

Miller (FL)	Regula	Spence
Mollohan	Roberts	Stearns
Moorhead	Rogers	Stenholm
Murphy	Rohrabacher	Stump
Myers	Ros-Lehtinen	Stupak
Nussle	Roth	Sundquist
Oberstar	Royce	Talent
Ortiz	Santorum	Tauzin
Oxley	Sarpalius	Taylor (MS)
Packard	Saxton	Taylor (NC)
Parker	Schaefer	Tejeda
Paxon	Schiff	Thomas (CA)
Penny	Sensenbrenner	Thomas (WY)
Peterson (MN)	Shaw	Upton
Petri	Shuster	Volkmer
Pombo	Skeen	Vucanovich
Portman	Skelton	Walker
Poshard	Smith (MI)	Walsh
Quillen	Smith (NJ)	Weldon
Quinn	Smith (OR)	Wolf
Rahall	Smith (TX)	Young (AK)
Ravenel	Solomon	Young (FL)

NOT VOTING—18

Brown (CA)	Grandy	Livingston
Collins (IL)	Green	Manton
Conyers	Hancock	Meek
Farr	Hastings	Michel
Fowler	Kanjorski	Natcher
Gallo	Kaptur	Tucker

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶25.16 PESTICIDE SAFETY

On motion of Mr. DE LA GARZA, by unanimous consent, the Committee on Agriculture was discharged from further consideration of the bill of the Senate (S. 1913) to extend certain compliance dates for pesticide safety training and labeling requirements.

Mr. DE LA GARZA submitted the following amendment in the nature of a substitute which was agreed to:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. COMPLIANCE.

Until January 1, 1995, it shall not be a misuse under section 12(a)(2)(G) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136j(a)(2)(G)) to use any pesticide product in a manner inconsistent with the provisions of 40 CFR Part 170 that are (1) subject to the compliance date specified in 40 CFR section 170.5(c) and (2) incorporated by reference on the label or labeling of any pesticide product. This delay in compliance shall not apply to specific worker protection requirements that appear directly on the label or labeling of the pesticide product.

SEC. 2. REENTRY INTERVAL.

(a) IN GENERAL.—Notwithstanding the provisions of 40 CFR Part 170, until January 1, 1995, a worker may enter an area treated with a pesticide product during the restricted entry interval specified on the label of the pesticide product to perform tasks related to the production of agricultural plants if the agricultural employer ensures that—

- (1) no hand labor activity is performed;
- (2) no such entry is allowed for the first 4 hours following the end of the application of the pesticide product;
- (3) no such entry is allowed until any inhalation exposure level listed on the product labeling has been reached; and
- (4) the personal protective equipment specified on the product labeling for early entry is provided in clean and operating condition to the worker.

(b) PROTECTIVE EQUIPMENT FOR IRRIGATION WORK.—For irrigation work for which the only contact with treated surfaces is to the feet, lower legs, hands, and arms, the agricultural employer may provide coveralls, chemical resistant gloves, and chemical re-

sistant footwear instead of the personal protective equipment specified on the label.

SEC. 3. CROP ADVISORS

Notwithstanding the provisions of 40 CFR Part 170, until January 1, 1995, persons performing duties as crop advisors shall not be considered workers or handlers under 40 CFR Part 170 (or for the purposes of the pesticide label) and shall not be subject to the requirements of 40 CFR Part 170.

SEC. 4. SAFETY TRAINING.

(A) TRAINING MATERIALS.—Not later than September 23, 1994, the Administrator shall develop and distribute pesticide safety training materials that convey, at a minimum, the information referred in 40 CFR section 170.230(c)(4).

(b) IMPLEMENTATION.—The Administrator shall assist the appropriate Federal, State, and tribal agencies in implementing the pesticide safety training programs required under 40 CFR part 170.

SEC. 5. DEFINITIONS.

As used in this Act:

(1) The term "hand labor" means any agricultural activity performed by hand or with hand tools that causes a worker to have substantial contact with surfaces (such as plants, plant parts, or soil) that may contain pesticide residues. These activities include, but are not limited to, harvesting, detasseling, thinning, weeding, topping, planting, sucker removal, pruning, disbudding, roguing, and packing produce into containers in the field. The term "hand labor" shall not include operating, moving, or repairing irrigation or watering equipment or performing the tasks of crop advisors.

(2) The term "agricultural employer" means any person who hires or contracts for the services of workers, for any type of compensation, to perform activities related to the production of agricultural plants, or any person who is an owner of or is responsible for management or condition of an agricultural establishment that uses such workers.

(3) The term "worker" means any person, including a self-employed person, who is employed for any type of compensation and who is performing activities relating to the production of agricultural plants on an agricultural establishment. The term "worker" shall not include any person employed by a commercial pesticide handling establishment to perform tasks as a crop advisor.

(4) The term "Administrator" means the Administrator of the Environmental Protection Agency.

SEC. 6. EFFECTIVE PERIOD.

The provisions in this Act shall be effective until January 1, 1995.

When said bill, as amended, was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶25.17 FREEDOM OF ACCESS TO CLINICS

On motion of Mrs. SCHROEDER, pursuant to House Resolution 374, the bill of the Senate (S. 636) to amend the Public Health Service Act to permit individuals to have freedom of access to certain medical clinics and facilities, and for other purposes; was taken from the Speaker's table.

When said bill was considered and read twice.

Mrs. SCHROEDER, pursuant to House Resolution 374, moved to strike out all after the enacting clause and insert the provisions of H.R. 796, as passed by the House.

After debate,

Mrs. SCHROEDER moved the previous question on the amendment and the bill.

Mr. SMITH of New Jersey moved to lay on the table the motion to amend the Senate bill.

The question being put, viva voce,

Will the House lay on the table the motion to amend the Senate bill?

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

Mr. SMITH of New Jersey demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 175  
negative ..... } Nays ..... 240

¶25.18 [Roll No. 68]

YEAS—175

Allard	Goodling	Packard
Applegate	Goss	Parker
Archer	Grams	Paxon
Armey	Gunderson	Penny
Bachus (AL)	Hall (OH)	Peterson (MN)
Baker (CA)	Hall (TX)	Petri
Baker (LA)	Hancock	Pombo
Ballenger	Hansen	Portman
Barcia	Hastert	Poshard
Barrett (NE)	Hayes	Quillen
Bartlett	Hefley	Quinn
Barton	Herger	Rahall
Bateman	Hobson	Ravenel
Bentley	Hoekstra	Regula
Bevill	Hoke	Roberts
Bilirakis	Holden	Rogers
Bliley	Hunter	Rohrabacher
Blute	Hutchinson	Ros-Lehtinen
Boehner	Hutto	Roth
Bonilla	Hyde	Royce
Browder	Inglis	Sangmeister
Bunning	Inhofe	Santorum
Burton	Inslee	Sarpalius
Buyer	Istook	Saxton
Callahan	Johnson, Sam	Schaefer
Calvert	Kaptur	Sensenbrenner
Camp	Kasich	Shaw
Canady	Kildee	Shuster
Clinger	Kim	Skeen
Coble	King	Skelton
Collins (GA)	Kingston	Smith (MI)
Combest	Klink	Smith (NJ)
Costello	Knollenberg	Smith (OR)
Cox	Kyl	Smith (TX)
Crane	LaFalce	Solomon
Crapo	Leach	Spence
Cunningham	Levy	Stearns
de la Garza	Lewis (CA)	Stenholm
Deal	Lewis (FL)	Stump
DeLay	Lightfoot	Stupak
Diaz-Balart	Linder	Sundquist
Dickey	Manzullo	Talent
Doolittle	McCandless	Tauzin
Dornan	McCollum	Taylor (MS)
Dreier	McCrery	Taylor (NC)
Duncan	McDade	Tejeda
Dunn	McHugh	Thomas (CA)
Ehlers	McInnis	Thomas (WY)
Emerson	McKeon	Upton
Everett	McMillan	Volkmer
Ewing	McNulty	Vucanovich
Fields (TX)	Mica	Walker
Fish	Miller (FL)	Walsh
Gallegly	Mollohan	Waldon
Gekas	Moorhead	Wolf
Gilchrest	Myers	Young (AK)
Gillmor	Nussle	Young (FL)
Gingrich	Oberstar	
Goodlatte	Ortiz	

NAYS—240

Abercrombie	Glickman	Owens
Ackerman	Gonzalez	Oxley
Andrews (ME)	Gordon	Pallone
Andrews (NJ)	Greenwood	Pastor
Andrews (TX)	Gutierrez	Payne (NJ)
Bacchus (FL)	Hamburg	Payne (VA)
Baesler	Hamilton	Pelosi
Barca	Harman	Peterson (FL)
Barlow	Hefner	Pickett
Barrett (WI)	Hilliard	Pickle
Becerra	Hinche	Pomeroy
Beilenson	Hoagland	Porter
Bereuter	Hochbrueckner	Price (NC)
Berman	Horn	Pryce (OH)
Bilbray	Houghton	Ramstad
Bishop	Hoyer	Rangel
Blackwell	Huffington	Reed
Boehlert	Hughes	Reynolds
Bonior	Jacobs	Richardson
Borski	Jefferson	Ridge
Boucher	Johnson (CT)	Roemer
Brewster	Johnson (GA)	Rose
Brooks	Johnson (SD)	Roukema
Brown (FL)	Johnson, E. B.	Rowland
Brown (OH)	Kanjorski	Roybal-Allard
Bryant	Kennedy	Rush
Byrne	Kennelly	Sabo
Cantwell	Klecza	Sanders
Cardin	Klein	Sawyer
Carr	Klug	Schenk
Castle	Kolbe	Schiff
Chapman	Kopetski	Schroeder
Clay	Kreidler	Schumer
Clayton	Lambert	Scott
Clement	Lancaster	Serrano
Clyburn	Lantos	Sharp
Coleman	LaRocco	Shays
Collins (MI)	Laughlin	Shepherd
Condit	Lazio	Sisisky
Conyers	Lehman	Skaggs
Cooper	Levin	Slattery
Coppersmith	Lewis (GA)	Slaughter
Coyne	Lipinski	Smith (IA)
Cramer	Lloyd	Snowe
Danner	Long	Spratt
Darden	Lowe	Stark
DeFazio	Machtley	Stokes
DeLauro	Maloney	Strickland
Dellums	Mann	Studds
Derrick	Margolies-	Swift
Deutsch	Mezvinsky	Synar
Dicks	Markey	Tanner
Dingell	Martinez	Thompson
Dixon	Matsui	Thornpton
Dooley	Mazzoli	Thornton
Durbin	McCloskey	Thurman
Edwards (CA)	McCurdy	Torkildsen
Edwards (TX)	McDermott	Torres
Engel	McHale	Torricelli
English	McKinney	Towns
Eshoo	Meehan	Trafcant
Evans	Menendez	Unsoeld
Fawell	Meyers	Valentine
Fazio	Mfume	Velazquez
Fields (LA)	Miller (CA)	Vento
Filner	Mineta	Visclosky
Fingerhut	Minge	Washington
Flake	Mink	Waters
Foglietta	Moakley	Waxman
Ford (MI)	Molinari	Wheat
Ford (TN)	Montgomery	Whitten
Frank (MA)	Moran	Wilson
Franks (CT)	Morella	Wise
Franks (NJ)	Murphy	Woolsey
Frost	Murtha	Wyden
Furse	Nadler	Wynn
Gejdenson	Neal (MA)	Yates
Gephardt	Neal (NC)	Zeliff
Geran	Obey	Zimmer
Gibbons	Olver	
Gilman	Orton	

NOT VOTING—18

Brown (CA)	Green	Michel
Collins (IL)	Hastings	Natcher
Farr	Johnston	Rostenkowski
Fowler	Livingston	Tucker
Gallo	Manton	Watt
Grandy	Meek	Williams

So the motion to lay on the table the motion to amend the Senate bill was not agreed to.

A motion to reconsider the vote whereby said motion was not agreed to was, by unanimous consent, laid on the table.

Mrs. SCHROEDER withdrew the motion on ordering the previous question on the amendment and the bill.

After further debate,

By unanimous consent, the previous question was ordered on the amendment and the bill.

The question being put, viva voce,

Will the House agree to the amendment to the bill?

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

So the amendment was agreed to.

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

Mr. SMITH of New Jersey moved to commit the Senate bill (S. 636), as amended, to the Committee on the Judiciary.

By unanimous consent, the previous question was ordered on the motion to commit.

The question being put, viva voce,

Will the House commit said bill?

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

Mr. SMITH of New Jersey objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 168  
Nays ..... 233

25.19 [Roll No. 69] YEAS—168

Allard	Everett	Lipinski
Applegate	Ewing	Manzullo
Archer	Fields (TX)	McCollum
Armye	Fish	McCrery
Bachus (AL)	Galleghy	McDade
Baker (CA)	Gekas	McHugh
Baker (LA)	Gilchrest	McKeon
Ballenger	Gillmor	McMillan
Barcia	Gingrich	McNulty
Barrett (NE)	Goodlatte	Mica
Bartlett	Goodling	Miller (FL)
Barton	Goss	Mollohan
Bateman	Grams	Moorhead
Bentley	Gunderson	Murtha
Bilirakis	Hall (OH)	Myers
Bliley	Hall (TX)	Nussle
Blute	Hancock	Oberstar
Boehner	Hansen	Ortiz
Bonilla	Hayes	Oxley
Browder	Hefley	Packard
Bunning	Heger	Parker
Burton	Hobson	Paxon
Buyer	Hoekstra	Penny
Callahan	Hoke	Peterson (MN)
Calvert	Holden	Petri
Camp	Hunter	Pombo
Canady	Hutchinson	Portman
Clinger	Hutto	Poshard
Coble	Hyde	Quillen
Collins (GA)	Inglis	Quinn
Combest	Inhofe	Rahall
Cox	Istook	Ravenel
Crane	Johnson, Sam	Regula
Crapo	Kanjorski	Roberts
Cunningham	Kasich	Rogers
de la Garza	Kildee	Rohrabacher
Deal	Kim	Ros-Lehtinen
DeLay	King	Roth
Diaz-Balart	Kingston	Royce
Dickey	Klink	Santorum
Doolittle	Knollenberg	Sarpaluis
Dornan	Kyl	Saxton
Dreier	LaFalce	Sensenbrenner
Duncan	Leach	Shaw
Dunn	Levy	Shuster
Ehlers	Lewis (FL)	Skeen
Emerson	Lightfoot	Smith (MI)

Smith (NJ)	Sundquist	Volkmer
Smith (OR)	Talent	Vucanovich
Smith (TX)	Tauzin	Walker
Solomon	Taylor (MS)	Walsh
Spence	Taylor (NC)	Weldon
Stearns	Tejeda	Whitten
Stenholm	Thomas (CA)	Wolf
Stump	Thomas (WY)	Young (AK)
Stupak	Upton	Young (FL)

NAYS—233

Abercrombie	Gibbons	Owens
Ackerman	Gilman	Pallone
Andrews (ME)	Glickman	Pastor
Andrews (NJ)	Gonzalez	Payne (NJ)
Andrews (TX)	Gordon	Payne (VA)
Bacchus (FL)	Greenwood	Pelosi
Baesler	Gutierrez	Peterson (FL)
Barca	Hamburg	Pickett
Barlow	Hamilton	Pickle
Barrett (WI)	Harman	Pomeroy
Becerra	Hefner	Porter
Beilenson	Hilliard	Price (NC)
Bereuter	Hinche	Pryce (OH)
Berman	Hoagland	Ramstad
Bevill	Hochbrueckner	Rangel
Bilbray	Horn	Reed
Bishop	Houghton	Reynolds
Blackwell	Hoyer	Richardson
Boehlert	Huffington	Ridge
Bonior	Hughes	Roemer
Borski	Inslee	Rose
Boucher	Jacobs	Roukema
Brewster	Johnson (CT)	Rowland
Brooks	Johnson (GA)	Roybal-Allard
Brown (FL)	Johnson (SD)	Rush
Brown (OH)	Johnson, E. B.	Sabo
Bryant	Kaptur	Sanders
Byrne	Kennedy	Sangmeister
Cantwell	Kennelly	Sawyer
Cardin	Klecza	Schenk
Carr	Klein	Schiff
Castle	Klug	Schroeder
Chapman	Kolbe	Schumer
Clay	Kopetski	Scott
Clayton	Kreidler	Serrano
Clement	Lambert	Sharp
Clyburn	Lancaster	Shays
Coleman	Lantos	Shepherd
Collins (MI)	LaRocco	Sisisky
Condit	Laughlin	Skaggs
Conyers	Lazio	Slattery
Cooper	Lehman	Slaughter
Coppersmith	Levin	Smith (IA)
Coyne	Lewis (GA)	Snowe
Cramer	Lloyd	Spratt
Danner	Long	Stark
Darden	Lowe	Stokes
DeFazio	Machtley	Strickland
DeLauro	Maloney	Studds
Dellums	Mann	Swift
Derrick	Margolies-	Synar
Deutsch	Mezvinsky	Tanner
Dicks	Markey	Thompson
Dingell	Matsui	Thornpton
Dixon	Mazzoli	Thornton
Durbin	McCandless	Thurman
Edwards (CA)	McCurdy	Torkildsen
Edwards (TX)	McHale	Torricelli
Engel	McInnis	Towns
English	McKinney	Trafcant
Eshoo	Meehan	Unsoeld
Evans	Menendez	Valentine
Fawell	Meyers	Velazquez
Fields (LA)	Miller (CA)	Vento
Filner	Mineta	Visclosky
Fingerhut	Minge	Washington
Flake	Mink	Waters
Foglietta	Moakley	Waxman
Ford (MI)	Molinari	Wheat
Ford (TN)	Montgomery	Williams
Frank (MA)	Moran	Wilson
Franks (CT)	Morella	Wise
Franks (NJ)	Murphy	Woolsey
Frost	Nadler	Wyden
Furse	Neal (MA)	Wynn
Gejdenson	Neal (NC)	Yates
Gephardt	Olver	Zeliff
Geran	Orton	Zimmer

NOT VOTING—32

Brown (CA)	Green	Martinez
Collins (IL)	Hastert	McCloskey
Costello	Hastings	McDermott
Dooley	Jefferson	Meek
Farr	Johnston	Mfume
Fazio	Lewis (CA)	Michel
Fowler	Linder	Murphy
Gallo	Livingston	Natcher
Grandy	Manton	