not just about dairy farmers, this is dairy processors. This is grocery stores, and it is not only California. It is across the entire country. This has national implications to let producer-handlers game the system. This is about gaming the system.

So it is not confusing. It is not controversial, and if you look at the fact that they talk about a constituent being in California in a lawsuit that is being brought forth, that is simply not true. The lawsuit has been brought forth in Texas, and the person claims to be a constituent of Texas.

Mr. LEWIS of California. Mr. Speaker, will the gentleman yield?

Mr. NUNES. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Speaker, the gentleman involved is a constituent of mine. I can take you to his farm anytime you like, in California.

Mr. NUNES. Mr. Speaker, all I am saying is the court case you cited is filed in a Texas court, and he claims to be a resident of Texas.

Mr. LEWIS of California. One of his major farms is in my district, and all the farmers around him in California are supporting his position.

Mr. NUNES. Well, I thank the chairman for that, but I do have to say that we have a differing opinion here, and I can provide the chairman with letters, if he would like, at a later date.

But with that, I want to thank, again, the House leadership and the ranking member and especially Chairman GOODLATTE for bringing this forward, and I hope that the House will pass Senate bill 2120 as quickly as possible.

Mr. COLE of Oklahoma. Mr. Speaker, I rise today in opposition of S. 2120. Although I acknowledge there is merit to the original intent of this bill, I am unable to ignore the harm it may cause for the small business dairy industry in light of recent developments. As this industry is an integral economic contributor to my district, and indeed Oklahoma as a whole, it would be negligent of me to endorse this bill and rely on good luck to protect my constituents.

Mr. Speaker, the dairy industry is complex and there are many legitimate competing interests. With this in mind, I commend my colleagues in both bodies of Congress who diligently worked to build a rare consensus while crafting this bill. I have no doubt in my mind that the original intent of this bill was narrow in scope, focused on regulating aspects of the milk industry in certain western states. In addition, I have no doubt that the crafters of this bill believed they were protecting smaller dairy farmers, processors, and producer-handlers outside of those states from falling under similar regulations in the future.

However, Mr. Speaker, the U.S. Department of Agriculture acted before Congress, issuing a final rule on February 24, 2006, establishing similar regulations as would be established by S. 2120. I must admit Mr. Speaker, this begs the question: Why is it necessary for Congress to now duplicate what has already been legitimately addressed by the USDA? I fear the only outcome may be to codify this regulation, thereby inherently suggesting that Congress will endorse similar such regulations in the future. This is a precedent which I can not support. I believe in our government's regulatory process Mr. Speaker, and as such, I believe there is no longer any need for Congress to act upon this particular issue. Had the USDA not taken this action, I also have no doubt I would have felt much more comfortable with this bill.

Mr. Speaker, S. 2120, although originally well-intentioned and carefully crafted to insulate dairy farmers, processors, and producer-handlers outside of these particular western states from unintended consequences, has been outdated by the regulatory actions of the USDA. Should Congress pass S. 2120, it may only serve to set a dangerous precedent which could severely harm an important part of America's dairy industry in the future.

Mr. BACA. Mr. Speaker, I rise today in support of S. 2120, The Milk Regulatory Equity Act of 2005.

Mr. Speaker, this bill comes before us today with the full support of the leadership of the House Agriculture Committee and the nearly unanimous support of the entire dairy industry.

As Ranking Member of the Department Operations, Oversight, Dairy, Nutrition and Forestry Subcommittee of the House Agriculture Committee, I can speak to how rare it is for a bill to achieve such wide consensus and agreement among government officials and industry representatives.

This bill is good legislation that will close an unintended loophole created by past federal regulations. While most states determine their milk prices based on their Federal Milk Market Order Area, certain states have enacted legislation which authorizes state agencies to determine milk prices for intrastate milk sales. This then allows some out of state milk processors to be completely exempt from any minimum price regulations and creates an unfair market advantage. S. 2120 will fix this problem and place all milk processors on a level playing field.

Dairy operators in the Inland Empire of California, including Chino and Ontario—in or near my district—are being hurt by this loophole. Hard-working farmers all across America are facing the same situation, and we owe it to them to provide regulatory action that will help all dairy processors.

I want to commend Chairman GOODLATTE and Ranking Member PETERSON of the full Committee for their excellent work on this legislation.

I also want to thank Chairman GUTKNECHT of our Subcommittee for his leadership on this matter.

I urge my colleagues to vote in favor of this bill and continue the federal government's tradition of offering American consumers consistently priced high quality milk.

Mr. UDALL of Colorado. Mr. Speaker, I rise in opposition to S. 2120, the Milk Regulatory Equity Act.

I think there well may be a need for Congress to consider legislation dealing with Federal Milk Marketing Orders (FMMOs). But the subject is too important to be handled the way this bill has been.

The suspension calendar is supposed to be reserved for bills that the relevant committees have reviewed and that are not controversial, which is why debate is limited and no amendments are allowed.

However, there has been no hearing on this bill and it has never been approved by any Committee—in either the House or Senate—so there has been no opportunity to consider the testimony of anyone who might be affected, including at least one Colorado company that has told me of their objections to the bill as it now stands.

Before we make a change in Federal dairy policy that has been in place for 70 years I think it is appropriate to hear all sides of the debate. Because that has not happened, I cannot support the bill.

I urge all Members to join me in voting no today, so that the bill can receive a more careful evaluation and so that possible revisions can be considered in the Agriculture Committee.

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the Senate bill, S. 2120.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. LEWIS of California. 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.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just considered.

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

There was no objection.

LOCAL COMMUNITY RECOVERY ACT OF 2006

Mr. SHUSTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4979) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to clarify the preference for local firms in the award of certain contracts for disaster relief activities, as amended.

The Clerk read as follows:

H.R. 4979

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Local Community Recovery Act of 2006''.

SEC. 2. USE OF LOCAL FIRMS AND INDIVIDUALS FOR DISASTER RELIEF ACTIVITIES.

Section 307 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5150) is amended by adding at the end the following: ''In carrying out this section, a contract or agreement may be set aside for award based on a specific geographic area.''.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that the Corps of Engineers should promptly implement the