regulations issued under this section. The amount of any such fine shall be established by the Secretary and may be assessed and collected separately in accordance with regulations issued under this section or in combination with any fiscal claim established by the Secretary. The Attorney General of the

United States may institute judicial action in any court of competent jurisdiction against the store or concern to collect the fine.

(6) The Secretary may impose a fine against any person not approved by the Secretary to accept and redeem coupons who violates this section or a regulation issued under this section, including violations concerning the acceptance of coupons. The amount of any such fine shall be established by the Secretary and may be assessed and collected in accordance with regulations issued under this section separately or in combination with any fiscal claim established by the Secretary. The Attorney General of the United States may institute judicial action in any court of competent jurisdiction against the person to collect the fine.

(e) COLLECTION AND DISPOSITION OF CLAIMS.—The Secretary shall have the power to determine the amount of and settle and adjust any claim and to compromise or deny all or part of any such claim or claims arising under this section or the regulations issued pursuant to this section, including, but not limited to, claims arising from fraudulent and nonfraudulent overissuances to recipients, including the power to waive claims if the Secretary determines that to do so would serve the purposes of this section. Such powers with respect to claims against recipients may be delegated by the Secretary to State agencies.

(f) ADMINISTRATIVE AND JUDICIAL REVIEW.—(1) Whenever—

(A) an application of a retail food store or wholesale food concern for approval to accept and redeem coupons issued under subsection (a) is denied pursuant to this section,

(B) a retail food store or wholesale food concern is disqualified or subjected to a civil money penalty under subsection (d),

(C) all or part of any claim of a retail food store or wholesale food concern is denied under subsection (e), or

(D) a claim against a State is stated pursuant to subsection (e),

notice of such administrative action shall be issued to the retail food store, wholesale food concern, or State involved. Such notice shall be delivered by certified mail or personal service. If such store, concern, or State is aggrieved by such action, it may, in accordance with regulations promulgated under this section, within 10 days of the date of delivery of such notice, file a written request for an opportunity to submit information in support of its position to such person or persons as the regulations may designate. If such a request is not made or if such store, concern, or State fails to submit information in support of its position after filing a request, the administrative determination shall be final. If such request is made by such store, concern, or State such information as may be submitted by such store, concern, or State as well as such other information as may be available, shall be reviewed by the person or persons designated by the Secretary, who shall, subject to the right of judicial review hereinafter provided, make a determination which shall be final and which shall take effect 30 days after the date of the delivery or service of such final notice of determination. If such store, concern, or State feels aggrieved by such final determination, it may obtain judicial review thereof by filing a complaint against the United States in the United States court for the district in which it resides or is engaged in business, or, in the case of a retail food store or wholesale food concern, in any court of record of the State having competent jurisdiction, within 30 days after the date of delivery or service of the final notice of determination upon it, requesting the court to set aside such determination. The copy of the summons and

complaint required to be delivered to the official or agency whose order is being attacked shall be sent to the Secretary or such person or persons as the Secretary may designate to receive service of process. The suit in the United States district court or State court shall be a trial de novo by the court in which the court shall determine the validity of the questioned administrative action in issue. If the court determines that such administrative action is invalid, it shall enter such judgment or order as it determines is in accordance with the law and the evidence. During the pendency of such judicial review, or any appeal therefrom, the administrative action under review shall be and remain in full force and effect, unless on application to the court on not less than ten days' notice, and after hearing thereon and a consideration by the court of the applicant's likelihood of prevailing on the merits and of irreparable injury, the court temporarily stays such administrative action pending disposition of such trial or appeal.

(g) VIOLATIONS AND ENFORCEMENT.—(1) Subject to paragraph (2), whoever knowingly uses, transfers, acquires, alters, or possesses coupons in any manner contrary to this section or the regulations issued pursuant to this section shall, if such coupons are of a value of \$5,000 or more, be guilty of a felony and shall be fined not more than \$250,000 or imprisoned for not more than 20 years, or both, and shall, if such coupons are of a value of \$100 or more, but less than \$5,000, be guilty of a felony and shall, upon the first conviction thereof, be fined not more than \$10,000 or imprisoned for not more than 5 years, or both, and, upon the second and any subsequent conviction thereof, shall be imprisoned for not less than 6 months nor more than 5 years and may also be fined not more than \$10,000 or, if such coupons are of a value of less than \$100, shall be guilty of a misdemeanor, and, upon the first conviction thereof, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both, and upon the second and any subsequent conviction thereof, shall be imprisoned for not more than one year and may also be fined not more than \$1,000.

(2) In the case of any individual convicted of an offense under paragraph (1), the court may permit such individual to perform work approved by the court for the purpose of providing restitution for losses incurred by the United States and the State as a result of the offense for which such individual was convicted. If the court permits such individual to perform such work and such individual agrees thereto, the court shall withhold the imposition of the sentence on the condition that such individual perform the assigned work. Upon the successful completion of the assigned work the court may suspend such sentence.

(3) Whoever presents, or causes to be presented, coupons for payment or redemption of the value of \$100 or more, knowing the same to have been received, transferred, or used in any manner in violation of this section or the regulations issued under this section, shall be guilty of a felony and, upon the first conviction thereof, shall be fined not more than \$20,000 or imprisoned for not more than 5 years, or both, and, upon the second and any subsequent conviction thereof, shall be imprisoned for not less than one year nor more than 5 years and may also be fined not more than \$20,000, or, if such coupons are of a value of less than \$100, shall be guilty of a misdemeanor and, upon the first conviction thereof, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both, and, upon the second and any subsequent conviction thereof, shall be imprisoned for not more than one year and may also be fined not more than \$1,000.

SEC. 533. DEFINITIONS.

For purposes of this subtitle—

(1) the term "coupon" means any coupon, stamp, or type of certificate, but does not include currency,

(2) the term "economically disadvantaged" means an individual or a family, as the case may be, whose income does not exceed the most recent lower living standard income level published by the Department of Labor,

(3) the term "elderly or disabled individual" means an individual who—

(A) is 60 years of age or older,

(B)(i) receives supplemental security income benefits under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.), or Federally or State administered supplemental benefits of the type described in section 212(a) of Public Law 93-66 (42 U.S.C. 1382 note), or

(ii) receives Federally or State administered supplemental assistance of the type described in section 1616(a) of the Social Security Act (42 U.S.C. 1382e(a)), interim assistance pending receipt of supplemental security income, disability-related medical assistance under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), or disability-based State general assistance benefits, if the Secretary determines that such benefits are conditioned on meeting disability or blindness criteria at least as stringent as those used under title XVI of the Social Security Act,

(C) receives disability or blindness payments under title I, II, X, XIV, or XVI of the Social Security Act (42 U.S.C. 301 et seq.) or receives disability retirement benefits from a governmental agency because of a disability considered permanent under section 221(i) of the Social Security Act (42 U.S.C. 421(i)),

(D) is a veteran who—

(i) has a service-connected or non-service-connected disability which is rated as total under title 38, United States Code, or

(ii) is considered in need of regular aid and attendance or permanently housebound under such title,

(E) is a surviving spouse of a veteran and—

(i) is considered in need of regular aid and attendance or permanently housebound under title 38, United States Code, or

(ii) is entitled to compensation for a service-connected death or pension benefits for a non-service-connected death under title 38, United States Code, and has a disability considered permanent under section 221(i) of the Social Security Act (42 U.S.C. 421(i)),

(F) is a child of a veteran and—

(i) is considered permanently incapable of self-support under section 414 of title 38, United States Code, or

(ii) is entitled to compensation for a service-connected death or pension benefits for a non-service-connected death under title 38, United States Code, and has a disability considered permanent under section 221(i) of the Social Security Act (42 U.S.C. 421(i)), or

(G) is an individual receiving an annuity under section 2(a)(1)(iv) or 2(a)(1)(v) of the Railroad Retirement Act of 1974 (45 U.S.C. 231a(a)(1)(iv) or 231a(a)(1)(v)), if the individual's service as an employee under the Railroad Retirement Act of 1974, after December 31, 1936, had been included in the term "employment" as defined in the Social Security Act (42 U.S.C. 301 et seq.), and if an application for disability benefits had been filed,

(4) the term "food" means, for purposes of section 532(a) only—

(A) any food or food product for home consumption except alcoholic beverages, tobacco, and hot foods or hot food products ready for immediate consumption other than those authorized pursuant to subparagraphs (C), (D), (E), (G), (H), and (I),

(B) seeds and plants for use in gardens to produce food for the personal consumption of the eligible individuals,

(C) in the case of those persons who are 60 years of age or over or who receive supplemental security income benefits or disability or blindness payments under title I, II, X, XIV, or XVI of the Social Security Act (42 U.S.C. 301 et seq.), and their spouses, meals prepared by and served in senior citizens' centers, apartment buildings occupied primarily by such persons, public or private nonprofit establishments (eating or otherwise) that feed such persons, private establishments that contract with the appropriate agency of the State to offer meals for such persons at concessional prices, and meals prepared for and served to residents of federally subsidized housing for the elderly,

(D) in the case of persons 60 years of age or over and persons who are physically or mentally handicapped or otherwise so disabled that they are unable adequately to prepare all of their meals, meals prepared for and delivered to them (and their spouses) at their home by a public or private nonprofit organization or by a private establishment that contracts with the appropriate State agency to perform such services at concessional prices,

(E) in the case of narcotics addicts or alcoholics, and their children, served by drug addiction or alcoholic treatment and rehabilitation programs, meals prepared and served under such programs,

(F) in the case of eligible individuals living in Alaska, equipment for procuring food by hunting and fishing, such as nets, hooks, rods, harpoons, and knives (but not equipment for purposes of transportation, clothing, or shelter, and not firearms, ammunition, and explosives) if the Secretary determines that such individuals are located in an area of the State where it is extremely difficult to reach stores selling food and that such individuals depend to a substantial extent upon hunting and fishing for subsistence,

(G) in the case of disabled or blind recipients of benefits under title I, II, X, XIV, or XVI of the Social Security Act (42 U.S.C. 301 et seq.), or are individuals described in subparagraphs (B) through (G) of paragraph (4), who are residents in a public or private nonprofit group living arrangement that serves no more than 16 residents and is certified by the appropriate State agency or agencies under regulations issued under section 1616(e) of the Social Security Act (42 U.S.C. 1382e(e)) or under standards determined by the Secretary to be comparable to standards implemented by appropriate State agencies under such section, meals prepared and served under such arrangement,

(H) in the case of women and children temporarily residing in public or private nonprofit shelters for battered women and children, meals prepared and served, by such shelters, and

(I) in the case of individuals that do not reside in permanent dwellings and individuals that have no fixed mailing addresses, meals prepared for and served by a public or private nonprofit establishment (approved by an appropriate State or local agency) that feeds such individuals and by private establishments that contract with the appropriate agency of the State to offer meals for such individuals at concessional prices,

(5) the term "retail food store" means—

(A) an establishment or recognized department thereof or house-to-house trade route, over 50 percent of whose food sales volume, as determined by visual inspection, sales records, purchase records, or other inventory or accounting recordkeeping methods that are customary or reasonable in the retail food industry, consists of staple food items for home preparation and consumption, such

as meat, poultry, fish, bread, cereals, vegetables, fruits, dairy products, and the like, but not including accessory food items, such as coffee, tea, cocoa, carbonated and uncarbonated drinks, candy, condiments, and spices,

(B) an establishment, organization, program, or group living arrangement referred to in subparagraph (C), (D), (E), (G), (H), or (I) of paragraph (5),

(C) a store purveying the hunting and fishing equipment described in paragraph (5)(F), or

(D) any private nonprofit cooperative food purchasing venture, including those in which the members pay for food purchased prior to the receipt of such food,

(6) the term "school" means an elementary, intermediate, or secondary school,

(7) the term "Secretary" means the Secretary of Agriculture,

(8) the term "State" means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands of the United States, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, Palau, or a tribal organization that exercises governmental jurisdiction over a geographically defined area, and

(9) the term "tribal organization" has the meaning given it in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(l)).

SEC. 534. REPEALER.

The Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.) is repealed.

Strike section 591 of the bill and insert the following:

SEC. 591. EFFECTIVE DATE; APPLICATION OF REPEALER.

(a) EFFECTIVE DATES.—

(1) GENERAL EFFECTIVE DATE OF SUBTITLE A.—Subtitle A shall take effect on October 1, 1995.

(2) GENERAL EFFECTIVE DATE OF SUBTITLE B.—Except as provided in subsection (b), subtitle B and the repeal made by section 534 shall take effect on the date of the enactment of this Act.

(3) SPECIAL EFFECTIVE DATE.—The repeal made by section 534 shall not take effect until the first day of the first fiscal year for which funds are appropriated more than 180 days in advance of such fiscal year to carry out section 531.

(b) APPLICATION OF REPEALER.—The repeal made by section 534 shall not apply with respect to—

(1) powers, duties, functions, rights, claims, penalties, or obligations applicable to financial assistance provided under the Food Stamp Act of 1977 before the effective date of such repeal, and

(2) administrative actions and proceedings commenced before such date, or authorized before such date to be commenced, under such Act.

It was decided in the negative { Yeas 114 Nays 316

49.7 [Roll No. 263] AYES—114

Table with 3 columns: Name, Roll No. 263, AYES—114. Includes Archer, Armev, Bachus, Baker (LA), Barr, Bartlett, Barton, Bass, Berman, Bilbray, Bilirakis, Bishop, Bliley, Blute, Boehlert, Boehner, Bonilla, Bonior, Borski, Boucher, Brewster, Browder, Brown (CA), Brown (FL), Brown (OH), Brownback, Bryant (TX), Bunn, Burr, Buyer, Callahan, Calvert, Camp, Canady, Cardin, Castle, Chambliss, Clay, Clayton, Clement, Clinger, Clyburn, Coleman, Collins (IL), Collins (MI), Combust, Condit, Conyers, Cooley, Costello, Coyne, Cramer, Cramers, Cuban, Cunningham, Danner, Davis, de la Garza, Deal, DeFazio, DeLauro, Dellums, Deutsch, Christensen, Chrysler, Coble, Coburn, Collins (GA), Cox, Crane, Crapo, DeLay, Doolittle, Dornan, Duncan, Dunn, English, Ensign, Fawell, Fields (TX), Flanagan, Forbes, Fox, Funderburk, Gallegly, Gekas, Geren, Gilman, Goodlatte.

Table with 3 columns: Name, Roll No. 263, AYES—114. Includes Goodling, Goss, Graham, Greenwood, Gutknecht, Hall (TX), Hancock, Hansen, Hefley, Herger, Hilleary, Hoekstra, Hoke, Hostettler, Hunter, Hyde, Inglis, Istook, Johnson, Sam, Jones, Kasich, King, Klug, Largent, Livingston, Manzullo, McCollum, McCrery, McInnis, McIntosh, Mica, Miller (FL), Moorhead, Myers, Myrick, Neumann, Ney, Norwood, Paxon, Petri, Porter, Portman, Quillen, Radanovich, Ramstad, Riggs, Rohrabacher, Roth, Royce, Royce, Salmon, Sanford, Scarborough, Schaefer, Seastrand, Sensenbrenner, Shadegg, Shays, Smith (MI), Smith (WA), Solomon, Souder, Spence, Stearns, Stockman, Stump, Talent, Tate, Taylor (MS), Taylor (NC), Thornberry, Torkildsen, Walker, Wamp, Weldon (FL), Zimmer.

NOES—316

Table with 3 columns: Name, Roll No. 263, NOES—316. Includes Abercrombie, Ackerman, Allard, Andrews, Baesler, Baker (CA), Baldacci, Ballenger, Barcia, Barrett (NE), Barrett (WI), Bass, Bateman, Becerra, Beilenson, Bentsen, Bereuter, Berman, Bevill, Bilbray, Bilirakis, Bishop, Bliley, Blute, Boehlert, Boehner, Bonilla, Bonior, Borski, Boucher, Brewster, Browder, Brown (CA), Brown (FL), Brown (OH), Brownback, Bryant (TX), Bunn, Burr, Buyer, Callahan, Calvert, Camp, Canady, Cardin, Castle, Chambliss, Clay, Clayton, Clement, Clinger, Clyburn, Coleman, Collins (IL), Collins (MI), Combust, Condit, Conyers, Cooley, Costello, Coyne, Cramer, Cramers, Cuban, Cunningham, Danner, Davis, de la Garza, Deal, DeFazio, DeLauro, Dellums, Deutsch, Diaz-Balart, Dickey, Dicks, Dingell, Dixon, Doggett, Dooley, Doyle, Dreier, Durbin, Edwards, Ehlers, Ehrlich, Emerson, Engel, Eshoo, Evans, Everett, Ewing, Farr, Fattah, Fazio, Fields (LA), Filner, Flake, Foglietta, Foley, Ford, Fowler, Frank (MA), Franks (CT), Franks (NJ), Frelinghuysen, Frisa, Frost, Furse, Ganske, Gejdenson, Gephardt, Gibbons, Gilchrest, Gillmor, Gonzalez, Gordon, Green, Gunderson, Gutierrez, Hall (OH), Hamilton, Harman, Hastert, Hastings (FL), Hayes, Hayworth, Hefner, Heineman, Hilliard, Hinchey, Hobson, Holden, Horn, Houghton, Hoyer, Hutchinson, Jackson-Lee, Jacobs, Jefferson, Johnson (CT), Johnson (SD), Johnson, E. B., Johnston, Kanjorski, Kaptur, Kelly, Kennedy (MA), Kennedy (RI), Kennelly, Kildee, Kingston, Kleczka, Klink, Knollenberg, Kolbe, LaFalce, LaHood, Lantos, Latham, LaTourette, Laughlin, Lazio, Leach, Levin, Lewis (CA), Lewis (GA), Lewis (KY), Lightfoot, Lincoln, Linder, Lipinski, LoBiondo, Lofgren, Longley, Lowey, Lucas, Luther, Maloney, Manton, Markey, Martinez, Martini, Mascara, Matsui, McCarthy, McDade, McDermott, McHale, McHugh, McKeon, McKinney, McNulty, Meehan, Meek, Menendez, Metcalf, Meyers, Mfume, Miller (CA), Mineta, Minge, Mink, Molinari, Mollohan, Montgomery, Moran, Morella, Murtha, Nadler, Neal, Nethercutt, Nussle, Oberstar, Obey, Olver, Ortiz, Orton, Killy, Kennedy (MA), Kennedy (RI), Kennelly, Kildee, Kim, Kingston, Kleczka, Klink, Knollenberg, Kolbe, LaFalce, LaHood, Lantos, Latham, LaTourette, Laughlin, Lazio, Leach, Levin, Lewis (CA), Lewis (GA), Lewis (KY), Lightfoot, Lincoln, Linder, Lipinski, LoBiondo, Lofgren, Longley, Lowey, Lucas, Luther, Maloney, Manton, Markey, Martinez, Martini, Mascara, Matsui, McCarthy, McDade, McDermott, McHale, McHugh, McKeon, McKinney, McNulty, Meehan, Meek, Menendez, Metcalf, Meyers, Mfume, Miller (CA), Mineta, Minge, Mink, Molinari, Mollohan, Montgomery, Moran, Morella, Murtha, Nadler, Neal, Nethercutt, Nussle, Oberstar, Obey, Olver, Ortiz, Orton.

Table with 3 columns: Name, Roll No. 263, NOES—316. Includes Owens, Oxley, Packard, Pallone, Parker, Pastor, Payne (NJ), Payne (VA), Pelosi, Peterson (FL), Peterson (MN), Pickett, Pombo, Pomeroy, Poshard, Pryce, Quinn, Rahall, Rangel, Reed, Regula, Reynolds, Richardson, Rivers, Roberts, Roemer, Rogers, Ros-Lehtinen, Rose, Roukema, Roybal-Allard, Rush, Sabo, Sanders, Sawyer, Saxton, Schiff, Schroeder, Schumer, Scott, Serrano, Shaw, Shuster, Sisisky, Skaggs, Skeen, Skelton, Slaughter, Smith (NJ), Smith (TX), Spratt, Stark, Stenholm, Stokes, Studds, Stupak, Tanner, Tejada, Thomas, Thompson, Thornton, Thurman, Tiahrt, Torres, Torricelli, Towns, Traficant, Tucker, Upton, Velazquez, Vento, Vislosky, Volkmer, Vucanovich, Waldholtz, Walsh, Ward, Waters, Watt (NC), Watts (OK), Waxman, Weldon (PA), Weller, White, Whitfield, Wicker, Wilson, Wise, Wolf, Woolsey, Wyden, Wynn, Yates, Young (AK), Young (FL), Zeliff.

NOT VOTING—4

Table with 2 columns: Name, Roll No. 263, NOT VOTING—4. Includes Chapman, Hastings (WA), Moakley, Williams.

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

49.8 RECORDED VOTE

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

Page 387, after line 10, insert the following:

SEC. 768. LIENS.

Section 466(a)(4) (42 U.S.C. 666(a)(4)) is amended to read as follows:

"(4) Procedures under which—

"(A) liens arise by operation of law against real and personal property for amounts of overdue support owed by an absent parent who resides or owns property in the State; and

"(B) the State accords full faith and credit to liens described in subparagraph (A) arising in another State, without registration of the underlying order."

Amend the table of contents accordingly.

It was decided in the affirmative { Yeas 433 Nays 0

49.9 [Roll No. 264] AYES—433

Table with 3 columns: Name, Roll No. 264, AYES—433. Includes Abercrombie, Ackerman, Allard, Andrews, Archer, Armev, Bachus, Baker (CA), Baker (LA), Baldacci, Ballenger, Barcia, Barr, Barrett (NE), Barrett (WI), Bartlett, Barton, Bass, Bateman, Becerra, Beilenson, Bentsen, Bereuter, Berman, Bevill, Bilbray, Bilirakis, Bishop, Bliley, Blute, Boehlert, Boehner, Bonilla, Bonior, Bono, Borski, Boucher, Brewster, Browder, Brown (CA), Brown (FL), Brown (OH), Brownback, Bryant (TN), Bryant (TX), Bunn, Bunning, Burr, Burton, Buyer, Callahan, Calvert, Camp, Canady, Cardin, Castle, Chabot, Chambliss, Chapman, Chenoweth, Christensen, Chrysler, Clay, Clayton, Clement, Clinger, Clyburn, Coble, Coburn, Coleman, Collins (GA), Collins (IL), Collins (MI), Combust, Condit, Conyers, Cooley, Costello, Cox, Coyne, Cramer, Crane, Crapo.