

considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

When said resolution was considered. After debate,

On motion of Mr. HASTINGS of Washington, the previous question was ordered on the resolution, to its adoption or rejection and under the operation thereof, 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.

¶101.5 NATIONAL MONUMENTS

The SPEAKER pro tempore, Mr. HASTINGS of Washington, pursuant to House Resolution 296 and rule XVIII, 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. 1487) to provide for public participation in the declaration of national monuments under the Act popularly known as the Antiquities Act of 1906.

The SPEAKER pro tempore, Mr. HASTINGS of Washington, by unanimous consent, designated Mr. MILLER of Florida as Chairman of the Committee of the Whole; and after some time spent therein,

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

When Mr. MILLER of Florida, Chairman, pursuant to House Resolution 296, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, 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. PUBLIC PARTICIPATION IN THE DECLARATION AND SUBSEQUENT MANAGEMENT OF NATIONAL MONUMENTS.**

Section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431; popularly known as the Antiquities Act of 1906), is amended—

(1) by striking "Sec. 2. That the" and inserting "SEC. 2. (a) The"; and

(2) by adding at the end the following:

"(b)(1) To the extent consistent with the protection of the historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest located on the public lands to be designated, the President shall—

"(A) solicit public participation and comment in the development of a monument declaration; and

"(B) consult with the Governor and congressional delegation of the State or territory in which such lands are located, to the extent practicable, at least 60 days prior to any national monument declaration.

"(2) Before issuing a declaration under this section, the President shall consider any information made available in the development of existing plans and programs for the management of the lands in question, including such public comments as may have been offered.

"(c) Any management plan for a national monument developed subsequent to a dec-

laration made under this section shall comply with the procedural requirements of the National Environmental Policy Act of 1969."

**SEC. 2. RULE OF CONSTRUCTION.**

Nothing in this Act or any amendment made by this Act shall be construed to enlarge, diminish, or modify the authority of the President to act to protect public lands and resources.

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

The question being put, viva voce,

Will the House pass said bill?

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

Mr. HANSEN objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. MCHUGH, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

¶101.6 MOTION TO INSTRUCT CONFEREES—H.R. 1501

Mr. DOOLITTLE submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 1501) to provide grants to ensure increased accountability for juvenile offenders, to insist that the conference report not include Senate provisions that (1) do not recognize that the second amendment to the Constitution protects the individual right of American citizens to keep and bear arms; and (2) impose unconstitutional restrictions on the second amendment rights of individuals.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

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

Mr. DOOLITTLE 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 SPEAKER pro tempore, Mr. MCHUGH, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶101.7 MOTION TO INSTRUCT CONFEREES—H.R. 1501

Ms. LOFGREN submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 1501) to provide grants to ensure increased accountability for juvenile offenders, that the committee on the conference recommend a conference substitute that includes provi-

sions within the scope of conference which are consistent with the Second Amendment to the United States Constitution (e.g., 1) requiring unlicensed dealers at gun shows to conduct background checks; 2) banning the juvenile possession of assault weapons; 3) requiring that child safety locks be sold with every handgun; and 4) Juvenile Brady).

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

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

Ms. LOFGREN 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 SPEAKER pro tempore, Mr. PETRI, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶101.8 H.R. 1487—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. PETRI, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on the passage of the bill (H.R. 1487) to provide for public participation in the declaration of national monuments under the Act popularly known as the Antiquities Act of 1906.

The question being put, viva voce,

Will the House pass said bill?

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

Mr. CANADY demanded the yeas and nays on the passage of the bill, 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.

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

It was decided in the { Yeas ..... 408 affirmative ..... } Nays ..... 2

¶101.9 [Roll No. 444] YEAS—408

Abercrombie	Berman	Buyer
Ackerman	Berry	Callahan
Aderholt	Biggert	Camp
Allen	Bilbray	Campbell
Andrews	Bilirakis	Canady
Archer	Bishop	Cannon
Armey	Blagojevich	Capps
Bachus	Bliley	Capuano
Baird	Blumenauer	Cardin
Baldacci	Blunt	Castle
Baldwin	Boehler	Chabot
Ballenger	Boehner	Chambliss
Barcia	Bonilla	Chenoweth
Barr	Bonior	Clay
Barrett (NE)	Bono	Clement
Barrett (WI)	Borski	Clyburn
Bartlett	Boswell	Coburn
Barton	Boucher	Collins
Bass	Boyd	Combest
Bateman	Brady (PA)	Condit
Becerra	Brady (TX)	Conyers
Bentsen	Brown (FL)	Cook
Bereuter	Brown (OH)	Cooksey
Berkley	Bryant	Costello