After some further time,

¶22.19 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. FIELDS of Louisiana:

In the matter proposed to be inserted in section 3593(e) of title 18, United States Code, by section 201, insert "or a sentence of life imprisonment without the possibility of release" after "shall recommend a sentence of death'

Strike subsection (b) of section 201 and eliminate the subsection designation and heading of subsection (a). (

It was decided in the	Yeas	139
negative	Nays	291

22.20	[Roll No. 107]	
	AYES—139	
Abercrombie Ackerman	Gutknecht Hamilton	Payne (NJ) Pelosi
Barrett (WI)	Hastings (FL)	Pomeroy
Becerra	Hefner	Rahall
Beilenson	Hilliard	Rangel
Bentsen	Hinchey	Reynolds
Berman Bishop	Hoyer Jacobs	Rivers Roemer
Bishop Bonior	Jefferson	Rose
Boucher	Johnson, E. B.	Roth
Brewster	Johnston	Roybal-Allard
Brown (CA)	Kennedy (MA)	Rush
	Kennelly Kildee	Sabo
Brown (OH) Chapman	Kleczka	Sanders Sawyer
Clay	LaFalce	Schroeder
Clayton	LaTourette	Scott
Clyburn	Laughlin	Serrano
Collins (IL)	Levin	Shays
Conyers Coyne	Lewis (GA) Lofgren	Skaggs Slaughter
de la Garza	Lowey	Smith (MI)
DeFazio	Luther	Spratt
Dellums	Maloney	Stark
Dingell	Markey	Stokes
Dixon	Martinez	Studds
Doggett Duncan	Matsui McCarthy	Thompson Thornton
	McDermott	Thurman
	McKinney	Torkildsen
Engel	McNulty	Torres
Eshoo	Meek	Towns
Evans	Mfume Millon (CA)	Tucker
Farr Fattah	Miller (CA) Mineta	Velazquez Vento
	Minge	Visclosky
Fields (LA)	Mink	Ward
Filner	Moakley	Waters
Flake	Mollohan	Watt (NC)
Foglietta Ford	Nadler Neal	Waxman Williams
Frank (MA)	Oberstar	Wise
Furse	Obey	Woolsey
Gejdenson	Olver	Wynn
Gonzalez	Owens	Yates
Green	Pallone	
Gutierrez	Pastor	
	NOES-291	
Allard	Bonilla	Clinger
Archer Armey	Bono Borski	Coble Coburn
	Browder	Coleman
Baesler	Brownback	Collins (GA)
	Bryant (TN)	Combest
	Bryant (TX)	Condit
Baldacci Ballenger	Bunn Bunning	Cooley Costello
Barcia	Burr	Cox
Barr	Burton	Cramer
Barrett (NE)	Buyer	Crane
Bartlett	Callahan	Crapo
Barton	Calvert	Cremeans
Bass Bateman	Camp Canady	Cubin Cunningham
Bereuter	Cardin	Danner
Bevill	Castle	Davis
Bilbray	Chabot	Deal
Bilirakis	Chambliss	DeLauro
Bliley	Chenoweth	DeLay
Blute Boehlert	Christensen Chrysler	Deutsch Diaz-Balart
Boehner	Clement	Dickey

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Dicks Kanjorski Dooley Kaptur Doolittle Kasich Dornan Kelly Kennedy (RI) Doyle Dreier Kim -King Dunn Ehlers Kingston Ehrlich Klink Emerson Klug Knollenberg English Kolbe Ensign LaHood Everett Ewing Lantos Fawell Largent Fields (TX) Latham Flanagan Lazio Leach Foley Lewis (CA) Forbes Lewis (KY) Fowler Fox Lightfoot Franks (CT) Lincoln Franks (NJ) Linder Frelinghuysen Lipinski Frisa Livingston LoBiondo Frost Funderburk Longley Gallegly Lucas Ganske Manton Gekas Manzullo Gephardt Martini Geren Mascara McCollum Gibbons Gilchrest McCrery Gillmor McDade Gilman McHale Goodlatte McHugh Goodling McInnis Gordon McIntosh Goss McKeon Graham Meehan Greenwood Menendez Gunderson Meyers Mica Miller (FL) Hall (OH) Hall (TX) Hancock Molinari Hansen Montgomery Harman Moorhead Hastert Moran Hastings (WA) Morella Haves Murtha Hayworth Myers Hefley Heineman Myrick Nethercutt Herger Hilleary Neumann Ney Norwood Hobson Hoekstra Nussle Hoke Ortiz Holden Orton Horn Oxley Packard Hostettler Houghton Parker Hunter Hutchinson Paxon Payne (VA) Hyde Peterson (FL) Inglis Peterson (MN) Petri Istook Jackson-Lee Pickett Johnson (CT) Pombo Johnson (SD) Porter Johnson, Sam Portman Jones Poshard NOT VOTING-4 Andrews Metcalf Collins (MI) Wilson

Pryce Quillen Quinn Radanovich Ramstad Reed Regula Richardson Riggs Roberts Rogers Rohrabacher Ros-Lehtinen Roukema Royce Salmon Sanford Saxton Scarborough Schaefer Schiff Schumer Seastrand Sensenbrenner Shadegg Shaw Shuster Sisisky Skeen Skelton Smith (NJ) Smith (TX) Smith (WA) Solomon Souder Spence Stearns Stenholm Stockman Stump Stupak Talent Tanner Tate Tauzin Taylor (MS) Taylor (NC) Tejeda Thomas Thornberry Tiahrt Torricelli Traficant Upton Volkmer Vucanovich Waldholtz Walker Walsh Wamp Watts (OK) Weldon (FL) Weldon (PA) Weller White Whitfield Wicker Wolf Wvden Young (AK) Young (FL) Zeliff Zimmer

and Allard Archer Armey Bachus Baesle Baker Baker Ballen Barr Barret Bartle Bartor Bass Batema Bereut Bilbray Biliral Bliley Blute Boehle Boehne Bonilla Bono Brewst Brown Bryant Bunn So the amendment was not agreed to. Bunnir Burr Burton Buyer Callah A recorded vote by electronic device Calver Camp was ordered in the Committee of the Canady Whole on the following amendment Castle Chabot Chamb Proposed section 2257 of title 28, United Chenov States Code, in section 111 of H.R. 729, is Christe Chrysl Coble Coburn (A) by striking ", or fails to make a timely Collins application for court of appeals review following the denial of such a petition by a dis-trict court'' in paragraph (1); Combe Condit Cooley Cox

Crane

Crapo

FEBRUARY 8

(D) by striking the period at the end of paragraph (2) as so designated and inserting ': and

(E) by adding a new paragraph (3) as follows:

(3) a State prisoner files a habeas corpus petition under section 2254 within the time required in section 2258 and fails to make a substantial showing of the denial of a Federal right or is denied relief in the district court or at any subsequent stage of review."

(2) in subsection (c), by striking "If one of the conditions in subsection (b) has occurred, no Federal court thereafter" and inserting "On a second or later habeas corpus petition under section 2254, no Federal court

Proposed section 2260 of title 28, United States Code, in section 111 of H.R. 729, is amended to read as follows:

§ 2260. Certificate of probable cause

"An appeal may not be taken to the court of appeals from the final order of a district court denying relief in a habeas corpus proceeding that is subject to the provisions of this chapter unless a circuit justice or judge issues a certificate of probable cause. A certificate of probable cause may only issue if the petitioner has made a substantial showing of the denial of a Federal right. The cer-tificate of probable cause must indicate which specific issue or issues satisfy this standard.'

In the table of sections for proposed chapter 154 of title 28, United States Code, in section 111 of H.R. 729, the item relating to proposed section 2260 of title 28, United States Code, is amended by striking ''inapplicable''.

It was decided in the affirmative 241 Nays 189

2	[Roll No. 108]	
	AYES-241	
7	Cremeans Cubin Cunningham	Hayworth Hefley Heineman
s	Davis	Herger
r	Deal	Hilleary
(CA)	DeLay	Hobson
(LA)	Diaz-Balart	Hoekstra
ger	Dickey	Hoke
0	Doolittle	Holden
t (NE)	Dornan	Horn
tt	Doyle	Hostettler
ı	Dreier	Hunter
	Duncan	Hutchinson
an	Dunn	Hyde
er	Ehrlich	Inglis
У	Emerson	Istook
cis	English	Johnson (CT)
	Ensign	Johnson, Sam
	Everett	Jones
ert	Ewing	Kasich
er	Fawell	Kelly
а	Fields (TX)	Kim
	Flanagan	King
ter	Foley	Kingston
back t (TN)	Forbes Fowler	Klink
L (IIN)	Fowler	Klug Knollenberg
na	Franks (CT)	Kolbe
ng	Franks (NJ)	LaHood
1	Frelinghuysen	Largent
1	Frisa	Latham
an	Funderburk	LaTourette
t	Gallegly	Lazio
	Ganske	Leach
У	Gekas	Lewis (CA)
,	Geren	Lewis (KY)
t	Gilchrest	Lightfoot
oliss	Gillmor	Linder
weth	Goodlatte	Livingston
ensen	Goodling	LoBiondo
er	Goss	Longley
	Graham	Lucas
n	Green	Martini
s (GA)	Greenwood	McCollum
st	Gutknecht	McCrery
	Hall (TX)	McDade
7	Hancock	McHugh
	Hansen	McInnis
	Hastert	McIntosh
	Hastings (WA)	McKeon

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(C) by redesignating paragraph (3) as para-

After some further time,

submitted by Mr. SMITH of Texas:

¶22.21 RECORDED VOTE

(1) in subsection (b)-

(B) by striking paragraph (2);

amended-

graph (2);