

year term; to the Federal Council on the Aging.

35.14 MODIFICATION IN APPOINTMENT OF CONFEREES—H.R. 2333

THE SPEAKER pro tempore, Mr. MONTGOMERY, by unanimous consent, and pursuant to clause 6 of rule X, announced the following modification in the appointment of conferees on (H.R. 2333) to authorize appropriations for the Department of State, the United States Information Agency and related agencies, to authorize appropriations for foreign assistance programs, and for other purposes; in the second panel from the Committee on Foreign Affairs, Mr. DIAZ-BALART is appointed in lieu of Mr. ROTH only for consideration of section 755 of the Senate amendment.

Ordered, That the Clerk notify the Senate thereof.

35.15 CRIME CONTROL

THE SPEAKER pro tempore, Mr. MONTGOMERY, pursuant to House Resolution 401 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4092) to control and prevent crime.

Mr. TORRICELLI, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

35.16 RECORDED VOTE

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

Page 91, strike line 15 and all that follows through line 16 on page 106.

It was decided in the affirmative { Yeas 270 Nays 159

35.17 [Roll No. 119] AYES—270

- Allard Canady Emerson
Andrews (NJ) Cantwell English
Archer Carr Everett
Armye Castle Ewing
Bacchus (FL) Chapman Fawell
Bachus (AL) Clement Fazio
Baesler Clinger Fields (TX)
Baker (CA) Coble Fingerhut
Baker (LA) Collins (GA) Fowler
Ballenger Combest Franks (CT)
Barca Condit Franks (NJ)
Barcia Cooper Gallegly
Barrett (NE) Coppersmith Gekas
Bartlett Costello Geren
Barton Cox Gilchrist
Bateman Cramer Gillmor
Bentley Crane Gilman
Bereuter Crapo Gingrich
Bevill Cunningham Glickman
Bilirakis Danner Goodlatte
Bliley Darden Goodling
Blute de la Garza Gordon
Boehlert Deal Goss
Boehner DeLay Grams
Bonilla Deutsch Green
Borski Diaz-Balart Greenwood
Brewster Dickey Gunderson
Browder Dicks Hall (TX)
Brown (OH) Dooley Hamilton
Bunning Doolittle Hancock
Burton Dornan Hansen
Buyer Dreier Harman
Byrne Duncan Hastert
Callahan Dunn Hayes
Calvert Edwards (TX) Hefley
Camp Ehlers Herger

- Hobson
Hoekstra
Hoke
Holden
Horn
Houghton
Huffington
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Inslee
Istook
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kim
King
Kingston
Klein
Klink
Klug
Knollenberg
Kolbe
Kreidler
Kyl
Lambert
Lancaster
LaRocco
Lazio
Leach
Lehman
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Lipinski
Lloyd
Long
Machtley
Manzullo
Martinez
McCandless
McCollum
McCreery
McCurdy
McDade
McHale
McHugh
McInnis
McKeon
McMillan
McNulty
Meyers
Mica
Michel
Miller (FL)
Minge
Molinari
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Neal (NC)
Nussle
Ortiz
Orton
Oxley
Packard
Parker
Pastor
Paxon
Payne (VA)
Penny
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Rowland
Royce

NOES—159

- Abercrombie
Ackerman
Andrews (ME)
Andrews (TX)
Applegate
Barlow
Barrett (WI)
Becerra
Beilenson
Berman
Bilbray
Bishop
Blackwell
Bonior
Boucher
Brooks
Brown (CA)
Brown (FL)
Bryant
Cardin
Clay
Clayton
Clyburn
Coleman
Collins (MI)
Conyers
Coyne
de Lugo (VI)
DeFazio
DeLauro
Dellums
Derrick
Dingell
Dixon
Durbin
Edwards (CA)
Engel
Eshoo
Evans
Farr
Fields (LA)
Filner
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gonzalez
Gutierrez
Hall (OH)
Hamburg
Hastings
Hefner
Hilliard
Hinchev
Hoagland
Hochbruckner
Hoyer
Hughes
Jacobs
Jefferson
Johnson, E. B.
Johnston
Kennedy
Kennelly
Kildee
Klecza
Kopetski
LaFalce
Lantos
Laughlin
Levin
Lewis (GA)
Lowey
Maloney
Mann
Manton
Margolies-
Mezvinsky
Markay
Matsui
Mazzoli
McCloskey

- Sangmeister
Santorum
Sarpalius
Saxton
Schaefer
Schenk
Schiff
Sensenbrenner
Shaw
Shays
Shepherd
Shuster
Sisisky
Skeen
Skelton
Slattery
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stearns
Stenholm
Stump
Stupak
Sundquist
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thurman
Torkildsen
Trafigant
Upton
Valentine
Volkmer
Vucanovich
Walker
Walsh
Weldon
Williams
Wolf
Wyden
Young (AK)
Young (FL)
Zeliff
Zimmer

- Stokes
Strickland
Studds
Swett
Swift
Synar
Thompson
Thornton
Torres
Toricelli
Towns
Tucker
Underwood (GU)
Unsold
Velazquez
Vento
Viscosky
Washington
Waters
Watt
Waxman
Wheat
Whitten
Wilson
Wise
Woolsey
Wynn
Yates

NOT VOTING—8

- Collins (IL) Gallo Romero-Barcelo
Faleomavaega Grandy (PR)
(AS) Livingston
Fish Peterson (FL)

So the amendment was agreed to. After some further time,

35.18 RECORDED VOTE

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

TITLE VIII—HABEAS CORPUS REFORM SEC. 801. FILING DEADLINES.

Section 2254 of title 28, United States Code, is amended by adding at the end the following:

“(g)(1) In the case of an applicant under sentence of death, any application for habeas corpus relief under this section must be filed in the appropriate district court not later than 1 year after—

“(A) the date of denial of a writ of certiorari, if a petition for a writ of certiorari to the highest court of the State on direct appeal or unitary review of the conviction and sentence is filed, within the time limits established by law, in the Supreme Court;

“(B) the date of issuance of the mandate of the highest court of the State on direct appeal or unitary review of the conviction and sentence, if a petition for a writ of certiorari is not filed, within the time limits established by law, in the Supreme Court; or

“(C) the date of issuance of the mandate of the Supreme Court, if on a petition for a writ of certiorari the Supreme Court grants the writ and disposes of the case in a manner that leaves the capital sentence undisturbed.

“(2) The time requirements established by this section shall be tolled—

“(A) during any period in which the State has failed to provide counsel as required in section 2257 of this chapter;

“(B) during the period from the date the applicant files an application for State postconviction relief until final disposition of the application by the State appellate courts, if all filing deadlines are met; and

“(C) during an additional period not to exceed 90 days, if counsel moves for an extension in the district court that would have jurisdiction of a habeas corpus application and makes a showing of good cause.”.

SEC. 802. STAYS OF EXECUTION IN CAPITAL CASES.

Section 2251 of title 28, United States Code, is amended—

(1) by inserting “(a)(1)” before the first paragraph;

(2) by inserting “(2)” before the second paragraph; and

(3) by adding at the end the following:

“(b) In the case of an individual under sentence of death, a warrant or order setting an execution shall be stayed upon application to any court that would have jurisdiction over an application for habeas corpus under this chapter. The stay shall be contingent upon reasonable diligence by the individual in pursuing relief with respect to such sentence and shall expire it—

“(1) the individual fails to apply for relief under this chapter within the time requirements established by section 2254(g) of this chapter;