

Ortiz Sanford Taylor (NC)
Orton Sawyer Tejada
Oxley Schaefer Thomas
Packard Schiff Thornberry
Parker Schumer Thornton
Paxon Scott Thurman
Payne (VA) Seastrand Tiahr
Peterson (FL) Sensenbrenner Torkildsen
Peterson (MN) Shadegg Traficant
Petri Shaw Upton
Pickett Shays Volkmer
Pombo Shuster Vucanovich
Pomeroy Sisisky Waldholtz
Porter Skeen Walker
Portman Skelton Walsh
Poshard Smith (MI) Wamp
Pryce Smith (TX) Watts (OK)
Quillen Smith (WA) Weldon (FL)
Quinn Solomon Weller
Radanovich Souder White
Ramstad Spence Whitfield
Regula Spratt Wicker
Riggs Stearns Williams
Roberts Stenholm Wilson
Roemer Stockman Wise
Rogers Stump Wolf
Rohrabacher Stupak Wynn
Ros-Lehtinen Talent Young (AK)
Rose Tanner Young (FL)
Roth Tate Zeliff
Royce Tausin
Salmon Taylor (MS)

NOES—128

Abercrombie Gerdenson Pallone
Ackerman Gibbons Pastor
Baldacci Gilchrist Payne (NJ)
Barrett (WI) Gutierrez Pelosi
Becerra Hall (OH) Rahall
Beilenson Hamilton Rangel
Bentsen Hastings (FL) Reed
Berman Hinchey Reynolds
Boehlert Jackson-Lee Richardson
Bonior Jacobs Rivers
Borski Jefferson Roukema
Brown (CA) Johnson, E. B. Roybal-Allard
Brown (FL) Johnston Rush
Bryant (TX) Kaptur Sabo
Cardin Kennedy (MA) Sanders
Clay Kennedy (RI) Saxton
Clayton Kildee Scarborough
Collins (IL) Kleczka Schroeder
Collins (MI) Lantos Serrano
Conyers Levin Skaggs
Costello Lewis (GA) Slaughter
Coyne Lipinski Smith (NJ)
DeFazio Lofgren Stark
DeLauro Lowey Stokes
Dellums Luther Studds
Dingell Markey Thompson
Dixon Martini Torres
Doggett McCarthy Torricelli
Ehlers McDermott Towns
Engel McKinney Tucker
Eshoo Meehan Velazquez
Evans Meek Vento
Farr Menendez Visclosky
Fattah Meyers Ward
Fields (LA) Mfume Waters
Filner Miller (CA) Watt (NC)
Flake Mineta Waxman
Foglietta Mink Weldon (PA)
Ford Morella Woolsey
Frank (MA) Nadler Wyden
Franks (NJ) Oberstar Yates
Frelinghuysen Olver Zimmer
Furse Owens

NOT VOTING—5

Gekas Hoke Moakley
Gonzalez Lightfoot

So the amendment to the amendment in the nature of a substitute was agreed to.

After some further time,

36.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. PORTER to the foregoing amendment in the nature of a substitute submitted by Mr. CANADY:

Page 3, after line 11, insert the following:

SEC. 6 EFFECT OF PRIVATE PROPERTY IMPACT ANALYSIS.

(a) IN GENERAL.—No compensation shall be made under this Act with respect to any agency action for which the agency has completed a private property impact analysis before taking that agency action.

(b) CONTENT.—For the purposes of this section, a private property impact analysis is a written statement that includes.—

(1) the specific purpose of the agency action;
(2) an assessment of the likelihood that a taking of private property will occur under such action; and

(3) alternatives to the agency action, if any, that would achieve the intended purpose and lessen the likelihood of a taking of private property.

(c) PRECLUSION OF JUDICIAL REVIEW.—Neither the sufficiency nor any other aspect of a private property impact analysis made under this section is subject to judicial review.

(d) EFFECT ON OTHER RIGHTS.—The fact that compensation may not be made under this Act by reason of this section does not affect the right to compensation for takings of private property for public use under the fifth article of amendment to the Constitution.

(e) DEFINITION.—As used in this section, the term "taking of private property" means an action whereby property is taken in such a way as to require compensation under the fifth article of amendment to the Constitution.

Redesignated succeeding sections accordingly.

It was decided in the negative { Yeas 186 Nays 241

36.11 [Roll No. 191] AYES—186

Abercrombie Flake Markey
Ackerman Foglietta Martinez
Andrews Ford Martini
Baldacci Fox Mascara
Barrett (WI) Frank (MA) Matsui
Becerra Franks (NJ) McCarthy
Beilenson Frelinghuysen McDade
Bentsen Frost McDermott
Bereuter Furse McHale
Berman Gerdenson McKinney
Bishop Gephardt Meehan
Blute Gibbons Meek
Boehlert Gilchrist Menendez
Bonior Gilman Meyers
Borski Greenwood Mfume
Boucher Gutierrez Miller (CA)
Brown (FL) Hall (OH) Mineta
Brown (OH) Hamilton Minge
Cardin Hastings (FL) Mink
Castle Hinchey Mollohan
Clay Hoyer Moran
Clayton Jackson-Lee Morella
Clement Jacobs Murtha
Clyburn Jefferson Nadler
Coleman Johnson (CT) Neal
Collins (IL) Johnson (SD) Oberstar
Collins (MI) Johnson, E. B. Obey
Conyers Johnston Olver
Costello Kanjorski Owens
Coyne Kaptur Pallone
DeFazio Kelly Payne (NJ)
DeLauro Kennedy (MA) Pelosi
Dellums Kennedy (RI) Peterson (FL)
Deutsch Kennelly Pomeroy
Dicks Kildee Porter
Dingell Klink Quinn
Dixon Klug Rahall
Doggett LaFalce Ramstad
Doyle Lantos Rangel
Durbin LaTourrette Reed
Ehlers Lazio Reynolds
Engel Levin Richardson
Eshoo Lewis (GA) Rivers
Evans Lipinski Roemer
Farr Lofgren Roukema
Fattah Lowey Roybal-Allard
Fazio Luther Rush
Fields (LA) Maloney Sabo
Filner Manton

Sanders Stark Walsh
Sawyer Stokes Ward
Saxton Studds Waters
Schiff Stupak Watt (NC)
Schroeder Thompson Waxman
Schumer Thornton Weldon (PA)
Scott Torkildsen Williams
Serrano Torres Wise
Shays Towns Woolsey
Skaggs Tucker Wyden
Slaughter Velazquez Yates
Smith (NJ) Vento Zimmer
Spratt Visclosky

NOES—241

Allard Frisa Ney
Archer Funderburk Norwood
Army Gallegly Nussle
Bachus Ganske Ortiz
Baker (CA) Gekas Orton
Baker (LA) Geren Oxley
Ballenger Gillmor Packard
Barcia Goodlatte Parker
Barr Goodling Paxon
Barrett (NE) Gordon Payne (VA)
Bartlett Goss Peterson (MN)
Barton Green Petri
Bass Gunderson Pickett
Bateman Gutknecht Pombo
Bevill Hall (TX) Portman
Bilbray Hancock Poshard
Bilirakis Bilely Pryce
Bliley Hansen Quillen
Boehner Harman Radanovich
Bonilla Hastert Regula
Bono Hastings (WA) Riggs
Brewster Hayes Roberts
Browder Hayworth Rogers
Brownback Hefley Rohrabacher
Bryant (TN) Hefner Ros-Lehtinen
Bunn Heineman Rose
Bunning Herger Roth
Burr Hilleary Royce
Burton Hilliard Salmon
Buyer Hobson Sanford
Callahan Hoekstra Scarborough
Calvert Hoke Schaefer
Camp Holden Seastrand
Canady Canady Stenholm
Chabot Chabot Sensenbrenner
Chambliss Houghton Shadegg
Chapman Hunter Shaw
Chenoweth Hunter Stupak
Christensen Hutchinson Studds
Chrysler Christensen Hyde
Clinger Chrysler Inglis
Coble Clinger Istook
Coburn Johnson, Sam Smith (MI)
Collins (GA) Jones Smith (TX)
Combust Kasich Smith (WA)
Condit Kim Solomon
Cooley King Souder
Cox Kingston Spence
Cramer Knollenberg Stearns
Crane Cramer Kolbe
Crapo Crane LaHood
Creameans Crapo Largent
Cubin Latham Stump
Cunningham Cubin Laughlin
Danner Danner Leach
Davis Davis Lewis (CA)
de la Garza Davis Lewis (KY)
Deal Lightfoot Taylor (NC)
DeLay Lincoln Tejada
Diaz-Balart Linder Thomas
Dickey Livingston Thornberry
Dooley LoBiondo Thurman
Doolittle Longley Tiahr
Dornan Lucas Traficant
Dreier Manzanillo Upton
Duncan McCollum Volkmer
Dunn McCrery Vucanovich
Edwards McHugh Waldholtz
Ehrlich McInnis Walker
Emerson McIntosh Wamp
English McKeon Watts (OK)
Ensign McNulty Weldon (FL)
Everett Metcalf Weller
Ewing Mica White
Fawell Miller (FL) Whitfield
Fields (TX) Molinari Wicker
Flanagan Montgomery Wilson
Foley Myers Wolf
Forbes Myrick Young (AK)
Fowler Nethercutt Young (FL)
Franks (CT) Neumann Zeliff