

this Act shall be made available for Phase II-B grants to study the feasibility of siting a Monitored Retrievable Storage Facility.

On motion of Mr. BEVILL, the House receded from its disagreement to the amendment of the Senate numbered 39 and concurred therein.

A motion to reconsider the votes whereby the foregoing conference report and motions were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶123.9 CORRECT ENROLLMENT—H.R. 2403

On motion of Mr. HOYER, by unanimous consent, the following concurrent resolution of the Senate was taken from the Speaker's table (S. Con. Res. 48):

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (H.R. 2403), entitled "An Act making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1994, and for other purposes" the Clerk of the House of Representatives is requested to make the following correction:

In the matter under the heading:

"GENERAL SERVICES ADMINISTRATION
FEDERAL BUILDINGS FUND

"LIMITATIONS ON AVAILABILITY OF REVENUE"

under title IV under the heading "INDEPENDENT AGENCIES" strike out the following proviso: "": *Provided further*, That subject to the exceptions contained in the preceding proviso, in no case shall such funds be made available for any lease, line-item construction, repair, or alterations project referred to in the preceding proviso if prior to February 1, 1994, the lease, line-item construction, repair, or alterations project has been disapproved by the House Committee on Public Works and Transportation and the Senate Committee on Environment and Public Works" and insert in lieu thereof "": *Provided further*, That subject to the exceptions contained in the preceding proviso, in no case shall such funds be made available for any lease, line-item construction, repair, or alterations project referred to in the preceding proviso if prior to February 1, 1994, the lease, line-item construction, repair, or alterations project has been disapproved by the House Committee on Public Works and Transportation or the Senate Committee on Environment and Public Works".

When said concurrent resolution was considered and agreed to.

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

Ordered, That the Clerk notify the Senate thereof.

¶123.10 MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Edwin Thomas, one of his secretaries.

¶123.11 BIOLOGICAL SURVEY

The SPEAKER pro tempore, Mr. FIELDS of Louisiana, 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 further consideration of the bill (H.R. 1845) to establish the Biological Survey in the Department of the Interior.

Mrs. MINK, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

The SPEAKER pro tempore, Mr. McNULTY, assumed the Chair.

When Mrs. MINK, Chairman, pursuant to House Resolution 262, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

Mr. DREIER demanded a separate vote on the amendment striking section 6 (the TAYLOR, of North Carolina, amendment).

Mr. VENTO demanded a separate vote on the amendment to section 3 (the TAUZIN amendment).

The question being put, *viva voce*, Will the House agree to the following amendment on which a separate vote had been demanded?

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).

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

Mr. SOLOMON demanded a recorded vote on agreeing to said amendment, 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 227
Nays 194

¶123.12 [Roll No. 528]
AYES—227

Abercrombie
Allard
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armev
Bachus (AL)
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barlow
Barrett (NE)
Bartlett
Barton
Bateman
Bentley
Bereuter
Bevill
Bilirakis
Billey
Blute
Boehner
Bonilla
Brooks
Browder
Bryant
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chapman
Clinger
Coble
Collins (GA)
Combust
Condit
Cooper
Costello
Cox
Cramer
Crane
Crapo
Cunningham
Danner
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Dingell
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Edwards (TX)
Emerson
English (OK)
Everett
Ewing
Fawell
Fazio
Fields (LA)
Fields (TX)
Fish
Flake
Fowler
Franks (CT)
Franks (NJ)
Frost
Gallegly
Gallo
Gekas
Geren
Gillmor
Gingrich
Glickman
Goodlatte
Goodling
Goss
Grams
Grandy
Gunderson
Hall (TX)
Hancock
Hansen
Hastert
Hastings
Hayes
Hefley
Herger
Hoke

Holden
Houghton
Huffington
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Istook
Jefferson
Johnson, Sam
Kaptur
Kasich
Kim
King
Kingston
Klecza
Klink
Knollenberg
Kolbe
Kyl
Lambert
Laughlin
Lazio
Lehman
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Manzullo
Martinez
Mazzoli
McCandless
McCollum
McCrery
McHugh
McInnis
McKeon
McMillan
Michel
Miller (FL)
Minge
Molinari
Mollohan
Montgomery
Moorhead
Murphy
Murtha
Myers
Nussle
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Penny
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Portman
Poshard
Pryce (OH)
Quillen
Quinn
Regula
Reynolds
Ridge
Roberts
Rogers
Rohrabacher
Roth
Roukema
Rowland
Royce
Santorum
Sarpaluis
Saxton
Schaefer
Schiff
Schroeder
Sensenbrenner
Shaw
Shuster
Sisisky
Skeen
Skelton
Smith (IA)
Smith (MI)
Smith (OR)
Smith (TX)
Solomon
Spence
Stearns
Stenholm
Stump
Sundquist
Swift
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WA)
Thornton
Torkildsen
Traficant
Upton
Volkmere
Vucanovich
Walker
Walsh
Weldon
Whitten
Wilson
Wolf
Young (AK)
Young (FL)
Zeliff

NOES—194

Ackerman
Andrews (ME)
Bacchus (FL)
Barca
Barrett (WI)
Becerra
Beilenson
Billbray
Bishop
Boehlert
Bonior
Borski
Boucher
Brown (FL)
Brown (OH)
Byrne
Cantwell
Cardin
Carr
Castle
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Coppersmith
Coyne
Darden
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Dicks
Dixon
Durbin
Edwards (CA)
Engel
English (AZ)
Eshoo
Evans
Farr
Filner
Fingerhut
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Furse
Gejdenson
Gibbons
Gilchrist
Gilman
Gonzalez
Gordon
Green
Greenwood
Gutierrez
Hall (OH)
Hamburg
Hamilton
Harman
Hefner
Hilliard
Hinchev
Hoagland
Hobson
Hochbrueckner
Hoyer
Hughes
Inslee
Jacobs
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kennelly
Kildee
Klein
Klug
Kopetski
Kreidler
LaFalce
Lancaster
Lantos
LaRocco
Leach
Levin
Lewis (GA)
Long
Lowe
Machtley
Maloney
Mann
Manton
Margolies-
Mezvinsky
Markey
Matsui
McCloskey
McCurdy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Mica
Miller (CA)
Mineta
Mink
Moakley
Moran
Morella
Nadler
Natcher
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickle
Price (NC)
Rahall
Ramstad
Rangel
Ravenel
Reed
Richardson
Roemer
Ros-Lehtinen
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sawyer
Schenk
Schumer
Scott
Serrano
Sharp
Shays
Shepherd
Skaggs
Slattery
Slaughter
Smith (NJ)
Snow
Spratt

Stark Torricelli Watt
 Stokes Towns Waxman
 Strickland Tucker Wheat
 Studts Unsoeld Williams
 Stupak Valentine Wise
 Swett Velazquez Woolsey
 Synar Vento Wyden
 Thompson Visclosky Wynn
 Thurman Washington Yates
 Torres Waters Zimmer

NOT VOTING—12

Berman Gephardt McDade
 Blackwell Hoekstra Porter
 Brewster Horn Rose
 Brown (CA) Kennedy Rostenkowski

So the amendment was agreed to.

The question being put, *viva voce*,

Will the House agree to the following amendment on which a separate vote had been demanded?

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.

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

Mr. DREIER demanded a recorded vote on agreeing to said amendment, 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 325
 Nays 94

123.13 [Roll No. 529]
 AYES—325

Allard Flake Margolies-
 Andrews (NJ) Ford (TN) Mezvinsky
 Andrews (TX) Fowler Martinez
 Applegate Franks (CT) Mazzoli
 Archer Franks (NJ) McCandless
 Arney Frost McCloskey
 Bachus (AL) Gallegly McCollum
 Baesler Gallo McCrery
 Baker (CA) Gejdenson McCurdy
 Baker (LA) Gekas McHale
 Ballenger Geren McHugh
 Barca Gillmor McInnis
 Barcia Gilman McKeon
 Barlow Gingrich McKinney
 Barrett (NE) Glickman McMillan
 Barrett (WI) Goodlatte McNulty
 Bartlett Goodling Menendez
 Barton Gooding Meyers
 Bateman Gordon Mica
 Bentley Goss Michel
 Bereuter Grams Miller (FL)
 Bevill Grandy Minge
 Bilbray Greenwood Moakley
 Bilirakis Gunderson Molinari
 Bishop Hall (OH) Mollohan
 Bliley Hall (TX) Montgomery
 Blute Hamilton Moorhead
 Boehlert Hancock Murphy
 Boehner Hansen Murtha
 Bonilla Hastert Myers
 Borski Hayes Natcher
 Boucher Neal (MA) Neal (MA)
 Brewster Hefley Neal (NC)
 Brooks Hefner Nussle
 Browder Herger Oberstar
 Brown (FL) Hilliard Obey
 Brown (OH) Hobson Ortiz
 Bryant Hochbrueckner
 Bunning Hoke Oxley
 Burton Holden Packard
 Buyer Houghton Parker
 Byrne Hoyer Paxon
 Callahan Huffington Payne (VA)
 Callahan Hughes Penny
 Calvert Hunter Peterson (FL)
 Camp Hutchinson Peterson (MN)
 Canady Hutto Petri
 Cantwell Carr Pickett
 Castle Inglis Pickle
 Chapman Inhofe Pombo
 Clement Inslee Pomeroy
 Clinger Istook Portman
 Clyburn Jacobs Poshard
 Coble Johnson (CT) Price (NC)
 Coleman Johnson (GA) Pryce (OH)
 Collins (GA) Johnson (SD) Quillen
 Combest Johnson, E.B. Quinn
 Condit Johnson, Sam Ramstad
 Cooper Kanjorski Ravenel
 Costello Kaptur Regula
 Cox Kasich Reynolds
 Cramer Kennelly Ridge
 Crane Kildee Roberts
 Crapo Kim Roemer
 Cunningham King Rogers
 Danner Kingston Rohrabacher
 Darden Kleczka Ros-Lehtinen
 de la Garza Klink Roth
 Deal Klug Roukema
 DeFazio Knollenberg Rowland
 DeLauro Kolbe Royce
 DeLay Kopetski Sangmeister
 Derrick Kreidler Santorum
 Diaz-Balart Kyl Sarpalius
 Dicks Lambert Sawyer
 Dingell Lancaster Saxton
 Dooley Lantos Schaefer
 Doolittle LaRocco Schenk
 Dornan Laughlin Schiff
 Dreier Lazio Schroeder
 Duncan Leach Scott
 Dunn Lehman Sensenbrenner
 Durbin Levy Sharp
 Edwards (TX) Lewis (CA) Shaw
 Emerson Lewis (FL) Shepherd
 English (AZ) Lightfoot Shuster
 English (OK) Linder Sisisky
 Everett Lipinski Skeen
 Ewing Livingston Skelton
 Fawell Lloyd Slattery
 Fazio Long Slaughter
 Fields (TX) Machtley Smith (IA)
 Fingerhut Manton Smith (MI)
 Fish Manzullo Smith (NJ)

Smith (OR) Tanner Vucanovich
 Smith (TX) Tauzin Walker
 Snowe Taylor (MS) Walsh
 Solomon Taylor (NC) Weldon
 Spence Tejeda Whitten
 Spratt Thomas (CA) Williams
 Stearns Thomas (WY) Wilson
 Stenholm Thompson Wise
 Strickland Thornton Wolf
 Stump Thurman Wyden
 Stupak Torkildsen Wynn
 Sundquist Traficant Young (AK)
 Swett Upton Young (FL)
 Swift Valentine Zeliff
 Talent Volkmer Zimmer

NOES—94

Abercrombie Gutierrez Pelosi
 Ackerman Hamburg Rahall
 Andrews (ME) Harman Reed
 Bacchus (FL) Hastings Richardson
 Becerra Hinchey Roybal-Allard
 Beilenson Hoagland Rush
 Bonior Jefferson Sabo
 Cardin Johnston Sanders
 Clay Klein Schumer
 Clayton LaFalce Serrano
 Collins (IL) Levin Shays
 Minge Lewis (GA) Skaggs
 Conyers Lowey Stark
 Coppersmith Maloney Stokes
 Coyne Mann Studds
 Dellums Markey Synar
 Deutsch Matsui Torres
 Dixon McDermott Torricelli
 Edwards (CA) Meehan Towns
 Engel Meek Unsoeld
 Eshoo Mfume Velazquez
 Evans Miller (CA) Vento
 Farr Mineta Visclosky
 Fields (LA) Mink Washington
 Filner Moran Waters
 Foglietta Morella Watt
 Ford (MI) Nadler Waxman
 Frank (MA) Olver Wheat
 Furse Owens Woolsey
 Gibbons Pallone Yates
 Gilchrest Pastor
 Gonzalez Payne (NJ)

NOT VOTING—14

Berman Hoekstra Rangel
 Blackwell Horn Rose
 Brown (CA) Kennedy Rostenkowski
 Dickey McDade Tucker
 Gephardt Porter

So the amendment was agreed to.

The following amendment, as amended, in the nature of a substitute reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Biological Survey Act of 1993”.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) The Department of the Interior needs a coordinated and comprehensive source of information about the nation’s biological resources in order to address national, regional, and local natural resource conflicts and to avoid future natural resource problems.

(2) Research, information, and analysis are critical to the management of biological and natural resources on an ecosystem basis.

(3) In recent years, the need for broader and more timely biological information has been readily apparent in the numerous controversies and potential economic dislocations surrounding natural resource management.

(4) Presently, biological research, information, and analysis are dispersed and fragmented among different bureaus in the Department of the Interior.

(b) PURPOSE.—It is the purpose of this Act to establish a National Biological Survey to provide a national focus for research,