

NOES—282

Abercrombie	Gekas	Ney
Ackerman	Gephardt	Northup
Allen	Gibbons	Nussle
Andrews	Gilman	Oberstar
Baird	Gonzalez	Obey
Baldacci	Gordon	Oliver
Baldwin	Goss	Ortiz
Ballenger	Graham	Ose
Barcia	Green (TX)	Owens
Barr	Green (WI)	Pallone
Barrett (NE)	Gutierrez	Pascarell
Barrett (WI)	Hastings (FL)	Pastor
Bass	Hastings (WA)	Paul
Bateman	Hayworth	Payne
Becerra	Hill (IN)	Pease
Bentsen	Hilliard	Pelosi
Berkley	Hinchev	Petri
Berman	Hinojosa	Phelps
Berry	Hoefel	Pickett
Biggert	Hoekstra	Pombo
Bishop	Holt	Pomeroy
Blagojevich	Hooley	Porter
Blumenauer	Hoyer	Price (NC)
Boehner	Hulshof	Price (OH)
Bonilla	Hutchinson	Quinn
Bonior	Inslee	Rahall
Bono	Jackson (IL)	Rangel
Borski	Jackson-Lee	Reyes
Boswell	(TX)	Rivers
Boucher	Jefferson	Rodriguez
Boyd	John	Roemer
Brady (PA)	Johnson, E.B.	Rogan
Brown (FL)	Jones (OH)	Rohrabacher
Brown (OH)	Kanjorski	Ros-Lehtinen
Burr	Kaptur	Rothman
Burton	Kennedy	Roybal-Allard
Camp	Kildee	Royce
Campbell	Kilpatrick	Rush
Cannon	Kind (WI)	Ryan (WI)
Capps	Kleczka	Sabo
Capuano	Klink	Salmon
Cardin	Knollenberg	Sanchez
Carson	Kolbe	Sanders
Castle	Kucinich	Sandlin
Clay	Kuykendall	Sanford
Clayton	LaFalce	Sawyer
Clyburn	Lampson	Scarborough
Coble	Lantos	Schaffer
Condit	Larson	Schakowsky
Conyers	Latham	Scott
Cooksey	LaTourette	Sensenbrenner
Costello	Leach	Serrano
Cox	Lee	Shaw
Coyne	Levin	Sherman
Cramer	Lewis (CA)	Sisisky
Crane	Lewis (GA)	Skeen
Crowley	Linder	Slaughter
Cummings	Lofgren	Smith (WA)
Davis (FL)	Lowe	Snyder
Davis (VA)	Luther	Spratt
DeFazio	Maloney (NY)	Stabenow
DeGette	Manzullo	Stark
Delahunt	Markey	Strickland
DeLauro	Martinez	Stupak
Deutsch	Mascara	Sununu
Diaz-Balart	Matsui	Tanner
Dickey	McCarthy (MO)	Tauscher
Dicks	McCarthy (NY)	Tauzin
Dingell	McCollum	Terry
Dixon	McDermott	Thompson (CA)
Doggett	McGovern	Thompson (MS)
Dooley	McInnis	Thornberry
Doolittle	McKinney	Thune
Doyle	McNulty	Thurman
Dreier	Meehan	Tierney
Dunn	Meek (FL)	Toomey
Edwards	Meeks (NY)	Towns
Ehrlich	Menendez	Udall (CO)
Engel	Millender-	Udall (NM)
Eshoo	McDonald	Velazquez
Etheridge	Miller (FL)	Vento
Evans	Miller, George	Visclosky
Farr	Minge	Walsh
Fattah	Mink	Wamp
Filner	Moakley	Waters
Fletcher	Moore	Watt (NC)
Foley	Moran (KS)	Waxman
Forbes	Moran (VA)	Weller
Ford	Morella	Wexler
Fossella	Murtha	Weygand
Fowler	Myrick	Woolsey
Frank (MA)	Nadler	Wu
Frost	Napolitano	Wynn
Ganske	Neal	Young (AK)
Gejdenson	Nethercutt	

NOT VOTING—6

Brown (CA)	Houghton	Thomas
Davis (IL)	Kasich	Weiner

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

¶65.13 RECORDED VOTE

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

At the end of the bill, insert the following:

TITLE —MATTHEW'S LAW

SEC. . . . SHORT TITLE.

This title may be cited as "Matthew's Law".

SEC. . . . 2. ENHANCED PENALTIES FOR CRIMES OF VIOLENCE AGAINST CHILDREN UNDER AGE 13.

(a) IN GENERAL.—Title XVII of the Violent Crime Control and Law Enforcement Act of 1994 is amended by adding at the end the following:

"Subtitle C—Enhanced Penalties for Crimes of Violence Against Children Under Age 13

"SEC. 170301. ENHANCED PENALTIES FOR CRIMES OF VIOLENCE AGAINST CHILDREN UNDER AGE 13.

"(a) IN GENERAL.—The United States Sentencing Commission shall amend the Federal sentencing guidelines to provide a sentencing enhancement of not less than 5 levels above the offense level otherwise provided for a crime of violence, if the crime of violence is against a child.

"(b) DEFINITIONS.—In this section—

"(1) the term 'crime of violence' means any crime punishable by imprisonment for a term exceeding one year that has as an element the use, attempted use, or threatened use of physical force against the person of another; and

"(2) the term 'child' means a person who has not attained 13 years of age at the time of the offense."

(b) CONFORMING REPEAL.—Section 240002 of such Act (28 U.S.C. 994 note) is repealed.

(c) CLERICAL AMENDMENT.—The table of contents of such Act is amended by striking the item relating to subtitle C of title XVII and the items relating to sections 170301 through 170303 and inserting the following:

"Subtitle C—Enhanced Penalties for Crimes of Violence Against Children Under Age 13

"Sec. 170301. Enhanced penalties for crimes of violence against children under age 13."

SEC. . . . 3. FEDERAL BUREAU OF INVESTIGATION ASSISTANCE AVAILABLE TO STATE OR LOCAL LAW AUTHORITIES IN INVESTIGATING POSSIBLE HOMICIDES OF CHILDREN UNDER THE AGE OF 13.

To the maximum extent practicable, the Federal Bureau of Investigation may provide to State and local law enforcement authorities such assistance as such authorities may require in investigating the death of an individual who has not attained 13 years of age under circumstances indicating that the death may have been a homicide.

It was decided in the { Yeas 401
affirmative } Nays 27

¶65.14 [Roll No. 214]
AYES—401

Abercrombie	Ballenger	Berkley
Ackerman	Barcia	Berman
Aderholt	Barr	Berry
Allen	Barrett (NE)	Biggert
Andrews	Barrett (WI)	Bilbray
Archer	Bartlett	Bilirakis
Armey	Barton	Bishop
Bachus	Bass	Blagojevich
Baird	Bateman	Bliley
Baker	Becerra	Blumenauer
Baldacci	Bentsen	Blunt
Baldwin	Bereuter	Boehler

Boehner	Gilman	McInnis
Bonilla	Gonzalez	McIntosh
Bonior	Goode	McIntyre
Bono	Goodlatte	McKeon
Borski	Goodling	McKinney
Boswell	Gordon	McNulty
Boucher	Goss	Meehan
Boyd	Graham	Menendez
Brady (PA)	Granger	Metcalf
Brady (TX)	Green (TX)	Mica
Brown (FL)	Green (WI)	Millender-
Brown (OH)	Greenwood	McDonald
Bryant	Gutierrez	Miller (FL)
Burr	Gutknecht	Miller, Gary
Burton	Hall (OH)	Miller, George
Buyer	Hall (TX)	Minge
Callahan	Hansen	Moakley
Calvert	Hastings (WA)	Mollohan
Camp	Hayes	Moran (KS)
Canady	Hayworth	Moran (VA)
Cannon	Hefley	Morella
Capps	Herger	Murtha
Capuano	Hill (IN)	Murtha
Cardin	Hill (MT)	Myrick
Carson	Hilleary	Nadler
Castle	Hinchev	Napolitano
Chabot	Hinojosa	Neal
Chambliss	Hobson	Nethercutt
Chenoweth	Hoefel	Ney
Clement	Hoekstra	Northup
Clyburn	Holden	Norwood
Coble	Holt	Nussle
Coburn	Hooley	Oberstar
Collins	Horn	Obey
Combest	Hostettler	Oliver
Condit	Hoyer	Ortiz
Cook	Hulshof	Ose
Cooksey	Hunter	Oxley
Costello	Hutchinson	Packard
Cox	Hyde	Pallone
Coyne	Inslee	Pascarell
Cramer	Isakson	Pastor
Crane	Istook	Pease
Crowley	Jackson-Lee	Peterson (MN)
Cubin	(TX)	Peterson (PA)
Cunningham	Jefferson	Petri
Danner	Jenkins	Phelps
Davis (FL)	John	Pickering
Davis (IL)	Johnson (CT)	Pickett
Davis (VA)	Johnson, Sam	Pitts
Deal	Jones (NC)	Pombo
DeFazio	Kanjorski	Pomeroy
DeGette	Kaptur	Porter
Delahunt	Kelly	Portman
DeLauro	Kennedy	Price (NC)
DeLay	Kildee	Price (OH)
DeMint	Kind (WI)	Quinn
Deutsch	King (NY)	Radanovich
Diaz-Balart	Kingston	Rahall
Dickey	Kleczka	Ramstad
Dicks	Klink	Rangel
Dingell	Knollenberg	Regula
Dixon	Kolbe	Reyes
Doggett	Kucinich	Reynolds
Dooley	Kuykendall	Riley
Doolittle	LaFalce	Rivers
Doyle	LaHood	Rodriguez
Dreier	Lampson	Roemer
Duncan	Lantos	Rogan
Dunn	Largent	Rogers
Edwards	Larson	Rohrabacher
Ehlers	Latham	Ros-Lehtinen
Ehrlich	LaTourette	Rothman
Emerson	Lazio	Roukema
English	Leach	Roybal-Allard
Eshoo	Levin	Royce
Etheridge	Lewis (CA)	Ryan (WI)
Evans	Lewis (GA)	Ryun (KS)
Everett	Lewis (KY)	Sabo
Farr	Linder	Salmon
Fattah	Lipinski	Sanchez
Filner	LoBiondo	Sanders
Fletcher	Lofgren	Sandlin
Foley	Lowe	Sawyer
Forbes	Lucas (KY)	Saxton
Ford	Lucas (OK)	Scarborough
Fossella	Luther	Schaffer
Fowler	Maloney (CT)	Schakowsky
Frank (MA)	Maloney (NY)	Sensenbrenner
Franks (NJ)	Manzullo	Serrano
Frelinghuysen	Markey	Sessions
Frost	Martinez	Shaw
Gallegly	Mascara	Shays
Ganske	Matsui	Sherman
Gejdenson	McCarthy (MO)	Sherwood
Gekas	McCarthy (NY)	Shimkus
Gephardt	McCollum	Shows
Gibbons	McCrery	Shuster
Gilchrist	McGovern	Simpson
Gillmor	McHugh	Sisisky

Skeen	Tauscher	Walden
Skelton	Tauzin	Walsh
Slaughter	Taylor (MS)	Wamp
Smith (MI)	Taylor (NC)	Watkins
Smith (NJ)	Terry	Watts (OK)
Smith (TX)	Thompson (CA)	Waxman
Smith (WA)	Thompson (MS)	Weldon (FL)
Snyder	Thornberry	Weldon (PA)
Souder	Thune	Weller
Spence	Thurman	Wexler
Spratt	Tiaht	Weygand
Stabenow	Tierney	Whitfield
Stark	Toomey	Wicker
Stearns	Towns	Wilson
Stenholm	Trafficant	Wise
Strickland	Turner	Wolf
Stump	Udall (CO)	Woolsey
Stupak	Udall (NM)	Wu
Sununu	Upton	Wynn
Sweeney	Velazquez	Young (AK)
Talent	Vento	Young (FL)
Tancredo	Visclosky	
Tanner	Vitter	

in effect on the day before the date of the enactment of this Act, and that provides for remedies relating to prison conditions shall cease to be effective on the date of the enactment of this Act.

(2) DEFINITIONS.—As used in this subsection—

(A) the term “consent decree” has the meaning given that term in section 3626(g) of title 18, United States Code; and

(B) the term “prison conditions” has the meaning given that term in section 1632(c) of title 28, United States Code, as added by subsection (a) of this section.

It was decided in the { Yeas 296
affirmative } Nays 133

Sensenbrenner	Stabenow	Visclosky
Sessions	Stearns	Vitter
Shadegg	Stenholm	Walden
Shaw	Stump	Walsh
Shays	Sununu	Wamp
Sherman	Sweeney	Watkins
Sherwood	Talent	Watts (OK)
Shimkus	Tancredo	Weldon (FL)
Shows	Tanner	Weldon (PA)
Shuster	Tauzin	Weller
Simpson	Taylor (MS)	Wexler
Sisisky	Taylor (NC)	Weygand
Skeen	Terry	Whitfield
Skelton	Thornberry	Wicker
Smith (MI)	Thune	Wilson
Smith (NJ)	Thurman	Wise
Smith (TX)	Tiaht	Wolf
Smith (WA)	Toomey	Wu
Souder	Trafficant	Young (AK)
Spence	Turner	Young (FL)
Spratt	Upton	

NOES—27

Campbell	Johnson, E. B.	Paul
Clay	Jones (OH)	Payne
Clayton	Kilpatrick	Pelosi
Conyers	Lee	Rush
Cummings	McDermott	Sanford
Engel	Meek (FL)	Scott
Hastings (FL)	Meeks (NY)	Shadegg
Hilliard	Mink	Waters
Jackson (IL)	Owens	Watt (NC)

NOT VOTING—6

Brown (CA)	Houghton	Thomas
Ewing	Kasich	Weiner

So the amendment was agreed to.

¶65.15 RECORDED VOTE

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

At the end of the bill, insert the following:
SEC. ____ . LIMITATION ON PRISONER RELEASE ORDERS.

(a) IN GENERAL.—Chapter 99 of title 28, United States Code, is amended by adding at the end the following new section:

*§ 1632. Limitation on prisoner release orders

“(a) LIMITATION.—Notwithstanding section 3626(a)(3) of title 18 or any other provision of law, in a civil action with respect to prison conditions, no court of the United States or other court listed in section 610 shall have jurisdiction to enter or carry out any prisoner release order that would result in the release from or nonadmission to a prison, on the basis of prison conditions, of any person subject to incarceration, detention, or admission to a facility because of a conviction of a felony under the laws of the relevant jurisdiction, or a violation of the terms or conditions of parole, probation, pretrial release, or a diversionary program, relating to the commission of a felony under the laws of the relevant jurisdiction.

“(b) DEFINITIONS.—As used in this section—

“(1) the terms ‘civil action with respect to prison conditions’, ‘prisoner’, ‘prisoner release order’, and ‘prison’ have the meanings given those terms in section 3626(g) of title 18; and

“(2) the term ‘prison conditions’ means conditions of confinement or the effects of actions by government officials on the lives of persons confined in prison.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 99 of title 28, United States Code, is amended by adding at the end the following new item:

“1632. Limitation on prisoner release orders.”.

(c) CONSENT DECREES.—

(1) TERMINATION OF EXISTING CONSENT DECREES.—Any consent decree that was entered into before the date of the enactment of the Prison Litigation Reform Act of 1995, that is

¶65.16 [Roll No. 215]
AYES—296

Aderholt	Ehrlich	Lewis (KY)
Andrews	Emerson	Linder
Archer	Eshoo	Lipinski
Armey	Etheridge	LoBiondo
Bachus	Everett	Loftgren
Baird	Ewing	Lowey
Baker	Fletcher	Lucas (KY)
Ballenger	Foley	Lucas (OK)
Barcia	Forbes	Luther
Barr	Fossella	Maloney (CT)
Barrett (NE)	Fowler	Maloney (NY)
Bartlett	Franks (NJ)	Manzullo
Barton	Frelinghuysen	Mascara
Bass	Galleghy	McCollum
Bateman	Ganske	McCrery
Bentsen	Gekas	McHugh
Bereuter	Gibbons	McInnis
Berry	Gilchrest	McIntosh
Biggart	Gillmor	McIntyre
Bilbray	Gilman	McKeon
Bilirakis	Goode	Menendez
Bishop	Goodlatte	Metcalfe
Blagojevich	Goodling	Mica
Bliley	Gordon	Miller (FL)
Blunt	Goss	Miller, Gary
Boehlert	Graham	Mollohan
Boehner	Granger	Moran (KS)
Bonilla	Green (TX)	Murtha
Bonior	Green (WI)	Myrick
Bono	Gutknecht	Nethercutt
Borski	Hall (TX)	Ney
Boswell	Hansen	Northup
Boyd	Hastings (WA)	Norwood
Brady (TX)	Hayes	Nussle
Bryant	Hayworth	Ortiz
Burr	Hefley	Ose
Burton	Herger	Oxley
Buyer	Hill (IN)	Packard
Callahan	Hill (MT)	Pallone
Calvert	Hilleary	Pascrell
Camp	Hinojosa	Paul
Canady	Hobson	Pease
Cannon	Hoekstra	Peterson (MN)
Capps	Holden	Peterson (PA)
Castle	Holt	Petri
Chabot	Hooley	Phelps
Chambliss	Horn	Pickering
Chenoweth	Hostettler	Pickett
Clement	Hulshof	Pitts
Coble	Hunter	Pombo
Coburn	Hutchinson	Porter
Collins	Hyde	Portman
Combest	Insee	Price (NC)
Condit	Isakson	Pryce (OH)
Cook	Istook	Quinn
Cooksey	Jenkins	Radanovich
Costello	John	Ramstad
Cox	Johnson (CT)	Regula
Cramer	Johnson, Sam	Reyes
Crane	Jones (NC)	Reynolds
Cubin	Kanjorski	Riley
Cunningham	Kelly	Rivers
Danner	Kildee	Roemer
Davis (FL)	King (NY)	Rogan
Davis (VA)	Kingston	Rogers
Deal	Kleczka	Rohrabacher
DeLay	Knollenberg	Ros-Lehtinen
DeMint	Kolbe	Rothman
Deutsch	Kuykendall	Roukema
Diaz-Balart	LaHood	Royce
Dickey	Lampson	Ryan (WI)
Doolittle	Largent	Ryun (KS)
Doyle	Latham	Salmon
Dreier	LaTourette	Sandlin
Duncan	Lazio	Sanford
Dunn	Leach	Saxton
Edwards	Levin	Scarborough
Ehlers	Lewis (CA)	Schaffer

NOES—133

Abercrombie	Gephardt	Moore
Ackerman	Gonzalez	Moran (VA)
Allen	Greenwood	Morella
Baldacci	Gutierrez	Nadler
Baldwin	Hall (OH)	Napolitano
Barrett (WI)	Hastings (FL)	Neal
Becerra	Hilliard	Oberstar
Berkley	Hinchev	Obey
Berman	Hoeffel	Olver
Blumenauer	Hoyer	Owens
Boucher	Jackson (IL)	Pastor
Brady (PA)	Jackson-Lee	Payne
Brown (FL)	(TX)	Pelosi
Brown (OH)	Jefferson	Pomeroy
Campbell	Johnson, E. B.	Rahall
Capuano	Jones (OH)	Rangel
Cardin	Kaptur	Rodriguez
Carson	Kennedy	Roybal-Allard
Clay	Kilpatrick	Rush
Clayton	Kind (WI)	Sabo
Clyburn	Klink	Sanchez
Conyers	Kucinich	Sanders
Coyne	LaFalce	Sawyer
Crowley	Lantos	Schakowsky
Cummings	Larson	Scott
Davis (IL)	Lee	Serrano
DeFazio	Lewis (GA)	Slaughter
DeGette	Markey	Snyder
Delahunt	Martinez	Stark
DeLauro	Matsui	Strickland
Dicks	McCarthy (MO)	Stupak
Dingell	McCarthy (NY)	Tauscher
Dixon	McDermott	Thompson (CA)
Doggett	McGovern	Thompson (MS)
Dooley	McKinney	Tierney
Engel	McNulty	Towns
English	Meehan	Udall (CO)
Evans	Meek (FL)	Udall (NM)
Farr	Meeks (NY)	Velazquez
Fattah	Millender	Vento
Filner	McDonald	Waters
Ford	Miller, George	Watt (NC)
Frank (MA)	Minge	Waxman
Frost	Mink	Woolsey
Gejdenson	Moakley	Wynn

NOT VOTING—5

Brown (CA)	Kasich	Weiner
Houghton	Thomas	

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

¶65.17 RECORDED VOTE

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

At the end of the bill insert the following:

SEC. ____ . FINDINGS.

The Congress finds that—
(1) more than 40,000 laws regulating the sale, possession, and use of firearms currently exist at the Federal, State, and local level;

(2) there have been an extremely low number of prosecutions for Federal firearms violations;

(3) programs such as Project Exile have succeeded in dramatically decreasing homicide and gun-related crimes; and

(4) enhanced punishment and aggressive prosecution for crimes committed with fire-