

tionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, such person shall be ineligible to receive any contract or sub-contract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48 of the Code of Federal Regulations.

SEC. 422. SEVERABILITY.

If any provision of this Act or the applicability thereof to any person or circumstances is held invalid, the remainder of this Act and the application of such provision to other persons or circumstances shall not be affected thereby.

SEC. 423. AWARD OF COMPENSATION FOR TAKINGS FROM FUND.

To the extent a court of competent jurisdiction, after adjudication, finds that Federal action undertaken pursuant to this Act effects a taking under the Fifth Amendment of the United States Constitution and enters a final judgment against the United States, the court shall award just compensation to the plaintiff, from the fund established under title III, subject to appropriation, together with appropriate reasonable fees and expenses to the extent provided by section 304 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4654(c)). In any case in which the Attorney General effects a settlement of any proceeding brought under section 1346(a)(2) or 1491 of title 28 of the United States Code alleging that any Federal action undertaken pursuant to this Act effects a taking under the Fifth Amendment of the United States Constitution, the Attorney General shall use amounts available in the Fund subject to appropriations to pay any award necessary pursuant to such settlement.

SEC. 424. REPORT TO CONGRESS ON MINING CLAIMS IN THE UNITED STATES HELD BY FOREIGN FIRMS.

(a) REPORT.—Not later than one year after the date of enactment of this Act and annually thereafter, the Secretary of the Interior shall submit a report to the Congress describing the percentage of each mining claim held by a foreign firm.

(b) FOREIGN FIRM.—(1) For the purposes of this section, the term "foreign firm" means any firm that is not a domestic firm.

(2) For the purposes of paragraph (1), the term "domestic firm" means a business entity—

(A) that is incorporated or organized in the United States;

(B) that conducts business operations in the United States; and

(C) the assets of which at least 50 percent are held by United States citizens, permanent resident aliens, or other domestic firms.

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

Mr. CRAPO moved to recommit the bill to the Committee on Natural Resources with instructions to report the bill back to the House promptly with recommendations that will result in no net loss of jobs as measured by existing Department of the Interior economic models.

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. TORRES, announced that the nays had it.

Mr. CRAPO 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 148 Nays 270

136.5 [Roll No. 576] YEAS—148

- Allard Archer Armev Bachus (AL) Baker (CA) Baker (LA) Ballenger Barcia Barrett (NE) Bartlett Barton Bateman Bentley Bereuter Bilirakis Bliley Boehner Bonilla Bunning Burton Buyer Callahan Calvert Camp Canady Castle Coble Collins (GA) Combest Cox Crane Crapo Cunningham DeLay Diaz-Balart Doolittle Dornan Dreier Duncan Dunn Emerson Everett Ewing Fields (TX) Fowler Gallegly Gekas Gillmor Gingrich Goodlatte Goodling Goss Grams Hall (TX) Hancock Hansen Hastert Hayes Hefley Herger Hobson Hoekstra Houghton Huffington Hunter Hutchinson Hutto Hyde Inglis Inhofe Istook Johnson, Sam Kasich Kim King Kingston Knollenberg Kolbe Kyl Lazio Leach Levy Lewis (CA) Lewis (FL) Lightfoot Linder Livingston Manzullo McCandless McDunn McHugh McClinnis McKeon McMillan Meyers Mica Michel Miller (FL) Montgomery Moorhead Myers Nussle Orton Oxley Packard Parker Paxon Petri Pombro Portman Pryce (OH) Quillen Quinn Ramstad Roberts Rogers Rohrabacher Roth Royce Santorum Schaefer Schiff Sensenbrenner Shaw Shuster Skeen Skelton Smith (MI) Smith (OR) Smith (TX) Solomon Spence Stearns Stenholm Stump Sundquist Talent Tauzin Taylor (MS) Taylor (NC) Thomas (CA) Thomas (WY) Vucanovich Walker Walsh Wolf Young (FL) Zeliff

NAYS—270

- Abercrombie Ackerman Andrews (ME) Andrews (NJ) Andrews (TX) Applegate Baesler Barca Barlow Barrett (WI) Becerra Beilenson Berman Bevill Bilbray Bishop Blackwell Blute Boehlert Bonior Borski Boucher Brewster Brooks Browder Brown (CA) Brown (FL) Brown (OH) Bryant Byrne Cantwell Cardin Carr Clay Clayton Clement Clyburn Coleman Collins (IL) Collins (MI) Condit Conyers Cooper Coppersmith Costello Coyne Cramer Danner Darden de la Garza Deal DeFazio DeLauro Dellums Derrick Deutsch Dickey Dingell Dixon Dooley Durbin Edwards (CA) Edwards (TX) Engel English (AZ) English (OK) Eshoo Evans Farr Fawell Fazio Fields (LA) Filner Fingerhut Fish Flake Foglietta Ford (MI) Frank (MA) Franks (CT) Franks (NJ) Frost Furse Gallo Gajdenson Gephardt Geren

- Gibbons Gilchrist Gilman Glickman Gonzalez Gordon Green Greenwood Gunderson Gutierrez Hall (OH) Hamburg Hamilton Harman Hastings Hefner Hilliard Hinchey Hoagland Hochbrueckner Holden Horn Hoyer Hughes Inslee Jacobs Jefferson Johnson (CT) Johnson (GA) Johnson (SD) Johnson, E.B. Johnston Kanjorski Kaptur Kennedy Kennelly Kildee Kleczka Klein Klug Kopetski Kreidler LaFalce Lambert Lancaster Lantos LaRocco Laughlin Lehman Levin Lewis (GA) Lipinski Lloyd Long Lowey Machtley Maloney Manton Margolies-Mezvinsky Markey Martinez Matsui Mazzoli McCloskey McCurdy McDade McDermott McHale McKinney McNulty Meehan Meek Menendez Mfume Miller (CA) Mineta Minge Mink Moakley Molinari Mollohan Moran Morella Murphy Murtha Nadler Natcher Neal (MA) Neal (NC) Oberstar Obey Olver Ortiz Owens Pallone Pastor Payne (NJ) Payne (VA) Pelosi Penny Peterson (FL) Peterson (MN) Pickett Pickle Pomeroy Porter Poshard Price (NC) Rahall Rangel Ravenel Reed Regula Reynolds Richardson Roemer Ros-Lehtinen Rostenkowski Roukema Rowland Roybal-Allard Rush Sabo Sanders Sangmeister Sarpalius Sawyer Saxton Schenk Schroeder Schumer Scott Serrano Sharp Shays Shepherd Skaggs Slattery Slaughter Smith (IA) Smith (NJ) Snowe Spratt Stark Stokes Strickland Studds Stupak Sweet Swift Synar Tanner Tejada Thompson Thornton Thurman Torkildsen Torres Torricelli Towns Traficant Tucker Unsoeld Upton Valentine Velazquez Vento Visclosky Volkmer Waters Watt Waxman Weldon Wheat Whitten Williams Wise Woolsey Wyden Wynn Yates Zimmer

NOT VOTING—15

- Bacchus (FL) Chapman Clinger Dicks Ford (TN) Grandy Hoke Klink McCrery Ridge Rose Sisisky Washington Wilson Young (AK)

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. TORRES, announced that the nays had it.

Mr. RAHALL 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 316 affirmative Nays 108

136.6 [Roll No. 577] YEAS—316

- Abercrombie Ackerman Andrews (ME) Andrews (NJ) Andrews (TX) Applegate Bacchus (FL) Baesler Barca Barlow Barrett (WI) Becerra Beilenson Bereuter Berman Bevill Bilbray Bilirakis

Bishop
Blackwell
Blute
Boehlert
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Canady
Cantwell
Cardin
Carr
Castle
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Cunningham
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dingell
Dixon
Dooley
Duncan
Durbin
Edwards (CA)
Edwards (TX)
Engel
English (AZ)
English (OK)
Eshoo
Evans
Farr
Fawell
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gephardt
Geren
Gibbons
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Gordon
Goss
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Harman
Hastert
Hastings

Hefner
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Holden
Horn
Hoyer
Huffington
Hughes
Hutto
Hyde
Inslee
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
King
Kleczka
Klein
Klug
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (FL)
Lewis (GA)
Lipinski
Lloyd
Long
Lowe
Machtley
Maloney
Mann
Manton
Margolies-
Mezvinsky
Markey
Matsui
Mazzoli
McCloskey
McCurdy
McDade
McDermott
McHale
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Murtha
Nadler
Natcher
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny

Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Roemer
Ros-Lehtinen
Rostenkowski
Roth
Rowkema
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Saxton
Schenk
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skeen
Lloyd Skelton
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Snowe
Spence
Spratt
Stark
Stearns
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torkildsen
Torres
Torrice
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Washington
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (FL)
Zimmer

ALLARD
ARCHER
ARMY
BACHUS (AL)
BAKER (CA)
BAKER (LA)
BALLINGER
BARCIA
BARRETT (NE)
BARTLETT
BARTON
BATEMAN
BENTLEY
BILEY
BOEHNER
BONILLA
BUNNING
BURTON
BUYER
CALLAHAN
CALVERT
CAMP
COBLE
COLLINS (GA)
COMBEST
COX
CRANE
CRAPPO
DELAY
DOOLITTLE
DORNAN
DREIER
DUNN
EMERSON
EVERETT
EWING

Fields (TX)
Gekas
Gillmor
Goodling
Grams
Hancock
Hansen
Hayes
Hefley
Herger
Hoekstra
Hoke
Houghton
Hunter
Hutchinson
Inglis
Inhofe
Istook
Johnson, Sam
Kasich
Kim
Kingston
Knollenberg
Kolbe
Kyl
Lewis (CA)
Lightfoot
Linder
Livingston
Manzullo
McCandless
McCollum
McCrery
McHugh
McInnis
McKeon

Mica
Michel
Molinari
Myers
Nussle
Orton
Oxley
Packard
Paxon
Pombo
Quillen
Quinn
Roberts
Rogers
Rohrabacher
Royce
Santorum
Schaefer
Skaggs
Smith (MI)
Smith (OR)
Smith (TX)
Solomon
Stenholm
Stump
Sundquist
Talent
Tauzin
Taylor (NC)
Thomas (CA)
Thomas (WY)
Vucanovich
Walker
Walsh
Young (AK)
Zeliff

NOT VOTING—9

Chapman
Clinger
Dicks
Gilcrest
Klink
Martinez
Ridge
Rose
Wilson

So the bill was passed.
A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.
Ordered, That the Clerk request the concurrence of the Senate in said bill.

136.7 PROVIDING FOR THE CONSIDERATION OF H. R. 796

Ms. SLAUGHTER, by direction of the Committee on Rules, called up the following resolution (H. Res. 313):

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. 796) to assure freedom of access to clinic entrances. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and the amendments made in order by this resolution and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. 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 recommended by the Committee on the Judiciary now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the

proponent and an opponent, and shall not be subject to amendment. All points of order against the amendment numbered 4 in the report 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 committee amendment in the nature of a substitute. 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. After debate,

On motion of Ms. SLAUGHTER, 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. TORRES, announced that the yeas had it.

Ms. SLAUGHTER 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 233
Nays 192

136.8 [Roll No. 578] YEAS—233

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Bacchus (FL)
Baesler
Barca
Barlow
Barrett (WI)
Becerra
Beilenson
Berman
Bevill
Bilbray
Bishop
Blackwell
Boehlert
Bonior
Boucher
Brooks
Browder
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Coppersmith
Coyne
Cramer
Danner
Darden
DeFazio
DeLauro
Dellums
Derrick
Deutsch

Dingell
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
Engel
English (AZ)
English (OK)
Eshoo
Evans
Ewing
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Franks (CT)
Frost
Furse
Gallo
Gejdenson
Gephardt
Gibbons
Gilman
Glickman
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Harman
Hastings
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Horn
Hoyer
Hughes
Inslee
Jacobs
Jefferson

Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kennedy
Kennelly
Kleczka
Klein
Kopetski
Kreidler
Lambert
Lancaster
Lantos
LaRocco
Levin
Lewis (GA)
Lloyd
Long
Lowe
Machtley
Maloney
Mann
Margolies-
Mezvinsky
Markey
Martinez
Matsui
McCloskey
McCurdy
McDermott
McHale
McKinney
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Molinari
Montgomery
Moran
Morella
Murtha
Nadler