

“(2) in the case of a second or subsequent offense after a prior conviction under this section, be fined under this title or imprisoned not more than 3 years, or both; except that, if bodily injury results, the length of imprisonment shall be not more than 10 years, and if death results, it shall be for any term of years or for life.

“(c) CIVIL ACTIONS.—“(1) RIGHT OF ACTION GENERALLY.—Any person who is aggrieved by a violation of subsection (a) of this section may in a civil action obtain relief under this subsection.

“(2) ACTION BY ATTORNEY GENERAL.—If the Attorney General has reasonable cause to believe that any person, or group of persons, is aggrieved by a violation of subsection (a) of this section, the Attorney General may in a civil action obtain relief under this subsection.

“(3) ACTIONS BY STATE ATTORNEYS GENERAL.—If an attorney general of a State has reasonable cause to believe that any person or group of persons is aggrieved by a violation of subsection (a) of this section, that attorney general may in a civil action obtain relief under this subsection.

“(4) RELIEF.—In any action under this subsection, the court may award any appropriate relief, including temporary, preliminary or permanent injunctive relief, and compensatory and punitive damages for each person aggrieved by the violation. With respect to compensatory damages, the aggrieved person may elect, at any time before the rendering of final judgment, to recover, in lieu of actual damages, an award of statutory damages in the amount of \$5,000 per violation. The court may award to the prevailing party, other than the United States, reasonable fees for attorneys and expert witnesses.

“(d) RULES OF CONSTRUCTION.—(1) Nothing in this section shall be construed to prohibit any expressive conduct (including peaceful picketing or other peaceful demonstration) protected from legal prohibition by the first article of amendment to the Constitution.

“(2) Nothing in this section shall be construed to interfere with the authority of States to enforce State or local laws regulating the provision of reproductive health services.

“(e) NON-PREEMPTION.—Congress does not intend this section to provide the exclusive remedies with respect to the conduct prohibited by it, nor to preempt the legislation of the States that may provide such remedies.

“(f) DEFINITIONS.—As used in this section, the following definitions apply:

“(1) REPRODUCTIVE HEALTH SERVICES.—The term ‘reproductive health services’ means reproductive health services provided in a hospital, clinic, physician’s office, or other facility, and includes medical, surgical, counselling or referral services relating to the human reproductive system.

“(2) FACILITY.—The term ‘facility’ includes the building or structure in which the facility is located.

“(3) PHYSICAL OBSTRUCTION.—The term ‘physical obstruction’ means rendering impassable ingress to or egress from a facility that provides reproductive health services, or rendering passage to or from such facility unreasonably difficult.

“(4) STATE.—The term ‘State’ includes a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

“(5) INTIMIDATE.—The term ‘intimidate’ means to place a person in reasonable apprehension of bodily harm to himself or herself or to another.”.

SEC. 3. EFFECTIVE DATE.

This Act takes effect on the date of the enactment of this Act, and shall apply only with respect to conduct occurring on or after such date.

SEC. 4. CLERICAL AMENDMENT.

The table of sections at the beginning of chapter 13 of title 18, United States Code, is amended by adding at the end the following new item:

“248. Blocking access to reproductive health services.”.

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

Mr. SENSENBRENNER moved to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendments:

Page 3, beginning on line 7, strike “and also be subject to the civil remedy provided in subsection (c) of this section”.

Page 3, strike line 21 and all that follows through line 24 on page 4.

Redesignate succeeding subsections accordingly.

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. SKELTON, announced that the nays had it.

Mr. SENSENBRENNER demanded a recorded vote on agreeing to said motion, 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 ..... 182 negative ..... } Nays ..... 246

136.15 [Roll No. 582] AYES—182

- Allard Dornan Kingston
Applegate Dreier Klink
Archer Duncan Knollenberg
Armey Emerson Kolbe
Bachus (AL) Everett Kyl
Baker (CA) Ewing LaFalce
Baker (LA) Fields (TX) Levy
Ballenger Fish Lewis (CA)
Barcia Gallegly Lewis (FL)
Barlow Gekas Lightfoot
Barrett (NE) Gilchrest Linder
Bartlett Gillmor Lipinski
Barton Gingrich Livingston
Bateman Goodlatte Manton
Bentley Goodling Manzullo
Bereuter Goss Mazzoli
Bevill Grams McCandless
Bilirakis Grandy McCollum
Bliley Hall (OH) McCrery
Blute Hall (TX) McDade
Boehner Hamilton McHugh
Bonilla Hancock McKeon
Borski Hansen McMillan
Browder Hastert McNulty
Bunning Bunning Hayes
Burton Hefley Mica
Buyer Herger Michel
Callahan Hoekstra Miller (FL)
Calvert Hoke Mollohan
Camp Holden Montgomery
Canady Huffington Moorhead
Coble Hunter Murphy
Collins (GA) Hutchinson Murtha
Combest Hutto Myers
Costello Hyde Nussle
Cox Inglis Ortiz
Crane Inhofe Orton
Crapo Istook Oxley
Cunningham Johnson, Sam Packard
de la Garza Kanjorski Parker
Deal Kasich Paxon
DeLay Kildee Penny
Diaz-Balart Kim Peterson (MN)
Doolittle King Petri
Pombo

- Portman Sensenbrenner Tanner
Poshard Shaw Tauzin
Quillen Shuster Taylor (MS)
Quinn Skeen Taylor (NC)
Rahall Skelton Tejeda
Ravenel Smith (MI) Thomas (CA)
Roberts Smith (NJ) Thomas (WY)
Rogers Smith (OR) Valentine
Rohrabacher Smith (TX) Volkmer
Ros-Lehtinen Solomon Vucanovich
Roth Spence Walker
Royce Stearns Walsh
Santorum Stenholm Weldon
Sarpalius Stump Wolf
Saxton Stupak Young (AK)
Schaefer Sundquist Young (FL)
Schiff Talent

NOES—246

- Abercrombie Gibbons Oberstar
Ackerman Gilman Obey
Andrews (ME) Glickman Olver
Andrews (TX) Gonzalez Owens
Bacchus (FL) Gordon Pallone
Baesler Green Pastor
Barca Greenwood Payne (NJ)
Barrett (WI) Gunderson Payne (VA)
Becerra Gutierrez Pelosi
Beilenson Hamburg Peterson (FL)
Berman Harman Pickett
Bilbray Hastings Pickle
Bishop Hefner Pomeroy
Blackwell Hilliard Porter
Boehlert Hinchey Price (NC)
Bonior Hoagland Pryce (OH)
Boucher Hobson Ramstad
Brewster Hochbrueckner Rangel
Brooks Horn Reed
Brown (CA) Houghton Regula
Brown (FL) Hoyer Reynolds
Brown (OH) Hughes Richardson
Bryant Inslee Ridge
Byrne Jacobs Roemer
Cantwell Jefferson Rose
Cardin Johnson (GA) Rostenkowski
Carr Johnson (SD) Roukema
Castle Johnson, E. B. Rowland
Chapman Johnston Roybal-Allard
Clay Kaptur Rush
Clayton Kennedy Sabo
Clement Kennelly Sanders
Clyburn Kleczka Sangmeister
Coleman Klein Sawyer
Collins (IL) Klug Schenk
Collins (MI) Kopetski Schroeder
Condit Kreidler Schumer
Conyers Lambert Scott
Cooper Lancaster Serrano
Coppersmith Lantos Sharp
Coyne LaRocco Shays
Cramer Laughlin Shepherd
Danner Lazio Siskis
Darden Leach Skaggs
DeFazio Lehman Slattery
DeLauro Levin Slaughter
Dellums Lewis (GA) Smith (IA)
Derrick Lloyd Snow
Deutsch Long Spratt
Dingell Lowey Stark
Dingels Machtley Stokes
Dooley Maloney Strickland
Dunn Mann Studds
Durbin Margolies-Swett
Edwards (CA) Mezvinsky Swift
Edwards (TX) Markey Synar
Engel Martinez Thompson
English (AZ) Matsui Thornton
English (OK) McCloskey Thurman
Eshoo McCurdy Torikildsen
Evans McDermott Torres
Farr McHale Towns
Fawell McInnis Traffcant
Fazio McKinney Tucker
Fields (LA) Meehan Unsoeld
Filner Meek Upton
Fingerhut Menendez Velazquez
Flake Meyers Vento
Foglietta Mfume Visclosky
Ford (MI) Miller (CA) Washington
Ford (TN) Mineta Waters
Fowler Minge Watt
Frank (MA) Mink Waxman
Franks (CT) Moakley Wheat
Franks (NJ) Molinari Whitten
Frost Moran Williams
Furse Morella Wilson
Gallo Nadler
Gejdenson Natcher
Gephardt Neal (MA)
Geren Neal (NC) Wise

Woolsey  
Wyden

Wynn  
Yates

Zeliff  
Zimmer

## NOT VOTING—5

Andrews (NJ)  
Clinger

Dickey  
Dicks

Johnson (CT)

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. SKELTON, announced that the yeas had it.

So the bill was passed.

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

By unanimous consent, the title was amended so as to read: "An Act to amend title 18, United States Code, to assure freedom of access to reproductive services."

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

¶136.16 ORDER OF BUSINESS—  
CONSIDERATION OF CONFERENCE  
REPORT ON H.R. 2230

On motion of Mr. GLICKMAN, by unanimous consent,

*Ordered*, That, notwithstanding the provisions of clause 2 of rule XXVIII, it may be in order on Friday, November 19, or Saturday, November 20, 1993, for the House to consider the conference report on the bill (H.R. 2330) to authorize appropriations for fiscal year 1994 for intelligence and intelligence-related activities of the United States Government and the Central Intelligence Agency Retirement and Disability System, and for other purposes; and all points of order against said conference report and its consideration are hereby waived, and said conference report shall be considered as read when called up.

¶136.17 LEASING OF NAVAL VESSELS

On motion of Mr. HAMILTON, by unanimous consent, the Committee on Foreign Affairs was discharged from further consideration of the bill (H.R. 3471) to authorize the leasing of naval vessels to certain foreign countries.

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

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

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

¶136.18 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

¶136.19 MIDDLE EAST PEACE  
FACILITATION

On motion of Mr. LANTOS, by unanimous consent, the bill of the Senate (S. 1667) to extend authorities under the Middle East Peace Facilitation Act of 1993 by six months; was taken from the Speaker's table.

When said bill 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 was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶136.20 NATIONAL LAW ENFORCEMENT  
TRAINING WEEK

On motion of Ms. BYRNE, by unanimous consent, the Committee on Post Office and Civil Service was discharged from further consideration of the joint resolution of the Senate (S.J. Res. 75) designating January 2, 1994, through January 8, 1994, as "National Law Enforcement Training Week".

When said joint resolution 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 joint resolution was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶136.21 RELIGIOUS FREEDOM DAY

On motion of Ms. BYRNE, by unanimous consent, the Committee on Post Office and Civil Service was discharged from further consideration of the joint resolution (H.J. Res. 216) designating January 16, 1994, as "Religious Freedom Day".

When said joint resolution was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

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

*Ordered*, That the Clerk request the concurrence of the Senate in said joint resolution.

¶136.22 NATIONAL HOME CARE WEEK

On motion of Ms. BYRNE, by unanimous consent, the Committee on Post Office and Civil Service was discharged from further consideration of the joint resolution of the Senate (S.J. Res. 55) to designate the periods commencing on November 20, 1993, and ending on December 4, 1993, and commencing on November 27, 1994, and ending on December 3, 1994, as "National Home Care Week".

When said joint resolution 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 joint resolution was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶136.23 NATIONAL DRUNK AND DRUGGED  
DRIVING PREVENTION MONTH

On motion of Ms. BYRNE, by unanimous consent, the Committee on Post Office and Civil Service was discharged from further consideration of the joint resolution of the Senate (S.J. Res. 122)

designating December 1993 as "National Drunk and Drugged Driving Prevention Month".

When said joint resolution 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 joint resolution was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶136.24 NATIONAL HOSPICE MONTH

On motion of Ms. BYRNE, by unanimous consent, the Committee on Post Office and Civil Service was discharged from further consideration of the joint resolution (H.J. Res. 159) to designate the month of November 1993 and 1994 as "National Hospice Month".

When said joint resolution was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

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

*Ordered*, That the Clerk request the concurrence of the Senate in said joint resolution.

¶136.25 MESSAGE FROM THE  
PRESIDENT—U.S. PARTICIPATION IN  
THE U.N.

The SPEAKER pro tempore, Mr. BARCA, laid before the House a message from the President, which was read as follows:

*To the Congress of the United States:*

I am pleased to transmit herewith a report of the activities of the United States Government in the United Nations and its affiliated agencies during the calendar year 1992. The report is required by the United Nations Participation Act (Public Law 264, 79th Congress; 22 U.S.C. 287b).

WILLIAM J. CLINTON.

THE WHITE HOUSE, *November 18, 1993.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Foreign Affairs.

¶136.26 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 986. An Act to provide for an interpretive center at the Civil War Battlefield of Corinth, Mississippi, and for other purposes; to the Committee on Natural Resources.

¶136.27 ENROLLED BILLS SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2401. An Act to authorize appropriations for fiscal year 1994 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe