

Michel	Roemer	Strickland
Miller (CA)	Rohrabacher	Studds
Miller (FL)	Ros-Lehtinen	Stump
Minge	Roth	Stupak
Mink	Roukema	Swett
Molinari	Roybal-Allard	Swift
Moorhead	Royce	Synar
Morella	Rush	Talent
Murphy	Sanders	Tauzin
Nadler	Sangmeister	Taylor (NC)
Neal (MA)	Santorum	Thomas (CA)
Neal (NC)	Saxton	Thomas (WY)
Nussle	Schaefer	Thurman
Oberstar	Schenk	Torkildsen
Olver	Schiff	Towns
Orton	Schroeder	Tucker
Oxley	Sensenbrenner	Upton
Packard	Sharp	Velazquez
Paxon	Shaw	Vento
Payne (NJ)	Shays	Volkmer
Payne (VA)	Shepherd	Vucanovich
Pelosi	Shuster	Walker
Penny	Sisisky	Walsh
Peterson (MN)	Skeen	Washington
Petri	Skelton	Waters
Pombo	Slattery	Watt
Porter	Smith (MI)	Weldon
Poshard	Smith (NJ)	Williams
Pryce (OH)	Smith (OR)	Wise
Quinn	Smith (TX)	Wolf
Ramstad	Snowe	Woolsey
Ravenel	Solomon	Wyden
Reed	Spence	Wynn
Regula	Spratt	Young (AK)
Reynolds	Stark	Young (FL)
Ridge	Stearns	Zeliff
Roberts	Stenholm	Zimmer

NOT VOTING—5

Engel	Mfume	Portman
Hastings	Pomeroy	

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

112.7 PROVIDING FOR THE CONSIDERATION OF H.R. 1845

Mr. HALL of Ohio, by direction of the Committee on Rules, called up the following resolution (H. Res. 262):

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1845) to establish the Biological Survey in the Department of the Interior. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with section 302(f), 308(a), or 401(b) of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour, with thirty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Merchant Marine and Fisheries, thirty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources, and fifteen minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Science, Space, and Technology. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the committee amendments now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution. Each section of the amendment in the nature of a substitute shall be considered as read. Points of order against the amendment in the nature of a substitute for failure to comply with clause 5(a) of rule XXI are waived. At the conclusion of consideration of the bill for amendment the Committee shall

rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

By unanimous consent, the time for general debate on H.R. 1845 as specified in said resolution was increased by an additional fifteen minutes.

After debate,

On motion of Mr. HALL of Ohio, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, *viva voce*,

Will the House agree to said resolution?

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

Mr. TAUZIN 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	.....	238
Nays	.....	188

112.8 [Roll No. 483]

YEAS—238

Abercrombie	Dingell	Kaptur
Andrews (ME)	Dixon	Kennedy
Andrews (NJ)	Durbin	Kennelly
Applegate	Edwards (CA)	Kildee
Bacchus (FL)	Edwards (TX)	Klecza
Baesler	Engel	Klein
Barca	English (AZ)	Kopetski
Barcia	Eshoo	Kreidler
Barlow	Evans	Lambert
Barrett (WI)	Farr	Lancaster
Becerra	Fazio	Lantos
Beilenson	Fields (LA)	LaRocco
Berman	Filner	Levin
Bilbray	Fingerhut	Lewis (GA)
Bishop	Flake	Lipinski
Blackwell	Foglietta	Long
Bonior	Ford (MI)	Lowe
Borski	Ford (TN)	Maloney
Boucher	Frank (MA)	Mann
Brooks	Frost	Manton
Brown (CA)	Furse	Margolies-
Brown (FL)	Gejdenson	Mezvinsky
Brown (OH)	Gephardt	Markey
Bryant	Gibbons	Martinez
Byrne	Gilchrest	Matsui
Cantwell	Gillmor	Mazzoli
Cardin	Glickman	McCloskey
Carr	Gonzalez	McDermott
Chapman	Gordon	McHale
Clay	Green	McKinney
Clayton	Gutierrez	McNulty
Clement	Hall (OH)	Meehan
Clinger	Hamburg	Meek
Clyburn	Hamilton	Menendez
Coleman	Harman	Mfume
Collins (IL)	Hefner	Miller (CA)
Collins (MI)	Hilliard	Mineta
Conyers	Hinche	Minge
Cooper	Hoagland	Mink
Coppersmith	Hochbrueckner	Moakley
Costello	Hoyer	Mollohan
Coyne	Hughes	Montgomery
Danner	Hutto	Moran
Darden	Inslee	Morella
de la Garza	Jefferson	Murphy
DeFazio	Johnson (CT)	Murtha
DeLauro	Johnson (GA)	Nadler
Dellums	Johnson (SD)	Natcher
Derrick	Johnson, E. B.	Neal (MA)
Deutsch	Johnston	Neal (NC)
Dicks	Kanjorski	Oberstar

Obey	Sanders	Thornton
Olver	Sangmeister	Thurman
Ortiz	Sarpalius	Torres
Orton	Sawyer	Torrice
Owens	Saxton	Towns
Pallone	Schenk	Traficant
Pastor	Schroeder	Tucker
Payne (NJ)	Schumer	Unsoeld
Payne (VA)	Scott	Valentine
Pelosi	Serrano	Velazquez
Peterson (FL)	Sharp	Vento
Peterson (MN)	Shays	Visclosky
Pickett	Shepherd	Volkmer
Pickle	Skaggs	Washington
Porter	Skelton	Waters
Poshard	Slattery	Watt
Price (NC)	Slaughter	Waxman
Rangel	Smith (IA)	Weldon
Reed	Spratt	Wheat
Reynolds	Stark	Whitten
Richardson	Stokes	Williams
Roemer	Strickland	Wilson
Ros-Lehtinen	Studds	Wise
Rose	Stupak	Woolsey
Rostenkowski	Swett	Wyden
Rowland	Swift	Wynn
Roybal-Allard	Synar	Yates
Rush	Tejeda	Zimmer
Sabo	Thompson	

NAYS—188

Allard	Geren	Michel
Andrews (TX)	Gilman	Miller (FL)
Archer	Gingrich	Molinari
Armey	Goodlatte	Moorhead
Bachus (AL)	Goodling	Myers
Baker (CA)	Goss	Nussle
Baker (LA)	Grams	Oxley
Ballenger	Grandy	Packard
Barrett (NE)	Greenwood	Parker
Bartlett	Gunderson	Paxon
Barton	Hancock	Penny
Bateman	Hansen	Petri
Bentley	Hastert	Pombo
Bereuter	Hayes	Portman
Bevill	Hefley	Pryce (OH)
Bilirakis	Herger	Quillen
Bliley	Hobson	Quinn
Blute	Hoekstra	Ramstad
Boehlert	Hoke	Ravenel
Boehner	Horn	Regula
Bonilla	Houghton	Ridge
Brewster	Huffington	Roberts
Browder	Hunter	Rogers
Bunning	Hutchinson	Rohrabacher
Burton	Hyde	Roth
Buyer	Inglis	Roukema
Callahan	Inhofe	Royce
Calvert	Istook	Santorum
Camp	Jacobs	Schaefer
Canady	Johnson, Sam	Schiff
Castle	Kasich	Sensenbrenner
Coble	Kim	Shaw
Collins (GA)	King	Shuster
Combest	Kingston	Sisisky
Condit	Klink	Skeen
Cox	Klug	Smith (MI)
Cramer	Knollenberg	Smith (NJ)
Crane	Kolbe	Smith (OR)
Crapo	Kyl	Smith (TX)
Cunningham	Laughlin	Snowe
Deal	Lazio	Solomon
DeLay	Leach	Spence
Diaz-Balart	Lehman	Stearns
Dickey	Levy	Stenholm
Dooley	Lewis (CA)	Stump
Doolittle	Lewis (FL)	Sundquist
Dornan	Lightfoot	Talent
Dreier	Linder	Tanner
Duncan	Livingston	Tauzin
Dunn	Lloyd	Taylor (MS)
Emerson	Machtley	Taylor (NC)
English (OK)	Manzullo	Thomas (CA)
Everett	McCandless	Thomas (WY)
Ewing	McCollum	Torkildsen
Fawell	McCrery	Upton
Fields (TX)	McCurdy	Vucanovich
Fish	McDade	Walker
Fowler	McHugh	Walsh
Franks (CT)	McInnis	Wolf
Franks (NJ)	McKeon	Young (AK)
Galleghy	McMillan	Young (FL)
Gallo	Meyers	Zeliff
Gekas	Mica	

NOT VOTING—7

Ackerman	Holden	Rahall
Hall (TX)	LaFalce	
Hastings	Pomeroy	

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.

¶112.9 BIOLOGICAL SURVEY

The SPEAKER pro tempore, Mr. SWIFT, pursuant to House Resolution 262 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1845) to establish the Biological Survey in the Department of the Interior.

The SPEAKER pro tempore, Mr. SWIFT, by unanimous consent, designated Mrs. MINK as Chairman of the Committee of the Whole; and after some time spent therein,

¶112.10 RECORDED VOTE

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

- In section 3(c)—
(1) strike paragraph (2); and
(2) in paragraph (1)—
(A) strike “(1) IN GENERAL.—”;
(B) in subparagraph (B) insert “and” after the semicolon at the end;
(C) in subparagraph (C) strike “; and” and insert a period;
(D) strike subparagraph (D); and
(E) redesignate subparagraphs (A), (B), and (C) in order as paragraphs (1), (2), and (3).

It was decided in the affirmative { Yeas ..... 217 Nays ..... 212

¶112.11 [Roll No. 484] AYES—217

Table listing names of members who voted 'AYES' for §112.11, including Allard, Andrews (TX), Applegate, Archer, Armye, Bachus (AL), Baker (CA), Baker (LA), Ballenger, Barcia, Barlow, Barrett (NE), Bartlett, Barton, Bateman, Bentley, Bereuter, Bevill, Bilirakis, Bishop, Biley, Blute, Boehner, Bonilla, Brewster, Brooks, Browder, Bryant, Bunning, Burton, Buyer, Callahan, Calvert, Camp, Canady, Chapman, Clinger, Clyburn, Coble, Collins (GA), Combust, Condit, Cooper, Costello, Cox, Cramer, Crane, Crapo, Cunningham, Danner, de la Garza, Deal, DeLay, Dickey, Dooley, Doolittle, Dornan, Dreier, Duncan, Dunn, Edwards (TX), Emerson, English (OK), Everett, Ewing, Fawell, Fazio, Fields (LA), Fields (TX), Fish, Fowler, Franks (CT), Franks (NJ), Gallegly, Gallo, Gekas, Geren, Gillmor, Gingrich, Goodlatte, Goodling, Goss, Grams, Grandy, Gunderson, Hall (TX), Hancock, Hansen, Hastert, Hayes, Hefley, Herger, Hilliard, Hoekstra, Hoke, Holden, Horn, Houghton, Huffington, Hutchinson, Hutto, Hyde, Inhofe, Istook, Jefferson, Johnson, Sam, Kaptur, Kasich, Kim, King, Kingston, Klink, Knollenberg, Kolbe, Kyl, Lambert, Laughlin, Lazio, Lehman, Levy, Lewis (CA), Lewis (FL), Lightfoot, Linder, Lipinski, Livingston, Lloyd, Manzullo, Mazzoli, McCandless, McCollum, McCrery, McDade, McHugh, McInnis, McKeon, McMillan, Mica, Miller (FL), Minge, Molinari, Mollohan, Montgomery, Moorhead, Murphy, Murtha, Myers, Huffington, Hutchinson, Hutto, Hyde, Inhofe, Istook, Jefferson, Johnson, Sam, Kaptur, Kasich, Kim, King, Kingston, Klink, Knollenberg, Kolbe, Kyl, Lambert, Laughlin, Lazio, Lehman, Levy, Lewis (CA), Lewis (FL), Lightfoot, Linder, Lipinski, Livingston, Lloyd, Manzullo, Mazzoli, McCandless, McCollum, McCrery, McDade, McHugh, McInnis, McKeon, McMillan, Mica, Miller (FL), Minge, Molinari, Mollohan, Montgomery, Moorhead, Murphy, Murtha, Myers

Table listing names of members who voted 'NOES' for §112.10, including Nussle, Ortiz, Orton, Oxley, Packard, Parker, Paxon, Penny, Peterson (MN), Petri, Pickett, Pombo, Portman, Poshard, Pryce (OH), Quillen, Quinn, Regula, Ridge, Roberts, Rogers, Rohrabacher, Roth, Roukema, Rowland, Royce, Santorum, Sarpaluis, Saxton, Schaefer, Schiff, Sensenbrenner, Shaw, Shuster, Sisisky, Skeen, Skelton, Smith (IA), Smith (MI), Smith (OR), Smith (TX), Solomon, Spence, Stearns, Stenholm, Stump, Sundquist, Talent

NOES—212

Table listing names of members who voted 'NOES' for §112.10, including Abercrombie, Ackerman, Andrews (ME), Andrews (NJ), Bacchus (FL), Baesler, Barca, Barrett (WI), Becerra, Beilenson, Berman, Bilbray, Boehlert, Bonior, Borski, Boucher, Brown (CA), Brown (FL), Brown (OH), Byrne, Cantwell, Cardin, Carr, Castle, Clay, Clayton, Clement, Coleman, Collins (IL), Collins (MI), Conyers, Coppersmith, Coyne, Darden, de Lugo (VI), DeFazio, DeLauro, Dellums, Deutsch, Diaz-Balart, Dicks, Dingell, Dixon, Durbin, Edwards (CA), Engel, English (AZ), Eshoo, Evans, Farr, Filner, Fingerhut, Flake, Foglietta, Ford (MI), Ford (TN), Frank (MA), Furse, Gejdenson, Gephardt, Gibbons, Gilchrest, Gilman, Glickman, Gonzalez, Gordon, Green, Greenwood, Gutierrez, Hall (OH), Hamburg, Hamilton, Harman, Hefner, Hinchey, Hoagland, Hobson, Hochbrueckner, Hoyer, Hughes, Inglis, Inslee, Jacobs, Johnson (CT), Johnson (GA), Johnson (SD), Johnson, E. B., Johnston, Kanjorski, Johnson (SD), Kennedy, Kennelly, Kildee, Kleczka, Klein, Klug, Kopetski, Kreidler, LaFalce, Lancaster, Lantos, LaRocco, Leach, Levin, Lewis (GA), Long, Lowey, Machtley, Maloney, Mann, Manton, Margolies-Mezvinsky, Markey, Martinez, Matsui, McCloskey, McCurdy, McDermott, McHale, McKinney, McNulty, Meehan, Meek, Menendez, Meyers, Mfume, Miller (CA), Mineta, Mink, Moakley, Moran, Morella, Nadler, Natcher, Neal (MA), Neal (NC), Norton (DC), Oberstar, Obey, Olver, Owens, Pallone, Pastor, Payne (NJ), Payne (VA), Pelosi, Peterson (FL), Pickle, Porter, Price (NC), Rahall, Ramstad, Rangel, Ravenel, Reed, Reynolds, Richardson, Roemer, Ros-Lehtinen, Rose, Rostenkowski, Roybal-Allard, Rush, Sabo, Sanders, Sangmeister, Sawyer, Schenk, Schroeder, Schumer, Scott, Serrano, Sharp, Shays, Shepherd, Skaggs, Slattery, Slaughter, Smith (NJ), Snowe, Spratt, Stark, Stokes, Strickland, Studds, Stupak, Swett, Swift, Synar, Thompson, Thurman, Torres, Torricelli, Towns, Tucker, Underwood (GU), Unsoeld, Valentine, Velazquez, Vento, Visclosky, Washington, Waters, Watt, Waxman, Wheat, Williams, Wise, Woolsey, Wyden, Wynn, Yates, Zimmer

NOT VOTING—9

Table listing names of members who did not vote, including Blackwell, Derrick, Faleomavaega (AS), Frost, Hastings, Hunter, Michel, Pomeroy, Romero-Barcelo (PR)

So the amendment was agreed to. After some further time,

¶112.12 RECORDED VOTE

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

Strike section 6, and insert:

SEC. 6. SURVEY ACTIVITIES ON PRIVATE AND OTHER NON-FEDERAL LANDS.

(a) COMPLIANCE WITH STATE LAWS.—The Survey shall comply with applicable State and Tribal government laws, including laws relating to private property rights and privacy.

(b) CONSENT AND NOTICE REQUIREMENTS.—

(1) IN GENERAL.—The Survey shall not enter non-federal real property for the purpose of collecting information regarding the property, unless the owner of the property has—

(A) consented in writing to that entry;

(B) after providing that consent, been provided notice of that entry; and

(C) been notified that any raw data collected from the property must be made available at no cost, if requested by the land owner.

(2) LIMITATION.—Paragraph (1) does not prohibit entry of property for the purpose of obtaining consent or providing notice as required by that paragraph.

(c) REPORT TO CONGRESS.—On January 1, 1995, and January 1, 1996, and biennially thereafter, the secretary shall provide a report to the Committee on Merchant Marine and Fisheries in the House of Representatives and the Committee on Environment and Public Works in the Senate. The report shall identify all activities of the Survey on non-federal lands and shall certify compliance with subsection (b)(1).

(d) SURVEY POLICY ON ACCESS TO PRIVATE AND NON-FEDERAL LANDS.—Within six months of enactment, the Director shall develop a policy for Survey employees and agents to follow in order to help ensure compliance with subsection (b)(1). The Director shall provide this policy to the Committee on Merchant Marine and Fisheries in the House of Representatives and the Committee on Environment and Public Works in the Senate.

(e) SURVEY DEFINED.—In this section, the term “Survey” includes any person that is an officer, employee, or agent of the Survey, including any such person acting pursuant to a contract or cooperative agreement with or any grant from the Survey.

It was decided in the affirmative { Yeas ..... 309 Nays ..... 115

¶112.13 [Roll No. 485] AYES—309

Table listing names of members who voted 'AYES' for §112.13, including Allard, Andrews (TX), Applegate, Archer, Armye, Bachus (AL), Baesler, Baker (CA), Baker (LA), Ballenger, Barca, Barcia, Barlow, Barrett (NE), Barrett (WI), Bartlett, Barton, Bateman, Bentley, Bereuter, Bevill, Bilbray, Bilirakis, Bliley, Blute, Boehlert, Boehner, Bonilla, Boucher, Brewer, Brooks, Browder, Brown (FL), Brown (OH), Bryant, Bunning, Burton, Buyer, Byrne, Callahan, Calvert, Camp, Canady, Cantwell, Carr, Castle, Chapman