

NOT VOTING—13

Dreier
Edwards (CA)
Ford (TN)
Hall (OH)
Henry

Hunter
Kaptur
LaRocco
Pickle
Quillen

Sharp
Shepherd
Talent

So the amendment, as amended, was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. BLILEY moved to recommit the bill to the Committee on Energy and Commerce with instructions to report the bill back to the House forthwith with the following amendment:

Page 3, strike line 12 and all that follows through page 4, line 3, and insert the following:

(b) PARENTAL NOTIFICATION REGARDING ABORTION.—Section 1001 of the Public Health Service Act, as amended by subsection (a) of this section, is amended by inserting after subsection (b) the following subsection:

“(c)(1) The Secretary may not make an award of a grant or contract under this section unless the entity applying for the award agrees that the entity will not perform an abortion on an unemancipated minor under the age of 18, and will not permit the facilities of the entity to be used to perform any abortion on such a minor, without regard to whether the abortion is to be performed with a grant or contract provided by the Secretary, unless there has been compliance with one of the following:

“(A)(i) A written notification is provided to a parent or legal guardian of the minor stating that an abortion has been requested for the minor, and 48 hours elapses after the notification is so provided; and

“(ii) the notification is either (I) delivered personally by the attending physician or the physician’s agent, in which case the 48 hours is measured from the time of so delivering the notification, or (II) the notification is provided through certified mail, with return receipt requested, and with restricted delivery addressed to a parent or legal guardian at the dwelling house or usual place of abode of the parent or guardian, in which case the 48 hours is measured from 12 o’clock noon on the second day of regular mail delivery that follows the day on which the notification is posted.

“(B) The attending physician certifies in the minor’s medical record that she is suffering from a physical disorder or disease making the abortion necessary to prevent her death, and that there is insufficient time to provide a notification in accordance with subparagraph (A).

“(C)(i) The minor declares that the pregnancy resulted from incest with a parent or legal guardian of the minor, or that she has been subjected to or is at risk of sexual abuse, child abuse, or child neglect by a parent or legal guardian of the minor; and

“(ii) the attending physician notifies, in writing, the authorities specified by the law of the State involved to receive reports or allegations regarding the applicable offense specified in clause (i).

“(D) The entity complies with a State or local law that—

“(i) is in effect in the State or locality, respectively;

“(ii) provides the requirement that a parent or legal guardian be notified before an abortion is performed on an unemancipated minor under the age of 18 (or a requirement that both parents be so notified), or provides the requirement that a parent or legal guardian give consent before an abortion is performed on such a minor (or a requirement that both parents give such consent); and

“(iii) either contains no provision waiving a requirement described in clause (ii), or pro-

vides a waiver of the requirement only for one or more of the following circumstances:

“(I) A court determines that the requirement should be waived.

“(II) A physician determines that the minor is suffering from a physical disorder or disease that makes the abortion necessary to prevent her death, and that there is insufficient time to comply with the requirement.

“(III) The pregnancy resulted from incest.

“(IV) The minor has been subjected to or is at risk of sexual abuse by a parent or legal guardian.

“(V) The minor has been subjected to or is at risk of child abuse by a parent or legal guardian.

“(VI) The minor has been subjected to or is at risk of child neglect by a parent or legal guardian.

“(2) For purposes of this subsection:

“(A) The term ‘attending physician’ means the physician with the principal responsibility for making the decision to perform the abortion involved.

“(B) Each of the following terms has the meaning given the term under the law of the State involved: (i) ‘Child abuse’. (ii) ‘Child neglect’. (iii) ‘Incest’. (iv) ‘Legal guardian’ (with respect to a child). (v) ‘Sexual abuse’. (vi) ‘Unemancipated minor’.

“(C) Each of the following terms has the meaning given the term under rule 4 of the Federal rules of civil procedure for the United States district courts: (i) ‘Dwelling house’. (ii) ‘Usual place of abode’.

“(D) The term ‘State involved’ means the State of the location of the facility from which an abortion for the minor involved is sought.”.

Page 2, strike lines 9 and 10 and insert the following:

(1) by redesignating subsections (b) through (d) as subsections (d) through (f), respectively; and

Page 4, line 5, strike “1001(e)” and insert “1001(f)”.

Page 4, line 8, strike “(e)” and insert “(f)”.

After debate,
By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, *viva voce*,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. PICKETT, announced that the nays had it.

Mr. BLILEY demanded a recorded vote on agreeing to the motion to recommit said bill with instructions, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the	{ Yeas 179 negative } Nays 243
negative	

¶32.12 [Roll No. 106]
AYES—179

Allard	Blute	Crane
Applegate	Boehner	Crapo
Archer	Boniilla	Cunningham
Armey	Bunning	de la Garza
Bachus (AL)	Burton	DeLay
Baker (CA)	Buyer	Diaz-Balart
Baker (LA)	Callahan	Dickey
Ballenger	Calvert	Doolittle
Barcia	Camp	Dornan
Barrett (NE)	Canady	Duncan
Bartlett	Castle	Dunn
Barton	Clinger	Emerson
Bateman	Coble	English (OK)
Bentley	Collins (GA)	Everett
Bereuter	Combest	Ewing
Bilirakis	Costello	Fawell
Bliley	Cox	Fields (TX)

Fish	Kyl	Roberts
Flake	LaFarge	Roemer
Franks (CT)	Lazio	Rogers
Franks (NJ)	Levy	Rohrabacher
Gallegly	Lewis (CA)	Ros-Lehtinen
Gallo	Lewis (FL)	Roth
Geran	Lightfoot	Roukema
Gilchrest	Linder	Royce
Gillmor	Lipinski	Sangmeister
Gingrich	Livingston	Santorum
Goodlatte	Manton	Sarpalius
Goodling	Manzullo	Saxton
Goss	Mazzoli	Schaefer
Grams	McCandless	Sensenbrenner
Grandy	McCollum	Shaw
Gunderson	McCrery	Shuster
Hall (OH)	McDade	Skelton
Hall (TX)	McHugh	Smith (MI)
Hamilton	McKeon	Smith (NJ)
Hancock	McMillan	Smith (OR)
Hansen	McNulty	Smith (TX)
Hastert	Mica	Solomon
Hayes	Michel	Spence
Hefley	Mollohan	Stearns
Heger	Montgomery	Stenholm
Hoekstra	Moorhead	Stump
Holden	Murphy	Sundquist
Hunter	Myers	Talent
Hutchinson	Nussle	Tauzin
Hutto	Oberstar	Taylor (MS)
Hyde	Ortiz	Taylor (NC)
Inglis	Orton	Tejeda
Inhofe	Oxley	Thomas (WY)
Istook	Packard	Volkmer
Johnson, Sam	Parker	Vucanovich
Kanjorski	Paxon	Walker
Kasich	Penny	Walsh
Kildee	Peterson (MN)	Weldon
Kim	Petri	Wolf
King	Pombo	Young (AK)
Kingston	Poshard	Young (FL)
Klink	Quinn	Zimmer
Knollenberg	Rahall	

NOES—243

Abercrombie	Dixon	Kennelly
Ackerman	Dooley	Kleczka
Andrews (ME)	Durbin	Klein
Andrews (NJ)	Edwards (CA)	Klug
Andrews (TX)	Edwards (TX)	Kolbe
Bacchus (FL)	Engel	Kopetski
Baesler	English (AZ)	Kreidler
Barlow	Eshoo	Lambert
Barrett (WI)	Evans	Lancaster
Becerra	Fazio	Lantos
Beilenson	Fields (LA)	LaRocco
Berman	Filner	Laughlin
Bevill	Fingerhut	Leach
Bilbray	Foglietta	Lehman
Bishop	Ford (MI)	Levin
Blackwell	Fowler	Lewis (GA)
Boehrlert	Frank (MA)	Lloyd
Bonior	Frost	Long
Borski	Furse	Lowe
Boucher	Gejdenson	Machtley
Brewster	Gekas	Maloney
Brooks	Gephardt	Mann
Browder	Gibbons	Margolies-
Brown (CA)	Gilman	Mezvinsky
Brown (FL)	Glickman	Markey
Brown (OH)	Gonzalez	Martinez
Bryant	Gordon	Matsui
Byrne	Green	McCloskey
Cantwell	Greenwood	McCurdy
Cardin	Gutierrez	McDermott
Carr	Hamburg	McHale
Chapman	Harman	McInnis
Clay	Hastings	McKinney
Clayton	Hefner	Meehan
Clement	Hilliard	Meek
Clyburn	Hinche	Menendez
Coleman	Hoagland	Meyers
Collins (IL)	Hobson	Mfume
Collins (MI)	Hochbrueckner	Miller (CA)
Condit	Hoke	Miller (FL)
Conyers	Horn	Mineta
Cooper	Houghton	Minge
Coppersmith	Hoyer	Mink
Coyne	Huffington	Moakley
Cramer	Hughes	Molinari
Danner	Inslee	Moran
Darden	Jacobs	Morella
Deal	Jefferson	Murtha
DeFazio	Johnson (CT)	Nadler
DeLauro	Johnson (GA)	Natcher
Dellums	Johnson (SD)	Neal (MA)
Derrick	Johnson, E.B.	Neal (NC)
Deutsch	Johnston	Obey
Dicks	Kaptur	Olver
Dingell	Kennedy	Owens

Pallone Schenk
Pastor Schiff
Payne (NJ) Schroeder
Payne (VA) Schumer
Pelosi Scott
Peterson (FL) Serrano
Pickett Shays
Pomeroy Shepherd
Porter Sisisky
Price (NC) Skaggs
Pryce (OH) Skeen
Ramstad Slattery
Rangel Slaughter
Ravenel Smith (IA)
Reed Snowe
Regula Spratt
Reynolds Stokes
Richardson Strickland
Ridge Studts
Rose Stupak
Rostenkowski Swett
Rowland Swift
Roybal-Allard Synar
Rush Tanner
Sabo Thomas (CA)
Sanders Thornton
Sawyer Thurman

NOT VOTING—8

Dreier Pickle Stark
Ford (TN) Quillen Woolsey
Henry Sharp

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce, Will the House pass said bill? The SPEAKER pro tempore, Mr. PICKETT, announced that the yeas had it.

Mr. BLILEY demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 273 Nays 149

32.13 [Roll No. 107] AYES—273

Abercrombie Condit Gejdenson
Ackerman Conyers Gephardt
Andrews (ME) Cooper Geren
Andrews (NJ) Coppersmith
Andrews (TX) Coyne Gibbons
Applegate Cramer Gilchrist
Bacchus (FL) Danner Gilman
Baesler Darden Glickman
Barlow Deal Gonzalez
Barrett (WI) DeFazio Gordon
Becerra DeLauro Green
Beilenson Dellums Greenwood
Bentley Derrick Gunderson
Bereuter Deutsch Gutierrez
Berman Dicks Hall (TX)
Bevill Dingell Hamburg
Bilbray Dixon Hamilton
Bishop Dooley Harman
Blackwell Dunn Hastings
Boehlert Durbin Hefner
Bonior Edwards (CA) Hilliard
Borski Edwards (TX) Hinchey
Boucher Engel Hoagland
Brewster English (AZ) Hobson
Brooks English (OK) Hochbrueckner
Browder Eshoo Hoke
Brown (CA) Evans Horn
Brown (FL) Fawell Houghton
Brown (OH) Fazio Hoyer
Bryant Fields (LA) Huffington
Byrne Filner Hughes
Cantwell Fingerhut Insee
Cardin Fish Jacobs
Carr Flake Jefferson
Castle Foglietta Johnson (CT)
Chapman Ford (MI) Johnson (GA)
Clay Fowler Johnson (SD)
Clayton Frank (MA) Johnson, E. B.
Clement Franks (CT) Johnston
Clyburn Franks (NJ) Kanjorski
Coleman Frost Kaptur
Collins (IL) Furse Kennedy
Collins (MI) Gallo Kellenly

Kleczka
Klein
Klug
Kolbe
Kopetski
Kreidler
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Levin
Lewis (GA)
Lloyd
Long
Lowe
Machtley
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCurdy
McDade
McDermott
McHale
McHugh
McInnis
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley

NOES—149

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barrett (NE)
Bartlett
Barton
Bateman
Bilirakis
Bliley
Blute
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Clinger
Coble
Collins (GA)
Combest
Costello
Cox
Crane
Crapo
Cunningham
de la Garza
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Duncan
Emerson
Everett
Ewing
Fields (TX)
Gallegly
Gillmor
Gingrich
Goodlatte

Shepherd
Sisisky
Skaggs
Skeen
Slattery
Slaughter
Smith (IA)
Smith (TX)
Snowe
Spratt
Stark
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tanner
Thornton
Thurman
Torkildsen
Torrice
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Washington
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Zeliff
Zimmer

Walker Weldon Young (AK)
Walsh Wolf Young (FL)
NOT VOTING—8
Dreier Lehman Sharp
Ford (TN) Pickle Torres
Henry Quillen

So the bill was passed. Mr. WAXMAN moved to reconsider the vote whereby the bill was passed.

Mrs. UNSOELD moved to lay on the table the motion to reconsider the vote.

The question being put, viva voce, Will the House lay on the table the motion to reconsider said vote?

The SPEAKER pro tempore, Mr. PICKETT, announced that the yeas had it.

Mr. BURTON demanded a recorded vote on agreeing to the motion to lay on the table the motion to reconsider the vote, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 274 Nays 142

32.14 [Roll No. 108] AYES—274

Abercrombie Dunn Kaptur
Ackerman Durbin Kennedy
Andrews (ME) Edwards (CA) Kennelly
Andrews (NJ) Edwards (TX) Kildee
Andrews (TX) Engel Kleczka
Applegate English (AZ) Klein
Bacchus (FL) English (OK) Kolbe
Baesler Eshoo Kopetski
Barlow Evans Kreidler
Barrett (WI) Fazio LaFalce
Bateman Fields (LA) Lambert
Becerra Filner Lancaster
Beilenson Fingerhut Lantos
Bentley Flake LaRocco
Bereuter Foglietta Laughlin
Bevill Ford (MI) Lazio
Bilbray Fowler Leach
Bishop Frank (MA) Lehman
Blackwell Franks (CT) Levin
Boehlert Frost Lewis (GA)
Bonior Furse Lloyd
Borski Gallo Long
Boucher Gejdenson Lowey
Brewster Gekas Machtley
Brooks Gephardt Maloney
Browder Geren Mann
Brown (FL) Gibbons Manton
Brown (OH) Gilman Margolies-Mezvinsky
Bryant Glickman Markey
Byrne Gonzalez Martinez
Cantwell Gordon Matsui
Cardin Green Woodward
Carr Greenwood Mazzoli
Castle Gutierrez McCloskey
Chapman Hall (OH) McCurdy
Clay Hall (TX) McDade
Clayton Hamburg McDermott
Clement Hamilton McHale
Coleman Harman McHugh
Collins (IL) Hastings McInnis
Collins (MI) Hayes McKinney
Condit Hefner McMillan
Conyers Hilliard McNulty
Cooper Hinchey Meehan
Coppersmith Hoagland Meek
Coyne Hochbrueckner Menendez
Cramer Horn Mfume
Danner Hoyer Miller (CA)
Darden Huffington Mineta
de la Garza Hughes Minge
Deal Hutto Mink
DeFazio Insee Moakley
DeLauro Jacobs Molinari
Dellums Jefferson Mollohan
Derrick Johnson (CT) Montgomery
Deutsch Johnson (GA) Moran
Dicks Johnson (SD) Morella
Dingell Johnson, E. B. Murtha
Dixon Johnston Nadler
Dooley Kanjorski Natcher