

It was decided in the negative { Yeas 177 Nays 248

¶122.16 [Roll No. 692] AYES—177

Abercrombie Ackerman Baldacci Barcia Barrett (WI) Becerra Beilenson Bentsen Berman Bevill Bishop Bonior Borski Boucher Browder Brown (CA) Brown (FL) Brown (OH) Bryant (TX) Cardin Chapman Clay Clayton Clement Clyburn Coleman Collins (MI) Costello Coyne Cramer Danner de la Garza DeFazio DeLauro Dellums Deutsch Dicks Dingell Dixon Doggett Dooley Doyle Durbin Edwards Engel Eshoo Evans Farr Fattah Fazio Fields (LA) Filner Flake Foglietta Ford Frank (MA) Frost Furse Gejdenson

Gephardt Gibbons Gonzalez Green Gutierrez Hall (OH) Hamilton Harman Hastings (FL) Hefner Hilliard Hinchey Holden Houghton Hoyer Jackson-Lee Jacobs Jefferson Johnson (SD) Johnson, E. B. Johnston Kanjorski Kaptur Kennedy (MA) Kennedy (RI) Kennelly Kildee Kleczka Klink LaFalce Lantos Levin Lewis (GA) Lincoln Lipinski Lofgren Lowey Luther Maloney Manton Markey Martinez Mascara Matsui McCarthy McDermott McHale McKinney Meehan Meek Menendez Mfume Miller (CA) Mineta Minge Mink Moakley Mollohan Moran

Murtha Nadler Neal Oberstar Obey Ortiz Owens Pallone Pastor Payne (NJ) Payne (VA) Pelosi Peterson (FL) Pickett Pomeroy Poshard Rahall Rangel Reed Richardson Rivers Rose Roybal-Allard Rush Sabo Sanders Sawyer Schroeder Schumer Scott Serrano Skaggs Skelton Slaughter Spratt Stark Stokes Studds Stupak Tanner Thompson Thurman Torres Torricelli Towns Velazquez Vento Visclosky Volkmer Ward Waters Watt (NC) Waxman Williams Wise Woolsey Wyden Wynn Yates

NOES—248

Allard Andrews Archer Armev Bachus Baesler Baker (CA) Baker (LA) Ballenger Barr Barrett (NE) Bartlett Barton Bass Bereuter Bilbray Bilirakis Bliley Blute Boehlert Boehner Bonilla Bono Brewster Brownback Bryant (TN) Bunn Bunning Burton Buyer Callahan Calvert

Camp Canady Castle Chabot Chambliss Chenoweth Christensen Chrysler Clinger Coble Coburn Collins (GA) Combust Condit Cooley Cox Crane Crapo Cremeans Cubin Cunningham Davis Deal DeLay Diaz-Balart Dickey Doolittle Dornan Dreier Dunn Ehlers Emerson

English Ensign Everett Ewing Fawell Fields (TX) Flanagan Foley Forbes Fowler Fox Franks (CT) Franks (NJ) Frelinghuysen Frisa Funderburk Gallegly Ganske Gekas Geren Gilchrest Gillmor Gilman Goodlatte Goodling Gordon Goss Graham Greenwood Gunderson Gutknecht Hall (TX) Hancock

Hansen Hastert Hastings (WA) Hayes Hayworth Hefley Heineman Herger Hilleary Hobson Hoekstra Hoke Horn Hostettler Hunter Hutchinson Hyde Inglis Istook Johnson (CT) Johnson, Sam Jones Kasich Kelly Kim King Kingston Klug Knollenberg Kolbe LaHood Largent Latham LaTourette Laughlin Lazio Leach Lewis (CA) Lewis (KY) Lightfoot Linder Livingston LoBiondo Longley Lucas Manzullo Martini McCollum McCrery McDade McHugh McInnis McIntosh McKeon McNulty Metcalf Meyers Mica Miller (FL) Molinari Montgomery Moorhead Morella Myers Myrick Nethercutt Neumann Ney Norwood Nussle Orton Oxley Packard Parker Paxon Peterson (MN) Petri Pombo Porter Portman Pryce Quillen Quinn Radanovich Ramstad Regula Riggs Roberts Roemer Rogers Rohrabacher Ros-Lehtinen Roth Roukema Royce Salmon Sanford Saxton Scarborough Schaefer

NOT VOTING—9

Bateman Collins (IL) Conyers Duncan Olver Reynolds Tejada Torkildsen Tucker

So the amendment was not agreed to. After some further time,

The SPEAKER pro tempore, Mr. HEFLEY, resumed the Chair.

When Mr. EWING, Chairman, pursuant to House Resolution 227, 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. 3-JUDGE COURT FOR CERTAIN INJUNCTIONS.

Any application for an interlocutory or permanent injunction restraining the enforcement, operation, or execution of a State law adopted by referendum shall not be granted by a United States district court or judge thereof upon the ground of the unconstitutionality of such State law unless the application for the injunction is heard and determined by a court of 3 judges in accordance with section 2284 of title 28, United States Code. Any appeal of a determination on such application shall be to the Supreme Court. In any case to which this section applies, the additional judges who will serve on the 3-judge court shall be designated under section 2284(b)(1) of title 28, United States Code, as soon as practicable, and the court shall expedite the consideration of the application for an injunction.

SEC. 2. DEFINITIONS.

As used in this Act— (1) the term "State" means each of the several States and the District of Columbia; (2) the term "State law" means the constitution of a State, or any statute, ordinance, rule, regulation, or other measure of a State that has the force of law, and any amendment thereto; and

(3) the term "referendum" means the submission to popular vote of a measure passed upon or proposed by a legislative body or by popular initiative.

SEC. 3. EFFECTIVE DATE.

This Act applies to any application for an injunction that is filed on or after the date of the enactment of this Act.

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?

Mrs. SCHROEDER demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 266 Nays 159

¶122.17 [Roll No. 693] AYES—266

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